

## FLEETWOOD BOROUGH COUNCIL MINUTES

BOROUGH COUNCIL MEETING     BOROUGH COUNCIL WORKSHOP

**Date: August 8, 2016**

**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"/> Doreen O'Neil, Secretary
<input checked="" type="checkbox"/> Jim Meals	<input checked="" type="checkbox"/> Andy George, Esq.
<input checked="" type="checkbox"/> Chris Young	
<input checked="" type="checkbox"/> Ralph Touch	
<input checked="" type="checkbox"/> Colin Boyer	
<input checked="" type="checkbox"/> John Rothenberger	

**Also Present:**

Greg Ebeling, Public Works Director  
 Robert Weidner, Highway Commissioner  
 Steve Stinsky, Police Chief  
 Barry Isett & Associates – Ryan Kern  
 Reading Eagle, Steve DeLucas  
 Patriot \_\_\_\_\_

The regular monthly Borough Council Meeting held at 110 West Arch Street, Suite 113 was called to order at 6:36pm by Borough Council President Suzanne Touch.

**Police Department**

Chief Stinsky emailed a copy of the July police report to Council members.

**Guests:** See Attached list.

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

**MS4 Files**

Christine will coordinate with Suzanne Touch and Greg Ebeling to discuss meeting.

**Pool Project**

Documents and change orders are being reviewed by BIA. BIA will be reaching out to solicitor to discuss next step.

**North Richmond Street (between Washington and Arch Streets)**

Ryan stated that this section of road will not be addressed until sometime in 2017, pending other PennDot road construction timelines.

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

### **Tennis/Basketball Courts (Arch/Green Streets)**

Ryan mentioned that BIA is still waiting to hear from Council regarding approval.

Ralph Touch will contact Ryan about the plans.

### **Playground Expansion**

Bids for the playground expansion project close on August 16<sup>th</sup>. Bids will be given to Council to review and approve bids at the next August workshop meeting.

### **East Vine Street to North Franklin Street Road Project**

Ryan reported that he met with Pete Merkel and Greg Ebeling on 07-28-16. Ryan is seeking authorization from Council to do a planning and topical survey at a cost of \$8,000. This road construction project would include curb, sidewalks, road and water/sewer lines.

Motion for BIA to do a planning and topical survey of East Vine Street to North Franklin Street at a cost of \$8,000.

**Made by: Chris Young      Seconded by: Pete Merkel**

**X   Motion Carried**

**\_\_\_ Motion Failed**

### **Fleetwood Park Pond**

Investigation of the Pond was completed on 07-27-16. BIA's chief biologist engineer provided a report to Chris Young which was forwarded to the Parks Department.

### **Elevated Walkway (South Franklin Street)**

Pete Merkel provided a photo of the elevated walkway on South Franklin Street.

Currently the maximum clearance is 13'7", but the signage shows 12'6". Pete stated he has talked to Bill Groff (owner of the properties that elevated walkway is connected to) about taking the walkway down, but Bill is not getting back to him. Pete has discussed with PennDot and they would grind the street down about 4" to get a clearance of 14'. This would allow for 'local' truck traffic to use South Franklin Street when South Richmond Street is closed for construction late 2016 thru 2017. Suzanne asked that the walkway structure be checked to make sure it is sound enough to remain in place if this road is ground-down to allow for 'local' truck traffic during other South Richmond Street construction.

Phase 1 – Ryan Kern will give report to PennDot for 08-10-16 meeting and if ok to mill down the road to gain the 14' clearance.

Phase 2 – BIA structure engineer would check the structure to see if safe to withstand truck traffic vibrations. If elevated walkway is found to be unsafe, the walkway structure would need to be brought up-to-code, or taken down. If this is the case then a certified letter would be sent to the property owner instructing them to repair walkway structure or take down the walkway structure.

Tammy Gore mentioned that she will try to contact Bill Groff to discuss.

Chris Young reported that the Fleetwood Fire Tower Truck does fit under the elevated walkway.

