

## FLEETWOOD BOROUGH COUNCIL MINUTES

BOROUGH COUNCIL MEETING

BOROUGH COUNCIL WORKSHOP

**Date: January 3, 2022 – In-person meeting, held in Café  
Council meeting is recorded and posted on website after meeting**

### **Roll Call:**

Suzanne Pittella Touch  
 Pete Merkel  
 Jim Meals  
 Mark Watkins  
 Ralph Touch  
 Colin Boyer  
 John Rothenberger

Tammy Gore, Mayor  
 Chris Young, Borough Manager  
 Doreen O'Neil, Recording Secretary – via Zoom  
 Andrew George, Esq.

### **Also Present:**

Craig Conrad, Public Works Director  
 Robert Weidner, Highway Commissioner  
 Dale Ulshafer, OIC  
 John Manmiller, Fleetwood Fire Company Chief  
 Ryan Kern, Barry Isett & Associates

The borough council reorganization meeting and monthly borough council meeting was held at 110 West Arch Street, in the cafeteria to allow for social distancing as needed. Mayor Tammy Gore called the reorganization meeting to order at 6:31pm.

### **Recording of Borough Meeting**

A public notice sign was posted at the cafeteria entrance to notify attendees that the Fleetwood Borough Council meeting was possibly being recorded.

### **Reorganization Meeting:**

#### **Mayor Tammy Gore takes oath of office.**

Mayor Tammy Gore submitted signed copy of Affidavit of Residency and took the oath of office from Magisterial District Judge Gail Greth. The signed/notarized Constitutional Oath of Office and Affidavit of Residency documents for Mayor Tammy Gore will be filed in the Fleetwood Borough office.

#### **Borough Council Members take oath of office.**

Borough Council Members Jim Meals, Ralph Touch, Suzanne Pittella Touch, and Mark Watkins submitted signed copies of Affidavit of Residency and took the oath of office Magisterial District Judge Gail Greth. The signed/notarized Constitutional Oath of Office and Affidavit of Residency documents for these council members will be filed in the Fleetwood Borough office.

#### **Mayor Tammy Gore led the meeting for the President and Vice President nominations.**

#### **Nomination and Election of Suzanne Pittella Touch as President.**

**Nomination Motion:** Made by: Pete Merkel                      Seconded by: John Rothenberger  
**Nomination approved by all Council members.**

#### **Nomination and Election of Pete Merkel as Vice President.**

**Nomination Motion:** Made by: Suzanne Touch                      Seconded by: Ralph Touch  
**Nomination approved by all Council members.**

#### **Mayor Tammy Gore turned over the meeting to Council President Suzanne Pittella Touch.**

#### **Nomination and Election of Jim Meals as Pro Tem.**

**Nomination Motion:** Made by: Ralph Touch                      Seconded by: Pete Merkel  
**Nomination approved by all Council members.**

**Motion to appoint George Ayrton, Dennis Wanner, and Mike Fella to the Authority.**

It was stated that Larry O’Neil has resigned from the Authority.

Made by: Pete Merkel                                  Seconded by: John Rothenberger  
 Motion Carried                                   Motion Failed

**Motion to appoint Dennis Wanner to the Zoning Hearing Board.**

Made by: Ralph Touch                                  Seconded by: Jim Meals  
 Motion Carried                                   Motion Failed

**Motion to appoint Chris Young to the Fleetwood Recreation Board.**

Made by: Ralph Touch                                  Seconded by: Mark Watkins  
Suzanne Touch - Abstained  
 Motion Carried                                   Motion Failed

**Motion to appoint Russell Anderson Fleetwood Planning Commission.**

Made by: Jim Meals                                  Seconded by: Ralph Touch  
 Motion Carried                                   Motion Failed

**Motion to appoint Barry Isett & Associates, Inc. as the Fleetwood Borough Engineers and approve the 2022 BIA fee schedule.**

Made by: Ralph Touch                                  Seconded by: Jim Meals  
 Motion Carried                                   Motion Failed

**Motion to appoint Arro Consulting as the Fleetwood Borough Water/Sewer Engineers.**

Made by: Pete Merkel                                  Seconded by: John Rothenberger  
 Motion Carried                                   Motion Failed

**Motion to appoint Kozloff Stoudt Attorneys as the Fleetwood Borough Solicitor.**

Made by: Ralph Touch                                  Seconded by: Mark Watkins  
 Motion Carried                                   Motion Failed

