

**CAERNARVON TOWNSHIP
BERKS COUNTY, PA**

**BOARD OF SUPERVISORS
MEETING MINUTES**

December 11, 2018

The Caernarvon Township Board of Supervisors held their Regular Monthly Meeting on December 11, 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; Scott Anderson, Great Valley Consultants; Jack Griesemer, Treasurer; John Scalia, 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.

COMMENTS FROM THE ASSEMBLY:

Ms. Celeste March, 2350 Hopewell Road, inquired about casino plans for the Township. Ms. March explained that she has heard many complaints about the casino plans, and would like to know if there has been a Township wide poll regarding the casino. She would like to see other businesses such as sit down restaurants and grocery stores. Supervisor Jeff Vickers explained that the Board has attempted to solicit different businesses. Chairman Allen Styer noted that demographics need to be suitable for generating business revenue. Supervisor Whiteman discussed the zoning process that has transpired over the past year regarding zones within the Township and uses permitted. It was noted that casino use is zoned in the C3 district, changes were made so that zoning for such use would be regulated. The Supervisors invite citizens to participate in public meetings and visit existing casinos to learn more about how casinos operate. Township residents Brian Licitra and Michelle Raymond provided comments regarding internet links to learn more about casinos and their impact in communities.

Ken Simon, 403 Swamp Road, Animal Rescue League volunteer, shared his views about the rescue league and their impact to the community. Mr. Simon expressed his support for the League and the services they provide to caring for animals. The Supervisors thanked him for his service to the League and for expressing his views at the meeting.

CORRESPONDENCE

The following correspondence was previously forwarded to Supervisors for review, no further comments:

Water Authority – New Water Rates
Board of Elections – Office to be Elected
Sunoco Pipeline – Judith Schwank Letter
PennDot – Notice of Payment State Police Fines and Penalties
USDA – Rural Development Programs

MINUTES OF THE PREVIOUS MEETING

- A. Sandy Styer made a motion to accept the minutes of November 13, 2018. Paul Whiteman seconded the motion. All in favor. Motion carried.
- B. Sandy Styer made a motion to accept the minutes of November 27, 2018 Workshop. Jeff Vickers 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 November 30, 2018. Paul Whiteman seconded the motion. All in favor. Motion carried. Treasurer Jack Greisemer noted that revenue has exceeded budget for the end of November Treasurer's Report.

EXPENSE LIST

The Supervisors reviewed the bill list for December. Sandy Styer made a motion to pay the bills on the December 11, 2018 bill list, amount of \$167,662.07 General Fund; \$84,004.69, Building Tax Fund; \$40,255.60 Escrow Fund; and, \$4,324.47 Street Light Fund. Jeff Vickers seconded the motion. All in favor. Motion carried.

BUSINESS

A. Chairman Styer invited Mr. RL Lowell from Vector Security to give his presentation for the Security Cameras estimate. Mr. Lowell explained that he and his engineer visited the Township for a preliminary assessment of the security system. Chairman Allen Styer asked if Vector Security is the company that installed the original system. Mr. Lowell noted that Vector Security did the installation, but no maintenance plan/contract was setup with the Township. Supervisor Paul Whiteman inquired about quotes for hosting fees. Mr. Lowell explained that they are monthly fees for the video and audio security features. Chairman Styer requested a layout of the cameras on a detailed map, and would be interested in having two supervisors review the layout and cost estimate prior to the next Board of Supervisors meeting.

B. The Supervisors reviewed the County/Municipal Tax Sheet for 2019. Sandy Styer made a motion to authorize Chairman Styer to sign the County/Municipal Tax Sheet for 2019. Jack Hess seconded motion. All in favor. Motion carried.

C. The Supervisors reviewed Resolution No 2018-29, setting tax rates for 2019. Sandy Styer made a motion to adopt Resolution No 2018-29. Paul Whiteman seconded motion. All in favor. Motion carried.

D. The Supervisors reviewed Resolution No 2018-30, adopting the 2019 budget. Sandy Styer made a motion to adopt Resolution No 2018-30. Jeff Vickers seconded motion. All in favor. Motion carried.

E. The Supervisors reviewed Resolution No 2018-31, adopting streetlight tax rates. Jeff Vickers made a motion to adopt Resolution No 2018-31. Jack Hess seconded motion. All in favor. Motion carried.

F. The Supervisors reviewed Resolution No 2018-32, authorizing municibid sale for Police Car 32-7. Sandy Styer made motion to adopt Resolution No 2018-32. Paul Whiteman seconded motion. All in favor. Motion carried.

G. The Supervisors reviewed 2019 Meeting Dates. Sandy Styer made a motion to advertise 2019 meeting dates. Jack Hess seconded motion. All in favor. Motion carried.

