

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

**February 8, 2022**

The Caernarvon Township Board of Supervisors held their Regular Monthly Meeting on February 8, 2022 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, Jr., Supervisor; Keith Fritz, Supervisor; Paul Whiteman, Sr., Supervisor; Eric Brown, Siana Law, Township Solicitor; Paul Stolz, Chief of Police; Scott Anderson, Kraft Engineering; Diana Patton, Treasurer (via Zoom); Keith McGowan, Road Foreman; Joan Bair, Township Administrator/Secretary. Absent Member: Jeff Vickers, Supervisor.

**CALL TO ORDER**

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

**COMMENTS FROM THE ASSEMBLY**

Terry Robinson, Airport Tenant, shared his concerns regarding the Berks Homes design concept and plans.

Gary Raser, 36 Fleischman Drive, supports hiring a Planner/Third Party to review of IOP District zoning uses.

Michelle Raymond, Lenape Drive, supports doing what is best for the Township.

Allen Styer, Chestnut Hill Road, shared the estimated cost per school student for proposed Berks Homes concept plan.

Virginia Reger, 4491 Main Street, discussed homes evaluation and the value of the airport property.

Sheila O'Rourke, GKH firm, shared her concerns about the proposed overlay zoning which she believes would be counter to zoning that is currently in place for the IOP district. She also stated that the district overlay appears to be tailor made to the Developer's interest.

Patti Brann, Trappers Run resident, shared her concerns about potential traffic congestion caused by the proposed residential development.

Rudy Gibb, no address provided, stated the airport going away is not a good idea.

**CORRESPONDENCE**

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

**American Rescue Plan – Final Rule Edition  
Building A Better America – Infrastructure Funding Fact Sheet  
County of Berks Board of Elections – May 17<sup>th</sup> and November 8<sup>th</sup> Polling Days  
Auditor General Report for Twin Valley Fire Dept Relief Association  
Statement of Financial Interests Form - Reminder**

### **MINUTES OF THE PREVIOUS MEETING**

- A.** Paul Whiteman, Sr., made a motion to approve the January 3, 2022 Reorganization Meeting minutes. Keith Fritz seconded the motion. Motion carried unanimously, 4-0.
- B.** Keith Fritz made a motion to approve the January 3, 2022 Special Meeting minutes. Paul Whiteman, Jr. seconded the motion. Motion carried unanimously, 4-0.
- C.** Paul Whiteman, Sr. made a motion to approve the January 11, 2022 Regular Meeting minutes. Paul Whiteman, Jr. seconded the motion. Motion carried unanimously, 4-0.
- D.** Keith Fritz made a motion to approve the January 25, 2022 Workshop Meeting minutes. Paul Whiteman, Sr. seconded the motion. Motion carried unanimously, 4-0.

### **TREASURERS REPORT**

- 1.** The Supervisors reviewed the Treasurer's report for period ending January 31, 2022. Keith Fritz made a motion to accept the Treasurer's report. Paul Whiteman, Sr. seconded the motion. Motion carried unanimously, 4-0.
- 2.** The Supervisors reviewed a new Year to Date Treasurer's report and concurred with accepting the Treasurer's new format for Regular Monthly Meeting Agendas. Patty Brann, Trappers Run resident, inquired about coding for legal fees.
- 3.** 2022 Freightliner Financing Options – Treasurer Diana Patton made recommendations for the proposed Freightliner lease-purchase. After discussion, Keith Fritz made a motion to approve the 2022 Freightliner lease-purchase in the amount of \$162,562.60, finance Option 3, with the addition of 7 year extended warranty options for EW4 engine, \$2,740.00, and Allison transmission, \$938.00, transactions subject to compliance with the law. Paul Whiteman, Sr. seconded the motion. Motion carried unanimously, 4-0.
- 4.** Transfers for Payroll – Paul Whiteman, Sr., made a motion to ratify payroll transfer for the February 4, 2022 pay date from the General Savings account in the amount of \$35,000.00. Keith Fritz seconded the motion. Motion carried unanimously, 4-0.

