

**CAERNARVON TOWNSHIP
BERKS COUNTY, PA**

**BOARD OF SUPERVISORS
MEETING MINUTES**

August 14, 2018

The Caernarvon Township Board of Supervisors held their Monthly Meeting on August 14, 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; Terrence Naugle, Great Valley Consultants; Keith McGowan, Maintenance Foreman; Joan Bair, Township Administrator/Secretary; John Scalia, Chief of Police arrived at a later time.

CALL TO ORDER

Chairman Allen Styer called the meeting to order at 7:02 PM. This was followed by the Pledge of Allegiance.

COMMENTS FROM THE ASSEMBLY:

Charles O'Donnell, Highcroft resident, inquired about paving work for Highcroft. Maintenance Foreman Keith McGowan reported that the work will take place soon, and is scheduled for completion by the end of September.

CORRESPONDENCE

The following correspondence was previously forwarded to Supervisors for review:

Reading Area Transportation Study Technical Committee Meeting – September 20, 2018

YMCA Stewards of Children Event – September 18, 2018. Supervisors requested this information be forwarded to the Parks & Rec Committee.

PennDot Liquid Fuels Report was reviewed. No action required.

Berks Visiting Nurse Donation Request. No action required.

Supervisor Paul Whiteman requested approval for Declaration of Disaster Emergency due to recent rain events. The Social Hall was damaged extensively because of rain water entering the building. Sandy Styer made a motion to Declare Disaster Emergency due to recent rain events. Jeff Vickers seconded motion. All in favor. Motion carried.

Additionally, Solicitor Eric Brown suggested Supervisors enact Resolution to Adopt the Hazard Vulnerability Assessment and Mitigation Plan Update for Caernarvon Township. Sandy Styer made a motion to acknowledge and enact Resolution for Berks County Municipal Hazardous Mitigation Plan. Paul Whiteman seconded motion. All in favor. Motion carried.

MINUTES OF THE PREVIOUS MEETING

- A. Sandy Styer made a motion to accept the minutes of July 10, 2018. Jack Hess seconded the motion. All in favor. Motion carried.
- B. Sandy Styer made a motion to accept the minutes of July 24, 2018 Workshop. Paul Whiteman seconded the motion. All in favor. Motion carried.

TREASURERS REPORT

The Supervisors reviewed the Treasurer's report. Sandy Styer made a motion to accept the Treasurers monthly report for the period ending July 31, 2018. Paul Whiteman seconded the motion. All in favor. Motion carried.

EXPENSE LIST

The Supervisors reviewed the bill list for August. Sandy Styer made a motion to pay the bills on the August 14, 2018 bill list in the amount of \$74,541.13 General Fund, and \$4,254.49 Street Light Fund. Jeff Vickers seconded the motion. All in favor. Motion carried.

BUSINESS

- A. Supervisors were informed about the upcoming Pennwood Community Yard Sale scheduled for August 24, 2018, 3-8pm. No further action requested or needed at this time.
- B. Twin Valley Fire Department (TVFD) request for Park Pavilion use on May 17 and May 18, 2019 for their annual BBQ event was received. Supervisors request a contingency plan for inclement weather. Event will need to take place on the macadam area in case of inclement weather. With an inclement weather contingency plan and Township park use application, Supervisors approve use of park pavilion area on May 17 and May 18, 2019 for the TVFD BBQ event.
- C. Supervisors reviewed a BB&T authorization form naming authorized individuals for Caernarvon Township police pension services. Form requires updated information. Jeff Vickers made a motion naming Joan Bair, Secretary and Allen Styer, Chairman as authorized individuals for the BB&T Authorization Form to instruct BB&T on behalf of Caernarvon Township for the Police Retirement Plan. Paul Whiteman seconded motion. All in favor.

Motion carried. It was noted that Jack Griesemer, Township Treasurer, will continue as consultant for the plan.

