

# **Minutes of the Board of Supervisors Meeting Township of Lower Alsace, Berks County, PA April 13, 2023**

The Lower Alsace Board of Supervisors met in regular session on Thursday, April 13, 2023, 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. Other officials in attendance were Central Berks Regional Police Department Chief Ray Serafin, Mike Setley (as Township Solicitor), Joe Rogosky (as Township Engineer), Kelsey Frankowski, Robert Mountz (representing Lower Alsace Fire Company), and Homer Williams (representing the Township Planning Commission). Residents in attendance were Tara Bissell and Allison Seward (animal control services), Brian Horner (issues at 1460 Friedensburg Road), Scott and Christeena Hauck (Mount Penn Borough Municipal Authority inquiring about waiver of land development fees for water tank project near Spook Lane), and Ann Goodman (nothing for public comment). Non-residents in attendance were Tanya Weaver from Mount Penn Borough and Russ Magazzu from Exeter Township.

## ***II. PRESENTATIONS***

No presentations were made.

## ***III. PUBLIC COMMENT ON AGENDA ITEMS***

- 1) Tara Bissell and Allison Seward both spoke on separate animal control issues and the hurdles they faced in getting a response. Both stated they would like the Township Supervisors to consider a switch from Safety Net Sanctuary to Animal Rescue League for the reason that they believe Safety Net Sanctuary has limitations in handling cats and vicious dogs. The Township Manager stated that he will reach out to both executive directors to have them provide clearer guidance on the services each organization will provide, and the associated fees charged. This information will be considered as part of the decision-making process during the 2024 budget preparation.
- 2) Christeena Hauck stated that the Mount Penn Borough Municipal Authority had requested if a waiver land development fee would be granted for this project. The Township Manager stated that the assistant secretary had been contacting several individuals to see if this request needed to go before the Planning Commission, the Zoning Hearing Board, and/ or the Township Supervisors, but she had not yet received clarity. The Solicitor stated that this decision can be made by the Supervisors. The Solicitor stated that for the Supervisors to grant a waiver, they would need to make and approve a motion to waive the land development fees, but still require all necessary inspections by the Township Building Inspector & Zoning

Officer, as well as requiring that all stormwater calculations and other related concerns be presented to the Township for review. Any concerns which need to be reviewed by outside agencies would also need to be approved. A motion to waive the land development plan submission and fees for the water storage tank project, subject to compliance with the Township's stormwater requirements and all other permitting requirements, was made by Supervisor Weikel, seconded by Supervisor Theodossiou, and all voted yes to approve.

- 3) Homer Williams inquired as to the status of merger discussions with Mount Penn Borough. Supervisor Theodossiou and the Township Manager both spoke on the subject. Supervisor Theodossiou stated that a meeting is in the process of being set up to review the prior merger document, which is being updated to include areas of prior concern and suggested additions, corrections, or deletions. The meeting is a preliminary review session which will include elected officials from both Lower Alsace Township and Mount Penn Borough, and the Township Manager of Lower Alsace Township. The meeting is intended to achieve common ground with both municipalities and to set the stage for an eventual meeting with representatives of the state's Department of Community and Economic Development. The Township Manager added that he attended the GFOA of PA's annual conference and had a discussion with representatives of DCED. The representatives expressed their willingness to assist and will await contact from both municipalities.
- 4) Brian Horner discussed concerns related to a property at 1460 Friedensburg Road. He believes there are a multitude of issues occurring. The matters described could possibly be addressed by police, the zoning official, and/or the codes department. The Solicitor, the Central Berks Regional Police Codes Division Administrator, and all Township Supervisors spoke on the history of the property, the zoning approval process which had previously taken place, and what had been previously approved and permitted. The Township Manager, Codes Administrator, and Solicitor agreed to set up a meeting, along with the Zoning Official, to review the situation and determine the next steps necessary to enforce existing code and zoning laws, and to get proper compliance.
- 5) Russ Magazzu, a resident of Exeter Township wanted to inquire about the process by which the Township enacted its firearms ordinance. His interest is related to a similar situation which Exeter Township is dealing with. The solicitor spoke briefly on the matter, and the Solicitor did note that the two situations are very different. Russ Magazzu thanked the Solicitor for his insight.

No additional public comment was made.

#### **IV. APPROVAL OF THE MINUTES**

A motion to approve the minutes of the March 9, 2023, Lower Alsace Township Supervisors Meeting was made by Supervisor Weikel, seconded by Supervisor Theodossiou, and all voted yes to approve.

**V. SUPERVISOR LIASON REPORTS**

- A. Road Department – Supervisor Oswald commented on the annual sweeping project which will be completed April 14<sup>th</sup>.
- B. Central Berks Regional Police Commission – Supervisor Theodossiou had nothing new to report.
- C. Lower Alsace Fire Company – Supervisor Weikel and Fire Chief Robert Mountz had nothing new to report.
- D. Lower Alsace Ambulance Association – Supervisor Weikel had nothing new to report.
- E. Antietam Valley Recreation Commission – Supervisor Weikel had nothing new to report.

**VI. SOLICITOR**

The Solicitor and Kelsey Frankowski discussed the Pennsylvania Liquor Control Board exemption of the Township from compliance with Section 493(34) of the Liquor Code, which is set to expire on August 11, 2023, The Solicitor inquired if the Township Supervisors would like to seek a renewal of the exemption. If so, the Supervisors should approve a motion to do so. A motion to approve submitting an application for extending the exemption status was made by Supervisor Theodossiou, seconded by Supervisor Weikel, and all voted yes to approve.

