

The December 8, 2022 meeting of the Shillington Borough Council 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. Councilman Edward B. Michalik, Jr., was absent. Councilman Conrad Vanino was not present when roll call was taken. Council members in attendance were: Elizabeth M. Bentz; John W. Hoffert; Michael A. Hoffert and Ronald R. Klee, Jr. Councilman Alec M. Ernst participated by telephone. Present in addition to the Council members were: Mayor Andrew R. Hivner, Borough Manager Scott D. Brossman, Police Chief Brett A. Hivner, Fire Chief Robert Knouse, Solicitor Thomas L. Klonis and Secretary Jan M. Boyd. Kenneth Fulmer of Great Valley Consultants was also in attendance along with the following residents and visitors:

Daniel Jensen - 116 North Brobst Street  
Harold Stupp - 115 South Miller Street  
Alyssa Oxenreider - 136 Chestnut Street

Jim Smith, Esquire - representing the owners  
of 330 North Wyomissing  
Avenue

As there were no objections, the minutes of the November 10, 2022, council meeting were approved as forwarded to each member, on a motion by Mr. Klee, seconded by Mrs. Bentz, and duly carried. Council also approved the minutes of the November 22, 2022 budget workshop meeting, by motion of Mr. Michael Hoffert, seconded by Mrs. Bentz, and unanimously carried.

**PUBLIC COMMENT:**

Mrs. Oxenreider expressed her concern regarding of her water and sewer bill. She felt that this last bill was much higher than her previous bill, with no apparent reason. When she checked the reading on her meter, it did not appear to be the same as what was on her bill. She also questioned why her sewer bill was double the amount of her water bill.

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Mr. Brossman explained to her that the sewer bill is based on her water consumption, but has a different rate structure. He requested that she call the Town Hall the next day to arrange for someone to come out to her property to verify the reading on her meter.

**PUBLIC COMMENT ON AGENDA ITEMS:** None.

**COMMITTEE REPORTS:**

**Mayor - Mayor Hivner** gave the Police Department's report for the month of November. During this month, the Department handled 275 incidents, with 123 arrests being made. Also during this month, 2,207 patrol miles were traveled.

**Police and Personnel** - Mr. Ronald R. Klee, Jr., chairman, made a motion, which was seconded by Mrs. Bentz, and unanimously carried to approve the payment of the overtime paid to the members of the Police Department during the month of November in the amount of \$11,968.89

Roll Call - 5 ayes

**Administration-Law-Finance** - On a motion by Mrs. Elizabeth M. Bentz, vice chairman, seconded by Mr. Klee, and duly approved, Council adopted the 2023 budget with a tax base of 5.64 mills for General Borough purposes, 1.00 mill for Streets Improvement purposes, and .5 mills for Fire purposes, for a total tax rate of 7.14 mills. Mrs. Bentz noted that there is no increase over the 2022 tax rate.

Mrs. Bentz then made a motion, which was seconded by Mr. Klee, and unanimously carried to confirm the bills associated with the November 30, 2022 Financial Statements as follows:

General Fund - \$284,465.98  
Water Fund - \$218,413.92  
Sewer Fund - \$42,995.71  
Recreation Board - \$20,439.49  
Fire Fund - \$9,415.61  
Streets Improvement Fund - \$427,932.64

Roll Call - 5 ayes

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As Mr. Vanino just arrived at the meeting (7:44 p.m.), he abstained from voting on the Financial Statements.

Council gave authorization to pay the bills until the end of the year, on a motion by Mrs. Bentz, seconded by Mr. Klee, and duly carried.

**Fire** - Mr. Michael A. Hoffert, chairman, gave the Fire Chief's report for the month of November. During this time, the Department responded to a total of sixty-two (62) dispatches consisting of fifteen (15) calls in the Borough and forty-seven (47) assists to neighboring departments. The Department also conducted five (5) training sessions during the month.

The members covered all of the 168 hours of available daytime staffing for the month.

Included with the December report was the annual call volume report.

Mr. Vanino formally thanked former Fire Chief, Timothy Deamer, for his years of service to the Borough.

**Tree-Pole and Light** - Mr. Alec M. Ernst, chairman, reported that the Tree Advisory Committee has decided not to hold the fall planting, but will instead defer the planting of any trees requested until the spring.

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

°The Overbrook Pump Station Project is substantially completed. The emergency generator is anticipated for delivery in January. Payment Application No. 4 will be presented in the Manager's report.

°Water main testing still needs to be completed for the Reed Street Water Main Project.

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°New Enterprise Stone & Lime Co., Inc. (NESL) has completed the 2022 Streets Improvement Project, including the "punch list" of minor issues. Payment Application No. 2 (final) will be presented in the Manager's report.

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

**Recreation** - Mrs. Elizabeth M. Bentz, chairman, advised Council that the Recreation Board meeting had to be rescheduled from December 8, 2022 to December 12, 2022. The report of this meeting will be given at the January Council meeting.

