

**CAERNARVON TOWNSHIP  
BERKS COUNTY, PA**

**BOARD OF SUPERVISORS  
WORKSHOP MEETING MINUTES**

**June 26, 2018**

The Caernarvon Township Board of Supervisors held their Monthly Meeting on June 26, 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; Paul Whiteman, Supervisor; Jack Hess, Supervisor; Sandra Styer, Supervisor; Jeffrey Vickers, Supervisor; Eric Brown, Siana, Bellwoar & McAndrew, Township Solicitor; Keith McGowan, Maintenance Foreman; Joan Bair, 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.

**PUBLIC HEARING**

Solicitor Eric Brown called the Public Hearing to order at 7:01 PM EDT. He indicated the hearing was for the purpose of discussing and adopting a text amendment to the Township's IOP Zoning Ordinance to include "Storage" as a use permitted by right within the IOP Zoning District. This Ordinance text amendment was in response to the Heritage Drive "Storage Use" request. The Ordinance was advertised in accordance with the Municipalities Planning Code requirement, and was reviewed by Berks County Planning Commission for comments. In addition, the Caernarvon Township Planning Commission finds the Ordinance consistent with the Township's Comprehensive Plan. Supervisor Paul Whiteman inquired about adding Mixed Use at a later date. Solicitor Eric Brown explained that, yes, additions can be made at a later date such as adding Mixed Use. Adopting the text amendment will not have an impact on later additions. Ivy Fasko from the assembly inquired about amendment attributes applying to all other buildings going forward. Solicitor Brown explained that attributes will apply to any building within the IOP Zoning District. Ms. Fasko also noted that on Quarry View Drive there currently is UPS distribution center activity. Ms. Fasko asked if that type of activity is permissible. The Board of Supervisors explained that areas zoned Industrial and C3 zoning allow such distribution activity. Having no further comments, Solicitor Brown closed the hearing at 7:11 PM.

Jeff Vickers made a motion to adopt Ordinance 292, amending the Township Zoning Ordinance, specifically to Amend Section 579, to include "Storage" as a Use Permitted by Right within the IOP Zoning District. Sandy Styer seconded motion. All in favor. Motion carried.

**COMMENTS FROM THE ASSEMBLY:**

Richard Max in attendance raised concerns about high speed traffic on North Avenue also known as North Ally. In the past, speed bumps were privately installed which no longer exist due to liability concerns. Discussion ensued regarding past activity on that road. In the past, traffic has been diverted to alternate routes in that area while streets such as Route 23 were under construction. The Board of Supervisors suggested Mr. Max obtain a title search to determine the owner of that parcel which is private property. Also, the Supervisors recommend Mr. Max, along with surrounding neighbors, contact the parcel owner regarding the concerns. Lastly, Supervisors Pauly Whiteman and Jeff Vickers suggested Mr. Max follow through with concerns by submitting an official Township Complaint Letter regarding the traffic concerns on North Avenue.

Andrea Vickers expressed concerns about Twin Valley Road speeding problems and requested the Police Department monitor that area. The majority of the traffic appears to be coming from the Industrial Park.

Bob Weaver submitted a letter from local residents complaining about weed growth at near Morgan Court Apartments, 3420 Main Street. The Supervisors requested Joan Bair follow up with property owner regarding weed growth complaints and the request to have property mowed. An update will be provided at the next Board of Supervisors meeting.

## **CORRESPONDENCE**

The following correspondence was previously forwarded to Supervisors for review:

BCCD Letter – Pipeline Grant Application for 104 W. Main Street, Elverson PA  
County of Berks Letter – Draft Comprehensive Plan Update  
County of Berks Memo - Draft Long Range Transportation Plan Update  
Center for Excellence in Government Memo – 6<sup>th</sup> Annual Conference Invite  
Berks County Planning Commission – 2018 Fee Schedule Changes Effective 7/1/2018  
Earth Disturbance Report Update – Along Joanna Road  
Chester County Tax Collection Committee HR291 – Response Requested by 7/5/2018

