

BOROUGH OF WYOMISSING – COUNCIL MINUTES

MAY 10, 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, Frederick R. Mogel, Jana R. Barnett, and Ronald C. Stanko; Mayor Frederick C. Levering, Treasurer Gregory L. Portner, Borough Solicitor Christopher J. Hartman, Borough Engineer Jim McCarthy, 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 persons was absent: Council President John C. Woodward and Fire Chief Colin Hackman.

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 contractual litigation matters.

VISITORS:

Matt Fessler – 2904 State Hill Road

PUBLIC COMMENTS (agenda items):

No public comments provided.

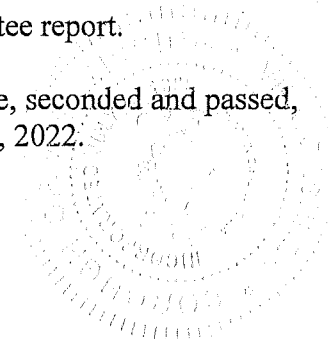
COUNCIL MINUTES: On motion duly made, seconded and passed, Council approved the minutes of the meeting of April 12, 2022.

CONSULTING ENGINEER'S REPORT: On motion duly made, seconded and passed, Council approved the Consulting Engineer's report dated May 10, 2022.

Borough Engineer Jim McCarthy shared with Council that the 2022 Water Main Replacement project bids have been opened, with Wexcon Inc. being lowest bidder at a base bid of \$290,450 and an extended bid of \$336,650 of which includes the fire hydrant purchases and installation. A formal motion is proposed under the Finance and Administration committee report.

POLICE DEPARTMENT & MAYOR'S REPORT: On motion duly made, seconded and passed, Council approved the Police Department & Mayor's report dated May 10, 2022.

Police Chief John Phillips reviewed the report.



FIRE CHIEF'S REPORT: On motion duly made, seconded and passed, Council approved the Fire Chief's report for April 2022.

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

INFRASTRUCTURE COMMITTEE: On motion duly made, seconded and passed, Council approved the Infrastructure Committee report dated April 18, 2022.

Councilmember Brunner reviewed the report.

Councilmember Brunner made a motion, seconded by Councilmember Barnett to authorize Borough Administration to send a letter to the residents and homeowners along the route of the 2022 Street Work projects of which will require curb replacement, pertaining to the available financing option for curb replacements, all in favor, 6-0.

LIBRARY BOARD: On motion duly made, seconded and passed, Council approved the Library Committee report dated April 18, 2022.

Councilmember Barnett reviewed the report.

Councilmember Barnett noted that the library is continuing to work on several library related policies and procedures. She further shared the since the meeting was held between the Borough and the library to work on addressing several library building related concerns, the exterior lighting, the door, and excess gap between the sidewalk and grass have been addressed, and she expressed her gratitude to Public Works Director Jim Babb for handling those projects.

PERSONNEL COMMITTEE: On motion duly made, seconded and passed, Council approved the Personnel Committee report dated April 19, 2022.

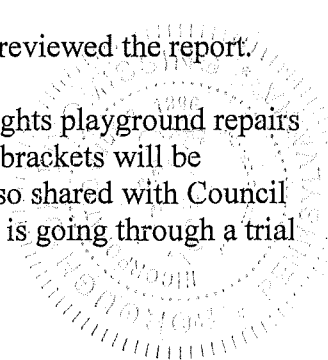
Councilmember Mogel reviewed the report.

Councilmember Mogel made a motion, seconded by Councilmember Brunner to appoint Michele Bare the Borough Manager effective May 1, 2022 with the salary of \$115,000, to be paid retroactively, and a \$5,000 bonus for past services as Acting Borough Manager, all in favor, roll call vote, 6-0.

RECREATION BOARD: On motion duly made, seconded and passed, Council approved the Recreation Board report dated April 19, 2022.

Parks and Recreation Director Dan Macrina and Councilmember Barnett reviewed the report.

