

**CAERNARVON TOWNSHIP
BERKS COUNTY, PA**

**BOARD OF SUPERVISORS
MEETING MINUTES**

JANUARY 9, 2018

The Caernarvon Township Board of Supervisors held their Monthly Meeting on January 9, 2018 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; Jeffrey Vickers, Supervisors; Paul L. Whiteman, Jr., Supervisor; John Scalia, Chief of Police; Scott Anderson, Great Valley Consultants, Engineer; Andrew Bellwoar, Siana, Bellwoar & McAndrew, Township Solicitor; John Griesemer, Treasurer; Keith McGowan, Maintenance Foreman; Randall Miller, Township Administrator/ Secretary.

CALL TO ORDER

Chairman Allen Styer called the meeting to order at 7:01 PM. This was followed by the Pledge of Allegiance.

Chairman Allen Styer announced that there was an Executive Session held at 6:55 pm to discuss a litigation issue.

COMMENTS FROM THE ASSEMBLY

At this time, Mr. Vernon Beiler, owner of the Airport property noted that he would like to develop the land. He discussed how there was resentment in 1950 when the airport use was proposed, and that the opposition was overcome.

Ron Cariola, and Robert Dobilis of Orchard Industrial Development LLC were here to present to those assembled, their vision along with the owners, Vernon and Betty Beiler, for the development of the airport property. They noted that, in their opinion, following an analysis of all possible uses, the best practical use of the property was for a large distribution center type warehouse. A study, "Community and Fiscal Impact Assessment Report", conducted by Jerome Skrincosky of Hawk Valley Associates, PC, for Orchard Industrial Development, was introduced by them.

Mr. Skrincosky was present to discuss the report, and handed out copies to the Supervisors. He then reviewed his opinion findings for the Supervisors and the assembled. He noted that his independent assessment indicated that an industrial size distribution center was a good use for the property. Chairman Allen Styer, after a review of the report, noted that of the \$700,000 of real estate taxes, only \$40,000 would be gained by the Township. He noted that this amount of tax revenue would not even cover half of the salary of a new police officer. Mr. Carriolla interjected that the Township could expect 300 to 500 added jobs in the township. Again Chairman Styer rebutted that these employees would likely contribute little to the local economy and likely would not pay taxes here, since there are little vacancies available for them to domicile locally. The Township would receive LST at \$2 a paycheck for each employee that works there. Additionally,

Chairman Styer noted that the volume of truck traffic would significantly impact local roads, overcrowding the already busy streets.

Several residents were present to speak in opposition to the distribution center. Thomas Orr of 2465 Hopewell Road spoke about the volume of truck traffic and asked if Amazon was the expected lease of the distribution facility. Amy Stanton, 11 Oxford Drive questioned the change in the zoning ordinance. Chairman Styer along with Solicitor Andrew Bellwoar discussed the amended zoning ordinance. They noted the Supervisors were not aware that a large warehouse would be an allowed use in the IOP zoning district. The expectation of the Township is that retail facilities, i.e. Sam's Club, BJ's Wholesale, Lowes and/or Home Depot were the intent of the zoning, and took provisions to clarify the description of such uses in this district. They also noted that distribution centers are not an allowed use, and that distribution centers and large warehouses are an allowed use in the C-3 Zoning districts.

Brian Licitra, a resident of 22 Oxford Drive came forward as a representative of the residents of Highcroft, and present a petition to the Board of Supervisors. He discussed a number of issues with this proposed use: employees not hired locally, but bussed in from other locations; decreased property values by ~30%, leading to decreased assessments and lower tax revenue; increased, more than double current truck traffic; increased emissions of diesel particulate that results in an two-fold increase of deep lung damage to children when less than 600 feet to the source; a minimum 1000 foot buffer would be required to reduce this expose danger. Mr. Licitra sourced his materials from various publications.

Numerous additional residents spoke in support of Mr. Licitra: Greg Shumate of 4 Highcroft Drive; Colleen Yenser, 2 Highcroft Drive; Dan Wodnick, 4 Lemontree Drive; Brian Mohan, 44 Highcroft Drive; Sandy, resident of 17 Oxford Drive; Erica Springer, 5 Morgan Dale Court; David Brown, 16 Morgan Spring Drive; Elizabeth Grundy, 80 Trappers Run; Jen Slingerland of the Valley Ponds Development; and various other added voices were heard from the assembled. All spoke in favor of the arguments made by Brian Licitra, and in opposition to the distribution center. They all had similar regard of the Beiler's and their right to develop; however, those present would prefer to see some type of mixed use development (residential, and commercial) on this site.

