BOROUGH OF WYOMISSING – COUNCIL MINUTES

JUNE 11, 2024 – 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, Ronald C. Stanko, Frederick R. Mogel, Jana R. Barnett, and Richard A. Weinhoffer; Mayor Frederick C. Levering, Treasurer David L. Reeser, Borough Solicitor Christopher Hartman, Borough Manager & Economic Development Coordinator Michele Bare, Borough Engineer James McCarthy, Fire Chief Ethan Holmes, Police Lieutenant Paul Baur, Public Works Director James V. Babb, Recreation Director Randy McKinley, and Borough Secretary Melissa Miller. The following persons were absent: Councilmember Jennifer L. Reimer and Police Chief John Phillips

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

EXECUTIVE SESSION:

An Executive Session was held before the meeting for the purpose of discussing personnel and real estate matters.

VISITORS:

Eric and Michelle Esterbrook – 532 South Park Road
Patricia M. Way – 115 Valley Green Circle
Ryan Solecki – Wyomissing Police Department
Addison Levitt – 1639 Cleveland Avenue
Adrian Jadic – 48 Cardinal Road
Brandon Castro – Hartman, Valeriano, Magovern & Lutz, P.C. intern
Jaime Biez, Jr. – Representative Johanny Cepeda-Freytiz's office

PUBLIC HEARING FOR THE REDEVELOPMENT MIXED USE INCENTIVE OVERLAY ZONING DISTRICT ZONING ORDINANCE (Ordinance 1440-2023):

Borough Solicitor Chris Hartman called the hearing to order at 7:02 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 Zoning Ordinance creating a fourth Redevelopment Area Mixed Use Overlay Incentive (RAMUI) district and to rezone a single-family property to C-1 commercial. The establishment of fourth RAMUI district on the south side of State Hill Road encourages greater density development with off-street parking under the building, known as structured parking. The building may encompass apartments, or

apartments above a commercial and or retail component. No development would occur without a Conditional Use Hearing held before Borough Council, of which would be advertised and adjoining property owners notified. A standard for approval is established for building aesthetics to ensure a building is complimentary of adjacent properties. The Ordinance also rezones a single family property along Wellington Boulevard to C-1 zoning.

PUBLIC COMMENTS:
Adrian Jadic, 48 Cardinal Road provided public comment regarding concerns with a portion of the proposed Ordinance and the impact to future development.

Patricia Way, 115 Valley Green Circle provided public comment regarding concerns with a portion of the proposed Ordinance and the impact to future development.

The Public Hearing for the Ordinance amendment to the Borough of Wyomissing Code of Ordinances adjourned at 7:09 p.m.

ORDINANCE NO. 1440-2024- 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", PART 5-D, REDEVELOPMENT AREA MIXED USE INCENTIVE OVERLAY DISTRICT ("RAMUI OVERLAY DISTRICT"), BY ESTABLISHING A STATE HILL ROAD REDEVELOPMENT AREA AND BY INCLUDING SUCH REDEVELOPMENT AREA IN THE RAMUI OVERLAY DISTRICT, TO PROVIDE REGULATIONS FOR THE STATE HILL ROAD REDEVELOPMENT AREA WITHIN THE RAMUI OVERLAY DISTRICT, AND TO AMEND THE ZONING MAP OF THE BOROUGH OF WYOMISSING TO DESIGNATE THE LOCATION OF THE STATE HILL ROAD REDEVELOPMENT AREA AND TO ADD AN ADDITIONAL PARCEL ALONG WELLINGTON BOULEVARD TO THE C-1 NEIGHBORHOOD COMMERCIAL DISTRICT.

Councilmember Stanko made a motion, seconded by Councilmember Mogel to adopt Ordinance No. 1440-2023 as related to the Zoning Ordinance, 5-1, motion passes. Councilmember Barnett opposed.

PUBLIC COMMENTS (agenda items):
No public comment was provided.

COUNCIL MINUTES: On motion duly made, seconded and passed, Council approved the minutes of the May 14, 2024 Council meeting, and June 6, 2024 Conditional Use Hearing.

CONSULTING ENGINEER'S REPORT: On motion duly made, seconded and passed, Council approved the Consulting Engineer's report dated June 4, 2024.

Borough Engineer James McCarthy noted there were several bid openings that occurred and will be discussed during the June Infrastructure committee meeting. 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 June 11, 2024.

Lieutenant Paul Baur reviewed the report.

Council President Jenckes thanked the Police Department for their outstanding work in keeping clearance rates above the national average.

FIRE CHIEF'S REPORT: On motion duly made, seconded and passed, Council approved the Fire Chief's report for May 2024.