Parks and Recreation Director Dan Macrina shared that the Berkshire Heights playground repairs are near completion. Two brackets broke during the repair, of which new brackets will be shipped to the Borough to complete the repair as soon as possible. Dan also shared with Council that the point of sale system for the pool snack bar has been installed, and is going through a trial



period to ensure it is ready for use during the 2022 pool season. Dan lastly noted that playground and pool registrations are on track, and expects more registrations closer to the end of May, in to June.

Councilmember Barnett added that the Earth Day and Egg Hunt were very successful, and it was discussed that the Fishing Rodeo has been postponed until May 14, 2022.

FIRE AND POLICE COMMITTEE: On motion duly made, seconded and passed, Council approved the Fire and Police Committee report dated April 25, 2022.

Councilmember Jenckes reviewed the report.

Councilmember Jenckes made a motion, seconded by Councilmember Stanko to authorize the 2021 PEMA grant award of \$15,000 be used to purchase two sets of Structural Turnout Gear and six Ballistic Vests for a total cost of \$15,375.52, of which the remaining balance of \$375.52 shall be expended from the Fire Department's budget, all in favor, roll call vote, 6-0.

Councilmember Jenckes made a motion, seconded by Councilmember Mogel to authorize the Library 5K event to be held in the Borough parklands on June 18, 2022, all in favor, 6-0.

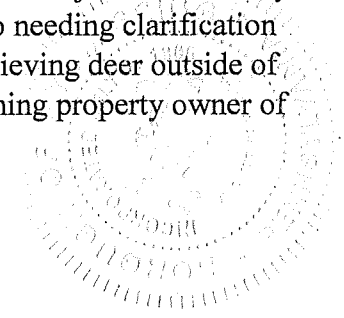
Councilmember Jenckes made a motion, seconded by Councilmember Mogel to authorize the Safe Berks Peace Walk event to be held in the parking lot at Penn Avenue and Park Road on June 18, 2022, all in favor, 6-0.

PARK AND SHADE TREE COMMISSION: On motion duly made, seconded and passed, Council approved the Park and Shade Tree Commission report dated April 27, 2022.

Councilmember Mogel reviewed the report.

Council discussed at length the need to remove the mention of Borough Code from the motion made by the Park and Shade Tree Commission due to the lack of reference of archery hunting in Borough Code, and further discussed the concern of a blanket statement motion being made in regards to the tracking and retrieval of deer outside of the permitted hunting area. Council also discussed the fact that the Borough would not be liable for injuries sustained to the hunter or bystanders during the hunt.

Councilmember Mogel originally made a motion, seconded by Councilmember Brunner to authorize the education of residents on their rights to archery hunt on their private properties, following the Pennsylvania State Game Commission regulations, and grant permission for hunters to track and remove deer from Borough parklands, all while performing a seed count to provide data as necessary to the PA State Game Warden and the USDA; all subject to review by Council and the Borough Solicitor, however was rescinded by both due to needing clarification from the PA State Game Commission, as to the rules for tracking and retrieving deer outside of the permitted hunting area, and the hunter's obligation to notify the adjoining property owner of the tracking and retrieval.



Councilmember Mogel made a motion, seconded by Councilmember Barnett to table further action pertaining to education of residents on their rights to archery hunt on their private properties, following the Pennsylvania Game Commission regulations, and grant permission for hunters to track and remove deer from Borough parklands, all while performing a seed count to provide data as necessary to the PA State Game Warden and the USDA, until Parks and Recreation Director Dan Macrina can obtain clarification from the PA State Game Commission, as to the rules for tracking and retrieving deer outside of the permitted hunting area, and the hunter's obligation to notify the adjoining property owner of the tracking and retrieval has been obtained and reviewed by the Borough Solicitor and Council, all in favor, 6-0.

Councilmember Mogel made a motion, seconded by Councilmember Brunner to authorize the Eagle Scout project for William Fanning to replace the bridge decking on the bridge behind the Parks Department barn, under the supervision of Borough staff and the Scout Leader, all in favor, 6-0.

