

**CAERNARVON TOWNSHIP
BERKS COUNTY, PA**

**BOARD OF SUPERVISORS
MEETING MINUTES**

JANUARY 12, 2010

The Caernarvon Township Board of Supervisors held a public meeting on January 12, 2010 in the Caernarvon Township Municipal Building located at 3226 Main Street, Morgantown, PA, pursuant to notice according to law.

ATTENDING OFFICIALS

Lewis Gable, Chairman; Charles Byler, Supervisor; Norman Rhoads, Supervisor; Dorothy Regetta, Supervisor; Allen Styer, III, Supervisor; Paul Stolz, Chief of Police; Brett Huckabee, Township Solicitor, Jennifer Kintzer, Great Valley Consultants (GVC), Planner; Bill Witman, Witman Engineers, Engineer; Jack Griesemer, Treasurer; Randall Miller, Township Administrator/Secretary; Thomas Hornberger, Maintenance Department.

CALL TO ORDER

Lewis Gable called the meeting to order at 7:30 PM. This was followed by the Pledge of Allegiance.

PUBLIC HEARING

Solicitor Brett Huckabee called the Public Hearing for a change in zoning from R-2 to R-4 to order. John W. Roland, Esq. Roland & Schlegal, LLC, Gregg Bogia, engineer, and Richard Mable, V.P. for Reading Hospital, equitable owners, along with Stephen Najarian representing the property owner, were present. Solicitor Huckabee entered into evidence the exhibits for posting of the property for a zoning change.

Solicitor Huckabee then called on the public for comments. Gloria Quaintance of 750 Rank Road discussed that the residents along Rank Road would like to ensure that some type of barrier that will give a definitive border will be required. Solicitor Huckabee stated that in the proposed zone R-4, a hospital is allowed by Special Exception, and that the Zoning Hearing board (ZHB) will be allowed to impose such requirements. Scott Graham of 760 Rank Road discussed increased traffic. Solicitor Huckabee indicated that the ZHB, along with the Planning Commission will review the Land Development Plans to ensure increased traffic is handled correctly.

Solicitor Huckabee then called on the Supervisors for comments. Hearing none, and with no further testimony, Solicitor Huckabee closed the Public Hearing. Following the hearing, Charles Byler made a motion to enact Ordinance 254, along with the revised Zoning Map, to make the change from R-2 to R-4 at and near the intersection of Rank Road with Morgantown Road. Norman Rhoads seconded the motion. The motion passed unanimously.

COMMENTS FROM THE ASSEMBLY

A. Lisa Blevins of 16 Mill Road was present to inquire about stormwater runoff from Mill Road. This problem began when South Street was paved. She is also worried about a driveway location change at her neighbor's property. All of this water is contributing to runoff issues along with erosion problems on her property. Engineer Bill Witman said he would like to look at the issue, and find a solution for the stormwater runoff. He will work with the Maintenance Department to affect a temporary fix, and look to engineer a permanent fix this spring or summer.

B. Karl Flink of 16 Hunter's Hill Drive asked if there were a sound ordinance; additionally he inquired about parking on both sides of the street. Chief Stolz addressed these issues, indicating there was not a sound ordinance as a standalone law; however, the police can enforce both the noise and parking issues if someone calls the police department.

C. Kim Fiorello was present to find out about passage of the Revised Land Development Plan for Morgantown Beverage. It is scheduled on the agenda under Planning Commission; however, Secretary Miller informed her that the plan would not be released after the meeting due to signatures being needed from the Planning Commission.

TREASURERS REPORT

The Agenda was amended to allow the treasurer to give his report.

After a review of line item 411.195 on the Treasurer's Report, and following discussion, Norman Rhoads made a motion to accept the Treasurer's monthly report for the period ending December 31, 2009. Charles Byler seconded the motion. The motion carried unanimously.

Treasurer Griesemer then requested a transfer of \$100,000.00 from the Accrual Fund to the General Fund. Norman Rhoads made a motion to transfer \$100,000.00 from the Accrual Fund to the General Fund. Charles Byler seconded the motion. The motion carried unanimously.

Treasurer Jack Griesemer was then allowed to leave, due to not feeling well.

