

Filter statement

Filters

Days in Dispatched 1/1/25 to 12/31/25 | **Is Locked** true | **Scene Zone** BERKS - WYOMISSING BOROUGH (06813), BERKS - WYOMISSING HILLS BOROUGH (06976)

Wyomissing Borough

Months in Dispatched	Scene Zone	Month Totals	Yearly Running Total
01/2025	BERKS - WYOMISSING BOROUGH (06813)	258	258
02/2025	BERKS - WYOMISSING BOROUGH (06813)	247	505
Grand Total		505	505

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Previous Month Disposition of Calls

Disposition	Total...
Assist, Public	3
Cancelled (No Patient Contact)	1
Cancelled (Prior to Arrival at Scene)	1
Patient Evaluated, No Treatment/Transport Required	1
Patient Refused Evaluation/Care (Without Transport)	7
Patient Treated, Released (AMA)	4
Patient Treated, Released (per protocol)	2
Patient Treated, Transferred Care to Another EMS Professional/Unit	3
Transported Lights/Siren	93
Transported Lights/Siren, Downgraded	2
Transported No Lights/Siren	82
N/A	0

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Calls Taken by Shift Breakdown

Shift	Shift Report
Dayshift 06-18	183
Night Shift 18-06	64
Shift Report	247

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Units That Responded to Calls

Unit	Total Unit Calls
M6521	126
M6511	31
I6513	22
A6515	14
S650	13
M6512	13
I6522	12
M6561	5
A6512	3
M6513	2
I6521	2
M6531	2
MH650-15	1
A6522	1

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M 65 # = a MICU unit with a Paramedic
I65 # = a Intermediate Unit with an Advanced EMT
B65 # - a Basic Life Support Unit with 2 EMT's
S650 is the Supervisor ALS Response Vehicle

Chute Time

Response Time

Dispatch to Responding

1m:1s

Responding to Onscene

9m:51s

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Days in Dispatched 1/1/25 to 12/31/25 | **Is Locked** true | **Scene Zone** BERKS - WYOMISSING BOROUGH (06813), BERKS - WYOMISSING HILLS BOROUGH (06976)

On Scene Time

Avg On Scene Time

13m:41s

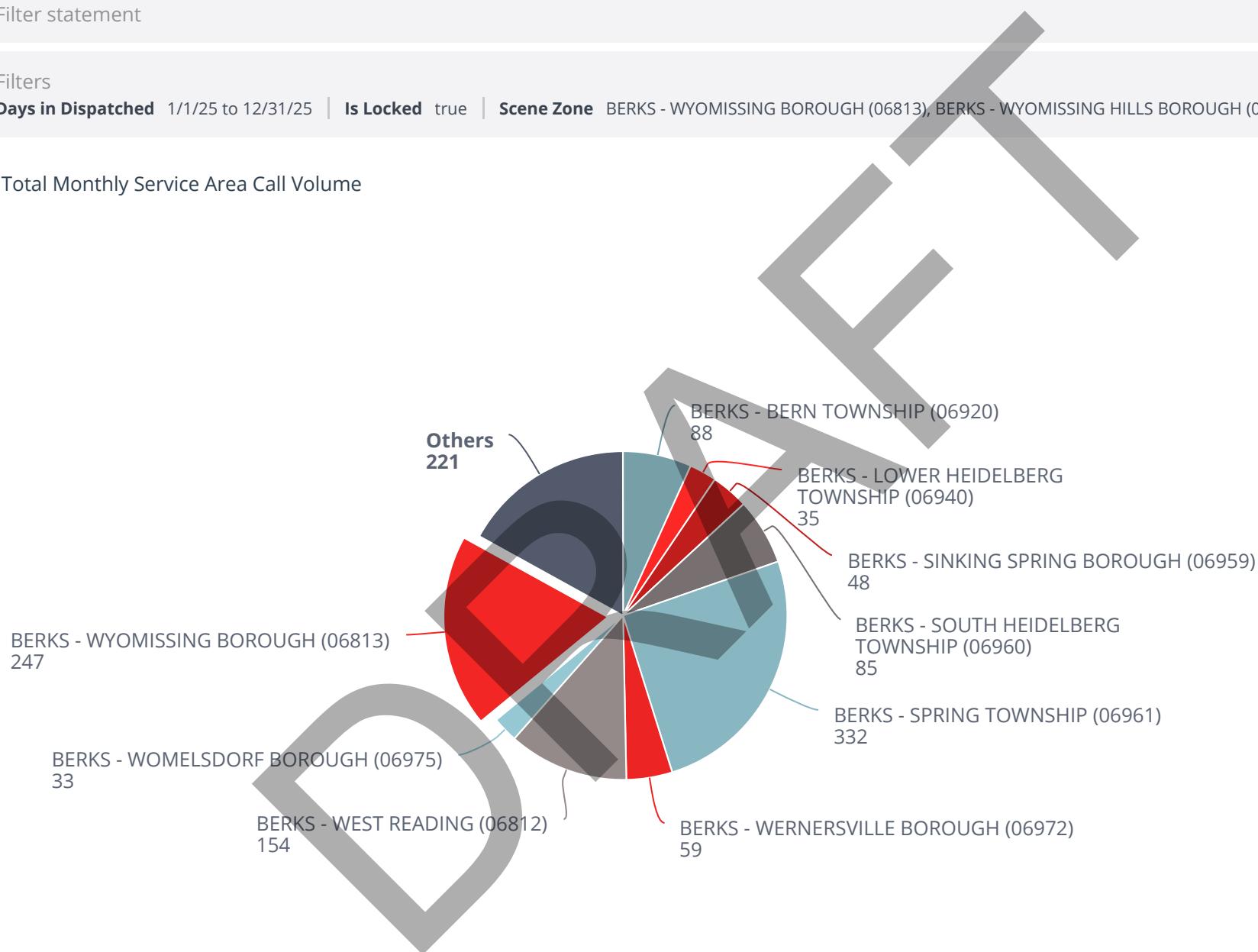
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Filter statement

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Days in Dispatched 1/1/25 to 12/31/25 | Is Locked true | Scene Zone BERKS - WYOMISSING BOROUGH (06813), BERKS - WYOMISSING HILLS BOROUGH (06976)

