

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

November 9, 2021

The Caernarvon Township Board of Supervisors held their Regular Monthly Meeting on November 9, 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; Jack Hess, Supervisor; Eric Brown, Siana Law, Township Solicitor; Paul Stolz, Chief of Police; Eric McCracken, Great Valley Consultants; Jeffrey Downing, Treasurer (via Zoom); Keith McGowan, Road Foreman; Joan Bair, Township Administrator/Secretary. Member Not Present: Jeff Vickers, Supervisor.

CALL TO ORDER

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

EXECUTIVE SESSION ANNOUNCEMENT

Chairperson Sandra Styer requested an Executive Session to discuss a personnel matter. The Board recessed for an executive session at 7:01PM.

Chairperson Styer called the meeting back to order at 7:18PM stating the executive session was for personnel, hiring and litigation matters.

At this time, Chief Stolz presented an Exceptional Duty Citation to Officer Dunlap in recognition for his efforts in stopping a burglary from occurring in the Township.

At the conclusion of the certificate presentation, Supervisor Whiteman discussed the Casino's commitment to providing the Township's Police Department with resources for staffing/hiring needs. Supervisor Whiteman expressed the Township's gratitude for the Casino's recent monetary contribution to subsidize a full time hire within the Police Department.

At this time, Chair Styer addressed the Full Time Police Officer Hiring agenda item listed under the Reports Section. Paul Whiteman made a motion to approve a full time employment offer to Officer Christopher Dunlap per MPOA contract. Allen Styer seconded the motion. Motion carried unanimously, 4-0.

COMMENTS FROM THE ASSEMBLY

Patti Brann, 51 Trappers Run, inquired about the number of arrests listed on the Police Department's monthly report.

Joe Nugent, 390 Swamp Road, inquired about yard waste disposal options for residents.

CORRESPONDENCE

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

**Elverson Borough Active Transportation Plan – Comments Requested
County of Berks Reading Area Transportation Committee Member Seat
MABA Newsletter November 2021**

MINUTES OF THE PREVIOUS MEETING

- A. Paul Whiteman made a motion to approve the October 12, 2021 meeting minutes. Allen Styer seconded the motion. Motion carried unanimously, 4-0.
- B. Jack Hess made a motion to approve the October 26, 2021 meeting minutes. Paul Whiteman seconded motion. Motion carried unanimously, 4-0.

TREASURERS REPORT

The Supervisors reviewed the Treasurer's report. Treasurer Downing explained that revenue for the rest of year is on track. After discussion, Allen Styer made a motion to accept the Treasurers monthly report for the period ending October 31, 2021. Jack Hess seconded motion. Motion carried unanimously, 4-0.

EXPENSE LIST

Paul Whiteman made a motion to pay bills on the November 9, 2021 bill list, amount of \$122,830.74 General Fund; \$4,343.47 Street Light Fund; \$340.40 Building Tax Fund; \$10,273.20 Accrual Account; \$168,000.00 Liquid Fuels Fund. Allen Styer seconded the motion. Motion carried unanimously, 4-0.

BUSINESS

A. 2022 Municipal Tax Sheet – Allen Styer made a motion to approve the 2022 Municipal Tax Sheet, no changes. Jack Hess seconded the motion. Motion carried unanimously, 4-0.

At this time, Chair Styer addressed Business Item T, Non-Uniformed Retirement Plan. Solicitor Brown discussed 2 options, (1) hold item until next meeting or (2) approve presented Resolution subject to receiving Treasurer's distribution report. After discussion, Paul Whiteman made a motion to approve presented Resolution to Amend Simple IRA Plan to Approve Self-Correction Plan and to Authorize Catch-Up Contributions to Affected Employees, approval subject to receiving Treasurer's corresponding distribution spreadsheet. Allen Styer seconded motion. Motion carried unanimously, 4-0.

B. Casino Revenue – (1) Paul Whiteman made a motion to approve the 6021 Morgantown Road address assignment for the Casino LDP. Allen Styer seconded motion. Motion carried unanimously, 4-0; (2) The Board acknowledged receipt of the \$50,000.00 check from the Casino for the Police Department's full time hire; (3) The Board was informed about the State's Local Share Distribution process. Michelle Raymond, Lenape Drive, inquired about the proposed revenue for the 2022 budget. Supervisor Whiteman explained the revenue percentages for game tables and slot machines.

C. Proposed 2022 Budget – Paul Whiteman made a motion to approve advertising the proposed 2022 Budget. Jack Hess seconded motion. Motion carried unanimously, 4-0.

