

The March 11, 2021, Shillington Borough Council meeting was called to order at 7:30 p.m. by President Hoffert. Following the invocation by Mayor Hivner and the oath of allegiance, roll call was taken. Council members in attendance were: Elizabeth M. Bentz; Alec M. Ernst; Ronald R. Klee, Jr.; John W. Hoffert; Michael A. Hoffert; Edward B. Michalik, Jr. and Conrad Vanino. Present in addition to the Council members were Mayor Andrew R. Hivner, Borough Manager Scott D. Brossman, Police Chief Brett A. Hivner, Fire Chief Timothy Deamer, Solicitor Thomas L. Klonis and Secretary Jan M. Boyd. Nicholas Johnson of Great Valley Consultants was also in attendance, along with the following resident:

Harold Stupp - 115 South Miller Street

As there were no objections, the minutes of the February 11, 2021, council meeting were approved as forwarded to each member, on a motion by Mr. Klee, seconded by Dr. Michalik, and duly carried.

PUBLIC COMMENT: None.

PUBLIC COMMENTS ON AGENDA ITEMS. None.

COMMITTEE REPORTS:

Mayor - Mayor Hivner gave the Police Department's report for the month of February. During this month, the Department handled 389 incidents, with 95 arrests being made. Also during this month, 2,431 patrol miles were traveled.

All officers have completed their mandatory training for 2021.

Police and Personnel - On a motion by Mr. Ronald R. Klee, chairman, seconded by Mr. Vanino, and unanimously carried, Council approved the payment of \$4,713.66 in overtime paid to the members of the Police Department during the month of February. Roll Call - 7 ayes

March 11, 2021

Mr. Klee presented the 2020 Annual Report of the Civil Service Commission. This report detailed the final costs of the 2019 hiring process. This process resulted in one (1) eligible candidate, who, subsequently, chose a position with another department. The report also detailed the tests conducted during the hiring process which started in 2020 and the costs involved with these tests. This process was not completed in 2020, but extended into 2021.

Administration-Law-Finance - Dr. Edward B. Michalik, Jr., chairman, made a motion, which was seconded by Mr. Klee, and duly carried, confirming the payment of the bills associated with the February 28, 2021 Financial Statements as follows:

General Fund - \$198,141.47
Water Fund - \$244,016.25
Sewer Fund - \$42,080.75
Recreation Fund - \$15,473.33
Fire Fund - \$10,352.83
Streets Improvement Fund - \$4,937.19
Roll Call - 7 ayes

Council accepted the 2019 Annual Audit of the Borough's Tax Collector, as received from RKL, Certified Public Accounts, on a motion by Dr. Michalik, seconded by Mr. Klee, and unanimously approved.

Fire - Mr. Michael A. Hoffert, chairman, gave the Fire Chief's report for the month of February. During this time, the Department responded to a total of forty-one (41) dispatches consisting of eight (8) calls in the Borough and thirty-three (33) assists to neighboring departments. The Department also conducted four (4) training sessions during the month.

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

Tree-Pole and Light - Mr. Alec M. Ernst, Chairman, advised Council that the Shillington Tree Advisory Committee (STAC) would like to hold an Arbor Day event on Friday,

March 11, 2021

April 30. The event would involve planting one tree in the Park as a kick off for the Committee's spring planting.

Mr. Ernst noted that the event is primarily for STAC members, however, Council members would be invited and it would also be open to the public. They do not anticipate a large group to be present. Mr. Ernst then made a motion, which was seconded by Mr. Vanino, to approve this event.

Prior to Council voting on the motion, President Hoffert stated that he thinks anyone present must follow all of the current Covid guidelines (masks, social distancing, etc.). Solicitor Klonis advised that the Borough's insurance company has not definitively said that the Borough has coverage for any Covid related claim, therefore, the Borough is potentially liable for any possible claims.

After further discussion, Mr. Ernst amended his motion and Mr. Vanino amended his second to approve the event with the requirement that all Center for Disease Control (CDC) guidelines relative to Covid be enforced. This motion was approved, as stated.

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

- °The Pennsylvania Department of Environmental Protection (DEP) has reviewed the permit for the work at the Overbrook Pump Station. DEP's comments are currently being addressed and the permit will be resubmitted.
- °The stream crossing permit associated with the Reed Street Water Main Project has been received from the Berks County Conservation District. Cumru Township is awaiting final approvals from DEP and will be bidding the project shortly.

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

At this time, Nicholas Johnson of Great Valley Consultants gave Council an update on the Borough's and the Wyomissing Creek Watershed Coalition's progress in

March 11, 2021

satisfying the MS4 permitting requirements. He reminded Council that the Borough along with seven (7) other municipalities make up the Wyomissing Creek Watershed Coalition. The Borough will not receive its new permit until all of the eight (8) municipalities' permit applications have been received and approved by the Department of Environmental Protection (DEP). Once all new permits have been issued, the Coalition may start on their required projects. These projects total \$2,000,000 of which the Borough's share is approximately ten (10) percent.

Council questioned what the first project would be once the new permit is received. Mr. Johnson advised that it would be a detention pond on a farm in Cumru Township, near the Borough of Mohnton.

Recreation - Mrs. Elizabeth M. Bentz, chairman, reported on the Recreation Board meeting held on March 8, 2021. The Recreation Board is recommending the following:

- °Hold the Egg Hunt on Saturday, March 27
- °Hold the Fishing Rodeo on Saturday, April 17
- °Rename the Park concerts to honor Mr. Brown

Mrs. Bentz advised that the Egg Hunt would be scheduled for Saturday, March 27 beginning at 10:00 a.m. and ending at Noon. The raindate would be Saturday, April 3. Participants will be divided into age groups, with thirty (30) minutes of activity for each age group. There will be no pre-registration. All participants or their parents/guardians will be required to sign a Hold Harmless Agreement. Mrs. Bentz then made a motion, which was seconded by Mr. Ernst, giving approval to hold this event.

