

**TOWNSHIP OF BERN
BERKS COUNTY, PENNSYLVANIA**

September 6, 2022

SUPERVISORS MEETING

SUPERVISORS PRESENT: Irene Reed, Chairman
Dr. Boyd Wagner
Brian Eveland, Supervisor
Daniel Tobias, Supervisor
Jeffrey Thompson, Supervisor

STAFF PRESENT: Brian Potts, Township Manager
Diane DeJesus, Secretary/Treasurer
Wesley Waugh, Chief of Police
Timothy Dietrich, Esquire
Kent Morey, Engineer
Bradley Pflum, Codes Enforcement

CALL TO ORDER-PLEDGE OF ALLEGIANCE

Mrs. Reed called the meeting to order at 7:00 PM.

CONSENT AGENDA

Dr. Wagner moved to approve the Consent Agenda, as presented, which included the minutes of the August 10, 2022 Supervisors Meeting and to accept the finance report, subject to audit and approve payment of bills on the list, seconded by Mr. Thompson. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

FINANCE REPORT

Balances as of September 6, 2022: General Fund: \$2,728,668.45, State Account: \$761,408.96, PLGIT: \$67,430.91, Certificate of Deposits: \$560,486.74, Expenses: \$95,548.50. Treasurer's Report accepted subject to audit.

PUBLIC COMMENT

Stephanie Jacobs, Kelly Jacoby and Marissa Loeb from the Schuylkill Valley Community Library updated the Supervisors on the library and distribution of the 2022 funding.

TOWNSHIP MANAGER

Mr. Potts provided his report to the Board and informed them a complaint was received about people allowing their dogs to go to the bathroom on the soccer field and suggested that the Township put up NO DOGS signage at the field. Mr. Thompson made a motion to have NO DOGS signs placed at the soccer field; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Mr. Potts asked if the Supervisors would prefer September 21 or 27 at 7:00 PM for the executive session on the fire company litigation matter and the Supervisors agreed to September 27, 2022 at 7:00 PM. Mr. Potts also informed the Supervisors that the PSH Agreement is expiring at the end of the year and discussions will begin soon if anyone would like to participate.

PUBLIC SAFETY & SERVICES

Fire Company

Mount Pleasant provided their report.

Emergency Medical Services

Western Berks and Northern Berks provided their reports.

Emergency Management

Mr. Hinkle provided his report to the Board.

Discussion/ Approval of Hazard Mitigation Plan- Mr. Thompson made a motion to approve the Hazard Mitigation Plan; Mr. Eveland seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Police Department

Chief Waugh provided his report and informed the Supervisors that he will be asking for ratification at next month's Supervisors Meeting for a Law Enforcement Support Grant he is applying for and officer training because the registration discount deadline occurs before the meeting.

Discussion/ Approval of Social Media Archiving for Facebook Page- Chief Waugh informed the Board that social media content must be captured in meta data and must be archived for potential Right-to-Know Requests and currently social media is being screen shot which does not contain the meta data required by the courts. Chief Waugh also stated that the budgeted amount for social media archiving services is \$2,000.00, but the price rose considerably from the lead archiving service company. Chief Waugh stated that he found a company named Smarsh to capture the social media content and requested a motion to approve contracting with Smarsh. Mr. Potts stated that Facebook archiving service from Smarsh would cost \$1,270.00 for the first year and \$970.00 per year after. Mr. Thompson made a motion to approve contracting with Smarsh for Facebook social media archiving services; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

PLANNING/ZONING/CODE ENFORCEMENT

Engineer - Mr. Morey provided his report to the Board.

Planning Commission

Mr. Potts apologized because he was unaware that there were waiver requests and stated that the Supervisors should approve the waiver requests prior to voting on the land development plans.

