

**CAERNARVON TOWNSHIP  
BERKS COUNTY, PA**

**BOARD OF SUPERVISORS  
MEETING MINUTES**

**March 12, 2019**

The Caernarvon Township Board of Supervisors held their Regular Monthly Meeting on March 12, 2019 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; Sandra Styer, Supervisor; Jeffrey Vickers, Supervisor; Jack Hess, Supervisor; Eric Brown, Siana, Bellwoar & McAndrew, Township Solicitor; Scott Anderson, Great Valley Consultants; John Scalia, Chief of Police; Road Foreman, Keith McGowan; 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:**

The assembly was invited to provide comments. The Chairman requested that any comments regarding the proposed Casino LDP be held until the Board gets to that agenda item for this meeting. At this time there were no comments from the assembly.

**CORRESPONDENCE**

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

**PennDot Notice of Turnback Maintenance  
Reading Area Transportation Study February 28, 2019 Letter  
PA General Assembly Letter – Distribution of Second Class Code Supplement  
County of Berks 2019 Tax Billing  
DEP Letter Dated February 25, 2019, General Permit Issued  
MABA March 2019 Newsletter  
Conrad Siegel - Pension Plan Recommended Assumption Changes**

**MINUTES OF THE PREVIOUS MEETING**

- A. Sandy Styer made a motion to accept the minutes of February 12, 2019 Board of Supervisors meeting. Paul Whiteman seconded the motion. Motion carried unanimously.
- B. Paul Whiteman made a motion to accept the minutes of February 26, 2019 Board of Supervisors Workshop meeting. Sandy Styer seconded motion. Motion carried unanimously.

## **TREASURERS REPORT**

The Supervisors reviewed the Treasurer's report. Sandy Styer made a motion to accept the Treasurers monthly report for the period ending February 28, 2019. Jack Hess seconded the motion. Motion carried unanimously.

## **EXPENSE LIST**

The Supervisors reviewed the bill list for March 12, 2019. Sandy Styer made a motion to pay the bills on the March 12, 2019 bill list, amount of \$106,811.51 General Fund; \$4,273.09 Street Light Fund; and \$3,460.63 Escrow Fund. Jack Hess seconded the motion. Motion carried unanimously.

## **BUSINESS**

A. Chairman Styer proposed that the Board reconsiders the previously approved consultant for the security system upgrade. He is requesting the Board's approval to proceed with hiring a vendor to fix the current lock system. Jeff Vickers made a motion to approve vendor Vector Security (COSTARS authorized) to fix the Township Building lock system, amount not to exceed \$9,000.00. Jack Hess seconded the motion. All in favor. Motion carried. The additional security system upgrades were tabled for now.

B. The Supervisors reviewed the Hillside Invoice dated 1/24/2019 in the amount of \$3,460.63. Sandy Styer made a motion to approve the Hillside Cash Escrow Transfer into the General Fund to pay invoice in the amount of \$3,460.63. Jeff Vickers seconded motion. All in favor. Motion carried.

C. Solicitor Eric Brown briefed the Board of Supervisors on the status of the proposed Casino LDP. He explained that the Township Planning Commission made recommendations to the Board including the recommendation to conditionally approve the Hollywood Casino at Morgantown LDP. Solicitor Brown presented a proposed written decision for the Board's review and approval for the applicant's Preliminary/Final Land Development Plan, dated February 4, 2019, last revised March 6, 2019. Chairman Styer invited comments from the assembly regarding the proposed Casino LDP.

## **COMMENTS FROM THE ASSEMBLY**

Greg Elko, Langan Engineering firm for Penn National, explained that he is available to answer any questions about the casino plans if needed.

Michelle Raymond asked to defer her time slot to Kim Welch. Ms. Welch is concerned about the stagnant growth in Morgantown and believes the casino would generate growth.

Mike Haines expressed his support for the casino and believes the tax revenue generated by the casino will benefit the Township.

William McNoel explained that he was disappointed to hear about the number of people who are against the casino. He shared a story about a time when he witnessed a potential crime scene taking place in a parking lot that wasn't well monitored by security cameras. Mr. McNoel believes that a good security camera system in the casino parking lot could promote crime prevention in the community.

Kate Shuler inquired about how the casino would obtain a liquor license if needed. She also asked the Board if there are any studies available regarding similar casinos succeeding in other areas. Chairman Styer explained that the Board reviewed studies which were included on the Township website. He also explained that the proposed Berks mini casino is a newer concept.

Shannon Bernard inquired about the protocol for obtaining a liquor license for the casino. Penn National attorney Charles Courtney explained that it is a special license allocated under a special act. Ms. Bernard then shared her concerns about the casino location affecting the value of her nearby property. She inquired about any noted studies that have been done regarding a casino's impact on real estate values. Chairman Styer explained that the Board isn't aware of any studies pertaining to casinos having an impact on real estate values.