Supervisor Paul Whiteman expressed the concern of the board that such a development could be planned for this location, especially when other vacant land, zoned for such a use, is available in more suitable locations throughout the Township. He noted that the zoning amendment clarified the defined allowed uses for the IOP district, and asked the developer to consider using vacant land already zoned for their desired use. The developers did express their desire to work with the township, and provide future land use ideas for the vacant properties in the C-3 zoning district. The developers also requested the Township Board of Supervisors consider vacating their amended zoning ordinance, or at least entertain a conditional use for the Airport property.

The Supervisors took their request under advisement; but took no action at this meeting.

MINUTES OF THE PREVIOUS MEETING

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

TREASURERS REPORT

The Supervisors reviewed the End-of-Year Treasurer's Report for December. Revenues for the year totaled \$2,961,307.48 and expenditures totaled \$2,717,683.92. After a brief discussion, Sandy Styer made a motion to accept the Treasurer's monthly report for the period ending December 31, 2017. Jeff Vickers seconded the motion. The motion carried unanimously.

Treasurer Jack Griesemer noted that Earned Income Tax accounted for the largest increase in revenue for the year.

EXPENSE LIST

The Supervisors reviewed the bill list for January. Following this, Paul Whiteman made a motion to approve the bill list for January 9, 2018 and to ratify paid bills and to pay the current bills in the amount of \$70,309.90 from the General Fund; and \$4,618.57 from the Street Light Fund. Sandy Styer seconded the motion. The motion carried unanimously.

BUSINESS

A. Maintenance Foreman Keith McGowan informed the Supervisors that there are a number of basketball hoops in the Township's right-of-way (ROW) along various streets. Additionally, two of the Township's trucks were damaged by these hoops. He requested the Supervisors inform the residents to have these basketball hoops removed from the ROW. The Supervisors discussed and agreed to send letters to the residents with these encroachments, requiring them to be moved from the Township ROW.

B. Foreman McGowan also noted that several residents and businesses are continuing to throw, plow, or blow snow onto or across the Township's streets. The Supervisors discussed the issue and asked that letters be sent to these locations, informing them of the Township requirements. The Supervisors also discussed a recurring problem with dog walkers picking up dog excrement and throwing the bag containing the excrement into the stormwater basins. The Supervisors asked about placing signage to discourage this practice.

C. Secretary Miller asked the Supervisors to review the annual contract with the Animal Rescue League. Sandy Styer made a motion to continue the contract with the Animal Rescue League, and authorized the signature of the Chairman. Paul Whiteman seconded the motion. The motion carried unanimously.

The Supervisors noted that new laws are in place that requires dogs to be inside once the temperature falls below 32 degrees. Chief Scalia noted that the enforcement is handled outside the Township.

TOWNSHIP REPORTS

A. Administrator Randall Miller noted that the meeting for the Southern Berks Regional Comprehensive Plan Committee (SBRCP) was canceled due to weather. The meeting has been rescheduled for January 30, 2018. The Supervisors noted they would like a clause entered that the participating municipalities are not bound by the comp plan.

B. The Maintenance Department Report for December was received. Foreman Keith McGowan requested permission to purchase an additive to mix into the brine solution applied to roads before snow storms. Sandy Styer made a motion to approve the purchase of the additive for a cost of \$250.00 for a 500 gallon tote. Jeff Vickers seconded the motion. The motion carried unanimously. Beet juice as an additive was also discussed, but no action was taken. Sandy Styer then discussed a change to the purchasing policy, noting the intent was “per transaction”. The Supervisors agreed.

C. The SEO Report for December was received.

D. The Library Report for December was received.

E. The Tax Collector’s Report for December was received. Additionally, the Tax Collector submitted a yearend report. Outstanding, unpaid property taxes for 2017 of \$12,749.08, have been sent to the Tax Claims Bureau. She also submitted an “end-of-year” report

F. The December Police report for was not ready at this time.

G. The Zoning and Code Enforcement Officer report for December was received. Solicitor Andrew Bellwoar noted that a Zoning Hearing Board (ZHB) is scheduled for January 11, 2018 to hear a variance request for a proposed apartment use in the C3 Zoning District. The application was filed by Nilesh Patel, owner of the property at 330 Shiloh Road. Currently apartments are not an allowed use by right or special exception. Mr. Patel purchased the property with the understanding that the apartments were approved previously when they were divided. However, the previous owner did the work without obtaining a permit and no Use and Occupancy exists for the property.