ECONOMIC DEVELOPMENT COMMITTEE: On motion duly made, seconded and passed, Council approved the Economic Development Committee report dated April 28, 2022.

Mayor Frederick Levering reviewed the report.

Mayor Frederick Levering noted that the motion pertaining to the Conditional Use application for 1011 North Park Road will be discussed under the Planning Commission report.

Councilmember Barnett made a motion, seconded by Councilmember Brunner to authorize Borough Solicitor Christopher Hartman and Acting Borough Manager & Economic Development Coordinator Michele Bare to prepare the two necessary Ordinances pertaining to short-term rentals in the Borough; one defining short-term rental and where short-term rentals are permitted, with the second Ordinance pertaining to the health and safety regulations including the permitting and operations for short-term rentals, all in favor, 6-0.

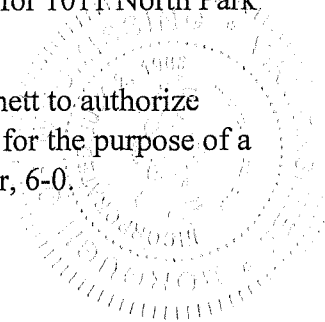
PLANNING COMMISSION: On motion duly made, seconded and passed, Council approved the Planning Commission report dated May 2, 2022.

Councilmember Stanko reviewed the report.

Councilmember Stanko made a motion, seconded by Councilmember Derr to accept the 90-day extension letter received from 19 State Hill Road for the Borough of Wyomissing Planning Commission to take action on the submitted plans, all in favor, 6-0.

Councilmember Stanko made a motion, seconded by Councilmember Mogel to grant the waiver from the Subdivision and Land Development Ordinance approval process for 1011 North Park Road, all in favor, 6-0.

Councilmember Stanko made a motion, seconded by Councilmember Barnett to authorize Borough Administration to work on scheduling a special Council meeting for the purpose of a Conditional Use application hearing for 1011 North Park Road, all in favor, 6-0.



Councilmember Stanko made a motion, seconded by Councilmember Mogel to approve the preliminary sketch plan for 301 Windsor Street, subject to compliance with the comments in the McCarthy Engineering review letter dated April 25, 2022, all in favor, 6-0.

FINANCE & ADMINISTRATION COMMITTEE: On motion duly made, seconded and passed, Council approved the Finance and Administration Committee report dated May 5, 2022.

Councilmember Derr reviewed the report.

Councilmember Derr made a motion, seconded by Councilmember Brunner to award the 2022 Water Main project work to the lowest qualified bidder, Wexcon Inc., in the amount of \$336,650 of which includes the addition of the fire hydrant purchases and installation, all in favor, roll call vote, 6-0.

Councilmember Derr made a motion, seconded by Councilmember Stanko to approve the 2021 final audit, all in favor, 6-0.

Councilmember Derr made a motion, seconded by Councilmember Stanko to accept the GASB 67 reports as prepared by Girard pension services, all in favor, 6-0.

Councilmember Derr made a motion, seconded by Councilmember Stanko to accept the GASB 68 reports as prepared by the actuary, all in favor, 6-0.

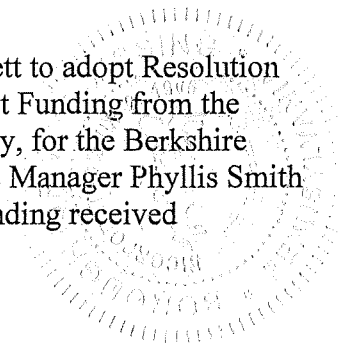
Councilmember Derr made a motion, seconded by Councilmember Brunner to authorize the Public Works Director to order a large dump truck in 2022 for an approximate cost of \$175,000 with expected delivery and payment due in 2024, and to allow the Public Works Director to prepare bid documents for the mechanic's pickup truck as needed, all in favor, roll call vote, 6-0.

