

**WERNERSVILLE BOROUGH
BOROUGH COUNCIL MEETING**

WEDNESDAY, APRIL 3, 2019

MEMBERS PRESENT:

STEPHEN PRICE, PRESIDENT	ROBERT FISCHER	BRIAN CLEMENTS
DAVE LATINO	JIM SWARTZ	ROBERT GORDON
JIM PIERCE	EDWARD EVANS, MAYOR	

ALSO, PRESENT:

MICHAEL GOMBAR, JR., SOLICITOR
SCOTT ANDERSON, GVC
MICHAEL PALM, BOROUGH EMPLOYEE
WILLIAM SCHLICHTER, CHIEF WBRPD
JARED RENSHAW, Wbfd

ABSENT:

DEBRA A. PIERCE, SECRETARY
ANTHONY TUCCI, WESTERN BERKS AMBULANCE

S. Price called the Wernersville Borough Council Meeting to order at 7:00 pm. All stood and pledged Allegiance to the Flag.

Motion made by J. Pierce to approve the minutes from the March 6, 2019 Council Meeting. Motion seconded by D. Latino and carried unanimously.

Visitors:

Josh Fidler and Denise Weaver (Congressman Dan Meuser)
Chris Stoy, 307 Edison Street
Chris Hawkes, 20 W. Penn Avenue and 147 E. Wilson St.
William Heagy, 20 E. Washington Street
Jackie Kostick, 47C West Penn Ave.
Maggie Cochran, 28 W. Wilson Ave.
Willam Chavez, 18 East Washington Street
Michael Stoyer and Amanda Sydor, 24 East Washington Street
Howard and Heather Green, 26 East Washington Street
Heather Canepa, 68 East Washington Street
Shay Holt, 78 East Washington Street
Linda Bean, 57 East Wilson Ave.

Josh Fidler and Denise Weaver: B. Clements introduced Mr. Fidler and Ms. Weaver to Council and the public. They are employees with Congressman Dan Meuser's office. They will be opening an office shortly at the Reading Airport for constituents.

Chris Stoy, 307 Edison Street Sidewalk: At last month's meeting, Mr. Stoy requested a partial waiver to install sidewalk from the existing sidewalk at his neighbor's property at 323 Edison Street to a point in his front yard meeting with the existing paved service walkway leading to his front door and be exempt from putting sidewalk from that point to the end of his property abutting the rear yard of 208 Rosewood Street because Edison Street dead-ends after his property. The request was taken under advisement for Kraft Code Services to look into this matter and Council to review. Kraft Code Services recommended granting the partial waiver as requested. Motion made by R. Fischer to grant the partial waiver to install sidewalk at 307 Edison Street as requested at last month's meeting. B. Clements seconded and carried unanimously.

No Parking on the North Side of East Washington Street: Several visitors residing on Washington Street voiced their displeasure with the ordinance adopted last month to prohibit parking on the North side of East Washington Street between North Reber Street and Stitzer Avenue and requested that Council rescind the ordinance. Initially, Chief Schlichter explained that the ordinance was proposed for safety purposes and maneuvering of police, fire and emergency related service vehicles. Mayor Evans also noted that that Washington Street is experiencing heavier traffic volumes due to motorists avoiding Penn Ave. S. Price noted that Council decided to address these concerns with the subject ordinance in lieu of making the area a one-way street due to costs for a traffic study. After much discussion, the consensus of Council, with the approval of the visitors, is to make the area a one-way street instead. Motion made by R. Gordon to (1) direct the Police to not enforce Ordinance No. 613 until further notice, (2) direct the Borough Solicitor to prepare and advertise an ordinance for enactment at the May meeting to rescind Ordinance No. 613 and to establish East Washington Street as a one-way street in the westbound direction between North Reber Street and Stitzer Avenue without commissioning a traffic study. B. Clements seconded and carried unanimously.

Jackie Kostick, 47C West Penn Ave.: Ms. Kistack expressed concerns about excessive noise and lights at The Cone after permitted hours. Council directed the Borough Secretary to send a letter to The Cone reminding it of the obligations to comply with the Borough's noise and light ordinances. Council also directed her to contact the Police in the event of future issues.

