

## FLEETWOOD BOROUGH COUNCIL MINUTES

BOROUGH COUNCIL MEETING

BOROUGH COUNCIL WORKSHOP

**Date: August 14, 2023 – 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  
 Andrew George, Esq.  
 Tom Focht, Police Sergeant  
 Craig Conrad, Public Works Director  
 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 6:32pm.

### **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**

Sergeant Focht reviewed the police report for July 2023 that was distributed to Council prior to meeting.

Sergeant Focht provided update on the following

- Part-time officer Matt Cataudella is being deployed with the military overseas for approximately 9 months.
- The police department is seeking part-time police officers and accepting resumes.
- The 2020 Ford Explorer is being considered totaled by the insurance company due to water/flood damage on July 9<sup>th</sup>. A replacement cruiser has been located and secured.

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

#### **BIA Report**

BIA report was emailed to Council prior to meeting.

### **Entech**

#### **Entech Report**

Entech did not provide their monthly report prior to tonight's meeting. John Rothenberger requested we ask Entech to provide a report by next month's meeting. Chris Young provided the August report to council via E-mail during the meeting

**Guests:** See attached list.

Guest inquired about leash law and what to do if issue occurs. It was recommended they call 911.

Guest inquired about speed on Fleetwood streets, specifically North Richmond Street and Friendship Drive. Speed in this area was monitored with 3-4 cars being offenders. Data was shared with guest who had inquired previously about the speed in this area, the Chief, and Sergeant to review. Resident asked about installing stop signs or speed bumps to slow down the traffic. Sergeant Focht explained that the police department cannot use radar (PA is the last state to comply). Mayor Gore mentioned there are lots of rules/regulations for using it and difficult to make the offense stick. Mayor Gore mentioned that Senate Bill 459 is being looked at and suggestions to remove the infringements and requirements to hold the offenders accountable. Resident inquired if signage could be added to make drivers aware of speed limit and to slow down.

Guest inquired if emergency management was activated for flood on 07-09-23. The EMC was taking reports from residents of their flood conditions. It was noted that the state threshold needs to be met and at this time it is not looking good of meeting that threshold. Guest urged the borough to compile a list of residents with impairments to have on hand to reference in emergency situations. Chris Young mentioned that Berks County has a system where people/residents can update their information in the system. The next water bill will have a link listed for residents to update the Berks County system. This data would be available for 911 dispatchers to provide to emergency responders.

### **Legal – Andy George, Esq.**

#### **Peace and Good Order Ordinance**

Andy reviewed the amendments to the Peace and Good Order ordinance. The ordinance was advertised in the Reading Eagle on 08-04-23.

Motion to adopt the Peace and Good Order Ordinance.

**Ordinance: 655**

**Made by: Ralph Touch**

**Seconded by: Mark Watkins**

**X   Motion Carried**

**Motion Failed**

#### **Inspection Prior to Sale**

This subject was discussed at July 2023 meeting. Andy reviewed memorandum with Council and guests, provided more details of definition – Use and Occupancy Certificate, Substantial violation – unfit for human habitation, violation of ordinances. Purchaser of the property has 12-months from date of purchase to bring property back into the good for occupancy. This does not apply to foreclosures or non-residential properties. For Fleetwood it would be an external inspection (sidewalks, steps, railings, etc). There were questions of what the process rights are for the seller/purchaser to be able to appeal the violations and how will the borough handle the dispute? Andy George mentioned other items can be placed in the ordinance.

Colin Boyer questioned what the immediate need is for this in Fleetwood. Suzanne mentioned this has been in discussion over the years, but did not come together until now. Ralph Touch read an email of Pete Merkel’s opinion.

Guest (realtor) questioned why the local government feels the need to get involved in a private sale of residence. The realtor should be guiding the buyer and the buyer could also research ordinances of the municipality. Items that are being done in the proposed inspection prior to sale are also done when a home inspection occurs.

Mayor Gore noted the reason is to keep the property as safe as possible.

