

MINUTES OF THE BIRDSBORO BOROUGH COUNCIL MEETING  
JULY 15, 2019 7:00 P.M. – BOROUGH HALL

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

**Council Member Via Telephone:** Mary Ann Cotter, Member

**Jr. Council Member Absent:** Ashley Gieringer

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

**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 Manager Durso.

**CONDITIONAL USE HEARING – 100 S. SPRUCE STREET**

Conditional Use Hearing for 100 S. Spruce Street for conditional use filed by GKC Management, LLC, (the "Applicant"), pertaining to property located at 100 S. Spruce Street, Birdsboro Borough, Berks County, Pennsylvania (Birdsboro Borough Parcel No. 31534414345969) was conducted by Solicitor Weiler. The Conditional Use sought by the Applicant is to Birdsboro Borough Zoning Ordinance Article VII Section 395-90 (Uses Permitted by Conditional Use Approval) to allow for the addition of a third apartment on the first floor.

- Councilman Blank noted the sidewalk is being repaired and noted the grass mowing.
- Councilwoman Cotter thanked Planning Commission Chairman Peterson and Engineer Boyer for their excellent job with the conditions for the conditional use hearing.
- Councilman Myers asked what the two additional conditions are and Solicitor Weiler noted the trees to be added and the lease to include the requirement for tenants to park in the parking lot.

The following has been taken from the original court recording.

MR. MCCAULEY: I'll make a motion to approve the conditional use of the third apartment at 100 South Spruce Street which would include the five conditions presented to us by the Planning Commission and the two conditions that we discussed tonight with replacement of two trees and the lease requiring the parking in the parking lot.

MR. WEILER: And, Mr. McCauley, you're referencing those conditions which are part and parcel of Exhibit 5.

MR. MCCAULEY: Exhibit 5, which is the minutes of that Planning Commission meeting.

MR. WEILER: Correct.

MRS. COTTER: I will second.

MR. WEILER: So there is a motion and a second to approve the conditional use application subject to the conditions imposed by the Planning Commission at its June 25th, 2019 meeting, as well as the two additional conditions which Mr. McCauley just outlined. You may vote. Shall we do a rollcall vote, please? Do you want me to do that?

MR. HAPPEL: I can do it. Vote on the motion, and we are going to do it by a roll call vote.

MR. DURSO: Mr. Scioli?

MR. SCIOLI: Yes.

MR. DURSO: Mr. Myers?

MR. MYERS: Yes.

MR. DURSO: Mr. Blank?

MR. BLANK: Yes.

MR. DURSO: Mr. Peterson, Austin?

MR. PETERSON: Yes.

MR. DURSO: Mrs. Cotter?

MRS. COTTER: Yes. I'm sorry. Did you hear me?

MR. DURSO: How do you vote?

MRS. COTTER: Yes.

MR. DURSO: Mr. McCauley?

MR. MCCAULEY: Yes.

MR. DURSO: Mr. Happel?

MR. HAPPEL: Yes.

MR. WEILER: So the motion is to approve the conditional use application with the conditions which were set forth.

### **APPROVAL OF MINUTES**

- **MOTION** was made by Councilman Blank and seconded by Councilman Peterson to approve the minutes of the June 17, 2019 council meeting. Motion carried 7-0.

### **BILLS LIST**

- **MOTION** was made by Councilman Scioli and seconded by Vice President McCauley to approve the Bills List dated July 15, 2019, and the Checks for Ratification dated June 18, 2019 through July 14, 2019. Motion carried 7-0.
- **MOTION** was made by Councilman Myers and seconded by Councilwoman Cotter to approve the Treasurer's Report dated July 15, 2019. Motion carried 7-0. Councilman Myers asked a question about a \$100,000 amount and Manager Durso noted that was part of the Birdsboro Power agreement that Manager Durso negotiated with Birdsboro Power after the initial agreement was signed.

### **MANAGER'S REPORT**

#### **MS4 Report**

- Manager Durso and Engineer Boyer provided an MS4 report.

### 2019 Street Project Update

- Manager Durso provided an update of the 2019 Street Project.