William Chavez and Shay Holt – Western Berks Police Dept.: Both individuals questioned the status of the Department and future police coverage in the Borough in light of Robeson's decision to leave the WB Regional Police Commission as of December 31, 2019. S. Price responded that Council continues to work on exploring all options for future police coverage including forming a Borough department, contracting with a neighboring police department for coverage or opting for PSP coverage.

Amanda Sydor, 24 East Washington Street: Ms. Sydor expressed concerns about excessive noise from the Penn Werner including dumpsters being picked up in the middle of the night.

Heather Green, 26 East Washington Street: Ms. Green questioned the costs of the existing trash hauling contract and why residents are not allowed to dispose of bulk item(s). B. Clements informed her that the current contract expires at the end of the year and that her concerns would be referred to the Council of Governments as it prepares to solicit bids for a new contract starting in 2020.

Linda Bean, 57 East Wilson Avenue: Ms. Bean questioned why the Borough decided to conduct animal control services on its own instead of contracting with the Berks Animal Rescue League. Council noted that the excessive costs being charged by the ARL as the reason the Borough (along with the vast majority of Berks Co. municipalities) did not contract with the ARL. Council also noted that the Borough does not intend to provide these services long-term. Rather, this is being done on a temporary basis until a viable alternative is found through the help of the Berks County Cooperative Purchasing Council. Ms. Bean also commented on the proposed Feral Cat ordinance addressed under the Solicitor's Report.

Maggie Cochran, 28 W. Wilson Avenue: Ms. Cochran questioned when the work would begin so that she can connect the stormwater pipe from her property to the Borough's inlet on a neighboring property. B. Clements responded that the contractor has not been scheduled yet but she will be notified when it is going to start.

Police Report: Written Report Submitted. 139 Calls for service in Wernersville for month of March 2019.

Fire Report: Written Report Submitted. 72 Calls for the month of March. 5 calls were in the Borough. Commissioner Renshaw noted the increase in pre-incident surveys for the month (a goal of the Department for 2019) and commended the Department on its efforts in addressing the recent fire at 328 Wernersville Rd.

Western Berks Ambulance: No Report Submitted.

Zoning and Building Enforcement Report: Written report was submitted. 8 Permits were issued. 12 Property Maintenance Issues and 3 Zoning Issues.

Mr. Kraft also informed Borough Council about PA HB 349 proposing to amend the Uniform Construction Code (UCC) in order to require municipalities to retain and contract with two (2) third party agencies to administer and enforce the UCC, among other things. Mr. Kraft is opposed to the proposed legislation. Motion made by J. Swartz to adopt Resolution 1-2019 of the Borough expressing its opposition to PA HB 349. R. Gordon seconded and carried unanimously.

Engineer Report:

2019 Street Work: The Borough Engineer presented several options to Council which were reviewed and discussed at length. The Borough currently has approximately \$105,000 in available Liquid Fuel funds for the 2019 work. Motion made by B. Clements to authorize the Borough Engineer to advertise for bids to be received prior to the May meeting for the following work: (1) North Walnut Street at the intersection with W. Norman Street at an estimated cost of \$41,470; (2) Soft and Yielding at an estimated cost of \$3,900, and (3) North Walnut Street from Gaul Street to W. Wilson Street at an estimated cost of \$28,880, subject to the review and approval by the Borough Solicitor of the bids specs. R. Fischer seconded and carried unanimously.

West Gaul Street Swale: The Borough Engineer with the assistance of the Borough Secretary and the Borough Solicitor has prepared individual letters to be sent to all property owners informing them of their respective obligations to remove fence, shed, other debris from the easement area as agreed to by Borough Council at last month's meeting. Letters should go out shortly.

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Mayor's Report: The annual Easter Egg Hunt will be held on April 13, 2019 at the Western Berks Fire Department.

Council's Report: None.

Solicitor's Report: Written report was submitted.

