

Meeting Minutes of the
BIRDSBORO BOROUGH COUNCIL
OCTOBER 3, 2022 7:00 P.M. – BOROUGH HALL

Council roll call:

Matthew Welch, President – present
Neil McCauley, Vice President - present
Robert Myers, Member – present
Mary Ann Cotter, Member - present

Thomas Brungard, Member –present
Matthew Elgonitis, Member – present
Alen Harris, Member-elect (via zoom)

Also, in attendance were:

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

Call to Order: President Welch 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.

Visitor(s): Tamara Twardowski, Dave Moss (American Legion Post 626), Christen Thompson, Drew Lamb, Susie and Russell Lander

Agenda Amendments

MOTION was made by Councilman Elgonitis and seconded by Councilman Brungard to add appointment of Drew Lamb to the Recreation Board. 6-0. Amended agenda will be duly posted in accordance with the Pennsylvania Sunshine Act.

Presentation – Landon Herzog – Community Service Project – Flagpoles – American Legion Post 626

Landon Herzog presented his proposed project to install three flagpoles at the American Legion baseball field near the street right next to the Birdsboro sign. Vice President McCauley suggested negotiating with a company in Fleetwood for the blocks, and Landon noted he was concerned that the company may not provide the blocks needs for the project. Dave Moss stated that the American Legion Post 626 will provide the funds for the project that Landon may need to fulfill the costs for the project. It was recommended that Landon check with the Code Department to confirm the project meets the proper codes and regulations. The flags to be flown on the three flagpoles are the State, American and military flags.

MOTION was made by Councilwoman Cotter and seconded by Vice President McCauley to place \$1,000 in the 2023 budget for this project contingent upon the submission of a plot plan and subsequent approval by the Codes Department. Motion carried 5-0-1 with abstention by Councilman Myers due to his involvement with the American Legion Post 626.

Public Comment on Agenda Items

Dave Moss of the American Legion Post 626 noted that the Legion will pickup up the costs of the Eagle Scout Project that is not picked up by other sources.

Minutes– September 19, 2022 Council Meeting

- **MOTION** was made by Vice President McCauley and seconded by Councilman Myers to approve the September 19, 2022 council meeting minutes as presented. Motion carried 5-0 with President Welch abstaining due to his absence at the September 19, 2022 council meeting and also the 5-0 vote is due to Alen Harris not yet being appointed to Council.

Minutes– September 19, 2022 Budget Meeting

- **MOTION** was made by Vice President McCauley and seconded by Councilman Brungard to approve the September 19, 2022 budget meeting minutes as amended. Motion carried 4-0 with President Welch and Councilman Myers abstaining due to absence at the September 19, 2022 budget meeting and also the 4-0 vote is due to Alen Harris not yet being appointed to Council. Amendment being: section American Legion Post 626 remove Vice President’s McCauley’s reference to ballfield lights and change it to LED lights.

Bills List

- **MOTION** was made by Councilwoman Cotter and seconded by Vice President McCauley to approve the Bills List dated October 3, 2022 and Checks for Ratification dated September 20– October 2, 2022. Motion carried 6-0.

Interim Bills and Payroll

- **MOTION** was made by Vice President McCauley and seconded by Councilman Elgonitis to approve the Interim Bills and Payroll. Motion carried 6-0.

Manager’s Report

- **Police Contract** – to be discussed in Executive Session.
- **Parade Ordinance Amendment** – It was noted that streets will be posted (for no parking) 72 hours in advance of the Memorial Day Parade and the Halloween Parade.
MOTION was made by Vice President McCauley and seconded by Councilwoman Cotter to approve advertising of the amended Parade Ordinance along with the Commercial Inspection and Animal ordinances once they are completed. Motion carried 6-0.
- **Recreation Board Appointment – Drew Lamb** – **MOTION** was made by Councilman Elgonitis and seconded by Councilman Brungard to appoint Drew Lamb to the Recreation Board. Motion carried 6-0.

Engineer’s Report

- Engineer Boyer reviewed his report with Council, a copy of which will be kept on file.
- Noted was that language should be added to the Comcast cable franchise agreement that all areas affected by construction to be restored back to the original condition.