- D. A letter to XTL, Inc. was reviewed regarding an outstanding invoice. Supervisors decided to defer on this item to allow time to meet with XTL, Inc. regarding invoice.
- E. Terrence Naugle, Great Valley Consultants, explained that Hillside Custom Machining Land Development Plans will need to be reaffirmed due to timeframe for deadlines and delays with the project requirements. To date an escrow has not been posted. Supervisors tabled decision to reaffirm Hillside Custom Machining Land Development Plan.
- F. Official Township Complaint Form dated August 10, 2018 was reviewed. Complaint is regarding a run off storm drain pipe located at 29 Hunters Hill Drive. Terrence Naugle, Great Valley Consultants, reviewed as built plans for that address. He noted that the plans show a catch basin two (2) property lines down from 29 Hunters Hill Drive to resolve drainage for that area. The current pipe drainage for that area is not part of the original Township approved storm water plans. Supervisors have requested Great Valley Consultants to further investigate complaint, and also asked Administrator/Secretary to send a letter to Mr. Bossert acknowledging receipt of the complaint.
- G. The Supervisors discussed the Girl Scout proposal that was presented by Madison Long at the July 24, 2018 Workshop meeting. Discussion took place about availability of space within the Township's parks for the proposed Gaga Pit. Maintenance Foreman Keith McGowan expressed concern about the maintenance of parks projects. Morgan Circle has a park bench project that was left unattended, a resident voluntarily has been taking care of that project. Sandy Styer made a motion to not install the proposed Gaga Pit in a Township Park. Jack Hess seconded motion. All in favor. Motion carried.
- H. No updates were provided regarding the Dodge Durango Lease Purchase agreement.
- I. Social Hall contract updates have been made. No action taken at this time.
- J. Supervisors discussed Spotted Lanternfly concerns within the Township. Supervisor Sandy Styer noted that Education pamphlets are available at the Township. Charles O'Donnell from the assembly expressed his concerns about an infestation of the insect along his property. He stated that his property backs up to Township property where he notices the Tree of Heaven that attracts the Spotted Lanternfly. He is requesting that the Township spray or remove the trees. The Supervisors requested Administrator/Secretary Joan Bair contact the Twin Valley School District regarding availability of space to hold a Spotted Lanternfly educational session. Guest speakers from the Department of Agriculture or Senator Schwank's office will be contacted for availability to present the educational session.

- K. Foreclosure notice for 13 Lenape Drive was reviewed by the Supervisors. There is currently no lien filed neither by the Township nor the Authority. No action taken at this time.
- L. No updates provided for the Lot 4A Heritage Drive Land Development Plan. Solicitor Eric Brown noted that the zoning ordinance text amendment was approved. The current extension granted for the project is 9/1/2018, no further extensions have been granted. Supervisors recommend developer attend the next Planning Commission meeting to provide an update.
- M. Valore LLC Cell Tower permit applications have been received at the Township, and were forwarded to Great Valley Consultants for review.
- N. The removal of the Morgantown Athletic Association (MAA) Park shed is in process. Paul Whiteman will contact the MAA for an update.

TOWNSHIP REPORTS

- A. Administrator Joan Bair gave the following reports:

Permit has been issued 1 Kimball Court. Solicitor Eric Brown noted that permit allows a time period for completing the repairs.

22 Horseshoe Drive Easement Encroachment agreement has been signed. No updates regarding recording document at Berks Recorder of Deeds office. Supervisors requested Mr. and Mrs. McMonagle be contacted for a status of the agreement to be recorded.

Letter was sent to 434 Swamp Road regarding stormwater runoff. Some grading work activity has been noticed. Township Engineer will provide a follow up. Also, an outstanding invoice is currently being addressed. No action taken at this time.

Letter was sent to 318 Shiloh Road regarding weeds complaint. No update available.

Street Cut Ordinance draft was forwarded, Township Engineer is waiting for comments.

Township laptops arrived, a trial run is proposed for the next Board of Supervisors meeting.

- B. Supervisor Paul Whiteman reported funding for stage project has been fulfilled. Contract for the ride vendor is forthcoming to the Township Office.
- C. The Maintenance Department Report for August was received. Sandy Styer noted she received a complaint regarding a tree removed recently in Mountaineer Village. The complaint was that the removal occurred late at night causing disturbance to neighboring homes. Maintenance Foreman Keith McGowan reported that the cleanup was completed by 10:30 p.m.
He also reported that Township roads work by contractor AMS and storm cleanup is currently in progress. Additional roads work to be completed

includes Swamp Road and Mountaineer Village. Thousand Oaks Boulevard pipe work is slated for the Fall. Supervisor Paul Whiteman noted that the Township needs to be proactive with the maintenance of storm water basins. Hidden Court has a detention pond that requires maintenance. Great Valley Consultants will be assisting the Township with generating a template notice/letter to be sent to the responsible party regarding maintenance of storm water basins. Build-up of silt and erosion is currently an issue. Culvert work in the area of Twin Valley Road is in process, a GP11 permit is required.

