

MINUTES OF THE BIRDSBORO BOROUGH COUNCIL MEETING
JULY 19, 2021 7:00 P.M. – BOROUGH HALL

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

**Council Member Present
Via Telephone:** Mary Ann Cotter, Vice President

Staff & Professionals: Terry Weiler, Solicitor
Brian Boyer, Engineer (arrived at 7:35 p.m.)
Todd Trupp, Chief of Police
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

Visitor(s): Bruce Godfrey, Tom Brungard, Matt Elgonitis, Ken Imes, Susie and Russell Lander

Public Comment on Agenda Items: None

Minutes– June 21, 2021 Council Meeting

- **MOTION** was made by Councilman Welch and seconded by Councilwoman Kauffman to approve the June 21, 2021 council meeting minutes as amended. Motion carried 7-0.
 - Under Council/Committee Reports – Bullet Point #7 to read “Councilman Happel noted the two (2) unnecessary stop signs at Silverbrook Drive, Washington Street and W. 6th Street. **MOTION** was made by Councilman Happel and seconded by Councilwoman Kauffman to remove the two (2) stop signs at Silverbrook Drive, Washington Street and W. 6th Street. Motion carried 7-0. Vice President Cotter noted that Council should wait a month before voting on this matter, so that Council had time to look into it”

Bills List

- **MOTION** was made by Councilwoman Kauffman and seconded by Councilman Happel to approve the Bills List dated July 19, 2021 and Checks for Ratification dated June 22, 2021 – July 18, 2021. Motion carried 7-0.

Treasurer’s Report

- **MOTION** was made by Councilwoman Kauffman and seconded by Councilman Happel to approve Treasurer’s Report dated July 19, 2021. Motion carried 7-0.
 - Councilman Myers asked for an accounting of line item numbers G409373 (Repairs & Maintenance – Boro Buildings)

Manager's Report

- **Water Department Vacancy** – to be discussed in Executive Session
- **Caitlynn Dillon** – Borough Council commended Caitlynn Dillon on the outstanding job she is doing on the graffiti abatement painting at Rustic Park.
- **Solar Energy** – Further information to be obtained with Borough Council consensus
- **Recycling Grant** - Councilwoman Kauffman inquired about the recycling grant status and Manager Yanos noted she had spoken to Jane Meeks and the grant may be broken down into three categories: 1) dump truck, vacuum, and recycling totes; 2) land work and 3) brush area/public education

Mayor/Police Reports

- Chief Trupp noted fraudulence involving unemployment compensation claims, individuals affected may contact the Police Department to obtain the proper forms to submit. There were approximately 25 fireworks complaints in the Borough, also noted was a noisy scooter driving around town, the police are actively pursuing the individual.
- Concern was noted surrounding an incident at Furnace Street and it was noted that individuals may sign up for 911 notifications if they may be affected by a particular incident. Individuals may sign up at SWIFT911.

Engineer's Report

Engineer Boyer reviewed his report with Council, a copy of which will be kept on file. The Armorcast Bridge is estimated to open mid-August, the paving and railing painting costs have been pulled from the contract as more funds are needed for the decking due to unexpected bad conditions. Mayor Peterson asked Engineer Boyer if there is a warranty on the powder coating of the beams on the E. 1st Street Bridge and Engineer Boyer responded he is researching that.

Emergency Management

MOTION was made by Councilwoman Kauffman and seconded by Councilman Scioli to authorize Solicitor Weiler to prepare a resolution for the end of the Declaration of Emergency declared by the State, effective immediately. Motion carried 7-0.

Fire Department: No new report

Solicitor's Report

- The agreement with Berks Nature has been signed.
- Solicitor Weiler met with Chief Trupp and Manager Yanos regarding the railroad tracks and attempts are being made to contact the appropriate parties.
- Solicitor Weiler noted he spoke to William Colby, representing resident Kevin Arters, regarding a fence issue at Orange Street and E. 2nd Street. Solicitor Weiler suggested involving Chief Trupp, the Borough Code Enforcement Officer and the Borough Engineer to establish a resolution.
- Solicitor Weiler is looking into the certifications required for a Health Officer, to contact other municipalities for further information.