**VII. ENGINEER**

- A. The Engineer discussed the status of the multimodal grant which the Township was recently approved for in the amount of \$850,000. The Engineer stated that the next step is for a motion to approve the Engineer to develop more detailed engineering plans, which could cost as much as \$20,000-\$25,000. After a brief discussion, a motion to approve spending no more than \$25,000 for the plan submission was made by Supervisor Weikel, seconded by Supervisor Oswald, and all voted yes to approve.

**VIII. BOARD AND COMMISSIONS REPORTS**

- A. Planning Hearing Board – the most recent meeting of the Planning Commission was held on November 2, 2022. No new meetings of the Planning Commission have been scheduled at this time.
- B. Zoning Hearing Board – the most recent meeting of the Zoning Hearing Board was held on October 26, 2022. No new meetings of the Zoning Hearing Board have been scheduled at this time.

- C. Antietam Valley Recreation Commission – no report.

***IX. MANAGER - TREASURER'S REPORT / LIST OF BILLS***

- A. A motion to approve the March 31, 2023, Treasurer's reports was made by Supervisor Oswald, seconded by Supervisor Theodossiou, the motion carried.
- B. A motion to approve the payment of the list of bills as presented was made by Supervisor Oswald, seconded by Supervisor Theodossiou, the motion carried.

***X. DEPARTMENTAL REPORTS SUBMITTED FOR APPROVAL***

- A. Central Berks Police Department – the March 2023 report was presented.
- B. Central Berks Codes Department – the March 2023 report was presented.
- C. Sewage Enforcement Officer – the March 2023 report was presented.
- D. Zoning and Building Code Officer – the March 2023 report was presented.
- E. Lower Alsace Township Fire Company – nothing new to report.
- F. Lower Alsace Ambulance Association – the March 2023 report was presented.

***XI. OLD BUSINESS***

- A. An update on the status of the use and occupancy permit application for 1383 – 1385 Friedensburg Road was presented. No unpermitted activity has been observed.
- B. A discussion on the American Rescue Plan Local Funds occurred. Further talks will be held at the May meeting. A brief discussion was held on coordinating the street paving project with the driveway paving project requested by the Lower Alsace Fire Company which will be funded by an allocation from the Township.
- C. A discussion of the proposal to install additional No Parking signs along Service Court along either side as needed, to permit easier traffic flow and easier access for township road crew vehicles, as well as police, fire, and ambulance vehicles, was held. A draft ordinance was presented and reviewed. A motion to advertise the amendment to the Traffic Ordinance was made by Supervisor Oswald, seconded by Supervisor Theodossiou, and all voted yes to approve.
- D. A discussion of the proposal to install additional No Parking signs along the westbound side of Taft Avenue from Cross Street to Carsonia Avenue, eliminating parking only during congested traffic times during opening and closing of the school day, was held. The limitation is being sought to increase visibility for drivers approaching Taft Avenue from Myrtle Avenue attempting to either 1) turn right

onto Taft Avenue heading toward Carsonia Avenue or 2) turn left onto Taft Avenue in order to turn right onto Cross Street. The limitations on parking will also assist fire and ambulance vehicles to maneuver through this area in case of emergencies, as well as making it easier for school buses to negotiate traffic in this area. A motion to advertise the amendment to the Traffic Ordinance was made by Supervisor Oswald, seconded by Supervisor Theodossiou, and all voters yes to approve.

- E. An update on discussions regarding a suggestion to close off all of Skyline Drive from approximately dusk to dawn took place. The Township Manager reported that he had attended the most recent Mount Penn Preserve Council of Governments meeting where there was no additional conversation devoted to considering this concept.
- F. A brief discussion on the process used to identify qualified candidates for the Assistant to the Township Manager / Clerk position currently staffed by Corrie Zana was held. An executive session will be held after the meeting to determine next steps in the selection process. No action will be taken.

### **NEW BUSINESS**

- A. The Township Supervisors accepted the resignation letter of Dustin Wolf as Road Crew Worker, effective April 28, 2023. The Supervisors thanked him for his service in his full time role over the last 6 months.
- B. The application for a special event for Pretzel City Sports for 3 events was read and discussed. Seeing that any concerns related to emergency services had been addressed and agreed to by any concerned parties, a motion to approve the applications was made by Supervisor Oswald, seconded by Supervisor Theodossiou, and all voted yes to approve.
- C. A motion to advertise the proposed amendment to the existing Traffic Ordinance to install additional No Parking signs along either side of Service Court, extending from South Los Robles Court to West Prospect Street, resulting from the difficulties of road crew vehicles and first responder vehicles navigating these turns, was made by Supervisor Oswald, seconded by Supervisor Theodossiou, and all voted yes to approve.
- D. A motion to advertise the proposed amendment to the existing Traffic Ordinance to install No Parking signs along the westbound side of Taft Avenue, extending from Carsonia Avenue to Cross Street, for the hours of 7:15 AM to 8:15 AM and 2:15 PM to 3:15 PM, on Mondays through Fridays from September through May, resulting from the difficulties of road crew vehicles and first responder vehicles navigating these turns, was made by Supervisor Oswald, seconded by Supervisor Theodossiou, and all voted yes to approve.

***XII. PUBLIC COMMENT***

No additional comments made.

***XIII. EXECUTIVE SESSION***

The Supervisors went into an executive session at 7:45 P.M. to discuss personnel matters. The executive session concluded at 8:00 P.M.

***XIV. ADJOURNMENT***

Hearing no additional business, the meeting adjourned at 8:05 PM. The next regular meeting is scheduled for 6:30 PM on May 11th, 2023.

Respectfully submitted,

Don Pottiger, Manager, Secretary / Treasurer