Proposed Feral Cat Ordinance: The Borough Solicitor reported that the Borough currently does not have an ordinance in place addressing this matter. Council noted that the Borough does not have a major problem at this time but it would be prudent to put an ordinance in place to be proactive. Motion made by B. Clements to direct the Borough Solicitor to prepare and advertise an ordinance for review and enactment at the May meeting. J. Pierce seconded and carried unanimously.

West Ridge Suites – Grande Apartment project: The Borough Solicitor noted that the expiration date for Council to make a decision on the pending Preliminary Plan is April 6, 2019. The developer has not complied with the latest review letter from the Borough Engineer due to the zoning appeal and issues with sewer capacity. The developer has requested a 180 day extension. The Solicitor informed Council that it could either accept the 180 day extension or deny the Plan. Motion made by R. Fischer to accept the 180 day extension. B. Clements seconded and carried unanimously.

Old Business:

Stray Animals:

At last month's meeting, Council agreed to spend up to \$333.00 to purchase a chip reader and a holding crate. After the meeting, J. Swartz requested the Borough Secretary not to make the purchases for further discussion at the April 3, 2019 meeting. J. Swartz expressed concern over safety of handling dangerous dogs and whether or not the holding crate would be sufficient. Motion made by B. Clements to purchase a 5 foot rabies pole. J. Swartz seconded and carried unanimously.

The Borough Solicitor prepared a policy with procedures for Police and Borough employees to follow in the event that the stray dog is found. Motion made by J. Pierce to adopt Resolution 2-2019 of the Borough establishing a policy and procedures to be followed by Borough employees (including police officers) in the handling of stray dogs located within the Borough. D. Latino seconded and carried unanimously.

Hometown Heroes Banners: B. Clements reported that he looked further into the matter first proposed at last month's meeting by Mr. Showalter of Conrad Weiser East and it seems feasible as long as the Borough removes the existing banners and the School administers the program. B. Clements recommended that the Borough support the Conrad Weiser Area Hometown Heroes Program, as needed. Council agreed. Mr. Clements will report back to Mr. Showalter.

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New Business:

Treasurer's Bond: Motion made by B. Clements to raise the Treasurer's Bond from \$75,000 to \$100,000 per the PENNDOT recommendation at an additional annual cost of \$54.00 for 2019. J. Swartz seconded and carried unanimously with J. Pierce abstaining.

Electric Rates: Motion made by B. Clements to enter into a new 2 year contract at a rate of 0.05727 for an approximate savings of \$1,700. R. Fischer seconded and carried unanimously.

Shredding Event: Motion made by B. Clements to participate in the Community Shredding Event at the Lower Heidelberg Township building on June 22, 2019 from 10am to 2pm (as sponsored by VIST Bank) with the costs to be split amongst the participating municipalities based on 2010 Census numbers (same as in past years). D. Latino seconded and carried unanimously.

Audit: Herbein + Co., Inc. performed the annual audit of the Borough. The results were distributed to Council and all is clean. The audit went very well!

Monthly Bills: Motion made by J. Swartz to approve the bill list and bills previously paid to avoid penalty. D. Latino seconded and carried unanimously. J. Pierce abstained.

Balance Sheet: Motion made by R. Gordon to accept the Balance Sheet. D. Latino seconded and carried unanimously.

Executive Session: At 8:10 p.m. we recessed into Executive Session to discuss a personnel matter and a potential litigation matter.

General Meeting: At 8:25 p.m. we resumed our regular meeting. Action taken on the following:

Whitney Brady – Sidewalk Waiver request: Motion made by J. Pierce to deny the waiver request for the sidewalk installation at 274 E. Penn Avenue as submitted by Whitney Brady by and through her attorney, Terry Weiler, Esquire, via a letter dated March 12, 2019. R. Gordon seconded and carried unanimously.

Western Berks Police Commission: Motion made by R. Fischer to direct the Borough Solicitor to prepare and advertise an ordinance for review and enactment at the May meeting to dissolve the Western Berks Police Commission and the Western Berks Police Department effective 12/31/2019. D. Latino seconded and carried unanimously.

Next Meeting: Wednesday, May 1, 2019.

Motion by R. Gordon to adjourn the meeting at 8:30 pm. D. Latino seconded and carried unanimously.

Attest:

Borough Secretary