

The February 8, 2018, Shillington Borough Council meeting was called to order at 7:30 p.m. by President John W. Hoffert. Following the invocation by Mayor Hivner and the oath of allegiance, roll call was taken. Council members in attendance were: Elizabeth M. Bentz; George B. Clark; John W. Hoffert; Michael A. Hoffert; Ronald R. Klee, Jr.; Mark R. Naylon and Conrad Vanino. Present in addition to the Council members were Mayor Andrew R. Hivner, Borough Manager Michael D. Mountz, Assistant Borough Manager Scott D. Brossman, Fire Chief Timothy Deamer, Solicitor John A. Hoffert and Secretary Jan M. Boyd. Thomas Klonis, Esquire, Solicitor Hoffert's partner; Deputy Fire Chief David Bentz and Nicholas Johnson of Great Valley Consultants were also in attendance along with the following residents and visitors:

Ralph Bailey - 316 Wheatland Avenue
Alyssa Oxenreider - 132 Chestnut Street
Laura Ramsey - 116 North Waverly Street
Terry Wagner - 111 Chestnut Street

Karen Feridun - 260 East Main Street, Kutztown

As there were no objections, the minutes of the January 2, 2018, council meeting were approved as forwarded to each member, on a motion by Dr. Clark, seconded by Mr. Klee, and duly carried.

Public Comment: None.

Public Comment on Agenda Items: None.

COMMITTEE REPORTS:

Mayor - Mayor Hivner gave the Police Department's report for the month of January. During this month, the Department handled 609 incidents, with 89 arrests being made. Also during this month, 3,610 patrol miles were traveled.

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During this winter season, the Police Department has noted an increase in the number of properties that have failed to comply with the snow removal regulations. Reminders of the requirements will be posted on the Borough's and the Police Department's social media.

Police and Personnel - On a motion by Mr. Ronald R. Klee, Jr., chairman, seconded by Dr. Clark, and duly carried, Council approved the overtime payment of \$12,953.66 to the members of the Police Department during the month of January. Roll Call - 7 ayes

Mr. Klee presented the 2017 Annual Report of the Civil Service Commission. This report detailed the tests conducted during the recent hiring process and the costs involved with these tests. This process concluded with the hiring of a new officer in November. The report also detailed the tests and costs involved with the promotion of Steven R. Caltagirone to the position of Corporal.

Administration-Law-Finance - On a motion by Dr. George B. Clark, chairman, seconded by Mr. Klee, and unanimously approved, Council confirmed the payment of the bills associated with the January 31, 2018 Financial Statements as follows:

General Fund - \$256,815.69
Water Fund - \$273,832.25
Sewer Fund - \$126,726.79
Recreation Board - \$14,042.88
Fire Fund - \$2,822.93
Streets Improvement Fund - \$842.30
Roll Call - 7 ayes

The Animal Rescue League is now requiring the Borough to enter into an agreement which details the animal control services that they will provide to the Borough. This agreement has been reviewed by Solicitor Klonis and was also provided to the Council members for their review. On a motion by Dr. Clark, seconded by Mr. Naylor, and duly carried, Council authorized entering into the above noted agreement and to making the annual payment of \$1,000 to the Animal Rescue League.

Roll Call - 7 ayes

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Fire - Mr. Michael A. Hoffert, chairman, gave the Fire Chief's report for the month of January. During this time, the Department responded to a total of thirty-eight (38) dispatches consisting of fourteen (14) calls in the Borough and twenty-four (24) assists to neighboring departments. The Department also conducted five (5) training sessions during the month.

The members covered all 160 hours of available daytime staffing for the month.

Deputy Fire Chief David Bentz apprised Council that the Fire Department is looking at ways to extend the life of the 1999 Seagraves engine. The work being considered is repair and paint the cab, aluminum wheel replacement and other upgrades. They contacted three (3) vendors to obtain quotes for the work to be done. These quotes were provided to Council for their consideration. The Department is requesting that the Borough pay (using Fire Capital Reserve Funds) for the cab repair and paint and the wheel replacement. The total cost of this work from Marco Equipment Sales is \$12,086.76. After further discussion, Mr. Michael Hoffert made a motion, which was seconded by Mr. Vanino, for the Borough to pay \$12,086.76 for these truck repairs.

Mr. Klee questioned the accuracy of the motion.

