

**CAERNARVON TOWNSHIP  
BERKS COUNTY, PA  
BOARD OF SUPERVISORS  
MEETING MINUTES  
NOVEMBER 14, 2017**

The Caernarvon Township Board of Supervisors held their Monthly Meeting on Tuesday November 14, 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; John Scalia, Chief of Police; 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 letter from the Caernarvon Township Water Authority was received, noting they had flushed the water system through fire hydrants. No action was required.

**MINUTES OF THE PREVIOUS MEETING**

Sandy Styer made a motion to accept the minutes of the October 10, 2017 Board of Supervisors Meeting. Paul Whiteman seconded the motion. The motion carried unanimously.

**TREASURERS REPORT**

The Supervisors reviewed the Treasurer's Report for October. Paul Whiteman made a motion to accept the Treasurer's monthly report for the period ending October 31, 2017. Sandy Styer seconded the motion. The motion carried unanimously.

**EXPENSE LIST**

The Supervisors reviewed the bill list for November. Following their review, Paul Whiteman made a motion to ratify the paid bills and approve the bill list for November 14, 2017 paying the bills in the amount of \$97,408.88 from the General Fund; \$4,598.20 from the Street Light Fund; and \$349.14 from the Accrual Fund. Jack Hess seconded the motion. The motion carried unanimously.

## **BUSINESS**

A. Solicitor Eric Brown noted that a recently passed Commonwealth Act (Act 42), that opens up the state for added casinos. Additionally, the Act allows Municipal Governments to “opt-out” of having a casino in their municipality by passing a resolution opposing the location of such a casino. The Supervisors discussed the possibility of having a casino locally, and decided they were not opposed to such a use in the township. They also discussed the need to address concerns about a casino, by amending the Township Zoning Ordinance to regulate the location and impact to the township. They are in agreement that such a use could be allowed in the C-3 zoning district, and will work to have a draft prepared for such a zoning.

B. Solicitor Eric Brown noted that an Ordinance has been advertise to amend Ordinance #168. These changes will allow some leniency with plantings in the grass strip between curb and sidewalks, and in the Township’s street ROW. Sandy Styer made a motion to adopt Ordinance #288, amending Ordinance #168 to allow some leniency with plantings in the grass strip between curb and sidewalks, and in the Township’s street ROW in the form and substances as submitted. Jack Hess seconded the motion. The motion carried unanimously.

## **TOWNSHIP REPORTS**

- A. Secretary Miller asked for an Executive Session.
- B. No updates from the Carnival Committee.
- C. The Maintenance Department Report for October was received. There was nothing additional.
- D. The SEO Report for October was received.
- E. The Library Report for October was received.
- F. The Tax Collector’s Report for October was received. There is \$15,830.22 outstanding.
- G. The October Police report for Caernarvon Township was discussed by Chief Scalia.
- H. The Zoning and Code Enforcement Officer report for October was received.
- I. The Twin Valley Fire Department report for October was received.
- J. The October EMA reports were received.
- K. Secretary Miller noted that the Parks and Recreation Board met in October. There draft minutes were attached.
- L. Secretary Miller stated that the Planning Commission met in October, and their draft minutes were reviewed. Additionally, the Planning Commission made the following recommendations for the Hillside Machining LDP:

A deferral of Section 502.7 of the SALDO – to defer the installation of curbs, and to place the required statement on the plans.

Additionally, the Planning Commission recommended conditional Preliminary and Final Approvals.

Solicitor Eric Brown noted the deferrals, and all waivers had been included in the approval agreements he has submitted. Sandy Styer made a motion to approve the recommendations, deferring the requirements of SALDO Sections 502.7, and approving the Preliminary and Final Land Development Plans for Hillside Custom Machining, contingent on all outstanding comments of the Engineers letter date August 25, 2017, and any additional remarks from either the Engineer, Solicitor, or Fire Marshal being addressed, in the form presented. 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 along with Solicitor Eric Brown noted a letter granting a ninety (90) day extension of the plan review of the Morgantown Apartments has been formally submitted and should be received by the Board. Sandy Styer made a motion to accept the extension of time for review of the Morgantown Apartments LDP. Paul Whiteman seconded the motion. The motion carried unanimously.

