

**TOWNSHIP OF BERN  
BERKS COUNTY, PENNSYLVANIA**

December 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 and stated that an executive session was held last week to discuss litigation and personnel matters.

**CONSENT AGENDA**

Dr. Wagner moved to approve the Consent Agenda, as presented, which included the minutes of the November 1, 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 December 6, 2022: General Fund: \$2,328,909.94, State Account: \$761,664.52, PLGIT: \$67,971.36, Certificate of Deposits: \$560,645.82, Expenses: \$113,167.58. Treasurer's Report accepted subject to audit.

**PUBLIC COMMENT**

Lewis Nolt and his wife Gloria who reside in Bernville own a property in the Township asked questions about short-term rentals.

Solomon Lausch expressed his gratitude towards the Bern Township Police Department.

## **TOWNSHIP MANAGER**

Mr. Potts provided his report to the Board.

## **PUBLIC SAFETY & SERVICES**

### **Fire Company**

Mount Pleasant and Union provided their report.

**Greenfields-** A report was received.

### **Emergency Medical Services**

Western Berks and Northern Berks provided their report

### **Emergency Management**

Mr. Hinkle provided his report to the Board.

**Discussion/ Approval of Emergency Management Coordinator Job Description-** Mr. Hinkle stated that he feels it would be important to have a job description and functions of the Emergency Management Coordinator. Mr. Thompson made a motion to approve Emergency Management Coordinator Job Description; 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 Assign Fire Police to the Kris Kringle Run on Sunday, December 31, 2022-** Chief Waugh requested a motion to approve assigning fire police to the annual Kris Kringle Run on Sunday December 31, 2022. Mr. Thompson made a motion to approve assigning fire police to the Kris Kringle Run on Sunday December 31, 2022; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval to Assign Police Officer to BCERT Tactical Team-** An executive session will be held to discuss the approval to assign a Police Officer to the BCERT Tactical Team.

**Discussion/ Approval of Police Firearms Transaction-** An executive session will be held to discuss the approval of a Police firearms transaction.

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

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

### **Planning Commission**

**Discussion/ Approval of for Wentzel/ Schaeffer II Sewage Module-** Dr. Wagner made a motion to approve the sewage modules for the Wentzel/ Schaeffer II Subdivision Plan; Mr.

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

**Discussion/ Approval of Wentzel/ Schaeffer II Subdivision Sketch Plan for Record-** Mr. Potts stated that the Planning Commission recommended approval of the plan subject to the November 4, 2022 SSM review letter. Dr. Wagner made a motion to approve the Wentzel/ Schaeffer II Subdivision Sketch Plan for Record subject to the November 4, 2022 SSM letter; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval of the Bower Stormwater Agreement-** Mr. Potts stated that Atty. Mooney has prepared the agreement. Dr. Wagner made a motion to approve the Bowers Stormwater Agreement; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval of Herbine Escrow Release-** Mr. Potts stated that Mr. Herbine has requested the remaining \$1,101.52 amount in the escrow account. Dr. Wagner made a motion to approve the Herbine escrow release; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval of SunCap Municipal Improvement Escrow Release-** Mr. Potts stated that Mr. Morey completed an analysis of the SunCap Municipal Improvement Escrow and recommended a release in the amount of \$1,191,372.50 with a remaining balance of \$1,786,139.50 Dr. Wagner made a motion to approve the SunCap Municipal Improvement Escrow release; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

### **Time Extensions**

None required.

### **Code Enforcement**

Mr. Pflum provided his report to the Board.

**Discussion/ Approval of Ontelaunee Grange Building Permit Escrow Release-** Mr. Potts stated that the requested remaining escrow from their roof project is \$99.99. Mr. Thompson made a motion to approve the Ontelaunee Grange building permit \$99.99 escrow release; dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion of Potential Zoning Map Revision for Short-Term Rentals-** Mr. Potts stated that after discussions with Mr. Pflum and Atty. Mooney it was decided that it would be appropriate to provide zoning districts for short-term rentals and specific rules for use of a property as a short-term rental. Atty. Dietrich suggested looking at ordinances from other areas and gathering samples for the Supervisors to look over for further discussion.