H. Treasurer Jack Griesemer requested approval for remitting payment to Customers Bank for the Township mortgage bill that is due. Sandy Styer made a motion to approve remittance of mortgage payment that is due, made payable to Customers Bank. Jack Hess seconded motion. All in favor. Motion carried.

I. The Supervisors acknowledged receipt of letter dated November 30, 2018 from Bogia Engineering. The letter states that at this time Bogia Engineering will not be moving forward with the Lot 4A project.

J. The Supervisors reviewed a request from Mr. David Schusler regarding an escrow release payment in the amount of \$665.00 for a current Heatherbrook Land LP Township invoice. Sandy Styer made a motion to approve the Heatherbrook Land LP escrow payment release in the amount of \$665.00 for outstanding Township fees due, and subsequently the release of the final escrow balance in the amount of \$3,761.07, from the General Fund, made payable to Heatherbrook Land LP. Paul Whiteman seconded motion. All in favor. Motion carried.

K. The Supervisors reviewed the Morgantown Community Church assessment correspondence received. Solicitor Eric Brown explained that the correspondence is for informational use only unless the Board wants to invoke the right to appeal the assessment amount. The Supervisors took no action on this item.

L. Solicitor Eric Brown explained that the Township received a non-renewal notice for a Wexford Court Letter of Credit. Joe Margusity was present to explain that the notice was sent in error and the Key Bank will address the error and send a letter reinstating the Letter of Credit for Wexford Court. Mr. Margusity requested a meeting with Township Representatives regarding an outstanding invoice for Wexford Court. He is disputing review fees because building permits for the project were delayed due to sealed retaining wall matter. Discussion ensued regarding the non-renewal for the Wexford Court Letter of Credit. Sandy Styer made a motion to pay remaining amount for outstanding Wexford Court invoices from the Key Bank Letter of Credit that is set to expire on December 31, 2018. Jeff Vickers seconded motion. All in favor. Motion carried. Additionally, it was noted that the HOA has concerns with the stormwater bed and basins. Also, Township Engineer Scott Anderson noted that there is a 1 year period to complete required improvements. The Board of Supervisors can extend the deadline for completing the remaining improvements noted by GVC.

M. Keith Grant, Morgantown Apartments Representative, was present to explain that payment is forthcoming to the Township for an outstanding invoice. Mr. Grant also explained that plans are underway for the Morgantown Affiliates parcel annexation plans. Currently the parking lot set backs are impinged, up against property line. Solicitor Eric Brown explained that a variance request from the zoning hearing board or an abatement to move property from setback might be necessary. Engineer Scott Anderson noted that a Stormwater calculation and

agreement will be needed for the business parking lot annexation plans, and approval from PennDot.

N. The Supervisors discussed the Burckhardt Subdivision sidewalk deferral agreement. After discussions, Sandy Styer made a motion to authorize signature of Burckhardt Subdivision sidewalk deferral agreement. Paul Whiteman seconded motion. All in favor. Motion carried.

O. The Supervisors reviewed the encroachment agreement requested by Witman Engineers on behalf of the Morgantown Church. Paul Whiteman made a motion to approve and execute the deed for South Walnut Street. Jeff Vickers seconded motion. All in favor. Motion carried.

P. Township Engineer Scott Anderson explained that the Republic Services work was completed as required in Maintenance Agreement. The \$150,000.00 letter of credit required as part of the Maintenance Agreement was previously posted. Paul Whiteman made a motion to approve release of the \$850,000.00 Letter of Credit subject to required approvals/signatures on Letter of Credit. Sandy Styer seconded motion. All in favor. Motion carried.

Q. The Supervisors reviewed a draft copy of the Township's damaged mailbox policy. Supervisor Paul Whiteman noted that the previously approved amount for reimbursements was up to \$150.00. The reimbursement amount of up to \$150.00 will be added to form along with notation regarding the accompaniment of police report for mail box damage caused by snow plow truck. Revised form will be considered for adoption at the next Board of Supervisors meeting.

R. The Twin Valley Fire Department Contract for Year 2019 was reviewed by the Supervisors. Paul Whiteman made a motion to authorize signing the Twin Valley Fire Department Contract for 2019. Jeff Vickers seconded motion. All in favor. Motion carried.

S. The Supervisors reviewed the PennDot Liquid Fuels Electronic Account Form. The account will provide the ability to access Township liquid fuels forms and account information. Sandy Styer made a motion to approve the formulation of the Resolution for the PennDot Liquid Fuels Electronic Account. Paul Whiteman seconded motion. All in favor. Motion carried.

T. Social Hall update was provided by Township Secretary. Inventory of Social Hall tables and chairs is in process.

U. C.M. High 2019 Maintenance Agreements for traffic signals were reviewed by the Supervisors. Sandy Styer made a motion for the Chairman to sign the C.M. High 2019 Maintenance Agreements for Traffic Signals. Jack Hess seconded motion. All in favor. Motion carried.

