

**CAERNARVON TOWNSHIP  
BERKS COUNTY, PA  
BOARD OF SUPERVISORS  
MEETING MINUTES**

**September 14, 2021**

The Caernarvon Township Board of Supervisors held their Regular Monthly Meeting on September 14, 2021 in the Caernarvon Township Municipal Building, and via Zoom, located at 3307 Main Street, Morgantown, PA, pursuant to notice according to law.

**ATTENDING OFFICIALS**

Sandra Styer, Chairperson; Paul Whiteman, Supervisor; Allen Styer III, Supervisor; Jeff Vickers, Supervisor; Mike Crotty, Siana Law, Township Solicitor; Paul Stolz, Chief of Police; Eric McCracken, Great Valley Consultants; Keith McGowan, Road Foreman; Joan Bair, Township Administrator/Secretary. Member Not Present: Supervisor Jack Hess.

**CALL TO ORDER**

Chairperson Sandra Styer called the meeting to order at 7:00 PM.

**ZONING PUBLIC HEARING**

Solicitor Mike Crotty called the Public Hearing to order at 7:01PM EDT. He indicated that the hearing was for the purpose of discussing and adopting a text amendment to the Township's Zoning Ordinance of 2007, to revise Section 402.9, entitled "District Boundaries – Rules for Interpretation." Mr. Crotty explained that the revision permits the extension of zoning district regulations for expansion of the regulations for either portion of the lot one hundred (100) feet beyond the district line into the remaining portion of the lot. After discussion, Mr. Crotty informed the Board that advertising requirements were met. At this time the public was invited to provide comments. After having no comments, Mr. Crotty closed the hearing at 7:02PM.

Paul Whiteman made a motion to adopt the presented Township Zoning Ordinance Text Amendment, specifically to revised Section 402.9, entitled "District Boundaries – Rules for Interpretation." Allen Styer seconded the motion. Motion carried, 4-0.

**CORRESPONDENCE**

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

**PSATs Unemployment Compensation Group Trust – 2021 Ballot**  
**Berks County Commissioners "On The Road" Public Meetings**  
**Berks County E-Flash – Small Wireless Facilities Deployment Act**  
**PennDot Virtual Event November 2-4, 2021**  
**Environmentally Sensitive Training to be Held at Holiday Inn September 21<sup>st</sup>**  
**Berks County Association of Township Officials 2021 Convention October 21<sup>st</sup>**  
**Municipal Request Opportunity for Transportation Projects**  
**Excellence in Government September 30<sup>th</sup> Picnic in the Park Invitation**  
**MABA Newsletter August 2021**

**COMMENTS FROM THE ASSEMBLY**

No citizens registered on public comments sheet.

**MINUTES OF THE PREVIOUS MEETING**

- A. Paul Whiteman made a motion to approve the August 10, 2021 meeting minutes. Jeff Vickers seconded the motion. Motion carried, 4-0.
- B. Jeff Vickers made a motion to approve the August 24, 2021 meeting minutes. Paul Whiteman seconded the motion. Motion carried, 4-0.

**TREASURERS REPORT**

The Supervisors were informed that the Treasurer's report for the period August 1-31, 2021 is forthcoming for approval.

**EXPENSE LIST**

Jeff Vickers made a motion to pay the bills on the September 14, 2021 bill list, amount of \$138,802.53 General Fund; \$4,343.51 Street Light Fund; \$340.40 Building Tax Fund; \$17,021.22 Escrow Account; \$247,285.27 Xfer to Accrual Account. Allen Styer seconded the motion. Motion carried, 4-0.

**BUSINESS**

A. Representative Houlahan Presentation – Mr. Jeremy Pacana from Rep Houlahan's office gave a presentation via Zoom. Mr. Pacana provided updates on redistricting, Rescue Funds, and Veterans programs. Mr. Pacana encouraged the Board to reach out to Rep Houlahan's office for any assistance needed.