CORRESPONDENCE

Randall Miller summarized the following agenda items of correspondence for the assembly and the members of the Board of Supervisors:

A. Dominion Energy submitted a request to bid electricity generation costs for the Township. The Supervisors discussed and decided to stay with PPL as the Township's electricity supplier.

B. The Supervisors discussed information on rates from PSATS for Unemployment Compensation for 2010. The Township's rate has been set at 1%. Additionally, PSATS summarized change to Police Pensions due to passage of Act 51. The Township has already drafted an ordinance for the required changes. Norman Rhoads made a motion to have the Solicitor prepare and advertise the ordinance for passage at the next meeting. Charles Byler seconded the motion. The motion passed unanimously.

C. A letter from the Department of Agriculture was summarized.

D. The Sewage Planning Module for Scott Moyer's property is ready for adoption. Charles Byler made a motion to adopt the Sewage Planning Module for Scott Moyer's property and have the Secretary sign the same. Norman Rhoads seconded the motion. The motion passed unanimously.

E. The Township Planner Newsletter has an article about the Property Maintenance Code.

MINUTES OF THE PREVIOUS MEETINGS

Following discussion, Norman Rhoads made a motion to accept the minutes, as amended, of the December 8, 2009, Board of Supervisors meeting. Dorothy Regetta seconded the motion. The motion carried unanimously.

EXPENSE LIST

The Supervisors discussed the bill list. It was noted that a duplicate check was listed on line item 410.233. This check will be voided. Additionally, there was a question on item 431.374 this expense was for a cutting edge to a snow plow. Also, it was noted that water usage for the park was high for the previous period (noted to be September to November).

Following discussion on these items of the expense list, Charles Byler made a motion to accept the bill list for January 12, 2010 and to pay the bills. Allen Styer seconded the motion. The motion carried unanimously.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

A. Solicitor Brett Huckabee discussed the advertised appointment of the Auditor to audit the Township's 2009 financial records. Norman Rhoads made a motion to approve Resolution 2010-13, appointing Reinsel Kuntz Leshner, LLP, 1330 Broadcasting Road, Wyomissing, PA as the Auditor for the term that expires on the first day of January 2011, to audit the accounts of Caernarvon Township for the fiscal year 2009. Dorothy Regetta seconded the motion. The motion carried unanimously.

B. The Supervisors then discussed appointing auditors. Dorothy Regetta made a motion to approve Resolution 2010-14, appointing Sandy Styer, and Pamela Stanitis as Elected Auditors until the next General Election, at which time they will be eligible to run for election to full terms. Norman Rhoads seconded the motion. The motion carried unanimously.

C. The Supervisors discussed appointment of an alternate member to the ZHB. Dorothy Regetta made a motion to approve Resolution 2010-15, appointing Gary Thau as an

Alternate Member of the ZHB. Allen Styer seconded the motion. The motion carried unanimously.

D. The Supervisors discussed appointment of a member to the Parks & Recreation Board. Dorothy Regetta made a motion to approve Resolution 2010-16, appointing John Conlow as a Member of the Parks & Recreation Board. Charles Byler seconded the motion. The motion carried unanimously.

E. Karl Flink asked if there were any additional appointments needed. The Supervisors discussed a vacancy on the ZHB for an alternate member. Charles Byler made a motion to approve Resolution 2010-17, appointing Karl Flink to fill a vacancy as an Alternate Member of the ZHB. Norman Rhoads seconded the motion. The motion carried unanimously.

TOWNSHIP REPORTS

A. The Maintenance Department Report was received. In addition, the Supervisors discussed the need for new front tires on Truck #1. Norman Rhoads made a motion to purchase two new tires for Truck #1. Charles Byler seconded the motion. The motion carried unanimously.

Thomas Hornberger also noted that Truck #5 needs to have the transmission serviced. The Supervisors concurred. He also noted that the new truck should be available soon, and that Truck #4 is ready to be sold. The Supervisors asked for E.M. Kutz to provide an appraisal. Also, the gate at the Highcroft ball field was discussed.

B. The SEO Report was received.

C. The Library Report was received.

D. The Tax Collector's Report was received. It was noted that 36 bills are delinquent.

E. Chief Stolz gave his Police Department Report. In addition, he gave his year-end summary.

F. The Zoning and Code Enforcement Officer's report was received. It was noted that there is a hearing before Judge Glass on February 11, 2010 for a zoning violation. Terry Naugle, Zoning Officer, will be present.