Fire Chief Ethan Holmes reviewed the report.

ORDINANCE NO. 1444-2024- AN ORDINANCE OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA AMENDING CHAPTER 1 OF THE WYOMISSING CODE, ENTITLED "ADMINISTRATION AND GOVERNMENT", PART 1, ENTITLED "APPOINTED OFFICIALS", SUBPART C, ENTITLED "FIRE DEPARTMENT", TO AMEND AND RESTATE SUBPART C IN ITS ENTIRETY TO REESTABLISH LEADERSHIP OF THE WYOMISSING BOROUGH FIRE DEPARTMENT BY THE BOROUGH OF WYOMISSING, AND TO REPEAL PART 21 OF SUCH CHAPTER 1, CONCERNING THE INTERGOVERNMENTAL COOPERATION AGREEMENT FOR THE ADMINISTRATION AND OPERATIONAL MANAGEMENT OF THE WYOMISSING FIRE DEPARTMENT BY THE TOWNSHIP OF SPRING FIRE RESCUE SERVICE, DUE TO THE TERMINATION OF SUCH INTERGOVERNMENTAL COOPERATION AGREEMENT BY THE TOWNSHIP OF SPRING, AND AMENDING CHAPTER 7 OF THE WYOMISSING CODE, ENTITLED "FIRE PREVENTION AND FIRE PROTECTION", PART 1, ENTITLED "FIREWORKS", IN ITS ENTIRETY, AND AMENDING CHAPTER 7 OF THE WYOMISSING CODE, ENTITLED "FIRE PREVENTION AND FIRE PROTECTION", PART 2, ENTITLED FIRE PREVENTION CODE, BY AMENDING SECTION 205, ENTITLED "ENFORCEMENT", AND AMENDING CHAPTER 13 OF THE WYOMISSING CODE, ENTITLED "LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS", PART 1, ENTITLED "FIRE AND POLICE ALARM SYSTEMS", SECTION 107, ENTITLED "DESIGNATION OF FIRE PREVENTION NUISANCES", SECTION 108, ENTITLED "APPEAL", SECTION 109, ENTITLED "FINAL DETERMINATION OF FIRE PREVENTION NUISANCE", AND SECTION 111, ENTITLED "DISCONTINUANCE OF FIRE PREVENTION NUISANCE STATUS", TO CHANGE CERTAIN REFERENCES FROM FIRE COMMISSIONER TO FIRE CHIEF

Councilmember Brunner made a motion, seconded by Councilmember Mogel to approve advertising Ordinance No. 1444-2024 as related to fire service and distinguishing the separation from Spring Township, all in favor, 6-0.

Councilmember Barnett made a motion, seconded by Councilmember Brunner to approve appointment of Ronald Zdunowski as Fire Police Captain of the Wyomissing Fire Department, all in favor, 6-0.

Councilmember Barnett made a motion, seconded by Councilmember Mogel to approve appointment of Keith Kerns as Fire Police Lieutenant of the Wyomissing Fire Department, all in favor, 6-0.

INFRASTRUCTURE COMMITTEE: On motion duly made, seconded and passed, Council approved the Infrastructure Committee report dated May 20, 2024.

Councilmember Brunner reviewed the report.

Councilmember Stanko made a motion, seconded by Councilmember Mogel to approve awarding the Woodland Road sewer work to the lowest qualified bidder, Wexcon Inc., in the amount of $277,122, all in favor, roll call vote, 6-0.

Councilmember Brunner made a motion, seconded by Councilmember Mogel to authorize payment of Payment Application No. 1 in the amount of $110,526.30 to Construction Master Services LLC., all in favor, roll call vote, 6-0.

Councilmember Brunner made a motion, seconded by Councilmember Stanko to authorize the Borough Engineer to bid the 50/50 Sidewalk Project based on the obtained quantities, all in favor, 6-0.

Councilmember Brunner made a motion, seconded by Councilmember Barnett to authorize payment of Payment Application No. 4 in the amount of $67,154.11 to Construction Masters Services, LLC. for the pedestrian bridge, all in favor, roll call vote, 6-0.

Councilmember Mogel made a motion, seconded by Councilmember Stanko to authorize payment of Payment Application No. 6 in the amount of $300,415.80 to Balton Construction for the Public Works facility using the Tompkins General Obligation Note, roll call vote, 5-0, motion carries. Councilmember Brunner abstained from the vote due to a conflict of interest with his current employment with Tompkins.

LIBRARY BOARD: On motion duly made, seconded and passed, Council approved the Library Board report dated May 20, 2024.

