

## FLEETWOOD BOROUGH COUNCIL MINUTES

  X   BOROUGH COUNCIL MEETING

       BOROUGH COUNCIL WORKSHOP

**Date: May 16, 2022 – In-person meeting, held in Café  
Council meeting is recorded and posted on website after meeting**

### Roll Call:

       Suzanne Pittella Touch

  X   Pete Merkel

  X   Jim Meals

  X   Mark Watkins – virtual

       Ralph Touch

  X   Colin Boyer

  X   John Rothenberger

  X   Tammy Gore, Mayor

  X   Chris Young, Borough Manager

  X   Doreen O’Neil, Recording Secretary

  X   Andrew George, Esq.

### Also Present:

  X   Mike Quinn, OIC

  X   Ryan Button, Police Officer

  X   Craig Conrad, Public Works Director

       Robert Weidner, Highway Commissioner

       John Manmiller, Fleetwood Fire Company Chief

  X   Ryan Kern, Barry Isett & Associates

The borough council meeting was held at 110 West Arch Street, in the cafeteria. Vice-president Pete Merkel called the meeting to order at 6:30pm.

### Recording of Borough Meeting

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

### Police Department

OIC Mike Quinn provided an overview to Council of the April 2022 police report.

The two newer part-time officers will be released from FTO by June. The body-cams have arrived and need to be installed to interface with cards. The assignment of police vehicles will be reworked to evenly distribute the miles and usage of all police vehicles. Speed timing lines will be repainted in Fleetwood, Richmond Township, Ruscombmanor Township and Topton.

OIC Quinn stated Officer Button participated in the Police Unity Tour – Chapter 9. This is a 250+ mile bike ride that started in Valley Forge and ended in Washington DC. The bike tour was from May 9<sup>th</sup> to May 12<sup>th</sup>. Officer Button mentioned that each rider needs to raise \$2000 to participate. The Police Unity Tour is to raise awareness of Law Enforcement Officers who have died in the line of duty, and to raise funds for the National Law Enforcement Memorial and Museum.

OIC Quinn mentioned that Police Officer Week started on May 15<sup>th</sup>.

A guest inquired about addressing noise and condition of business property in the borough. OIC Quinn will compile a list of calls that were made to the non-emergency dispatch and determine plan for moving forward. It may include involving the codes group to look at the condition of the property.

Another guest inquired of what can be done regarding the speeding in Foundry Alley that runs parallel between East Main Street and Locust Street (between South Walnut Street and South Franklin Streets). Drivers are speeding through this section of alley most likely to avoid traffic lights). It was questioned if speed bumps could be installed in this the alley. Ryan Kern (BIA) mentioned that a traffic study and speed study would need to be done to determine options. Ryan mentioned that speed humps may be an option, although these make plowing more difficult, and can create more noise as trash trucks, or trailers go over them. Craig Conrad mentioned that the alley has an inverted crown for drainage, so this would be an issue with speed humps. Ryan mentioned if Council wanted to include this traffic/speed study with the study being discussed later tonight for East Locust Street, it could be.

## **Fleetwood Fire Company**

John Manmiller (Fleetwood Fire Company Chief) provided an overview update to Council for the past 4 months of activity and thanked Don Fister for allowing the emergency services crew and BCERT to use his properties at 131 and 133 West Cedar Street for training.

## **Executive Session**

Recording of the borough council meeting was stopped.

Council went into executive session at 7:16pm to discuss two possible litigations – no action taken.

Council returned from executive session at 7:35pm and the regular borough council meeting and recording of meeting resumed.

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

### **BIA Report**

Ryan Kern (BIA) provided an overview of BIA Engineer report as of May 16<sup>th</sup>. The report was distributed to Council prior to meeting.

## **Willow Creek Bridge**

This will be delayed for now; there is a meeting on 05-17-22 with DEP regarding permitting.

## **Band Shell**

The band shell project is underway and will be bid out in Fall 2022.

## **Traffic Study – East Locust Street**

Discussion regarding a traffic study on East Locust Street between South Walnut Street and South Richmond Street.

The study would include parking along East Locust Street at the Fleetwood Loft building and a study to evaluate converting the one-way block of East Locust Street to be partially opened to two-way traffic from approximately 25 East Locust Street to South Franklin Street. If after the traffic study it's decided to make changes, it will require changes to the ordinance.

There was discussion that while doing this traffic study on East Locust, Ryan could adjust the scope of the study to include Foundry Alley.

