

Township of Lower Alsace, Berks County, PA
April 11, 2019

The Lower Alsace Board of Supervisors met in regular session on Thursday, April 11, 2019 at 6:30 P.M. in the Township Municipal Building, 1200 Carsonia Avenue, Reading, PA.

I. ATTENDANCE

Board members in attendance included Jim Oswald, John Theodossiou and Todd Weikel. Also in attendance was Homer Williams, Township Resident, Mark Faust, Fire Chief and John Endy, President of the Lower Alsace Fire Company. Also in attendance was Chris Turtell, CPA from Herbein and Co. who presented the results of the Township's 2019 financial audit and offered to answer any questions from the general public.

II. APPROVAL OF THE MINUTES

A motion to approve the minutes of the March 14, 2019 Lower Alsace Township Supervisors' Meeting was made by Supervisor Theodossiou, seconded by Supervisor Oswald and all voted yes to approve.

III. SOLICITOR

A. A motion was made, seconded and approved to authorize the Solicitor to advertise an Ordinance for the Supervisor to consider Amending the Articles of Agreement of the Central Berks Regional Police Commission as follows:

Subparagraph (a) of Section 4 of the Restated Articles; entitled "Meetings", is amended in its entirety so as to hereafter read as follows: (a) The Commission shall meet as such times as the Commission shall determine. All meetings of the Commission shall be subject to the Sunshine Act of the Commonwealth of Pennsylvania. 2. Subparagraph (b) of Section 4 of the Restated Articles; entitled "Meetings", is amended in its entirety so as to hereafter read as follows: (b) (i) A majority of the members of the Commission entitled to vote, including the non-voting member entitled to vote under subparagraph iii. (1) below, shall be necessary to constitute a quorum for the transaction of business. The acts of a majority of the members present at a meeting; and entitled to vote, shall be the action of the Board. Voting on all questions shall be taken by a show of hands or voice vote, provided, however, that the Chairman may on his own motion or shall, at the request of an member, cause a vote to be taken by roll call. The parliamentary procedure of the Commission shall be governed by Roberts Rules of Order, Revised.

(ii) All voting members of the Board shall be entitled to one (1) vote on any and all matters before the Commission.

(iii) The non-voting member of the Board may participate in all discussions on matters before the Commission; however, the non-voting member may not vote on such matters except as follows:

- (1) When a voting member of the non-voting member's appointing Municipality is absent, however, under no circumstances shall a non-voting member have more than one (1) vote
- (2) In the event of a tie vote among the voting members; then the non-voting member shall cast the tie breaking vote, however, under no circumstances shall the non-voting member have more than one (1) vote.
3. Subparagraph (j) of Section 6 of the Restated Articles; entitled Finance is amended in its entirety so as to hereafter read as follows:(j) Bank Deposits. All monies of the Commission or Department, from whatever source derived, shall be paid to the Treasurer of the Commission or such other person the Commission may so authorize. Said monies shall be invested pending expenditure in such investments as would be legal investments for a Borough and Township of the Second Class under Pennsylvania Law. The monies of the Commission shall be paid out on the warrant or other order of the Treasurer or of such other person as the Commission may authorize to execute such warrants or order. The Commission may authorize the payment of bills electronically or through credit or debit cards; however, all checks issued by the Commission shall be countersigned by two signatures.

4. Subparagraph (k) of Section 6 of the Restated Articles; entitled Finance is amended in its entirety so as to hereafter read as follows:(k) Annual Report, Audit.

i. By March 15th of each year, the Commission shall file an annual written report with the Municipalities covering its operations and the police work of the Department. At minimum, the report shall summarize the activities of the Department, note any crime trends set forth by municipality and in total, the number and types of incidents and any trends related thereto, make recommendations for improving police service, and propose capital improvements, expenditures, and manpower allocations for subsequent years.

ii. By June 30th of each year, the Commission shall have its books, accounts, and records audited annually by a certified Public Accountant; and a copy of said audit be delivered to the Municipalities. If the Commission fails to make such an audit, then the auditors or accountants designated by any one or all of the participating Municipalities shall be authorized from time to time to examine the books of the Commission and Department, including their receipts, disbursements, sinking funds, investments, and any other matters relating to their financing and affairs. The Municipalities and/or the Attorney General of the Commonwealth of Pennsylvania shall have the absolute right to examine the financial books, accounts, and records of the Commission.”

- B. A motion was made by Supervisor Oswald, seconded by Supervisor Weikel and all voted yes to approve and sign the Memorandum of Understanding for the Central Berks Codes Program as follows:
1. Personnel (“Personnel”) for the Central Berks Regional Codes Enforcement Department may be employees of the Commission or may be employees of either of the Municipalities, as circumstances dictate and as the Municipalities agree.