Total Monthly Service Area Call Volume

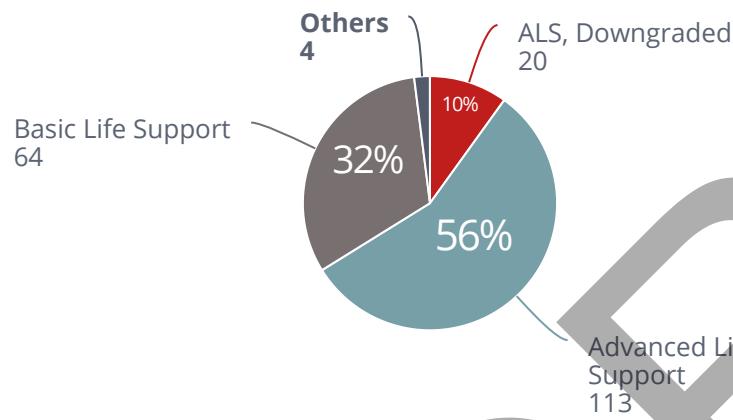


Filter statement

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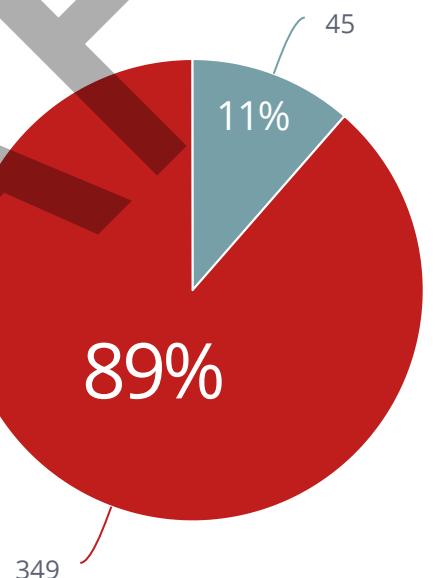
Days in Dispatched 1/1/25 to 12/31/25 | Is Locked true | Scene Zone BERKS - WYOMISSING BOROUGH (06813), BERKS - WYOMISSING HILLS BOROUGH (06976)

Level of Service of all calls



Yearly Breakdown by Hospital Destination

Penn State - St. Joseph Medical Center
Tower Health - Reading Hospital

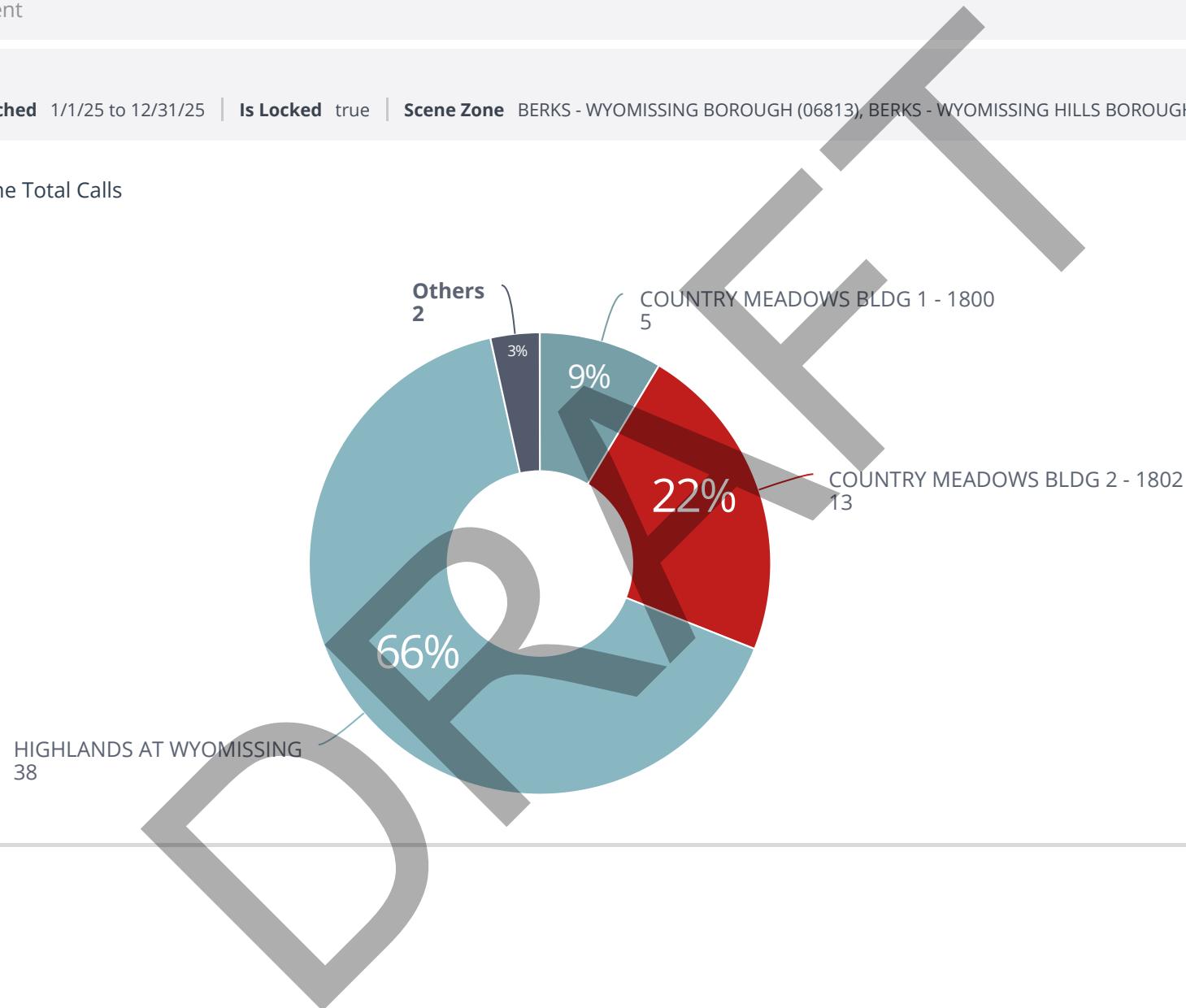


Filter statement

Filters

Days in Dispatched 1/1/25 to 12/31/25 | Is Locked true | Scene Zone BERKS - WYOMISSING BOROUGH (06813), BERKS - WYOMISSING HILLS BOROUGH (06976)

Nursing Home Total Calls



Filter statement

Filters

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Narcan Administration System wide

Treatment Name	Scene Zone	Narcan Treatment
Narcan	BERKS - TULPEHOCKEN TOWNSHIP (06967)	5
	BERKS - WEST READING (06812)	1

**Wyomissing Borough
Firefighter Civil Service Rules and Regulations**

ARTICLE I DEFINITION OF TERMS

1.1 Definitions

Unless otherwise expressly stated, the following words and phrases, wherever used in these Rules and Regulations, shall be construed to have the meaning indicated herein:

- A. Applicant** - Any individual who applies in writing to the commission in response to a legally advertised notice of vacancy and/or examination for any career full time position in the Fire Department.
- B. Appointee** – Person selected to fill a position with the Wyomissing Borough Fire Department and receiving conditional offer of employment or promotion
- C. Appointing Authority** - The Borough Council of the Borough of Wyomissing, Berks County, Pennsylvania.
- D. Borough** - The Borough of Wyomissing, Berks County, Pennsylvania.
- E. Borough Council** – The governing body of the Borough of Wyomissing.
- F. Candidate** – Persons who successfully passed the written, oral and physical fitness and agility examinations and background investigation.
- G. Certification** - The submission to the Appointing Authority pursuant to their request for three (3) names taken from the eligible list developed by the Civil Service Commission.
- H. Chairperson** - The Chairperson of the Civil Service Commission of the Borough of Wyomissing, Berks County, Pennsylvania.
- I. Commission** - The Civil Service Commission of the Borough of Wyomissing, Berks County, Pennsylvania.
- J. Eligible** - A person whose name is recorded on a current eligible list or furlough list.
- K. Eligible List** - The list of names of persons who have passed all tests and/or examinations, except for the physical and psychological tests and/or examinations, for a particular position in the Fire Department.
- L. Examination** - The series of tests given to candidates to determine their qualifications for a position in the Fire Department.
- M. Firefighter** – An entry level full time career position in the Fire Department.
- N. Furlough List** - The list containing the names of persons temporarily laid off from positions in the Fire Department because of a reduction in the number of Firefighters.