Shelly King, non-resident, presented a petition from concerned citizens and provided copies for Township records. Ms. King explained that better communication would be helpful to keep everyone informed. Chairman Styer noted that the decision was made public. Supervisor Vickers explained that citizens who attended the public meetings discussed casino benefits such as tax revenue and funding for improving the condition of Township roads.

Janet Caley expressed her appreciation for Public Service and for all that they do for the community. Ms. Caley asked the Board if they considered other businesses that could come into this community. Chairman Styer explained that the Board cannot determine what businesses choose Morgantown. Supervisor Whiteman noted that approximately one year ago Berks County Municipalities were given the opportunity to opt in or opt out for permitting casinos. The Board opted in and carefully reviewed the zoning to determine what areas could feasibly permit a casino business. Supervisor Whiteman explained that permitting a casino required the Board to approve applicable Zoning Ordinances to protect the Township.

Scott Caley explained to the Board that he prefers a rural community and that he isn't interested in growth for the Township. Supervisor Jack Hess noted that he has been a Morgantown resident for many years and he believes the Township needs to grow.

At the conclusion of the public comments, Sandy Styer made a motion to approve the Preliminary/Final LDP for Hollywood Casino at Morgantown in the decision form presented. Jack Hess seconded motion. All in favor. Motion carried. Also, Sandy Styer made a motion to approve proposed Township letter as written to the Gaming Control Board and authorize Chairman Styer to sign letter. Jack Hess seconded motion. All in favor. Motion carried.

D. Commissioner Barnhardt was present to brief the Board about a tourism project proposal. He explained that the project is called Tourism Improvement District (TID) and that it could provide a means of funding tourism related sales and marketing for the respective districts. The plan proposes a 2% tourism tax lodging assessment. Chairman Styer thanked Commissioner Barnhardt for sharing the information and asked for more time to evaluate the proposal.

E. Township Engineer Scott Anderson updated the Board on the Morgantown Affiliates Plan progress. Engineer Anderson explained that the Stormwater Plan is currently under review. Solicitor Brown noted that the upcoming hearing is scheduled for May 3, 2019.

F. Solicitor Eric Brown informed the Board that a collections letter has been sent to Wexford Court, LLC.

G. No update was provided to the Board for the Sheds Unlimited Phase 2 Plan.

H. The Board of Supervisors reviewed the proposed Swamp Road violation letter provided by the Township Engineer. The Board approved the Township Office sending the letter to noted Swamp Road addresses.

I. The Supervisors reviewed a received damaged mailbox claim form from 5 Morgan Springs Drive. The reimbursement was not approved, the claim did not include evidence that damage was directly caused by the Public Works snow plow equipment.

J. The Township Engineer informed the Board that a firm contact has been established for both the former MOMs Mall and McDonald's properties to address right of way/easement items for traffic signal maintenance.

K. The Board of Supervisors reviewed two social hall requests received by the Township Office. The first request, a letter from the Executive Director of the non-profit organization Freedom and Restoration for Everyone Enslaved (FREE) was approved contingent upon verification of residency. Priority for use of the social hall is given to non-profit organizations residing within the Township. The second request, the Tri County Historical Society event proposed for May 14, 2019 was approved by the Board.

L. The Supervisors reviewed the Albright College Municipal Sponsorship Form 2019. Sandy Styer made a motion to approve a \$100.00 sponsorship made payable to Albright College, Center for Excellence in Local Government. Paul Whiteman seconded motion. All in favor. Motion carried.

M. The Supervisors reviewed a survey of interest in alternate Animal Control Services. The item was tabled for now.

N. The Supervisors reviewed correspondence from the Consultant Project Manager designated to coordinate Shiloh Road Multimodal Grant project meetings on behalf of PennDot. Jeff Vickers made a motion to appoint Scott Anderson, Great Valley Consultants and Joan Bair, Township Administrator as the Township Representatives to attend the project kick off meeting for the PennDot Multimodal Transportation Fund project at SR10/Shiloh Road. Jack Hess seconded the motion. All in favor. Motion carried.

O. Chief of Police, John Scalia, requested approval for the pay rate of \$25.00 per hours for the Police Department's Part-Time rehire Kyle Bohn. Chief explained that the pay rate is in accordance with the Caernarvon Police Department contract guidelines. Sandy Styer made a motion to approve pay rate of \$25.00 per hour for the Police Department's Part-Time rehire employee Kyle Bohn. Paul Whiteman seconded motion. All in favor. Motion carried.

