

Meeting Minutes of the  
**BIRDSBORO BOROUGH COUNCIL**  
**MARCH 18, 2024 7:00 P.M. – BOROUGH HALL**

Council roll call:

Anthony Tucci, President – present  
 Ryan Acevedo, Vice President - present  
 Robert Myers, Member – present  
 Mary Ann Cotter, Member - present

Matthew Elgonitis, Member – present  
 David Blank, Member – present  
 Matthew Welch, Member - present

Also, in attendance were:

Anthony Scioli, Mayor (via Zoom)  
 Michael Gombar, Solicitor  
 Brian Boyer, Engineer  
 Todd Trupp, Police Chief  
 Kelly J. Yanos, Manager (via Zoom)  
 Bonnie L. Frisco, Secretary/Treasurer

**CALL TO ORDER:** Anthony Tucci called the meeting to order at 7:01 p.m. and led the Pledge of Allegiance to the Flag. Opening prayer was led by Mary Ann Cotter.

**VISITOR(S):** Nancy Kauffman, Steve Dragon, Christen Thompson, Don Wary, Jeff Klick

**AGENDA AMENDMENTS:** None

**PUBLIC COMMENT ON AGENDA ITEMS:** None

**PRESENTATION – DONATION TO THE POLICE DEPARTMENT FROM THE AMERICAN LEGION POST 626**

Tabled to a future meeting.

**MINUTES – FEBRUARY 19, 2024 COUNCIL MEETING**

**MOTION** to approve the February 19, 2024 Council Meeting minutes as amended. Amendment being in to add the motion regarding Act 93.

	Motion	2nd	Yes	No	Abstain	Absent
Ryan Acevedo			X			
David Blank			X			
Mary Ann Cotter		X	X			
Matthew Elgonitis			X			
Robert Myers			X			
Matthew Welch	X		X			
Anthony Tucci			X			

**BILLS LIST**

**MOTION** to approve bills list dated March 18, 2024 and checks for ratifications dated February 20, 2024 – March 17, 2024.

Bills Payable	51,159.54
Checks for Ratification	129,762.75

	Motion	2nd	Yes	No	Abstain	Absent
Ryan Acevedo			X			
David Blank	X		X			
Mary Ann Cotter			X			
Matthew Elgonitis			X			
Robert Myers			X			
Matthew Welch		X	X			
Anthony Tucci			X			

**INTERIM BILLS AND PAYROLL**

**MOTION** to approve the interim bills and payroll.

	Motion	2nd	Yes	No	Abstain	Absent
Ryan Acevedo	X		X			
David Blank		X	X			
Mary Ann Cotter			X			
Matthew Elgonitis			X			
Robert Myers			X			
Matthew Welch			X			
Anthony Tucci			X			

**TREASURER'S REPORT**

**MOTION** to approve the Treasurer's Report dated February 19, 2024.

Treasurers' Report

General (Surplus/(Deficit)	2,136.58
Harms (Surplus/(Deficit)	116,383.98
Liquid Fuels (Surplus/(Deficit)	(5,773.82)

	Motion	2nd	Yes	No	Abstain	Absent
Ryan Acevedo			X			
David Blank			X			
Mary Ann Cotter		X	X			
Matthew Elgonitis			X			
Robert Myers			X			
Matthew Welch	X		X			
Anthony Tucci			X			

**MOTION** to approve the Treasurer's Report dated March 18, 2024.

Treasurers' Report

General (Surplus/(Deficit)	(125,688.10)
Harms (Surplus/(Deficit)	(136,367.77)
Liquid Fuels (Surplus/(Deficit)	(17,779.99)

	Motion	2nd	Yes	No	Abstain	Absent
Ryan Acevedo			X			
David Blank	X		X			
Mary Ann Cotter			X			
Matthew Elgonitis			X			
Robert Myers			X			
Matthew Welch		X	X			
Anthony Tucci			X			

**OLD BUSINESS**

**MS4 Rehab Plan**

Jeff Klick, Public Works Foreman, was present to discuss the MS4 Rehab Plan. The basin/swale work will be done in-house, negating the need for public bid.

**Zoning Hearing Board Appointment**

Anthony Tucci asked for nominations for appointment to the Zoning Hearing Board.

Robert Myers nominated Michael Cotter.

Ryan Acevedo nominated LaLonnie Puffnock.

Anthony Tucci asked for a second for the nomination of Michael Cotter. There was no second.

Anthony Tucci asked for a second for the nomination of LaLonnie Puffnock and Matthew Welch seconded the nomination.

**MOTION** to appoint LaLonnie Puffnock to the Zoning Hearing Board to fill Roy Feick’s un-expired term with a expiration date of December 31, 2026.

Anthony Tucci asked for a roll call vote.