Mr. Michael Hoffert then amended his motion to: Council gave permission to the Fire Department to have the cab repaired and painted at a cost of \$8,182.76 and to have the aluminum wheels replaced at a cost of \$3,904.00, for a total cost of \$12,086.76. Mr. Vanino amended his second. The motion duly carried. Roll Call - 7 ayes

Additional upgrades to the truck, which were also quoted by the vendors, will be done at a later date through a grant obtained by the Fire Department.

Tree-Pole and Light - Mrs. Elizabeth M. Bentz, chairman, advised that there was nothing new to report from her committee for this month.

Streets-Sanitation-Water - Mr. John W. Hoffert reviewed with Council the February Engineer's Report. He noted the following:

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°On January 24, 2018 bids were opened for both the 2018 Streets Project and the 2018 Water Main Replacement Project.

Results and contract award took place under the Manager's report.

President Hoffert then gave the report of the Public Works Department for work done during the month of January.

Recreation - Mr. Mark R. Naylor, chairman, read the minutes of the Recreation Board meeting held on February 5, 2018.

The Recreation Board recommended approval of the following items:

°Retain the rates for the summer programs at their existing rates; and

°Establish a babysitter policy which would allow a member to purchase a season pool ticket for a babysitter who is over the age of fifteen (15) and is babysitting the family's children who are age ten (10) and under. The cost would be \$100 for pre-season and \$120 for in-season. The ticket would be a different color than any other ticket issued for the season and can only be used while babysitting the children.

The Recreation Board also recommended approval of the following projects for the Park, utilizing the Hiller Funds to offset the cost:

°*Pickle Ball* - Pickle Ball has become a growing sport that is played by all ages, but primarily seniors. Additional lines would need to be painted on the tennis courts at an approximate cost of \$700.

°*GaGa Ball* - GaGa Ball is also a game played by all ages, but is primarily for playground children. A flat surface twenty-four (24) feet

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by twenty-four (24) feet is needed to build an octagon that is thirty (30) inches high. All components (except the wood to build the octagon) would be supplied by Coach Cliff's GaGa Ball at a cost of \$853.50. The cost of the wood is estimated to be \$270, for a total estimated cost of \$1,223.50. The Borough would have to assemble the structure.

°*Disk Golf* - Disk golf can be played by all ages. Basically, it is the game of golf played with a frisbee. To build a 9-hole course in the Park would cost approximately \$3,300. At this point a location has not been determined.

After a discussion on the above, Council, the Mayor and the Police Chief had the following concerns:

- °Is the babysitter pass for resident families and non-resident families?
- °Must the babysitter be ineligible to purchase an individual membership?
- °How will it be verified that the individual is only using the ticket when babysitting?
- °What would be the impact of the increased number of people using the Park?
- °Parking problems currently exist during special events or when all of the pavilions are rented. Where will the increased number of people park?

President Hoffert requested that the Recreation Board address these concerns and also work with Mr. Brossman to obtain more specific costs for the projects prior to Council taking any action.

Zoning and Codes - Mr. Conrad Vanino, chairman, gave the Borough's Building Code Official's reports for the months of December and January. During December, twelve (12) new permits were issued, six (6) certificates of use/occupancy were issued and thirty-five (35) permits remained open. During January, nine (9) new permits were issued, fourteen (14) certificates of occupancy were issued, with thirty-three (33) permits remaining open.

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Each member of Council received a copy of the 2017 Annual Report of the Planning and Zoning Commission. During this year, the Commission reviewed and approved the subdivision plan titled *Washington Street Townhouses*. Council had no questions regarding this report.

Mr. Vanino apprised Council of the Zoning Hearing Board's decision from their meeting held on January 9, 2018 at which time they granted a variance to Amrad, LLC to construct a vestibule attached to the front of 22 New Holland Avenue.

Solicitor - Resolution No. 1-2018, authorizes the disposition of the listed public records after January 31, 2018. This resolution was adopted, as presented by the Solicitor's office, on a motion by Mr. Michael Hoffert, seconded by Mr. Naylon, and duly carried.