Wyomissing Borough Firefighter Civil Service Rules and Regulations

O. Medical Examination - An examination, procedure, inquiry or test designed to obtain information about medical history or a physical or mental condition which might disqualify an applicant if it would prevent the applicant from performing, with or without a reasonable accommodation, all of the essential functions of the position.

P. Physician - An individual licensed under the laws of the Commonwealth to engage in the practice of medicine as further defined in 1 Pa.C.S. § 1991.

Q. Probationer – A Firefighter in the Fire Department who has been appointed from an eligible list, but who has not yet completed the work-test period.

R. Qualified Medical Professional - An individual, in collaboration with or under the supervisions or direction of a physician, as may be required by law , who is licensed under the laws of the Commonwealth of Pennsylvania as a Physician Assistant or as a Certified Registered Nurse Practitioner.

S. Reduction in Rank - A change to a different position or rank where the employee fulfilled all of the requirements of these Rules and Regulations for both the prior and current position or rank. However, a decrease in salary without a change to a different position or rank shall not necessarily constitute a reduction in rank.

T. Removal - The permanent separation of a Firefighter from the Fire Department.

U. Secretary - The Secretary of the Civil Service Commission of the Borough of Wyomissing, Berks County, Pennsylvania.

V. Suspension - The temporary separation of a Firefighter from the Fire Department.

W. Vice Chairperson – The Civil Service Commission's Vice Chairperson.

1.2 Gender

The words, "he", "his", "him", "man", or "men", when used in these Rules and Regulations, represent both the masculine and feminine genders.

ARTICLE II CIVIL SERVICE COMMISSION

2.1 Members

The Commission shall consist of three Commissioners who shall be qualified electors of the Borough of Wyomissing, and shall be appointed by the Wyomissing Borough Council to serve for six (6) year terms. Each member of the Civil Service Commission, before entering upon the discharge of the duties of their office, shall take an oath or affirmation to support the Constitution of the United States and of the Commonwealth of Pennsylvania, and to perform their official duties with fidelity. A Civil Service Commissioner for the Borough of Wyomissing shall be reimbursed for travel expenses, and other Commission related expenses, but shall receive no compensation for his or her

Wyomissing Borough Firefighter Civil Service Rules and Regulations

service. The current members of the Civil Service Commission for the Borough of Wyomissing shall remain in place and their terms shall be calculated commencing on the initial date of their appointment.

2.2 Incompatible Offices

No commissioner shall, at the same time, hold an elective or appointed office under the United States Government, the Commonwealth of Pennsylvania or any political subdivision of the Commonwealth, except that one member of the Commission may be a member of the Wyomissing Borough Council. That same member, who is a member of the Borough Council, or another Commissioner, but limited to not more than one, may be a member of the teaching profession.

2.3 Vacancy

Any vacancy occurring in the Commission for any reason whatsoever, shall be filled by the Wyomissing Borough Council for the unexpired term within the period of thirty (30) days after such vacancy occurs.

2.4 Organization of Commission

The Commission first appointed shall organize within ten (10) days of its appointment and shall elect one of its members as Chairperson, one as Vice Chairperson and one as the Secretary. The Commission shall thereafter meet and reorganize on the first Monday of January of each even numbered year.

2.5 Duties of Chairperson

The Chairperson shall preside at all meetings and hearings of the Commission, decide all points of order or procedure and perform all duties required by law or these Rules and Regulations.

2.6 Duties of Vice Chairperson

In the absence of the Chairperson, the Vice Chairperson shall preside at all Commission meetings and hearings, decide all points of order or procedure, and perform any duties required by law.

2.7 Duties of the Secretary

The Secretary, under the direction of the Commission shall handle all official correspondence of the Commission, send out all notices required by law and these Rules and Regulations. He shall maintain a record of each examination or other official action of the Commission, and perform all other duties required by law or these Rules and Regulations.

Wyomissing Borough Firefighter Civil Service Rules and Regulations

2.8 Meetings

Except for the biennial organization meeting, all meetings shall be held either at the call of the Chairperson or at the call of two members of the Commission. The Commission shall have the discretion to determine whether meetings shall be open to the public when not specifically regulated by law or these Rules and Regulations. The Secretary of the Commission shall give each Commissioner at least a twenty four (24) hour notice, in writing, of each and every meeting of the Commission. In all cases regarding meetings, the Commission shall follow the provisions provided for in the "Sunshine Law."

2.9 Quorum

Two members of the Commission shall constitute a quorum. No action of the Commission shall be valid unless it shall have the concurrence of at least two (2) members.

2.10 Clerical Assistance & Supplies

The governing body shall furnish the Commission with such supplies and clerical assistance as may be necessary for the Commission to fulfill its duties. The Commission may retain legal counsel to represent their interests. This Attorney shall be one other than the Borough Solicitor, to prevent a possible conflict of interest in matters which come before the Commission. The Civil Service Commission may also hire any other consultant or expert, including physicians, psychologists and psychiatrists, as are necessary. The elected and appointed officials of the Borough of Wyomissing shall assist the Commission with all reasonable and appropriate efforts, including compensation for any counselor experts retained by the Commission.

2.11 Amendment of Rules and Regulations

The Commission may amend, revise, void or replace these Rules and Regulations for any reason by action of a majority of the Commission. Before any changes to these Rules and Regulations become effective, those changes must be approved by the Borough of Wyomissing Council. These Rules and Regulations, and any amendments thereto, once approved, by the Borough, shall be made available to the public for distribution or inspection, as amended.

2.12 Minutes and Records

The Commission shall keep minutes of its proceedings and records of examinations and other official action. The Secretary shall keep minutes of its proceedings showing the vote of each member upon each question. If the member is absent or fails to vote, the Secretary shall indicate that fact in the minutes.

Wyomissing Borough Firefighter Civil Service Rules and Regulations

All records, reports and written causes of removal filed with the Commission, except as provided by law, shall be open to public inspection. All recommendations of applicants for appointment received by the Commission shall be kept and maintained for a period of five (5) years. All other records of the Commission shall be preserved and disposed of according to the Retention and Disposition Schedule for Records of Pennsylvania Municipalities issued by the Local Government Records Committee under the authority of the Municipal Records Act of 1968, P.L. 961, No. 428, 53 P.S. § 9001.

