

**CAERNARVON TOWNSHIP
BERKS COUNTY, PA**

**BOARD OF SUPERVISORS
WORKSHOP MEETING MINUTES**

October 23, 2018

The Caernarvon Township Board of Supervisors held their Monthly Workshop Meeting on October 23, 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; Jeffrey Vickers, Supervisor; Sandy Styer (came at a later time), Supervisor; Eric Brown, Siana, Bellwoar & McAndrew, Township Solicitor; Jack Griesemer, Treasurer; Keith McGowan, Maintenance Foreman; John Scalia (came shortly after meeting started), Chief of Police; 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 two (2) amendments to the Township's Zoning Ordinance. The zoning ordinance is proposed to be amended in two ways: (1) to provide for the use and regulation of casinos and gambling facilities in the C-3 Zoning District; and (2) to regulate signage on property with a casino use. Solicitor Brown further explained that the proposed amendments were advertised in the Reading Eagle on October 2, 2018 and October 9, 2018; thereby meeting the advertising requirements. The amendments were reviewed by the Berks County Planning Commission (BCPC) and comments were provided, letter dated October 21, 2018. Additionally, the Caernarvon Township Planning Commission finds the proposed amendments to be consistent with the Township's Joint Comprehensive Plan.

COMMENTS FROM THE ASSEMBLY

Ivy Fasko, Pennwood, asked whether Use is By Right or Conditional. The Supervisors explained that the use is By Right. Supervisor Whiteman noted that the Casino Use Amendment is for C-3 zoning, and explained that there are few areas within the Township zoned as C-3. Ms. Fasko also inquired about the lighting requirement exception noted on page 3, Item I, for the proposed Casino Use amendment. Chairman Styer explained that the exception provides flexibility for a 24/7 business operation, lighting can be a deterrent for criminal activity. He noted, as an example, that the Turnpike is a similar operation that requires a lighting exception. Solicitor Brown explained that the Township has an adopted zoning ordinance amendment for Lighting standards, which requires full cutoff at boundaries. Ms. Fasko noted some additional community concerns that she has read on social media. Concerns include loitering within the Township and the negative impact a Casino may have on minors. Supervisor Vickers noted that minors are not

permitted in Casinos. Additionally, Chief Scalia explained that he has visited the Grantville Casino and took notice of the safety and security measures taken on the premises. He also noted that Casino security can be very helpful to local Police Departments. Chairman Styer expressed the need for more businesses in Morgantown, and stated that a Casino could be a good anchor for more businesses. The Supervisors are encouraging residents to visit a Municipality with an existing Casino to gain more knowledge about the business. Ivy Fasko made mention about attending a York, PA public hearing for a proposed mini casino, scheduled for November 1, 2018.

There was no further public discussion, and the Supervisors had no questions.

Solicitor Eric Brown closed the hearing at 7:25PM. Chairman Styer called the meeting back to order.

At that time, Paul Whiteman made a motion to adopt Ordinance #297 to provide for the use and regulation of casinos and gambling facilities in the C-3 Zoning District. Jeffrey Vickers seconded motion. All in favor. Motion carried.

Additionally, Paul Whiteman made a motion to adopt Ordinance #298 to regulate signage on property with a casino use. Jack Hess seconded motion. All in favor. Motion carried.

COMMENTS FROM THE ASSEMBLY

Michelle Raymond, Lenape Drive, provided a summary of the October 17, 2018 Truck ‘N Treat event that was held at the Morgantown Center. Nineteen (19) vehicles were present and 125 children participated in the event. Ms. Raymond is interested in doing the event next year, and would like to work in collaboration with Parks and Recreation. Ms. Raymond then proceeded to discuss the upcoming Spotted Lantern Fly informational meeting. She inquired about the Township’s Facebook page for advertising. The Township Secretary will look into bringing back the Township’s Facebook page. Also, Officer Seidel offered to publish the Spotted Lantern Fly event on the Police Department’s Facebook page to get the word out.

