

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

**September 14, 2022**

The Caernarvon Township Board of Supervisors held their Regular Monthly Meeting on September 14, 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; Jeff Vickers, Supervisor; Eric Brown, Siana Law; Paul Stolz, Chief of Police; Diana Patton, Treasurer; Joan Bair, Township Administrator/Secretary.

**CALL TO ORDER**

Chairperson Sandra Styer called the meeting to order at 7:00PM EDT. This was followed by the Pledge of Allegiance.

Chair Styer requested an executive session. The Supervisors recessed for an Executive Session at 7:01PM. Chair Styer called the meeting back to order at 8:04PM indicating that the Executive Session was for personnel and legal matters.

**COMMENTS FROM THE ASSEMBLY**

Susan Orr, EMS, introduced herself and the new EMS Chief.

Michelle Raymond, Lenape Drive, asked the Board to consider holding executive sessions before the start of the meetings.

**CORRESPONDENCE**

**Town Hall Forum with the County Commissioners September 22, 2022  
New Water Rates  
PA DEP Draft 2022 State Water Plan – Public Comments Notice  
Berks County Conservation District Permit Notice for 2150 Hopewell Road  
Tetra Tech Letter – Energy Developments Honey Brook LLC Permit Renewal  
PSATs Unemployment Comp Group Trust 2022 Ballot for Election of Trustees  
OTM, LLC Memorandum - Twin Valley Coffee Land Development Update  
Commonwealth of PA Remittance Notice – ARPA Distribution**

**MINUTES OF THE PREVIOUS MEETING**

- A. Paul Whiteman, Jr. made a motion to approve the August 10, 2022 Meeting minutes. Keith Fritz seconded the motion. Motion carried unanimously.
- B. Paul Whiteman, Sr. made a motion to approve the August 22, 2022 Special Meeting minutes. Keith Fritz seconded the motion. Motion carried unanimously.
- C. Keith Fritz made a motion to approve the August 23, 2022 Workshop Meeting Minutes. Paul Whiteman, Sr. seconded the motion. Motion carried unanimously.

### **TREASURERS REPORT**

1. The Supervisors reviewed the September 14, 2022 Treasurer's report. Paul Whiteman, Jr. made a motion to accept the Treasurer's report. Jeff Vickers seconded the motion. Motion carried unanimously.
2. Paul Whiteman, Jr. made a motion to approve the 2023 MMO sheet. Keith Fritz seconded the motion. Motion carried unanimously.
3. Keith Fritz made a motion to approve the following transfers: (1) \$35,000.00 to pay bills and, (2) \$55,000.00 for payroll. Paul Whiteman, Sr. seconded the motion. Motion carried unanimously.
4. 2023 Budget Worksheets – The Treasurer is currently working with Departments to develop a draft budget.

### **EXPENSE LIST**

Jeff Vickers made a motion to pay the September 14, 2022 bills, \$144,164.71 General Fund; \$4,735.34 Street Light Fund; \$13,498.36 Accrual Account; \$1,444.13 Building Tax Account. Keith Fritz seconded the motion. Motion carried unanimously.

### **BUSINESS**

A. Popeye's/Wendy's Land Development Plan – (1) Letter of Credit is forthcoming; (2) Agreements for Approval: Roger Vanderklok, project representative, was in attendance to answer any questions. After discussion, Paul Whiteman Jr. made a motion to reaffirm the approved Popeye's/Wendy's Land Development Plan. Paul Whiteman, Sr. seconded the motion. Motion carried unanimously. Additionally, Paul Whiteman, Jr. made a motion to approve the presented Development, Financial, and Stormwater agreements for the Wendy's/Popeye's Land Development Plan. Paul Whiteman, Sr. seconded the motion. Motion carried unanimously.

B. Sheds Unlimited Proposed Road Closures – Engineer Anderson explained that this will be for discussion in the near future. No information available at this time.

C. Berks Homes Preliminary Plan Update – Engineer Anderson informed the Board about the Highway Occupancy Permit submitted for the project. Solicitor Brown explained that no preliminary Land Development plans have been received.

D. Morgantown Road Commercial – (1) Paul Whiteman, Jr. made a motion to approve the PennDot Highway Occupancy Permit Form M-950AA for the Morgantown Road Commercial drainage facilities. Keith Fritz seconded the motion. Motion carried unanimously; (2) Paul Whiteman, Jr. made a motion to approve the PennDot Highway Occupancy Permit Form M-950AA for the Morgantown Road Commercial Sidewalks. Paul Whiteman, Sr. seconded the motion. Motion carried unanimously; (3) Paul Whiteman, Jr. made a motion to approve the PennDot TE-160 Form and the Traffic Signal Maintenance Agreement for the Morgantown Road Commercial project. Keith Fritz seconded the motion. Motion carried unanimously.