## **STORMWATER MANAGEMENT**

### **MS4 Stormwater Report**

Mr. Potts informed the Board that Mr. Morey has finished the revised draft of the Stormwater Ordinance

## **ROAD DEPARTMENT**

**Discussion/ Approval to Accept Traffic Signal Change at PA Route 183 and West Leesport Road-** Mr. Potts informed the Board that PennDOT determined a left turn arrow is required at intersection of Route 183 and West Leesport Road in response to the Supervisors request for a traffic study at the location. Mr. Thompson made a motion to approve amending the traffic signal permit at the intersection; 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 COMMISSION**

No report.

## **ADMINISTRATION**

**Discussion/ Approval of Teamster Contract January 1, 2023 thru December 31, 2027-** Mr. Potts stated that the Teamster Agreement is a 5-year contract with the following annual wage increases: 4%, 3.25%, 3.25%, 3% and 3%. Mr. Potts stated that the Township may authorize the elimination of the Assistant Road Foreman position and the creation of a working Roadmaster/ Road Foreman, but must still maintain a crew of 5 with a crew leader who will receive \$3.50 additionally per hour. Mr. Potts stated that there will also be a reckoning period for disciplinary offenses, healthcare copays will stay the same for the first 3 years with increases in the third and fourth years and short-term disability will increase from \$250 to \$300 for the first three years and to \$350 in the fourth and fifth year. Mr. Thompson made a motion to approve the Teamster Contract; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval of Uniform Pension Plan COLA-** Mr. Potts stated that this would provide a 7.7% increase for cost of living in pension payments to police department retirees and last year the Supervisors approved the COLA at 5.6% and previously in 2015. Dr. Wagner asked for a meeting with Mr. Ron Bittner because he would like some clarification. Officer Peter O'Brien stated that the Pension Ordinance dictates that items be addressed by November 1<sup>st</sup> and if COLA is to be granted it has to take effect by January 1<sup>st</sup>. District Justice Strand stated that it was retroactively paid in February 2022 and asked why the percentage wasn't 8.7%. Mr. Potts stated that the information Mr. Bittner gathered looks at Philadelphia, Atlantic City and Wilmington, Delaware. Atty. Dietrich asked why those areas were used to base the percentage on those areas.

**Discussion/ Approval of 2023 Budget-** Mr. Potts stated that the 2023 budget is \$5,053,095 which is approximately 8.5% increase from 2022 and reserves were used to balance the budget so that there will not be a tax increase. Mr. Thompson made a motion to approve the 2023 budget; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried

**Discussion/ Approval of 2023 Meeting Dates-** Mr. Thompson made a motion to approve the 2023 meeting dates; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried

**Ratify Hiring Special Counsel for Litigation Purposes-** Dr. Wagner made a motion to ratify hiring John Mueir as special counsel for litigation purposes; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried

**Discussion/ Approval to Investigate Foreclosure Process on 117 Marina Lane-** Mr. Potts stated that the mortgage had not been paid since August 2022. Atty. Dietrich asked if this is to initiate foreclosure and Mr. Potts stated yes. Mr. Thompson made a motion to approve initiating the foreclosure process on 117 Marina Lane; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried

**2023 Re-Organization Meeting: Tuesday, January 3, 2023 at 7:00 PM.**

**Next Supervisor's meeting will be held on Tuesday, January 3, 2023 at 7:00 PM.**

### **EXECUTIVE SESSION**

Mrs. Reed temporarily adjourned the meeting at 7:30 PM for an executive session and reconvened the meeting at 9:10 PM.

**Discussion/ Approval to Assign Police Officer to BCERT Tactical Team-** Dr. Wagner made a motion to approving assigning Officer Michael Archutowski to the BCERT Tactical Team; Mr. Eveland seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried

**Discussion/ Approval of Police Firearms Transaction-** Mr. Thompson made a motion to approve the Police firearms transaction; Mr. Tobias seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried

Respectfully submitted,

Diane DeJesus,  
Secretary/Treasurer

