

MINUTES OF THE BIRDSBORO BOROUGH COUNCIL MEETING
NOVEMBER 19, 2018 7:00 P.M. – BOROUGH HALL

Council Members Present: Joseph Peterson, Mayor David Blank, Member
Richard Happel, President Mary Ann Cotter, Member
Neil McCauley, Vice President Anthony Scioli, Member
Robert Myers, Member

Staff & Professionals: Todd E. Trupp, Chief of Police Terry Weiler, Solicitor
Aaron J. Durso, Manager Brian Boyer, Engineer

Absent: Austin Peterson, Member

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

Opening prayer was led by Councilwoman Cotter.

PUBLIC COMMENT ON AGENDA ITEMS:

- No public comment on agenda items.

APPROVAL OF MINUTES

- **MOTION** was made by Councilman Blank and seconded by Councilman Scioli to approve the minutes of the November 5, 2018 regular and budget meeting. Motion carried 6-0.

BILLS LIST

- **MOTION** was made by Vice President McCauley and seconded by Councilman Myers to approve the Bills List dated November 19, 2018, and the Checks for Ratification dated November 6, 2018 through November 18, 2018. Motion carried 6-0.
- **MOTION** was made by Councilman Blank and seconded by Vice President McCauley to approve the Treasurer's Report dated November 19, 2018. Motion carried 6-0.

MANAGER'S REPORT

Resolution No. 2018-31 – Adoption of the Hazard Vulnerability Assessment and Mitigation Plan Update

- Action is tabled until Council has had the opportunity to review the Hazard Vulnerability Assessment and Mitigation Plan Update. Manager Durso will forward the link to Council.

2019 Budget

- Consideration of advertising the 2019 Budget was discussed.
- **MOTION** was made by Vice President McCauley and seconded by Councilman Myers to advertise the 2019 Budget with a .24 mill increase with revenues at \$2,948,585 and expenses at \$3,173,682. Motion carried 4-2. Councilman Blank asked if by voting yes to this vote is he approving the budget and Solicitor Weiler responded and Councilwoman Cotter asked if the vote passes can changes be made to the budget and Solicitor Weiler responded.

Leaf Pickup

- Manager Durso provided an update of leaf pickup.

Birdsboro Hometown Christmas

- There will be a meeting regarding Birdsboro Hometown Christmas on November 29.
- **MOTION** was made by Councilman Myers and seconded by Vice President McCauley to set \$3,500 aside for food and miscellaneous expenses for the Birdsboro Hometown Christmas. Motion carried 6-0.

ENGINEER'S REPORT

- Engineer Boyer reviewed his report with Council. Vice President McCauley inquired about the Schuylkill Road grant and the Furnace Street grant. Councilman Blank asked a question about the Texas ballfield diamond and Engineer Boyer responded. Mayor Peterson had a question regarding the Brooke Mansion. Councilman Myers had a question about the interpretative sign grant and Engineer Boyer responded to both inquiries. There was discussion regarding the name of the road which runs next to the VFW.

MAYOR/POLICE DEPARTMENT REPORT

- Mayor Peterson noted that last week was the first Police Department meeting for Chief Trupp. Chief Trupp noted that the shared crime scene vehicle is no longer needed and there may be the potential to resell it, the equipment can be utilized by Birdsboro and Robeson. Solicitor Weiler recommended obtaining an appraisal. Chief Trupp will compile the information and report back to Council. Chief Trupp noted the speed timing devices at First and Furnace Streets and they are counting cars and Chief Trupp noted the Police Department staff meeting went well. Councilman Myers asked if Officer Reinhart is our Evidence Tech and Chief Trupp noted that was correct and noted that Officer Reinhart is still out on leave. Councilwoman Cotter asked a question about the monthly statistics. Vice President McCauley noted that the vehicle code arrests have dropped and Chief Trupp noted he will look into it.

MUNICIPAL SERVICES/DEPARTMENT REPORTS:

1. Water Department: Report provided in Council packet
2. Sewer Department: Report provided in Council packet
3. Streets Department: Report provided in Council packet. Councilwoman Cotter asked a question regarding Strawberry Alley.