Also presented was **Resolution No. 2-2018**, which authorizes the termination of the Western Berks Refuse Authority. It was noted that the life of the Western Berks Refuse Authority expired on December 31, 2017 and the Board of the Authority saw no reason to ask for an extension of its term of existence. To terminate the Authority of Record, each member municipality needs to consent to the termination. Therefore, Dr. Clark made a motion, which was seconded by Mr. Naylon, and unanimously approved, to adopt this resolution, which authorizes the termination of the Western Berks Refuse Authority, as presented.

Ordinance No. 1195, which establishes the handicapped parking spaces as approved at the January meeting; an additional stop intersection and an additional area for limited parking, was adopted as presented by the Solicitor's office, on a motion of Mr. Naylon, seconded by Dr. Clark, and duly carried.

Mr. Michael Hoffert made a motion, which was seconded by Dr. Clark, and unanimously carried, giving permission to the Solicitor's office to file liens against the following properties:

- a. **Nationstar Mortgage LLC,
220 E. Wyomissing Ave, Mohnton**
Outstanding water/sewer/jobbing bills - \$312.65

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- b. **Michael Rozycki**
201 W. Broad Street, Shillington
Outstanding water/sewer/refuse bills - \$485.85
- c. **Gloria G. Schlegel/Bobbi Jo Souders**
32 E. Wyomissing Ave, Mohnton
Outstanding water/sewer/jobbing bills - \$590.10
- d. **Injection Molding Solutions LLC**
217 Montrose Boulevard, Cumru Township
Outstanding water jobbing bill - \$ 24.00
- e. **Thomas Mammano**
216 N. Miller Street, Shillington
Outstanding grass/weed cutting invoice - \$110.00

Manager - On January 10, 2018, the Borough received \$41,222.07 from the Berks Earned Income Tax Bureau representing the Borough's share of the earned income tax processed from December 1, 2017 through December 31, 2017.

On February 5, 2018, the Borough received \$27,110.53 from Comcast Cable representing franchise fees owed for the period from October 2017 through December 2017.

Each member of Council received the results of the bid openings for the 2018 Streets Improvement Project and the 2018 Water Main Replacement Project, which were held on January 24, 2018. The results were as follows:

2018 Streets Improvement Project:

Construction Masters Services, LLC
4008 Lancaster Pike \$1,300,486.50
Reading, Pennsylvania
19608

Barwis Construction, LLC
30 Ridgeway Road \$1,348,523.42
Birdsboro, Pennsylvania
19508

H & K Group, Inc.
P. O. Box 196 \$1,422,471.68
Skippack, Pennsylvania
19474

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2018 Streets Improvement Project Bids Continued:

New Enterprise Stone & Lime
Co., Inc.
621 Martindale Road \$1,236,690.78
Ephrata, Pennsylvania
17522

Reamstown Excavating, Inc.
560 North 5th Street \$1,197,799.90
Denver, Pennsylvania
17517

Schlouch Incorporated
132 Excelsior Drive \$1,315,573.08
P. O. Box 69
Blandon, Pennsylvania
19510

2018 Water Main Replacement Project:

A. H. Moyer, Inc.
820 East Lincoln Avenue \$ 327,348.00
Myerstown, Pennsylvania
17067

Anrich, Inc.
1271 South Gulph Road \$ 313,340.80
Wayne, Pennsylvania
19087

Arthur "Pat" Aungst, Inc.
45 Tremont Road \$ 252,071.00
Pine Grove, Pennsylvania
17963

Barrasso Excavation, Inc.
1523 Memorial Highway \$ 238,250.00
Oley, Pennsylvania
19547

Construction Masters Services, LLC
P. O. Box 1063 \$ 333,840.00
Reading, Pennsylvania
19607

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2018 Water Main Replacement Project Bids Continued:

Doli Construction Corporation
120 Independence Lane \$ 232,480.00
Chalfont, Pennsylvania
18914

Reamstown Excavating, Inc.
560 North 5th Street \$ 326,030.00
Denver, Pennsylvania
17517

RGC Development L.P.
6866 Chrisphalt Drive \$ 442,260.00
Bath, Pennsylvania
18014

TSE, Inc.
347 Rear Main Street \$ 312,941.00
Dickson City, Pennsylvania
18519

Wexcon, Inc.
379 Tilden Road \$ 261,145.00
Mohrsville, Pennsylvania
19541

The bids were reviewed by the Engineers for completeness and accuracy. Based upon this review, the Engineers recommended the following:

- a. Streets Improvement Project - Award to the low bidder, Reamstown Excavating, Inc. Although a mathematical error was found on their proposal sheet, it did not affect their ranking, but did reduce their base bid to \$1,192,799.90. Council accepted this recommendation and awarded the 2018 Streets Improvement to Reamstown Excavating, Inc. on the basis of their base bid in the amount of \$1,192,799.90, by motion of Mr. Naylon, seconded by Mr. Klee, and duly carried.