E. Viwinco Escrow Release – Upon Engineer's recommendation, Paul Whiteman, Jr. approved Escrow Release No. 1 in the amount of \$407,455.00 for the Viwinco Letter of Credit. Jeff Vickers seconded the motion. Motion carried unanimously.

F. Land Development Plans – (1) XTL: Engineer Anderson explained that currently meetings are in process with the developer to discuss site stabilization; (2) Wexford Court – Engineer Anderson summarized site work improvements needed. Zoning Officer Naugle discussed the fence matter. Solicitor Brown explained options for addressing any outstanding improvements items.

G. S. Twin Valley Road Right of Way – Engineer Anderson discussed Right of Way requirements for the proposed turnpike project. Solicitor Brown acknowledged the Board’s request to initiate necessary paperwork for the Right of Way requirements.

H. Twin Valley Traffic Signal Timing – Upon Engineer’s recommendation, Keith Fritz made a motion to issue a letter to PennDot requesting traffic signal timing adjustments for the Main Street and Twin Valley Road intersection. Paul Whiteman, Jr. seconded the motion. Motion carried unanimously.

I. Clymer Hill Road Extension – Supervisor Paul Whiteman Jr. discussed a possible solution utilizing an easement on the east side of location. Engineer Anderson will review options.

J. Stormwater/Drainage Updates – (1) Rock Ridge: Engineer Anderson explained that an agreement is in process for review; (2) 91 Broad Ax Pass Stormwater Complaint: Supervisor Paul Whiteman, Jr. explained that the Township Engineer is currently reviewing video footage, a follow up report is forthcoming; (3) Morgan Corporation Driveway/Swale Matter: Engineer Anderson informed the Board that the sediment issue is currently in process of being addressed by Morgan Corp.

K. Stormwater/Driveway Non-Compliance – (1) 371 Swamp Road: Engineer Anderson will follow up with quotes for the proposed work.

L. 2022 Street Work Invoice for Approval – Engineer Anderson discussed the completed street work and proposed retainage amount. Upon Engineer’s recommendation, Keith Fritz made a motion to authorize payment in the amount of \$339,383.90 to New Enterprise Stone and Lime Co. (NESL). Jeff Vickers seconded the motion. Motion carried unanimously.

M. Police Department – (1) Keith Fritz made a motion to approve the Highway Safety Network Agreement as presented. Paul Whiteman, Sr. seconded the motion. Motion carried unanimously; (2) Paul Whiteman, Jr. made a motion to acknowledge resignation letter from Part Time Police Officer Yatsko. Jeff Vickers seconded the motion. Motion carried unanimously.

N. Public Works CDL New Hire Recommendation – Paul Whiteman, Jr. made a motion to approve hiring Scott Remolde for the advertised CDL position at the starting rate of \$26.25 per hour, contingent upon successful completion of all background checks. Jeff Vickers seconded the motion. Motion carried unanimously.

O. Lenape Road Wall Estimate – Jeff Vickers made a motion to approve the Lenape Road wall repair cost estimate in the amount of \$6,816.50. Keith Fritz seconded the motion. Motion carried unanimously.

P. Resolution 2022-45 Handicap Parking Space Renewal – Paul Whiteman Jr. made the motion to approve Resolution 2022-45. Keith Fritz seconded the motion. Motion carried unanimously.

Q. Traffic Signal Upgrade Funding Notice for Approval – Jeff Vickers made a motion to approve the Township participating in PennDot’s Vulnerable Road User (VRU) program for the

eligible traffic signal located at SR23/SR10 intersection. Paul Whiteman Jr. seconded the motion. Motion carried unanimously.

R. MAA Agreement – Under review.

S. FirstNet/AT&T Cell Phones – Keith Fritz made a motion to approve switching cell phone provider to FirstNet/AT&T, 10 cell phones as quoted. Jeff Vickers seconded the motion. Motion carried unanimously. The Board requested a quote for a tablet with data plan compatible with the Public Works GIS program.

T. Personnel Manual Updates – Under review.

U. Fire Police Request – Paul Whiteman Jr. made a motion to approve the October 19, 2022 Elverson Parade Fire Police request. Keith Fritz seconded the motion. Motion carried unanimously.

