

**CAERNARVON TOWNSHIP  
BERKS COUNTY, PA  
BOARD OF SUPERVISORS  
MEETING MINUTES  
OCTOBER 10, 2017**

The Caernarvon Township Board of Supervisors held their Monthly Meeting on Tuesday October 10, 2017 in the Caernarvon Township Municipal Building located at 3307 Main Street, Morgantown, PA, pursuant to notice according to law.

**ATTENDING OFFICIALS**

Allen Styer, III, Chairman; Jack Hess, Supervisor; Sandra Styer, Supervisor; Paul Whiteman, Jr., Supervisor; Scott Anderson, Great Valley Consultants, Engineer; Eric Brown, Siana, Bellwoar & McAndrew, Township Solicitor; Jack Griesemer, Treasurer; Keith McGowan, Maintenance Foreman; Randall Miller, Township Administrator/Secretary.

**CALL TO ORDER**

Chairman Allen Styer called the meeting to order at 7:00 PM. This was followed by the Pledge of Allegiance.

**COMMENTS FROM THE ASSEMBLY**

There were no comments from the assembled at this time.

**CORRESPONDENCE**

A. A letter from HAKS, informing the Township of their intent to seek a GP-4 general permit from the DEP for the Hartz Mill Bridge project. No action was taken.

B. A flier was received announcing the annual Berks County Second Class Township Aerostation Dinner.

**MINUTES OF THE PREVIOUS MEETING**

Sandy Styer made a motion to accept the minutes of the September 12, 2017 Board of Supervisors Meeting. Paul Whiteman seconded the motion. The motion carried unanimously.

**TREASURERS REPORT**

A. The Supervisors reviewed the Treasurer's Report for September. Paul Whiteman made a motion to accept the Treasurer's monthly report for the period ending September 30, 2017. Sandy Styer seconded the motion. The motion carried unanimously.

B. Treasurer Jack Griesemer noted that all B B & T bank accounts have been closed, and funds moved to Ephrata National Bank.

Additionally, he noted that ENB has provided proof that they are complaint with Act 72. He stated the Township will receive a report quarterly from them.

**EXPENSE LIST**

The Supervisors reviewed the bill list for October. Following their review, Sandy Styer made a motion to ratify the paid bills and approve the bill list for October 10, 2017 paying the bills in the amount of \$351,628.96.70 from the General Fund; \$168,339.50 from the Liquid Fuels Account; and \$4,601.05 from the Street Light Fund. Jack Hess seconded the motion. The motion carried unanimously.

**BUSINESS**

A. Solicitor Eric Brown noted that an Ordinance has been advertise to give the PA Secretary of Transportation the authority to acquire "Right-of-Way (ROW) on behalf of the County and Township for the Hartz Mill Bridge. Secretary Miller noted that this will be Ordinance #287. Paul Whiteman made a motion to adopt Ordinance #287, giving PA Secretary of Transportation the authority to acquire ROW on behalf of the Township for the Hartz Mill Bridge project, in the form and substances as submitted. Sandy Styer seconded the motion. The motion carried unanimously.

B. Secretary Miller introduced Resolution 2017-32 which allowed the Twin Valley Fire Police to assist West Bradford Township Fire on September 29, 2017. Paul Whiteman made a motion to ratify Resolution 2017-32. Jack Hess seconded the motion. The motion carried unanimously.

C. Secretary Miller noted that the developer for Wexford Court has requested addresses for the new Townhomes. Solicitor Eric Brown and Engineer Scott Anderson updated the Supervisors on discussion about the stormwater basin and maintenance that will be the responsibility of the Home Owners Assoc. (HOA). A meeting is being set up to discuss the issues. The Solicitor suggested that any assignment of addresses should be contingent on the passage of the LDP, and the recording with the Recorder of Deeds office. Paul Whiteman made a motion to assign addresses as requested (even side: 20, 24, 30, 34, 40, 44, 50, 54, 60, 64; odd side: 51, 53, 61, and 65 Wexford Court) contingent on the Final LDP approval and recording of the same. Sandy Styer seconded the motion. The motion carried unanimously.