Motion to do traffic study for two-way traffic evaluation and adjust scope to include traffic study in Foundry Alley with the combined traffic study cost not to exceed \$5000.

**Made by: Pete Merkel**

**Seconded by: Jim Meals**

**Opposed: Colin Boyer (Wait for them to ask and let them pay for the study) and Mark Watkins**

**X   Motion Carried**

**Motion Failed**

**Guests:** See attached list.

## **25 East Cedar Street (Bird Alley)**

Discussion of resident's property of 25 East Cedar Street that backs up to Bird Alley. There is a shared-use driveway at the back of this property. Looking to move the driveway closer to the open portion to allow room for a shed. They have the consent from neighbors. It was found that Bird Alley is an un-opened non-vacated road that was never opened for public use and only exists on paper. Andy George mentioned there was an ordinance #496 from 1993 that only vacated a portion of Bird Alley, and it unknown why the borough only vacated a portion of it in 1993. David Crossett, Esq. mentioned that residents in this area thought it was vacated, but when during surveying found it wasn't. David Crossett, Esq. stated they would like all of Bird Alley to be vacated, he would then do a title to get the court to declare it and the south half of the vacated Bird Alley would go to the residents at 25, and the next 2 properties on East Cedar and the north vacated property would go to Mike Quinn. David Crossett, Esq. would submit a petition to the court.

Motion to authorize Andy George, Esq. to prepare paperwork to vacate the entirety of Bird Alley.

**Made by: John Rothenberger**

**Seconded by: Colin Boyer**

**X   Motion Carried**

**Motion Failed**

**Legal - Andrew George, Esq.**

**Banning People from Borough Property**

The topic of banning people from borough property will be discussed at next month’s council meeting

**ARPA Funds**

Andy George, Es q. explained that there is a resolution up for approval that contains the written backing of how these funds can be used and will make the borough compliant.

Motion to approve the ARPA resolution.

**Resolution: 2022-05-16-01**

**Made by: Pete Merkel**

**Seconded by: Jim Meals**

**Motion Carried**

**Motion Failed**

**Fleetwood Lofts Water Tap-In Fee Agreement**

Andy George, Es q. explained the agreement for 22 reserved EDUs (they currently had 5). The cost for the 22 EDUs is \$68,000. The agreement was signed and the bill was paid by the developer.

Motion to approve the Fleetwood Loft water tap-in fee agreement.

**Made by: John Rothenberger**

**Seconded by: Pete Merkel**

**Motion Carried**

**Motion Failed**

**Greenways Grant Resolution**

Andy George, Es q. mentioned there is a resolution for approval regarding the Greenways Grant which is not to exceed \$250,000 for the stream bank restoration project.

Motion to approve the Greenways Grant resolution.

**Resolution: 2022-05-16-02**

**Made by: Jim Meals**

**Seconded by: John Rothenberger**

**Motion Carried**

**Motion Failed**

**EPA Local Limits Ordinance**

Andy George, Esq, explained that this went through Arro and Craig Conrad. EPA takes yearly readings for contaminants and then makes recommendations. The ordinance up for approval contains the recommendations from the EPA.

Motion to approve the EPA Local Limits ordinance.

**Ordinance: #648**

**Made by: John Rothenberger**

**Seconded by: Pete Merkel**

**Motion Carried**

**Motion Failed**

**Planning Commission**

**Sub –Division - 303 E. Locust Street**

Russell Anderson (Planning Commission) reported they have not received any new drawings or proposals from that developer, so there is no action there. They contact the developer monthly to make sure nothing has been missed.

**Subdivision Plans 131 and 133 West Cedar Street**

Russell Anderson stated that Fleetwood Holdings, LLC. Drawings were submitted October 2021 and since then resubmitted and reviewed by the BIA engineers who provided information back to the Planning Commission and the sub-divider. Plans were sent to Berks County Planning on April 28, 2022 for their review. The soil and erosion plan was sent to Berks County Conservation on April 23, 2022 for their review. The sub-division and land development ordinance #349 states no action can be taken until borough council receives written report from Berks County Planning. Russell explained that they are waiting on information from the Berks County Planning which only meets once a month and also waiting on information from the Berks County Conservation who only needs once a quarter. The Fleetwood Borough Planning Commission is recommending approval of the Fleetwood Holdings, LLC of 131 and 133 West Cedar Street sub-division pending the Berks County Planning approval and the Berks County Conservation approval and the letter of water and sewer services availability by the borough. Russell stated that when these items are received the drawings would be marked/dated and signatures from required parties and then drawings would be released to the Berks County Planning. The 131 and 133 properties will be developed to have 2 buildings with total of 4 units. There is an Authority meeting on 05-17-22 when this subject of sewer and water for EDUs will be issued.