Roll Call - 7 ayes

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- b. Water Project - Award to the low bidder, Doli Construction Corporation of Chalfont, Pennsylvania. Council accepted this recommendation and awarded the 2018 Water Project to Doli Construction Corporation on the basis of their bid in the amount of \$232,480.00, by motion of Mr. Naylor, seconded by Mr. Klee, and unanimously approved.
Roll Call - 7 ayes

By motion of Mr. Vanino, seconded by Mr. Naylor, and duly carried, Council approved the following contribution requests for 2018:

- °Berks County Solid Waste Advisory - \$250.00
 - °Berks Visiting Nurse Association - \$100.00
 - °Crime Alert Berks County - \$250.00
 - °Center for Excellence in Local Government - \$250.00
- Roll Call - 7 ayes

Assistant Manager - Mr. Brossman advised Council of the need for the Borough to enact an ordinance which would authorize the Borough's participation in the Berks County MS4 Steering Committee. He also noted that the annual dues of the MS4 Steering Committee are \$700. Participation in the MS4 Steering Committee helps fulfill the educational component of the Borough's required MS4 permit with the Pennsylvania Department of Environmental Protection.

On a motion by Mr. Vanino, seconded by Dr. Clark, and unanimously carried, Council gave permission to advertise the authorizing ordinance for adoption at the March meeting and to pay the annual dues of \$700.

Roll Call - 7 ayes

NEW BUSINESS: At this time, President Hoffert named the Standing Committees for 2018-2019 (first named person to serve as Chairman of the committee).

2018-2019 COUNCILMANIC COMMITTEES

Administration--Law--Finance

George B. Clark, Chairman
Ronald R. Klee, Jr. (Vice)
Mark R. Naylor

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Standing Committees (Continued):

Tree-Pole and Light
Elizabeth M. Bentz, Chairman
Michael A. Hoffert (Vice)
Mark R. Naylor

Fire
Michael A. Hoffert, Chairman
Conrad Vanino (Vice)
George B. Clark

Police and Personnel
Ronald R. Klee, Jr., Chairman
Conrad Vanino (Vice)
Elizabeth M. Bentz

Streets--Sanitation--Water
John W. Hoffert, Chairman
George B. Clark (Vice)
Ronald R. Klee, Jr.

Recreation
Mark R. Naylor, Chairman
Elizabeth M. Bentz (Vice)
George B. Clark

Zoning and Codes
Conrad Vanino, Chairman
Mark R. Naylor, (Vice)
Michael A. Hoffert

Questions from the Audience:

Mrs. Oxenreider felt that offering a babysitter pass for the pool may result in a loss of revenue due to people misrepresenting their situation. Additionally, the tickets of the people entering the pool through the lower gate are not checked.

Mrs. Oxenreider then questioned the status of tree limb issues that were previously reported, as she is still seeing limbs that need trimming.

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Mr. Brossman advised that the homeowners have been contacted regarding the work to be done. The homeowners requested an time extension to get the work done, which was granted.

Mrs. Oxenreider also questioned whether the Borough's policy for snow removal had changed. She noted that she would usually see the plows out about 3:00 a.m., but more recently it seems to be getting later.

She was advised that the Borough's response to a storm is coordinated with the Police Department and is based on numerous variables such as the type of precipitation, the strength of the storm and when the storm started. There has be no change in procedure.

At this time, Ms. Feridun, a member of the local organization, Berks Gas Truth, and Ms. Ramsey addressed Council regarding fracking. They have been visiting all of the municipalities in the Delaware River Basin watershed requesting their support of a complete ban on fracking. They provided a resolution for Council's consideration.

President Hoffert advised that the resolution will be distributed to the rest of Council and discussed further at the March meeting, if the members desire to do so.

As there was no further business, the meeting was adjourned on a motion by Mr. Vanino, and duly carried at 8:51 p.m.

Respectfully submitted,

Jan M. Boyd
Borough Secretary