

MINUTES OF THE BIRDSBORO BOROUGH REORGANIZATION MEETING  
JANUARY 6, 2020 7:00 P.M. – BOROUGH HALL

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

**Absent:** Richard Happel, President  
Ashley Gieringer, Jr. Council Member

**Staff & Professionals:** Terry Weiler, Solicitor  
Todd Trupp, Chief of Police  
Kelly J. Yanos, Manager  
Bonnie L. Frisco, Secretary/Treasurer

**Call to Order:** Vice President McCauley 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.

Oaths of Office were administered by Mayor Peterson to newly elected officials Neil McCauley and Matthew Welch.

Mayor Peterson asked for nominations for Council President. Councilman Welch nominated Vice President McCauley and there were no other nominations. Nomination seconded by Councilman Scioli. Nomination carried 5-0.

President McCauley asked for nominations for Council Vice President. Councilman Myers nominated Councilwoman Cotter and there were no other nominations. Nomination was seconded by Councilman Welch. Nomination carried 5-0.

### **Appointments**

A **motion** was made by Councilman Welch and seconded by Councilman Scioli to approve all appointments below a) through l). President McCauley asked if there were any questions and Vice President Cotter requested that g) be voted on separately. Motion carried for approval of appointments a) through f) and h) through l). Motion carried 5-0.

#### **1. Appointments**

- a) John Hartline – Civil Service Commission – 6-year term to expire 12/31/26
- b) Devin Mooney – Civil Service Commission Alternate – 6-year term to expire 12/31/26
- c) Joe Peterson – Planning Commission – 4-year term to expire 12/31/23
- d) Matt Winger – Planning Commission – 4-year term to expire 12/31/23
- e) David Wheeler – Zoning Hearing Board – 3-year term to expire 12/31/22
- f) David Seidel – Zoning Hearing Board Alternate – 3-year term to expire 12/31/22
- g) David Blank – Board of Appeals – 3-year term to expire 12/31/22
- h) Huckabee, Weiler and Levengood – Planning Commission Solicitor
- i) Charlie Benson – Vacancy Board

- j) Fred Mogel – Zoning Hearing Board Solicitor
- k) Carol McAllister – Recording Secretary – Civil Service Commission
- l) Thomas Klonis – Solicitor - Civil Service Commission

**MOTION** was made by Councilman Myers and seconded by Councilman Scioli to approve appointment of g) David Blank to the Board of Appeals Motion carried 4-1 with Vice President Cotter voting no.

### **Resolutions**

**MOTION** was made by Councilman Scioli and seconded by Councilman Welch to adopt Resolution Nos. 2020-02 through 2020-16 with Vice President Cotter abstaining from Resolution No. 2020-09 appointing Herbein & Company as the Independent Auditor. Motion carried 5-0.

Resolution 2020-01 for no employee contribution to the Police pension plan will be acted on at a later date pending further pension information updates.

- 2020 -01 - No Employee Contribution to Police Pension Plan
- 2020-02 – Appoint Kelly J. Yanos as Borough Manager
- 2020-03 – Appoint Berks EIT Tax Bureau as EIT and LST Tax Collector
- 2020-04 – Appoint Brian Boyer of Boyer Engineers as Borough’s Engineer
- 2020-05 – Appoint Kenneth J. Imes, Jr. as Emergency Management Coordinator
- 2020-06 – Appoint Bonnie L. Frisco as Borough Secretary and Treasurer
- 2020-07 – Appoint BB&T as the Investment Institution
- 2020-08 – Appoint Michael Schwenk of LTL Consultants, Ltd. as the Zoning and Codes Officer
- 2020-09 – Appoint Herbein & Company as the Independent Auditor
- 2020-10 – Appoint Huckabee, Weiler and Levengood, PC as the Borough Solicitor
- 2020-11 – Appoint Vist Bank as the Depository for Operating Funds
- 2020-12 – Re-enacting the Per Capita Tax
- 2020-13 – Re-enacting the Real Estate Transfer Tax
- 2020-14 – Appoint Kelly J. Yanos as the Admin Officer of the Borough Pension Plans
- 2020-15 – Appoint Kenneth Templin as the Fire Marshal and Fire Code Inspector
- 2020-16 – Appoint Barry Katzin and Kenneth Imes, Jr. as the Deputy Fire Marshals and Deputy Fire Code Inspectors

Motion was made by Councilman Myers and seconded by Vice President Cotter to adjourn the reorganization meeting at 7:15 p.m.