Motion to take recommendation from Fleetwood Planning Commission to allow Fleetwood Holdings LLC to proceed with demo/site work prior to receiving the letter from Berks County Planning Commission, Berks County Conservation, and a letter from the Fleetwood Authority.

**Made by: Colin Boyer**

**Seconded by: Jim Meals**

**Motion Carried**

**Motion Failed**

## Streets – Jim Meals

Jim Meals mentioned that he and Craig Conrad are revamping the 5-year paving program schedule.

### Paving Project/Bids

Craig Conrad explained that with cost of paving supplies, he cannot do the paving at a lower cost than the bids. Craig stated to Council that he is proposing to bid out the four bid paving projects for this year.

The paving projects this year are:

- South Franklin Street between Poplar Street and East Pine Street
- West Arch Street between North Richmond Street and Maple Street
  - This would be scheduled for late September/early October
  - Craig mentioned that this paving is due to the large water project and all the construction done on this road. He has discussed with the water committee and they are in agreement of using water funds to fund this project.
  - Craig mentioned that BIA had done a study on this street regarding water runoff/drainage. The plan is to install additional storm boxes prior to the street being repaved.
- West Race Street between North Richmond Street and the dead-end of West Race Street
- Myrtle Alley between North Laurel Street and North Walnut Street

The paving projects would be financed by the liquid fuels and general funds.

Discussion that the bids for these 4 projects should be opened prior to the June 13<sup>th</sup> council meeting so they can be awarded at the June 13<sup>th</sup> council meeting.

Motion to approve advertising for bids for these 4 paving projects.

**Made by: Jim Meals**

**Seconded by: Pete Merkel**

**X   Motion Carried**

**Motion Failed**

### Internal Paving Projects

Craig Conrad mentioned there are some smaller projects that can be done internally at a cheaper cost than putting out for bid. Those smaller projects are a couple of alleys, intersections, improvements at the salt shed, and the path in the Fleetwood Park at the lower playground area. Craig noted that we would use our trucks and a roller that we already own.

These projects would be about \$30,000 which was not in the budget. Craig stated that the cost of everything is higher right now. Discussion that the funding for these projects would come from capital.

Motion to approve using the \$30,000 from capital to fund these paving projects.

**Made by: Jim Meals**

**Seconded by: Mark Watkins**

**Abstain: Colin Boyer** (He noted his issue is using funds to pay for paving improvements in the park; feels there should be more involvement from community groups with enhancements to the park)

**X   Motion Carried**

**Motion Failed**

### West Arch Street Curb Program

Craig mentioned that this is approximately 348 feet of curbing that will need to be rebuilt prior to the reconstruction/paving of West Arch Street between North Richmond Street and Maple Street. Craig has a list of the addresses that will need to rebuild their curb. Craig discussed the concept of him and Chris Young compiling a letter to the residents making them aware of their responsibility to replace the curb and that either the borough will do and bill the resident, or the resident can contract out to do themselves, but the work needs to be done by September 2022. Craig mentioned that part of the plan would be to borrow the \$20,000 from the water fund until the curb work is paid back by the resident if they choose to have the borough replace the curbing. The payback timeline plan for the residents will need to be worked out and be included in the letter. Craig is asking Council to approve the concept of this.

Motion to approve concept as discussed, compile letter to residents and allow the \$20,000 to be borrowed from the water fund to cover the cost of curbing, until each resident has paid their portion back to the borough for the curbing work.

**Made by: Jim Meals**

**Seconded by: Pete Merkel**

**Opposed: Colin Boyer**

**X   Motion Carried**

**Motion Failed**

## **Fleetwood Park/Pool – John Rothenberger**

### **Restroom Facility**

John Rothenberger reported that the park committee had met to discuss if there were other options in preventing the vandalism that has been occurring in the restroom facilities. At this time there is no further action to take. There are cameras installed that have helped for visual identification, and with the warmer weather more people will be in the park which should help with more activity/awareness in the park. The police will continue with locking the restrooms at dusk and reopening them at dawn.

### **Hire Lifeguards**

John stated that at last month's meeting there was an approval to hire lifeguards for the 2022 season. Since then, there have been changes. Refer to attached document for the revised list of life guards.

Motion to approve the revised list of life guards as new hires and re-hires.

