

MINUTES OF THE BIRDSBORO BOROUGH COUNCIL MEETING
MAY 18, 2020 7:00 P.M. – BOROUGH HALL
(Meeting held Teleconference)

Council Members Present: Joseph Peterson, Mayor
Neil McCauley, President
Mary Ann Cotter, Vice President
Robert Myers, Member
Richard Happel, Member
Anthony Scioli,, Member
Matthew Welch, Member
Nancy Kauffman, Member

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

Call to Order: 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 Vice President Cotter

Public Comment on Agenda Items: None

Minutes– May 4, 2020 Council Meeting

- **MOTION** was made by Councilman Happel and seconded by Councilwoman Kauffman to approve the May 4, 2020 council meeting minutes as presented. Motion carried 7-0.

Bills List

- **MOTION** was made by Councilwoman Kauffman and seconded by Councilman Scioli to approve the Bills List dated May 18, 2020 and Checks for Ratification dated May 5, 2020 – May 17, 2020. Motion carried 7-0.
- **MOTION** was made by Councilwoman Kauffman and seconded by Councilman Welch to approve the Treasurer’s Report dated May 18, 2020. Motion carried 7-0.

Manager’s Report

- Manager Yanos reminded everyone about the summer Council meeting schedule which will be the third Monday of each month at 7:00 p.m. for June, July and August.
- Manager Yanos noted that due to the lesser than expected increase in the Teamster’s health insurance, the Public Works Department insurance costs will be \$7,000 less than budgeted and the Water and Sewer Departments will be \$6,000 less than budgeted for each department.
- **MOTION** was made by Councilwoman Kauffman and seconded by Councilman Welch to approve the hiring of summer help for the Water Department, contingent upon approval by the Birdsboro Municipal Authority, at an hourly rate of \$14.00 for a 40-hour week weather permitting. Motion carried 7-0. It was clarified that the summer help wages will be taken out the Water Department budget.

Engineer’s Report

- There was discussion regarding the Motta Property and the various options for the property. Councilman Myers noted his concern regarding the blighted state of the old railroad station. The

railroad station will be treated as a blighted property and inspected by the Codes Officer when deemed appropriate. If the Borough does not obtain the whole property then whoever owns the portion where the railroad station resides, whether that be Motta or the Berks County Redevelopment Authority, would need to maintain the railroad station.

- **MOTION** was made by Councilwoman Kauffman and seconded by Vice President Cotter to select the Motta property plan with the full right-hand turn lane. Councilwoman Kauffman and Vice President Cotter moved to amend the motion to select Sketch Plan 1 of the Motta Country Garden Plan as it relates to the intersection at W. 1st and S. Furnace Streets which indicates obtaining a full right-turn lane. Motion carried 7-0.
- Engineer Boyer noted the letter to be sent to legislatures regarding support of the Haycreek Bridge process and relating to an extension on the grant. Manager Yanos noted the letter was not sent due to concerns regarding the availability of grant funds. President McCauley instructed the legislature letters be sent to accelerate the process.
- Engineer Boyer noted the Armorcast Road Bridge design and will be working on specifications for the bidding process. The estimated cost of the project is \$155,000-165,000.
- Engineer Boyer provided the plans for the Legion Field Upgrades and noted the American Legion Post 626 is working on pricing out the materials.
- Engineer Boyer noted the 2020 Road Project is moving forward and he is working on MS4 agreements.
- Councilman Myers asked Engineer Boyer if the Armorcast Road Bridge is structurally sound and Engineer Boyer noted it is structurally sound.
- Councilman Myers inquired about what will happen with the railroad station on the Motta property and Solicitor Weiler stated there will not be an answer to that until it is determined who owns the property and how much of the property the Borough will obtain. Councilwoman Kauffman asked if the Borough can request to get the entire piece of land then the railroad station would have to be moved and Solicitor Weiler stated he is not certain of the County's position at this time. Solicitor Weiler will speak with the solicitors for Motta and the Redevelopment Authority to determine what can be done with the building.

