

**TOWNSHIP OF BERN  
BERKS COUNTY, PENNSYLVANIA**

September 7, 2021

**SUPERVISORS MEETING**

**SUPERVISORS PRESENT:** Irene Reed, Chairman  
Brian Eveland, Supervisor  
Jeff Thompson, Supervisor  
Daniel Tobias, Supervisor  
Dr. Boyd Wagner III, 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 and stated that an executive session had been held prior to the Supervisors Meeting to discuss a personnel issue.

**CONSENT AGENDA**

Dr. Wagner moved to approve the Consent Agenda, as presented, which included the minutes of the August 3, 2021 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 7, 2021: General Fund: \$2,648,726.29, State Account: \$459,181.41, PLGIT: \$67,051.26, Certificate of Deposits: \$556,547.76, Expenses: \$143,488.43. Treasurer's Report accepted subject to audit.

**PUBLIC COMMENT**

None.

**TOWNSHIP MANAGER**

Mr. Potts provided his report to the Board.

## **PUBLIC SAFETY & SERVICES**

### **Fire Company**

**Greenfields Fire Co.-** No Report.

The Township received reports from Mount Pleasant Fire Company and Union Fire Company.

### **Emergency Medical Services**

The Township received reports from Western Berks Ambulance and Northern Berks EMS.

### **Emergency Management**

Mr. Hinkle provided his report to the Board.

**Discussion/ Approval to Make Formal Request to Berks County Commissioners for Web CAD Access for Emergency Management Coordinator-** Mr. Thompson made a motion to approve making a formal request to Berks County Commissioners for Web CAD Access for the Emergency Management Coordinator; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

### **Police Department**

Chief Waugh provided his report to the Board.

**Discussion/ Approval to Discipline Police Officer-** Mr. Thompson made a motion to approve that the Board accept the disciplinary action for Officer Larry Kutz recommended by Chief Waugh, but the action should not be imposed until the Officer has exhausted all his avenues of appeal; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Tobias, Mr. Thompson and Mrs. Reed. ABSTAINED: Mr. Eveland.

## **PLANNING/ZONING/CODE ENFORCEMENT**

### **Engineer**

Mr. Morey provided his report to the Board.

### **Planning Commission**

**Discussion/ Approval of Mengel Sketch Plan for Record-** Mr. Potts stated that the Planning Commission recommended approval of the plan based on the SSM Aug 6, 2021 review letter. Dr. Wagner made a motion to approve the Mengel Sketch Plan for Record; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval of Mengel Stormwater Agreement-** Mr. Potts stated that the agreement has been prepared by Atty. Mooney. Dr. Wagner made a motion to approve the Mengel

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

**Discussion/ Approval of Section 154-30.I(2).(b), (c), (d), (e), (f), and (h) Impact Studies Waiver for Misco Land Development Plan-** Mr. Potts stated that the Planning Commission recommended approval of the waivers. Mr. Thompson made a motion to approve the Section 154-30.I(2).(b), (c), (d), (e), (f), and (h) Impact Studies Waiver for Misco Land Development Plan; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval of Section 152-8.T(7)(c)Driveway Width Waiver for Misco Land Development Plan-** Mr. Thompson made a motion to approve Section 152-8.T(7)(c)Driveway Width Waiver for the Misco Land Plan to allow the driveway width to exceed 16 feet; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval of Section 149-22.A(4)(a) Exterior Basin Side Slopes Waiver for SunCap Land Development Plan-** Mr. Morey stated that the Planning Commission recommended the waiver subject to planting grass that requires less frequent mowing. Mr. Thompson made a motion to approve the Section 149-22.A(4)(a) Exterior Basin Side Slopes Waiver for SunCap Land Development Plan subject to planting grass requiring less frequent mowing; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval of Section 154-32.E(4)(a) Full Depth Stone Backfill in Trenches Waiver for SunCap Land Development Plan-** Mr. Thompson made a motion to approve Section 154-32.E(4)(a) Full Depth Stone Backfill in Trenches Waiver for SunCap Land Development Plan; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval of SunCap Preliminary Land Development Plan-** Mr. Potts stated that the Planning Commission recommended approval of the plan based on the SSM Aug 6, 2021 review letter. Mr. Potts also recommended that the building needs to comply with the height requirements in the zoning ordinance. Mr. Thompson made a motion to approve the SunCap Preliminary Land Development Plan subject to the SSM Aug 6, 2021 review letter and compliance of the zoning ordinance building height requirement; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion of Penske Request to Amend Town Center Overlay District-** Atty. James Gavin representing Penske Trucking Leasing made a request that the Board consider amending the Town Center Overlay District accepted uses to include motor vehicle rental facility. Mr. John Weltanger, Senior Regional Facility Manager for Penske, went over the details of the two intended uses submitted on the Sketch Plan. The Supervisors and Atty. Dietrich asked several questions. Mr. Bensinger, Land Planner from Stackhouse Bensinger, explained further details of the plan and zoning and stated that the plan is designed to be a whole unit. Mr. Potts expressed his opinion. The Supervisors stated that they need more time to consider it. Atty. Dietrich stated that it would be helpful to the Board to know the complete package details such as other requests made to Mr. Potts including property tax. Atty. Dietrich also stated that Van Reed Road might

