

MINUTES OF THE BIRDSBORO BOROUGH COUNCIL MEETING  
MARCH 20, 2017 7:00 P.M. – BOROUGH HALL

<b>Council Members Present:</b>	Joseph Peterson, Mayor	David Blank, President
	Cindy, McGee, Vice President	Richard Happel, Member
	Steve Lusky, Member	Robert Myers, Member (via phone)
	Neil McCauley, Member	Peter Uhniat, Member
<b>Staff &amp; Professionals:</b>	Aaron J. Durso, Manager	Terry Weiler, Solicitor
	Theodore Roth, Chief of Police	Brian Boyer, Engineer

**Call to Order:** President Blank called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance to the Flag.

Opening prayer was led by Manager Durso.

Councilman Lusky shared a Powerpoint presentation regarding the Birdsboro Power project and Mayor Peterson shared some information at the end of the presentation.

**Public Comment**

Stacey Phile of 721 E Main Street asked questions about property values of the homes located near the Power Plant and also asked why the Borough did not send letters to the property owners near the Power Plant. President Blank, Mayor Peterson and Manager Durso answered the questions.

Jean Ferry of 740 E. Main Street asked questions regarding the impact fee and she then read a definition of an impact fee and Borough resident Jonathan Barnes asked a question regarding the yearly payment that the Borough will receive and Manager Durso answered the questions.

Mary Ann Cotter of 524 W. 8<sup>th</sup> Street stressed that the Borough needs to communicate this information better with the residents.

The homeowner at 723 E. Main Street asked if there would be any environmental damage and Manager Durso stated that the contractor is actually cleaning up the site that had environmental issues.

The resident at 719 E. Main Street stated that his wife has nerve issues and that the loud construction noise is causing her pain and also stated that the work is starting before 7:00 a.m. Manager Durso stated that he would go to the job site with President Blank and remind Kiewit they may not start construction work before 7:00 a.m.

**Minutes–February 20, 2017 Council Meeting**

A **motion** was made by Councilman Lusky and seconded by Councilman Uhniat to approve the February 20, 2017 Council Meeting minutes. Motion carried 7-0.

**Bills List and Treasurer’s Report**

A **motion** was made by Councilman McCauley and seconded by Councilman Happel to approve the Bills List dated March 20, 2017 and Checks for Ratification dated February 21, 2017 – March 19, 2017. Motion carried 7-0. Councilman McCauley asked a question regarding the hot

water heater repairs and Manager Durso explained that the hot water heater had to be removed from the closet where it was because the computer server was in the same closet.

A **motion** was made by Councilman Uhniat and seconded by Councilman Lusky to approve the Treasurer's Report dated March 20, 2017. Motion carried 7-0.

### **Manager's Report**

#### Teamster's Contract

Manager Durso informed Council that a letter was received by the Teamsters stating that they are ready to negotiate a new contract as the contract expires 12/31/17. President Blank said that he would set up a committee to meet with the Teamsters to negotiate a new contract.

#### Birdsboro Elementary Center

The public hearing for the closing of the Birdsboro Elementary Center is April 6 at 7:00 p.m. at the Daniel Boone School District building.

#### PLGIT

Manager Durso stated that the Borough should put the \$800,000 from Birdsboro Power in the PLGIT prime account that would hold the money in the account and not be available until December 2017 at an interest rate of 1.3%. A **motion** was made by Councilman Myers and seconded by Councilman Lusky to put the \$800,000 in the PLGIT account at prime interest rate 1.3%. Motion carried 7-0.