All of the Commissioner's records as permitted by law shall be open to the public and available for inspection during the Borough's normal business hours. A member of the Commission, or any persons who may, from time to time be designated by the Commission, shall be present at all times during any record inspection.

2.13 Annual Report

The Commission shall make an annual report to the Wyomissing Borough Council, containing a brief summary of its work during the year, and shall make a full accounting for any expenditure of public monies. The annual report shall be then available for public inspection.

2.14 Investigations

The Commission shall have the power to make investigations concerning all matters relating to the administration and enforcement of these Rules and Regulations and its duties. The Chairperson of the Commission is authorized to administer oaths and affirmations in connection with such investigations.

2.15 Subpoenas

The Commission shall have the following powers and authority regarding subpoenas:

- A. Powers to Issue.** The Commission shall have the power to issue subpoenas over the signature of the Chairperson, or his designee, to require the attendance of witnesses and the production of records and papers pertaining to any hearing, investigation or inquiry.
- B. Fees.** The fees of such witnesses for attendance and travel shall be the same as for witnesses appearing in the Courts and shall be paid from appropriations for the incidental expense of the Commission.
- C. Public Service and Borough Employees:** All officers in public service and employees of Wyomissing Borough shall attend and testify when required to do so by the Commission.
- D. Enforcement.** If any person shall refuse or neglect to obey any subpoena issued by the Commission:

Wyomissing Borough Firefighter Civil Service Rules and Regulations

1. Upon conviction of such refusal or neglect in a summary proceeding, that person shall be sentenced to pay a fine not to exceed one hundred dollars (\$100.00), and default of the payment of such fine and costs shall be imprisoned not to exceed thirty (30) days.
2. If any person shall refuse or neglect to obey any subpoena, the Commission may apply by petition to the Court of Common Pleas of Berks County, Pennsylvania, for a subpoena, requiring the attendance of such persons before the Commission or the Court to testify and to produce any records and papers as necessary, and in default, shall be held in contempt of Court.

ARTICLE III APPLICATIONS AND QUALIFICATIONS

3.1 Eligibility for Examinations

In order to be eligible for participation in any examination for any position with the Wyomissing Borough Fire Department, every applicant must submit a completed application form to the Commission before the deadline stated for that specific examination. The applicant must make an oath or affirmation that the application has been completed truthfully, and that the applicant is subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

3.2 Nondiscrimination

The Borough of Wyomissing is an equal opportunity employer. It is the Borough of Wyomissing and the Commission's policy to grant equal employment opportunities to qualified persons without regard to race, religion, color, national origin, gender, age, veteran's status, marital status, or non-job related physical or mental handicap or disability. The Borough of Wyomissing and the Commission will provide equal opportunities in employment and promotion.

No question in any Commission application or any examination shall elicit information or opinions concerning the political or religious opinions or affiliations of any applicant. No offer, promise, reward, favor, benefit, or discriminatory act shall be threatened or promised by any person against or in favor of any applicant or employee because of his/her politics, religion, race, color, sex, national origin, age or disability.

3.3 Public Notice

The Commission shall conspicuously post in the Wyomissing Borough Hall an announcement of the hiring or promotional testing and set forth the time and place of every examination, together with the information as to the type of position to be filed, the requirements for that position, where applications may be obtained for the examination, and the deadline for filing those applications as well as any other pertinent information the Commission deems appropriate. At least two (2) weeks prior to each examination, publication of the notice shall be placed in at least one newspaper of general circulation in the Borough of Wyomissing.

Wyomissing Borough Firefighter Civil Service Rules and Regulations

3.4 Availability

Application forms shall be available to all interested persons in the office of the Borough Secretary and from such other offices and officers that the Commission may choose to designate during normal business hours. Application forms may be mailed upon written or telephone request, however, neither the Commission nor the Borough assumes responsibility for missed filing deadlines due to a delay in the mail. Upon election by the Commission and capability, Application forms may also be available electronically from the Borough or other designated website. Neither the Commission nor the Borough, assumes any responsibility for the inaccessibility of an Application from the Borough or any other designated website.

3.5 Applications

Each person desiring to apply for examination, shall file with the Commission a formal application on a form to be created by the Commission which at a minimum shall state:

1. Applicant's full name and residence or post office address,
2. Applicant's citizenship, place and date of birth,
3. Applicant's condition of health and physical capacity for public service,
4. Applicant's business or employment and his residence for the past five years, and
5. Such other information as may be required by the Commission's rules and regulations, showing the applicant's qualifications for the position for which he is being examined.

3.6 Fees

The Borough of Wyomissing may set a reasonable fee to be charged in connection with the filing of an application for an entry level firefighter. Said fee may be set through adoption of a resolution by Borough Council establishing a specific fee. The fee shall be identified in the public notice required by Section 3.3, Public Notice. There shall be no fee assessed in connection with any application for promotion.

3.7 Age Requirements

All applicants must have reached their eighteenth (18th) birthday before the deadline for submitting a completed application.

3.8 General Qualifications - All Applicants

Every applicant for any position in the Wyomissing Borough Fire Department must

Wyomissing Borough Firefighter Civil Service Rules and Regulations

possess the following qualifications:

- A. A diploma from an accredited high school or a graduate equivalency diploma (GED).
- B. Provide documentation (copies of certificates) of having successfully completed the following training and/or obtained the certifications as follows:
 - Emergency Vehicle Operators Certification (16 hour course required)
 - NFPA 1001 Firefighter II certification
 - Emergency Medical Technician certification (PA or reciprocal)
 - Health care provider CPR with AED
 - Pa. Department of Health Vehicle Rescue (or equivalent as determined by Fire Chief)
 - NFPA 472 Operation Level Hazardous Materials certification
 - NIMS 100, 200, 700, 800
- C. Be a United States citizen.
- D. Be physically and mentally fit to perform the full duties of a Firefighter in Wyomissing Borough.
- E. Have a valid driver's license and be eligible to legally operate a motor vehicle in the Commonwealth of Pennsylvania. Must obtain a valid Pennsylvania Class B Commercial Driver's License within one (1) year of hiring.*

F. The Borough reserves the right to consider hiring an otherwise exceptionally qualified candidate who does not have a bachelor's degree and/or who does not have experience working in a municipal government, if, at the time of the position vacancy, the Borough, in its sole discretion, determines such an exception is warranted. Such factors to be considered when determining if such an exception is warranted include but are not limited to: an individual candidate's specific work experience, the quality, relevance and credibility of professional references a candidate is able to provide, particular unique skill set of candidate, especially as it pertains to any current Borough priorities/issues/needs at time of vacancy, the overall strengths and weaknesses of experience/skill of the rest of the management team, long term business needs and specific labor market conditions/candidate pool available at time of position vacancy.

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3.9 General Qualifications - Non-entry level Firefighters

All applicants for non-entry level firefighter positions other than Fire Chief shall meet the following general requirements in addition to the qualifications stated in Section 3.8 above:

* Applicants applying from outside the Commonwealth of Pennsylvania must have an equivalent valid driver's license and obtain a valid Pennsylvania Driver's License within six (6) months of hiring and obtain a Pennsylvania Class B Commercial Driver's License within one (1) year of hiring.