Councilmember Derr made a motion, seconded by Councilmember Barnett to deny the water bill adjustment request for the resident at 1436 Van Steffy Avenue due to the leak being an internal leak that has already flown into the Borough's sewer system, all in favor, 6-0.

Councilmember Derr made a motion, seconded by Councilmember Mogel to grant Nicholas Stoltzfus Homestead the relief of the portion of the sewer bill that was approximately \$400 in excess of their average bill, all in favor, 6-0.

RESOLUTION NO. 2022-12- A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA AUTHORIZING OFFICIAL ACTION RELATING TO SUBMITTING A FEDERAL COMMUNITY PROJECT FUNDING REQUEST FOR THE BERKSHIRE HEIGHTS PLAYGROUND ADA AND SAFETY PROJECT.

Councilmember Derr made a motion, seconded by Councilmember Barnett to adopt Resolution No. 2022-12, to request funding of \$275,000 from the Community Project Funding from the offices of Congresswoman Chrissy Houlahan and Senator Robert P. Casey, for the Berkshire Heights Playground and authorizing Manager Michele Bare and Business Manager Phyllis Smith to execute all required documents and agreements related to any grant funding received



BOROUGH MANAGER'S REPORT: On motion duly made, seconded and passed, Council approved the Borough Manager's report dated April 8, 2022.

Borough Manager Michele Bare reviewed the report.

Borough Manager Bare indicated the Wyomissing Valley Joint Municipal Authority meeting minutes of the March 14, 2022 meeting, are in the Council packet for review, as are the Western Berks Water Authority meeting minutes of the April 11, 2022. She also shared that the Berks County Planning Commission 2021 Annual Report was sent to Council separate from the Council packets due to file size.

Councilmember Barnett made a motion, seconded by Councilmember Brunner to authorize the Wyomissing Public Library to place three 18" tall by 24" wide yard signs advertising a 5k run to benefit the Library. One sign each will be placed at the entrance to the Quarry Soccer Field, aside of the Parks Barns and at the Happy Hollow Playground. The signs will be removed after the run takes place on June 18, 2022, all in favor, 6-0.

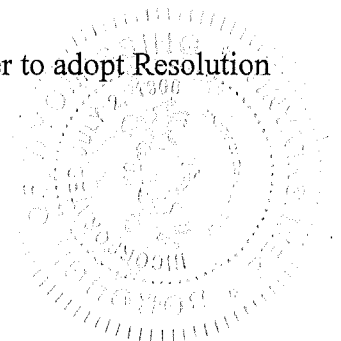
Councilmember Brunner made a motion, seconded by Councilmember Mogel to authorize Traffic Planning and Design, the Borough's Traffic Engineer, to submit an application to PennDOT to revise the emergency traffic signal at the Fire Station, to include the installation of advance warning signs on Penn Avenue at a distance of 250' east and west from the Fire Station, the installation of reflectorized backplates on the traffic signal heads and selective tree trimming along the Penn Avenue approaches to the Fire Station to provide additional visibility, all in favor, 6-0.

RESOLUTION NO. 2022-13- A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA, AMENDING RESOLUTION 2017-01 TO REVISE THE DELEGATION OF APPOINTING AUTHORITY FOR SIGNATORIES ON THE BOROUGH'S VIST FINANCIAL DEPOSITORY ACCOUNTS TO THE BOROUGH MANAGER AND TREASURER

Councilmember Derr made a motion, seconded by Councilmember Mogel to adopt Resolution No. 2022-13 as to appointing signatories for the financial depository accounts, all in favor, 5-0, Councilmember Brunner abstained from the vote due to a conflict of interest.

RESOLUTION NO. 2022-14- A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA, AMENDING RESOLUTION 2021-26 TO AMEND THE AUTHORIZATION AND DESIGNATION OF PENSION PLAN OFFICIALS FOR THE BOROUGH PENSIONS, SPECIFICALLY NATIONWIDE PENSION CASES 632-80006, 632-80007 AND 632-80043

Councilmember Derr made a motion, seconded by Councilmember Brunner to adopt Resolution No. 2022-14 as to designating pension plan officials, all in favor, 6-0.