Mayor/Police Reports

- Chief Trupp noted he received a business compliance/non-compliance list from the District Attorney's office and the District Attorney's office will determine on a case-by-case basis whether the local or State police will handle the enforcement. Chief Trupp noted the County's Graffiti Abatement Program and he will reach out to the Director once staff has returned.
- Chief Trupp noted there will be a meeting tomorrow with representatives from Daniel Boone School District, various fire companies and Amity Police Department to discuss the Senior recognition activities. The past six weeks, the Police Department has been helping St. Mark's deliver meals.
- Mayor Peterson asked Manager Yanos if the Borough will need to institute a spending freeze and Manager Yanos noted concern about the EIT taxes as they are 1/3 of the tax income but a spending freeze is not necessary now but the situation will need to be monitored.
- Mayor Peterson noted the case of Glen Miller being denied by the Zoning Hearing Board to live in the camper that he had established on his industrial property on W. Main Street. Mayor Peterson asked Council if Glen Miller could be granted a temporary U/O to reside in an RV on his industrial property on W. Main Street for 90-100 days out of the year. Solicitor Weiler noted that the Borough does not have regulations that allow a temporary U/O for such a use and also noted that everyone needs to be sensitive to the decision made by the Zoning Hearing Board,

noting that spot zoning cannot be done. Mr. Happel noted that Glen Miller had previously installed an illegal holding tank at the camper location and felt it would be a mistake if Council allowed temporary U/O's for such use. President McCauley noted Glen Miller would need to take the legal route and Solicitor Weiler noted the area where Glen Miller wants to place the RV is an area not zoned for residential residency. Councilman Myers noted that if the temporary U/O is allowed it will set a precedence. The matter should be discussed with the Engineer and Zoning Officer.

Emergency Management

Kenneth Imes noted the Declaration of Emergency is still active with no end in sight. Mr. Imes has been addressing expense reimbursements and keeping on top of which expenses can be reimbursed specifically noting the potential for expenses incurred for meeting attendees including residents incurring telephone/data costs for attending teleconference meetings.

Fire Department: Report is included in the next Council packet

Solicitor's Report

- The Amorcast Road Deed of Dedication has been signed and received.
- Solicitor Weiler suggested Solicitors London and Pick join the Council meeting in June to discuss the Motta property.

Council/Committee Reports

- Councilman Welch wished Chief Trupp a belated Happy Police Week. Councilman Welch stated his father passed away at the beginning of May and noted that Birdsboro is such a special, supportive community.
- Vice President Cotter noted she attended the recent CELG Zoom meeting. Vice President Cotter thanked Manager Yanos and Solicitor Weiler for doing everything they can to keep things running smoothly and thanked Tom Brungard for attending the meeting.
- Councilman Scioli asked if the double water bill issue was resolved and Manager Yanos noted that the resident did not contact her but the meter replacement project is on hold due to COVID-19.
- President McCauley recommended the double water billing be avoided in the future and noted that the Primary Election will be held June 2. Councilwoman Kauffman noted that there will be consolidation due to the lack of election volunteers.
- Councilman Myers noted that the American Legion Post 626 obtained numerous flags and 30-40 volunteers will be placing them on veterans' gravesites.
- Councilman Myers noted he has several wooden block replicas of Birdsboro Borough historical buildings, the result of a project undertaken in the 1990's by the Borough's then Historical Commission. Councilman Myers suggested that the wooden block replicas be offered to local restaurants, churches, etc. to sell for fundraising purposes, suggesting a price of \$4.00 for each wooden block, with \$2.00 going to the restaurant, church, etc. and \$2.00 to the Borough (to be used for the Borough's next historical marker). It was suggested the price be raised to \$5.00 per piece. Manager Yanos will consult with Solicitor Weiler to determine if the Borough may fundraise and if so how may the monies be utilized.
- President McCauley noted the Pioneer Crossing Landfill Committee did not meet but the meeting packets will be provided to the committee members.

Public Comment

- Tom Brungard, 908 Union Street, noted he did not incur any charges for attending the Zoom meeting via internet. Mr. Brungard noted he thinks it would be best to convince the Redevelopment Authority to give the Borough the entire Motta property. Mr. Brungard thanked Council, noting that everyone is not aware of all the work Council does outside of the meetings.

ADJOURNMENT: The meeting adjourned at 9:03 p.m.

Respectfully submitted,

Bonnie L. Frisco
Borough Secretary