

BOROUGH OF WYOMISSING – COUNCIL MINUTES

APRIL 11, 2023 – 7:00 P.M.

The Borough of Wyomissing Council held their regular meeting in the Borough of Wyomissing Council Chambers on the above date and time. Council President William S. Jenckes called the meeting to order at 7:00 p.m. with the following persons present: Stephen D. Brunner, Keith L. Derr, Jana R. Barnett, Ronald C. Stanko, and David L. Reeser; Mayor Frederick C. Levering, Borough Solicitor Christopher Hartman, Borough Manager & Economic Development Coordinator Michele Bare, Borough Engineer Representative Nick Perilli, Police Chief John Phillips, Public Works Director James V. Babb, Recreation Director Pete Beck, and Borough Secretary Melissa Miller. The following persons were absent: Councilmember Frederick R. Mogel, Fire Chief Colin Hackman, and Treasurer Thomas Moll.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

EXECUTIVE SESSION:

Council President Jenckes stated that an Executive Session was held before the meeting for personnel matters and real estate matters, as well as an Executive Session that was held on March 27, 2023 to discuss personnel matters.

VISITORS:

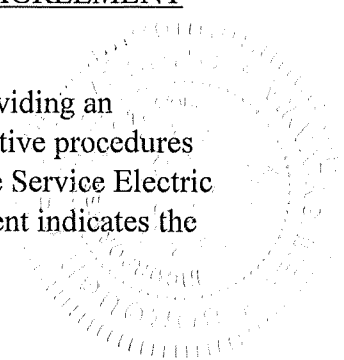
Diane Price – Berks County Armed Forces Day Parade
Justin Bodor – Berks County Assistant District Attorney

PUBLIC COMMENTS (agenda items):

Diane Price, Berks County Armed Forces Day Parade organizer shared with Council that 2023 marks the 75th anniversary of the Armed Forces Day Parade. To commemorate the special occasion, there will be a plane fly over during the parade, as well as several special band participants, the development of a challenge coin for the event, and much more. The committee will be advertising the event through the local news, as well as several other media outlets. She lastly thanked Council for the continued Borough participation in the parade.

PUBLIC HEARING FOR THE SERVICE ELECTRIC CABLE FRANCHISE AGREEMENT
(Ordinance 1434-2023):

Borough Solicitor Chris Hartman called the hearing to order at 7:10 p.m. by providing an introduction to the process of the hearing, the purpose of the hearing, administrative procedures leading up to the hearing, and the presentation of the proposed Ordinance for the Service Electric Cable Franchise Agreement. Borough Solicitor Hartman shared that the agreement indicates the



Borough would receive a 5% franchise fee similar to the agreement with Comcast, as well as similar service standard requirements including responsiveness. Also outlined in the agreement is the understanding that aboveground wires will be used in less dense areas, and underground wires will be used in areas with more density. Service Electric would provide underground wiring in areas where utilities are already underground.

PUBLIC COMMENTS:

No public comments were provided.

The Public Hearing for the Ordinance amendment to the Borough of Wyomissing Code of Ordinances adjourned at 7:13 p.m.

ORDINANCE NO. 1434-2023- ORDINANCE OF THE BOROUGH OF WYOMISSING AUTHORIZING EXECUTION OF A FRANCHISE CABLE AGREEMENT BETWEEN THE BOROUGH AND SERVICE ELECTRIC CABLEVISION, INC.

Councilmember Derr made a motion, seconded by Councilmember Stanko to adopt Ordinance No. 1434-2023 as to a cable franchise agreement with Service Electric Cablevision, Inc., all in favor, 6-0.

COUNCIL MINUTES: On motion duly made, seconded and passed, Council approved the minutes of the March 14, 2023 Council meeting.

CONSULTING ENGINEER'S REPORT: On motion duly made, seconded and passed, Council approved the Consulting Engineer's report dated April 11, 2023.

Borough Engineer Representative Nick Perilli indicated there was no further review of the report.

POLICE DEPARTMENT & MAYOR'S REPORT: On motion duly made, seconded and passed, Council approved the Police Department & Mayor's report dated April 11, 2023.

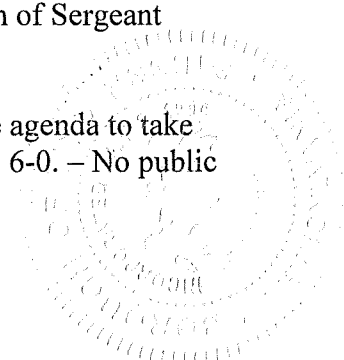
Mayor Frederick Levering commended fire and police personnel for their assistance during the RM Palmer incident.

Police Chief John Phillips reviewed the report.