#### 2017 Road Projects

Manager Durso and Engineer Boyer reviewed with Council the tar and chip projects for 2017. Engineer Boyer gave a description of the roads and the process and Manager Durso stated that he spoke with Public Works Supervisor, Keith Karlson, asking if they preferred the fog seal and Mr. Karlson informed Manager Durso that they prefer the fog seal because it is less damaging to the street sweeper brushes. A **motion** was made by Vice President McGee and seconded by Councilman Lusky to authorize the Borough Engineer to prepare the bid documents for the 2017 road projects. Motion carried 7-0

#### Bridge Grant

Manager Durso informed Council that he is submitting a letter along with Engineer Boyer's cost estimates to the DCNR amending the grant to add two vehicle bridges over the Haycreek at the abandoned section of old Route 82. Manager Durso stated that the match from the Borough for the grant would be on the high estimate of \$250,000. Manager Durso spoke to the Municipal Authority and they would be willing to contribute \$125,000 toward the match and Manager Durso asked Council if they were willing to contribute the other part of the match. Councilman McCauley felt that the Borough has been discussing this project for several years and if the grant is able to be amended then the Borough should provide the \$125,000 for the match. Councilman Lusky asked where the Borough was coming up with the funds and Council agreed that Council will revisit this discussion once Manager Durso hears if the grant amendment has been granted to the Borough.

### **Engineer's Report**

Engineer Boyer reviewed is monthly report with Council.

### **Mayor/Police Reports**

Chief Roth reviewed his monthly report with Council.

Mayor Peterson stated that he met with Parks and Recreation and that they would like to schedule an event in Rustic Park on June 11 called Mayor's Music in the Park. Mayor Peterson asked Council if they would be willing to waive the alcoholic beverage ban for this event as Mayor Peterson would like to bring in a winery and perhaps a microbrewery to serve alcohol at the event. Mayor Peterson stated that he would ask the companies to provide an insurance certificate listing the Borough as additional insured for the event. Councilman Happel asked Solicitor Weiler if the Borough can just waive an ordinance for a specific event and Solicitor Weiler stated that they could not but could amend the ordinance to allow alcohol in the park with very specific guidelines. A **motion** was made by Councilman Lusky and seconded by Vice President McGee to authorize Solicitor Weiler to draw up an amendment to the Parks and Recreation ordinance to allow alcohol for special events in Rustic Park. Motion carried 7-0

### **Emergency Management**

No new report.

### **Fire Department**

The Fire Department Report was e-mailed to Council.

### **Solicitor's Report**

Solicitor Weiler reviewed with Council his monthly activities he then reviewed with Council the agreement with NEIC for inspections at the Birdsboro Power project and Solicitor Weiler then asked Council for a motion to approve the execution of the agreement with NEIC for doing the code inspections for the Birdsboro Power project subject to NEIC's execution of the same agreement. A **motion** was made by Councilman Lusky and seconded by Councilman Uhniat to approve the execution of the agreement with NEIC for doing the code inspections for the Birdsboro Power project subject to NEIC's execution of the same agreement. Motion carried 7-0.

### **Municipal Services / Department Reports**

**Water Department:** Report provided.

**Wastewater Treatment Plant:** Report provided.

**Streets Department:** Report provided.

### **Council/Committee Reports**

**Councilman Uhniat** - Councilman Uhniat showed Council a proof of a magnetic bumper sticker that Birdsboro residents could purchase to put on their vehicles that would promote Birdsboro and the positive aspects of the community. Councilman Uhniat said that they are \$1.90 each if

the Borough purchases 100. A **motion** was made by Councilman Lusky and seconded by Vice President McGee to purchase 100 magnetic bumper stickers at a cost not to exceed \$225. Motion carried 7-0.

**Councilman McCauley** – Councilman McCauley asked questions regarding the survey stakes on W. 1<sup>st</sup> Street around the railroad tracks and Manager Durso stated that there will be survey stakes in that area as well as Jackson Street near Vist Bank and the Borough Hall parking lot as this is a survey that was done for the route of the RAWA waterline that will be going to the Birdsboro Power plant.

Councilman McCauley informed Council that the next Pioneer Crossing Landfill Advisory Committee will be held March 22 at 5:30 p.m. at the landfill.