B. Resolution 2021-36 – Chair Styer summarized the resolution and the list of supplemental appropriations for the 2021 Budget from the American Rescue Plan (ARP) Allocation. Michelle Raymond, Lenape Drive, inquired about GIS and Ordinance Codification appropriations. Chair Styer repeated that the announcement of those two items are part of the 2021 supplemental appropriations from the ARP Allocation. After discussion, Paul Whiteman made a motion to approve Resolution 2021-36, American Rescue Funds 2021 Budget Appropriations. Allen Styer seconded motion. Motion passed, 4-0.

C. Zoning Hearing Board Letters of Interest – Mr. Dutton and Mr. Billman were present to discuss their interests in serving as alternates for the Zoning Hearing Board. After discussions, the following motions were made, seconded, and approved:

(1) Allen Styer made a motion to approve the appointment of Mr. Timothy Dutton, 404 Heather Way, as a Zoning Hearing Board Alternate Member. Jeff Vickers seconded the motion. Motion carried, 4-0;

(2) Allen Styer made a motion to approve the appointment of Mr. Taylor Billman, 7 Oxford Drive, as a Zoning Hearing Board Alternate Member. Paul Whiteman seconded the motion. Motion carried, 4-0.

D. Morgantown Affiliates – Engineer Eric McCracken explained that revisions to this land development plan is needed. The Board authorized zoning enforcement action be taken.

E. Kim Dental Land Development Plan –

(1) Mr. Stoltzfus was present to request the following approvals: Development, Financial Security, and Stormwater Agreements and, for interim purposes, reduce escrow for less than the required Letter of Credit amount to release plans for recording. After discussions, Paul Whiteman made a motion to approve the following for the Family Dental Care of Elverson LLC Land Development Plan:

(a) Development, Financial Security, and Stormwater agreements as presented, and

(b) The release of the Land Development Plans for recording contingent upon the Township Office receiving the executed agreements and required financial security in full and satisfaction of all Township invoices for the reimbursement of professional consultant review fees. However, site work and grading may begin prior to the release of plans for recording, subject to receipt of a reduced amount of financial security (\$225,000.00).

Jeff Vickers seconded the motion. Motion carried, 4-0.

(2) Address Assignments – Jeff Vickers made a motion to approve the address assignments of 931 Heritage Drive, Elverson PA (Proposed Medical Facility), 935 Heritage Drive, Elverson PA (Proposed Dr. Kim Dental Facility), and 939 Heritage Drive, Elverson PA (Proposed Office Building). Paul Whiteman seconded the motion. Motion carried, 4-0.

F. South Street Address Assignment – Allen Styer made a motion to approve the South Street Minor Subdivision address as 3316 South Street, Morgantown PA. Jeff Vickers seconded the motion. Motion carried, 4-0.

G. XTL Project Extension – Engineer McCracken explained that developer recently requested that PennDot meetings for this project be placed on hold for now. Supervisor Whiteman suggested the Developer be invited to attend an upcoming Board meeting to provide an update to the Township. After discussions, Jeff Vickers made a motion to acknowledge receipt of the XTL Caernarvon Warehouse request for project time extension until March 31, 2022. Paul Whiteman seconded motion. Motion carried, 4-0.

H. Apartments on Main Land Development Plan (LDP) – (1) Jeff Vickers made a motion to reaffirm plan approval for the Apartments on Main LDP. Paul Whiteman seconded motion. Motion carried, 4-0; (2) Paul Whiteman made a motion to approve the Apartments on Main LDP Stormwater Agreement. Jeff Vickers seconded motion. Motion carried, 4-0.

I. 91 Rock Ridge Temporary Construction Easement – Engineer McCracken explained that construction quotes for required work is forthcoming. After discussion, Paul Whiteman made a motion to approve the 91 Rock Ridge Temporary Construction Easement Agreement as presented. Jeff Vickers seconded motion. Motion carried, 4-0.