G. Lewis Gable submitted the Fire Company Report.

H. There was no report from Elverson EMS.

I. There was no Parks and Recreation Report meeting in December. Dorothy Regetta noted that the board has a list of items for repairs. Additionally, the fence bid is due at their next meeting. Solicitor Brett Huckabee and Secretary Randall Miller will attend the meeting to assist with the bid opening.

J. The Planning Commission's Plan Status Report was reviewed along with the Draft Minutes. The Supervisors also discussed the Revised Land Development Plans for Morgantown Beverage. The Planning Commission made a recommendation of a waiver from the Subdivision and Land Development Ordinance (SALDO), section 301.2. Norman Rhoads made a

motion to grant a waiver from SALDO section 301.2, and allow submittal of plans less than the required 2-week deadline. Charles Byler seconded the motion. The motion carried unanimously.

Following the granting of this waiver, the Supervisors reviewed a recommendation that the Board of Supervisors approve the Morgantown Beverage Revised Final Land Development Plan. Charles Byler made a motion to approve the Morgantown Beverage Revised Final Land Development Plan, contingent on compliance with the items on the letters from Great Valley Consultants, and Witman Engineering, and that an “as-built” drawing of the stormwater system shall be submitted. Allen Styer seconded the motion. The motion carried unanimously.

K. Engineer Bill Witman gave his report.

1. An update status of the Mill Road culvert was discussed. The application and drawings are at Penn DOT for their review, and the bid specifications are being drafted.
2. Bill updated the supervisors on location drawings for fuel tanks at the maintenance shed. Charles Byler made a motion to have the engineer provide information on both designs including specifications and estimates of costs for a 3,000 gallon/1,000 gallon fuel/gasoline storage tank. Norman Rhoads seconded the motion. The motion carried unanimously.

Following this, Norman Rhoads expressed his concern that a 3,000 gallon tank was not enough in the event of an emergency. In addition, the supervisors discussed an emergency generator for the maintenance shed.

3. The engineer discussed a problem with water drainage at Park Road where it intersects Elverson Road. This is a Township road at a state road. Penn DOT is willing to provide materials for a repair, if the township will provide the manpower. The Supervisors are in favor of this, and asked the engineer to begin moving forward with this repair. It was noted that this repair may require an AGILITY agreement with the state.

L. Solicitor Brett Huckabee noted that there is a tax assessment appeal hearing for Morgantown Crossings is scheduled for February 11, 2010. He will appear, along with representatives of the school district and county.

Solicitor Huckabee also reported that a meeting will be held on January 20, 2010, with New Morgan Borough and the landfill to review plans for relocating Shiloh Road.

Dorothy Regetta asked about Morgan Way crosswalks, and an ordinance for these crosswalks. Bill Witman discussed along with Randy Miller. Solicitor Huckabee will draft the ordinance.

Jennifer Kintzer asked permission to create a new Township Zoning Map based on the aforementioned zoning change. The Supervisors were in favor.

EXECUTIVE SESSION

At 9:14 p.m., the Board of Supervisors recessed into an executive session to discuss personnel issues. They reconvened at 9:54 p.m. with Solicitor Huckabee summarizing that the executive session was for personnel issues.

Norman Rhoads made a motion to place the changes to the Personnel Policy Manual into effect. Dorothy Regetta seconded the motion. The motion carried unanimously.

Dorothy Regetta then made a motion to pay any, non-salaried employee, who attends a meeting and is responsible for recording the minutes, a fee of \$50.00 per meeting, in-lieu-of their regular hourly rate. Charles Byler seconded the motion. The motion carried on a unanimous voice vote of all Supervisors present.

SUPERVISORS COMMENTS

Norman Rhoads asked about “Trunk calling” for our phone system. Randy Miller noted that this has not been functioning for years. He will look into the issue.

ADJOURNMENT

Norman Rhoads made a motion to adjourn the meeting. Allen Styer seconded the motion. The motion carried unanimously.

Respectfully Submitted,

Randall Miller,
Township Administrator/Secretary