## **Committee Statutes:**

### **Centerline Auto Sales**

Owner Stephen Knowles notified Council that he has spoken to PennDot regarding having an in/out ramp installed at his property along Route 662. The ramp would be 24' wide. He has been at this location for 32 years and the only way into his lot is from the alley off of Vine Street. Stephen mentioned to Council that in the winter he needs to park at the school maintenance lot and then walk to his garage to get his Kubota out of the garage, to then be able to clear snow. Stephen has filled out the application with PennDot and they measured site-lines, etc. Stephen mentioned that Brandon (PennDot) said it would be ok, and Brandon would talk to Shawn (RoadCon).

Pete Merkel stated that Brandon had told him that the permit for this was not issued yet and Mr. Knowles would need to pay engineer to draw-up plans.

Pete asked Council if they had any objections with this entrance ramp; No. Pete mentioned to Council that it was Lisa Martin's (PennDot) goal to eliminate private entrances onto a state road. Pete said he would notify Tom and Brandon (PennDot) that Council is ok with the entrance ramp from North Franklin Street (Route 662) onto Centerline's parking lot, if PennDot is ok with it.

### **Dog Barking**

A guest from East Washington Street notified Council about the excessive barking of a neighbor's dog and his concern of safety if the dog breaks through the fence separating the properties. The guest stated that the dog paces along the fence growling. Council instructed the guest to contact Berks Dispatch next time and ask to have the officer on duty meet him to address the situation.

### **Parking Ordinance**

Ralph Touch mentioned that the Parking Ordinance that was approved 07-25-16 (but with the understanding that items noted by Tammy Gore would be re-considered for amendment) was discussed at the last four business meetings.

Mike (Guest #2) questioned why his residence is considered in a red zone. Council addressed that the red zones were marked as potentially congested areas. The red/green zones were used to identify areas that may be affected by home businesses being set up in those residential areas. It was explained that the ordinance for Home Businesses is be reviewed for revisions, however, it cannot be established until there is a parking ordinance in place.

Ralph Touch noted that the Fire Police had walked the streets of Fleetwood to help define congested parking areas.

Mayor Gore read an email from Chief Steven Stinsky regarding the red/green zones and RV Parking Ordinance. Chief is opposed to an RV being allowed to be parked on streets for 2 weeks; he would suggest 48-72 hours. Chief would also suggest a permit be displayed in the RV to allow officers to view the permit issue dates. He suggested that the Police and Fire Police meet to review the width of streets and see if any of the areas should be revised as red/green.

### **Parking Ordinance (continued)**

Suzanne Touch stated that the purpose of this meeting tonight is to compile information from the guests, which will be used at a later date for discussions among Council regarding the revisions to the Parking Ordinance.

John (Guest #4) read a letter from Phyllis Britz (Sr. VP and Acting President Penn Coachmen Chapter of FMCA) regarding the support of the newly adopted Parking Ordinance for parking RVs on the streets of Fleetwood for 2 weeks. A copy of this letter is attached.

John (Guest #4) is an RV owner and is in support of the 2 week RV parking timeframe to allow for loading/unloading and preparation of the vehicle. He stated that if RV owners need to get a permit each time they want to park their RV on the street to load/unload would become very cumbersome to the RV owner. John mentioned that Spring Township allows for RVs to be parked on their streets from April 15<sup>th</sup> to Oct 15<sup>th</sup>. John noted that his RV is 38' long and does not fit in his driveway and needs to be parked in the street for loading/unloading.

Kevin (Guest #6) is a boat owner, the boat is kept in Delaware during the season and stored in Maiden creek during the off-season. He noted that he needs 3-4 days to have boat parked in street.

Larry (Guest #7) is an RV owner. He is in favor of the 2 week time frame. His RV is 32' and parks it on the street during loading/unloading and preparation time. He has had no complaints from his neighbors.

Clair (Guest #9) is ok with the 2 week time frame, but would like to see RVs require permit to park on Fleetwood streets.

Darlene (Guest #10) does not care for the 2 week time frame. Does not think RVs look good parked on the street.

Christine (Guest #11) is opposed to the 2 week time frame. Her main concern is safety/site lines. She did research – Kutztown and Muhlenberg allow RVs to be parked on street 24 hours, and other areas allow 48 hours. She expressed concern of the aesthetics with RVs and boats parked on the streets. She has concerns if RVs/boats are parked on streets, that it affects the ability for other cars, fire trucks and plows to get by. She is in favor of permits and stated that it should be required that the RV/boat is parked in front of the owners residence, not the neighbors. She does not feel she should be inconvenienced by others who have RVs. She suggested that to make obtaining a permit easier, possibly allow owner to submit on-line.