J. Wexford Court Escrow Release – Engineer McCracken informed the Board that further review of this escrow matter is in process, an update will be provided in the near future. Supervisor Whiteman discussed the Valley Ponds basin maintenance situation. Engineer McCracken explained that the Valley Ponds HOA informed the Township Zoning Officer that basin maintenance work has begun.

K. Tree Work – (1) Resolution and tree work list forthcoming; (2) Supervisors discussed a recent complaint from 20 Pennwood Drive regarding trees in the Township’s open space creating a nuisance on her property. The Board requested that the Township Administrator follow up with resident and explain that citizens are permitted to perform tree trimming on their private property. The Board was informed that the trees along the complainants’ property were planted by a previous homeowner; (3) Supervisors discussed the Pennwood walking trail and illegal dumping of tree branches and other debris, and requested that the Township Administrator send letter notifying Pennwood residents of the illegal activity.

L. Current Ordinances for Review – (1) No. 210 Keeping of Certain Animals to be discussed at next meeting; (2) No. 188 Park Rules to be discussed at next meeting and, (3) No. 30 Nuisance regulations in response to fireworks complaint.

M. Parks and Recreation Committee Ordinance for Approval – Solicitor Mike Crotty explained that this proposed Ordinance has met advertising requirements and is ready for the Board’s approval. After discussion, Paul Whiteman made a motion to approve the Ordinance “Establishing A Parks And Recreation Committee”. Allen Styer seconded motion. Motion carried, 4-0.

N. Street Work –

(1) Paul Whiteman made a motion to the 2021 Maintenance Project invoice in the amount of \$53,313.92, made payable to Martin Paving, Inc., contingent upon receiving all required paperwork and requested samples. Jeff Vickers seconded motion. Motion carried, 4-0. RoadMaster Whiteman requested that next year’s street work schedule follow the Township’s requirement to have work completed prior to start of students returning to school;

(2) Road Signage – Road Foreman McGowan is in the process of requesting information about additional signs.

O. 91 Broad Ax Pass Complaint Form – Ms. Anna Ganteaume thanked the Township for the completion of catch basin work. At this time, Ms. Ganteaume shared her concerns about recent water runoff issues on her property. RoadMaster Whiteman discussed challenges that can arise with the volume of rain that’s been occurring. Discussion took place regarding Ms. Ganteaume’s shed location and the nearby swale, and also the neighboring driveway pipes which are in need of maintenance.

P. Stormwater/Driveway Pipe Items –

(1) Kline & Hopewell Road Permits – Engineer McCracken explained that a joint permit will be needed for the wetlands work proposal, DEP recommends a pre-submission meeting. Engineer McCracken will follow up with Eric Brown on proposal;

(2) North Twin Valley Road Drainage – Engineer McCracken informed the Board that a follow up letter will be sent to the adjacent homeowner regarding the Right-of-Way request;

(3) 371 Swamp Road Driveway – Engineer McCracken informed the Board that a hearing is to be scheduled for this driveway matter;

(4) 60 Broad Ax Pass – Road Foreman McGowan informed the Board that this pipe has been cleared by the property owner;

(5) Chestnut Hill Drainage Swale – The Board gave the approval to obtain easement for this work;

(6) Mountaineer Village Retention Pond Status – Road Foreman McGowan informed the Board that this retention pond requires pipe and outlet structure maintenance work. The Supervisors approved obtaining a quote.

Q. Twin Valley Mariner Grant – Road Foreman McGowan and Engineer McCracken explained that the grant agreement has not been signed by all parties. At this time it is recommended that grant coordinators be informed about the status of agreement.

R. XTL Grant – No update at this time.

S. Sunoco Road Work – No update at this time.

T. 2022 Animal Services Contract – Chief Stolz is researching options.

U. County of Berks Special Taxes – Sandy Styer made a motion to approve Joan Bair as the County of Berks Special Taxes Representative for the Township. Jeff Vickers seconded motion. Motion carried, 4-0.