Another guest (realtor) mentioned that homeowner insurances can do a review of the property if the buyer chooses. If buyer chooses no home inspection, then they waive their rights.

Ralph Touch mentioned there may be times where money is given to the buyer to make the corrections to the property and then no action is taken, and new buyer pockets the money.

John Rothenberger asked that Chris Young update the borough website with information regarding filing a complaint; the person should contact the borough office.

Realtor guest mentioned there are only 8 municipalities that have this type of ordinance.

It was suggested that Andy get drafts of the 8 municipalities to see how ordinance is worded/what’s covered and also check the history of West Reading ordinance.

Motion to authorize Andy George, Esq. to draft a copy of ordinance to be reviewed by Council.

**Made by: Ralph Touch**

**Seconded by: Jim Meals**

**Colin Boyer: Opposed**

**X   Motion Carried**

**Motion Failed**

#### **Quality of Life Ordinance**

The draft of this ordinance is in progress. No further discussion.

## **Legal – Andy George, Esq. (Continued)**

### **Tannery Parking Lot**

Motion to authorize amendment of ordinance to restrict non-passenger vehicles

**Made by: John Rothenberger**

**Seconded by: Mark Watkins**

**X   Motion Carried**

**Motion Failed**

### **Council Meeting Recordings**

Colin Boyer started discussion regarding the quality of video and how long the videos are posted.

The videos currently posted are at a low quality. Chris Young mentioned that quality is lost when the video goes up to the Zoom cloud and brought back down. Chris noted that for next month's meeting he will record directly.

Colin mentioned that other Berks County meetings have been retained on YouTube page since 2020. He feels the Fleetwood Borough recordings should be posted more than 2 months. Chris explained that the meeting video is taken down when the prior meeting minutes have been approved and posted. The meeting minutes are kept on the borough website for a year and in the borough office indefinitely.

### **Parks/Pool**

#### **Creek Repair from Flood Damage 07-09-23**

Mark Watkins reported Flyway Excavating who had done the original creek rehab in early spring, came in with quote to fix what the flood had damaged. The quote is to reset bricks, tow rocks, and re-seed banks. It was questioned if they are COSTARS; this will be checked. Three quotes will be gotten for this repair work.

Motion to approve funds up to \$19,475 to repair the creek (Phase 1) project that was damaged during the July flood.

**Made by: Mark Watkins**

**Seconded by: John Rothenberger**

**X   Motion Carried**

**Motion Failed**

#### **Bridge #2 Foundation Repair from Flood Damage 07-09-23**

Bridge #2 was washed off its foundation during the flood on 07-08-23. Mark Watkins mentioned that it was evaluated and a new foundation for the bridge is needed. There was no damage to the actual bridge #2. New quotes will need to be gotten for this repair if approved. It was questioned where the funds will come from; Capital funds.

Motion to approve getting quotes and providing funds to pour new foundation and set bridge #2 back in place

**Made by: Mark Watkins**

**Seconded by: John Rothenberger**

**X   Motion Carried**

**Motion Failed**

### **Road at Band Shell**

The road going toward the band shell has been temporarily repaired as an emergency fix, but not paved. This section of creek was in design mode to then go out for bid, prior to the flood on 07-09-23. Craig Conrad and Chris Young met with DEP and BIA Engineering to discuss a more robust design. Once this section of the creek has been refurbished, then the road will be paved. Craig mentioned that per DEP no work can be done on the creek between October and April due to wild trout.

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

### **Update on Flood Damage from 07-09-2023**

Chris Young reported that the 2020 Ford Explorer police cruiser is considered totaled and the amount remaining on the lease. A \$100,000 claim was submitted for UV clarifier at the Sewer Plant.

### **Budget Summary**

Chris asked Council to notify him if any questions and discussion on status. Chris explained that he provided more of a summary and is looking for input from Council on ways to present the report. It was requested to add numbers to the bars on the graph.