P. Paul Whiteman made a motion to accept the PURTA Application for Electronic Signature designating and authorizing Joan Bair, Township Administrator for conducting PURTA electronic transactions. Sandy Styer seconded motion. All in favor. Motion carried.

Q. The Board inquired about the MAA and Soccer Field agreements which to date have not been received by the Township. Jack Hess agreed to contact the MAA and following up on these items.

At the conclusion of Business discussions, Chairman Styer announced a short recess. The meeting was recessed at 8:30pm. Chairman Styer called the meeting back to order at 8:35pm.

### **TOWNSHIP REPORTS**

- A. Secretary/Administrator reported the following: (1) The Joint Comprehensive Plan Update committee is currently reviewing the emergency services section of the Comprehensive Plan. Caernarvon Township reports have been forwarded to the appropriate Twin Valley Fire Department contacts for review. The next JCP meeting is scheduled for March 27, 2019, 6PM; (2) The Board considered the proposal of procuring a 70' smart television for the Township meeting room. The smart TV would be beneficial during public meetings for projecting meeting agendas and Land Development Plans for review. Item tabled for now, more details to follow. (3) The Supervisors considered the Parks and Rec request regarding a secretary for their committee meetings. The Supervisors are not in favor of the Township Secretary attending Parks and Rec meetings at this time for recording minutes. The Supervisors agreed that recording minutes can be accomplished by a Parks and Rec committee member, and, if needed, the Township Secretary can format the notes into official minutes upon request. Township Solicitor Eric Brown explained that the Sunshine Law requires the recording of meeting minutes, in particular the recording of votes for any official action taken by the Board.
- B. Supervisor Paul Whiteman reported that the carnival committee has begun meeting for planning the upcoming carnival. Plans are underway for food vendors and the fireworks contract is forthcoming for the Board's review. Also, Steve Stoltzfus is currently working on a plan for the stage construction project. Supervisor Whiteman asked Roads Foreman Keith McGowan to provide estimates including timeframe for the ball diamond work.
- C. The Supervisors reviewed the Maintenance Report. Roads Foreman Keith McGowan reported that Truck 4 has been repaired and returned to the Maintenance shop. Also, he noted that a roads work list was forwarded for the Board's review. The Supervisors requested Township Engineer Scott Anderson to review the list.
- D. No monthly SEO Report was received.
- E. The monthly Library Report was reviewed.
- F. The monthly Tax Collector Report was reviewed.
- G. The monthly Police Report was received. Chief John Scalia informed the Supervisors that the installation of equipment for the new Dodge Durango is projected to be completed by next week.
- H. The monthly Zoning/Code Enforcement Officer Report was reviewed.

- I. The monthly EMS report was reviewed.
- J. The monthly Fire Department report was reviewed.
- K. The Parks and Recreation February 25, 2019 draft minutes and Request List were reviewed. Jeff Vickers made a motion to approve the requested \$300.00 budget amount for Easter Egg Hunt supplies including invoices for signs. Paul Whiteman seconded motion. All in favor. Motion carried.
- L. The Planning Commission February 19, 2019 draft minutes were reviewed.
- M. The monthly Engineer's Report was reviewed. Township Engineer Scott Anderson requested approval for the proposed 2019 Street Work priority list. The Supervisors reviewed the list and discussed options for the alternate prices noted. Township Engineer Anderson explained that the prices include a Maintenance buffer. Paul Whiteman made a motion to approve and authorize the 2019 Street/Roads Work priority list including the specifications, and advertise for the bids. Sandy Styer seconded motion. All in favor. Motion carried.

Township Engineer Anderson informed the Board that Taco Bell will be breaking ground soon. He also informed the Board that Sunoco Pipeline will be starting additional road work within the Township to restore roadways, etc.

Supervisor Whiteman discussed the Township Mountain View Road maintenance letter sent to Honey Brook Township. The Supervisors requested Solicitor Eric Brown contact Honey Brook Township to clarify any disputes regarding the road maintenance for Mountain View Road.

- N. Solicitor Eric Brown reported updates to the Board.

### **EXECUTIVE SESSION**

The Supervisors recessed to Executive Session at 9:05 p.m. Chairman Allen Styer called the meeting back to order at 9:23 p.m. Sandy Styer made a motion to rescind the Security System Upgrade consultant fee arrangement approved for Jalla Technologies. Jack Hess seconded the motion. All in favor. Motion carried.

### **SUPERVISORS COMMENTS**

No comments.

### **ADJOURNMENT**

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**Board of Supervisors Minutes**

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Sandy Styer made a motion to adjourn meeting. Meeting adjourned at 9:25 p.m. Paul Whiteman seconded motion. Motion carried unanimously.

Respectfully Submitted,

Joan A. Bair  
Township Administrator/Secretary