D. Solicitor Eric Brown noted amended agreements are ready for approval for Shed's Unlimited LDP. Sandy Styer made a motion to approve the amended agreements for the Shed's Unlimited LDP, in the form presented and authorized the Chairman to sign them. Paul Whiteman seconded the motion. The motion carried unanimously.

**TOWNSHIP REPORTS**

A. Secretary Miller noted the Township Budget Worksheets were attached for the Supervisors to review.

B. Supervisor Paul Whiteman noted the Carnival Committee is looking for entertainment for the Carnival.

C. The Maintenance Department Report for September was received. Foreman Keith McGowan discussed repairs to Thousand Oaks Blvd. stormwater facilities. Additionally, they have paved with the assistance of Caernarvon Township Lancaster County and Brecknock Township.

D. The SEO Report for September was received.

E. The Library Report for September was received. Nora Filmore also noted there is a book sale this week, and that the Library has applied for a Small Games of Chance License for their craft fair.

F. The Tax Collector's Report for September was received. There is \$17,030.93 outstanding.

G. The September Police report for Caernarvon Township was received. Chief Scalia updated the Supervisors on police activity in 2017.

H. The Zoning and Code Enforcement Officer report for September was received. The Supervisors discussed issues with parking on North Street near the dentist office. The dentist has employees parking on North Street, and this makes it difficult for busses to traverse the neighborhood. Solicitor Eric Brown noted the Supervisors could pass an Ordinance to regulate on-street parking. Other possible solutions would be for the owner to add additional parking on the property. Scott Anderson noted this could happen through an amended LDP, and will confer with Terry Naugle, the Zoning Officer.

I. The Twin Valley Fire Department report for September was received.

J. The September EMA reports were received.

K. Secretary Miller noted that the Parks and Recreation Board met in September. The Supervisors discussed Halloween and times. Sandy Styer made a motion to approve Halloween Trick-or-Treat as Tuesday, October 31, 2017, 6:00 pm to 9:00 pm. Paul Whiteman seconded the motion. The motion carried unanimously.

L. Secretary Miller stated that the Planning Commission met in September, and their draft minutes were reviewed. Additionally, they made the following recommendations for the Hillside Machining LDP:

1. A waiver of Section 301.3 and 403 of the SALDO – to allow the LDP to be submitted as Preliminary/Final.
2. A waiver of Ordinance #229 Section 303.A.3 to allow a slope other than required. Engineer Scott Anderson discussed this request, and had no issue with allowing their request since the detention basin will be located in a remote area.

Paul Whiteman made a motion to approve the recommendations and waive the requirements of SALDO Sections 301.3 and 403, allowing the plan to be submitted as Preliminary/Final, and Ordinance #229 Section 303.A.3 allowing a bank slope other than required. Jack Hess seconded the motion. The motion carried unanimously.

3. A deferral of Section 502.15 of the SALDO – to defer the installation of sidewalk.

Jack Hess made a motion to approve the recommendation and defer the requirements of SALDO Sections 501.15, allowing the installation of sidewalks to be deferred, and requiring the standard note to be included on the plans. Sandy Styer seconded the motion. The motion carried unanimously.

Solicitor Eric Brown, and Engineer Scott Anderson discussed the draft amendment to Ordinance #168. These changes will allow some leniency with plantings in the grass strip between

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curb and sidewalks, and in the Township's street ROW. Solicitor Brown noted that if the Supervisors agreed, the changes could be advertised for adoption at the meeting in November. Sandy Styer made a motion to advertise the amendment to Ordinance #168. Jack Hess seconded the motion. The motion carried unanimously.