## **BUSINESS**

- A. The Supervisors discussed proposed Lease Purchase Agreement for the new Dodge Durango police car. The lease agreement is with Ally, the total amount not to exceed \$29,940.00. The purchase agreement is a Co Stars Contract price. Sandy Styer made a motion to approve Dodge Durango Lease Purchase Agreement with Ally not to exceed \$29,940.00, Co Stars Purchase Price. Jeff Vickers seconded motion. All in favor. Motion carried. Sandy Styer made a motion to authorize John Scalia to sign the Title and Purchase Agreement. Jeff Vickers seconded motion. All in favor. Motion carried. Paul Whiteman made a motion to not use dealership warranty. Jack Hess seconded. All in favor. Motion carried.
- B. Comments received for the Zoning Ordinance Amendment were reviewed. Union Township had no comments for the zoning amendment. Solicitor Brown has not received a response from County of Berks Planning Commission regarding increasing the impervious coverage. The Township

Planning Commission will need to review the amendment at their next meeting, and thereafter provide feedback to the Board of Supervisors.

- C. Lot 4A Heritage Drive IOP zoning text amendment was discussed. Solicitor Brown recommended adoption of Ordinance #292 entitled “I-O-P Industrial Office Park” to include “Storage” as a use permitted by right within the I-O-P Zoning District. Jeff Vickers made a motion to adopt Ordinance #292. Sandy Styer seconded motion. All in favor. Motion carried.
- D. Casino correspondence from the Township Planning Commission was reviewed. The Planning Commission recommended the Board of Supervisors delay action on proposed casino use regulations. Further, the Planning Commission recommended approval to advertise the draft Ordinance Amendment governing lighting and landscaping standards. Sandy Styer made a motion to advertise the draft Zoning Ordinance Amendment Governing Lighting and Landscaping Standards. Jeff Vickers seconded motion. All in favor. Motion carried.
- E. Correspondence regarding the Zoning Ordinance governing home occupations and no-impact home based business was reviewed. The draft Ordinance has been reviewed by the Berks Planning Commission and the Township Planning Commission. The Township Planning Commission recommended approval of the amendment concerning home occupations and no-impact home based businesses. Jeff Vickers made a motion for approval and advertisement of the Zoning Ordinance governing home occupations and no-impact home based business. Jack Hess seconded motion. All in favor. Motion carried.
- F. Recommendation letter regarding Wexford Court Application to amend Preliminary/Final Land Development Plan Approval was reviewed. Approval is for one additional unit/townhome. The original approved Land Development Plan for 14 units needs to be revised to reflect a total of 15 units. The Township Planning Commission voted to recommend that the Board of Supervisors approve the Amendment to the Preliminary/Final Subdivision and Land Development Plan, subject to developer’s satisfaction of all comments set forth in the review letter issued by Great Valley Consultants on June 18, 2018. In addition, the Planning Commission voted to recommend that the Board of Supervisors grant a waiver from the requirement that the plan be reviewed by the Fire Marshal only if the Fire Marshal fails to respond to the application within thirty (30) days from the date the application is submitted to the Fire Marshal for review. Jack Hess made a motion to grant application approval with conditions set forth in the GVC review letter dated June 18, 2018, including the Fire Marshal waiver, if the Fire Marshal fails to respond to the application within thirty (30) days from the date the application is submitted to the Fire Marshal for review. Paul Whiteman seconded the motion. All in favor. Motion carried.
- G. The Board of Supervisors received a letter from Commonwealth Engineers, Inc. regarding a six-month extension for the Morgantown Apartments project. Sandy Styer made a motion to acknowledge receipt of the six-month

extension for the Morgantown Apartments project. Jeff Vickers seconded the motion. All in favor. Motion carried.