Chief Phillips shared with Council that a Mayoral Proclamation was signed to temporarily allow parking on Van Reed Road for the RM Palmer operations to commence in Wyomissing.

Chief Phillips requested the agenda be amended to take action on the resignation of Sergeant Barry Moyer and the related agreement.

Councilmember Jenckes made a motion, seconded by Jana Barnett to amend the agenda to take action on the resignation of Barry Moyer and the related agreement, all in favor, 6-0. – No public comment was provided.



Councilmember Barnett made a motion, seconded by Councilmember Derr to accept the resignation of Barry Moyer and approve the related agreement, all in favor, roll call vote, 6-0.

FIRE CHIEF'S REPORT: On motion duly made, seconded and passed, Council approved the Fire Chief's report for March 2023.

Due to Fire Chief Colin Hackman's absence, Councilmember Jenckes reviewed the report.

LIBRARY BOARD: On motion duly made, seconded and passed, Council approved the Library Board report dated March 20, 2023.

Councilmember Barnett reviewed the report.

Councilmember Barnett discussed that library staff continues to work on updating various policies, and that the Derby Party and other fundraising efforts are taking place. Derby party signs have been placed in various areas within the Borough, of which Borough Manager & Economic Development Coordinator Michele Bare shared that signage placed on Borough property for the library event is acceptable due to the fact that the Borough owns the library building.

INFRASTRUCTURE COMMITTEE: On motion duly made, seconded and passed, Council approved the Infrastructure Committee report dated March 20, 2023.

Councilmember Brunner reviewed the report.

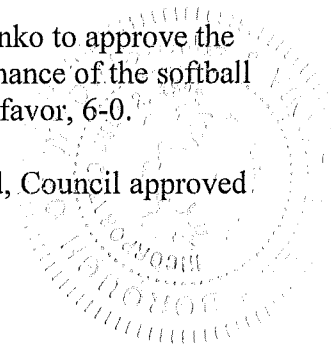
Councilmember Brunner made a motion, seconded by Councilmember Reeser to award the 2023 Sanitary Sewer Rehabilitation & Televising project to Sewer Specialty Services, not to exceed \$400,000, with a scope of work including cleaning, televising, and manhole to manhole lining, all in favor, roll call vote, 6-0.

Councilmember Brunner made a motion, seconded by Councilmember Reeser to approve Change Order No. 2 from LB Construction Enterprises, revising the contract amount to \$143,129 for the 2022 50/50 Sidewalk Repair project, all in favor, roll call vote, 6-0.

Councilmember Brunner made a motion, seconded by Councilmember Reeser to award the maintenance contract to Telco Inc., in the amount of \$15,337.80 plus the cost of time and materials for the highway lighting, due to the current safety risk for motorists, all in favor, roll call vote, 6-0.

Councilmember Brunner made a motion, seconded by Councilmember Stanko to approve the Borough's grass cutting contractor, Smitty's, to perform additional maintenance of the softball in-field and any other necessary areas, as part of the annual contract, all in favor, 6-0.

PERSONNEL COMMITTEE: On motion duly made, seconded and passed, Council approved the Personnel Committee report dated March 21, 2023.



Due to Councilmember Mogel's absence, Councilmember Brunner reviewed the report.

Councilmember Brunner made a motion, seconded by Councilmember Reeser to promote current Public Works employee Craig Heck to the lead Buildings and Grounds position with the lead position rate. In doing so, the current lead Buildings and Grounds employee would no longer be the lead, but would remain at the same rate of pay as a lead, all in favor, 6-0.

RECREATION BOARD: On motion duly made, seconded and passed, Council approved the Recreation Board report dated March 21, 2023.

Councilmember Barnett and Recreation Director Pete Beck reviewed the report.

Recreation Director Peter Beck shared that the egg hunt was well attended with approximately 850 people. He further shared that Summer programming will soon begin, and within the next week all staffing will be hired. He lastly shared several upcoming events including the Fishing Rodeo, the parades, and information on the West Reading & Wyomissing Rotary Club Field of Honor flag display around the Stone House pond to accompany the July 4th festivities. Council questioned where the fireworks display would be setup, and Pete indicated the display will be placed at the furthest corner from the pool and any structures.

Councilmember Brunner made a motion, seconded by Councilmember Derr to appoint Elizabeth Toigo and Christopher Roman as alternate Recreation Board members, with terms to expire December 31, 2023, and to ratify prior Recreation Board motions to appoint Jessica Christman to the Recreation Board term expiring December 31, 2025, Karim Davidson to the Recreation Board term expiring December 31, 2024, and Kristen Gajewski to the Recreation Board term expiring December 31, 2023, all in favor, 6-0.

FIRE AND POLICE COMMITTEE: On motion duly made, seconded and passed, Council approved the Fire and Police Committee report dated March 27, 2023.

