

MINUTES OF THE BIRDSBORO BOROUGH COUNCIL MEETING  
AUGUST 16, 2021 7:00 P.M. – BOROUGH HALL

Birdsboro Borough Council (the “Council”) Members Roll Call:

Neil McCauley, President - present	Anthony Scioli, Member - present
Mary Ann Cotter, Vice President - present	Matthew Welch, Member – absent
Robert Myers, Member - present	Nancy Kauffman, Member - present
Richard Happel, Member - present	Joe Peterson, Mayor - present

Staff and Professionals Present:

Terry Weiler, Solicitor  
Brian Boyer, Engineer  
Kelly J. Yanos, Manager  
Bonnie L. Frisco, Secretary/Treasurer

**Call to Order:** President McCauley called the meeting to order at 7:04 p.m. and led the Pledge of Allegiance to the Flag.

Opening prayer was led by Vice President Cotter

**Visitor(s):** Tom Brungard, Matt Elgonitis, Susie and Russell Lander

Jeromy Pacana, Constituent Advocate, US Representative Chrissy Houlahan’s Office, provided an overview of Representative Houlahan’s activities and fielded inquiries from Council. Councilman Scioli asked Mr. Pacana about Representative Houlahan’s opinions on the issues of economy, Afghanistan, the border and Voter ID changes. Mr. Pacana to follow up with Councilman Scioli.

**Public Comment on Agenda Items:** None

**Minutes– July 19, 2021 Council Meeting**

- **MOTION** was made by Councilwoman Kauffman and seconded by Councilman Happel to approve the July 19, 2021 council meeting minutes as amended. Motion carried 6-0.
  - Change all 6-0 votes to 7-0 votes
  - Under Council/Committee Reports – last bullet point, change ‘there is new update’ to ‘there is no new update’

**Bills List**

- **MOTION** was made by Councilwoman Kauffman and seconded by Councilman Scioli to approve the Bills List dated August 16, 2021 and Checks for Ratification dated July 20, 2021 – August 15, 2021. Motion carried 6-0.

**Treasurer’s Report**

- **MOTION** was made by Vice President Cotter and seconded by Councilwoman Kauffman to approve Treasurer’s Report dated August 16, 2021. Motion carried 6-0.

**Manager’s Report**

- **Recycling Grant– MOTION** was made by Councilman Happel and seconded by Councilman Scioli to take no further action or follow through relating to the Recycling Grant Application No. 902-031-2019. Motion carried 6-0.
- **Berks County EMS Dispatch Agreement – MOTION** was made by Vice President Cotter and seconded by Councilman Myers to approve the resolution from Berks County EMS which limits the increase in dispatching fees to the inflation index rate. Motion carried 6-0.
- **Recycling Services Bid** – Manager Yanos to provide the recycling bid specifications to Council for review at the next Council meeting.
- **Memorial Bench at Rustic Park - MOTION** was made by Vice President Cotter and seconded by Councilman Happel to approve the requests from Sue Langkamer to erect a bench in Rustic Park in memory of her son between Pavilions 2 & 3 near the bank of the Hay Creek contingent upon the approval of the Borough Engineer and Recreation Board. Motion carried 6-0. This project has potential to be considered for a Scout project.
- **Community Center Event at Main Bird Park – MOTION** was made by Councilman Myers and seconded by Councilwoman Kauffman to approve the use of Main Bird Park for the Community Center drive-through Halloween event on Saturday, October 23, 2021. Motion carried 6-0.
- **“On the Road” County Commissioners’ Meetings – MOTION** was made by Councilman Scioli and seconded by Councilwoman Kauffman to give permission to register the Borough as a potential host municipality for an “On the Road” County Commissioners’ Meeting. Motion carried 6-0. The County Commissioner’s “on the Road” meeting may be a good opportunity to discuss a County Board of Health.
- **COVID Sick Day Reinstatement** – After discussion, no action taken. Additional financial information requested.
- **Removal of Rock at Main Bird Park** – Permission granted to remove the large rock at Main Bird Park.
- **Use and Occupancy Transfer Inspection Program** – After a lengthy discussion, **MOTION** was made by Councilwoman Kauffman to repeal the ordinance which governs the Certificate of Use and Occupancy for resale/transfer inspections. There was no second to the motion, therefore the motion failed. Solicitor Weiler recommended Council review the Certificate Use and Occupancy Ordinance prior to any action. The ordinance will be provided to Council for review.

### **Engineer’s Report**

Engineer Boyer reviewed his report with Council, a copy of which will be kept on file. Councilman Scioli asked Engineer Boyer to look at projects to see if they fall under the emergency plan monies.

