

BIRDSBORO BOROUGH COUNCIL MEETING  
JANUARY 3, 2012, 7:10 P.M. – BOROUGH HALL

**MINUTES**

**PRESENT:** Steven Lusky, Member  
Kenneth Templin, President  
Richard Happel, Member  
David Blank, Member  
Neil McCauley, Vice President  
Angelene McKinney, Member  
Vacant \_\_\_\_\_, Member  
Robert M. Myers, Mayor  
Aaron J Durso, Borough Manager  
Theodore R. Roth, Chief of Police  
Terry D. Weiler, Esq., Solicitor  
Brian Boyer, P.E., Borough Engineer (N/A)  
Theodore Morse, Municipal Authority (absent)

**CALL TO ORDER:** President Templin called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance to the Flag.

Ordinance #430, Taxes: **Upon motion made** by Vice President McCauley and seconded by Mr. Happel, Ordinance #430, setting the tax rate for fiscal year 2012 at 5.36 mils for general purposes and .8 mils fire tax, was unanimously adopted.

Resolution #2012-03, Per Capita Tax; Resolution #2012-02, Real Estate Transfer Tax; and Resolution #2010-04, Earned Income Tax Collector:

**Upon motion made** by Councilman Blank and seconded by Councilwoman McKinney, Resolution #2010-03, 2010-02 and 2010-04 were unanimously passed.

**APPOINTMENTS:** **Upon motion made** by Councilman Lusky and seconded by Councilwoman McKinney appointments a through u were unanimously made, as follows:

- a. VIST Bank as the primary depository for operating funds;
- b. National Penn Bank as co-depository for operating funds;
- c. Reinsel Kuntz & Leshner as the Borough's independent auditing firm;
- d. Terry D. Weiler of Hoffert, Huckabee & Weiler as Solicitor;
- e. Aaron J. Durso as Borough Manager;
- f. Aaron J Durso as Borough Secretary;
- g. Kelly J. Yanos as Borough Treasurer;
- h. Brian Boyer of Boyer Engineering as the Engineer of Record;
- i. Ralph Cross of PCI, Inc. as the Zoning & Code Enforcement Officer
- j. Kenneth Imes, Jr. as the Assistant Zoning & Code Enforcement Officer and the Building Inspector.
- k. Aaron J. Durso as the Chief Administrative Officer of Pension Plans;
- l. Appointment of Kenneth Imes Jr. as the Borough's Emergency Management Coordinator.
- m. Appointment of Kevin Orman to a 5 year term on the Birdsboro Municipal Authority, with said term to expire on 12/31/16.
- n. Appointment of Jim Arms to a 5 year term on the Birdsboro Civil Service Commission, with said term to expire on 12/31/16
- o. Appointment of Roy Feick to a 4 year term on the Birdsboro Zoning Hearing Board with said term to expire on 12/31/15.
- p. Appointment of John Harkins to a 2 year term as the Vacancy Board Chairman with said term to expire on 12/31/13.
- q. Appointment of Joseph Peterson to a 4 year term as the Planning Commission with said term to expire on 12/31/15.

**APPOINTMENTS (con't.):** Upon motion made by Councilman Lusky and seconded by Councilwoman McKinney appointments a through u were unanimously made, as follows:

- r. Appointment of Matthew Winger to a 4 year term on the Planning Commission with said term to expire on 12/31/15.
- s. Appointment of Gloria Uhnit to a 5 year term on the Recreation Committee with said term to expire on 12/31/16.
- t. Appointment of Kenneth Long to a 5 year term on the Board of Health with said term to expire on 12/31/16.
- u. Kenneth J. Templin as Fire Marshall

**PUBLIC COMMENT ON AGENDA ITEMS:**

None

**MINUTES:**

December 12, 2011: **Motion** to approve December 12, 2011, meeting minutes. Motion to approve was made by Councilman Lusky and 2nd by Councilwoman McKinney. Motion passed 3-0. Vice President McCauley, Councilman Happel, and Councilman Blank abstained.

**BILLS LIST**

- a. Bills List dated January 3, 2012- Vice President McCauley made a motion to approve and it was 2nd by Councilwoman McKinney. **Motion** passed 6-0.
- b. List of Bills for ratification dated January 3, 2012- Vice President McCauley made a motion to approve and it was 2nd by Councilwoman McKinney. **Motion** passed 6-0.

**MANAGER'S REPORT**

**Committees:** Manager Durso informed council they need to appoint someone to the Berks County Commission Committee and the Berks County TCC Tax Committee. A brief discussion ensued about the different committees. Council will make the decisions on the vacancies at the January 9, 2012 meeting.