### Boy Scouts

- **MOTION** was made by Councilman Blank and seconded by Councilman Peterson to waive the \$35.00 park use fee for the September 14-15 Boy Scout event. Motion carried 7-0.

### ENGINEER'S REPORT

- Engineer Boyer reviewed his report with Council. Councilwoman Cotter asked who paid for the BFS concept building plans and it was noted the Birdsboro Municipal Authority paid for the plans.

### MAYOR/POLICE DEPARTMENT REPORT

- Chief Trupp noted a department meeting and the topic of discussion was Tasers. Chief Trupp provided a Taser overview and values. Options for replacing the entire department Taser's would cost \$12,700.00 or the supplier can provide a 5-year payment option with the first year payment to be \$3,213.00. There was discussion of the Taser brands and software issues and Chief Trupp provided responses.
- **MOTION** was made by Councilman Blank and seconded by Councilman Peterson to purchase the Tasers and enter into a 5-year contract for payment of such for the amount of \$12,873.00 with a payment of \$3,213.00 due in 2019.
- Chief Trupp noted the new police vehicle arrives this week and Chief Trupp reviewed the vehicle features. Councilman Happel asked about cameras and Chief Trupp noted that data storage is expensive.

### MUNICIPAL SERVICES/DEPARTMENT REPORTS:

1. Water Department: A question about the pump house door and gate was asked.
2. Sewer Department: It was noted that Manager Durso will reach out to JP Mascaro for costs of cleanup.
3. Streets Department: Report provided in Council packet.

**EMERGENCY MANAGEMENT**: No new report.

**FIRE DEPARTMENT**: An update was provided on the change of leadership in the Fire Department and they are seeing new volunteers.

### SOLICITOR'S REPORT

- Solicitor Weiler reviewed his report with Council. Solicitor Weiler is awaiting the Robeson policing agreement.
- **MOTION** was made by Councilman Blank and seconded by Vice President McCauley to advertise the commercial inspection ordinance. Motion carried 7-0.
- Solicitor Weiler noted he is working on the ballpark agreement and the fireworks ordinance.

### **COUNCIL/COMMITTEE REPORTS**

- Councilwoman Cotter requested an Executive Session for personnel matters and asked for an update about the skate/bike park and Councilman Peterson noted there will be a meeting next week. Councilwoman Cotter requested that someone meet with resident Tom Brumgard and suggested that Birdsboro Borough become an ECO Borough and utilize renewable energy. Councilwoman Cotter attended the EMA Management for elected officials and suggested the 200 level be taken.
- Councilman Scioli recommended adding resident Tom Brumgard to the Skate/Bike Park Committee. President Happel named Borough resident Tom Brumgard to the Skate/Bike Park Committee.
- Councilman Blank asked a Skate/Bike Park Committee question.
- Councilman Peterson noted that resident Tom Brumgard discussed locations for the skate/bike park such as Main Bird, Maple Springs, Rustic, Vest Pocket and the Birdsboro Elementary Center playground.
- Councilman Myers distributed a conceptual design for the 4th Heritage Sign which will be the neighborhood signs and he is looking for pictures of the locations.

### **PUBLIC COMMENT:**

- No public comment.

### **EXECUTIVE SESSION**

- Council recessed into Executive Session at 9:10 p.m. and reconvened at 9:50 p.m. The Executive Session was to discuss the hiring of two personnel for the Wastewater Treatment Department, not done in accordance with the agreement with the Borough. The Borough is to send a letter to the Birdsboro Municipal Authority about being involved in hiring and the interview process.
- **MOTION** was made by Councilman Blank and seconded by Councilman Scioli to ratify retroactively the hiring of Kenneth Richard Templin and Gage Michael Gentile for the Wastewater Treatment Department. Motion carried 7-0.
- **MOTION** was made by Councilman Blank and seconded by Councilman Scioli to have Borough Council send a letter to the Birdsboro Municipal Authority that any employee hired is to be approved by the Borough and Borough Council is to participate in the interview and hiring process. Motion carried 7-0.

### **ADJOURNMENT**

- The meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Aaron J. Durso  
Borough Manager