Wyomissing Borough Firefighter Civil Service Rules and Regulations

A. All applicants for a non-entry level firefighter position who are currently employed by the Wyomissing Borough Fire Department, except Fire Chief, shall not have received a formal written reprimand for one (1) year prior to the deadline for submitting applications and shall not have been suspended without pay for more than an aggregate of three (3) days over the most recent three (3) year period prior to the deadline for submitting an application for the promotional position. Any formal written reprimand or suspension to which the applicant has timely appealed pursuant to a grievance procedure of these Rules and Regulations shall be disregarded unless the appeal is resolved prior to the creation of the eligibility list.

B. Veterans' Preference and College Credit Points as described in Section 4.5 shall be awarded to an applicant's final score.

C. All applicants for the position of Deputy Fire Chief shall meet the following general requirements:

(1). An applicant for the position Deputy Fire Chief shall meet the general requirements specified in Section 3.8 and have met the minimum requirements specified in the Job Description, including:

- A bachelor's degree(preferred) in fire science, public administration, or a discipline related to the fire service or management from an accredited institution of higher learning. Additional points will be added to the applicants final score based on college credit hours as defined in Section 4.5. The Borough reserves the right to consider hiring an otherwise exceptionally qualified candidate who does not have a bachelor's degree, and/or who does not have experience working in a municipal government, if, at the time of the position vacancy, the Borough, in its sole discretion, determines such an exception is warranted. Such factors to be considered when determining if such an exception is warranted include but are not limited to: an individual candidates specific work experience, the quality, relevance and credibility of professional references a candidate is able to provide, particular unique skill set of candidate, especially as it pertains to any current Borough priorities/issues/needs at time of vacancy, the overall strengths and weaknesses of experience/skill of the rest of the management team, long-term business needs and specific labor market conditions/candidate pool available at time of position vacancy.
- Experience in all phases of fire protection work including fire prevention and administration.
- Experience working with career and volunteer firefighters/Departments.
- Ten years of recent and progressively responsible experience in a career or combination fire department.

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Wyomissing Borough Firefighter Civil Service Rules and Regulations

- A minimum of three years of experience serving as a Company Officer or higher
- Fire Officer III certification from any state by the National Board of Fire Service Professional Qualifications.
- EMT certification is required.

C. The examination process for Deputy Fire Chief shall consist of

a. Written examination which is weighted as 30% of the total score for the applicant and requires a passing score of ~~70%~~^{70%} or greater.

b.a. The panel interview conducted by three persons who are not members of the Wyomissing Fire Department and approved by the commission. The panel interview is weighted as 30% of the total score for the applicant and requires a passing score of ~~70%~~^{70%} averaged from the three individual panelists grading.

b.b. The top three candidates shall participate in a second panel interview consisting of the Borough Manager, Fire Chief, one, and one (1) representative from Borough Council. This interview is weighted as 40% of the total score for the applicant requiring a score of 70% averaged from the three interview panelists grading.

b.c. Certification of the eligibility list shall be made by the commission which is based on the overall scores of the applicants.

b.d. Certification of the eligibility list shall be made by the commission which is based on the overall scores of the applicants.

D. The procedure for filling the Deputy Fire Chief position shall consist of the following steps from Title 8 Pennsylvania Borough Code:

- a) Borough Council shall notify the Civil Service Commission of any vacancy which is to be filled and shall request the certification of an eligibility list.
- b) The commission shall certify for each existing vacancy from the eligibility list the names of the three persons or a lesser number, if three are not available, who have received the highest average.
- c) The council shall make a conditional appointment from the three names certified, based solely on the merits and fitness of the candidates, unless council makes objections to the commission regarding one or more of the certified persons for any of the reasons stated in Section 1183 (relating to rejection of an applicant and hearing) and Section 3.11 of these Rules and Regulations.
- d) If the objections are sustained by the commission as provided in Section 1183 or the conditional appointee is determined to be unqualified in accordance with the procedures specified in Section 1189, the commission shall strike the name of the person from the eligibility list and certify the next highest name from the eligibility list.
- e) As each subsequent vacancy occurs in the same or another position, the same procedure shall be followed.

E. Promotions shall be based on merit to be ascertained by examination prescribed by the commission which includes a resume submission, written examination, and panel interview. All questions related to a promotion shall be practical in character and fairly test the merit and fitness of persons seeking promotion.

Wyomissing Borough Firefighter Civil Service Rules and Regulations

- a) Borough Council shall notify the commission of a vacancy in the fire department which is to be filled by promotion and shall request the commission to certify an eligibility list.
- b) Certification of an eligibility list requires the commission to:
 - a. Certify for each vacancy the names of three persons on the eligibility list who have received the highest average in the last preceding promotional examination held within a period of two years preceding the request for an eligibility list.
 - b. If three names are not available, the commission shall certify the names remaining on the eligibility list.
 - c. The council shall make an appointment from the names certified, based solely on the merits and fitness of the candidate, unless council makes objections to the commission regarding one or more of the persons so certified for any reason provided under Section 1183 of the Pennsylvania Borough Code and Section 3.11 Rejection of an Applicant in these Rules and Regulations.

F. All applicants except for Fire Chief and Deputy Fire Chief shall have had continuous prior service as a Firefighter with the Wyomissing Borough Fire Department as follows:

(2). An applicant for the position of Captain shall have at least three (3) years of continuous prior service as a full time Firefighter plus one (1) year of continuous prior service as a full time Technician in the Wyomissing Borough Fire Department. †‡

- In the event a vacancy remains for the position of Captain after completing one (1) promotional testing cycle in accordance with the years of service eligibility requirements listed above, then the following modified requirements shall apply to increase the number of internal candidates who are deemed eligible to test for the promotion:
 - i. An internal applicant for the position of Captain who does not meet the years of prior service eligibility requirements above may apply if they meet the following requirements:
 1. Has obtained all the certifications required in the Captains Job Description (except those which can only be obtained after appointment)
 2. Has obtained the minimum certifications required in the Technician Job Description
 3. Has demonstrated experience driving and operating fire apparatus.

[†] The filling of the positions of Captain initially in 2011 shall not be considered a promotion and thus these Rules and Regulations shall not be applicable.

[‡] For the filling of any Captain position(s) in 2020, the requirement for one (1) year of continuous prior service as a full time Technician shall not apply. After the 2020 Captain Promotional List expires pursuant to these Rules and Regulations, the prior technician service requirement shall apply.

Wyomissing Borough Firefighter Civil Service Rules and Regulations

4. Shall have no formal written reprimands or personal improvement corrective actions in their personnel file within the past one (1) year.

(3). An applicant for the position of Technician shall have at least 2 years of continuous prior service as a full time Firefighter in the Wyomissing Borough Fire Department.

