

AGENDA
WYOMISSING BOROUGH COUNCIL
Tuesday, December 12, 2022 – 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 for the Borough of Wyomissing Zoning Ordinance Amendments- Ordinance No. 1428-2022- Additional restrictions on 48 hour parking allowance for certain vehicles
 - i. Borough Solicitor provide an overview of the hearing procedures and a summary of Ordinance No. 1428-2022.
 - ii. **AN ORDINANCE OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA AMENDING THE WYOMISSING BOROUGH CODE OF ORDINANCES TO ESTABLISH ADDITIONAL RESTRICTION ON THE 48 HOUR PARKING ALLOWANCE FOR CERTAIN VEHICLES**
 - iii. Public Comments- All public comments shall be related to the subject matter
 - iv. A motion is needed to table, approve, or deny adopting Ordinance No. 1428-2022 as to additional restrictions on 48 hour parking allowance for certain vehicles
6. Council Minutes – November 8, 2022
 - i. A motion is needed to approve, deny, or amend the Council Minutes
7. Consulting Engineer’s Report
 - i. Review Borough Engineer activity during the month of November
 - ii. A motion is needed to approve, deny, or amend the Engineer’s Report
8. Police Chief & Mayor’s Report
 - i. Review the Police activity during the month of November
 - ii. A motion is needed to approve, deny, or amend the Police Chief & Mayor’s Report

9. Fire Chief's Report

- i. Review the Fire activity during the month of November
- ii. A motion is needed to approve, deny, or amend the Fire Chief's Report

10. Committee Reports:

a. Recreation Board – November 15, 2022

- i. Review the Recreation Board report
- ii. A motion is needed to table, approve, or deny the suggested Memorial Day Parade route change to turn left onto South Hampton Drive instead of the traditional right, eliminating a portion of Downing Drive and Deborah Drive
- iii. A motion is needed to table, approve, or deny the posting of rule signs at the Wyomissing Hills and Happy Hollow basketball courts to inform the public of the expected behaviors when utilizing either facility
- iv. A motion is needed to approve, deny, or amend the Recreation Board report

b. Economic Development Committee – November 17, 2022

- i. Review the Economic Development committee report
- ii. A motion is needed to approve, deny, or amend the Economic Development committee report

c. Infrastructure Committee – November 21, 2022

- i. Review the Infrastructure committee report
- ii. A motion is needed to table, approve, or deny ratifying the prior motion during the November 21, 2022 Infrastructure Meeting to authorize Borough Manager Michele Bare to prepare a letter to Western Berks Water Authority regarding the stance to continue fluoridation treatments in the water supply
- iii. A motion is needed to table, approve, or deny payment of Payment Application No. 4 in the amount of \$126,915.96 to Sewer Specialty Services for the sewer and rehabilitation and televising project
- iv. A motion is needed to table, approve, or deny payment of Payment Application No. 2 in the amount of \$43,935.30, to LB Construction Enterprises, Inc., for 50/50 Sidewalk Work
- v. A motion is needed to table, approve, or deny payment of Payment Application No. 3 in the amount of \$39,060, to LB Construction Enterprises, Inc., for 50/50 Sidewalk Work

- vi. A motion is needed to table, approve, or deny authorizing Change Order No. 1 in the amount of \$162,817, to LB Construction Enterprises, Inc., for 50/50 Sidewalk Work
 - vii. A motion is needed to table, approve, or deny authorizing the Public Works Director to mail curb replacement notices to residents in the area of the 2023 proposed street improvement areas
 - viii. A motion is needed to table, approve, or deny authorizing the Smitty's Lawn Care revised mowing rate of \$3,480 per cut
 - ix. A motion is needed to table, approve, or deny accepting the RAC-P grant of \$2,000,000 awarded to the Borough on November 18, 2022 for the Public Works facility project, with a 50% grant match obligation
 - ii. A motion is needed to approve, deny, or amend the Infrastructure committee report
- b. Library Board – November 21, 2022
- i. Review the Library Board report
 - ii. A motion is needed to approve, deny, or amend the Library Board report
- c. Fire and Police Committee – November 29, 2022
- i. Review the Fire and Police committee report
 - ii. A motion is needed to table, approve, or deny the suggested change to Section 3.8 General Qualifications, of the Fire Department Civil Service rules and regulations, to waive subsection E pertaining to the requirement to have a valid Class B Commercial Driver's License upon hire. All applicants must still possess a valid driver's license and be eligible to legally operate a motor vehicle in the Commonwealth of Pennsylvania, and will now be given up to 6 months after hire, to obtain a Pennsylvania Class B Commercial Driver's License, contingent upon Class B testing availability within 6 months for new hires to participate in
 - iii. A motion is needed to table, approve, or deny authorizing the execution and submission of the Letter of Intent to DCED to participate in an operational study for the Fire Department
 - iv. A motion is needed to table, approve, or deny authorizing the sale of Police Car 5 directly to the Wyomissing Area School District, contingent upon a mutually agreed upon sale price