The Supervisors discussed the issues with this use as an apartment. It was noted that Zoning Officer Terry Naugle would be appearing as the Township’s representative. The Supervisors also requested the solicitor attend to enter the Township’s appearance, for the record, and to the extent that the ZHB might consider granting the requested variance, enter into discussion on recommended conditions for ensuring a safe structure for the intended use as apartments.

The Supervisors also discussed the expanded parking lot at the Coffee House on North Twin Valley Road. A violation letter was issued to them for the sign installation and the parking lot. The Supervisors expect the owner to secure a permit for the upgrades, and make restitution for the costs associated with the permit.

H. The December EMA reports were received. The Supervisors are also interested in finding out how the other participating municipalities contributed in their 2018 budgets for support of the ambulance association

I. Secretary Miller noted that the Parks and Recreation Board did not meet in December. Supervisor Paul Whiteman noted the Carnival Committee will start to meet in preparation for the June 2018 Carnival. He noted that they would be working on entertainment. He expects to have contracts in place by February.

J. Secretary Miller stated that the Planning Commission met in December, and their draft minutes are attached for review. Additionally, Engineer Scott Anderson of Great Valley Consultants discussed the status of the Wexford Court LDP. The developer is still awaiting a Letter of Escrow from his bank. Also, the issues with elevation, due to problems with grading of the surrounding land, have been discussed and the building design adjusted.

Mr. Anderson along with Solicitor Andrew Bellwoar discussed a letter granting an added extension of the plan review for the Morgantown Apartments. Paul Whiteman made a motion to accept the extension of time for review of the Morgantown Apartments LDP to July 4, 2018. Jack Hess seconded the motion. The motion carried unanimously. M. Anderson noted that the Supervisors' meeting in July is July 11, 2018, and that action would be required prior to this meeting.

K. The Supervisors reviewed the Report of the Engineer. Additionally, Mr. Anderson Discussed his Engineer's report:

1. Lot 4A Heritage Drive: GVC issued the first review letter on December 27, 2017. This project proposes the construction of a 45,000 square foot warehouse building on the south side of Heritage Drive and just east of the Walmart building. The tract is within the Industrial Office Park District (IOP). The Applicant's representative stated at the December 28, 2017 Planning Commission meeting that they acknowledge the use is no longer a use by right and they need to reevaluate their intentions.
2. Heatherbrook HOA Letter: GVC issued a letter dated December 5, 2017. The letter identifies the findings of my review regarding the HOA's concerns, as well as the items required by the developer to be completed prior to the final recommendation for release of the escrow funds.
3. Bridge Inspection Reports: Specialty Engineering Inc. issued the inspection reports to Caernarvon Township for the bridges on Lenape Drive and Timber Road. A meeting will be scheduled with the company who performed the inspection to review the findings and discuss the Township's recommended maintenance options. Engineer Anderson discussed the planning, through a Capital Improvements Plan, which will be submitted by GVC in the future. Additionally, it was noted that the Supervisors have provided funding for future bridge repairs and maintenance through a line item on the budget, and an accrual account for collecting the capital funds needed to effect repairs.
4. Preparation of Estimate for a Transportation Capital Improvements Plan: GVC is currently preparing a cost estimate for the reports study necessary to establish a traffic impact fee ordinance. We intend to issue a letter to the Board prior to the January 23rd meeting. Supervisor Paul Whiteman asked about the speed surveys ongoing in the Township. It was noted that the counts still continue on Valley Road, and that early indications are that the 85th percentile would likely result in a speed limit of 45 mph. Supervisor Jeff Vickers also discussed speed limits and possible changes to these limits in Highcroft, and Willow Glen Road, and requested that the speed timing device be located to these locations after Valley Road. The residents of the Highcroft development asked if "deaf child" signs could be installed.
5. Morgantown Apartments: Discussed under Planning Commission.
6. 330 Shiloh Road – Zoning Hearing Board Application for Use Variance: Discussed under Zoning.
7. Wexford Court: Discussed under Planning Commission.

L. Solicitor Eric Brown noted that he has prepared Part-time Police Officer Policy. The Supervisors requested that this item be tabled.

EXECUTIVE SESSION

There was no Executive Session at this time.

SUPERVISORS COMMENTS

Supervisor Paul Whiteman requested numbers for the police officers. No further action was taken.

ADJOURNMENT

Paul Whiteman made a motion to adjourn the meeting. Jeff Vickers seconded the motion. The motion carried unanimously. The meeting adjourned at 9:52 pm.

Respectfully Submitted,

Randall P. Miller
Township Secretary