	Motion	2nd	Yes	No	Abstain	Absent
Ryan Acevedo	X		X			
David Blank			X			
Mary Ann Cotter				X		
Matthew Elgonitis			X			
Robert Myers				X		
Matthew Welch		X	X			
Anthony Tucci			X			

MOTION carried 5-2.

**Selection of Code Enforcement Officer**

To be discussed in Executive Session.

**Ballfield Agreement**

To be discussed in Executive Session.

**MANAGER’S REPORT**

2024 Roadwork

Kelly Yanos provided an overview of the 2024 roadwork plans which includes 2” overlay on Demmon Street (alley behind E. 1<sup>st</sup> Street from Water to Orange) and Plum Street (alley behind Furnace from Coal St to E. Main St). Asphalt costs estimated around \$25,000, and replace 11 rotted street light poles on the east side of town, approximate cost \$12,000.

Polling Place Agreement

**MOTION** to execute the Polling Place Agreement from the County.

	Motion	2nd	Yes	No	Abstain	Absent
Ryan Acevedo		X	X			
David Blank			X			
Mary Ann Cotter			X			
Matthew Elgonitis			X			
Robert Myers			X			
Matthew Welch	X		X			
Anthony Tucci			X			

Polling Place Campaign Sign Regulations

**MOTION** to authorize the Solicitor to revise the sign ordinance to allow for political signs to be placed at the Borough Hall property 10 feet away from the door on Election Day only.

	Motion	2nd	Yes	No	Abstain	Absent
Ryan Acevedo			X			
David Blank			X			
Mary Ann Cotter	X		X			
Matthew Elgonitis			X			
Robert Myers		X	X			
Matthew Welch			X			
Anthony Tucci			X			

Duck Derby Road Closure June 8, 2024

**MOTION** to approve the closing of Water Street from E. Main to Beacon Street for the Duck Derby/Street Fair on June 8 from approximately 9:00 a.m. to 3:30 p.m.

	Motion	2nd	Yes	No	Abstain	Absent
Ryan Acevedo			X			
David Blank			X			
Mary Ann Cotter	X		X			
Matthew Elgonitis			X			
Robert Myers			X			
Matthew Welch		X	X			
Anthony Tucci			X			

PSAB Conference Registration

**MOTION** to approve registration for the PSAB Conference for Anthony Tucci, Mayor Anthony Scioli, Ryan Acevedo and David Blank (registration and lodging) and Kelly Yanos and Bonnie Frisco (registration only).

Mary Ann Cotter noted cost concerns and limited monies in that budget line item, also noting that in the past only the Kelly Yanos, Bonnie Frisco and Anthony Scioli attend the PSAB Conference.

	Motion	2nd	Yes	No	Abstain	Absent
Ryan Acevedo			X			
David Blank			X			
Mary Ann Cotter				X		
Matthew Elgonitis		X	X			
Robert Myers				X		
Matthew Welch	X		X			
Anthony Tucci			X			

Deputy Fire Chief Reimbursement

Steve Dragon to look into the Deputy Fire Chief vehicle reimbursement request as that may be covered under the Birdsboro Union Fire Department’s insurance policy.

**ENGINEER’S REPORT**

Engineer Brian Boyer reviewed the Engineer’s Report, a copy of which will be kept on file.

**SOLICITOR’S REPORT**

Solicitor Michael Gombar reviewed the Solicitor’s Report, a copy of which will be kept on file.

**MAYOR/POLICE REPORT**

Approve Bus Patrol Program Intergovernmental Agreement and Associated Resolution

**MOTION** to approve the Bus Patrol Program Intergovernmental Agreement and Association Resolution.

	Motion	2nd	Yes	No	Abstain	Absent
Ryan Acevedo		X	X			
David Blank			X			
Mary Ann Cotter			X			
Matthew Elgonitis			X			
Robert Myers			X			
Matthew Welch	X		X			
Anthony Tucci			X			

Start New Hire One Month Early to Cover for Officer’s Vacation Leave

**MOTION** to start new hire process one monthly early to cover for Officer’s vacation leave.

	Motion	2nd	Yes	No	Abstain	Absent
Ryan Acevedo			X			
David Blank			X			
Mary Ann Cotter	X		X			
Matthew Elgonitis			X			
Robert Myers			X			

Matthew Welch		X	X			
Anthony Tucci			X			

Mayor Anthony Scioli requested to be removed from the PSAB Conference list as he plans on only attending for one day.

**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

**FINANCE COMMITTEE**: No report given.

**PUBLIC SAFETY COMMITTEE**

Fire Company Monthly Payment

To be discussed in Executive Session.

**PERSONNEL COMMITTEE**: No report given.

**INFRASTRUCTURE COMMITTEE**

MS4 Rehab Plans

Discussed under Old Business.

