

BOROUGH OF WYOMISSING – COUNCIL MINUTES

AUGUST 11, 2020 – 2:00 P.M.

The Borough of Wyomissing Council held their regular meeting via a recorded Zoom video/conference call platform on the above date and time. Council President Thomas M. Moll called the meeting to order at 2:00 p.m. with the following persons present: Council Members Thomas M. Bausher, John C. Woodward, Stephen D. Brunner, William S. Jenckes, Jody W. Menon, and Keith L. Derr; Treasurer Gregory L. Portner, Mayor Frederick C. Levering, Borough Solicitor Christopher J. Hartman, Borough Engineer Jim McCarthy, Police Lieutenant Thomas Endy, Borough Manager Pat Brandenburg, Public Works Director James V. Babb, Economic Development Coordinator and Zoning & Codes Enforcement Officer Michele Bare, Parks & Recreation Director Robert Lewis, and Assistant Borough Secretary Melissa Miller.

CALL TO ORDER

Council President Moll announced an executive session was held before the meeting to discuss personnel issues and potential litigation.

PLEDGE OF ALLEGIANCE

ROLL CALL

VISITORS:

Adrian Jadic – Borough Resident
Dave Reeser – Borough Resident

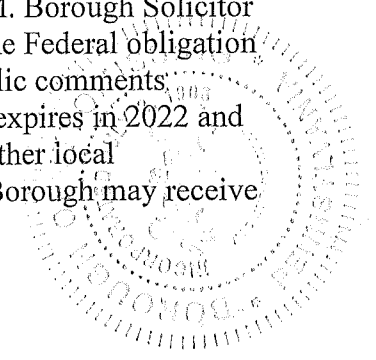
PUBLIC COMMENTS:

Adrian Jadic, 48 Cardinal Road addressed Council with his concern that Officer Klatt and Sergeant Moyer should face disciplinary actions for their recent involvement in the Stanley Gracius incident. He feels they exercised clear abuse of force and office, and filed more charges than necessary, even further expressing his concern that some charges were fabricated. He recommended having more transparency and independent oversight in the Police department to hold officers accountable for their actions.

On a different note, he recommended Borough Council get rid of the flat refuse rate since it is unfair that people who put out less refuse, seem to be paying for others to put out more refuse. He feels that those practicing more sustainable refuse and recycling practices should not be charged more, but people who wish to set out excess refuse should have to pay more.

CABLE FRANCHISE PUBLIC HEARING:

The Comcast Cable Franchise Public Hearing was called to order at 2:07 P.M. Borough Solicitor Christopher Hartman stated the purpose of the public hearing was to fulfill the Federal obligation to have a public hearing due to the impending contract renewal and seek public comments regarding the cable provider. The current Comcast Cable Franchise contract expires in 2022 and the Cohen Law Group has been hired to represent the Borough and various other local municipalities to negotiate the renewal process. Chris further noted that the Borough may receive



up to 5% of the cable franchise fee which is the fee for the cable provider to utilize the public right of way.

Adrian Jadic, 48 Cardinal Road began with providing comments about Internet services, however was corrected by Chris Hartman that the public hearing was specifically for comments on cable services. With that being said, Mr. Jadic indicated his only comment was to recommend having cable lines buried instead of on utility poles.

Gregory Portner, 35 Buckingham Drive indicated now is the time for the Borough to ask for items they are currently not receiving. He recommended putting together a list to share during negotiations, of what types of perks the Borough would like to see for the residents.

Chris Hartman indicated he will prepare correspondence to the Cohen Law Group with the suggestions that were made during the public hearing.

The Comcast Cable Franchise public hearing adjourned at 2:25 p.m.

RECEIPT OF REPORTS: On motion duly made, seconded and passed, Council received all reports submitted for consideration.

COUNCIL MINUTES: On motion duly made, seconded and passed, Council approved the minutes of the meeting of July 14, 2020.

CONSULTING ENGINEER'S REPORT: On motion duly made, seconded and passed, Council approved the Consulting Engineer's report dated August 2020.