Councilmember Weinhoffer reviewed the report noting that May circulation remains consistent, membership mailers have been sent, and the strategic plan is coming to a close.

PERSONNEL COMMITTEE: On motion duly made, seconded and passed, Council approved the Personnel Committee report dated May 20, 2024.

Councilmember Mogel reviewed the report.

Councilmember Mogel made a motion, seconded by Councilmember Stanko to approve the non-lead Mechanic position description, all in favor, 6-0.

Councilmember Brunner made a motion, seconded by Councilmember Stanko to approve advertisement and hiring of a non-lead Mechanic, contingent upon background screening and physical, if no internal candidates apply, all in favor, 6-0.

Councilmember Mogel made a motion, seconded by Councilmember Stanko to authorize the Parks Department employee to take the wood from the stored woodpile in the parklands, but is not permitting the employee to use Borough vehicles to do so. He must secure his own transportation at his expense, all in favor, 6-0.

RECREATION BOARD: On motion duly made, seconded and passed, Council approved the Recreation Board report dated May 21, 2024.

Councilmember Weinhoffer shared with Council that with the help of the Recreation Board's Playground Chairperson, the Playground program has been enhanced from last year including a parent handbook outlining the program expectations.

Recreation Director Randy McKinley reviewed the report, reminding Council of various upcoming events, and thanked Council and Borough personnel for their participation during the Memorial Day parade.

PARK AND SHADE TREE COMMISSION: On motion duly made, seconded and passed, Council approved the Park and Shade Tree Commission report dated May 22, 2024.

Councilmember Barnett reviewed the report, and thanked Public Works Director Jim Babb for his, and his staff's participation during the Park and Shade Tree Commission meetings.

Councilmember Stanko made a motion, seconded by Councilmember Mogel to accept a donation from the West Reading/Wyomissing Rotary Club towards the replacement cost of a viewing platform and benches, in exchange for allowing the Rotary Club to install a small recognition plaque on the viewing platform, within the size and aesthetic parameters established by the Borough, all in favor, 6-0.

REFUSE AND RECYCLING COMMITTEE: On motion duly made, seconded and passed, Council approved the Refuse and Recycling Committee report dated May 29, 2024.

Councilmember Barnett reviewed the report.

Councilmember Barnett made a motion, seconded by Councilmember Weinhoffer to approve the concept of an Environmental Advisory Commission, as described in the proposed Ordinance language, and direct the Solicitor to draft an official Ordinance which establishes an Environmental Advisory Commission and eliminates the Refuse and Recycling committee, 5-1, motion passes. Councilmember Mogel opposed.

FIRE AND POLICE COMMITTEE: On motion duly made, seconded and passed, Council approved the Fire and Police Committee report dated June 3, 2024.

Councilmember Jenckes reviewed the report.

Councilmember Jenckes made a motion, seconded by Councilmember Brunner to authorize the unbudgeted expense to purchase personal protective equipment for three new probationary Firefighters for a total cost of $15,258.90, all in favor, roll call vote, 6-0.

Councilmember Jenckes made a motion, seconded by Councilmember Barnett to authorize the unbudgeted expense to purchase uniform items for three new probationary Firefighters for a total cost of $2,461.68, all in favor, roll call vote, 6-0.

RESOLUTION NO. 2024-24- A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA APPROVING THE DISPOSITION OF CERTAIN RECORDS

Councilmember Jenckes made a motion, seconded by Councilmember Mogel to adopt Resolution No. 2024-24 as to the disposition of certain Police records, all in favor, 6-0.

ORDINANCE NO. 1443-2024- AN ORDINANCE OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA AMENDING CHAPTER 15, ENTITLED "MOTOR VEHICLES AND TRAFFIC", PART 1, ENTITLED "GENERAL REGULATIONS", SECTION 104, ENTITLED "TEMPORARY AND EMERGECNCY REGULATIONS", OF THE WYOMISSING BOROUGH CODE OF ORDINANCES, IN ORDER TO AUTHORIZE THE MAYOR AND CHIEF OF POLICE TO MODIFY CERTAIN PARKING AND TRAFFIC REGULATIONS DURING CERTAIN TEMPORARY AND EMERGENCY SITUATIONS

Councilmember Mogel made a motion, seconded by Councilmember Stanko to adopt Ordinance No. 1443-2024 as to amending Ordinance Chapter 15 "Motor Vehicles and Traffic", all in favor, 6-0.

FINANCE AND ADMINISTRATION COMMITTEE: On motion duly made, seconded and passed, Council approved the Finance and Administration committee report dated May 9, 2024.

Councilmember Brunner reviewed the report.

