

The November 15, 2018, Shillington Borough Council meeting was called to order at 7:30 p.m. by President John W. Hoffert. This meeting was rescheduled from its original date of November 8, 2018, due to the unavailability of both the President and the Vice President. Following the invocation by Mayor Hivner and the oath of allegiance, roll call was taken. Council members Michael A. Hoffert, Ronald R. Klee, Jr., and Edward B. Michalik were absent. Council members in attendance were: Elizabeth M. Bentz; George B. Clark; John W. Hoffert 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, Police Chief Brett A. Hivner, Fire Chief Timothy Deamer and Secretary Jan M. Boyd. Nicholas Johnson of Great Valley Consultants was also in attendance along with the following residents and visitors:

David Bentz - 333 Wheatland Avenue
Renso and Yadidra Minaya - 230 East Walnut Street
Harold Stupp - 115 South Miller Street

Edwin Stock, Esquire - 627 North 9th Street, Reading
Keith Dmochowski - Representative, *Reading Eagle*

As there were no objections, the minutes of the October 11, 2018, council meeting were approved as forwarded to each member, on a motion by Dr. Clark, seconded by Mr. Vanino, and duly carried.

President Hoffert advised that the Pool Permit Appeal requested by Mr. and Mrs. Donald Rotkiske of 44 New Holland Avenue would be discussed at the end of the meeting, as neither Mr. nor Mrs. Rotkiske were in attendance.

PUBLIC COMMENT:

Mr. Stock advised Council that he represents Mr. and Mrs. Minaya the owners of 230 East Walnut Street on a

November 15, 2018

matter that goes back to October 2011 when the property was purchased by Mr. Minaya's brother-in-law, Johnny Guzman. That same year, but prior to Mr. Guzman taking ownership of the property, the curbing was repaired by the Borough's contractor. According to Mr. Stock, the invoice for the curbing repair was not taken care of at settlement, as it was not included on the certification returned by the Borough. A lien was then placed against the property in July 2012. Currently, Mr. and Mrs. Minaya own the property and are selling it, with settlement scheduled for November 30, 2018. With settlement coming up, Mr. Stock requested relief from the payment of this lien due to the timing of the invoice and settlement.

President Hoffert stated that because of the length of time that has passed, he was not inclined to grant the requested relief. The others members in attendance concurred with this statement.

PUBLIC COMMENT ON AGENDA ITEMS: None.

COMMITTEE REPORTS:

Mayor - Mayor Andrew R. Hivner gave the Police Department's report for the month of October. During this month, the Department handled 461 incidents, with 55 arrests being made. Also during this month, 2,946 patrol miles were traveled.

As Patrolman Jarrett L. Dominicis has successfully completed his probationary period, Council removed him from probationary status and permanently appointed him as a Police Officer for the Borough, effective November 5, 2018, on a motion by Dr. Clark, seconded by Mrs. Bentz, and duly carried.

Council then accepted the resignation of Jose M. Quinones, as a police officer for the Borough, effective November 9, 2018, on a motion by Mr. Vanino, seconded by Mrs. Bentz, and unanimously approved.

Mr. Mountz noted that the Borough's Civil Service Commission is currently in the process of updating their Rules and Regulations, which must be approved by Council prior to the start of a new hiring process.

November 15, 2018

Police and Personnel - On a motion by Mrs. Elizabeth M. Bentz, member, seconded by Dr. Clark, and duly carried, Council approved the payment of \$6,668.22 in overtime paid to the members of the Police Department during the month of October. Roll Call - 4 ayes

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

General Fund - \$371,208.21
Water Fund - \$279,825.09
Sewer Fund - \$251,679.82
Recreation Board - \$24,966.99
Fire Fund - \$11,052.70
Streets Improvement Fund - \$63,210.37

Roll Call - 4 ayes

Fire - Mr. Conrad Vanino, vice chairman, gave the Fire Chief's report for the month of October. During this time, the Department responded to a total of fifty-two (52) dispatches consisting of ten (10) calls in the Borough and forty-two (42) assists to neighboring departments. The Department also conducted four (4) training sessions during the month.

The members covered all of the 184 hours of available daytime staffing for the month.

Tree-Pole and Light - Mrs. Elizabeth M. Bentz, chairman, reported that six (6) trees will be planted at selected properties by the Tree Advisory Committee on Saturday, November 17. Three (3) additional trees will be planted on Borough property.

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

- Reamstown Excavating has substantially completed the work involved with the 2018 Streets Project. A payment application will be presented in the Manager's report.

