

AGENDA
WYOMISSING BOROUGH COUNCIL
Tuesday, February 14, 2023 – 7:00 P.M.

1. Call to order
2. Pledge of Allegiance
3. Roll Call
4. Public Comment –All public comments shall be related to the subject matter jurisdiction of the Borough Council, and shall be limited to matters of official action, or deliberations that are, or may come before the Borough Council (agenda items).
5. Public Hearing: Liquor License Transfer 400 North Park Road, Telia Greek restaurant
 - i. Borough Solicitor provide an overview of the hearing procedures for the inter-municipal transfer of Restaurant Liquor License Number R8374, from 2601 Penn Avenue, Spring Township
 - ii. Public Comments- All public comments shall be related to the subject matter
 - iii. **RESOLUTION NO. 2023-10**- A RESOLUTION OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA, APPROVING THE INTERMUNICIPAL TRANSFER OF RESTAURANT LIQUOR LICENSE R8374, OWNED BY PENN AVENUE BAR & GRILL LLC, LOCATED AT 2601 PENN AVENUE, READING, PA 19609, TO RESTAURANT 400 LLC D/B/A TELIA GREEK, FOR USE AT TELIA GREEK LOCATED AT 400 NORTH PARK ROAD, WYOMISSING, PA 19610, IN THE BOROUGH OF WYOMISSING.
 - iv. A motion is needed to table, approve, or deny adopting Resolution No. 2023-10 as to the Intermunicipal Liquor License Transfer
6. Public Hearing for the Borough of Wyomissing Zoning Ordinance Amendments: Ordinance No. 1430-2023- Define short-term rentals and permitted locations, as well as amending the list of uses for off-street parking requirements.
 - i. Borough Solicitor provide an overview of the hearing procedures and a summary of Ordinance No. 1430-2023.
 - ii. **ORDINANCE NO. 1430-2023**- AN ORDINANCE OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA, TO AMEND THE CODE OF ORDINANCES OF THE BOROUGH OF WYOMISSING, CHAPTER 27 ENTITLED “ZONING” TO DEFINE SHORT TERM RESIDENTIAL RENTAL

UNIT, TO PROVIDE FOR SHORT TERM RESIDENTIAL RENTAL UNIT AS A PERMITTED USE IN THE C-1 NEIGHBORHOOD COMMERCIAL ZONING DISTRICT AND AS A SPECIAL EXCEPTION USE IN THE R-1, R-1A, R-2, AND R-3 RESIDENTIAL ZONING DISTRICTS, AND TO PROVIDE FOR REGULATIONS GOVERNING SHORT-TERM RESIDENTIAL RENTAL UNITS, AND TO AMEND SECTION 609, OFF-STREET PARKING, BY ADDING MIXED USE LIFESTYLE CENTER TO THE LIST OF USES FOR WHICH SPECIFIC OFF-STREET PARKING REQUIREMENTS ARE LISTED

- iii. Public Comments- All public comments shall be related to the subject matter
 - iv. A motion is needed to table, approve, or deny adoption of Ordinance No. 1430-2023 as related to the Zoning Ordinance
7. Council Minutes – January 10, 2023
- i. A motion is needed to approve, deny, or amend the Council Minutes
8. Consulting Engineer’s Report
- i. Review Borough Engineer activity during the month of January
 - ii. A motion is needed to approve, deny, or amend the Engineer’s Report
9. Police Chief & Mayor’s Report
- i. Review the Police activity during the month of January
 - ii. A motion is needed to approve, deny, or amend the Police Chief & Mayor’s Report
10. Fire Chief’s Report
- i. Review the Fire activity during the month of January
 - ii. A motion is needed to approve, deny, or amend the Fire Chief’s Report
11. Committee Reports:
- a. Library Board – January 16, 2023
 - i. Review the Library Board report
 - ii. A motion is needed to approve, deny, or amend the Library Board report
 - b. Personnel Committee – January 17, 2023
 - i. Review the Personnel committee report
 - ii. A motion is needed to table, approve, or deny the retirement notice received by Officer Henne
 - iii. A motion is needed to approve, deny, or amend the Personnel committee