Council/Committee Reports

- **MOTION** was made by Councilman Happel to not proceed with the recycling grant application. There was not second to the motion. Motion failed.

- Councilwoman Kauffman noted that there will be a Haycreek cleanup Saturday, July 31 coordinated by Tulpehocken Creek Outfitters and J.P. Mascaro will collect the trash.
- Councilman Scioli thanked Vice President Cotter for this evening's prayer and thanked the Recreation Board for the work they do and thanked all of those in attendance.
- Vice President Cotter inquired about the need for a portable lavatory at the American Legion Post 626 Ball Field and Manager Yanos noted that matter has been resolved. Vice President Cotter thanked Ms. Dillon for the painting of the graffiti, thanked all of those in attendance.
- President McCauley noted that this week's Pioneer Crossing Landfill Advisory Committee meeting has been cancelled.
- Councilman Myers asked Solicitor Weiler for an update of the Motta property and Solicitor Weiler noted that there is no new update.

Recreation Board

Chruce Godfrey, Chairman of the Recreation Board, noted the following:

- The water event at Rustic Park is schedule for August 12, activities to include waterslide kickball and a bounce house. Chairman Godfrey thanked Vice President Cotter for here generous donation for the event and Uncle Jacks' provided a donation as well.
- Movie night is this Saturday, July 24 at Texas Ball Field, the movie is Independence Day.
- Chairman Godfrey thanked Council for the portable lavatory for the Farmer's Market.
- **MOTION** was made by Councilwoman Kauffman and seconded by Councilman Scioli to authorize the Recreation Board to oversee the Birdsboro Hometown Christmas event, with coordination with the other individuals previously involved with the planning of the event. Motion carried 7-0.
- Tom Brungard, Secretary of the Recreation Board, noted the walking tours will be September 11.

Public Comment

- Matt Elgonitis, 217 S. Walnut Street, inquired about the unemployment compensation fraud and noted his wife was affected, Chief Trupp noted he can contact the Police Department. Also noted was the good job done at the intersection of E. 3rd Street and S. Walnut Street but there have been issues with speeding, Chief Trupp noted speed signs can be placed there.
- Chruce Godfrey, 204 Hampton Drive, noted concern regarding an incident that occurred relating to the payment for additional Hometown Hero Banner brackets and the way it was handled, including the inappropriate sharing of the Manager's Report and criticizing of employees. Specific concerns noted were: leadership of Council, handling of the Manager's Report, and small town politics. Mr. Godfrey noted that he feels that the employees are underappreciated and not recognized for the work that they do.

Executive Session

Council recessed into Executive Session at 8:55 p.m. to discuss personnel and reconvened the regular meeting at 9:20 p.m. Solicitor Weiler provided an overview of the Executive Session, the subject was the resignation and replacement for the Water Department Chief Operator, to include the contractual required 10-day posting of the position, approval to contract with temporary assistance and then advertise for a full time Chief Operator and a permanent part time Operator.

MOTION was made by Councilman Happel and seconded by Councilman Welch to:

- Accept Chief Operator John Ruth's resignation
- Post the Chief Operator position for 10 days

- Concurrent with the 10-day posting, authorize the advertising of the Water Department Chief Operator position and a permanent part time Water Operator position and contract with a temporary Operator

Motion carried 7-0.

There was discussion regarding the potential for a temporary part-time position for the purpose of U/O transfer inspections and rental inspections. Manager Yanos was authorized to contact Kraft Code Services regarding Code Enforcement services.

ADJOURNMENT: The meeting adjourned at 9:52 p.m.

Respectfully submitted,

Bonnie L. Frisco
Borough Secretary