V. The Supervisors discussed options for animal control services. The Animal Rescue League is offering fee for service or per capita. The topic was tabled for this meeting.

W. Township Engineer Scott Anderson explained that a zoning hearing board application was received for property located behind South Street. The application is for

subdividing property into 2 lots with a private drive. The Supervisors have no comments for submission to the zoning hearing board application.

TOWNSHIP REPORTS

- A. No report from Administrator.
- B. Supervisor Paul Whiteman explained that roof work for the carnival stage is in process. It was noted that Steve Stoltzfus generously donated forklift help for stage work.
- C. Maintenance report for December was received. Roads Foreman Keith McGowan explained that there are 11 addresses that need notification regarding basketball nets that are in the Township's Right of Way and are obstructing snow plow operations. The Supervisors requested letters be sent to the addresses notifying owners that basketball nets need to be removed from the Right of Way area within 15 days of receipt of letter.

Roads Foreman McGowan inquired about status of 1 Kimball Court sidewalk repairs. Township Secretary reported that the work is in progress.

Roadmaster Sandy Styer discussed parking enforcement during snow emergencies and the need for a Part-time officer during snow events.

Roads Foreman McGowan explained that bridge excavation work is needed at the Nissley bridge. He requested approval to begin project, amount not to exceed \$5,000.00. Jeff Vickers made a motion to approve the Nissley bridge excavation work, amount not to exceed \$5,000.00. Sandy Styer seconded motion. All in favor. Motion carried.

Supervisor Jeff Vickers inquired about drainage issues at the volleyball sand court at Friendship park. The Supervisors have requested Public Works to install fencing in that area, and requested the Township Secretary to contact Lyons & Hohl regarding the offer to fill the volleyball court area with top soil.

- D. The SEO report for December was received.
- E. The Library report for December was received.
- F. The Tax Collector report for December was received.
- G. The Police report for December was received. Chief thanked the Board for donating an officer's time last year to the FOP, a certificate to the detective is forthcoming in appreciation for the time spent helping residents.
- H. The Zoning/Code Enforcement Officer report for December was received. Township Engineer Scott Anderson explained that Sheds Unlimited submittals in response to violation letters were received. Inspections are in process for the main building. Township Engineer explained that the 12 x 12 structure will require permitting and noted that the approved Land Development Plan did not include existing portable structures. Discussion ensued regarding complaints from local residents about smoke from burning debris that has a chemical odor. Steve Stoltzfus from Sheds Unlimited was present and stated that the burning debris is waste wood.

- I. The December EMS report was received.
- J. The December Fire Department report was received.
- K. The Parks and Recreation minutes for the month of November were reviewed. The committee's request list to the Supervisors was also reviewed. It was noted that Jack Hess will be the Township Representative for the January Parks and Recreation meeting.
- L. The Planning Commission minutes for the November meeting were reviewed.
- M. Township Engineer Scott Anderson gave his report.
 - Taco Bell agreements are forthcoming for approval.
 - There are two remaining items outstanding for the 2018 Roads work punch list.
 - There will be road closures for the Morgan Way section for the New Morgan Borough water line work. Detour plans are in progress.
 - Sunoco Pipeline will need an extension for HOP. The Supervisors agreed to a 9 month extension (end of September). The Mariner II grant requires further clarification regarding basins and the Twin Valley school sign off on some of the items.
- N. Solicitor Eric Brown noted that the Burckhardt subdivision plans will need further review of deed and Right of Way issues prior to recording approved Land Development Plans.

EXECUTIVE SESSION

The Supervisors recessed for an Executive Session at 9:45 p.m. Chairman Styer called the meeting back to order at 10:10 p.m. indicating the Executive Session was to discuss legal and zoning matters. As a result of the Executive Session, Paul Whiteman publicly made a motion to authorize the Township Solicitor to notify the Magistrate regarding a Township 30 day extension granted to Morgantown Affiliates to include a condition that a fully compliant submission for GVC review is received within the 30 day extension. Sandy Styer seconded motion. All in favor. Motion carried.

Additionally, as a result of the Executive Session, Paul Whiteman made a motion authorizing the zoning officer to issue a second written warning violation to Shed's Unlimited, including a 30 day timeframe to comply upon receipt of GVC letter. Jeff Vickers seconded motion. All in favor. Motion carried.

SUPERVISORS COMMENTS

Supervisor Jack Hess wished everyone a Merry Christmas.

ADJOURNMENT

Sandy Styer made a motion to adjourn meeting. Meeting adjourned at 10:15 p.m.
Supervisor Whiteman seconded motion. All in favor. Motion carried.

Respectfully Submitted,

Joan A. Bair
Township Administrator/Secretary