Prior to Council voting on the motion, President Hoffert questioned whether the plan was to have the event more structured, such as having the participants in their own lines. Mrs. Bentz advised that there will be no lines. The CDC guidelines will be posted and all involved will be advised to follow social distancing. Solicitor Klonis reiterated that the Borough's insurance company has not definitively said that the Borough has coverage for any Covid related claim, therefore, the Borough is

March 11, 2021

potentially liable for any possible claims. He further noted that the execution of a Hold Harmless Agreement does not guarantee that the Borough would not be sued.

It was recommended that Mrs. Bentz and Mr. Brossman meet with Kyle Kuser, the Recreation Director, to address the concerns of Council. After further discussion, Mrs. Bentz amended her motion and Mr. Ernst amended his second to approve holding the Egg Hunt on Saturday, March 27 with the requirement that all CDC guidelines relative to Covid be enforced. This motion was approved, as stated.

Mrs. Bentz reported that the Fishing Rodeo is scheduled for Saturday, April 17. Social distancing areas will be measured out around the pond. CDC guidelines will again be posted and a Hold Harmless Agreement will be required to be executed by the participant or the parent/guardian.

Mrs. Bentz made a motion to approve the holding of the Fishing Rodeo on Saturday, April 17 with the requirement that all CDC guidelines relative to Covid be enforced. Mr. Ernst seconded this motion, which was duly carried.

Council discussed the renaming of the concerts in the Park to honor H. Richard Brown, who has organized the concerts for the past twenty (20) years. On a motion by Mrs. Bentz, seconded by Dr. Michalik, and unanimously approved, Council authorized the renaming of the Park concerts.

Zoning and Codes - Mr. Conrad Vanino, chairman, gave the report from the Borough's Building Code Official, James Franey, for the month of February. During this time, Mr. Franey issued three (3) new permits and nine (9) certificates of use/occupancy thereby leaving twenty-one (21) permits open.

Manager - Mr. Brossman reported that the Borough received \$10,326.94 from the Pennsylvania Department of Transportation representing the initial payment under the new Winter Traffic Services Agreement.

On February 12, 2021, the Borough received \$24,578.81 from Comcast Cable representing franchise fees owed for the period from October 2020 through December 2020.

March 11, 2021

The Borough received \$20,343.00 from Susquehanna Municipal Trust, the Borough's Workers' Compensation Carrier, representing a refund of the 2020 policy year, based upon the audit conducted.

On March 3, 2021, the Borough received \$148,216.76 from the Pennsylvania Department of Transportation representing the Liquid Fuels Tax allocation for 2021.

On March 5, 2021, the Borough received \$89,057.71 from the Berks Earned Income Tax Bureau representing the Borough's share of the earned income tax processed from February 1, 2021 through February 28, 2021.

The Borough received \$200.00 from the Liquor Control Board representing the Liquor and Malt Beverage Licenses issued between August 1, 2020 through January 31, 2021.

On March 11, 2021, the Borough received \$4,334.18 from the Pennsylvania Department of Environmental Protection representing the 2019 Recycling Performance Grant that was awarded to the Borough.

Mr. Brossman presented a quote from Exeter Supply Co., Inc. in the amount of \$7,725.00 for shoring to be used in the water ditches when repairing main breaks. On a motion by Mr. Klee, seconded by Dr. Michalik, and duly carried, Council accepted the quote and authorized the purchase of the shoring in the amount of \$7,725.00.

On July 27, 2020, a monitoring review of the Borough's Liquid Fuels Tax Fund was conducted by the Pennsylvania Department of Transportation. The report of the review indicates that the Borough has taken the necessary steps to be compliant with the Liquid Fuels Tax Fund rules and regulations.

Due to the various snow storms that the Borough experienced during the month of February, marking of the Handicapped Parking space locations was unable to be done.

March 11, 2021

Therefore, Mr. Brossman requested Mayor Hivner to authorize that the signs for the locations be erected under his jurisdiction until the ordinance can be adopted in April. Therefore, Mayor Hivner authorized the installation of the Handicapped Parking space signs for a period of thirty (30) days.

UNFINISHED BUSINESS:

Dr. Michalik made a motion, which was seconded by Mrs. Bentz, and duly carried, adopting the updated Pavilion Rental Agreement, which was reviewed by Solicitor Klonis. This Agreement was updated to include details on the responsibilities of the renter.

NEW BUSINESS:

Mr. Klee questioned what can be done with the vehicles that are not moved during a snow emergency, thereby creating a problem for clearing the streets. Chief Hivner noted that the vehicles are ticketed, but are not towed, as towing is a major liability to the Borough. Solicitor Klonis advised that the fines on the tickets are set by a State statute and cannot be increased by the Borough.

QUESTIONS FROM THE AUDIENCE:

Mr. Shupp advised that he has noticed that at many of the intersection the snow was not cleared from the curb to facilitate crossing the street.

He was advised that this is the home owners responsibility. However, going forward, the Codes Enforcement Officer will be requested to note these properties when he is citing properties owners that do not have their sidewalks cleared, as required.

As there was no further business, the meeting was adjourned by motion of Mr. Vanino, and duly carried at 8:50 p.m.

Respectfully submitted,

Jan M. Boyd
Borough Secretary