Ben's Masonry has requested release of their escrow. Engineer Scott Anderson discussed the existing conditions, including continued problems with storm runoff. The Supervisors are concerned that Penn DOT is not maintaining their roads and storm conveniences along the state highway. They authorized for a letter to be sent to Penn DOT on a motion made by Sandy Styer, and seconded by Paul Whiteman, with all in favor. Following this, Paul Whiteman made a motion to release Ben's Masonry letter of credit (LOC) in the amount of \$101,751.25. Jack Hess seconded the motion. The motion carried unanimously.

The Engineer also discussed: Swamp Road location of a driveway; Heatherbrook HOA issues with paving; XTL revision to Sketch LDP for the location of their warehouse; the signal at Main Street with South Twin Valley Road. The pedestrian signal at this location is continuously green when the traffic light is red. A letter was authorized to be sent to C.M. High for changes to this signal, on a motion made by Paul Whiteman, and seconded by Sandy Styer with all in favor.

The Supervisors then discussed issues with parking on North Street adjacent to the dentist's office. Parking is difficult at times due to the number of employees, and patients that frequent their offices. The Supervisors authorized the Engineer to send a letter to the Dentist, asking them to look into this issue, and authorizing them to use the parking lot at the Township building. This motion made by Sandy Styer, and seconded by Paul Whiteman passed with all in favor.

N. Solicitor Eric Brown gave his report. He updated the Supervisors on a settlement agreement with Thomas Orr. Sandy Styer made a motion to approve a settlement of the case captioned Thomas Orr v. Caernarvon Township, et. al., docket number 14-16803 and, pursuant to the terms of settlement, authorize payment to Thomas Orr in the amount of \$5,000 and, said payment being conditioned on: Mr. Orr's execution of a Joint Tortfeasor Release in the form and substance acceptable to the Township Solicitor; and the execution, by all parties of a Stipulation to Dismiss all claims against the Township, with prejudice. It is expressly understood and agreed that there is no admission of any liability whatsoever by the Township as the nominal settlement is made to avoid further controversy and litigation expenses. This motion was seconded by Paul Whiteman, with all Supervisors voting in favor.

He indicated that an executive session was needed.

## **EXECUTIVE SESSION**

The Supervisors recessed into Executive Session at **7:58** p.m. Chairman Allen Styer called the meeting back to **order at 8:14** p.m., indicating the session was for personnel issues and litigation.

## **2018 BUDGET**

Treasure John Griesemer discussed the draft budget, indicating it was \$50,000 out of balance. The Supervisors then discussed the draft 2018 budget. They reviewed the requests by the various departments, and worked to pare down the expenditures to bring the budget into balance. Discussions were held on various individual lime items, and lowered as needed. Following the debates and having lowered several line items, and a verification form Treasurer John Griesemer that revenues would be available, the Supervisors were prepared to end discussion.

Following review of the line items of the budget, along with verifying that revenues were available, Paul Whiteman made a motion to approve the proposed 2018 balanced budget, and to advertise the proposed 2018 budget in accordance with the law, to allow for public review and comment. Jack Hess seconded the motion. The motion carried on a unanimous voice vote.

## **SUPERVISORS COMMENTS**

Paul Whiteman announced there was a Halloween decorating contest and judging, and that winners would be posted on Facebook.

There were no additional comments.

## **ADJOURNMENT**

Paul Whiteman made a motion to adjourn the meeting. Sandy Styer seconded the motion. The motion carried unanimously. The meeting adjourned at 9:18 pm.

Respectfully Submitted,

Randall P. Miller  
Township Secretary