- In the event a vacancy remains for the position of Technician after completing one (1) promotional testing cycle in accordance with the years of prior service eligibility requirements listed above, the following modified requirements shall apply to increase the number of internal candidates who are deemed eligible to test for the promotion:
 - i. An internal applicant for the position of Technician who does not meet the years of service eligibility requirements listed may apply if they meet the following requirements:
 1. Must have at least six (6) months continuous service as a full-time firefighter in the Wyomissing Borough Fire Department
 2. Must be a qualified driver on all front-line fire apparatus
 3. Must have and show documented fire apparatus driving experience
 4. Shall have no formal written reprimands or personal improvement corrective actions placed in their personnel file within the past six (6) months.

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3.10 Recording and Filing Application

Applications for positions in the Wyomissing Borough Fire Department shall be received at the Borough Secretary's Office. Applications may be received in person during normal business hours, by postage, or through electronic means, only after an examination has been advertised and before the deadline set forth in the public advertisement.

Applications will be received by the Borough Secretary or other municipal office designated in the public advertisement or that officer's designee, during normal hours before the deadline set forth in the public notice. That person shall record the receipt of all applications indicating both the time and date received. Any application containing material errors or omissions, may, at the discretion of the Commission, be returned to the applicant for correction and then must be returned to the Commission prior to the deadline for filing. No new applications or amended applications or supporting documents will be accepted after the advertised closing time and date, unless specifically requested by the Civil Service Commission.

3.11 Rejection of Applicant

The Commission may refuse to examine, or if examined, may refuse to certify as eligible after examination, any applicant who is found to lack any of the minimum qualifications for

Wyomissing Borough Firefighter Civil Service Rules and Regulations

examination prescribed in these Rules and Regulations for the particular position for which the applicant has applied. In addition, the Commission may refuse to examine, or if examined, may refuse to certify any applicant who is:

- A.** Found to have furnished incomplete, inaccurate, misleading or false information on the official application or in response to any portion of the hiring process;
- B.** Physically or mentally unfit to perform the full duties of the position;
- C.** Who is illegally using a controlled substance, as defined in 21 U.S.C. § 802;
- D.** Guilty of any crime involving moral turpitude, or of infamous or notoriously disgraceful conduct;
- E.** Who has been dismissed from public service for delinquency or misconduct in office; or
- F.** Affiliated with any group whose policies or activities are subversive to the forms of government set forth in the constitution and laws of the United States and the Commonwealth of Pennsylvania.

A candidate may be declared ineligible after the initial certified list is posted if he/she fails to qualify on the background investigation as outlined in Article IV of these Rules and Regulations.

3.12 Hearing for Disqualified Applicants

If any applicant or person is aggrieved by refusal of the Commission to examine or certify the applicant as eligible after examination, the Commission shall, at the request of the applicant, within ten (10) days, appoint a time and place for a public hearing, with or without legal counsel, at which time the Commission shall take testimony and review its refusal to provide examination or certification. The hearing shall be conducted pursuant to the procedures set forth in the Local Agency Law, 2 Pa. C.S. Section 101 et seq., as the same may be amended from time to time. The applicant or aggrieved party must make his request for a hearing in writing within ten (10) calendar days of the date when the party knew or should have known of the Commission's action which is being challenged.

ARTICLE IV EXAMINATION AND GRADING PROCEDURE

4.1 General Examination Requirements for the Position of Firefighter

The examination for firefighter will consist of both a written examination and an oral examination. The examinations will be graded on a one hundred (100) point scale. The written examination will represent forty percent (40%) of the final score. The oral examination will represent sixty percent (60%) of the final score unless otherwise specified in Section 3.9. Each applicant will also undergo a physical agility and fitness test. Prior to being placed on the list of certified candidates, the applicant will undergo a complete

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background examination. These tests, examinations and investigations, with the exception of the written and oral exams, will be graded on a pass/fail basis. Any individual successfully undertaking the written and oral examinations and physical fitness test as set forth herein, is subject to background investigation and no one will be certified as eligible on an eligibility list in accordance with Section 5.1, Appointments, of these Rules and Regulations, until they have successfully completed a background investigation and received a written recommendation that the applicant is appropriate for consideration in accordance with Section 4.8, Background Investigation, of the Rules and Regulations.

The examination, physical fitness test and background investigation will be conducted by the Wyomissing Borough Fire Department or the testing administrator designated by the Commission.

4.2 General Examination Requirements for Promotion

The examination for the positions of Technician and Captain shall include a written examination and an oral examination, which will be graded on a one hundred (100) point scale with the written examination representing forty percent (.40%) of the final score and the Oral Examination representing sixty percent (60%) of the final score unless otherwise specified in Section 3.9. Applicants for promotion may undergo a physical agility and fitness examination. Prior to being placed on a certified list, the applicant for promotion may be required to undergo a complete background investigation.

4.3 Appointment of Examiners

The Commission shall appoint a written examination Administrator(s), an Oral Examination Administrator(s), and Physical Fitness Examiner to conduct the appropriate examinations required by these Rules and Regulations. All appointments shall be at the sole discretion of the Commission.

Members of the Civil Service Commission of the Borough of Wyomissing will not participate in any of the examination procedures, nor will they conduct or participate in background investigations, either as examiners or observers. However, the Civil Service Commission shall coordinate all of the hiring processes to assure compliance with these Civil Service Rules and Regulations.

4.4 Written Examination

The written examination shall be graded on a one hundred (100) point scale. An applicant must score at least seventy percent (70%) to qualify and be among the top twenty (20) scores, including ties, to continue in the application process. Applicants who score less than seventy percent (70%) shall be disqualified. Within thirty (30) days after the administration of the written examination, all applicants shall be given written notice of their examination results.

4.5 Veterans' Preference Points and College Credit Points

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Veteran's Preference Points. Pursuant to the Veterans' Preference Act, 51 Pa. C.S. § 7101 et. seq., any applicant for the entry-level position of Firefighter who qualifies as a military veteran under this Act, shall receive an additional ten (10) points on top of their combined final score in accordance with said Act, if that applicant qualifies, provided however, that the applicant received the minimum scores necessary for passing the written and oral examinations. The ten (10) additional Veterans' Preference Points may not be used under any circumstances to achieve a passing score on the written or oral examination. Any applicant claiming Veterans' Preference is responsible for providing any and all relevant documents to the Commission, which shall, at a minimum, include a form DD-214, no later than two business days immediately prior to the date of the written examination.

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College Credit Points. Any applicant for the positions identified in Fire Department Civil Service Rules and Regulations who has received college credits at the time of the submission of an application shall receive additional points on top of the combined, weighted written and oral examination scores provided however the applicant received the minimum scores necessary for passing the written and oral examinations as prescribed under these Rules and Regulations. Applicants with up to sixty (60) credits shall receive three (3) points; applicants with up to ninety (90) credits shall receive five (5) points; applicants with up to one hundred twenty (120) credits shall receive seven (7) points; applicants with more than one hundred twenty (120) credits shall receive ten (10) points. The college credit points may not be used under any circumstances to achieve a passing score on the written or oral examination. In order to receive college credit points the applicant shall submit an official college transcript with their application submission.