- v. A motion is needed to table, approve, or deny authorizing a Firefighter who was injured while working for another employer and who is receiving Workers Compensation through the other employer, the right to use a portion of accrued sick leave to bring the total compensation from Workers Compensation and sick leave to the net compensation received from the Borough based on the Firefighter's base compensation
 - vi. A motion is needed to approve, deny, or amend the Fire and Police committee report
- d. Planning Commission – December 5, 2022
- i. Review the Planning Commission report
 - ii. A motion is needed to table, approve, or deny granting conditional plan approval, subject to all items in McCarthy Engineering review letter dated November 30, 2022 and TPD's review comments being addressed, as well as either a notation on the plan for the discussed emergency access, or the submission of a letter of authorization to the Borough for the emergency access
 - iii. A motion is needed to table, approve, or deny granting the approval of a fee-in lieu of Traffic Impact Study for Berkshire Mall West, with the appropriate fee agreed upon by Borough personnel
 - iv. A motion is needed to table, approve, or deny granting the waiver from the formal land development requirements for 301 North Park Road contingent upon comments in McCarthy Engineering's review letter dated November 30, 2022, as well as administrative review of the revised site plan submitted by the property owner
 - v. A motion is needed to table, approve, or deny granting the waiver from Section 404.1.H to allow the key map to be presented at a scale of 1" = 300' instead of the required scale of 1" = 800' for 850 North Wyomissing Hills Boulevard
 - vi. A motion is needed to table, approve, or deny granting the waiver from Section 403.1 and 404.1 from the Subdivision and Land Development Ordinance regarding plan scale for 850 North Wyomissing Hills Boulevard
 - vii. A motion is needed to table, approve, or deny rejecting the waiver from Section 404.1.L, to field locate and show on the plans all utility lines currently serving the current building for 850 North Wyomissing Hills Boulevard

- viii. A motion is needed to table, approve, or deny rejecting the waiver from Section 404.1.W and 404.1.X, to field locate and show on the plans the location, size and material of all underground utilities and associated rights of way
- ix. A motion is needed to approve, deny, or amend the Planning Commission report
- e. Finance & Administration Committee – December 8, 2022
 - i. Review the Finance & Administration committee report
 - ii. A motion is needed to table, approve, or deny disbursement of the fourth quarter MMO to the pension plans in the amount of \$74,499.50, as well as additional pension plan funding of \$100,000, for a total payment of \$174,499.50 to be made to the pension plans
 - iii. **RESOLUTION NO. 2022-24**- A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA, APPOINTING HERBEIN + COMPANY, INC. AS INDEPENDENT AUDITOR OF THE BOROUGH OF WYOMISSING
 - iv. A motion is needed to table, approve, or deny adoption of Resolution No. 2022-24 as to appointing Herbein + Company, Inc as the independent auditor for 2023
 - v. A motion is needed to table, approve, or deny authorizing the Herbein + Company, Inc audit fee of \$17,000
 - vi. **RESOLUTION NO. 2022-25** - A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA AMENDING WATER RATES
 - vii. A motion is needed to table, approve, or deny adopting Resolution No. 2022-25 as to setting new water rates effective January 1, 2023
 - viii. **RESOLUTION NO. 2022-26**- A RESOLUTION OF THE BOROUGH OF WYOMISSING ESTABLISHING STANDARD METERED RATES FOR DOMESTIC AND INDUSTRIAL SEWAGE
 - ix. A motion is needed to table, approve, or deny adopting Resolution No. 2022-26 as to setting new sewer rates effective January 1, 2023
 - x. **RESOLUTION NO. 2022-27**- A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA FIXING THE TAX RATE FOR THE YEAR 2023

- xi. A motion is needed to table, approve, or deny adopting Resolution No. 2022-27 as to fixing the tax rate for 2023
- xii. **RESOLUTION NO. 2022-28-** A RESOLUTION OF THE BOROUGH OF WYOMISSING REVISING AND UPDATING THE BOROUGH'S FEE SCHEDULE
- xiii. A motion is needed to table, approve, or deny adopting Resolution No. 2022-28 as to establishing Borough rates for 2023
- xiv. A motion is needed to table, approve, or deny advertisement of the 2023 meeting dates
- xv. A motion is needed to table, approve, or deny updating the delinquent utility account notification procedure to eliminate one mailed notice, thus mailing one past due notice as well as the second/final notice, with the shut-off notice being hand-delivered to the residence
- xvi. A motion is needed to table, approve, or deny approving the advertised 2023 budget
- xvii. A motion is needed to approve, deny, or amend the Finance & Administration committee report

