

FLEETWOOD BOROUGH COUNCIL MINUTES

BOROUGH COUNCIL MEETING BOROUGH COUNCIL WORKSHOP

**Date: July 10, 2023 – In-person meeting, held in Café
Council meeting is recorded and posted on website after meeting**

Roll Call:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Suzanne Pittella Touch | <input checked="" type="checkbox"/> Tammy Gore, Mayor |
| <input checked="" type="checkbox"/> Pete Merkel | <input checked="" type="checkbox"/> Chris Young, Borough Manager |
| <input checked="" type="checkbox"/> Jim Meals | <input checked="" type="checkbox"/> Doreen O’Neil, Recording Secretary |
| <input checked="" type="checkbox"/> Mark Watkins | <input checked="" type="checkbox"/> Andrew George, Esq. |
| <input checked="" type="checkbox"/> Ralph Touch | <input type="checkbox"/> Dale Ulshafer, Police Chief |
| <input checked="" type="checkbox"/> Colin Boyer | <input checked="" type="checkbox"/> Craig Conrad, Public Works Director |
| <input checked="" type="checkbox"/> John Rothenberger | <input type="checkbox"/> Other |

Also Present:

- John Manmiller, Fleetwood Fire Company Chief
- Barry Isett & Associates

The borough council meeting was held at 110 West Arch Street, in the cafeteria. President Suzanne Touch called the meeting to order at 6:33pm.

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

Police report for June 2023 was distributed to Council prior to meeting.

Barry Isett & Associates (BIA)

BIA Report

BIA report was emailed to Council prior to meeting.

Entech

Entech Report

Entech report was emailed to Council prior to meeting.

Legal – Andy George, Esq.

Peace and Good Order Ordinance

Andy discussed the ordinance draft that was distributed to Council prior to meeting. At the June meeting there was concern of decibel levels that would be exceeded by anyone using a lawnmower, snow blower, etc. Chris Young had contacted BIA for their review of the levels. The levels are valid. Amendment was made regarding exceeding the decibel level of a stationary object for a straight 20 minutes. The quiet time of 11pm to 7am was requested by the Fleetwood Police.

Discussion of where this stemmed from, the police had requested time limits and structure of the ordinance to provide specifications. It was noted that police would first warn the offender; if they do not adhere to the warning, then the person would be cited. Any noise that required a decibel would be sent to engineering

Motion to accept and authorize Andy George, Esq. to advertise the amended ordinance

Made by: Ralph Touch

Seconded by: Mark Watkins

Motion Carried

Motion Failed

Sewer Plant Solar Project

Andy mentioned that this was discussed at the Sewer Authority meeting. On 07-08-23 the variance that was applied for asking for dimension variance, not a use of variance was denied. There are 30 days to file an appeal; deadline is 08-08-23. An appeal will be filed. The solicitor for the Authority and Andy George, Esq. will attend the hearing; the township said they are not getting involved. There is no rule on when a decision needs to be made; it will depend on the judge and their case load.

Parks/Pool

Park Benches

Mark Watkins recommended using capital expense of \$12,000 to replace 8 of the wooden benches in the park. Colin Boyer questioned if there was an assessment of the damages (caused by the flooding/storm on 07-09-23) in the park and repair costs to re-consider this expense for benches. Bridge #2 washed out, bridge #3 is ok and only required replacing a few boards, the road at east end of park was washed away along with major stream bank erosion in that same area. It was stated that clean-up/repair work in the park would not be from capital. Would apply to FMEA for clean-up/repairs which get bundled with everyone in the county. FMEA then determines what the distribution would be. Chris Young and Craig Conrad met with the BIA engineers to discuss applying for an emergency plan to shore up the creek along the east entrance road that washed away.

Motion to approve using \$12,000 of capital expense to purchase 8 new benches.

Made by: Mark Watkins

Seconded by: John Rothenberger

Motion Carried

Motion Failed

Pool Bathrooms / Pump House

Ralph Touch recommended renovation of the pool bathrooms and pump house. The first step for this is to do a study for a potential DCNR grant in 2024. A study would be put together to include all the pieces of replacing fencing, bathrooms at the pool and pool pump house. The study is needed to be able to apply for the grant. Estimate to do the study is \$5,000.

Motion to proceed with the study of the pool fencing, pool bathrooms, and pool pump house for application of possible DCNR grant in 2024.

Made by: Ralph Touch

Seconded by: Pete Merkel

Motion Carried

Motion Failed

Codes

Quality of Life Ordinance Proposal

Ralph Touch mentioned proposal of modifying an existing ordinance for section covering quality of life/code enforcement.

This would create new borough position for code official and be a lesser cost than paying engineer rates. Photos would be taken of property and documented. Ordinance would cover grass that is too long, garbage laying around at property, etc.

There was discussion that training would need to be held and that code person cannot go on someone's property to take pictures/measure grass. Question to Andy if other municipalities have this and how they handle it; he will need to check.