### **Parking Ordinance (continued)**

Christine (Guest #13) has owned an RV since 2001. She has never been contacted by Police or neighbors regarding issue with RV parked in street for loading/unloading. She noted that even as an RV owner, she would not want it parked in front of her house for 2 weeks. She suggested 2 days or a week at the most for allowing RVs to be parked on the street. Christine also noted that she does not think the RV/Boat owner should need to pay for permit; they already pay registration fees for the RV/Boat.

Mark (Guest #15) owns an RV and does not feel that 24 hours is enough time to prep and unload. Mark mentioned that maybe consider changing to 1 week, that 2 weeks could be too much time. He is unable to park his RV in the driveway because of the slope.

Robert (Guest #16) has parked boats and campers on the streets and did not realize there was an ordinance.

Bob (Guest #17) stated that 2 weeks is longer than necessary and does not want someone to park and RV in front of his house. He feels the ordinance needs to be reviewed further and need to explain how this will be enforced or require permits. Need to address how/when RV owner needs to apply for permit and what happens if RV owner lives in a red zone. How does the borough want to enforce the RV parking? Council needs to take into account all weather conditions (Summer/Winter) when reviewing the parking ordinance. Bob thinks that permits are a good idea, but how would they be submitted, approved, enforced?

Patty (Guest #18) thinks 2 weeks is too long. She is ok with John (Guest #4) RV's parked in the street for prepping. She noted that safety concern is all drivers, not just RV parking.

Robert (Guest #19) thinks 24 hours is not adequate, but 2 weeks is.

Suzanne Touch then polled Council members for their thoughts regarding the RV Parking Ordinance:

John Rothenberger – Feels 3 to 4 days is reasonable and need to take into account that weather could delay setup/packing-up.

Colin Boyer – Neutral. He does not know any RV owners. If safety is an issue, it's an issue 5 minutes after the RV is parked in the street. Colin mentioned that 2 weeks ago at the workshop meeting (07-25-16) Mayor Gore was going to veto the parking ordinance, but it needed to be approved to satisfy PennDot order for signage. Need to revert back to the original RV ordinance and start fresh with adjusting ordinance from there for red/green zones and RV parking.

### **Parking Ordinance (continued)**

Chris Young – Mentioned that Tammy did not veto the parking ordinance on 07-25-16 with the understanding that the pros/cons would be discussed at future meetings. Chris does not have any problems seeing and RV in the neighborhood; one week should suffice for loading/unloading. He mentioned that the parking ordinance was only amended and contains some very old content and that box trucks are allowed to park on street since they fit the gross weight in ordinance. He has concerns if borough goes to permits for RVs. Chris thanked the guests for attending and providing their input.

Tammy Gore – Stated that she has expressed her concerns of safety and possible litigation for the borough at the 07-25-16 meeting. She believes it is a quality of life issue. She is also concerned with the red/green zones and how to maintain and enforce these zones. There is also concern of the ability for the police force to enforce the permits. She also stated that the conversation with the guests was good. She has concerns about the ordinance and feels the entire parking ordinance needs to be cleaned up. Tammy noted that 2009 parking ordinance amendment was in response to people living in the RVs parked on the street.

Jim Meals – Felt that there were good arguments on both sides. He agrees with John Rothenberger's input. Jim has concerns of how the police will enforce and also appreciated the input from the guests.

Ralph Touch – Is ok with one week and that RVs and boats would be addressed as one. He felt that it seemed to be about what's pretty/not pretty.

Pete Merkel – He and Tammy Gore had worked on the large vehicle ordinance in the past. This ordinance was based on size and weight of vehicle in residential, commercial and industrial areas. Pete mentioned that the current parking ordinance is too complicated and feels that 2 weeks is too long and should go to one week.

Suzanne Touch – We have opposing ideas and will need to come to common ground. She thanked guests for their comments. She noted that at the next workshop meeting (08-22-16) Council needs to take a look at the current ordinance and also consider the ideas from guests tonight. So far RV, boat and trailer parking was addressed if complaints were received. She noted that Council is committed to updating ordinances. Once Council has reviewed the current ordinance and agreed on revisions, it would need to revamped and then published for general approval, followed by a meeting to approve the ordinance revisions.