**COMMUNITY DEVELOPMENT COMMITTEE**: No report given.

**RECREATION BOARD**

Pickleball Court Quote

**MOTION** to approve the Pickleball Court work in accordance with Keystone quote for a cost not to exceed \$3,000.

	Motion	2nd	Yes	No	Abstain	Absent
Ryan Acevedo	X		X			
David Blank			X			
Mary Ann Cotter			X			
Matthew Elgonitis			X			
Robert Myers		X	X			
Matthew Welch			X			
Anthony Tucci			X			

**Grant Funding for Vest Pocket Park**

Christen Thompson noted grants available for handicap accessible equipment for Vest Pocket Park.

**MOTION** to authorize submission of a grant application for handicap accessible equipment for Vest Pocket Park and authorize payment of a \$100 application fee.

	Motion	2nd	Yes	No	Abstain	Absent
Ryan Acevedo		X	X			
David Blank			X			

Mary Ann Cotter		X			
Matthew Elgonitis		X			
Robert Myers		X			
Matthew Welch	X	X			
Anthony Tucci		X			

**Farmer’s Market Expenses**

**MOTION** to approve a cost not to exceed \$1,300 for Farmer’s Market expenses.

	Motion	2nd	Yes	No	Abstain	Absent
Ryan Acevedo			X			
David Blank			X			
Mary Ann Cotter			X			
Matthew Elgonitis		X	X			
Robert Myers			X			
Matthew Welch	X		X			
Anthony Tucci			X			

Christen Thompson noted that the Adult Easter Egg Hunt will net \$1,800. Beautify Birdsboro is April 27 and the first Farmer’s Market is May 18. Council requested that the Recreation Board submit a budget to Council.

**EMERGENCY MANAGEMENT**

Matthew Welch, acting Emergency Management Coordinator, reported that he has completed all of his training except for one 8-hour class for his certification which will be valid for three years. Anthony Tucci noted that DCED has released \$40M of COVID monies for grants for renovations to public buildings. Matthew Welch noted he wanted to discuss the reactivation of the EMC stipend and requested he receive mileage reimbursement.

**FIRE DEPARTMENT**

The Fire Department reporting is included in the Council Packet. Steve Dragon distributed information about the Birdsboro Union Fire Department’s consideration of hiring a firm to do their billing for recovery of the costs incurred on certain emergency calls. Steve Dragon requested the Council consider adopting the resolution that was distributed that recognizes the right and authority of the Borough’s Fire and Emergency Services Departments to recover reasonable costs and expenses incurred in responding to and dealing with fire, rescue, vehicular accidents, environmental, hazardous or related occurrences. Solicitor Michael Gombar to review the resolution for discussion at the next Council meeting.

**COUNCIL/COMMITTEE REPORTS**

- David Blank asked if the Borough can charge Comcast for fixing the damages lines on the poles. Kelly Yanos noted that it would be difficult to prove that Comcast did the damage. Anthony Tucci noted the Borough should bill Comcast for the damages. David Blank inquired about credit card payments at Borough Hall and Kelly Yanos noted she will have information for the next Council meeting. David Blank inquired about the street pole work and it was noted that the east side will be done this year and the west side will be done next year.
- Mary Ann Cotter asked Kelly Yanos if she wanted a performance review as has happened in the past or just let it go and Kelly Yanos noted she would rather just let it go.

**NEW BUSINESS:** No new business.

**PUBLIC COMMENT**

Nancy Kauffman, 7 Mansion Court E, noted issues with swales which were proposed on development plans not being constructed in the Mansion Heights area. The matter to be looked into.

**EXECUTIVE SESSION**

Council recessed into Executive Session at 8:26 p.m. to discuss selection of Code Enforcement/Zoning firm, ballfield agreement, and Fire Company monthly payment. The regular meeting reconvened at 9:36 p.m.

Code Enforcement/Zoning

**MOTION** to appoint System Design and Engineering (SDE) to provide the Borough with Code Enforcement/Zoning services.

	Motion	2nd	Yes	No	Abstain	Absent
Ryan Acevedo		X	X			
David Blank			X			
Mary Ann Cotter			X			
Matthew Elgonitis			X			
Robert Myers			X			
Matthew Welch	X		X			
Anthony Tucci			X			

Ballfield Agreement

**MOTION** to allow the high school and Legion to use the AL626 ballfield as in the past concurrent with the committee working on the ballfield agreement.

	Motion	2nd	Yes	No	Abstain	Absent
Ryan Acevedo			X			
David Blank			X			
Mary Ann Cotter	X		X			
Matthew Elgonitis			X			
Robert Myers			X			
Matthew Welch		X	X			
Anthony Tucci			X			

**ADJOURNMENT:** The meeting adjourned at 9:42 p.m.

Respectfully submitted,

Bonnie L. Frisco  
Borough Secretary