V. SALDO Revisions – Jeff Vickers made a motion to approve updating the SALDO Section 302, Distribution of Plans. Paul Whiteman seconded motion. Motion carried, 4-0.

W. Fire Police Request – Jeff Vickers made a motion to approve the October 20, 2021 Elverson Parade Fire Police Assistance Request. Paul Whiteman seconded the motion. Motion carried, 4-0.

X. MMO – Allen Styer made a motion to approve signers Chair Styer or Treasurer Downing for the 2022 Minimum Municipal Obligation (MMO) report. Jeff Vickers seconded motion. Motion carried, 4-0.

Y. Trick or Treat Night – Paul Whiteman made a motion to approve the Township's Trick or Treat night for Sunday, October 31, 2021, from 6PM to 9PM (same times as last year). Allen Styer seconded motion. Motion carried, 4-0.

## **OTHER BUSINESS**

The Supervisors discussed the JAAMR Annexation and requested that the Zoning Officer identify and confirm applicable basins and ownership information.

At this time, discussion took place regarding notification of upcoming scheduled hearings for zoning violations. Ms. Patel, Red Carpet Inn, was informed that she will receive the information that's applicable to her complaint.

## **TOWNSHIP REPORTS**

A. Township Administrator –

(1) Administrator Joan Bair requested authorization to sign letter regarding Pension Plan Deposit Correction request. Jeff Vickers made a motion to authorize Administrator Joan Bair to sign letter to BB&T/Truist regarding Pension Plan Deposit Correction request. Paul Whiteman seconded motion. Motion carried, 4-0;

(2) Administrator Joan Bair requested authorization to sign the PenTeleData 3 year internet contract for a savings of approximately \$38.19 per month. Jeff Vickers made a motion to authorize Administrator Joan Bair as signer for the PenTeleData 3 year contract. Allen Styer seconded motion. Motion carried, 4-0;

(3) Banners Program Winter Proposal – No update at this time.

B. Carnival/Anniversary – Supervisor Whiteman and the Carnival Committee continue to review carnival vendor options.

C. Maintenance Report –

(1) Monthly Maintenance report was reviewed.

(2) Road Foreman McGowan informed the Board that the 2022 Truck delivery will be at a later date due to manufacturer delays;

(3) Township Building Key Entry System – Road Foreman McGowan explained that a keyless system is cost prohibitive. The Board authorized the purchase of a key box for emergency situations;

(4) Repaired Morgantown Sign – Paul Whiteman made a motion to authorize Township Administrator to contact Mill Property Antiques to coordinate placement of the repaired Morgantown Sign. Jeff Vickers seconded motion. Motion carried, 4-0;

(5) Road Foreman McGowan discussed winter maintenance arrangements currently in place with HoneyBrook for the Plumwood/Mountain View area. RoadMaster Whiteman informed the Board that a road maintenance agreement needs to be put into place for that location. Chair Styer requested that further guidance be obtained from Township Solicitor.

D. SEO Report – Monthly report reviewed.

E. Library Report –

(1) Monthly report reviewed;

(2) Requested Maintenance Supplies - Paul Whiteman made a motion to approve the purchase of one baby changing table and two locks for the Library restrooms. Allen Styer seconded motion. Motion carried, 4-0;

(3) Proposed Garden Changes – Road Foreman McGowan will obtain garden design for review. In addition, the Board approved the recommended flower bed work discussed which includes stones for controlling weeds in garden. Lastly, the Board requested the Library provide a list of items needed which could possibly be funded by the Rescue Funds.