2. Personnel that are employees of the Municipalities shall be assigned to the Central Berks Regional Codes Enforcement Department.
3. Personnel shall have jurisdiction throughout the Borough and the Township.
4. Personnel shall be supervised by the Chief of Police of the Central Berks Regional Police Department ("Chief"); or, by the Chief's designee.
5. The Chief; or his designee, shall have the authority and the responsibility for creating, implementing, and enforcing Standard Operating Procedures for the Central Berks Regional Codes Enforcement Department.
6. Personnel shall adhere to ethical standards and to ethical conduct as set forth for the Personnel by the Chief or by the Chief's designee .
7. All equipment issued to Personnel by the Central Berks Regional Codes Enforcement Department; including but not limited to, badges, credentials, or other forms of identification (hereafter "Equipment"), shall remain the property of the Central Berks Regional Codes Enforcement Department. Personnel shall return all Equipment issued to him/her upon his/her separation, withdrawal, or termination from the from the Central Berks Regional Codes Enforcement Department

IV. ENGINEER

- A. Engineer Rogosky reported that the Township's MS4 Waiver request has been submitted to DEP.
- B. The following ZHB Requests were reviewed along with a report from Planning Commission:
 1. Application of Francesca Esposito for a variance and/or special exception under Section 902(I) pursuant to the Joint Zoning Ordinance for Lower Alsace Township and Mount Penn Borough of 2011, as amended, to install an illuminated sign at Esposito's Restaurant located at 1540 Friedensburg, Road in the R-4 Zoning District. No action by the Supervisors was taken. But there was discussion regarding the current language in the Zoning Ordinance and an interest in determining if the current language allows signs that use the latest and most efficient types of technology.
 2. Application from Richard and Pamela Fowler 2728 Hill Road for a Variance from the Township Zoning Ordinance for relief of Article 4, Section 403 to permit a reduction in required lot width from 200 ' at legal right of way line to 151.74'. 25 Wolters Lane. This request was supported by the Supervisors with a motion made by Supervisor Oswald, seconded by Supervisor Weikel and all voted yes.

V. MANAGER - TREASURER'S REPORT / LIST OF BILLS

- A. A motion to accept the 3/31/19 Treasurer's report and approve the payment of the list of bills totaling to 291,154.77 from the General Fund and \$1,029.61 from the Fire Tax fund was made by Supervisor Oswald, seconded by Supervisor Weikel and all voted yes to approve.
- B. The board then reviewed the LAEMS Five year plan document with no action taken.
- C. A discussion was held among Fire Chief Faust, Fire Company President John Endy and Chris Turtell, CPA from Herbein and Co. regarding a possible arrangement for financial management and reporting services contract for the Fire company. No decision was reached at this time.

VI. DEPARTMENTAL REPORTS SUBMITTED FOR APPROVAL

- A. **Central Berks Police Department**
 1. March report received
- B. **Sewage Enforcement Officer**
 1. March report received
- C. **UCC and Zoning Officer**
 1. March report received

VII. OLD BUSINESS

1. The Friedensburg Road sewer extension project update was provided by the Township Manager

VIII. NEW BUSINESS

1. A motion was made by Supervisor Oswald, seconded by Supervisor Theodossiou and all voted yes to authorize the purchase of Leaf VAC collection system with U.S. Municipal under Co-Star's contract 025-019 for \$57,840.
2. A motion was made by Supervisor Oswald, seconded by Supervisor Theodossiou and all voted yes to amend a contract for the dump body and plow for the new Ford F550 from Levans Co-Stars contract quote from \$32,425.00 to include three additional items increasing the quote to \$34,393.48
3. A motion was made by Supervisor Weikel, seconded by Supervisor Oswald and all agreed to list for sale on Municibid the 2012 Dodge Ram Dump Truck following delivery of F550 replacement truck.

4. The Supervisors discussed the repairs on the Township owned 18 Street Lights. The work was performed by Supervisor and Electrician John Theodossiou along with the Road Crew with several lamps replaced with LEP lighting.
5. A motion was made by Supervisor Weikel, seconded by Supervisor Theodossiou with Supervisor Oswald abstaining from the vote that would authorize Supervisor Oswald to collect lost wages of \$17.50 per hour for an 8 our day (amount set by the Board of Elected Auditors) for his attendance on Monday and Tuesday at the PSATS Convention in Hershey plus expenses.

IX. ADJOURNMENT

There being no further business, the meeting adjourned at 7:45 PM. The next regulation meeting will be held on Thursday May 9, 2019 at 6:30 PM

Respectfully submitted,

Terry Styer
Manager, Secretary / Treasurer