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4.6 Physical Agility Testing

An applicant for the entry level position of Firefighter must meet the physical agility requirements, as administered by, and in accordance with the Standards established by Borough of Wyomissing. The agility test will be job related, consistent with business necessity, and specifically tailored to demonstrate an applicant's ability to perform the essential functions of the firefighter position. The test shall be uniformly administered and graded on a pass/fail basis.

Applicants who have either successfully passed, or failed the Physical Agility Test will be so notified in writing by the Commission within thirty (30) days.

Only Applicants who pass the Physical Agility Test, score at least seventy percent (70%) on the written exam and are among the top ten (10) scores, including ties, shall continue in the application process. If ten (10) applicants do not qualify, then the remaining applicants shall continue.

The physical agility testing shall be for all entry-level testing processes and be determined by the commission at the time the testing process is authorized to commence. Physical agility testing options shall include:

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- a. Candidate Physical Agility Test (CPAT) through the testing consortium based out Lancaster City Fire Department and held at Lancaster County Public Safety Training Facility. The CPAT is offered twice a year with one (1) Spring and one (1) Fall testing session.
 - i. Applicants that have successfully passed the written exam and who have submitted a certificate of successful completion for a CPAT examination dated within six (6) months prior to the start date of an entry-level testing process shall be exempt from participating in the CPAT examination portion of the testing process.
- b. Contract with Bucks County Community College to administer a physical agility test based on the Job Performance Requirements contained in the Firefighter/EMT Job Description.
- c. Contract with a licensed healthcare professional selected by the department/Borough to administer a physical agility test based on the Job Performance Requirements contained in the Firefighter/EMT Job Description.

4.7 Oral Examination

The oral examination shall be graded on a one hundred (100) point scale. An applicant must score at least seventy percent (70%) to qualify to continue. Applicants who score less than seventy percent (70%) shall be disqualified. The oral examination shall involve questioning applicants on firefighting oriented issues, including how they would handle situations relevant to fire fighting. Within thirty (30) days after the administration of the oral examination, all applicants shall be given written notice of their examination results. Applicants with the top six (6) combined examination scores, written and oral, shall continue on in the application process. If six (6) applicants do not qualify, then the remaining applicants shall continue.

The oral examination panel shall consist of at least three (3) people who have fire service knowledge and experience to adequately grade the interviewee. The interview panels shall be assembled:

- a. For entry-level firefighter/EMT interviews the panel shall consist of three (3) Wyomissing Fire Department Career Staff.
- b. For promotional interviews the panel shall consist of three (3) members who are not directly involved or employed with the Wyomissing Borough Fire Department.
- c. For Non-entry level positions the panel shall consist of three (3) members from the Pennsylvania Career Fire Chiefs Association who hold the rank equivalent to Deputy Fire Chief or higher.

4.8 Background Investigation

The Commission shall request to conduct a background investigation on the top six (6) applicants based on their combined written and oral examination scores and their passing the physical fitness test. The background investigation must be consistent for each applicant. Appropriateness of the applicant shall be based on the criteria set forth in Section 3.11 of these Rules and Regulations.

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All such applicants shall execute an appropriate authorization for release of personal information, and cooperate fully in providing information upon request to ensure a thorough and complete investigation. The background investigation may include interviews with the applicant's family, acquaintances, current and former employers, current and former neighbors, references and current and former teachers, and school officials. In addition, the applicant's record of criminal convictions will be investigated. The applicant may be interviewed directly when the information collected requires clarification or further explanation. The investigator may use his own discretion in the expansion or contraction of these items and time frames.

After the background investigation is completed, the Chief of Police or his designee will report the findings of the background investigation to the Fire CommissionerChief. The Fire CommissionerChief or his designee, shall make a written recommendation to the CommissionChief on whether the applicant is appropriate for consideration for appointment as a Firefighter for the Borough of Wyomissing.

The recommendation by the CommissionerFireChief or his designee shall be based on the criteria set forth in Section 3.11, Rejection of Applicant, of these Rules and Regulations and on any other information developed during the background investigation. This report to the Commission shall be in writing and in compliance with the Americans with Disabilities Act, must not include any medical history information on a candidate. If the recommendation is to disqualify, then a detailed, written explanation of the reasons for disqualification must be included. The Commission shall then make a final determination on whether additional information is required or if the information collected and reported warrants acceptance or rejection of the candidate.

Within thirty (30) days after the Commission considers the recommendation based on the background investigation, each applicant shall be notified as to whether they have passed or failed this portion of the examination process.

4.9 Cheating Policy

The contents of all examinations are confidential. An individual may not cheat or tamper in any manner with an official examination either conducted or sponsored by the Commission by obtaining, furnishing, accepting, or attempting to obtain, furnish or accept answers or questions to examinations, or portions thereof. Individuals may not copy, photograph or otherwise remove examination contents; nor may they use any misrepresentation or dishonest method while preparing, administering or participating in examinations. Unauthorized possession of a test, examination, or questions, answers or answer keys relating to a test, examination or quiz shall constitute cheating. An individual violating this section shall be disqualified from the promotional process.

ARTICLE V CERTIFICATION OF ELIGIBILITY LIST AND APPOINTMENTS

5.1 Creation of Eligibility List

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At the completion of the examination requirements set forth in Article IV, the written examination, physical fitness testing, the oral examination, background examination, the Commission shall rank the candidates who have satisfied the minimum requirements for appointment on the eligibility list. The applicant having received the highest score shall be at the top of the list, with all other candidates being listed in descending order of their scores. Applicants who qualify for veteran's preference points shall have those points added to their final score prior to being ranked on the eligibility list.

For promotional positions, fulfilling the performance requirements set forth in Section 3.9 are also required.

In the case of tied scores, the tie will be broken by giving preference to the applicant who submitted his completed application first.

5.2 Lifespan of Eligibility List

The eligibility list will be valid for a period of one (1) year from the date the Commission formally adopts the eligibility list for new hires and two (2) years for promotions. Prior to expiration of the one year period the Commission may, at its sole discretion, by vote of the majority of the Commission, at a duly authorized Commission meeting, extend the eligibility list for new hires for up to one (1) additional year. In the absence of a lawful extension by the Commission, the list shall expire. The Commission may at its sole discretion void an eligibility list at any time.

5.3 Removal and Nonremoval of Names from Eligibility List.

A. Removal. The names of person appearing on an eligible list shall be removed by the Commission if the person:

1. Is appointed to a position in the Fire Department; or
2. Declines an appointment to a position in the Fire Department; or
3. Fails to make a written reply to the Commission within seven (7) calendar days from the date of mailing a certification notice; or
4. Indicates availability for appointment and is appointed to fill a vacancy but fails to report for duty at the time prescribed, unless, in the Borough's opinion the person provides good and sufficient reasons for failure to report; or
5. Is selected for appointment but is unavailable to fill the vacancy at the prescribed time unless he makes a mutual agreement with the Borough when he may be available for appointment.