F. Tax Collector Report – Monthly report reviewed.

G. Police Department –

(1) Monthly Report reviewed. Chief summarized highlights;

(2) Upcoming Events – (a) Coffee With a Cop, October 6, 2021, 8am-10am. Chief explained that the Police Department received an invitation to attend this event. Patti Brann, 51 Trappers Run, questioned the department’s participation in an event outside of the Township; (b) Chief is working on a proposed plan for an October Breast Cancer Awareness event, no costs will be incurred by the Township for this event;

(3) Chief requested the Board’s approval to proceed with acquiring access to the SwiftReach Alert System program from the County. The alert system would require residents to register their contact information in order to receive weather and other emergency alerts. Paul Whiteman made a motion to approve Chief Stolz acquiring SwiftReach Alert System program access through the County for the Township’s emergency alert system. Allen Styer seconded motion. Motion carried, 4-0;

(4) Chief continues working with the Solicitor on several policies in progress;

(5) Chief and Road Foreman McGowan are currently reviewing the No Parking Ordinance, updates to follow. Mrs. Vickers thanked Chief for the increase in police presence on the roads which has helped bus drivers with safety concerns.

H. Zoning/Code Enforcement Officer – (1) Monthly zoning/code report reviewed; (2) Engineer McCracken summarized the following: Brittany Blvd weeds enforcement is in process for issuance of a citation; Hertzler Dr. Driveway matter has a court hearing scheduled for October 15, 2021. The Board requested that Solicitor Brown attend the hearing; At this time, RoadMaster Whiteman addressed South Street runoff issues.

I. EMS report –Monthly report reviewed.

J. Fire Department – Monthly report reviewed. Budget meeting is scheduled for next Tuesday, October 21, 2021.

K. Parks and Recreation – No minutes or request list provided.

At this time, Michelle Raymond, Parks and Recreation Committee Member, proceeded to request approval for a Halloween Event budgeted amount of \$400.00. Paul Whiteman made a motion to amend this agenda to further discuss Ms. Raymond’s request. Jeff Vickers seconded motion. Motion carried, 4-0. Paul Whiteman made a motion to approve a Park and Recreation Halloween event budget in the amount of \$400.00. Jeff Vickers seconded motion. Motion carried, 4-0.

Additionally, Michelle Raymond inquired about the Pennwood walking trail map and parks inspection checklists.

L. Planning Commission Minutes – Draft minutes reviewed.

M. Water/Sewer Reports – Water Authority minutes reviewed. No Sewer Authority minutes provided. The Board was informed about the resignation of a Sewer Authority

employee. The Supervisors requested that an updated personnel list be provided to the Township Office as soon as possible.

N. Engineer's Report – Monthly report reviewed. Township Engineer Eric McCracken provided an update about the Morgan Way guiderail. The Supervisors asked for an updated cost estimate for completion of the guide rail work.

At this time, Road Foreman McGowan explained that maintenance work was completed along Mill Road to address a stormwater/runoff issue.

O. Solicitor's Report – Solicitor Crotty requested an Executive Session to discuss legal matters.

### **EXECUTIVE SESSION**

The Supervisors recessed into an Executive Session at 9:43PM. Chair Sandra Styer called the meeting back to order at 10:13PM and explained that a personnel matter requires amending the agenda. Paul Whiteman made a motion to amend the agenda to add Part-Time Police Department Officer Pay Increase. Jeff Vickers seconded motion. Motion carried, 4-0.

Paul Whiteman made a motion to approve a new hourly pay rate of \$29.96 for Part-Time Police Department Officer Christopher Dunlap effective September 12, 2021. Jeff Vickers seconded motion. Motion carried, 4-0.

### **SUPERVISORS COMMENTS**

Supervisor Whiteman informed the Board about positive comments received from residents about the new Police Vehicle decals, and he thanked Chief for coordinating the decal work.

### **ADJOURN**

Paul Whiteman made a motion to adjourn the meeting. Allen Styer seconded the motion. The motion carried, 4-0. The meeting adjourned at 10:16PM.

Respectfully Submitted,

JOAN A. BAIR  
Administrator/Secretary