Motion to authorize Andy George, Esq. to prepare draft of proposed quality of life/code enforcement ordinance modifications that would also include appointing an employee to the code official position.

Made by: Ralph Touch

Seconded by: John Rothenberger

Motion Carried

Motion Failed

Tannery Parking Lot

Tannery Parking Lot Rules

Pete Merkel discussed revising the parking rules for the Tannery parking lot to only be for passenger cars. No semi trailers, RVs or overnight parking by semis/RVs. If there is a need for a truck/trailer to park there when doing some type of work; the person would need to come to borough hall to apply for a permit to park there. This would be a change to an ordinance by resolution. Signage would need to change. Pete will send document to Andy of guidelines to be included in resolution draft.

Motion to authorize Andy George, Esq. to draft resolution to change ordinance to only allow passenger vehicles to park on the Tannery parking lot, with all others by permit only.

Made by: Pete Merkel

Seconded by: Ralph Touch

Motion Carried

Motion Failed

Guests: See attached list.

Linden Street Resident

Resident has rental unit on East Linden Street and the property was flooded during the storm on 07-09-23. Who is responsible for storm sewer repairs/modifications to eliminate flooding in the future? His property has flooded multiple times over the past years due to strong storms and flooding throughout the area. It was discussed that on the other side of the railroad tracks is Richmond Township. There was mention that Richmond Township and Rockland Township have been involved in discussions in the past. Craig Conrad mentioned there are issues along the railway that are not being addressed by Norfolk. He was in the process of working on a study in the areas of Willow and Beech Streets prior to the 07-09-23 storm. A study needs to be done to apply for grants. Discussion of having Andy George, Esq. write letter to Norfolk. It was mentioned that Sunsweet has issue with railroad and are affected by rocks washing out; they too could write letter to Norfolk.

Motion to authorize Andy George, Esq to draft letter to Norfolk railroad regarding issues.

Made by: Pete Merkel

Seconded by: John Rothenberger

Motion Carried

Motion Failed

Personnel

Community Center Ambassador

Pete Merkel proposed hiring Joshua Bogacki as a part-time ambassador. Joshua is currently a life guard and is looking to transfer to the ambassador position.

Motion to hire Joshua Bogacki as a part-time ambassador.

Made by: Pete Merkel

Seconded by: Jim Meals

Motion Carried

Motion Failed

Community Center Cleaner

Pete Merkel proposed hiring Emily Hoch as a part-time cleaner. Emily is also the secretary for the Authority.

Motion to hire Emily Hoch as a part-time cleaner with contingency of passing the background check.

Made by: Pete Merkel

Seconded by: Mark Watkins

Motion Carried

Motion Failed

Mayor Gore’s Report

Selling Inspection Ordinance Proposal

Mayor Gore discussed a proposal for an inspection ordinance to be required prior to selling residence/commercial property. This would maintain integrity of properties. Mayor Gore suggested starting adopting this by exploring the possibility of exterior inspection before a property is sold. There would be a fee to the seller for this process. John Rothenberger questioned what occurs if the seller can’t pay for the maintenance before it’s sold or if a property is sold as is. CJ Levan (realtor) read a statement from Reading Berks Realtor Association (RBAR), and discussed his experiences with this. Can create more hindrance to the seller/buyer, can be duplicate of other inspections that are required from banks. He noted there are only 6 municipalities that still have this in place. Mr. Levan mentioned their association would be open to discuss further with the borough. Mark Watkins thought it would be good idea to include Mr. Levan in discussion. Colin Boyer agreed that there is an issue with the current inspection system, but this is infringement on the owner. Mayor Gore asked about proposal for Andy George, Esq. to look into this and provide possible ideas. Andy will try to get this together in next 30 days for next month’s meeting. Colin asked if he could get a copy of the draft with more lead-time before the August 14th meeting.

Motion for Andy George Esq. to at what other municipalities have regarding an exterior inspection at time of sale.

Made by: Ralph Touch

Seconded by: Mark Watkins

John Rothenberger: Opposed

Colin Boyer: Opposed

Motion Carried

Motion Failed

Borough Managers Report – Chris Young

Lofts Subdivision

Chris mentioned the Planning Commission had a meeting and they are recommending a conditional approval of the Fleetwood Lofts subdivision. Fleetwood Lofts put in for a subdivision, engineering denied because there are certain variances that would need to be applied for. The Planning Commission agrees with that. The subdivision was intended for the Fleetwood Lofts to expedite to show bank some financials. Currently the two properties are on one deed and Fleetwood Lofts would like to subdivide to have two deeds. The Planning Commission is recommending to the borough that they agree with the Planning Commission decisions so it’s on the books. If Fleetwood Lofts gets the variances, they can then apply for the subdivision.

Motion to approve conditional approval for subdivision based on outcome of variances (parking, water/sewer, etc).