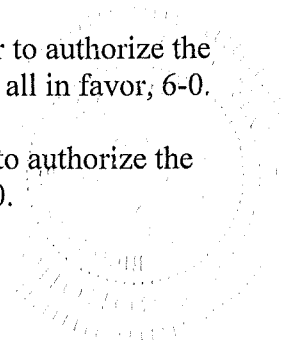
Councilmember Jenckes reviewed the report.

Councilmember Jenckes made a motion, seconded by Councilmember Brunner to authorize the 2022 PEMA grant award of \$14,317.55 be used to purchase two sets of structural turnout gear for a total cost of \$10,008.74, all in favor, roll call vote, 6-0.

Councilmember Jenckes made a motion, seconded by Councilmember Barnett to authorize the 2022 PEMA grant award of \$14,317.55 be used to purchase four ballistic vests for a total cost of \$4,319.80, all in favor, roll call vote, 6-0.

Councilmember Jenckes made a motion, seconded by Councilmember Brunner to authorize the Bradley Mayer 5K scheduled for August 13, 2023, to be held in the Parklands, all in favor, 6-0.

Councilmember Jenckes made a motion, seconded by Councilmember Reeser to authorize the annual Armed Forces Day Parade scheduled for May 20, 2023, all in favor, 6-0.



ECONOMIC DEVELOPMENT COMMITTEE: On motion duly made, seconded and passed, Council approved the Economic Development Committee report dated March 29, 2023.

Mayor Frederick Levering reviewed the report.

Mayor Frederick Levering thanked the Realtor's Association for their collaboration with Borough administration to enhance the Short-Term Rental Ordinance.

Borough Manager Bare shared with Council that the date for the Conditional Use Hearing for the proposed apartment complex at the Wrangler parking lot at the corner of Penn Avenue and Park Road, as presented by Equus, has been set for May 15, 2023 at 1:30 p.m. in Council Chambers.

FINANCE & ADMINISTRATION COMMITTEE: On motion duly made, seconded and passed, Council approved the Finance and Administration Committee report dated April 6, 2023.

Councilmember Derr reviewed the report.

Councilmember Derr made a motion, seconded by Councilmember Reeser to approve accepting the 2022 audit results and management letter as completed and presented by Herbein and Company, all in favor, 6-0. Councilmember Derr thanked Business Manager Phyllis Smith for her assistance during the audit process, and a successful audit.

Councilmember Derr made a motion, seconded by Councilmember Brunner to approve ratifying the actions taken during the April 2023 Finance and Administration committee meeting, authorizing the Business Manager to divide the \$2,000,000 maturing April investments, into two, \$1,000,000 investments, maturing in 180 days and 240 days, all in favor, 6-0.

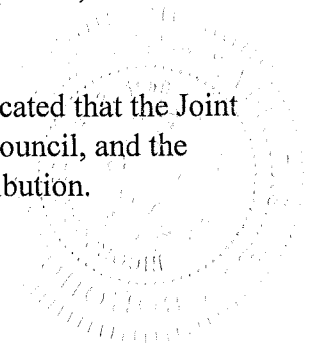
Councilmember Derr made a motion, seconded by Councilmember Stanko to authorize the proposal from Hubric Resources to provide Anti-Harassment and Civility Training to all Borough employees, for a cost of \$2,025, all in favor, roll call vote, 6-0.

Councilmember Derr made a motion, seconded by Councilmember Brunner to authorize the Borough Manager to send formal notice to Pioneer Crossing, indicating the Borough's intent to discontinue the current Landfill Airspace Agreement after December 31, 2023, and authorize the advertisement of the Landfill Airspace bid documents, all in favor, 6-0.

Councilmember Derr made a motion, seconded by Councilmember Stanko to authorize the Borough's participation in the Teva, Allergan, CVS, Walgreens and Walmart opioid settlements, and authorize the execution and submission of all required forms by the Borough Manager, all in favor, 6-0.

BOROUGH MANAGER'S REPORT: On motion duly made, seconded and passed, Council approved the Borough Manager's report dated March 14, 2023.

Borough Manager & Economic Development Coordinator Michele Bare indicated that the Joint Municipal Authority meeting minutes for February were made available to Council, and the Western Berks Water Authority meeting minutes were not available for distribution.



Borough Manager Bare indicated a motion is needed to take action on the 90-day time extension received from the developer of the 850 Holdings, LLC. project, for land development approval of the proposed warehouse addition.

Councilmember Barnett made a motion, seconded by Councilmember Brunner to accept the 90-day time extension received from the developer of the 850 Holdings, LLC. project for land development approval of the proposed warehouse addition, for the Borough of Wyomissing Planning Commission to take action on the submitted plans, all in favor, 6-0.