**Touching the Future**

Tim Heffner was representing Descoco. Touching the Future is a daycare located in the Fleetwood Elementary School on Vine Street. Descoco was contracted to put in 6 restrooms in the Touching the Future section of the building. Tim noted that Barry Isett from BIA is raising concerns about this construction. BIA is stating that every tenant of this building is non-conforming because they did not receive an occupancy permit. Berks Encore and YMCA currently occupy 2 other sections of this building. SDE (System Design Engineers) (boroughs prior engineering firm) had told Touching the Future that occupancy permit is not issued to them. Tim stated that Dr. Mullen (Touching the Future) asked for occupancy permit from SDE because she needed proof for her childcare license. It was stated that rental to rental there is no CFO. The borough has no connection to the school (who owns the building) and it being sub-divided. BIA is looking for documentation on this. Tim noted that Dr. Mullen had applied for permit for fence and shed last year. This zoning permit was issued but it would have been for the outside work. Tim noted that the school district has no record of division to the 3 tenants. Need to get engineer out to make sure fire doors and sprinklers are installed for all 3 tenants. Tim noted that Dr. Eaken said all tenants using the building are Educational Agencies. Department of Ed saying Encore is an education agency. Doors were used to cordon off halls.

Chris Young suggested that they look for records when the school was turned into 3 separate uses. Need to find out from SDE if permits were issued when initial construction was done on the building. Ralph Touch will pull files to look for permits. Colin Boyer will contact SDE and Technicon (borough engineering firm prior to SDE) to check on permits being issued.

**Parks and Pool:**

Ralph Touch mentioned that Andy George, Esq. and BIA Engineers are reviewing documents to see if we get any money back from MidAtlantic for the pool construction project being completed late. The amount we would try to get back is \$15,000. For the cost of the pool construction, the borough owes \$95,000 and \$15,000. For now we will withhold paying the \$15,000 until Andy and BIA have reviewed documents. Motion to pay \$95,000 for now. The borough would be responsible for \$47,500, and the other \$47,500 would be paid from DCNR.

**Made by: Ralph Touch      Seconded by: John Rothenberger**  
**X   Motion Carried                      \_\_\_ Motion Failed**

**Streets/Highway:**

**South Richmond Street Construction Project**

Estimated start for this construction is late October 2016 lasting for approximately one year. Tammy Gore asked if South Franklin Street was going to be changed from a one-way southbound to a 2-way street to accommodate detour traffic during this road project. Chris Young stated this should be discussed with PennDot. If it goes to 2-way traffic, PennDot will need to hookup a traffic light at Main and Franklin Streets. Pete Merkel will mention this to Brandon (PennDot).

## **Streets/Highway (continued):**

### **Road Signs**

Jim Meals mentioned that Bobby Weidner has a list of signs for installation (No Parking, All-Way, Snow Emergency). Snow Emergency Ordinance has statement that when 4” of snow has accumulated, the Snow Emergency goes into effect. Jim is planning on getting additional signs with this verbiage. These additional signs will be fastened below the Snow Emergency signs.

Discussion that cost of signs is coming from Liquid Fuels. At next workshop meeting, will look at this again and make take funds from Capital to keep monies in Liquid Fuel account.

### **Street Paving**

Jim Meals mentioned that a list was compiled of the streets that need cracks sealed (Brookfield, Springfield, Linden, Beech, etc). Cost to do sealants is \$10,000. Jim informed Council that on Linden Street there is center strip of trees and the roots are coming out and cracking the road. Greg Ebeling will talk to Descoco to see who is responsible for the trees.

Jim mentioned that the long term plan for road repair will depend on funding and other street projects. The thought is that Walnuttown Road will need to be milled off and repaved in 2017. Jim will provide a list of addresses where the curbs need to be repaired. Jim said there are 16 streets on the list that need work.

Jim mentioned:

- Walnut Street and Foundry Alley intersection, the road is sunken
- Ash Alley (runs parallel to East side of South Richmond Street) needs to be addressed now, especially with the South Richmond Street construction starting late Oct. 2016.
- Moss Alley (runs parallel to West side of South Richmond Street) also needs to be addressed, especially with the South Richmond Street construction starting late Oct. 2016.