Borough Engineer Jim McCarthy reviewed the report.

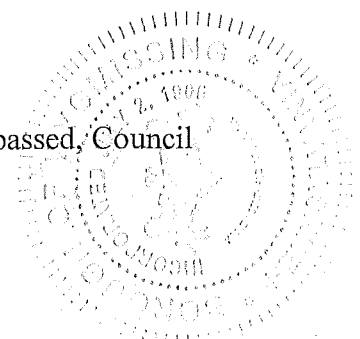
Jim McCarthy provided an update to the 4th Street project, indicating that all of the necessary right of way documents have been recorded, Barwis has been given the executed contract and notice to proceed, and the preconstruction meeting is in the process of being scheduled.

Pertaining to the pedestrian bridge located near the YR Club, Jim noted the permit has been obtained to begin work, and if work begins by June 30, 2021, the Borough would be eligible for a 1-year extension. Due to a recent rain event, there were concerns of erosion at the bridge. Upon review from McCarthy Engineering, it appears damage was minor, and the bridge is still structurally sound for pedestrian traffic. Jim recommended keeping a watchful eye on the bridge on a regular basis and after large storm events, and to report any changes to McCarthy Engineering for their review.

POLICE CHIEF & MAYOR'S REPORT: On motion duly made, seconded and passed, Council approved the Police Chief & Mayor's report dated August 1, 2020.

Lieutenant Thomas Endy reviewed the report.

FIRE COMMISSIONER'S REPORT: On motion duly made, seconded and passed, Council approved the Fire Commissioner's report for July 2020.



Councilmember Jenckes reviewed the report.

REFUSE AND RECYCLING COMMITTEE REPORT: On motion duly made, seconded and passed, Council approved the Refuse and Recycling Committee report dated July 15, 2020.

Councilmember Jenckes reviewed the report.

Councilmember Jenckes indicated Borough residents are adhering to the Mascaro Flexible Plastic Packaging program guidelines and the program seems to be well received within the community.

Councilmember Jenckes shared with Council the current refuse and recycling contract expires at the end of 2020, however a rider in the contract would allow the contract to be extended up to two years.

Councilmember Jenckes made a motion, seconded by Councilmember Woodward to extend the current refuse and recycling contract as per the rider noted within the contract; the Borough reserves the right to extend the contract for a period up to two (2) additional years, with an annual increase to the contract as indicated by the Consumer Price Index, for all urban consumers, Northeast Urban, size B/C, average all items (1996 = 100) as published in the monthly labor review by the US Department of Labor, over the average price of the first three (3) years, all in favor, roll call vote, 7-0.

INFRASTRUCTURE COMMITTEE REPORT: On motion duly made, seconded and passed, Council approved the Infrastructure Committee report dated July 20, 2020.

Councilmember Bausher reviewed the report.

Councilmember Bausher shared with Council that an objection was made during the March 2020 Council meeting pertaining to the standpipe and sprinkler system ordinance. The objector was not opposed to the language proposed, rather was opposed to the ordinance applying to structures that are already exempt from the Uniform Construction Code. The objector indicated a slight change to the proposed language would settle his objection.

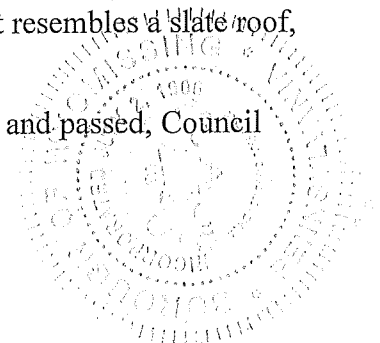
Councilmember Bausher made a motion, seconded by Councilmember Brunner to approve the adjustments to the proposed standpipe and sprinkler system ordinance, and recommend a public hearing be advertised for the aforementioned ordinance, all in favor, 7-0.

Councilmember Bausher indicated the committee was reviewing the use of asphalt shingles on the library building.

Councilmember Bausher made a motion, seconded by Councilmember Menon to approve the library building roof replacement with an architectural asphalt shingle that resembles a slate roof, all in favor, 7-0.