**Motion to appoint Herbein & Company, Inc. as the Fleetwood Borough Auditor.**

Made by: John Rothenberger                          Seconded by: Ralph Touch  
 Motion Carried                                   Motion Failed

**Borough Council Meeting:**

**Officer Arndt FOP Recognition**

Mayor Gore recognized and honored officer Arndt for her 2021 Officer of the Year award. The Fraternal Order of Police (FOP) recognized Officer Arndt for her heroic actions on April 16, 2020 when she kicked in a door of a burning residence in the 100 block of East Locust Street, Fleetwood to help a man to safety. Officer Arndt continued to check surrounding houses that were involved in the fire to make sure all residents were out of the homes and safe.

**Public Safety**

**Fleetwood Police Department – New Chief**

Ralph Touch stated that following a the interview process for a new police chief, the Public Safety committee would like to nominate Dale Ulshafer (currently Officer in Charge) for the new police chief position. Mayor Gore thanked Dale Ulshafer for stepping up as Officer in Charge. Mayor Gore presented Chief Ulshafer with a new badge. Chief Ulshafer thanked everyone for their support. Motion to hire Dale Ulshafer as the new police chief.

Made by: Ralph Touch                                  Seconded by: Colin Boyer  
 Motion Carried                                   Motion Failed

## **Public Safety (Continued)**

### **Fleetwood Police Chief Contract**

Motion to adopt the proposed Fleetwood Police Chief contract pending review by Chief Dale Ulshafer.

**Made by: Ralph Touch**

**Seconded by: Colin Boyer**

**Motion Carried**

**Motion Failed**

### **Cooperative Police Service Agreement**

Ralph Touch mentioned that we did not have a mutual aid agreement in place between our community police officers and other borough/township. This new mutual aid agreement allows for a neighboring borough/township to step in and take over if the Fleetwood Police are unable to respond due to staff limitations such as medical issues or other significant issues that prevent adequate police coverage in the community.

Colin Boyer recommended sending a copy of this agreement to Judge Gail Greth as reference. Chris Young mentioned that Berks DES would also receive a copy of the agreement; they would be the ones to coordinate if needed.

Motion to ratify the mutual aid Cooperative Police Service Agreement between the Fleetwood Police Department and Northern Berks Regional Police department.

**Made by: Ralph Touch**

**Seconded by: Colin Boyer**

**Motion Carried**

**Motion Failed**

### **Part-Time Police Officers**

Ralph Touch mentioned that Chief Ulshafer has two recommendations for part-time officers. Chief Ulshafer stated that he is seeking approval from Council to hire the two part-time officers pending results of their background checks. He does not foresee any issues, they are active police officers in other areas. Chief Ulshafer stated he is attempting to build-up the part-time officer resources.

Motion to hire officers Matthew Cataudella and Jonathan Troyer as part-time police officers pending results of their background checks.

**Made by: Ralph Touch**

**Seconded by: Colin Boyer**

**Motion Carried**

**Motion Failed**

## **Barry Isett & Associates (BIA)**

### **BIA Report**

Attendance of a BIA representative is on an as-needed basis for borough council meetings. The BIA Engineer report was emailed to Council members prior to tonight's meeting. If there is a need to have an engineer present at meeting, Chris Young should be notified to schedule them to be in attendance.

**Guests:** None.

## **Executive Session**

Council went into executive session at 7:01pm for discussion regarding litigation. Craig Conrad attended the executive session and Chris Young distributed document from Andy George, Esq. Recording was stopped.

Council returned from executive session at 7:32pm. The public borough council meeting resumed. Recording was started.

## **Legal**

### **EPA Fine**

Ralph Touch reviewed the two fines from EPA. One was a technical violation for reporting, the second was for two events that occurred between 2017 and 2020 where copper discharge into the stream exceeded the technical limit. Ralph stated that both of the issues have been resolved moving forward and processes are in place. Ralph also noted that at no point was the drinking water affected by this.

Motion to authorize Andy George, Esq. to pay a \$15,000 settlement to EPA for a fine that was issued for two separate violations.

**Made by: Ralph Touch**

**Seconded by: John Rothenberger**

**Motion Carried**

**Motion Failed**

## **Park/Pool**

### **Fleetwood Pool Rates for 2022**

Ralph Touch mentioned that the 2022 pool rates will be increased by 8%. Colin Boyer inquired if there would be a cap on 2022 memberships. Ralph stated that there are no membership caps; the cap is based on the number of people allowed in the pool at one time.