Discussion/Approval of the Leisz's Bridge Road 2 Lot Subdivision Preliminary Plan- Mr. Potts stated that the Planning Commission recommended conditional approval of the plan subject to the August 5, 2022 SSM review letter. Mr. Potts stated that the developer requested a waiver from section 154-8.K of the Streets and Sidewalks Ordinance to not provide sidewalks and curbing along Leisz's Bridge Road, but the motion should only be approved to waive the sidewalks and not waive the curbing. Dr. Wagner made a motion to approve the waiver from section 154-8.K of the Streets and Sidewalks Ordinance for sidewalks only and to approve the Leisz's Bridge Road 2 Lot Subdivision Preliminary Plan subject to August 5, 2022 SSM review letter; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Discussion/ Approval of the UGI Data Center Land Development Preliminary Plan- Mr. Potts stated that the developer requested a plan scale waiver from Section 154-19.A and the Planning Commission recommended granting the waiver and approving the UGI Data Center Land Development Preliminary Plan contingent on the SSM August 8, 2022 review letter. Dr. Wagner made a motion to approve the plan scale waiver and to approve the UGI Data Center Preliminary Plan subject to August 8, 2022 SSM review letter; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Discussion/ Approval of SunCap Municipal Improvements Escrow Release-Mr. Potts stated that Mr. Morey did an analysis and recommended a release of \$3,700,610.00 leaving a remaining balance of \$2,977,512.00. Dr. Wagner made a motion to release the recommended amount from the SunCap Municipal Improvements Escrow; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Discussion/ Approval to Release Escrow Residue to Burkey Development Group- Mr. Potts stated that the amount of the release is \$5,634.77 for the Stinson Drive submissions. Dr. Wagner made a motion to release the escrow residue in the amount of \$5,634.77 to Burkey Development Group; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Discussion/ Approval of Wagner Sewage Modules-Mr. Potts stated that SSM recommended that the modules be approved for signature. Mr. Thompson made a motion to approve the Wagner Sewage Modules; Mr. Eveland seconded. YES: Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. ABSTAIN: Dr. Wagner. Motion carried.

Discussion/ Approval to Return Escrow Residue to 397 White Oak Lane- Mr. Potts stated that the stormwater escrow residue amount is \$176.73. Dr. Wagner made a motion to return the remaining stormwater escrow in the amount of \$176.73 to 397 White Oak Lane; Mr. Thompson

seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Time Extensions

None.

Code Enforcement

Mr. Pflum provided his report to the Board.

STORMWATER MANAGEMENT

MS4 Stormwater Report

Mr. Potts stated that the meeting was held with Mr. Jack and Mr. Morey and a graduated scale for stormwater regulations was worked out and that a grant will be applied for to construct the last stormwater project in Greenfields.

ROAD DEPARTMENT

Mr. Potts stated that the Washington Road Project is almost complete. Mr. Potts also stated the roundabout pipe work on Route 183 is scheduled for October 13, 2022 with a rain date of October 14, 2022 and RAWA will notify Enersys they will not have water on the day of construction.

Discussion/ Approval to Request PennDOT Traffic Study for Route 183 and West Leesport Road- Mr. Potts stated that he spoke with the PennDOT District Traffic Signals Manager about the amount of accidents occurring on Route 183 at WAWA and asked about a traffic study to see if a left hand turn signal is warranted and PennDOT will do a study if requested, but the Township must pay for the signal if it is needed. Mr. Potts stated that the money is available from WAWA for the signal because the Township required them to provide a letter of credit for that. Mr. Potts and Chief Waugh will recommend a prohibitive left hand turn arrow. Mr. Eveland made a motion to approve sending the letter requesting a PennDOT traffic study for the intersection at Route 183 and West Leesport Road; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Discussion/ Approval to Sell the 2001 and 2004 Utility Trucks- Mr. Potts informed the Board that the new utility trucks were in and the old utility trucks are ready to be sold on Municibid. Mr. Thompson made a motion to approve selling the 2001 and the 2004 utility trucks on Municibid; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed.

SEWER/ WATER/ BERN TOWNSHIP MUNICIPAL AUTHORITY

No report.