### **EMS Update**

Chris mentioned that Kutztown Transport went out of service which temporarily impacts Fleetwood. Penn State Life Lion come to the September borough council meeting to explain.

### **MMO Approval**

Chris reported it was time to approve the Minimum Municipal Obligation (MMO) that is required each year.

Motion that the MMO was reviewed/approved and authorize Chris Young to sign document.

**Made by: John Rothenberger**

**Seconded by: Ralph Touch**

**X   Motion Carried**

**Motion Failed**

## Public Works Report – Craig Conrad

Craig Conrad provided Council with the Public Works report prior to meeting.

### 25mph Speed Limit

Craig provided update that he had emailed PennDOT to get information of where to send a request for them to do a traffic study on state route 662 and 1010 through Fleetwood. PennDOT took that email inquiry that Craig wanted the study done. Result of PennDOT traffic study is that 35mph is good for these roads. Discussion for Craig to provide information to Andy George, Esq. to review. At next meeting discuss and decide if Andy's office should draft a letter to PennDOT with the specifications and how Fleetwood Borough would qualify for lowering speed limit on these 2 routes. John Rothenberger mentioned that he is opposed to changing speed limits on route 662 and 1010 to 25mph.

### LSA Grant Application

Craig requested approval for \$5,000 for the engineering group to apply for the LSA (Local Share Account) grant. The grant would be used for the water main on Spruce Street. Project is about \$300,000 with a 15% match (\$45,000).

Motion to approve \$5,000 for engineering group to apply for the LSA grant.

**Made by: Ralph Touch**

**Seconded by: Jim Meals**

**Motion Carried**

**Motion Failed**

### Additional Paving West Cedar Street

Craig discussed that last month the paving bid was awarded to Ronnie Folk Paving, which included paving a portion of West Cedar Street and other streets in the borough. The bid did not include the entire West Cedar Street because curbing work still needed to be done. The curb work has been completed. Ronnie Folk Paving estimated \$25,000 to complete paving of the portion not in original estimate.

Motion to approve Ronnie Folk Paving to pave the entire West Cedar Street for additional \$25,000.

**Made by: John Rothenberger**

**Seconded by: Mark Watkins**

**Colin Boyer - Abstain**

**Motion Carried**

**Motion Failed**

### General

John Rothenberger shared his thank you to DESCCO and Craig's Public Works crew for jumping on the cleanup in the Fleetwood Park the day after the July flooding. It was also mentioned that the playground in the Fleetwood Park is about half done thanks to volunteers.

### Bills

#### Current Month – August 14<sup>th</sup>

Motion to pay the current month – August 14, 2023 bills.

**Made by: John Rothenberger**

**Seconded by: Ralph Touch**

**Motion Carried**

**Motion Failed**

#### Ratify Bills Paid July 24<sup>th</sup>

Motion to ratify the bills paid on July 24, 2023.

**Made by: John Rothenberger**    **Seconded by: Ralph Touch**

**Motion Carried**

**Motion Failed**

### Minutes

Motion to approve the July 10, 2023 borough Council meeting minutes.

**Made by: Ralph Touch**

**Seconded by: Mark Watkins**

**Motion Carried**

**Motion Failed**

**General – Council Comments**

Colin Boyer inquired about status of the sealing at Locust Street Park. The sealing of the combo basketball/pickleball court has been completed. Mark Watkins mentioned there were about 25 people there to play pickleball. Chris Young noted that he has received multiple compliments from people using the basketball court.

Ralph Touch asked that Chris Young look at having a traffic study done in regards for possible stop signs on North Richmond Street at Springfield Drive to make it a 3-way stop. Also requested Craig Conrad check with Richmond Township to see about having farmer plant crops back from corner in this same area to provide ample site line.

**Adjourn**

Motion to adjourn meeting at 8:33pm.

**Made by: Ralph Touch**

**Seconded by: Mark Watkins**

**X   Motion Carried**

**Motion Failed**

**Submitted by:**

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