

BOROUGH OF WYOMISSING – COUNCIL MINUTES

JANUARY 11, 2022 – 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 First Vice 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, Frederick R. Mogel, and Ronald C. Stanko; Mayor Frederick C. Levering, Treasurer Gregory L. Portner, Borough Solicitor Christopher J. Hartman, Borough Engineer Jim McCarthy, Acting Borough Manager & Economic Development Coordinator Michele Bare, Police Chief John Phillips, Public Works Director James V. Babb, Parks and Recreation Director Dan Macrina, and Borough Secretary Melissa Miller. The following person was absent: Council President John C. Woodward.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

EXECUTIVE SESSION:

Council First Vice President Jenckes announced an executive session was held before the meeting to discuss personnel and litigation matters.

VISITORS:

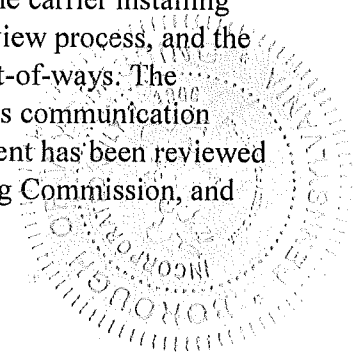
Kimberly Weniger – Borough Administration  
Barbara and David Reeser– 1110 Fairview Avenue

PUBLIC COMMENTS (agenda items):

No public comment was provided.

PUBLIC HEARING FOR THE BOROUGH OF WYOMISSING ZONING ORDINANCE  
AMENDMENTS (Ordinance 1425-2021):

Borough Solicitor, Chris Hartman called the hearing to order at 7:03 p.m. by providing an introduction to the process of the hearing, the purpose of the hearing, and the presentation of the proposed Ordinance amendment to the Borough Zoning Ordinance. He further indicated the amendment complies with Act 50 regarding Wireless Communication Facilities, and will assist with the accessibility of 5G wireless service within the Borough, through the carrier installing the facility. The amendment also discusses the municipalities expedited review process, and the limit on fees and regulations on wireless facilities not on towers but in right-of-ways. The amendment further explains regulations for tower verses non-tower wireless communication facility installations both inside and outside of right-of-ways. The amendment has been reviewed by the Borough Planning Commission as well as the Berks County Planning Commission, and has been advertised per the Sunshine Act requirements.



PUBLIC COMMENTS:

No public comments were provided.

The Public Hearing for the Ordinance amendment to the Borough of Wyomissing Zoning Ordinance adjourned at 7:07 p.m.

**ORDINANCE NO. 1425-2021- 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" BY AMENDING ALL ZONING DISTRICTS IN PART 4 ENTITLED "RESIDENTIAL DISTRICT REGULATIONS" AND PART 5 ENTITLED "COMMERCIAL AND INDUSTRIAL DISTRICT REGULATIONS" TO PROVIDE FOR NON-TOWER WIRELESS FACILITIES AND SMALL WIRELESS FACILITIES AS A PERMITTED USE THEREIN, PART 6 ENTITLED "GENERAL REGULATIONS", SECTION 623 ENTITLED "WIRELESS COMMUNICATION FACILITIES", TO REQUIRE COMPLIANCE WITH APPLICABLE CODES AND ORDINANCES, REMOVE NON-TOWER WIRELESS FACILITIES AS A PERMITTED USE IN THE RIGHT-OF-WAY, PROVIDING FOR SMALL WIRELESS COMMUNICATIONS FACILITIES IN THE RIGHTS-OF-WAYS AND REGULATIONS THEREFOR AND PART 2 ENTITLED "DEFINITIONS", SECTION 201 ENTITLED "SPECIFIC TERMS" TO ADD DEFINITIONS REGARDING WIRELESS COMMUNICATION FACILITIES**

Councilmember Stanko made a motion, seconded by Councilmember Mogel to adopt Ordinance No. 1425-2021, as to amending Zoning regulations regarding wireless communication facilities, all in favor, 6-0.

COUNCIL MINUTES: On motion duly made, seconded and passed, Council approved the minutes of the meetings of December 14, 2021 and January 3, 2022 (Reorganization).

CONSULTING ENGINEER'S REPORT: On motion duly made, seconded and passed, Council approved the Consulting Engineer's report dated January 11, 2022.

Borough Engineer Jim McCarthy shared with Council that due to the winter weather, several projects are on hold, and bid documents for 2022 capital projects are being compiled.

POLICE DEPARTMENT & MAYOR'S REPORT: On motion duly made, seconded and passed, Council approved the Police Department & Mayor's report dated January 11, 2022.

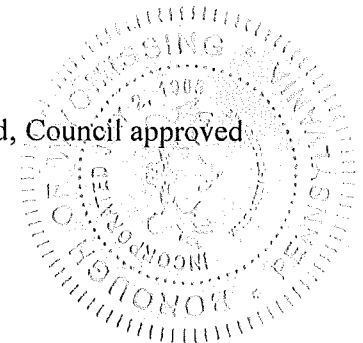
Police Chief John Phillips reviewed the report.