D. Hillside Custom Machining LDP Addition – Mr. Brewer, DL Howell, presented plans for the Hillside Custom Machining 53,000 square foot building addition. Mr. Brewer requested approval for two waivers, and explained that the NPDES permit will be needed for the final land development plan. After discussion, the following motions were made, seconded and approved:

- (1) Paul Whiteman made a motion to approve the SALDO Sections 301.3 and 402 waivers. Jack Hess seconded the motion. Motion carried unanimously, 4-0;

(2) Paul Whiteman made a motion to approve the SALDO Section 303.A.3 waiver to allow slopes at 3:1 grade, and to approve the Hillside Custom Machining Decision as presented. Allen Styer seconded motion. Motion carried unanimously, 4-0.

E. 3011 Best Road Minor Subdivision – Mr. Hershey, Hershey Surveying, presented minor subdivision plans. Paul Whiteman made a motion to approve the 3011 Best Road Decision as presented. Jack Hess seconded motion. Motion carried unanimously, 4-0.

F. XTL Grant – Engineer McCracken informed the Board that an update from project representatives is forthcoming.

G. Morgantown Affiliates – Keith Grant and Charles Knapp were present to discuss paving project. Supervisor Whiteman explained that per Township Code black top requirements need to be met. Engineer McCracken will send a notice to Mr. Grant and Mr. Knapp outlining the work that needs to be done to comply with Township Code.

H. 91 Rock Ridge Temporary Construction Easement – Engineer McCracken explained that the presented revised Risbon Excavating, LLC construction proposal includes the bond and rock work. Allen Styer made a motion to approve the revised Risbon Excavating, LLC Rock Ridge Swale proposal, amount not to exceed \$6,238.00. Paul Whiteman seconded the motion. Motion carried unanimously, 4-0.

At this time, Michelle Raymond, Lenape Drive, inquired about the agenda footnote.

I. Wexford Court Erosion Remedial Work – Paul Whiteman made a motion to declare Wexford Court, LLC, LTP Construction, LLC and Joseph Margusity to be in default of the Development Agreement and Amended and Restated Financial Security Agreement and in default of the approved subdivision and land development plan decision dated September 12, 2017 as amended June 26, 2018. Jack Hess seconded motion. Motion carried unanimously, 4-0.

J. Apartments on Main LDP – No update at this time.

K. Tree Work – (1) Allen Styer made a motion to approve obtaining a survey of the Pennwood walking trail pins/stakes, amount not to exceed \$1,000.00. Paul Whiteman seconded motion. Motion carried unanimously, 4-0; (2) 20 Pennwood Drive Stormwater Pipe – no report available at this time.

L. Fireworks Ordinance – Allen Styer made a motion to approve the advertised Fireworks Ordinance. Jack Hess seconded motion. Motion carried unanimously, 4-0. Solicitor Brown requested that the applicable fireworks permit and permit fee be incorporated into the proposed 2022 Fee Schedule.

M. SALDO Revisions – Solicitor Brown explained that upon receiving County comments an update will be available.

N. Current Ordinances Under Review – No updates available at this time for the following Ordinances: (1) No. 210 Keeping of Animals, (2) No. 188 Park Rules, and (3) No. 30 Nuisance.

O. Stormwater/Driveway Pipes – (1) Kline and Hopewell Road DEP permit plan of action is to be discussed during the Spring Roads Inspection meeting; (2) North Twin Valley Road Drainage work requires easement plan which is currently in process; (3) 371 Swamp Road Driveway violation was scheduled for a hearing, a new citation will be issued upon receipt of court documents; (4) 91 Broad Ax Pass Complaint is currently under review, no update at this time; (5) Shiloh & California Road Issue was discussed. Solicitor Brown explained that an

easement plan needs to be provided to the applicable residents; and (6) South Street runoff issue was addressed at a previous meeting, no complaints to address at this time.

P. Sunoco Road Work Update – Solicitor Brown explained that a resolution is in process regarding the Sunoco work.

Q. Bridge Inspection Report – Engineer McCracken will contact the bridge engineer to discuss repairs needed.

R. Basketball Hoops in Right of Way – Chief is currently working on notifications.

S. Morgantown Sign Installation Update – No update at this time.

T. Non-Uniformed Retirement Plan Resolution – This agenda item was moved to the beginning of Business items.

U. RKL Tax Collector Audit Letter – Allen Styer made a motion to approve the Chair signing the RKL Tax Collector Audit Letter. Paul Whiteman seconded the motion. Motion carried unanimously, 4-0.

V. MABA 2022 Membership – Paul Whiteman made a motion to approve the 2022 MABA Basic Membership in the amount of \$75.00. Jack Hess seconded the motion. Motion carried unanimously, 4-0.

W. PenTeleData Estimate for Friendship Park Internet Service – Paul Whiteman made a motion to approve the PenTeleData estimate for the Friendship Park Internet Service project, in the amount of \$4,299.06 paid from the Rescue Fund Accrual Account Line Item.