- H. Correspondence regarding Morgantown Apartments Subdivision application for Preliminary Land Development Plan approval was reviewed. At their June 19, 2018 meeting, the Township Planning Commission reviewed the Preliminary Land Development Plan submittal. The Planning Commission members have requested a more detailed written justification for each of the waivers requested. The Board of Supervisors reviewed the Planning Commission's letter dated June 22, 2018 which memorializes concerns addressed. The sidewalk deferral is a concern to the Planning Commission members in regards to public safety along the road. Solicitor Brown and the Township Engineer will continue with follow up meetings regarding the Morgantown Apartments Subdivision application.
- I. Township Administrator Joan Bair noted that Hillside Custom Machining project manager reported that plans are being finalized. Full submittal is projected by the end of the month.
- J. Proposed Solicitation Ordinance was reviewed. Solicitor Brown recommends approval for advertising. The last revision made was on June 15, 2018, the exemption of Special Events for the licensing requirement. Sandy Styer made a motion to approve and advertise the Proposed Solicitation Ordinance. Jeff Vickers seconded the motion. All in favor. Motion carried.
- K. The Board of Supervisors reviewed Valore, LLC letter regarding proposed cell tower at 4456 Main Street. The letter explains items will satisfactorily be met for the cell tower Zoning Compliance matters. No action was taken by the Board.
- L. An update was given regarding Swamp Road and Woods Lane Stormwater issues. The Township Administrator Joan Bair was asked to send a letter to the Swamp Road resident regarding driveway repairs. Woods Lane is a separate matter and will be addressed at a later date.
- M. The draft Social Hall Contract is under review. No action taken.
- N. Girl Scouts Social Hall request for summer dates was reviewed. The requested dates would be for rain dates only. The Supervisors approved the request contingent upon a cleaning fee of \$50.00 be paid to the Township for the Social Hall usage. Administrator Joan Bair will contact the Girl Scouts coordinator regarding the Social Hall fees.
- O. MABA Social Hall request for August 21, 2018 was reviewed. The Supervisors approved the request contingent upon a cleaning fee of \$50.00 be paid to the Township for the Social Hall usage. Administrator Joan Bair will contact the MABA coordinator regarding the Social Hall fees.
- P. The Supervisors reviewed a Girl Scout Silver Award project proposal. The student is planning on attending the July 10, 2018 Board of Supervisors meeting to request consideration and approval of the proposed project.

- Q. A new PPL bill was presented to the Board of Supervisors for the new Carnival Grounds Band Shell. The Supervisors approved paying the bill from the Accrual Account for the first cycle. Future PPL bills for the new stage will be reviewed by the Board of Supervisors to determine the Parks and Recreation expense code.
- R. The Supervisors reviewed a PPL sales tax refund due to the Township for 2017-2018. A PA Department of Revenue Board of Appeals Petition is required from the Township Office to claim refund in the amount of \$44,050. The PPL Account has now been updated as a tax exempt account. Sandy Styer made a motion to authorize Joan Bair to file appeal for the refund on behalf of the Township. Jack Hess seconded motion. All in favor. Motion carried.
- S. The Board of Supervisors reviewed an official Township Complaint received June 18, 2018. Raymond Redner from 702 Country Lane has filed a complaint regarding an evergreen border between Heather Brook and Country Meadows. Mr. Redner is requesting Heather Brook Developers provide 18 12' border trees. Great Valley Consultants previously responded to Mr. Redner's request and suggested he contact the Home Owner's Association. The Board of Supervisors request a letter be sent to Mr. Redner from the Township Office explaining that the Supervisors have no jurisdiction regarding his complaint.
- T. A letter of request for Police Fire Assistance was requested for June 14, 2018 for a public auction held for 4152 Conestoga Road, Elverson PA. Sandy Styer made a motion to authorize Fire Police Assistance for public auction for 4152 Conestoga Road, Elverson PA. Jeff Vickers seconded motion. All in favor. Motion Carried.
- U. Mariner East II Pipeline Funding Application was reviewed. Sandy Styer made a motion to grant approval of Pipeline Funding request and authorize Chairman Styer to sign grant application. Jeff Vickers seconded motion. All in favor. Motion carried.
- V. The Township's Park/Ball Field Usage Permit Agreement was reviewed. The Supervisors request the form be revised to remove the ball field from the agreement and refer applicants to the MAA for ball field agreement. In addition, item #10 will be revised to indicate both certificate of insurance and hold harmless agreement will be required for park usage.
- W. The Supervisors reviewed the proposed revised Hold Harmless Agreement. Solicitor Brown recommend the proposed form be reviewed by the Township's Insurance carrier.
- X. Correspondence regarding Morgantown Cleanup initiative was reviewed. Michelle Raymond addressed the Board of Supervisors about a recent paint project for Township fire hydrants. This initiative is a volunteer effort for community development. The Supervisors requested reimbursement to Nora Filmore for project expenses she incurred. Jeff Vickers expressed