V. Draft Ordinance No. 188 Park Rules – Paul Whiteman Jr. made a motion to remove Section 6c, from draft Ordinance presented. Keith Fritz seconded the motion. Motion carried unanimously. Additionally, Jeff Vickers made a motion to remove the off leash sentence noted in Section 8, from draft Ordinance presented. Keith Fritz seconded the motion. Motion carried unanimously. Lastly, the Supervisors discussed revising the basketball court closing time to 10PM.

W. Winter Banners – Paul Whiteman Jr. made a motion to approve utilizing the 250<sup>th</sup> Anniversary funds to purchase 10 winter scene banners as presented (5 in red and 5 in blue). Jeff Vickers seconded the motion. Motion carried unanimously.

X. Township ID Badges – Currently under review.

Y. Trick or Treat Night – Paul Whiteman Sr. made a motion to approve designating Trick or Treat night for Monday, October 31, 2022 from 5PM to 8PM. Paul Whiteman Jr. seconded the motion. Motion carried unanimously.

## **TOWNSHIP REPORTS**

A. Township Administrator – (1) Cleaning Services Estimates: The Board requested additional quotes; (2) Electronic Sign Quotes: The Board requested additional quotes; (3) 457(b) Presentation: The Board requested quotes be obtained for a supplemental 457 plan; (4) MABA Memorial Plaque – No update.

B. Carnival – Treasurer Diana Patton provided a financial summary.

C. Maintenance Report –

(1) Monthly Maintenance report was reviewed;

(2) Advertised Roads Inspection Date was announced, September 27, 2022 at 6PM;

(3) Street Sweeping announced, to begin the week of September 26, 2022.

D. SEO Report – Monthly report reviewed.

E. Library Report – (1) Monthly report reviewed; (2) The Library’s response to the recent Grant opportunity was provided.

F. Tax Collector Report – Monthly reports reviewed.

G. Police Department – Monthly Report reviewed. Chief Stolz summarized the monthly report, and informed the Board about a Full Time Officer’s resignation effective September 24, 2022.

H. Zoning/Code Enforcement Officer – (1) Monthly Zoning/Code report reviewed; (2) Zoning Officer Naugle informed the Board that the weeds violation for 3201 Main Street requires further action since the property owner has not responded to the notice; (3) Zoning Officer Naugle informed the Board that a revised plan for the Morgantown Garage parking lot project is forthcoming.

I. EMS report - Monthly report was reviewed. Susan Orr and Chief Welch were present and discussed ARPA funds. Supervisor Paul Whiteman Jr. requested an update on the proposed financial meeting to further discuss ARPA funding assistance. Ms. Orr will follow up with a meeting date.

J. Fire Department – Monthly report was reviewed.

K. Parks and Recreation – (1) Minutes were reviewed; (2) Request list was reviewed. No update from TIMET regarding funding opportunity, this item can be removed from next Parks & Rec agenda. The proposed Food Truck event will be considered for 2023 budget. Patti Brann, Trappers Run, inquired about Casino proceeds and reports for revenue and expenses.

L. Planning Commission Minutes – No August meeting.

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

N. Engineer’s Report – (1) Monthly report reviewed. Engineer Anderson provided an update on the Roads Rating project; (2) 160 Willow Glen Driveway matter was discussed. Supervisor Paul Whiteman Jr. explained that proposed camera work is in process to evaluate the driveway pipe condition.

O. Solicitor’s Report – Monthly report reviewed. Solicitor Brown explained to the Board that paperwork for Comcast Services is forthcoming.

Solicitor Brown informed the Board that the agenda requires amendment for a lawsuit notice that was served to the Township. The request for Consent to Dual Representation and Waiver of Rights Letters were received from the Township’s assigned insurance defense counsel within the 24 hour period prior to the meeting. The request is de minimus in nature and does not involve the expenditure of funds or entering into a contract or agreement by the Township. After discussion, Jeff Vickers made a motion to amend the agenda to add the Consent to Dual Representation and Waiver of Rights Letters; Docket No. 22-3353. Paul Whiteman Jr. seconded the motion. Motion carried unanimously.

Paul Whiteman Sr. made a motion to approve signing the Consent to Dual Representation and Waiver of Rights letters. Keith Fritz seconded the motion. Motion carried unanimously.

**EXECUTIVE SESSION**

No additional Executive Session required.

**SUPERVISORS COMMENTS**

No comments.

**ADJOURN**

Paul Whiteman Jr. made a motion to adjourn the meeting. Keith Fritz seconded the motion. The motion carried unanimously. The meeting adjourned at 10:14PM.

Respectfully Submitted,

JOAN A. BAIR  
Administrator/Secretary