M. The Supervisors reviewed the Report of the Engineer, Scott Anderson of Great Valley Consultants. He discussed his report. He noted the paving has been completed. Additionally, the contractors are requesting payment. Mr. Anderson recommended the following:

1. H & K Group – Final Payment = \$205,339.50 (Contract = \$205,688.30)
2. AMS – Final Payment = \$51,832.56 (Contract = \$53,254.40)

Sandy Styer made a motion to approve payments for the 2017 construction projects: \$205,339.50 payable to H & K Group, and \$51,832.56 payable to AMS. Jack Hess seconded the motion. The motion carried unanimously. These items were on the Bill List for October.

The Supervisors then discussed issues with traffic on North Twin Valley Road near the High School. Engineer Anderson noted that a traffic study would need to be completed to implement a "School Zone" in compliance with Penn DOT Highway Occupancy Permit requirements. Additionally the Supervisors discussed this as more of a traffic volume issues versus speed.

Engineer Anderson noted the MAVIS tire project by the Wolfson Group, Inc., has requested the release of \$20,565.50 in escrow funds. He has reviewed the site improvements and provided Wolfson comments regarding the as-built drawings that were received on September 15, 2017. If the revised plans are received prior to the meeting as expected, his recommendation is to release all escrow funds. Paul Whiteman made a motion to release the \$20,565.50 cash escrow to The Wolfson Group, contingent on receipt of the completed "as-built" plans, completion of any outstanding noted improvements, and payment of any outstanding invoices. Sandy Styer seconded the motion. The motion carried unanimously.

He also noted that a meeting of the Zoning Hearing Board is currently being scheduled for a proposed hotel use in the IOP Zoning District. The proposed hotel is on a single lot of the Heritage Corporation Center land development and is located south of Main Street, east of Heritage Drive, and directly across from the driveway of Doug's Family Pharmacy. The use is not permitted by right, and the Zoning Officer has rendered the opinion that it is not permitted by special exception. Terry Naugle, the Zoning Officer will attend the variance hearing to represent the Township.

The Supervisors discussed this use, and noted they were not in favor of having a hotel at this location. Additionally, they noted hotels are a use permitted by right in other zoning districts of the Township. Paul Whiteman made a motion to authorize a letter being sent to the Caernarvon Township ZHB, detailing the Supervisors opposition to the variance due to the close proximity to a residential district. Sandy Styer seconded the motion. The motion carried unanimously.

Residents of Highcroft were present to discuss a development planned for the Airport property. Engineer Anderson noted that a concept design was discussed with a developer with a warehouse use proposed. The residents wanted to know if there was a way for the warehouse to be moved to a different location. Additionally, the Supervisors noted their surprise that a warehouse was an allowed use in the Industrial Office Park (IOP) zone. Their expectation was that IOP implied business offices rather than warehouses. Solicitor Brown discussed the rights of the

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Board of Supervisors to make changes to zoning in the Township, and indicated that residents can request a text amendment change to zoning by filing an application.

Finally the Engineer discussed paving in Highcroft and that an added street sweeping would take place on those streets.

N. Solicitor Eric Brown gave his report. He indicated that an executive session was needed.

**EXECUTIVE SESSION**

The Supervisors recessed into Executive Session at 8:34 p.m. Chairman Allen Styer called the meeting back to order at 9:22 p.m., indicating the session was for personnel issues and litigation.

**SUPERVISORS COMMENTS**

A. Sandy Styer made a motion to approve a change to the Chief of Police's contract, raising the amount of re-imbursement for his college classes by paying half of the invoices to a maximum of \$6,000.00. Paul Whiteman seconded the motion. The motion carried unanimously.

B. Paul Whiteman made a motion to authorize Secretary Randall Miller as the Township's signatory for a class action lawsuit brought against a company for sending unwanted faxes.

C. Sandy Styer made a motion to approve a \$2,000 repair to the F-550 dump truck. Paul Whiteman seconded the motion. The motion carried unanimously.

There were no additional comments.

**ADJOURNMENT**

Sandy Styer made a motion to adjourn the meeting. Paul Whiteman seconded the motion. The motion carried unanimously. The meeting adjourned at 9:26 pm.

Respectfully Submitted,

Randall P. Miller  
Township Secretary