appreciation and admiration for a job well done by Ms. Filmore. Ms. Raymond is interested in expanding volunteer efforts for other cleanup projects within Morgantown. A program such as Adopt a Block is currently a consideration. Paul Whiteman suggested obtaining ideas from the Township Public Works Department for potential projects such as curb painting and open space cleanup.

- Y. 22 Horseshoe Drive Storm Easement Agreement was discussed. Solicitor Brown recommends the Township send a letter to the resident requesting an encroachment agreement be signed and recorded at Berks Recorder of Deeds office. Solicitor Brown also recommends the Township develop a list of residential encroachments needing addressed in preparation for the upcoming proposed Encroachment Ordinance.
- Z. Road Foreman Keith McGowan requested approval for ordering new traffic legend paint. The previous brand did not last. Sandy Styer made a motion to approve ordering new traffic legend paint. Jeff Vickers seconded the motion. All in favor. Motion carried. In addition, Road Foreman McGowan requested approval to purchase 50 cubic yards of mulch from River Valley for Parks and Recreation, amount not to exceed \$3675.00. Paul Whiteman made a motion to approve the purchase of 50 cubic yards of mulch, amount not to exceed \$3675.00. Jack Hess seconded motion. All in favor. Motion carried. Road Foreman McGowan explained that the Friendship Park restrooms recently were not left in good condition. The Board of Supervisors approved locking the restrooms unless park facilities are being rented, until further notice. Lastly, Supervisor Jack Hess and Foreman Keith McGowan presented the Parks and Recreation list of items needed. Two (2) trash cans in Friendship park restrooms need replaced. Approximate cost for a trash can that holds bags is \$250.00 each. Lastly, foul posts were recently spray painted, Parks and Recreation Committee requests posts be repainted.
- AA. Paul Whiteman discussed removal of volleyball sand at Friendship Park. Top soil has been offered to fill that spot. Also, next year's Carnival dates have been set. Supervisors inquired about advertising for carnival bids. Supervisor Paul Whiteman explained that Tons of Fun is the amusement vendor used for the carnival. Sandy Styer made a motion to approve Paul Whiteman as signer for carnival contracts for 2019. Jack Hess seconded motion. All in favor. Motion carried.
- BB. Solicitor Brown addressed zoning enforcement regarding the Morgantown Coffee house landlord parking lot matters. Sandy Styer made a motion to authorize the filing of a zoning violation to the property owner of 4997 N. Twin Valley Road, Elverson, PA. Paul Whiteman seconded motion. All in favor. Motion carried.

## **EXECUTIVE SESSION**

There was no executive session at this time.

**SUPERVISORS COMMENTS**

Supervisor Vickers expressed gratitude to Paul Whiteman for the carnival success.

Chairman Styer gave a summary of a recent meeting between Caernarvon Township and the Twin Valley School district regarding a School Resource Officer. There is a pending grant that if approved would fund a School Resource Officer over a period of time. Currently, the Township is researching options for the agreement including the cost to taxpayers and also any liability concerns. No action taken at this time.

**ADJOURNMENT**

Sandy Styer made a motion to adjourn at 9:12 PM. Paul Whiteman seconded motion. All in favor. Motion carried.

Respectfully Submitted,

Joan A. Bair  
Township Secretary