Greg Ebeling and Jim Meals will compile a list of alleys that need to be done before the South Richmond Street road construction is started.

Greg has price of \$8,700 to pave one block of an alley. Cost would be \$24,000 to do Ash Alley and this alley would need to be milled down.

Motion to begin process of milling down and paving one block of Ash Alley for now.

**Made by: Jim Meals      Seconded by: Chris Young**

**X   Motion Carried**

**Motion Failed**

**Finance:**

Motion to approve payment of monthly bills as submitted and reviewed by Finance.

**Made by: Ralph Touch      Seconded by: Jim Meals**

**X   Motion Carried                           Motion Failed**

**Other:**

**Non-Uniform Pension Plan**

Andy George presented the new Non-Uniform Pension Plan Ordinance which will be for employees hired in the future.

Motion to sign master plan to allow switching of plans and accept the Non-Uniform Pension Plan **Ordinance #620.**

**Made by: Ralph Touch      Seconded by: Chris Young**

**X   Motion Carried                           Motion Failed**

Motion to conclude John Kesslering’s (Water Superintendent) probation period.

**Made by: Chris Young      Seconded by: John Rothenberger**

**X   Motion Carried                           Motion Failed**

**Auction of Police Car**

Colin Boyer updated Council that in the Chief’s July report under item #4 Equipment, the auction for the old Charger closed 08-08-16. The highest bid was \$3,300. Chief is looking for approval from Council to accept the bid. If this bid of \$3,300 is not completed, then will work down the list of other bidders.

Motion to approve accepting the \$3,300 bid for the old Charger.

**Made by: Colin Boyer      Seconded by: Ralph Touch**

**X   Motion Carried                           Motion Failed**

**Police Personnel Request**

Colin informed council that Chief has requested for Council to consider making the police clerk’s position full time. This is in the July Police Report under item #3 Personnel. Colin thinks it’s worthy of a discussion before next year’s budget.

Chris Young stated that before adding a new full time position, will need to discuss with Richmond Township to pay their ½ of another position. Chris noted that maybe it should be considered to add a second part time person instead.

Tammy Gore mentioned that she trying to get a meeting with Richmond Township and sent an email to them during the meeting.

**Water Bills**

John Rothenberger updated Council that he and Pete are working on getting additional information on tenants.

**Other (continued):**

**Fleetwood Forum Newsletter (Winter Edition)**

Suzanne mentioned that she sent out an email to Doreen and John to start collecting articles from organizations. The plan is to mail out the 2016 Winter edition of this newsletter to residents November 11, 2016. Articles from the organizations need to be to Suzanne by September 30<sup>th</sup> to have them submitted to the publisher. Doreen mentioned she sent out an email on July 29<sup>th</sup> to the people/groups that had submitted an article in Spring 2016.

**Workshop Meeting 08-22-16 Topics**

Pete mentioned that at this meeting the following should be addressed:

- Have PennDot representatives attend meeting to discuss detours. It was noted that PennDot doesn't attend night time meetings.
- RV ordinance and red/green zones

Pete will get information from PennDot and RoadCon representatives regarding detours and this can be reviewed by Council. Consider making South Franklin Street a 2-way street for the detour/road construction period. Would need an Effective date for changing this to 2-way traffic and include it in the Parking Ordinance when it is amended for RV Parking and red/green zones.

**Ryan Costello**

Tammy Gore reminded Council that she is meeting with Congressman Ryan Costello for lunch and a walk-through of Fleetwood on August 11<sup>th</sup>. Chris Young and Ralph Touch will be joining them.

**Meeting Minutes**

Motion to approve the minutes of the July 8<sup>th</sup> borough meeting and the July 25<sup>th</sup> workshop meeting.

**Made by: Ralph Touch      Seconded by: Colin Boyer**  
**X   Motion Carried                      \_\_\_ Motion Failed**

Motion to adjourn meeting at 8:57pm.

**Made by: Colin Boyer      Seconded by: Jim Meals**  
**X   Motion Carried                      \_\_\_ Motion Failed**

**Submitted by:**

**Doreen O'Neil, Borough Secretary**