### **Mayor/Police Reports**

- Mayor Peterson commended the Recreation Board on the Water in the Park event held Sunday, August 15 and also noted the below.
- Chief Trupp is looking into the curb street numbering project.
- The results of the speed sign on E. 3rd Street at S. Walnut Street noting that the actual speed is slightly higher than the recorded speed. The speed limit is 25 mph and the average clocked by the speed sign was 15 mph with the highest readings being between 36-40 mph and another percentage being under 35 mph and the remaining under 30 mph.
- Chief Trupp is finalizing the PEMA award for civil service, amount of the award is \$1,125.00.
- Mayor Peterson recognized the passing of Kenneth Sutton and Ray Dengler and noted their dedication to community.

**Emergency Management:** No new report

**Fire Department:** Report provided in the Council packet

**Solicitor's Report**

- **MOTION** was made by Vice President Cotter and seconded by Councilman Happel to approve Resolution No. 2020-21 for the termination of the Declaration of Emergency and all Extensions. Motion carried 6-0.
- **MOTION** was made by Councilman Scioli and seconded by Councilwoman Kauffman to approve Resolution No. 2020-22 for the termination of Resolution No. 2020-18 which allowed council members to participate in and vote on council business by way of telephonic communication. Motion carried 6-0.
- **MOTION** was made by Councilman Happel and seconded by Councilwoman Kauffman to authorize President McCauley to sign the Birdsboro Municipal Authority/Union Township Municipal Authority Termination Agreement, which was approved at a previous date. Motion carried 6-0.
- Solicitor Weiler noted that the Berks Nature agreement is signed.
- Solicitor Weiler noted the Motta case has been settled for an amount of \$150,000. It is presumed the building will be disassembled and Mr. Motta will have ten (10) days to claim the parts; if that does not occur, the Berks County Redevelopment Authority can proceed as they see fit.

**Council/Committee Reports**

- Vice President Cotter noted she felt the Borough Hall door should be closed to the public. After further discussion, **MOTION** was made by Vice President Cotter to keep the Borough Hall door locked until further notice. There was no second to the motion, therefore the motion failed. It was suggested the staff determine whether they wanted to lock the door or have it remain open. It was requested that prices be obtained to install a camera and buzzer for the Borough Hall door.
- Vice President Cotter inquired about the ability to join meeting by zoom as the current telephonic device used to call in is not in good working condition. Solicitor Weiler noted hybrid meetings could be problematic.
- Vice President Cotter noted the 1st Street Players' Rock of Ages show was fabulous and it was announced at the show that Harms Benefit monies were utilized. Also noted was the great Water in the Park event and Vice President Cotter thanked the Recreation Board for the event.
- Vice President Cotter inquired about a Planning Commission meeting and Mayor Peterson noted they will be discussing precursory plans for the old Birdsboro Elementary Center.
- Vice President Cotter noted concern of the contracting with Miller Environmental for the Water Department, and it was noted that they are one of the few contractors that are qualified to run the Water Plant and keep the plant in compliance with DEP reporting and regulations.
- Vice President Cotter thanked all the Borough Office staff and Solicitor Weiler for their hard work and thanked all of those attending the meeting.
- Councilman Scioli thanked the Cotter's and Uncle Jack's for their support of the Water in the Park event and thanked the Fire Department for filling the dunk tank. Councilman Scioli noted the 1st Street Players event, Rock of Ages, was awesome. The Farmer's Market had another great week. Councilman Scioli noted that Denise Harner was appointed to the Eastern Sectional Command Officer. Councilman Scioli asked about the American Rescue Plan and if monies can be utilized for organizations that helped during the pandemic such as St. Mark's and the Community Center.

- Councilwoman Kauffman inquired if J.P. Mascaro will be installing the fence at the trailhead and Mayor Peterson noted he thought they were given the approval to do so. Councilwoman Kauffman also noted a resident's concern regarding homeowners putting grass and yard waste in the street causing clogs in the catch basins. Manager Yanos noted that the Public Works Department does provide letters to those households that put their grass and yard waste in the street. Councilwoman Kauffman noted that that at the July 31 Hay Creek clean up, four tires and an old TV were found along with several fishing lines with hooks in the trees which are dangerous to birds.
- President McCauley noted the Pioneer Crossing Landfill Advisory Committee will meet Wednesday. The cleared out section at the J.P. Mascaro property will be used for the parking of trucks.

#### **Recreation Board**

Matt Elgonitis, Vice Chairman of the Recreation Board, noted the following:

- Thanks went out to Vice President Cotter and Borough staff for their help with the Water in the Park event, the event helped gain support for the PTC and school supply donations were received.
- The next movie night will be August 21 at Texas Ball Field, movie will be Night at the Museum.
- The walking tours will be held September 11 and the Recreation Board is planning their fall/winter events.

**Public Comment:** None

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

Respectfully submitted,

Bonnie L. Frisco  
Borough Secretary