

Meeting Minutes of the  
**BIRDSBORO BOROUGH COUNCIL**  
**DECEMBER 19, 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 - present

Also, in attendance were:

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

**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 Reverend Alen Harris.

**Visitor(s):** Nancy Kauffman, Russell and Susie Lander, Ken Long, Kevin Orman, Anthony Tucci, H. David Miller, Steve Lusky, Ryan Acevedo, Margaret Fiset

**Agenda Amendments:** None

**Public Comment on Agenda Items**

Nancy Kauffman, 7 Mansion Court E, noted that she is in favor of paying the \$125 per household for the ambulance service. Mrs. Kauffman inquired about the item removed from the agenda, which addressed church financial assistance utilizing the recovery funds. Manager Yanos noted that the churches were reimbursed by FEMA/PEMA funds.

Nancy Kauffman asked why reference to horses were removed from the animal ordinance and President Welch noted that the original reference to horses suggested horses being used for transportation and since they are no longer used for transportation they were removed from the ordinance. Nancy Kauffman noted that a pony could be considered a domestic pet and inquired about how many chickens and goats are allowed on a parcel and how large does a parcel need to be for these types of animals. Nancy Kauffman suggested that parameters be specified. Nancy Kauffman asked why bee keeping is prohibited and President Welch noted that is because the parcels are close together. The matter of the fine amounts was brought up as well and Manager Yanos will look into that.

Margaret Fiset, 618 E. 9th Street, thanked Council for creating the ambulance ad-hoc committee and thanked them for their research and noted the negative impact the ambulance service issues may have on individuals on fixed incomes.

Steve Lusky, 211 Caravan Drive, commended the Recreation Board for a phenomenal Christmas in Birdsboro event. Mr. Lusky noted that according to social medial response 95% of those who responded are in favor of paying the annual \$125/household for ambulance service and noted the current

ambulance service is also a 911 service and not just transport service. Mr. Lusky encouraged Council to make a decision and offset the cost with Harms Benefit monies if needed.

#### **Presentation of Proclamation to Solicitor Weiler**

Mayor Scioli presented a proclamation to Solicitor Weiler in recognition of Solicitor Weiler's 25 years of exemplary service to the Borough of Birdsboro.

#### **Minutes– December 5, 2022 Council Meeting**

- **MOTION** was made by Vice President McCauley and seconded by Councilman Elgonitis to approve the December 5, 2022 council meeting minutes. Councilwoman Cotter requested that amendments be made to the minutes to include comments as requested to be placed in the minutes. Councilwoman Cotter requested the minutes be amended to reflect that she was the one who originally seconded the motion regarding the Birdsboro Power Renegotiation Fee and that a resident objected and called it a "conflict of interest", that upon recommendation of the Solicitor she rescinded her second and abstained and when asked the reason for abstention, Councilwoman Cotter did not answer and Council President Welch supplied "conflict of interest" as the reason for the abstention. Vice President McCauley and Councilman Elgonitis agreed to rescind the minutes approval motion and the December 5, 2022 Council meeting minutes approval is tabled to the next Council meeting.

#### **Minutes– December 5, 2022 Budget Meeting**

- **MOTION** was made by Councilman Myers and seconded by Vice President McCauley to approve the December 5, 2022 budget meeting minutes as presented. Motion carried 7-0.

#### **Bills List**

- **MOTION** was made by Councilman Harris and seconded by Councilwoman Cotter to approve the Bills List dated December 19, 2022 and Checks for Ratification dated December 6– December 18, 2022. Motion carried 7-0.

#### **Interim Bills and Payroll**

- **MOTION** was made by Vice President McCauley and seconded by Councilman Brungard to approve the Interim Bills and Payroll. Motion carried 7-0.

#### **Treasurer's Report**

- **MOTION** was made by Councilwoman Cotter and seconded by Vice President McCauley to approve the Treasurer's Report dated December 19, 2022. Motion carried 7-0.

#### **Manager's Report**

- **Adopt Amended Ordinances (Animal, Parade, Commercial Inspections) – MOTION** was made by Councilman Myers and seconded by Councilwoman Cotter to approve the amended animal and commercial inspections ordinances. Motion carried 7-0. The amended parade ordinance needs to be readvertised due to a crucial typo.
- **Year End Approvals**
  - **Approve the 2023 Tax Resolutions (no increase) – MOTION** was made by Vice President McCauley and seconded by Councilwoman Cotter to approve Resolution No. 2022-24 setting the 2023 tax rates. Motion carried 7-0.

- **Approve the 2023 Holiday Schedule for Non-Contracted Employees – MOTION** was made by Councilman Harris and seconded by Councilman Elgonitis to approve the 2023 Holiday Schedule for Non-Contracted Employees as presented. Motion carried 7-0.
- **Approve the 2023 Council Meeting Schedule – MOTION** was made by Vice President McCauley and seconded by Councilwoman Cotter to approve the 2023 Council Meeting Schedule as presented. Motion carried 7-0.
  