**Made by: John Rothenberger**

**Seconded by: Jim Meals**

**X   Motion Carried**

**Motion Failed**

### **Swim Team Agreement**

John mentioned that the Fleetwood Swim Team and the Topton Swim Team will be swimming as one team this year and using the Fleetwood Pool and running the Concession Stand. Andy George, Esq. office prepared the agreement stating that the Fleetwood-Topton Swim Team can use the pool and also run the concession stand (rent free).

Motion to approve the agreement for the Fleetwood-Topton Swim Team to swim at the Fleetwood Pool and for them to run the pool concession stand (rent free).

**Made by: John Rothenberger**

**Seconded by: Mark Watkins**

**X   Motion Carried**

**Motion Failed**

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

### **Tax Claim Penalties – 223 and 225 West Poplar Street**

Chris Young stated Marci Mayer (tax collector) contacted him regarding the property at 223 and 225 West Poplar Street. This property was previously owned by Fleetwood Shirt/Paul Frederick. The property was sold in January 2021. The Berks County Tax Claim never received the new company name/address change. When the 2021 real estate bills were sent out the property had already been sold, but the bill was sent to the prior owner's address. When the Berks County Tax Claim Bureau sent out the second mailing, it too was sent to the previous owner who tossed the bill. The current owner of this property has paid the 2021 taxes less the penalties and is asking to have the penalties waived. It was questioned as to what the penalties are for this property. Chris had email from Marcy that referenced county tax about \$10,000, borough \$7500, and fire tax \$1300. Marcy had told Chris that the Berks County Tax Bureau is stating they need the borough to provide authorization to waive these penalties for 2021 taxes if that is the borough's decision. Chris noted that Marcy is continuing further investigation into this as this is not how other situations like this were handled. Council decided that for now the recommendation is to hold on making any decision on this until Marci can gather more information. Chris will ask Marcy to attend the June council meeting to provide an update about the situation. .

### **Borough Workshop – May 23rd**

Chris Young mentioned the workshop meeting scheduled for May 23<sup>rd</sup> for bridge installation (grating, elliptical pillars, etc) bid openings is not needed at this time as there is now a delay with the project.

### **Solar Panel Insurance**

Chris Young provided an update regarding an action item from the April council meeting which was to look into insurance for the solar panel project. Chris reported that it was \$10,000 a year with the borough's carrier. He discussed this with Seth/Dave from Solar Renewable Energy, LLC who said that was high. They are willing to provide insurance to the borough for the solar panels at \$4000 a year for the first 5 years to give Council more time to find a more reasonable insurance company.

There was discussion that there could be a motion to amend tonight's agenda to include this line item and Chris could post the revised agenda to the borough website on 5-17-22.

Discussion that at the April Council meeting it was agreed to move forward with the solar panel project at the Water Treatment plant, so at this time Chris is providing answer to Council regarding the cost of the insurance. The decision on which insurance carrier is used can be decided at next month's meeting if need be. Therefore, an amendment would not be required to the agenda, and Chris can sign the agreement based upon previous meeting motions.

### **Authority**

Chris Young mentioned that Denton Schucker called today offering his resignation from the Authority. Council will need to accept the resignation and appoint someone to this position at the June Council meeting.

## **Public Works – Craig Conrad**

The Public Works report was emailed to Council members prior to tonight’s meeting.

Craig reviewed the Public Works report with Council. The Fleetwood Rotary club had about 20 volunteers that placed markers at storm drains and helped with mulching in the Fleetwood Park.

Craig stated that there were 11 new fire hydrants that were recalled. They were fixed at no cost. Flushing of hydrants has been completed.

### **Bills**

#### **Current Month – May 9<sup>th</sup>**

Motion to pay the current month – May 9, 2022 bills.

**Made by: John Rothenberger**

**Seconded by: Jim Meals**

**Motion Carried**

**Motion Failed**

#### **Ratify Bills Paid April 25<sup>th</sup>**

Motion to ratify the bills paid on April 25, 2022.

**Made by: John Rothenberger**

**Seconded by: Mark Watkins**

**Motion Carried**

**Motion Failed**

### **Minutes**

Motion to approve the April 11, 2022 borough Council meeting minutes.

**Made by: Pete Merkel**

**Seconded by: Jim Meals**

**Motion Carried**

**Motion Failed**

### **Adjourn**

Motion to adjourn meeting at 9:04pm.

**Made by: Mark Watkins**

**Seconded by: John Rothenberger**

**Motion Carried**

**Motion Failed**

**Submitted by:**

**Doreen O’Neil, Borough Recording Secretary**