CORRESPONDENCE

The following correspondence was previously forwarded to Supervisors for review, no comments were provided in response to information:

- Berks Public Works Association 2019 Meeting Dates
- DEP Inspection Report Dated 9/28/2018
- Excellence in Local Government Letter Dated October 5, 2018
- State of the Environment in Berks Breakfast Invite – November 8, 2018
- Governor’s Proclamation – November 11, 2018 Veteran’s Day
- Southern Berks JCP Committee Meeting – October 24, 2018, 6PM at Caernarvon Township
- PMHIC Life & Disability – Invitation to Participate in their Program
- County of Berks Board of Elections – Social Hall use

BUSINESS

A. Solicitor Eric Brown explained that the Street Cut Ordinance #299 was advertised in the Reading Eagle on October 16, 2018 for public notice. Therefore, the Ordinance has met

the advertising requirements and can be approved for adoption. Sandy Styer made a motion to adopt Ordinance #299. Paul Whiteman seconded motion. All in favor. Motion carried.

B. Discussion was made regarding a draft Ordinance for Snow Emergencies. At this time, there is no draft Ordinance. Further discussions will be needed. Item has been tabled for now.

C. Discussion was made regarding an updated Nuisance Ordinance. At this time, this item has been tabled.

D. The Township Secretary explained that a Township response has been forwarded to Republic Services regarding their Letter of Credit release request. The Township letter explains that contract provisions must be met before the Bank of America Letter of Credit can be released.

E. Chief John Scalia requested approval for lease purchase of new Tasers for the Police Department, estimated amount is \$10,000.00-12,000.00. The Supervisors have requested three (3) quotes or a Co-Stars price. Chief Scalia explained that there are no other vendors available that can provide the needed equipment. Solicitor Eric Brown explained that in this situation the Supervisors can invoke a proprietary exception. Paul Whiteman made a motion to invoke the proprietary exception for the new lasers lease purchase. Sandy Styer seconded motion. All in favor. Motion carried.

Additionally Chief Scalia requested approval for the purchase of new chairs and computers for the Police Department. Chief explained that the chair purchase amount will not exceed \$1,500.00. The Supervisors acknowledged the request and noted that the cost is within Chief's authorized limit. Chief then asked for approval to purchase 5 new computers, estimated cost is \$5,500.00. Paul Whiteman made a motion to approve purchase of new computers for the Police Department, amount not to exceed \$6,000.00. Jack Hess seconded motion. All in favor. Motion carried.

F. Mike Gotschall from E-Lock was present to provide the Board of Supervisors with a proposal for a digital Security System for the Township Building, Maintenance Building and Friendship Park. Mr. Gotschall noted that he was recently at the Township to update security access for current users and system needs. He explained that camera upgrades are necessary. Some of the cameras need to be rearranged on the DVRs, currently views are limited. Mr. Gotschall proposes a new digital system, the current system is outdated. Supervisor Jeff Vickers noted that an old system eventually will have compatibility issues. Chairman Styer inquired about the estimated costs for a new digital security camera system for the Township Building, Maintenance Building and the two (2) park bathrooms discussed. Mr. Gotschall was not able to provide a formal quote, he will need some time to gather the data.

G. Solicitor Eric Brown provided an overview of the draft Non-CDL Drug and Alcohol Testing Policy. Revisions were highlighted in yellow. It was noted that Collective Bargaining employees would need to be excluded from the policy unless and until the Policy is expressly adopted therein. The Supervisors reviewed the options for consequences of positive tests.

Supervisor Sandy Styer recommended Section VI reflect immediate dismissal for positive test. In addition, the Supervisors received an inquiry about the eligibility of Part-Time Police Officers for the proposed policy. Solicitor Brown will provide more information at the next meeting, along with an updated policy based on recommended revisions.

H. Township Secretary Joan Bair updated the Supervisors on the Social Hall repairs. The Social Hall floor will need to be cleaned after all repairs are completed. Repair work is estimated to be completed within the next week. An update regarding scheduling floor buffing will be provided at the next Board of Supervisors meeting.