Mayor/Police Reports

- Chief Trupp noted that the Police Department is preparing for the Halloween Parade and at the parade a probation officer that serves this area will have a table set up at the parade.

- Chief Trupp noted something needs to be done about the Civil Service rules in Pennsylvania as it takes at least six months to go through the process of hiring an officer and that there is usually a small number of candidates to begin with and by the time the process is closing to completion good candidates may have found employment elsewhere. Councilman Myers noted that possible legislation was proposing that the Civil Service procedure would only be required for departments with ten officers instead of three that the rules require currently.
- Chief Trupp noted that there has been 2,500+ visitors to the dump site, 96 notices have been sent.
- Chief Trupp provided an update of the rooster issue at Jefferson Street and Cocalico Road and noted that the residents have not complied with the order to remove the rooster.

Municipal Services / Department Reports

- **Wastewater Treatment Plant:** Report included in the next Council packet
- **Water Treatment Plant:** Report included in the next Council packet
- **Streets Department:** Report included in the next Council packet

Recreation Board

- Christen Thompson, representative for the Recreation Board, noted that the Recreation Board will go back to having their meetings at 7:00 p.m. in lieu of the 6:30 p.m. Noted was a quote from Halter Landscaping for the Christmas lights, the quote is higher than last year. Quotes were received from other vendors but it does not appear the services are comparable to each other. President Welch requested a price be obtained to have the same services as last year and table the matter to the next council meeting. A minimum of three telephonic quotes will be needed.

Emergency Management

Readopt the Emergency Management Plan – Tabled, Emergency Management Coordinator, Ken Imes, not present.

Fire Department: No new report

Solicitor's Report

Solicitor Weiler noted that he has been working on the Parade Ordinance, Police Contract negotiations and amendments to the Animal Ordinance; also, there has been no response regarding the status of the train station.

Council/Committee Reports

- Vice President McCauley noted the Pioneer Crossing Landfill Advisory Committee discussed odor, overweight trucks. The secondary Exeter representative resigned from the Committee. The DEP mandated Fall cleanup has been scheduled for October 29, 2022.
- Councilman Elgonitis thanked the Public Works Department for the white lines at Furnace and E. Main Streets. Also noted, was cars driving up S. Walnut in the wrong direction.
- Vice President McCauley inquired about the curb blocks at the Borough Hall parking lot along E. Main Street and Manager Yanos noted that the curb blocks are very expensive and would hinder the plowing efforts. Chief Trupp noted that there have not been problems with inability to see traffic due to cars parking over the sidewalk in the Borough Hall parking lot on the E. Main Street side and, if individuals are parking over the sidewalk, Police Department will ticket them. The sight distance looking East to turn onto E. Main Street from N. Mill Street has not been an issue.

Old Business

- **Comcast** – Councilman Brungard noted that he thinks the competition with services is good. It was agreed that a Town Hall meeting will be held to get the consensus of what the residents want.

Public Comment

- Tamara Twardowski, 149 S. Walnut Street, noted that she submitted a permit to add a stone parking area to the back of her property at the alleyway and the permit was denied because it did not meet code regulations. Ms. Twardowski may request zoning relief by applying for a hearing with the Zoning Hearing Board. Ms. Twardowski suggested Council may want to consider revising that portion of the zoning ordinance.
- Drew Lamb, 253 Bird Street, stated that Comcast hires a third party to video survey before construction and that should be part of the Cable Franchise Agreement.
- Susie Lander, suggested that Council consider changing the verbiage on the agenda that states that the council meetings are intended to be meetings of the public. Russell Lander noted that his son is working on a documentary of Birdsboro and took films of the train station.

Executive Session

Council recessed into Executive Session at 8:41 p.m. to discuss police contract negotiations. The regular meeting reconvened at 9:09 p.m. Solicitor Weiler summarized the Executive Session and the proposed police contract was reviewed. No action was taken.

Adjournment: The meeting adjourned at 9:14 p.m.

Respectfully submitted,

Bonnie L. Frisco
Borough Secretary