### **EXPENSE LIST**

Paul Whiteman, Jr. made a motion to pay bills on the February 8, 2022 bill list, amount of \$82,934.30 General Fund; \$5,004.56 Street Light Fund; \$670.40 Building Tax Fund; \$4,199.99 Accrual Account (Rescue Funds). Paul Whiteman, Sr. seconded the motion. Motion carried unanimously, 4-0.

### **BUSINESS**

**A.** Resolution 2022-16, Attending a Public Meeting to Record Proceedings – No action taken, to be discussed at next meeting.

B. Troup 37 Carnival Proposal – Chase Andrews, Boy Scouts Representative, presented a carnival event proposal for Boy Scout Troup 37. After discussion, Paul Whiteman, Jr. made a motion to waive Friendship Park rental fee for the Troup 37 carnival event. Keith Fritz seconded the motion. Motion carried unanimously, 4-0. The Supervisors requested that Mr. Andrews share event details with Parks and Recreation Committee.

C. Parks and Recreation Letter of Interest – Paul Whiteman, Jr. made a motion to accept the appointment of Gregory Showalter to the Parks and Recreation Committee. Paul Whiteman, Sr. seconded the motion. Motion carried unanimously, 4-0.

D. IOP Zoning Amendment – Solicitor Eric Brown summarized the draft IOP zoning amendment. The amendment would establish a maximum building height of 45 feet and would remove “Planned Residential Airpark Development” as a permitted use. Solicitor Brown also explained that the County’s Planning Commission had no comments. After discussion, Keith Fritz made a motion to advertise the IOP Zoning Amendment as presented. Paul Whiteman Sr. seconded the motion. Motion carried unanimously 4-0.

E. Kraft Engineering Planning Consultant Services – Engineer Scott Anderson summarized the level of Planning Services offered by Kraft Engineering. Engineer Anderson reviewed the proposed Overlay District Ordinance which he finds to be a reasonable layout, but has traffic study questions for the proposed Berks Homes concept plan.

F. Berks Homes Design Concept – Gary McEwen, Berks Homes, introduced the Berks Homes Representatives in attendance, and then proceeded with a PowerPoint presentation for the Berk Homes’ design concept proposed for the airport property/parcel.

Resident Patty Brann, Trappers Run, inquired about impact on Township including snow plowing routes. Mr. McEwen explained that an HOA would be responsible for the development’s streets.

Mr. Raser, Airport tenant, has concerns about traffic congestion and impact on school system. Mr. Mountz, Traffic Engineer, explained that PennDot’s review and approval will be required for the Land Development Plans.

Ms. Sheila Rourke, GKH Firm, explained to the Board that the Beiler Tract is not designated for residential use, and that more time would be needed for zoning hearing requirements to change the use.

Mr. Gordon Donaldson, 4103 Main Street, shared his concerns about potential challenges for EMS, Police, and school transportation.

Terri Payne, Welsh Lane, supports hiring a Planner to evaluate viable options for the Airport Property.

Lynn Burkholder, Twin Valley Coffee, discussed the previously opposed Distribution Center proposal for the Airport Property. Supervisor Paul Whiteman, Jr. expressed his support for the residential design.

Traffic Engineer Mountz addressed traffic concerns and stated that optimizing local traffic signals will help improve flow of traffic.

Engineer Scott Anderson discussed the commercial aspect of the design concept, and also explained that traffic signal improvements would be dictated by PennDot. Additionally, Engineer Anderson discussed proposed Overlay District Ordinance, primarily addressed Sections

598.I(d), 598.L(e) Service Streets, 598.O and provided recommendations for parking requirements.

Chair Styer shared her concerns about potential stormwater runoff problems that could occur with the current design proposal. Chair Styer pointed out the abutting homes on the concept design that appear to offer no recourse for affected property owners. Chair Styer expressed her support for hiring a Planner to evaluate best land use for the Airport Property.

At this time, Chair Styer requested an Executive Session. The Board recessed for an executive session at 9:29PM.