FIRE COMMISSIONER'S REPORT: On motion duly made, seconded and passed, Council approved the Fire Commissioner's report for December 2021.

Councilmember Jenckes reviewed the report.

LIBRARY BOARD REPORT: On motion duly made, seconded and passed, Council approved the Library Committee report dated December 20, 2021.

Councilmember Barnett reviewed the report.



Councilmember Barnett indicated that several Library Board member positions have been filled, and the library has received funds from various funding sources. She lastly noted that library patron statistics are not back to pre-COVID times, but appear to be increasing.

INFRASTRUCTURE COMMITTEE REPORT: On motion duly made, seconded and passed, Council approved the Infrastructure Committee report dated December 20, 2021.

Councilmember Brunner reviewed the report.

Councilmember Brunner made a motion, seconded by Councilmember Derr to authorize payment of Payment Application No. 4, the final payment for retainage, in the amount of \$21,789.50 for 2021 Sanitary Sewer Rehabilitation & Televising, to Sewer Specialty Services Company, Inc., all in favor, roll call vote, 6-0.

Councilmember Brunner made a motion, seconded by Councilmember Derr to authorize payment of Payment Application No. 4, the final payment for retainage, in the amount of \$7,959.57 for 50/50 Sidewalk Repair work, to Affordable Paving and Excavating, LLC., all in favor, roll call vote, 6-0.

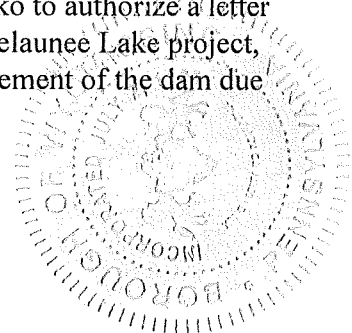
**RESOLUTION NO. 2022-05- A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA APPROVING A MULTIMODAL TRANSPORTATION FUND GRANT REIMBURSEMENT AGREEMENT FOR HIGHWAY AND BRIDGE PROJECTS WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE ACTING BOROUGH MANAGER TO SIGN THE AGREEMENT AND THE BOROUGH SECRETARY TO ATTEST THE AGREEMENT ON BEHALF OF THE BOROUGH OF WYOMISSING**

Councilmember Mogel made a motion, seconded by Councilmember Barnett to approve Resolution No. 2022-05 as to appointing the Acting Borough Manager to execute the PennDOT MTF grant agreement, all in favor, 6-0.

Councilmember Brunner made a motion, seconded by Councilmember Mogel to authorize the Public Works Director to request an extension for completion of the GLG construction, all in favor, 6-0.

Councilmember Brunner made a motion, seconded by Councilmember Derr to authorize participation with an emergency repair services contract through Spring Township to allow Schlouch, Inc., to perform all emergency repair services on behalf of the Borough, all in favor, 6-0. Spring Township authorized awarding of the contract at the December 2021 Board of Supervisors meeting.

Councilmember Mogel made a motion, seconded by Councilmember Stanko to authorize a letter of support be sent on behalf of the Borough to RAWA, supporting the Ontelaunee Lake project, all in favor, 6-0. The letter has been sent, and the project is for the reinforcement of the dam due to potential washout and spillway concerns.



Councilmember Brunner made a motion, seconded by Councilmember Derr to authorize moving the January 2022 Infrastructure committee meeting date from January 18, 2022 to January 24, 2022, all in favor, 6-0.

Public Works Director Jim Babb shared that his Public Works annual report was attached to the Council packet, and that he is available to answer any questions Council may have.

PERSONNEL COMMITTEE REPORT: On motion duly made, seconded and passed, Council approved the Personnel Committee report dated December 21, 2021.

Councilmember Brunner reviewed the report.

Councilmember Brunner made a motion, seconded by Councilmember Mogel to appoint William Jenckes as the Borough's representative for the West Side Regional Emergency Management Agency meetings, and Acting Borough Manger, Michele Bare as the alternate representative to the West Side Regional Emergency Management Agency meetings, all in favor, 6-0.

Councilmember Brunner made a motion, seconded by Councilmember Derr to authorize moving the January 2022 Personnel committee meeting date from January 18, 2022 to January 25, 2022, all in favor, 6-0.

Councilmember Brunner made a motion, seconded by Councilmember Derr to ratify the motion made by the Personnel committee authorizing the external advertisement for the Public Works lead position, all in favor, 6-0. Public Works Manager Jim Babb indicated the Public Works lead position will be responsible for the day-to-day Public Works department responsibilities.

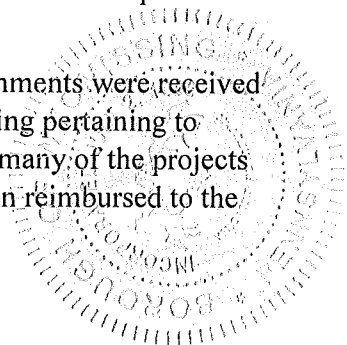
Council discussed amending the original motion that was made during the December 2021 Personnel committee meeting.