Motion to approve and increase the 2022 pool rates by 8%.

**Made by: Ralph Touch**

**Seconded by: John Rothenberger**

**Motion Carried**

**Motion Failed**

### **Park and Community Center Rates for 2023**

Ralph Touch discussed that the rates for the Parks and Community Center will remain the same as 2022 rates.

Motion to adopt the Park and Community Center rates at the same rates as 2022.

**Made by: Ralph Touch**

**Seconded by: John Rothenberger**

**Motion Carried**

**Motion Failed**

## **Water/Sewer**

### **Water Shed/Reservoir**

Pete Merkel mentioned that he and Craig Conrad had met with Larry Lloyd from Berks Nature. Larry set up the forest management plan for the reservoir property. Pete stated that the Water and Sewer committee will be meeting with Larry Lloyd about the reservoir property, land preservation, and deer management plans

## **Borough Managers Report – Chris Young**

### **Grants**

Chris Young discussed that the borough received 3 grants in the last quarter.

- **DCNR Grant** - \$250,000
  - To be used towards the band shell and bridge
  - Match is \$250,000
    - The DCED grant amount of \$132,687 can be applied toward the \$250,000 match amount.
- **DCED Grant** - \$132,687
  - To be used towards the band shell and bridge
  - Senator Judy Schwank played a large role in us obtaining this grant
  - Match is \$15,000
- **Growing Greener Grant** - \$145,000
  - To be used for creek restoration
  - Match is \$7,000

Chris Young mentioned he met with the BIA engineers today and by February council meeting will have better idea of plan for using the DCNR and DCED grants. At this time it looks like we would get a bridge and band shell, but no cover over seating area. Estimated out of pocket for the borough is \$130,000 to \$200,000 depending on the cost of bridge and band shell.

Mayor Gore stated that St. Paul's Lutheran Church took a special donation to support the rebuilding of the band shell and collected \$856. Mayor Gore noted that this shows the support from the community and the importance of having a band shell. Mayor Gore noted that a thank you note was sent to St. Paul's Lutheran Church.

Chris Young stated that the question to Council is if the desire is to have covering over the seating area, there is another DCNR grant coming up by April 2022. Chris noted that when you submit a new grant, the borough is committing to pay the matching funds. There will also be engineering costs for the grant writing.

Motion to allow Chris Young to move forward with preparation and submitting grant application to DCNR by April 2022 which would be for covering over the band shell seating area. .

**Made by: Ralph Touch**

**Seconded by: Mark Watkins**

**Colin Boyer: Opposed**

**Motion Carried**

**Motion Failed**

It was noted that the ARPA funds may be able to be used towards some of the cost, but not toward the grant matching dollars.

Mayor Gore thanked Chris Young and BIA for their grant work and the opportunities the grants have provided. Chris Young mentioned it was also numerous community groups that wrote recommendation letters.

## Public Works – Craig Conrad

The Public Works report was emailed to Council members.

## Finance

### Capital Budget

Jim Meals will send out spreadsheet with 2022 updates. Any updates/additions should be set to Jim Meals. Jim will also send out spreadsheet of the final figures for 2021.

## Bills

### Ratify Bills Paid December 22<sup>nd</sup>

Motion to ratify the bills paid on December 22, 2021.

Made by: John Rothenberger

Seconded by: Ralph Touch

Motion Carried

Motion Failed

### Current Month – January 3<sup>rd</sup>

Motion to pay the current month – January 3, 2022 bills.

Made by: John Rothenberger

Seconded by: Ralph Touch

Motion Carried

Motion Failed

## Minutes

Motion to approve the December 13, 2021 borough Council meeting minutes.

Made by: Ralph Touch

Seconded by: Jim Meals

Motion Carried

Motion Failed

## Miscellaneous

### January 10<sup>th</sup> Meeting

Tonight's reorganization meeting also included agenda items for a regular borough council meeting.

There will **not** be a borough council meeting on January 10, 2022.

### Fleetwood Police Sergeant

Colin Boyer inquired on filling the now vacant Sergeant position. It was noted that at the next Civil Service meeting they will be looking at guidelines and discussing with Chief Ulshafer.

## Adjourn

Motion to adjourn meeting at 8:04pm.

Made by: Ralph Touch

Seconded by: Pete Merkel

Motion Carried

Motion Failed

### Submitted by:

Doreen O'Neil, Borough Recording Secretary