not stand up to heavy truck traffic and that there might be a way to be helpful to the Township in that respect. Several Supervisors stated that it would be helpful to have visuals from other facilities and more data before a decision can be made.

### **Time Extensions**

None

### **Code Enforcement**

Mr. Pflum provided his report to the Board.

**Discussion/ Approval to Refund Building Permit Fee to Trinity Solar-** Mr. Potts stated that permit cost was \$267.00, LTL has \$62.75 in review costs which leaves a balance of \$204.25 for the refund amount. Mr. Thompson made a motion to approve the refund of \$204.25 to Trinity Solar; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval to Process SunCap Building Permit Plan Review by LTL Prior to Recording of Land Development Plan-** Mr. Jeremy Zaborowski, Executive Director of the BCIDA, requested on behalf of SunCap that the Supervisors authorize staff and Township professional service providers to review SunCap land development plans and building permit applications simultaneously at the developers cost and risk. The Supervisors and Atty. Dietrich expressed their opinions. No motion was made.

## **STORMWATER MANAGEMENT**

### **MS4 Stormwater Report**

Mr. Potts provided the report to the Board.

**Discussion/ Approval to Sign Easement Agreement for 1015 Snyder Drive for Stormwater Facility-** Mr. Potts stated that Atty. Mooney prepared the agreement and the resident has signed it. Mr. Thompson made a motion to approve signing the Easement Agreement for 1015 Snyder Drive Stormwater Facility; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

## **ROAD DEPARTMENT**

Mr. Potts provided the report to the Board.

**Discussion/ Approval of Side Agreement with Teamsters Union-** Mr. Potts stated that this agreement is to provide Gary Bechtel an extension of one year to gain his CDL license. Mr. Thompson made a motion to approve the Side Agreement with Teamsters Union for Gary Bechtel; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval to Hire Road Department Employee-** Mr. Potts recommended hiring Joseph Moyer for the Road Department contingent on Mr. Moyer obtaining a Class A license

before the end of his probation. Mr. Thompson made a motion to approve hiring Joseph Moyer contingent on Mr. Moyer obtaining a Class A license before his probation runs out; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

### **SEWER/ WATER/ BERN TOWNSHIP MUNICIPAL AUTHORITY**

No report.

### **SOLID WASTE ADVISORY COMMISION**

No report.

### **ADMINISTRATION**

**Discussion/Approval of the 2022 Uniform Minimum Municipal Obligation-** – Mr. Potts stated that the 2022 Uniform Minimum Municipal Obligation will be \$389,845.00. Dr. Wagner made a motion to approve the 2022 Uniform Minimum Municipal Obligation; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/Approval of the 2022 Non-Uniformed Minimum Municipal Obligation** – Mr. Potts explained that the 2022 Non-Uniformed Minimum Municipal Obligation for next year will be \$95,793.00. Mr. Eveland made a motion to approve the 2022 Non-Uniformed Minimum Municipal Obligation; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval of Wireless Installation Proposal for Municipal Building-** Mr. Potts stated that Ridge Support Technologies provided the proposal with a cost of \$1,666.00 to provide wireless technology for the Police Department and Guest Access. Dr. Wagner made a motion to approve the Ridge Support Technologies Wireless Installation Proposal for the Municipal Building; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval to Accept Resignation of Planning Commission Secretary-** Mr. Potts stated the Marge Rumbaugh is resigning because it is interfering with her school schedule. Mr. Thompson made a motion to accept Mrs. Rumbaugh's resignation; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried. Mrs. Reed asked Mr. Potts to send a Thank You letter.

**Discussion of Administering Penn State Heath RACP Grant #2-** Dr. Wagner made a motion to approve administering the Penn State Heath RACP Grant #2; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion of Small CD Maturing 28, 2021-** Mr. Thompson made a motion to allow Mrs. DeJesus and Mr. Potts to research CD rates and move the CD based upon the best rate obtained; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Next Supervisor's meeting will be held on Tuesday, October 5, 2021 at 7:00 PM.**

**ADJOURNMENT**

Mrs. Reed adjourned the meeting at 7: 55PM.

Respectfully submitted,

Diane DeJesus,  
Secretary/Treasurer