SOLID WASTE ADVISORY COMMISSION

Mr. Potts informed the Board that the cost to recycle leaf and yard waste at the recycling center has rose considerably and that he has been discussing with Jane Meeks possible changes in security, access and facility layout. Mr. Potts also stated a grant will be applied for to help pay for the expenses.

Discussion/ Approval for Chairperson to Sign 2023-2025 Trash Collection Contract- Mr. Potts stated that BFI/Republic Services, the current hauler, was the successful bidder with a cost of \$574,259.40 for once per week collection for the three-year contract and Atty. Mooney has reviewed the bid package for completeness. Mr. Thompson made a motion to approve the Chairperson to sign the 2023-2025 Trash Collection Contract; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Discussion/ Approval for Chairperson to Sign 2023-2025 Recycling Collection Contract- Mr. Potts stated that AJ Bolenski, the current hauler, was the successful bidder with a cost of \$387,720.30 for once per week collection for the three-year contract and Atty. Mooney has reviewed the bid package for completeness. Mr. Thompson made a motion to approve the Chairperson to sign the 2023-2025 Recycling Collection Contract; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Discussion/ Approval for Chairperson to Sign 2023-2025 Recycling Marketing Contract- Mr. Potts stated that Solid Waste Services/ JP Mascaro, the current processor, was the successful bidder with a cost of \$95 per ton for the first year, \$100 per ton for the second year and \$105 per ton for the once per week collection for the three-year contract and based on the current historic information it values the contract around \$69,300.00 and Atty. Mooney has reviewed the bid package for completeness. Mr. Thompson suggested that they publicly discuss glass and informed the Board that after discussion it was decided that recycling glass didn't make any sense because JP Mascaro isn't really recycling it, but just using it to weigh down their landfill and why should residents pay more for their annual recycling fee if it can be put into their trash and end up in the landfill anyway. Mr. Thompson made a motion to approve the Chairperson to sign the 2023-2025 Recycling Marketing Contract; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

ADMINISTRATION

Acknowledgement of Ag Security Applications for 2022- None received.

Discussion/Approval of the 2023 Non-Uniformed Minimum Municipal Obligation Worksheet- Mr. Potts stated that the 2023 Non-Uniformed Minimum Municipal Obligation will be \$79, 466.00 and Univest has approved it. Mr. Thompson made a motion to approve the 2023 Non-Uniformed Minimum Municipal Obligation; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Discussion/Approval of the 2023 Uniform Minimum Municipal Obligation Worksheet- Mr. Potts stated that the 2023 Uniform Minimum Municipal Obligation is \$409,595.00 and Univest has approved it. Mr. Thompson made a motion to approve the 2023 Uniform Minimum Municipal Obligation; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Discussion/ Approval to Appoint Jeff Piccioni to the Three-Year Alternate Position for the Code Appeals Board- Mr. Potts informed the Board that Mr. Piccioni is a fifteen-year Township resident who is interested in the position. Mr. Thompson made a motion to appoint Jeff Piccioni to the three-year Alternate Position for the Code Appeals Board; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Discussion of Police Association Grievance- Mrs. Reed stated that an Executive Session was held to discuss a police officer grievance and more time is needed for the Supervisors to analyze and discuss the points to come to a decision. Atty. Dietrich stated that in order to allow the Supervisors the appropriate time the grievance must be denied. Dr. Wagner made a motion to deny the Police Association Grievance; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Discussion of Budget Workshop Meetings- Mr. Potts informed the Board that the budget for next year is currently being worked on and it has a lot of variables and if budget workshops are necessary they need to be held in October and Mrs. Reed asked the Supervisors to contact Mr. Potts with available dates.

Next Supervisor's meeting will be held on Tuesday, October 4, 2022 at 7:00 PM.

Mr. Thompson made a motion to adjourn the meeting at 8:15 PM; Mr. Eveland seconded.

Respectfully submitted,

Diane DeJesus,
Secretary/Treasurer