**Councilman Happel** - Councilman Happel showed Borough Council what the Mark Bird hometown hero banner will look like.

**Councilman Myers** – Councilman Myers asked Manager Durso if the Borough had made any progress on the phone service and if so, was there an update. Chief Roth gave the update and stated that the Borough is still exploring its options and no action needs to be taken at this time.

**Councilman Lusky** – Councilman Lusky gave Council an update on the Fire Advisory Board and stated that there were some minor issues that Union Township raised with the Borough regarding the agreement. Advisory Board members Councilman Lusky and Councilman Myers and residents that were a part of the original agreement, Jim Arms, (Jonathan Barnes was not present) met with representatives of Union Township. Councilman Lusky reported that everything is taken care of and that the meeting with Union Township went well and the Fire Advisory Board should meet on a quarterly basis moving forward.

Councilman Lusky stated that he met with some Borough residents who had concerns about the Birdsboro Power project and during the meeting the residents expressed concerns regarding the alley behind their home as well as a metal scrap yard that is also behind their home. Councilman Lusky stated that he felt if the Borough would consider doing an overlay on that alley he believes it would make the residents there very happy. Council entered into a brief discussion on who owns the alley and Councilman Lusky stated that the Borough could look into that but part of the reason for the Borough getting a paver from Birdsboro Power was to use it to help the Borough save money and he feels that it would be a good faith effort by the Borough to overlay that alley for the residents. A **motion** was made by Councilman Lusky and seconded by Vice President McGee to have Engineer Boyer and President Blank look into the alley and put together a cost estimate to overlay it with pavement. Motion carried 7-0.

Councilman Lusky said he wants to start the conversation with Council tonight to determine Council's desire with this year's Christmas in Birdsboro event and Councilman Lusky noted that the Borough was able to raise \$60,000 last year to put on the event and the event is getting bigger every year and he received a lot of compliments with the added ice sculptures. Councilman

Lusky asked Council to think about the Borough putting more funds into the event and discuss this further in April and May.

Councilman Lusky informed Council that the Birdsboro Community Center is planning on doing a casino night in the near future.

**Vice President McGee-** Vice President McGee informed Council that they will be serving the community meal on April 25 and Council needs to decide on a menu and who is bringing what to the meal.

Vice President McGee then stated that there was an opening on the Parks and Recreation Board and Danielle Hartline has been attending the Parks and Recreation meetings and expressed interest in it. A **motion** was made by Councilman Lusky and seconded by Councilman Uhniat to appoint Danielle Hartline to the Parks and Recreation Board. Motion carried 7-0.

Vice President McGee reported that the dog waste collection bags will be out in the park.

Vice President McGee noted that the yard sale and Beautify Birdsboro is scheduled for April 22 and any community groups that are interested in participating may contact Vice President McGee and the Borough would be very appreciative of any help that they could get. Vice President McGee also informed Council that the Street Fair and Duck Derby is May 13.

**President Blank** – President Blank noted that the new paving machine would need a trailer for transport and he stated that once the Borough completes the dirt and gravel road grant on Hampton Street the Borough would sell the old paver and trailer to offset the cost of the new trailer. Councilman Blank stated that he got a State Contract quote from TP Trailers at a price of \$20,995. A **motion** was made by Councilman Lusky and seconded by Councilman Happel to move forward with the purchase of the trailer. Motion carried 7-0.

#### Public Comment on Non Agenda Items

Borough resident, Jonathan Barnes asked questions regarding the event in the park and alcohol and Mayor Peterson answered the questions. Borough resident, Don Wary asked Council if they enforced snow removal of the sidewalks because he noticed at the last snow event there were several sidewalks on the west end of town that were not cleared and Manager Durso stated that the Borough does enforce the ordinance but the Borough does not enforce the ordinance until all the Borough sidewalks are clear. Manager Durso said it took the Borough a few days to clear off the snow emergency routes and clear their own sidewalks and by that point the snow was melting.

**ADJOURNMENT:** The meeting adjourned at 9:20 p.m.

Respectfully submitted,

Aaron Durso  
Borough Secretary