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**Minutes–December 16, 2019 Council Meeting**

- **MOTION** was made by Vice President Cotter and seconded by Councilman Myers to approve the December 16, 2019 Council Meeting minutes as amended. Motion carried 5-0.

There was lengthy discussion with Jon Cassidy regarding the Haycreek Bridge project. Item to be discussed later in the meeting.

**Bills List**

- **MOTION** was made by Councilman Myers and seconded by Vice President Cotter to approve the Bills List dated January 6, 2020 and Checks for Ratification dated December 17, 2019 – January 5, 2020. Motion carried 5-0.

Councilman Myers asked about the Animal Rescue League contract and Manager Yanos noted the option presented is \$1 per capita and President McCauley inquired if the Borough is getting reimbursed by the animal owners and it was noted that the animal owners are not providing reimbursement when invoiced.

**Manager's Report**

- Manager Yanos noted the Christmas trees are being collected and trees are to be placed by the curb without the decorations and stand.
- Manger Yanos noted the 64-gallon recycling totes to be provided to all residents. President McCauley noted that some residents may not want a large recycling tote. Steve Lusky joined the conversation as there was discussion about whether the totes should be assembled and delivered by others or by the Borough workers. Councilman Myers asked when the recycling contract ends and it was noted the contract is up the end of 2020. Don Wary asked if the recycling goes in with the garbage and Mr. Lusky the recycling gets taken to Total Recycle and not the landfill. Mr. Lusky left the meeting to get the updated tote quote.

**Mayor/Police Reports**

Chief Trupp noted the Civil Service Commission had a meeting today and no action was taken and noted they received from the Civil Service Commission Solicitor changes the State is recommending. The intern has started and Sergeant Riegel is back to work. The vehicles at Douglass and Cocalico are gone and the posting of the enforcement signs is to be done.

**Emergency Management**

Ken Imes, Emergency Management Coordinator (EMC), noted he will be moving to out of the Borough but will retain his home in the Borough and would continue on as the EMC.

**Fire Department**

No new report

**Solicitor's Report**

- **MOTION** was made by Councilman Scioli and seconded by Councilman Myers to approve Ordinance No. 488, the Recreation Board Ordinance with the correction of changing 'contemporaneously' to 'expeditiously' on Page 2. Motion carried 5-0.
- Agreements completed were noted: Municipal Policing Agreement, Pistol Range Agreement, Pastoring Agreement and Internship Agreement.
- Solicitor Weiler noted that action may not be taken immediately regarding elected council member Mitchell Bailey as official notice has not been received from Berks County Elections. Once notice is received Council has 30 days to fill the seat.
- The Board of Health ordinance may be amended to only require the appointment of a Health Officer.

**Manager's Report (cont'd)**

- Mr. Lusky distributed to Council the current recycling tote quote.
- **MOTION** was made by Councilman Welch and seconded by Councilman Myers to approve the purchase of the 2,500 recycling totes without assembly for the cost of \$92,998.00. Vice President Cotter noted concern of making a decision without prior review. Motion carried 4-1 with Vice President Cotter voting no.

**Council/Committee Reports**

- Councilman Scioli noted a Genesis event at High Point Baptist Church and he has flyers if anyone is interested.
- **MOTION** was made by President McCauley and seconded by Councilman Welch to authorize the preparation of a purchase order for the Haycreek Pedestrian Bridge. Vice President Cotter suggested the issue be discussed with the Borough Engineer. President McCauley and Councilman Welch rescinded the motion. Councilman Myers motioned to withdraw the original motion and Councilman Welch seconded the withdrawal of the original motion. Vice President Cotter suggested the issue be discussed with the Borough Engineer. President McCauley suggested forming a subcommittee for the Haycreek Pedestrian Bridge project. President McCauley and Vice President Cotter will be on the subcommittee. Motion carried 5-0.

**ADJOURNMENT:** The meeting adjourned at 8:35 p.m.

Respectfully submitted,

Bonnie L. Frisco  
Borough Secretary