report

- c. Infrastructure Committee – January 17, 2023
 - i. Review the Infrastructure committee report
 - ii. A motion is needed to table, approve, or deny authorizing payment of final Payment Application No. 5 in the amount of \$14,726.47 to Sewer Specialty Services
 - iii. A motion is needed to table, approve, or deny accepting the lowest bid of \$736,159 from PSI Pumping Solutions, for the Berkshire Boulevard Pump Station project
 - iv. A motion is needed to approve, deny, or amend the Infrastructure committee report
- d. Recreation Board – January 17, 2023
 - i. Review the Recreation Board report
 - ii. A motion is needed to approve, deny, or amend the Recreation Board report
- e. Refuse and Recycling Committee – January 18, 2023
 - i. Review the Refuse and Recycling committee report
 - ii. A motion is needed to approve, deny, or amend the Refuse and Recycling committee report
- f. Economic Development Committee – January 26, 2023
 - i. Review the Economic Development committee report
 - ii. Councilmember Stanko made a motion, seconded by Councilmember Reeser to amend the agenda to take action on granting a variance for Wyomissing Square retail, all in favor, 6-0 – No public comment provided
 - iii. A motion is needed to table, approve, or deny requesting the Zoning Hearing Board grant a variance to allow wall mounted and blade signs to be installed for each retail tenant at Wyomissing Square
 - iv. A motion is needed to approve, deny, or amend the Economic Development committee report
- g. Fire and Police Committee – January 30, 2023
 - i. Review the Fire and Police committee report
 - ii. **ORDINANCE NO. 1433-2023-** AN ORDINANCE OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA, REPEALING,

READOPTING, RESTATING AND AMENDING THE CODE OF THE BOROUGH OF WYOMISSING, CHAPTER 7 ENTITLED "FIRE PREVENTION AND FIRE PROTECTION", PART 2 ENTITLED "FIRE PREVENTION CODE" AND RENUMBERING THE SECTIONS OF PART 4 ENTITLED "FIRE DEPARTMENT SERVICE FEES" BY ADOPTION OF THE 2018 INTERNATIONAL FIRE CODE AND THE FIRE PREVENTION CODE FOR THE BOROUGH OF WYOMISSING

- iii. A motion is needed to table, approve, or deny advertising the draft Ordinance No. 1433-2023 as to adopting International Fire Code 2018
- iv. A motion is needed to table, approve, or deny authorizing the removal of the handicapped parking space at 801 Holland Square due to the original requestor no longer living in the residence
- v. A motion is needed to table, approve, or deny authorizing the Mind Your Health 5K event on May 20, 2023
- vi. A motion is needed to table, approve, or deny authorizing the sale of a used police vehicle to the Wyomissing Area School District in the amount of \$11,000
- vii. A motion is need to table, approve, or deny rejecting the request by the Wilson School District to participate in the intermunicipal agreement regarding civil processing of vehicles for failing to stop for school buses with flashing red lights, as per the Pennsylvania Vehicle Code
- viii. A motion is needed to approve, deny, or amend the Fire and Police committee report
- h. Planning Commission – February 6, 2023
 - i. Review the Planning Commission report
 - ii. A motion is needed to table approve, or deny re-affirming the previously granted waiver from the formal land development process for 1011 N. Park Road, as reaffirmed in the January 24, 2023 Great Valley Consultants review letter
 - iii. A motion is needed to table approve, or deny granting the waiver from Section 305 of the Subdivision and Land Development Ordinance, to allow the plan be reviewed as a preliminary/final plan for 301 Windsor Street
 - iv. A motion is needed to approve, deny, or amend the Planning Commission report

- i. Finance & Administration Committee – February 9, 2023
 - i. Review the Finance & Administration committee report
 - ii. A motion is needed to table, approve, or deny relief from the water bill for the resident of 1320 Cleveland Avenue, due to the past practice of not granting relief unless it can be determined that the water did not pass through the sewer system, in which case the sewer portion of the bill could be adjusted to reflect average usage
 - iii. **RESOLUTION NO. 2023-08**- A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA ADOPTING NEW BUSINESS PRIVILEGE TAX AND MERCANTILE TAX REGULATIONS IN THE WYOMISSING AREA SCHOOL DISTRICT PORTION OF THE BOROUGH OF WYOMISSING AND IN THE WILSON SCHOOL DISTRICT PORTION OF THE BOROUGH OF WYOMISSING.
 - iv. A motion is needed to table, approve, or deny adopting Resolution No. 2023-08 as to Business Privilege and Mercantile Tax Regulations
 - v. A motion is needed to ta increase the hourly wage of the part time Accounting Clerk from \$22.28 per hour to \$25.00 per hour, effective February 14, 2023
 - vi. **ORDINANCE NO. 1431-2023**- AN ORDINANCE OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA, TO AMEND THE CODE OF ORDINANCES OF THE BOROUGH OF WYOMISSING, CHAPTER 24 “TAXATION, SPECIAL”, PART 1 “BUSINESS PRIVILEGE TAX”, PART 5 “DISCOUNT AND PENALTY RATES”, AND PART 7 “MERCANTILE TAX” TO AMEND REGULATIONS REGARDING PENALTIES AND INTEREST
 - vii. A motion is needed to table, approve, or deny adopting Ordinance No. 1431-2023 as related to Business Privilege and Mercantile Taxes
 - viii. Councilmember Brunner made a motion, seconded by Councilmember Barnett to amend the agenda to discuss and take action on investment strategies
 - ix. A motion is needed to table, approve, or deny dividing the February 2023 maturing \$2,000,000 in PLGIT investments, into two \$1,000,000 investments, and reinvest for maturity dates of July and November 2023.
 - x. A motion is needed to approve, deny, or amend the Finance & Administration committee report