11. Borough Manager's Report

- i. Review the Borough Manager's Report
- ii. Minutes from Western Berks Water Authority board meeting of November 14, 2022
- iii. A copy of a letter sent by Senator Schwank to Western Berks Water Authority regarding fluoridation of the water supply is included in your Council packets
- iv. A copy of the 2023 Wyomissing Valley Joint Municipal Authority budget is in your Council packets **(Council packet pages 119-122)**
- v. A motion is needed to table, approve, or deny the sale on Municibid of 2018 Ford Police Interceptor at a purchase price of \$9,300 and a 2002 Ford Crown Victoria at a purchase price of \$2,550
- vi. A motion is needed to table, approve, or deny the authorization to execute an agreement between Wyomissing Borough, Spring Township and the Highlands, for connections to be made from The Highlands to the West Lawn Interceptor as part of The Highlands Apartment Project and for payment to the Borough of \$300,000 from the Highlands **(The Agreement will be made available to Council before the Council meeting)**

- vii. **RESOLUTION NO. 2022-29**- A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA, APPROVING THE FINANCING THROUGH THE NATIONAL FINANCE AUTHORITY OF A CERTAIN PROJECT FOR THE BENEFIT OF THE HIGHLANDS AT WYOMISSING; DESIGNATING THE PRESIDENT OF THE COUNCIL, OR IN HIS ABSENCE ANY OTHER MEMBER, AS THE "APPLICABLE ELECTED REPRESENTATIVE"
- viii. A motion is needed to table, approve, or deny Resolution No. 2022-29 relating to designation of the applicable elected representative for project financing for a project at the Highlands.
- ix. **RESOLUTION NO. 2022-30** - A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA, APPOINTING GLENN R. KRAFT OF KRAFT MUNICIPAL GROUP, INC. AS BUILDING CODE OFFICIAL AND APPOINTING KRAFT MUNICIPAL GROUP, INC. AS THIRD PARTY CODE INSPECTOR, PURSUANT TO THE PENNSYLVANIA CONSTRUCTION CODE ACT AND THE UNIFORM CONSTRUCTION CODE, AND APPOINTING KRAFT MUNICIPAL GROUP, INC. AS RESIDENTIAL ZONING OFFICER AND ALTERNATE COMMERCIAL ZONING OFFICER PURSUANT TO THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, EFFECTIVE JANUARY 1, 2023
- x. A motion is needed to table, approve, or deny adopting Resolution No. 2022-30 relating to the appointment of Kraft Municipal Group as the Borough's third party code inspector, residential Zoning Officer, and alternate commercial Zoning Officer
- xi. A motion is needed to table, approve, or deny adopting Resolution No. 2022-31, honoring the late George Edmonds for his contributions to memorialize the history of Wyomissing Borough (**The Resolution will be made available to Council before the Council meeting**)
- xii. **RESOLUTION NO. 2022-32**- A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA TAKING AND AUTHORIZING OFFICIAL ACTION IN REQUESTING AN H2O PA PROGRAM GRANT
- xiii. A motion is needed to table, approve, or deny adopting Resolution No. 2022-32, authorizing the Borough Manager and Business Manager to execute all documents related to a grant application through the Department of Economic and Community Development's H2O PA Program, for the West Lawn Interceptor upgrade
- xiv. **RESOLUTION NO. 2022-33** -A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA TO

APPOINT THOMAS M. MOLL AS TREASURER FOR THE BOROUGH OF WYOMISSING

- xv. A motion is needed to table, approve, or deny adopting Resolution No. 2022-33, as to appointing Thomas M. Moll as the Borough Treasurer
 - xvi. **ORDINANCE NO. 1429-2023**- AN ORDINANCE OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA, TO AMEND THE CODE OF ORDINANCES OF THE BOROUGH OF WYOMISSING, CHAPTER 18 ENTITLED “SEWERS AND SEWAGE DISPOSAL”, TO AMEND PART 1, ENTITLED “SEWER RENTALS AND CHARGES”, B, ENTITLED “SEWER RATES”, SECTION 121, ENTITLED “INDUSTRIAL SEWAGE RATE”, AND SECTION 122, ENTITLED “DOMESTIC SEWAGE RATE”, TO PROVIDE THAT ALL CHARGES FOR SEWER SERVICES SHALL BE SET BY RESOLUTION
 - xvii. A motion is needed to table, approve, or deny advertisement of Ordinance No. 1429-2023, to amend Chapter 18, “Sewage and Sewage Disposal”, to remove reference to specific rate amounts and instead reference rates imposed by the Wyomissing Valley Joint Municipal Authority and rates adopted by resolution by the Borough of Wyomissing
 - xviii. Borough Hall will be closed on Friday, December 23rd, Monday, December 26th and Monday, January 2nd, in observance of the holidays
 - xix. A motion is needed to approve, deny, or amend the Borough Manager’s Report
12. 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 November
 - ii. A motion to approve, deny, or amend the Treasurer’s Statement of Operation Report
13. Accounts Payable- General Fund, Bureau of Water, Sewer Fund, Refuse/Recycling Fund
- i. Review the Accounts Payable activity during the month of November
 - ii. A motion to approve, deny, or amend the Accounts Payable Report
14. Tax Collector’s Report
- i. Review the Tax Collector’s activity during the month of November
 - ii. A motion to approve, deny, or amend the Tax Collector’s Report
15. 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.

16. 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.
17. 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