

**BOUROUGH OF BIRDSBORO**  
**Council Meeting Minutes**  
**May 21, 2018**

**Council Members Present:** David Blank, Sr., Mary Ann Cotter, Robert Myers, Neil McCauley, Austin Peterson, Joseph Peterson, Mayor

**Council Members Absent:** Richard Happel, Anthony Scioli

**Staff Members/Professionals Present:** Brian Boyer, Engineer, Robin Levensgood, Solicitor, Theodore Roth, Chief of Police, Kelly Yanos, Treasurer/Acting Recording Secretary

The May 21, 2018, Meeting of the Birdsboro Borough Council (hereinafter, "the Borough" and "Council") was called to order by Vice President Neil McCauley at 7:00 PM and opened with the Pledge of Allegiance followed by the opening prayer offered by Mary Ann Cotter.

**PRESENTATION OF 2017 AUDIT**

- Christopher Turtell of Herbein and Company, Inc., reviewed the 2017 audit of the borough's financial records, which he deemed were compliant with generally accepted accounting procedures.
- **MOTION:** Accept the 2017 audited financial statements as presented and approve submission of said documents to the Pennsylvania Department of Community and Economic Development.  
Motion by: David Blank    Seconded by: Robert Myers    Vote: All in favor

**PUBLIC COMMENT ON AGENDA ITEMS:** *None offered*

**APPROVAL OF MINUTES**

**MOTION:** Approve the minutes of the May 7, 2018, regular and special meetings.  
Motion: David Blank    Second: Austin Peterson    Vote: All in favor

**BILLS LIST**

- **MOTION:** Approve the Bills Payable list dated May 21, 2018, and the Payments for Ratification report dated May 8 through May 20, 2018, as presented.  
Motion: Robert Myers    Second: Mary Ann Cotter    Vote: All in favor
- **MOTION:** Accept the Treasurer's Report as presented and file for audit.  
Motion: Mary Ann Cotter    Second: Austin Peterson    Vote: All in favor
- **MOTION:** Approve payment of American United Life monthly life/disability insurance premium in the amount of \$721.20.  
Motion: David Blank    Second: Austin Peterson    Vote: All in favor

**MANAGER'S REPORT**

Borough Treasurer Kelly Yanos announced the upcoming Berks County Boroughs Association 2018 Summer Picnic scheduled for June 1, 2018 and asked that interested Council members contact her to be registered for the event.

**ENGINEER'S REPORT**

- Borough Engineer Brian Boyer reviewed his written report, a copy of which is kept on file in the Borough Office.

- Mr. Boyer researched grant funding for the Haycreek Bridge project, the Schuylkill River MS4 restoration project, and the pavilion construction project, and reported that none of those projects are eligible for the grant funding that is currently offered.
- Kinsley Construction advised Mr. Boyer that completion of the new pavilion construction has been delayed, citing inclement weather. Mr. Boyer will research the conditions under which liquidated damages of \$750.00 per day can be assessed. Kinsley Construction has also assumed financial responsibility for the damaged electric pole.
- Permit applications for the car museum have been submitted and forwarded to the Code Enforcement Officer for review.
- Mr. Boyer confirmed that a use and occupancy inspection meets the qualifications to also serve as a rental inspection.
- Birdsboro Power will be tie into the existing outfall for storm water.
- The Amorcast bridge is being photographed every two (2) months for structural soundness.

### **MAYOR/POLICE DEPARTMENT REPORT**

- The Police Department generated \$5,082.98 in revenue for the month of April, 2018.
- Sergeant Reigel investigated a case of sexual assault against a two-year-old child. Charges were filed upon receipt of DNA test results.
- Officer Craig Reinhart will meet with a surgeon to review the results of the MRI taken of his injured shoulder. The preliminary hearing for the individual responsible for Officer Reinhart's injury is scheduled for May 22, 2018.
- Mayor Joseph Peterson reported that approximately 1,000 people attended the mansion tour and commended the Birdsboro Women's Club for the success of the event.

### **SOLICITOR'S REPORT**

- Solicitor Robin Levengood requested an executive session prior to adjournment to discuss negotiations with Turkey Hill with regard to approving their request for a liquor license.
- Action on the proposed snow removal ordinance will be deferred to a future meeting.

### **COUNCIL/COMMITTEE REPORTS**

- Robert Myers met with the Birdsboro Community Memorial Center Board to review his proposal for installation of informational/interpretive signage at locations of historical/cultural significance.
- **MOTION:** Authorize the Public Works department to spend up to \$465.00 for supplies to overhaul the landscaping around the Borough building sign.  
Motion: David Blank      Second: Austin Peterson      Vote: All in favor
- Mary Ann Cotter shared a note of appreciation from Richard Happel for the gift basket.
- Mrs. Cotter reported that there was a good turnout for Family Day at Keiwit.
- Mrs. Cotter expressed her appreciation for those who attend Council meetings and provide feedback on topics discussed by Council.

### **PUBLIC COMMENT:**

- Albert Maicher, 111 North Kelly Drive, expressed concern that the proposed snow removal ordinance might cause hardship for many residents.
- Steve Maicher, 702 Pearl Street, asked about the status of the Turkey Hill liquor license. Solicitor Levengood advised that Council could not comment, as the issue is still in litigation.

**UPCOMING MEETINGS**

<b>Birdsboro Municipal Authority</b>	Tuesday, June 12, 2018, at 6:30 PM
<b>Borough Council</b>	Monday, June 18, 2018, at 7:00 PM
<b>Planning Commission</b>	Tuesday, June 26, 2018, at 7:00 PM ( <i>if needed</i> )

**EXECUTIVE SESSION & ADJOURNMENT**

- Council recessed into executive session at 7:49 PM to discuss pending litigation. Regular meeting reconvened at 8:03 PM. Solicitor Levengood announced that no action was taken.
- The meeting was adjourned at 8:04 PM. The next regular meeting of Birdsboro Borough Council will be held on Monday, June 18, 2018.

Respectfully submitted,

Kelly J. Yanos  
Acting Secretary