- **Solicitor Letter of Engagement – MOTION** was made by Councilman Harris and seconded by Councilman Brungard to approve the Solicitor Letter of Engagement submitted by Mason Bradley and authorize execution of appropriate signatures. Motion carried 7-0
- **Worker’s Compensation Insurance – MOTION** to approve signature of form to terminate Brown & Brown and appoint Seltzer as the administrator for the Borough’s Workers Compensation Insurance. Motion carried 7-0
- **Adopt the 2023 Budget – MOTION** was made by Councilwoman Cotter and seconded by Councilman Brungard to adopt the 2023 Budget with no tax increase. Motion carried 7-0.
- **Birdsboro Power Accommodation Fee Renegotiations** – Vice President McCauley noted that parties involved with the Birdsboro Power Accommodation Fee Renegotiations expressed ongoing expenses and a one-time \$25,000 to the Borough has been agreed upon to ensure further good-faith negotiations. Councilwoman Cotter also noted proposed renegotiations with Birdsboro Power to address usage fees that have not been being paid by Birdsboro Power, specifically the EDU fees. Councilman Myers noted that negotiations are ongoing.
- **Western Berks Ambulance** – Councilman Harris and Councilman Elgonitis are the ad-hoc committee for the ambulance services matter and they provided an update of the information they obtained. They spoke to a representative of Tower Direct and noted the initial estimate annual cost for ambulance service would be \$100,000, equal to \$45-\$50 per household/per year. Additional information to be gathered for discussion at the next Council meeting. Councilman Myers asked Anthony Tucci, of Western Berks Ambulance, why the ambulance cost increase was more for Birdsboro Borough than some of the other communities and Anthony Tucci noted the cost was more because the other communities had higher call volume.

### **Mayor/Police Reports**

Chief Trupp noted the prices for the license plate cameras and reader. The original cost was \$15,000 but has been decreased to \$14,500 over five years. No payments required (due to being covered by the District Attorney’s office) for years 2023 and 2024, in 2025 \$2,900 is due, in 2026 \$5,800 is due and in 2027 \$5,800 is due. **MOTION** was made by Vice President McCauley and seconded by Councilwoman Cotter to enter into the agreement with the County for the license plate cameras and reader for the costs as provided. Motion carried 7-0.

Chief Trupp noted that the dumping at the yard waste pile has ceased. There were 3,220 dumps since May 1, 102 were sent investigation letters and there were 10 confirmed violations. There have been some leads in the Rustic Park vandalism matter.

Mayor Scioli thanked the Recreation Board for a successful Christmas in Birdsboro event.

### **Municipal Services / Department Reports**

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

- **Streets Department:** Report included in the Council packet

#### **Recreation Board**

- Councilman Elgonitis noted that the Christmas in Birdsboro event went well and read a letter from Christen Thompson of the Recreation Board regarding the event.

**Emergency Management:** No new report

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

#### **Solicitor's Report**

Solicitor Weiler noted that the Satiro appeal was denied by the County court and the Zoning Hearing Board decision was upheld. There is no new update regarding Motta.

Solicitor Weiler thanked everyone for a wonderful 25 years serving the Borough of Birdsboro.

#### **Council/Committee Reports**

- Councilwoman Cotter read a statement regarding the Ethics Act noting she will provide copies to all the solicitors involved. A copy of which will be attached to the minutes for the permanent record. Councilwoman Cotter thanked all of those in attendance and wished everyone a Merry Christmas.
- Vice President McCauley noted the Pioneer Crossing Landfill Advisory Committee met two weeks ago and they discussed odor complaints and also noted was plans for a new state-of-the-art system that refines gas back to a usable source.
- Councilman Elgonitis wished everyone Happy Holidays.
- Councilman Brungard thanked the Recreation Board for the great Christmas in Birdsboro event.
- President Welch thanked all for coming out to the meeting this evening and thanked the ad-hoc committee for the work regarding the ambulance services and thanked the Recreation Board for their hard work on the successful Christmas in Birdsboro event, and wished all Happy Holidays.

**Old Business:** No old business

#### **Public Comment**

- Nancy Kauffman, 7 Mansion Court E, asked where the license plate cameras will be, and they will be at W. Main and Furnace, E. Main and Furnace, which will capture six lanes.
- Susie Lander, 534 Silverbrook Drive, asked how to file an animal complaint and it was noted a complaint form may be submitted to the Borough for submission to the Codes Officer.
- Anthony Tucci, 341 Washington Street, noted that Council should be sure they are comparing apples to apples when selecting an ambulance service. Western Berks Ambulance will provide additional information to the ambulance ad-hoc committee, as needed.

**Adjournment:** The meeting adjourned at 8:40 p.m.

Respectfully submitted,

Bonnie L. Frisco  
Borough Secretary