PERSONNEL COMMITTEE REPORT: On motion duly made, seconded and passed, Council approved the Personnel Committee report dated July 21, 2020.

Councilmember Bausher reviewed the report.



FIRE AND POLICE COMMITTEE REPORT: On motion duly made, seconded and passed, Council approved the Fire and Police Committee report dated July 27, 2020.

Councilmember Jenckes reviewed the report.

Councilmember Jenckes announced to Council that volunteer Fire Police Captain Richard Bare has retired from his position effective July 1, 2020. He will resume the administrative role as the Wyomissing Fire Department President. Mr. Bare provided more than 58 years of active volunteer services to both the Spring Township and Wyomissing Fire Departments. Councilmember Jenckes indicated a plaque will be purchased to honor Mr. Bare.

Councilmember Jenckes provided sympathies to Mayor Frederick Levering upon the passing of his brother-in-law Randy Brossman. Mr. Brossman provided more than 40 years of active volunteer services to the fire department. The committee further suggested providing plaque recognition to Mr. Brossman's family.

Councilmember Jenckes also recognized Chief Biehl for his more than 42 years of service to the Borough of Wyomissing.

Councilmember Jenckes informed Council of the intent to replace the police vehicle that was damaged in an accident. He indicated, similar to a previous purchase, the vehicle would be ordered now with delivery and invoicing in 2021. The purchase price of the vehicle is approximately \$34,000 with another \$10,000 needed to remount computers and radio equipment, as well as the exterior graphics and lighting. It was noted that the insurance company has paid out \$13,000 towards the claim.

Councilmember Jenckes made a motion seconded by Councilmember Woodward to approve the purchase of a new police vehicle for an approximate cost of \$34,000, with delivery and invoicing to occur in 2021. An estimated \$10,000 extra will need to further be expended to remount computers and radio equipment, as well as the exterior graphics and lighting, all in favor, roll call vote, 7-0.

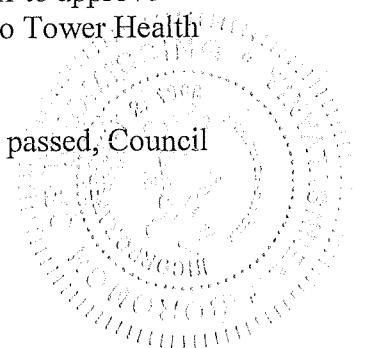
Councilmember Jenckes made a motion, seconded by Councilmember Bausher to approve the application for the annual Turkey Trot Run to be held on November 26, 2020 throughout the Borough of Wyomissing parklands, all in favor, 7-0.

ECONOMIC DEVELOPMENT COMMITTEE REPORT: On motion duly made, seconded and passed, Council approved the Economic Development Committee report dated July 30, 2020.

Councilmember Woodward reviewed the report.

Councilmember Woodward made a motion, seconded by Councilmember Derr to approve entering a contract with the bike sharing station company, Movatics, subject to Tower Health also signing a contract with Movatics, all in favor, 7-0.

PLANNING COMMISSION REPORT: On motion duly made, seconded and passed, Council approved the Planning Commission report dated August 3, 2020.



Councilmember Woodward reviewed the report.

Councilmember Woodward made a motion, seconded by Councilmember Jenckes to approve conditional final plan approval for the Granite Point Preliminary/Final Land Development Plan, subject to all review comments in McCarthy Engineering's review letter dated July 6, 2020, all in favor, 7-0.

FINANCE AND ADMINISTRATION COMMITTEE REPORT: On motion duly made, seconded and passed, Council approved the Finance and Administration Committee report dated August 6, 2020.

Councilmember Brunner reviewed the report.

Councilmember Brunner made a motion, seconded by Councilmember Woodward to approve moving forward with the proposed sewer work project including cleaning, televising, and minimal repairs to the Berkshire Heights drainage basin, manhole to manhole relining in the Birdland area, lateral lining of one lateral in the Bird Land area, and point repairs in Wyomissing Hills, not to exceed \$200,000, all in favor, roll call vote, 7-0.