**Zoning and Codes** - Mr. Conrad Vanino, chairman, gave the report from the Borough's Building Code Official, James Franey, for the month of November. During this time, Mr. Franey issued seven (7) new permits and three (3) certificates of use/occupancy thereby leaving thirty-six (36) permits open.

A letter was received from the Borough's Planning & Zoning Commission recommending that Council give conditional approval to the Preliminary/Final Plan submitted by DMJ, LLC to convert 330 North Wyomissing Avenue into a multi-family use, provided that specified conditions are completed.

Mr. Vanino made a motion to give conditional approval. Mrs. Bentz seconded this motion.

Council discussed this matter, with President Hoffert indicating that he would like to wait to give approval until all conditional have been met. Solicitor Klonis advised that he has received the Development Agreement and the Municipal Improvement Agreement to review; however, the Letter of Credit still needs to be completed. Attorney Smith requested that Council give conditional approval now, as all conditional should be met by the Authority meeting on December 20, 2022. As such, his clients would not have to wait until the January meeting.

After further discussion, Mr. Vanino withdrew his motion and Mrs. Bentz withdrew her second. Council deferred action on the matter until the January 12, 2023 meeting.

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**Solicitor - Resolution No. 5-2022**, which sets the Real Estate tax rate for 2023 at 7.14 mills was adopted as presented by Solicitor Klonis on a motion by Mr. Klee, seconded by Mr. Vanino, and duly carried.

The **2023 Payroll Resolution (No. 6-2022)**, was adopted as presented to each member, by motion of Mr. Vanino, seconded by Mr. Klee, and unanimously approved.

Mr. Klee made a motion, which was seconded by Mr. Vanino, and duly approved, to adopt **Resolution No. 7-2022**, which sets the annual refuse collection charge at \$351.00 per dwelling unit for 2023.

**Resolution No. 8-2022**, which sets the rate of members' contributions to the Police Pension Fund at five (5) percent for 2023, was adopted as presented, on a motion by Mr. Michael Hoffert, seconded by Mr. Vanino, and duly carried.

On a motion by Mr. Ernst, seconded by Mr. Klee, and duly approved, Council adopted **Resolution No. 9-2022**, which establishes the healthcare insurance premium biweekly cost-sharing rate to be paid by employees, as presented.

Mr. Ernst made a motion, which was seconded by Mr. Klee, and unanimously approved, to adopt **Resolution No. 10-2022**, which establishes new sewer rates effective January 1, 2023.

Solicitor Klonis then presented **Ordinance No. 1229**, which amends the Borough's Recycling ordinance, as recommended by the Pennsylvania Department of Environmental Protection. This ordinance was adopted on a motion by Mr. Klee, seconded by Mr. Michael Hoffert, and duly carried.

A motion was then made by Mr. Michael Hoffert, seconded by Mrs. Bentz, and duly carried, to retain the Act 511 taxes at their existing rates (Per Capita, Earned Income, Local Services, Business Privilege, and Occupational Assessment).

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On a motion by Mr. Michael Hoffert, seconded by Mrs. Bentz, and unanimously carried, permission was given to file a lien against the following:

Larry R. Goodman (deceased)  
407 South Wyomissing Avenue  
Shillington

06/13/22 - Grass/Weed Cutting Invoice - \$110.00

**Manager** - Mr. Brossman reported that on November 10, 2022, the Borough received \$13,219.47 from the Pennsylvania Department of Transportation representing payment under the Winter Traffic Services Agreement for 2022-2023.

The Borough received \$191,874.03 on November 23, 2022 from the Pennsylvania Department of Environmental Protection (DEP) representing the second and final disbursement of the 902 Municipal Recycling Grant.

The Borough received \$1,121.65 on December 1, 2022 from the Pennsylvania Department of Transportation representing the semi-annual payment of State Police Fines and Penalties.

On December 5, 2022, the Borough received \$145,454.40 from the Berks Earned Income Tax Bureau representing the Borough's share of the earned income tax processed from November 1, 2022 through November 30, 2022.

Mr. Klee made a motion, which was seconded by Mr. Vanino, and duly carried, giving permission to pay Application for Payment No. 2 (final) from New Enterprise Stone & Lime Co., in the amount of \$889,363.92 for the Streets Improvement Project.

Permission was also given to pay Application for Payment No. 4 from Eastern Environmental Contractors, Inc. in the amount of \$126,493.20 for the Overbrook Pump Station Project, on a motion by Mr. Michael Hoffert, seconded by Mr. Klee, and unanimously approved.

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Authorization was given to Great Valley Consultants to prepare and advertise the specifications to replace the roof on the bathhouse at the pool, by motion of Mr. Klee, seconded by Mr. Michael Hoffert, and duly carried.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:** None.

**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 8:25 p.m.

Respectfully submitted,

Jan M. Boyd  
Borough Secretary