Borough Manager Bare indicated a motion is needed to take action on hiring for the vacant Public Works Buildings and Grounds position.

Councilmember Barnett made a motion, seconded by Councilmember Brunner to approve hiring Steve Smith for the Buildings and Grounds position at a starting rate of \$21.00/hour, as all conditions of his employment offer have been met, all in favor, 6-0.

Borough Manager Bare indicated a motion is needed to take action on entering an agreement for service with Meister Cox Architects for professional services related to Phase 2 of the Borough's Facilities Plan.

Councilmember Derr made a motion, seconded by Councilmember Brunner to enter an agreement for service with Meister Cox Architects for professional services related to Phase 2 of the Borough's Facilities Plan at a cost of \$14,575, all in favor, roll call vote, 6-0.

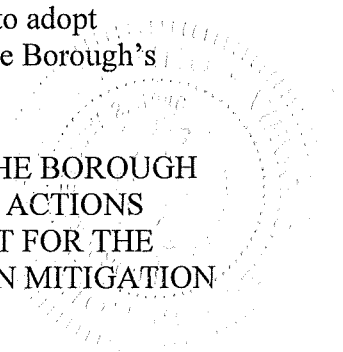
Borough Manager Bare indicated a motion is needed to take action on reappointing Jeremiah Sensenig to the Civil Service Commission.

Councilmember Brunner made a motion, seconded by Councilmember Stanko to reappoint Jeremiah Sensenig as a voting member to the Borough's Civil Service Commission for a five-year term, beginning July 1, 2023, all in favor, 6-0.

RESOLUTION NO. 2023-12 -A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA IN RECOGNITION OF THE DEDICATION AND CONTRIBUTIONS OF ANDREA BOERGER TO THE BOROUGH OF WYOMISSING

Councilmember Stanko made a motion, seconded by Councilmember Barnett to adopt Resolution No. 2023-12 as to recognizing Andrea Boerger for her service to the Borough's Recreation Board, all in favor, 6-0.

RESOLUTION NO. 2023-13- A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA AUTHORIZING ACTIONS RELATING TO RECEIVING A FLOOD MITIGATION PROGRAM GRANT FOR THE IMPLEMENTING OF THE LINCOLN AND BRANDYWINE FLOODPLAIN MITIGATION



PROJECT

Councilmember Barnett made a motion, seconded by Councilmember Stanko to adopt Resolution No. 2023-13, authorizing the submission of an application requesting \$500,000 from the Floodplain Mitigation Program for the Lincoln and Brandywine Flood Mitigation Program and authorizing the Borough Manager and Business Manager to execute all grant related documents, all in favor, 6-0.

RESOLUTION NO. 2023-14 - A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA AUTHORIZING APPLICATION FOR GREENWAYS, TRAILS AND RECREATION PROGRAM GRANT

Councilmember Barnett made a motion, seconded by Councilmember Brunner to adopt Resolution No. 2023-14, authorizing the submission of an application requesting \$250,000 from the Greenways, Trails and Recreation Program for the Berkshire Heights Playground Improvements and authorizing the Borough Manager and Business Manager to execute all grant related documents, all in favor, 6-0.

TREASURER'S STATEMENT OF OPERATIONS: On motion duly made, seconded and passed, Council approved the Treasurer's Statement of Operation and all financial statements.

Due to the Treasurer's absence, there was no further review of the report. There was notation made that a condensed version of the report will be included in the Council packets moving forward.

ACCOUNTS PAYABLE: Councilmember Derr made a motion, seconded by Councilmember Barnett to ratify and approve the Accounts Payables report for March 2023, all in favor, roll call vote, 6-0.

General Fund	\$ 570,287.72
Water Fund	211,501.41
Sewer Fund	107,825.44
Refuse Fund	133,057.31
Liquid Fuels Fund	<u>24,648.35</u>
	\$ 1,047,320.23

TAX COLLECTOR'S REPORT: On motion duly made, seconded and passed, Council approved the Tax Collector's report for the Month of March 2023.

Due to the Tax Collector's absence, there was no further review of the report.

OLD BUSINESS:

No old business to discuss.



NEW BUSINESS:

Councilmember Derr shared his concern that the Borough should take a position to communicate with public utility companies when multiple issues pertaining to personal property damages such as those with FastBridge Fiber and Comcast, arise.

PUBLIC COMMENT (non-agenda items):

Justin Bodor, Berks County Assistant District Attorney introduced himself to Council as the Judge for Berks County Court of Common Pleas candidate, and briefly provided his background.

The Wyomissing Borough Council meeting adjourned at 8:14 p.m.

Respectfully Submitted,



Melissa Miller
Borough Secretary

Approved by:



William S. Jenckes
President, Wyomissing Borough Council