Councilmember Mogel made a motion, seconded by Councilmember Barnett to authorize the Business Manager to draw on the Tompkins General Obligation Note in the amount of $315,356.80 for the Public Works Garage project for the June management services fee, architectural and engineering fees, as well as the construction services pending June Council approval, roll call vote, 5-0, motion carries. Stephen Brunner abstained from the vote due to a conflict of interest with his current employment with Tompkins.

Councilmember Brunner made a motion, seconded by Councilmember Stanko to accept the GASB Statements No. 67 and No. 68 for year ending December 31, 2023, for all pension plans, as well as the Girard Pension Services statements for defined contribution plans, all in favor, 6-0.

Councilmember Brunner made a motion, seconded by Councilmember Mogel to authorize payment of the second quarter MMO pension payment in the amount of $55,576.75, all in favor,

roll call vote, 6-0.

RESOLUTION NO. 2024-23- A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA, AUTHORIZING APPLICATION FOR FLOOD MITIGATION PROGRAM (FMP) GRANT FUNDING FROM THE COMMONWEALTH FINANCING AUTHORITY (CFA)

Councilmember Brunner made a motion, seconded by Councilmember Mogel to approve execution of the matching funds commitment letter for the grant application for the Brandywine/Lincoln project and to approve adoption of Resolution No. 2024-23, all in favor, 6-0.

Councilmember Brunner made a motion, seconded by Councilmember Barnett to deny the refund to pool members $3.83 per day each day the pool was delayed in opening, 4-1, motion carries. Councilmember Mogel opposed.

Councilmember Brunner made a motion, seconded by Councilmember Stanko to approve providing one free pool guest pass per pool membership account registered before June 3, 2024 to compensate for the 2024 delayed pool opening, all in favor, 6-0.

Councilmember Brunner made a motion, seconded by Councilmember Barnett accepting the Deputy Fire Chief salary range of $90,000- $100,000 per year, all in favor, 6-0.

BOROUGH MANAGER'S REPORT: On motion duly made, seconded and passed, Council approved the Borough Manager's report dated June 11, 2024.

Borough Manager Bare noted that Western Berks Water Authority meeting minutes were made available to Council, and the Joint Municipal Authority meeting minutes were not received.

Borough Manager Bare share with Council that the Civil Service Commission has made several recommendations for approval related to the Fire Department Technician promotional process, and the entry-level Firefighter hiring process.

Councilmember Brunner made a motion, seconded by Councilmember Stanko to approve the Civil Service certified promotional hiring list for the position of Technician within the Wyomissing Fire Department, all in favor, 6-0.

Councilmember Stanko made a motion, seconded by Councilmember Barnett to approve the promotion of Randy Martin to the Technician position within the Wyomissing Fire Department, all in favor, 6-0.

Councilmember Stanko made a motion, seconded by Councilmember Barnett to approve the Civil Service certified promotional hiring list for the position of entry-level Firefighter within the Wyomissing Fire Department, all in favor, 6-0.

Councilmember Stanko made a motion, seconded by Councilmember Mogel to approve the

hiring of Kyle Parkins, Tyler Ditzler, and Blaze Yasso to the entry-level Firefighter positions within the Wyomissing Fire Department, all in favor, 6-0.

Lastly, Borough Manager Bare reminded Council and the public that Borough Hall will be closed on Thursday July 4th and Friday July 5th in observance of Independence Day.

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

Treasurer David Reeser had no further review of the report.

ACOUNTS PAYABLE: Councilmember Brunner made a motion, seconded by Councilmember Stanko to ratify and approve the Accounts Payables report for May 2023, all in favor, roll call vote, 6-0.

General Fund	$ 1,269,250.61
Road Tax Fund	109.27
Water Fund	145,551.39
Sewer Fund	211,016.60
Refuse Fund	261,656.92
Liquid Fuels Fund	24,277.85
	$ 1,911,862.64

TAX COLLECTOR'S REPORT: On motion duly made, seconded and passed, Council approved the Tax Collector's tentative report for the month of May 2024.

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

PUBLIC COMMENT (non-agenda items):
Jaime Biez, Jr., Representative Johanny Cepeda-Freytiz's office provided public comment regarding their office being available for a multitude of services.

Adrian Jadic, 48 Cardinal Road provided public comment regarding the Western Berks Water Authority meeting minutes presumably missing from the Borough's website.

The Wyomissing Borough Council meeting adjourned at 8:07 p.m.

Respectfully Submitted,

Melissa Miller
Borough Secretary

Approved by:

William S. Jenckes
President, Wyomissing Borough Council