The Board reconvened at 9:52PM. Chair Styer explained that the executive session was to obtain legal advice.

Solicitor Brown explained that a Board consensus regarding the proposed Residential Overlay Ordinance was reached. The Board's desire is to tweak the Ordinance, Solicitor Brown in collaboration with Engineer Anderson and Berks Homes Representatives will rework the Ordinance and present a revision to the Board at their February Workshop meeting.

G. Auditor Appointment – (1) Paul Whiteman, Jr. made a motion to approve Resolution 2022-22 Naming RKL as Auditors to Audit Township Accounts for 2021. Keith Fritz seconded the motion. Motion carried unanimously, 4-0; (2) The Supervisors reviewed legal correspondence in connection with upcoming audit. No action required.

H. Paul Whiteman, Jr. made a motion to approve Ordinance No. 311 Amending Ordinance No. 210 Regulating the Keeping of Certain Animals Within The Township of Caernarvon. Paul Whiteman, Sr. seconded the motion. Motion carried unanimously, 4-0.

I. Ordinances for Review -

(1) No. 30 Repealed – No action taken at this time. To be discussed at next meeting;

(2) No. 188 Park Rules – The Board's consensus was to change Section 5, hours of operation, to sunrise to sunset and change Section 6D permit submission to no more than 7 days prior to the event. The Board requested a printout of Park signs for review at next meeting.

(3) Draft Grass Cutting Ordinance – Discussed under item II. Further review needed.

J. Conflict of Interest Policy – Paul Whiteman, Sr. made a motion to approve Resolution 2022-24 Prohibiting Conflict of Interest Policy. Keith Fritz seconded the motion. Motion carried unanimously, 4-0.

K. Rescue Funds – (1) The Supervisors reviewed a laptop quote. No action taken at this time. iPad options under review; (2) Solicitor Brown reviewed options for making ARPA donations to service organizations (EMS, Fire Department, etc). Supervisor Whiteman informed the Board about an upcoming EMS meeting.

L. Conrad Siegel Pension Plan Authorization Forms – (1a) Paul Whiteman, Jr. made a motion to approve the Conrad Siegel Police Pension Trust Agreement. Keith Fritz seconded the motion. Motion carried unanimously, 4-0; (1b-f) Paul Whiteman, Sr. made a motion to approve the Conrad Siegel Discretionary Investment Advisory Agreement, Delivery of Reports, Directed Benefit Custody Agreement, Fee Schedule, and Account Setup Forms. Keith Fritz seconded the motion. Motion carried unanimously, 4-0; (2a-c) Non Uniformed Pension Plan Forms –

Solicitor Brown explained that an effective date will be needed for the forms. No action taken at this time.

M. MAA Agreement for 2022 – Paul Whiteman, Jr. made a motion to approve the agreement as presented. Keith Fritz seconded the motion. Motion carried unanimously, 4-0.

N. Land Development Plans – (1) Morgantown Affiliates – no update; (2) Wexford Court – Engineer Anderson explained that light fixtures were updated. Paul Whiteman, Jr. made a motion to issue a District Court zoning violation to Wexford Court for incompleteness of land development improvements. Paul Whiteman, Sr. seconded the motion. Motion carried unanimously, 4-0; (3) XTL – Engineer Anderson explained that an extension letter is forthcoming; (4) Apartments on Main – No update; (5) Morgantown Road Commercial Land Development Plan was received by the Township, currently under review by the Planning Commission.

O. Honeybrook Road Maintenance Agreement – Currently under review.

P. Stormwater/Driveway Pipe Items – (1) North Twin Valley Road Drainage – no update; (2) 371 Swamp Road Driveway – hearing is scheduled; (3) 91 Broad Ax Pass – no update; (4) Shiloh & California Road – no update; (5) Settlers Trail Detention Pond – no update.