**MS4 Workshop-** Manager Durso will be attending an MS4 workshop on January 5, 2012 with Engineer Boyer. Manager Durso stated that it is an important workshop as they will learn more about MS4 compliance. 2013 will be the year for total compliance.

**Portnoff Law Associates-** Manager Durso reminded council about Portnoff Law Associates. He stated he had forwarded the information to the new Council members. He asked council to consider voting at the January 9, 2012 meeting.

**Council Vacancy-** Manager Durso reminded Council there is a vacancy on council the term is for 2 years. Council discussed. They will take letters of applicants until January 17, 2012. There will be a special meeting on January 30, 2012 at 6:30 pm. The candidates will be interviewed publicly at the meeting.

Councilman Lusky made a motion and it was 2nd by Vice President McCauley to advertise for the vacancy and the special meeting. Motion passed 6-0

**ENGINEER REPORT:**

N/A

**EMERGENCY MANAGEMENT:**

Kenneth Imes gave his EMA report for 2011. He informed council there will be a Emergency Management meeting on January 16, 2012 at 6:30 pm at Borough Hall. Council needs to collect ids from the 3 previous council members that are no longer on council. Council will also need to adopt Emergency Management Plan again. There were some changes made to the plan and council since it was originally adopted in 2008.

**FIRE DEPARTMENT:**

No Report

**MAYOR/POLICE REPORTS:**

Mayor Myers handed out an email distribution form. Mayor Myers stated former Councilman Tucci had requested council setup mass email for residents that want to be notified of emergencies or happenings in the Borough. Mayor Myers said the form was created after input from Chief Roth, Mayor Myers and Manager Durso. He asked council to review for any changes they may want to make.

Chief Roth informed council about a burglary that occurred on 3/11/11 on Hampton Street. Fingerprints were found and put into the database. After 8 months the Borough got a hit. A suspect was arrested in Chester County on an unrelated matter. Our officers interviewed the suspect who admitted to three other burglaries in the community. The police department will be able to close out for open burglary cases.

Chief Roth reported he had taken a criminal mischief report at the met- Ed substation for copper theft. The suspect was apprehended in another Berks County Municipality for the same offense. He admitted to the Birdsboro crime also. The police will be able to close out case.

Before the Chief was dismissed, Councilman Blank asked the Chief why scrap yards do not cooperate with police departments. Chief Roth stated it is hard to identify copper that is piled up in scrap yards and also they do not have to cooperate.

Councilman Happel asked the Chief for traffic accident records at E. 5th and Walnut Streets. He has concerns for safety at the intersection. Chief Roth stated he will research.

**SOLICITOR'S REPORT**

Solicitor Weiler will be reviewing the Emergency Plan.

Solicitor Weiler and Manager Durso met with the Redevelopment Authority regarding the Mueller property. The Redevelopment Authority might have interest in acquiring the property. Solicitor Weiler will keep council updated.

Solicitor Weiler reminded council he will be making an amendment to the rental ordinance and the fee schedule resolution. It should be ready to be voted on shortly.

**MUNICIPAL SERVICES / DEPARTMENT REPORTS**

**Water Department**

Next Meeting

**Wastewater Treatment Plant**

Next Meeting

**Streets Department**

Next Meeting

**COUNCIL/COMMITTEE REPORTS**

**Councilman Blank-** He asked Manager Durso a question regarding the Armorcast Property and the Borough's role in the cleanup. Manager Durso stated the owner is complying with the court order and it still is private property. The Borough has no jurisdiction while the owner is complying. Code Enforcement Officer and Manager Durso visit regularly. Councilman Blank also asked why the Borough stopped doing the newsletter. Manager Durso replied it is too costly with postage and it was eliminated from the budget in 2009.

**Councilman Lusky-** The new roof is going on the Community Center at no cost.

**BIRDSBORO MUNICIPAL AUTHORITY:** The next meeting is scheduled for Monday **January 16, 2012 6:30 pm**

**PLANNING COMMISSION:** The next meeting is scheduled for Tuesday **January 31, 2012 at 7:00 pm**

**PUBLIC COMMENT:**

**ADJOURNMENT:** **Upon motion made** by Councilman Lusky and 2nd by Councilman McCauley, the meeting was unanimously adjourned at 7:55 p.m.

Respectfully submitted,

Aaron Durso  
Borough Manager

**PENDING BUSINESS**

Armorcast Property  
Rental Inspection Registrations

**The next Council meeting will be held on Monday January 9, 2012.**