Councilmember Brunner indicated it does not appear that a Real Estate Transfer tax will be generated from the sale of the Berkshire Mall, as previously thought. Chris Hartman further explained, since the purchaser of the property purchased the defaulted note for the mall, this permits the purchaser to record the deed as a Deed in Lieu of Foreclosure, which is permissible in Pennsylvania. Council asked Chris Hartman to correspond with the Department of Revenue to ensure the legitimacy of the transaction only if there appears to be any concerns with documentation upon review from Hartman's office.

RECREATION BOARD REPORT: On motion duly made, seconded and passed, Council approved the Recreation Board report dated August 6, 2020

Councilmember Brunner reviewed the report.

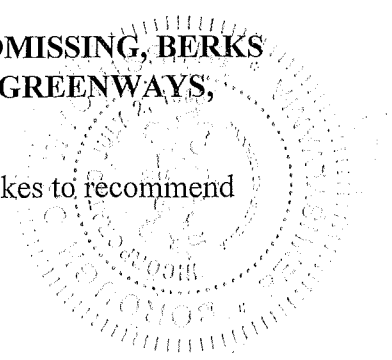
Councilmember Brunner and Parks and Recreation Director Rob Lewis both publically acknowledged the exemplary job from all members of the pool staff for their work to operate the pool under Borough and CDC guidelines for the 2020 season.

Councilmember Brunner shared with the committee that a Greenways, Trails and Recreation Program grant is currently accepting applications, of which the plan is to use awarded grant dollars to fund the replacement of the Berkshire Heights playground.

RESOLUTION NO. 2020-21

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA AUTHORIZING APPLICATION FOR GREENWAYS, TRAILS AND RECREATION PROGRAM GRANT

Councilmember Brunner made a motion, seconded by Councilmember Jenckes to recommend Council approve Resolution No. 2020-21, all in favor.



BOROUGH MANAGER'S REPORT: On motion duly made, seconded and passed, Council approved the Borough Manager's report dated August 11, 2020.

Borough Manager Pat Brandenburg reviewed his report.

Borough Manager Pat Brandenburg provided his congratulations to Sergeant David Ravel who will be retiring on August 31, 2020 after 30 years of service to the Borough of Wyomissing.

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

Borough Treasurer Gregory Portner had no further review.

ACCOUNTS PAYABLE REPORT: On motion duly made, seconded and passed, Council approved the Accounts Payable report outlining the following invoices paid:

| | |
|-------------------|------------------|
| General Fund | \$ 281,162.86 |
| Water Fund | 83,635.37 |
| Sewer Fund | 182,035.07 |
| Refuse Fund | 65,149.91 |
| Liquid Fuels Fund | <u>20,749.50</u> |
| | \$ 632,732.71 |

TAX COLLECTOR'S REPORT: On motion duly made, seconded and passed, Council approved the Tax Collector's report for the month of July 2020.

OTHER BUSINESS:

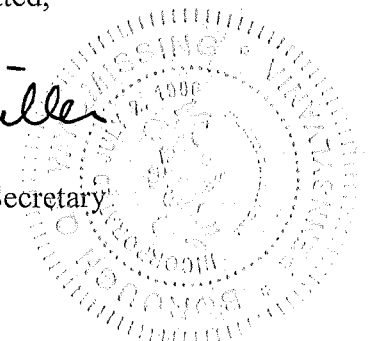
Councilmember Menon shared with Council that the Wyomissing Public Library has decided to cancel all fundraisers for the remainder of 2020 due to the pandemic, and no group activities will be permitted in the library for the remainder of the year. The library is still offering virtual programming and Grab and Go services.

The Wyomissing Borough Council meeting adjourned at 3:11 p.m.

Respectfully Submitted,



Melissa Miller
Assistant Borough Secretary



Approved by:

A handwritten signature in black ink, appearing to read "T.M. Moll". The signature is fluid and cursive, with the first letter of the first name being a large, stylized capital 'T'.

Thomas M. Moll, President
Wyomissing Borough Council