- D. The SEO report for the month of August was received.
- E. The Library report for the month of August was received.
- F. Tax Collector reports for August were received.
- G. The police report for the month of August was received.
- H. Zoning/Code Enforcement Officer report for August was received.
- I. EMS reports for August were received.
- J. Twin Valley Fire Department reports for the month of August were received.
- K. Parks and Recreation Board met in July. The Supervisors reviewed their meeting minutes. The request list was reviewed. Administrator/Secretary Joan Bair was requested to provide the following response to the Parks and Recreation Recording Secretary. Item #1, purchasing a port-a-potty is not feasible at this time; Item #2, implementing a Parks and Recreation email is a good idea; Item #3 is completed; Item #4 social hall cleaning fee can only be waived for not-for-profit groups with the Board of Supervisors approval; and, Item #5 mulch order was approved, delivery is scheduled for September 2018.
- L. The Planning Commission meeting minutes were reviewed.
- M. The Supervisors reviewed Engineer's Report. Terrence Naugle, Great Valley Consultants

Additionally, he noted that GVC received XTL revised plans for the Planning Commission's review. A traffic study will be needed. XTL is moving ahead with other permitting including Stormwater. Solicitor Eric Brown explained that if more time is needed for approval of final plans, Developer can delay and grant project extension or request conditional approval.

Also, complaints about dust and dirt at the Hillside construction site recently have been addressed. Contractors have been sweeping and spraying area to alleviate concerns.

Street cut ordinance draft was previously distributed to Supervisors for review and comments. No action taken at this time.

- N. Solicitor's report for August was received. Solicitor Eric Brown gave the following report:

Revised Morgantown Apartments LDP submitted to the Township and will be reviewed at the September Planning Commission meeting.

XTL plan revisions are forthcoming. The site grading work can begin, however, a special exception will need to go before the Zoning Hearing Board for the steep slope matter. GVC forwarded proposed Land Development Plan to PennDot for review. GVC and Solicitor are available to meet with XTL regarding any requested waivers.

Supervisors were provided with a proposed revised fee schedule. The recommended changes include reducing the number of escrow transfer transactions, and to lessen the escrow burden on developers. Proposal includes billing developers on a monthly/regular basis for any applicable land development professional fees paid in advance by the Township. Page 1 of the fee schedule includes a revision to Non-Refundable Township Filing Fees. Sections C and D within the fee schedule include revisions for Developer escrow amount required by the Township. Supervisor Paul Whiteman inquired about the possibility of incorporating a required escrow for storm water basin maintenance. GVC will review current stormwater ordinance for any escrow information pertaining to basin maintenance.

Disposition of Township vehicles was discussed. According to the Second Class Township Code, no competitive bidding is needed for property valued below \$2,000.00. Discussion ensued regarding the disposition of the minivan assigned to the Police Department. A Resolution is needed and will require the year, make, model and disposal fee. In addition, a one page invoice will be required to demonstrate payment made for the disposition. Vehicle Registration paperwork will need to be included with the Resolution. Upon approval of the Resolution, the title can be transferred to the new owner.

Proposed Ordinance for Right of Way Encroachment with proposed changes was reviewed by the Supervisors. Changes include not permitting easement encroachment until easement agreement has been recorded with Berks County Recorder of Deeds office. Sandy Styer made a motion to publicly advertise the Ordinance with noted changes. Jeff Vickers seconded motion. All in favor. Motion carried.

Proposed Casino Ordinance is on hold. No updates. No action taken.

Noise Ordinance is on hold, under review for feedback.

Road Opening Ordinance is currently under review.

ADDITIONAL COMMENTS FROM THE ASSEMBLY

Steve Stoltzfus from Sheds Unlimited, LLC was present to discuss the next phase for the project. Mr. Stoltzfus requested clarification from Great Valley Consultants regarding accessory structures not being compliant with zoning codes. Terrence Naugle explained that the temporary accessory structures were not included in the original approved Land Development Plan for Sheds Unlimited, LLC. Mr. Naugle further explained that the following permits are required for occupancy of those temporary structures: Use and Occupancy, Electrical, Mechanical and Plumbing. Chairman Styer has requested GVC

Zoning Officer to provide guidance to Mr. Stoltzfus and work with him so that his business can continue. Solicitor Eric Brown explained that only the Uniform Commercial Code (UCC) Board of Appeals can grant exceptions for standards not met. Terrence Naugle further explained that floor plans were provided for the temporary structures, however, no structural details were included. Supervisor Jeff Vickers noted that positive communication between GVC and Sheds Unlimited, LLC, will be beneficial to the overall permitting process. Paul Whiteman explained that Township Engineers are utilized to follow codes in place for safety. Great Valley Consultants will provide further zoning/permitting guidance to Sheds Unlimited regarding the temporary structures currently in use.

EXECUTIVE SESSION

The Supervisors recessed into Executive Session at 9:34 p.m. Chairman Allen Styer called the meeting back to order at 10:05 p.m., indicating the session was for discussing legal issues.

SUPERVISORS COMMENTS

There were no comments.

ADJOURNMENT

Paul Whiteman made a motion to adjourn at 10:06 p.m. Jack Hess seconded motion. All in favor. Motion carried.

Respectfully Submitted,

Joan A. Bair
Township Administrator/Secretary