12. Borough Manager's Report

- i. Review the Borough Manager's Report
- ii. Minutes from Western Berks Water Authority Board meeting ***will be made available before Council meeting, if received***
- iii. The minutes from the November and December Joint Municipal Authority Board meeting are in your packet for review
- iv. A 2002 Crown Victoria was sold on MunicBid for \$2,000 to Christopher Boggs in Canton, PA
- v. A motion is needed to table, approve, or deny a one year extension to the emergency repair contract between Spring Township, Schlouch Incorporated and the Borough
- vi. A motion is needed to table, approve, or deny authorizing the hiring of Gregory Capriolo as the Assistant Public Works Director at a starting salary of \$75,000
- vii. A motion is respectfully requested to approve submitting a 6 month extension request to the Office of the Budget regarding the Redevelopment Assistance Capital Program and the submission of the Application and Business Plan related to the grant award of \$2 million
- viii. **RESOLUTION NO. 2023-09- A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA IN RECOGNITION OF THE DEDICATION AND CONTRIBUTIONS OF NATALIE LOEB TO THE BOROUGH OF WYOMISSING**
- ix. A motion is needed to table, approve, or deny adopting Resolution No. 2023-09 as recognizing Natalie Loeb
- x. **ORDINANCE NO. 1432-2023- AN ORDINANCE OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA, TO AMEND THE CODE OF ORDINANCES OF THE BOROUGH OF WYOMISSING, CHAPTER 11 ENTITLED "HOUSING", TO AMEND PART 2, ENTITLED "RENTAL PROPERTY MAINTENANCE", BY AMENDING SECTION 201, ENTITLED "PERMITS REQUIRED; ISSUANCE", TO REQUIRE ANY SHORT-TERM RESIDENTIAL RENTAL UNIT, AS DEFINED IN THE ZONING ORDINANCE, TO BE INSPECTED AND PERMITTED AS A RENTAL UNIT, AND TO AMEND PART 3, ENTITLED "DISRUPTIVE CONDUCT", BY AMENDING SECTION 301, ENTITLED "PURPOSE AND FINDINGS", TO CLARIFY THAT ANY SHORT-TERM RESIDENTIAL RENTAL UNIT, AS DEFINED BY THE ZONING ORDINANCE, SHALL BE CONSIDERED A RENTAL FOR PURPOSES OF THE DISRUPTIVE CONDUCT REGULATIONS OF SAID PART 3**

- xi. A motion is needed to table, approve, or deny adopting Ordinance No. 1432-2023 as related to the Housing Ordinance
 - xii. A motion is needed to table, approve, or deny reappointing Author White to the Wyomissing Valley Joint Municipal Authority Board for a five year term
 - xiii. Borough Hall will be closed on Monday, February 20, 2023, in observance of President's Day
 - xiv. A motion is needed to approve, deny, or amend the Borough Manager's Report
13. Treasurer's Statement of Operation- General Fund, Bureau of Water, Sewer Fund, Highway Aid, Refuse/Recycling Fund, Road Tax Fund
- i. Review the Financial activity during the month of January
 - ii. A motion to approve, deny, or amend the Treasurer's Statement of Operation Report
14. Accounts Payable- General Fund, Bureau of Water, Sewer Fund, Refuse/Recycling Fund
- i. Review the Accounts Payable activity during the month of January
 - ii. A motion to approve, deny, or amend the Accounts Payable Report
15. Tax Collector's Report
- i. Review the Tax Collector's activity during the month of January
 - ii. A motion to approve, deny, or amend the Tax Collector's Report
16. Old Business- Any agenda items being proposed for discussion that are not listed under the "Old Business" section, must have a motion made to add the item to the agenda to be further discussed and action taken if needed.
17. New Business- Any agenda items being proposed for discussion that are not listed under the "New Business" section, must have a motion made to add the item to the agenda to be further discussed and action taken if needed.
18. Public Comment – All public comments shall be related to the subject matter jurisdiction of the Borough Council and shall be limited to matters of public concern (non-agenda items) that are, or may come, before the Borough Council