TOWNSHIP REPORTS

A. Township Administrator –

(1) Conrad Siegel quote was reviewed and discussed. The Supervisors requested a meeting be scheduled with Conrad Seigel representatives to go over proposal;

(2) Assistant Treasurer's increased bond was approved, banking paperwork will be prepared for the new year;

(3) Codes enforcement and Engineer rates for 2022 were received and will be placed on the 2022 Reorganization Meeting agenda;

(4) The Board requested a quote for Quickbooks software package, and rates for a consultant;

(5) 2020 Liquid Fuels audit is nearing completion.

B. Carnival/Anniversary – No updates at this time.

C. Maintenance Report –

(1) Monthly Maintenance report was reviewed. Road Foreman McGowan discussed disposal options for tree branches and yard debris;

(2) The Board discussed the option of Public Works utilizing the 2003 Chevrolet Tahoe as a take home vehicle for on call personnel. Solicitor Brown recommends

establishment of a policy to govern use of the vehicle as a take home vehicle for on call personnel. A draft policy will be prepared and reviewed at the next meeting;

(3) The HoneyBrook Township County line for road work was discussed. RoadMaster Whiteman explained that for continuity, an agreement needs to be in place for road maintenance and snow plow operations. Solicitor Brown will work on getting an agreement drafted;

(4) Road Foreman McGowan discussed the recent LTAP traffic study performed for Quarry Road. Chief Stolz summarized safety enhancement options for the intersection.

D. SEO Report – Monthly report reviewed.

E. Library Report –

(1) Monthly report reviewed;

(2) The Board is in support of the floor work estimate.

F. Tax Collector Report – Monthly report reviewed.

G. Police Department –

(1) Monthly Report reviewed. Patty Brann, 51 Trappers Run, inquired about the number of police violations. Chief summarized highlights and upcoming events (December 4th car seat check and December 11th EMS toy and coat drive);

(2) Full Time Police Officer hiring item was moved to the top of agenda;

(3) Paul Whiteman made a motion to approve Resolution No. 2021-40, 2021 Chevrolet Tahoe Truck Lease. Allen Styer seconded motion. Motion carried unanimously, 4-0;

(4) Policies and Procedures – Paul Whiteman made a motion to approve the policy on Arrest Procedures, as presented. Jack Hess seconded the motion. Motion carried unanimously, 4-0. In addition, Paul Whiteman made a motion to approve the Code of Conduct Policy, as presented. Jack Hess seconded the motion. Motion carried unanimously, 4-0.

H. Zoning/Code Enforcement Officer – (1) Monthly zoning/code report reviewed; (2) A weeds enforcement violation notice has been issued to Brittany Blvd property owner; (3) 30-day appeal period is in process for the Hertzler Dr. driveway matter; (4) Valley Ponds basin contracted work is in process; and, (5) the Morgantown Garage parking lot matter was discussed. Engineer McCracken explained that the original complaint items were addressed. RoadMaster Whiteman shared his concerns about the milling work. Engineer McCracken will follow up on this item.

I. EMS report - Monthly report reviewed.

J. Fire Department – Monthly report reviewed.

K. Parks and Recreation – (1) Friendship Park Camera estimate was reviewed. The Board requested a cost breakdown of each item and deposit requirements; (2) Road Foreman McGowan informed the Board that he has been in contact with Parks and Rec Chair Grazioli regarding Hot Dog Stand plans; (3) Draft minutes were reviewed; (4) Reimbursement request for Halloween supplies will be added to the November Parks and Rec meeting agenda; (5) The 2022 MAA agreement will be presented for approval at next meeting; (6) The Board requested that the Soccer Club contact be invited to the next meeting to discuss contract renewal and parking matter; (7) Clean up event – no updates; (8) Michelle Raymond requested a copy of a comprehensive plan that was completed approximately 10 years ago. Ms. Raymond informed the Board that she will be resigning from the Parks and Rec committee.

L. Planning Commission Minutes – Draft minutes reviewed.

M. Water/Sewer Reports – No reports were provided for review.

N. Engineer’s Report – Monthly report reviewed.

O. Solicitor’s Report – Monthly report reviewed.

EXECUTIVE SESSION

No Executive Session needed at this time.

SUPERVISORS COMMENTS

Supervisor Whiteman congratulated Paul Whiteman Sr. and Keith Fritz on their Municipal Election win.

Chief Stolz invited everyone to attend the formal swearing in of Full Time Officer Christopher Dunlap on November 15, 2021 at 7PM in the Township’s Social Hall.

ADJOURN

Paul Whiteman made a motion to adjourn the meeting. Jack Hess seconded the motion. The motion carried unanimously, 4-0. The meeting adjourned at 9:09PM.

Respectfully Submitted,

JOAN A. BAIR
Administrator/Secretary