RESOLUTION NO. 2022-15- A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA AUTHORIZING THE SALE OF A 2013 SEAGRAVE 95' AERIALSCOPE TO THE CLAYTON FIRE COMPANY

Councilmember Brunner made a motion, seconded by Councilmember Mogel to adopt Resolution No. 2022-15 as to selling the 2013 Seagrave Aerialscope, all in favor, roll call vote, 6-0.

RESOLUTION NO. 2022-16- 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 Brunner made a motion, seconded by Councilmember Mogel to adopt Resolution No. 2022-16 as to applying for Flood Mitigation Program funding in the amount of \$500,000 for the Lincoln and Brandywine Floodplain Mitigation project, all in favor, 6-0.

RESOLUTION NO. 2022-17- A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA AUTHORIZING APPLICATION FOR GREENWAYS, TRAILS AND RECREATION PROGRAM GRANT

Councilmember Mogel made a motion, seconded by Councilmember Stanko to adopt Resolution No. 2022-17 as to applying for the Greenways, Trails and Recreation Program, in the amount of \$250,000, for the Berkshire Heights Playground, all in favor, 6-0.

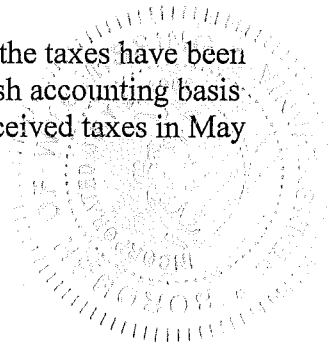
Councilmember Brunner made a motion, seconded by Councilmember Derr to amend the agenda to take action on the Maintenance and Parks collective bargaining agreement, all in favor, 6-0.
- No public comment was provided

Councilmember Brunner made a motion, seconded by Councilmember Mogel to authorize Borough Administration to execute the Maintenance and Parks collective bargaining agreement to be in effect until December, 31, 2025, all in favor, 6-0.

Borough Manager Bare lastly shared that Borough hall will be closed on May 30, 2022 in observance of Memorial Day, and that the Borough has been presented with an award from Benecon for being a 20 year member of PMHIC.

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 briefly noted to Council that most of the taxes have been collected during the discount tax collection period, however due to the cash accounting basis used by the Borough, the May report will most likely notate additional received taxes in May that were postmarked in April before the end of the discount period.



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

General Fund	\$ 605,147.83
Water Fund	102,992.38
Sewer Fund	278,838.25
Refuse Fund	64,831.74
Liquid Fuels Fund	<u>23,053.19</u>
	\$ 1,074,863.39

TAX COLLECTOR'S REPORT: On motion duly made, seconded and passed, Council approved the Tax Collector's report for the Month of April 2022.

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

OLD BUSINESS:

No old business to discuss.

NEW BUSINESS:

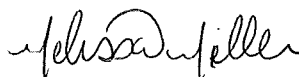
Councilmember Stanko asked that the Recreation Board discuss the possibility of lining a concrete area near the Wyomissing Hills Park pavilion for a Pickle Ball court.

PUBLIC COMMENT (non-agenda items):

Gregory Portner, 35 Buckingham Drive expressed his concern about the deer hunting discussion held under the Park and Shade Tree Commission report, noting that Wyomissing falls within the PA State Game Commission 5-B area, of which is known for deer Chronic Wasting disease. He reminded Council that the PA State Game Commission has specific guidelines as to which parts of the deceased deer must be given to the Game Commission for analysis.

The Wyomissing Borough Council meeting adjourned at 8:47 p.m.

Respectfully Submitted,



Melissa Miller
Borough Secretary

Approved by:





William S. Jenckes
First Vice President
Wyomissing Borough Council