EMERGENCY MANAGEMENT: No new report

FIRE DEPARTMENT: Report was e-mailed to Council

SOLICITOR'S REPORT

- Solicitor Weiler noted he will send Council the snow removal Draft Ordinance. Doug Rauch, Solicitor for the Birdsboro Municipal Authority, will be at the next meeting, December 3, 2018, to discuss the agreement between Union Township and the Birdsboro Municipal Authority. Solicitor Weiler noted he has done some work for the Brooke Mansion sale. Solicitor Weiler will provide the draft Parks and Recreation Ordinance to Council.

COUNCIL/COMMITTEE REPORTS

- Councilwoman Cotter met with Treasurer Yanos and Manager Durso regarding paying off the police vehicle out of the Harms Benefit Fund.

- **MOTION** was made by Councilwoman Cotter and seconded by Vice President McCauley to use the Harms Benefit Fund monies not to exceed \$33,000 for the police car to be paid December 2018 and the Harms Benefit Fund will be repaid interest free over 52 months at a monthly payment not to exceed \$640. Motion carried 6-0.
- Councilwoman Cotter noted that the Birdsboro Municipal Authority is not increasing rates for 2019. Councilwoman Cotter suggested an exit interview process for employees leaving the Borough. A Committee was formed to create an Exit Interview Plan consisting of Solicitor Weiler, Councilman Myers, and Councilwoman Cotter. Councilwoman Cotter asked for clarification of the sick pay buyout in the Police Contract and Solicitor Weiler responded. Councilwoman Cotter informed Engineer Boyer that the Optimist Field has been renamed the American Legion Post 626 Field.
- Vice President McCauley noted he attended the Southern Berks Regional Comprehensive Plan meeting and there will be a meeting next Wednesday, November 28, at Caernarvon Township at 6:00 p.m.
- Councilman Blank asked Steve Lusky to provide an update regarding Total Recycling plant and updates. It was noted the plant is closed for drop offs but is open on Saturdays for two hours and Borough residents can take their recycling there at those times. More information will be provided.
- Don Wary, 511 Jefferson Street, asked where the Wednesday recycling goes and President Happel responded.

Councilman Myers provided text for the seconded interpretative sign (M&T Bank), The Old Mercantile Building. The interpretative sign committee will meet to go over the design of the sign. Councilwoman Cotter asked where the sign will go and Councilman Myers stated near the town clock. Councilman Myers addressed former Chief Roth's severance package. Because of a certain amount of ambiguity regarding terminal benefits in his contract, one interpretation could have resulted in a payout much higher than the \$35,000 he is receiving. The avoidance of litigation in this matter saved the Borough a substantial amount in legal fees. In addition, since the matter was resolved amicably, former Chief Roth consented to serve as a consultant to smooth the transition in the administration of the department. His work in preparing the ad for the new Chief, the ad's placement in relevant recruitment publications, his screening of all the applications and their arrangement in rank order was key to the quick hiring of his successor, Chief Trupp. Former Chief Roth also arranged for the donation of 100 tons of asphalt from H&K for upgrades to the police firing range just before his final day as Chief.

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PUBLIC COMMENT:

- Don Wary, 511 Jefferson Street, asked if there was a snow emergency called with the recent snow storm and Mayor Peterson said no. Mr. Wary asked what determines a snow emergency and Mayor Peterson responded.
- Tom Brungard, 908 Union Street, thanked the Borough employees for the leaf collection. Mr. Brungard inquired about the news article stating that the Brooke Mansion being run as a Bed and Breakfast around 2000.
- Steve Lusky, 211 Caravan Drive, noted the residents would be in favor of the Brooke Mansion being a Bed and Breakfast. Mr. Lusky inquired about the money and attorney fees incurred as a result of the issue with Chief Roth's retirement benefits and Manager Durso and Mayor Peterson responded. Mr. Lusky asked for a legal response and Solicitor Weiler answered. Mr. Lusky asked a question about the Motta property and Mayor Peterson responded. Mr. Lusky asked if he was still on the

Recreation Board and Solicitor Weiler noted it is not a functioning Board. Mr. Lusky thanked the workers for the snow removal.

EXECUTIVE SESSION

Council recessed into Executive Session at 8:40 p.m. and reconvened the regular meeting at 8:50 p.m. Discussed was an insurance matter involving an officer no longer working for the Police Department.

- **MOTION** was made by Vice President McCauley and seconded by Councilwoman Cotter to discontinue the life insurance payment for David Seidel. Motion carried 5-1.

ADJOURNMENT

- The meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Aaron J. Durso
Borough Manager