Councilmember Brunner made a motion, seconded by Councilmember Mogel to amend the motion made during the December 2021 Personnel committee pertaining to the COVID-19 policy, to now indicate the COVID-19 mask policy should mirror the recommendations of the CDC, and the Borough Manager shall be responsible for updating the Borough's COVID-19 policy as necessary, and enforcing the policy, all in favor, 6-0.

Councilmember Brunner made a motion, seconded by Councilmember Mogel to approve sending the proposed revisions made to the Police Department Civil Service rules and regulations, to the Civil Service Commission, with the inclusion of the technical revisions as updated in the Fire Department Civil Service rules and regulations in 2020, all in favor, 6-0.

FINANCE AND ADMINISTRATION COMMITTEE REPORT: On motion duly made, seconded and passed, Council approved the Finance and Administration Committee report dated January 6, 2022.

Councilmember Derr reviewed the report indicating that several public comments were received during prior meetings and the Finance and Administration committee meeting pertaining to spending taxpayer dollars on Borough Engineer services. It was noted that many of the projects that required engineering services and payments to the engineer, have gotten reimbursed to the Borough through various grants and developers.



Councilmember Derr made a motion, seconded by Councilmember Mogel to deny providing contracted police traffic control services for the 2022 PennDOT Route 222 project, contingent upon the review of the Fire and Police committee, all in favor, 6-0.

Councilmember Mogel made a motion, seconded by Councilmember Brunner to authorize the two year quote for TextMyGov services with the initial start-up cost of \$6,000 followed by the annual cost of \$5,000 for subsequent years, with the condition that a report be established on a monthly basis and reported to the Finance and Administration Committee, all in favor, roll call vote, 6-0.

Councilmember Brunner made a motion, seconded by Councilmember Mogel to deny making changes to the iPad policy, but continue the current administrative process of sending communications electronically, all in favor, 6-0.

BOROUGH MANAGER'S REPORT: On motion duly made, seconded and passed, Council approved the Borough Manager's report dated December 10, 2021.

Acting Borough Manager Bare reviewed the report.

Acting Borough Manager Bare indicated the Western Berks Water Authority meeting minutes, from the meeting held on December 13, 2021 are in the Council packet for review. She also noted that the Pennsylvania Subdivision Intrastate Allocation Participation Form for the National Opioid Settlement through the Attorney General's Office has been completed and submitted. She further reminded Council that Borough Hall will be closed on Monday, January 17, 2022, in observance of Martin Luther King Day.

Acting Borough Manager Bare also requested a motion be made to table, approve, or deny advertising Ordinance No. 1426-2022.

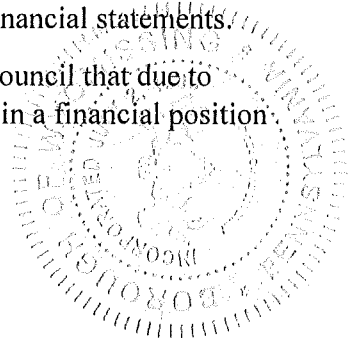
**ORDINANCE NO. 1426-2022- ORDINANCE OF THE BOROUGH OF WYOMISSING AUTHORIZING EXECUTION OF A CABLE FRANCHISE AGREEMENT BETWEEN THE BOROUGH AND COMCAST OF NEW MEXICO/PENNSYLVANIA, LLC.**

Councilmember Mogel made a motion, seconded by Councilmember Barnette to advertise Ordinance No. 1426-2022 as to the cable franchise agreement, all in favor, 6-0.

Mayor Frederick Levering congratulated Acting Borough Manager Michele Bare on the article in the Reading Eagle pertaining to the bike share stations.

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 reviewed the report and indicated to Council that due to unexpected revenues and several projects being postponed, the Borough is in a financial position that is equivalent to where the Borough was anticipated to end in 2019.



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

General Fund	\$ 385,118.19
Water Fund	81,892.48
Sewer Fund	110,353.92
Refuse Fund	119,703.67
Liquid Fuels Fund	<u>22,775.88</u>
	\$ 719,844.14

Councilmember Derr made a motion, seconded by Councilmember Brunner to approve the accounts payable report, all in favor, roll call vote, 6-0.

TAX COLLECTOR'S REPORT: On motion duly made, seconded and passed, Council approved the Tax Collector's report for the month of December 2021.

There was no further review of the report.

OLD BUSINESS:

No old business to discuss.

NEW BUSINESS:

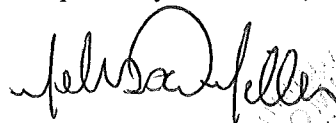
No new business to discuss.

PUBLIC COMMENTS (non-agenda items):

No public comment was provided.

The Wyomissing Borough Council meeting adjourned at 7:58 p.m.

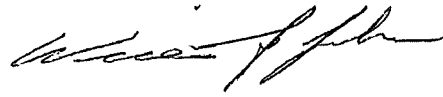
Respectfully Submitted,



Melissa Miller  
Borough Secretary



Approved by:



William S. Jenckes  
First Vice President  
Wyomissing Borough Council