November 15, 2018

°Doli Construction has completed the minor patch repair of the 2018 Water Main Replacement Project. However, a final application for payment has not been submitted.

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

Zoning and Codes - Mr. Conrad Vanino, chairman, gave the Borough's Building Code Official's report for the month of October. During this time, ten (10) new permits were issued, zero (0) certificates of use/occupancy were issued and forty-seven (47) permits remain open.

Solicitor - In the absence of the Solicitor, President Hoffert gave the Solicitor's report which involved properties with outstanding invoices. On a motion by Mrs. Bentz, seconded by Dr. Clark, and unanimously carried, Council gave permission to file a lien on each of the following properties:

-John D./Olga McCall	
58 W. Wyomissing Avenue, Mohnton	
Outstanding Water Jobbing Invoice	- \$ 85.88
-Ronald K. Urkuski, Estate/Patricia K. Urkuski	
c/o Christopher P. Urkuski, Executor	
159 Blimline Road, Sinking Spring	
for: 101 Revere Boulevard, Cumru	
Outstanding Water Billing	- \$ 85.12
Outstanding Water Jobbing Invoices	- <u>231.75</u>
 Total Outstanding	 \$ 316.87
-Gail Urban (deceased)	
60 W. Wyomissing Avenue, Mohnton	
Outstanding Water Billing	- \$ 98.78
Outstanding Water Jobbing Invoice	- <u>30.00</u>
 Total Outstanding	 - \$ 128.78

November 15, 2018

Manager - Mr. Mountz presented the Tentative Budget for 2019 with a General Fund expenditure of \$3,512,550, a total expenditure of all funds of \$9,139,100 and no proposed tax increase. The millage rate will remain at 7.14 mills. On a motion by Dr. Clark, seconded by Mr. Vanino, and duly carried, Council adopted the Tentative Budget, as presented, and authorized its advertisement.

On October 30, 2018, the Borough received \$1,921.82 from PFM Asset Management LLC, as a rebate earned on purchases on the Borough's Procurement Cards between September 1, 2017 and August 31, 2018.

The Borough received \$8,534.68 on November 5, 2018, from the Berks Earned Income Tax Bureau representing the Borough's share of the earned income tax processed from October 1, 2018 through October 31, 2018.

On November 6, 2018, the Borough received \$25,515.53 from Comcast Cable representing the franchise fees owed to the Borough for the period from July 2018 through September 2018.

Payment Application No. 3 from Reamstown Excavating in the amount of \$425,705.40 for work completed on the 2018 Streets Improvement Project was approved for payment, on a motion by Mrs. Bentz, seconded by Dr. Clark, and unanimously carried. Roll Call - 4 eyes

This application was previously reviewed and approved by the Borough Engineers.

On a motion by Dr. Clark, seconded by Mr. Vanino, and duly approved, permission was given to renew the Borough's membership with the Pennsylvania State Association of Boroughs in the amount of \$1,137.00.

Roll Call - 4 eyes

At this time, Council discussed the appeal of Mr. and Mrs. Donald Rotkiske of 44 New Holland Avenue of the decision to deny their application for a permit to erect a pool in the rear of their property. President Hoffert reminded Council that the permit application was denied as the location of the pool did not meet the

November 15, 2018

property line setback requirements of the ordinance. Prior to the meeting, each member of Council received the following items to review:

- °Drawing submitted with the permit application which indicates the location of the pool on the property; and
- °The letter explaining why the permit was denied; and
- °The letter from William Rush, Esquire requesting the appeal due to the uniqueness of the Rotkiske property, which he believes to be too narrow to place any pool upon and meet the requirements.
- °A copy of Ordinance No. 1114, the Borough's Pool and Pond ordinance.

After a discussion on the matter, Council voiced the following opinions:

- °A pool could be placed on the property, with some concessions, within the ordinance requirements.
- °Council should adhere to the guidelines of the ordinance.
- °To grant the appeal would not be fair to those residents who have meet the requirements and those that have been denied in the past.

By motion of Mr. Vanino, seconded by Dr. Clark, and duly carried, Council then made a motion to uphold the denial of a pool permit application for violating Section 23-105 1.A of Ordinance No. 1114 for not complying with the mandatory side yard setbacks.

QUESTIONS FROM THE AUDIENCE: None.

As there was no further business, the meeting was adjourned on a motion by Mr. Vanino and duly carried at 8:24 p.m.

Respectfully submitted,

Jan M. Boyd
Borough Secretary