I. The 2019 Animal Control Services Contract was discussed. At this time, the Administrator/Secretary did not have an update regarding feasible Township animal control options for 2019. The deadline for contract decision is December 1, 2018. Supervisor Sandy Styer inquired about the Humane Society services. It was noted that the Humane Society does not offer pick up of animals and does not have after hours service. Supervisor Sandy Styer made a motion to opt out of the 2019 Animal Control Services Agreement. Chairman Styer requested that the Township Secretary invite the Animal Rescue League Executive Director to attend the next Board of Supervisors' meeting to address their 2019 contract. After discussion, it was noted that the motion was not seconded. Therefore, for the record, the motion was withdrawn.

J. Township Secretary Joan Bair reminded everyone about the Spotted Lantern Fly presentation scheduled for Thursday, October 25, 2018. The event will be held at the Twin Valley High School's auditorium. Event starts at 7PM.

K. The Supervisors reviewed a request for readdressing 421 Shiloh Road. Sandy Styer made a motion to readdress 421 Shiloh Road to 1009 Hartz Road. Jack Hess seconded motion. All in favor. Motion carried.

L. Road Foreman Keith McGowan requested approval for purchase of 2020 Berman Freightliner snow plow truck chassis. Supervisors previously received a copy of the chassis specifications. Delivery is expected to be for some time in April 2019. Foreman McGowan explained that the purchase is pursuant to CoStars contract. Paul Whiteman made a motion to approve purchase of 2020 Berman Freightliner snow plow truck chassis, through the CoStars Purchasing Program, in the amount of \$83,365.41. Sandy Styer seconded motion. All in favor. Motion carried. Additionally, Jack Hess made a motion to approve Road Foreman Keith McGowan as the authorized signer for the 2020 Freightliner purchase. Paul Whiteman seconded motion. All in favor. Motion carried.

M. Supervisor Sandy Styer explained to the Board of Supervisors that an email was received requesting No Parking signs for Valley Ponds. The requestor lives in The Village of Country Meadows and is concerned about cars parking on both sides of the road by the pool. Solicitor Eric Brown recommends consolidating all existing No Parking Ordinances into one Ordinance. A consolidated draft Ordinance will be prepared for the Board of Supervisors review at their next meeting.

N. The Supervisors reviewed the proposed Resolution 2018-25 to authorize the Disposal of Personal Property by Electronic Auction Sale. Sandy Styer made a motion to adopt Resolution No. 2018-25. Jack Hess seconded motion. All in favor. Motion carried.

O. The Supervisors reviewed an Official Township Complaint form dated October 22, 2018. The Supervisors noted that the complaint is regarding noise from the Pipeline work occurring within the Township. The Supervisors requested the Township Secretary to contact the author of the complaint and explain that Sunoco Pipeline is a public utility corporation. Therefore, the Township Supervisors cannot take action on the complaint.

Jack Griesemer discussed the proposed 2019 Budget that was distributed to the Supervisors. It was noted that the report includes a Revenue surplus of \$30,000.00. Supervisor Sandy Styer requested that Department Managers review their budget report to ensure they have what they need for the upcoming year.

Solicitor Eric Brown informed the Supervisors that XTL, Inc., reached out to him regarding a 70/30 split PennDot grant that is available to assist with the Shiloh Road turning issues. XTL intends to apply for the grant and is interested in the Township serving as a co-applicant. Supervisor Vickers asked about the cost to taxpayers if the project fails. Solicitor Eric Brown explained that there is no risk for the municipality's involvement. Additionally, any review fees would be passed to XTL, Inc. Supervisor Whiteman noted that the entire road needs revamped. Solicitor Brown noted that an application for review could likely be available by the next Board of Supervisors meeting. At that time, the Board can further discuss the consideration of the Township serving as co-applicant.

Additionally, Solicitor Brown informed the Board of Supervisors that Pettinaro is working on a land swap agreement that would involve the Township. He noted that the agreement will soon be ready for the Board of Supervisors to review.

EXECUTIVE SESSION

The Supervisors recessed for an executive session at 9:10 PM. Chairman Styer called the meeting back to order at 9:40 PM, stating the Executive Session was to discuss legal concerns.

SUPERVISORS COMMENTS

There were no comments.

ADJOURNMENT

Sandy Styer made a motion to adjourn meeting. Paul Whiteman seconded motion. All in favor. Motion carried. The meeting adjourned at 9:42 PM.

Respectfully Submitted,

Joan A. Bair
Township Administrator/Secretary