Made by: Ralph Touch

Seconded by: Pete Merkel

Motion Carried

Motion Failed

Codification

Chris mentioned this was started but still has work to be done. The Shade Tree ordinance may be obsolete and could be removed during codification. The sidewalk ordinance states the height that trees need to be trimmed to provide clearance above the sidewalk. A person that is appointed to the Shade Tree Commission no longer resides in the borough. At this time there is no action to be taken.

August 14th Council Meeting

Chris noted that the agenda for the August 14th council meeting will be posted August 7th. If anything comes in afterwards for the agenda, the agenda would be amended at the August 14th meeting.

Borough Managers Report – Chris Young (Continued)

Flood Damage from 07-09-2023

Chris and Craig Conrad spent all day 7/9 and 7/10 addressing flood damage. Chris thanked Craig for the terrific job he did keeping the sewer plant running during the storm/flooding. Majority of the park is cleaned up. Mayor Gore had organized a volunteer clean-up tonight which had about 20 volunteers. Work still remains with the lower playground for cleanup and rubber tiles that lifted up. Fleetwood Rotary will work on playground Wednesday night. Bridge #1 (the new bridge) is fine. Bridge #2 was washed off its foundation. Bridge #3 required a few boards to be replaced. Craig will be spreading stone at the west end park entrance where it was washed out. Craig mentioned the Willow Creek was 5' above crest during the storm. The road at the east entrance of park washed out. Construction fencing has been placed to block off the washed out road.

Public Works Report – Craig Conrad

Paving Project

Craig mentioned they received two paving bids that were opened on 07-07-23 at 1:00pm.

- Construction Master LLC - \$319,600
- Ronnie Folk Paving LLC - \$312,088.12

There is \$325,000 available for the paving projects. Craig had provided Council with summary of bids and a summary for funding. Craig stated he would like to move forward and award the paving job to Ronnie Folk LLC.

Motion to draft resolution to deviate from PennDOT if price of materials change.

Resolution: 2023-07-10-01

Made by: Jim Meals

Seconded by: John Rothenberger

Motion Carried

Motion Failed

Motion to award paving bid to Ronnie Folk LLC in the amount of \$312,088.12

Made by: Jim Meals

Seconded by: John Rothenberger

Motion Carried

Motion Failed

Pay App for Flyway Excavating

Craig mentioned the stream work was completed and inspected. BIA Engineering recommended us to payout the remaining creek invoice (\$52,200) and retainer (\$18,630) for a total amount of \$70,830.

Motion to pay out \$70,830 to Flyway Excavating for the completion of stream work.

Made by: Ralph Touch

Seconded by: John Rothenberger

Motion Carried

Motion Failed

Pickleball Court Coating – Locust Street Park

Craig provided update that the pickleball/basketball court was power washed, sealing of cracks will be done, leveling of court and then coating the court. The use of the basketball court/pickleball court will be shut down for about one week while the work is being done. Mayor Gore inquired if for the 3 pickleball courts that will be lined on the basketball court, if 2 of them could have permanent poles for the nets, and the 3rd court would have temporary poles/nets. Craig mentioned this was not in the contract and paving of the courts will be done in a week. Craig can check with the company tomorrow and see what cost would be and what type of damage could occur to the sealant if the permanent poles are installed later. It was mentioned that the contract and what is being paid for is to paint lines for a full basketball court. Discussion regarding some in favor of keeping the court universal so people can play basketball and use all temporary poles/nets for pickleball courts. Discussion on handling locked storage area to store the pickleball poles/nets. Current pickleball games are Monday/Wednesday from 6pm-8pm and Tuesday/Thursday from 8:00am-10:00am. Discussion on borough buying 3 poles/nets to be kept in locked area that has key code. Colin mentioned he thought this was a good thing, but feels it should go through the Friends of the Fleetwood Parks or Fleetwood Rec Board organizations.

Motion to purchase 3 pickleball sets (net/poles) with a max spending total of \$600.

Made by: Ralph Touch

Seconded by: Jim Meals

Colin Boyer: No

Mark Watkins: Abstain

Motion Carried

Motion Failed

Bills

Current Month – July 10th

Motion to pay the current month – July 10, 2023 bills.

Made by: John Rothenberger

Seconded by: Ralph Touch

Motion Carried

Motion Failed

Ratify Bills Paid May 29th

Motion to ratify the bills paid on June 26, 2023.

Made by: John Rothenberger

Seconded by: Ralph Touch

Motion Carried

Motion Failed

Minutes

Motion to approve the June 12, 2023 borough Council meeting minutes.

Made by: Ralph Touch

Seconded by: Mark Watkins

Motion Carried

Motion Failed

General – Council Comments

Mayor Gore mentioned she had a signed declaration of emergency document in regards to the storm/flooding on July 9, 2023. Fleetwood borough residents who experienced flooding in their residence are encouraged to send photo and information to the fleetwoodemergencymanagement@gmail.com. Information will be submitted to FEMA

Adjourn

Motion to adjourn meeting at 9:10pm.

Made by: Ralph Touch

Seconded by: Mark Watkins

Motion Carried

Motion Failed

Submitted by:

Doreen O'Neil, Borough Recording Secretary