Q. Sunoco Agreement – Engineer Anderson explained that agreement the required 30 day review is in process.

R. Thousand Oaks Bridge – Engineer Anderson informed the Board that a proposal for the repair work is forthcoming.

S. Morgantown Sign Installation – no update.

T. Zoning Hearing Board Application – Hearing is scheduled for March 10, 2022. Supervisor Whiteman requested that timbering requirements be reviewed by zoning officer.

## **TOWNSHIP REPORTS**

A. Township Administrator –

(1) Fire Alarm System quotes were discussed. Keystone Fire and Security agreement will be provided at the next Township meeting for review and approval;

(2) Elected Auditors draft minutes were reviewed.

B. Carnival/Anniversary – Supervisor Paul Whiteman, Jr. updated the Board on Carnival Committee meetings, and also informed the Board that a copy of the Carnival contract will be provided to the Township Office.

C. Maintenance Report –

(1) Monthly Maintenance report was reviewed;

(2) 2022 GM Truck Delivery – Road Foreman McGowan explained to the Board that the new GM truck has been shipped to the dealer. Foreman McGowan also discussed condition of Truck 5 and needed repairs;

(3) Morgantown Road/Shiloh Guiderail – Foreman McGowan discussed LTAP recommendations for guiderail matter. Chief explained that PennDot’s comments are forthcoming;

(4) Morgantown Interchange Toll Plaza to SR-10 – Chief discussed “stop ahead” sign options for this location;

(5) 2 Hidden Court Detention Pond – Supervisor Paul Whiteman, Jr. informed the Board about the 2 Hidden Court detention pond outflow structure issues. Engineer Anderson will be sending a notice to the homeowner.

D. SEO Report – Monthly report reviewed.

E. Library Report – Monthly report reviewed.

F. Tax Collector Report – Monthly and End of Year reports reviewed.

G. Police Department –

(1) Monthly Report reviewed. Chief Stolz summarized the monthly report for posting on Crimewatch. Chief reminded residents to lock cars, and also to avoid parking on public roads during snow events;

(2) End of Year report reviewed;

(3) Paul Whiteman, Jr. made a motion to approve the 2013 Ford Explorer Police Intercept County Agreement in the amount of \$9,000.00, a Rescue Fund Appropriation. Paul Whiteman, Sr. seconded the motion. Motion carried unanimously, 4-0.

H. Zoning/Code Enforcement Officer – (1) Monthly Zoning/Code report reviewed. Supervisor Fritz discussed a concern regarding a massive pileup of tires at the Mavis Tire location, for the Zoning Officer’s review; (2) Solicitor Brown discussed the upcoming zoning violation deadline for the Hertzler Dr. driveway matter. After discussion, Keith Fritz made a motion to approve issuing a zoning violation notice to the Hertzler Dr. property owner upon incompletion of violation and deadline requirements. Paul Whiteman, Sr. seconded the motion. Motion carried unanimously; (3) Valley Ponds basin/swale work – no update; (4) Morgantown Garage Parking Lot plan – no update. Administrator Bair was asked to obtain an update.

I. EMS report - Monthly reports reviewed.

J. Fire Department – Monthly report reviewed.

K. Parks and Recreation – (1) January minutes reviewed; (2) January Request List was discussed, more review time needed; (3) The Board was provided a reimbursement request for tree lighting items purchased by Terri Payne, reimbursement was approved by Parks and Recreation Committee.

L. Planning Commission Minutes – Draft minutes reviewed.

M. Water/Sewer Reports – (1) Water Authority minutes were reviewed; (2) No Sewer Authority reports provided.

N. Engineer's Report – Monthly report reviewed. Engineer Anderson explained that 2022 Street Work List is forthcoming.

O. Solicitor's Report – Monthly report reviewed.

**EXECUTIVE SESSION**

No Executive Session needed at this time.

**SUPERVISORS COMMENTS**

No comments.

**ADJOURN**

Keith Fritz made a motion to adjourn the meeting. Paul Whiteman, Jr. seconded the motion. The motion carried unanimously. The meeting adjourned at 11:21PM.

Respectfully Submitted,

JOAN A. BAIR  
Administrator/Secretary