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B. Nonremoval. The Commission shall not remove any person's name from an eligible list who refuses or accepts a position of lower rank than that for which he is eligible on a Commission list.

5.4 Appointments

A. The Appointing Authority of the Borough of Wyomissing may fill any vacancy in an existing position in the Fire Department for any of the following reasons: expansion of the Fire Department, retirement, resignation, disability or death. The position(s) may be filled by reappointment or reinstatement of a former employee of the Fire Department who had been furloughed. Except for physical and psychological examinations, no other testing shall be required for a furloughed, rehired or reappointed employee.

B. If there is not a furlough list or if positions remain to be filled after all of the Firefighters on the furlough list were offered reemployment, every position, except that of ~~Fire Commissioner and~~ Fire Chief, of the Fire Department, shall be filled only in the following manner.

(1) The Appointing Authority of the Borough of Wyomissing shall notify the Commission of any vacancy which is to be filled and shall request certification of an eligibility list.

(2) The Commission shall certify the names of the three (3) persons on the eligibility list who have received the highest average in the last preceding examination for each vacancy.

(3) If three (3) names are not available, then the Commission shall certify the name(s) remaining on the list.

(4) The Borough of Wyomissing shall make a conditional offer of appointment from the three names certified based solely on the merits and fitness of the candidates. However, for the initial conditional appointment to the position of Firefighter, when one of the three applicants on the certified list is a veteran, that applicant shall be selected. If two or more of the names on the certified list of three are veterans, the Appointing Authority shall have the discretion to appoint the veteran they deem most qualified.

C. The Borough of Wyomissing Council may object to one or more of the persons certified for the reasons set forth in Section 3.11, Rejection of Applicant, of these Rules and Regulations. If the candidate to whom the Borough of Wyomissing Council objects fails to timely exercise the rights of appeal under Section 3.12, Hearing for Disqualified Applicants, if the Commission declines to uphold the appeal, or if the conditional appointee is determined to be unqualified in accordance with the procedures set forth in Section 5.6, Physical and Psychological Medical Examinations, the Commission shall strike that name from the eligibility list and certify the next highest name for inclusion on the list of three candidates for each name stricken off.

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5.5 Appointment of Fire Commissioner and Fire Chief

In the event of a vacancy in the office of ~~Fire Commissioner or~~ Fire Chief, the Appointing Authority has full discretion in selecting the individual to fill the positions of ~~Fire Commissioner and~~ Fire Chief. If the Appointing Authority requests the Commission to subject that person to a non-competitive examination, and if the Commission certifies that person as qualified, in compliance with the Borough Code, he may then be appointed to such position, and if appointed, shall then only be removed from the position ~~of Fire Commissioner or~~ Fire Chief for reasons set forth in Section 6.1, Grounds for Disciplinary Action, of these Rules and Regulations. A ~~Fire Commissioner or~~ Fire Chief may be appointed without civil service status. If this is done, that individual may be returned to a prior rank if promoted from within, or dismissed if an outside appointment, without implicating civil service hearing rights.

5.6 Physical and Psychological Medical Examinations

A. An applicant for entry-level ~~firefighter/EMT~~ selected from the eligibility list shall receive a conditional offer of employment. The offer of employment shall be conditioned upon the appointee undergoing a ~~NFPA 1582 pre-employment~~ physical and psychological ~~medical~~ examination and a determination that the conditional appointee is capable of performing all the essential functions of the position. Physical medical examinations shall be under the direction of a physician or other qualified medical professional. Psychological medical examinations shall be under the direction of a psychiatrist or psychologist.

B. The physician or other qualified medical professional and the psychiatrist or psychologist shall be appointed by Borough Council and shall render an opinion as to whether the conditional appointee has a physical or mental condition which calls into question the person's ability to perform all of the essential functions of the position for which the person was conditionally appointed.

C. If the opinion rendered by the physician, other qualified medical professional, psychiatrist, or psychologist calls into question the conditional appointee's ability to perform all essential functions of the position, then the conditional appointee shall not have satisfied the conditions for appointment. In such case, a representative of the Borough Council shall contact the conditional appointee in writing at the address on the application to determine if the conditional appointee can identify an accommodation which would enable the conditional appointee to perform the essential duties of the position. The conditional appointee shall have fourteen (14) days from the date on which the notice requesting the conditional appointee to identify an accommodation is sent in which to reply in writing identifying and such accommodations. In the event that the candidate either fails or refuses to identify such an accommodation, the Borough shall consider the candidate as having withdrawn from further consideration in the hiring process. If the candidate responds within the time allotted under this Section and identifies an accommodation, the Borough shall consider whether or not such request accommodation is reasonable as the term is utilized by the Americans with Disabilities Act.

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In making such a determination, the Borough may require the conditional appointee to undergo a further medical and/or psychological examination to determine the existence of a need for accommodation, the appropriateness of the accommodation requested, as well as the existence of any alternative accommodations which would permit the conditional appointee to perform the essential duties of the position.

D. If at the conclusion of the interactive discussion under subsection (c), Borough Council determines that the conditional appointee is not qualified, Council shall give written notice to the conditional appointee and the Commission. The rejected conditional appointee may appeal this decision under Section 3.12, Hearing for Disqualified Applicants, of these Rules and Regulations. The Commission shall then certify another name to be included with the two previously certified names for consideration by the Appointing Authority pursuant to Section 5.4, Appointments.

E. If the conditional appointee successfully passes the physical and psychological medical examinations, then that employee shall be appointed to the vacant position in the Fire Department for which the candidate had applied.

F. It is the intent of the Commission that this section be administered in compliance with the American with Disabilities Act.

5.7 Probationary Period

Every successful appointee for the entry-level position of Firefighter within the Fire Department shall serve a probationary period of twelve (12) months. Every successful appointee for a promotional position within the Fire Department shall serve a probationary period of six (6) months. For entry-level firefighters, the probationary period will begin on the first day the new firefighter reports for work. For promotional positions, the probationary period will begin on the first day serving in the new position. During this probationary period, the firefighter may only be dismissed for cause for the reasons set forth in Sections 3.11, 6.1 and/or 6.2 of these Rules and Regulations or because of incapacity for duty due to the use of alcohol or drugs. A promoted firefighter, during probation, may be returned to the rank from which he was promoted, only for cause for the reasons set forth in Sections 3.11, 6.1 and/or 6.2 of these Rules and Regulations.

If at the close of the probationary period the conduct or fitness of the entry-level probationer has not been satisfactory to the Wyomissing Borough Council, the entry-level probationer shall be notified in writing by the Council that the appointment will not be permanent. Following receipt of this notification by the probationer, his/her employment shall end. Any probationer who is notified in writing by the Council, prior to completion of the probation period, that his/her appointment will not be made permanent, has no rights of appeal under these Rules and Regulations. If the probationer is not notified or dismissed in accordance with this section, his/her retention shall be equivalent to a permanent appointment. After satisfactory completion of the probationary period, an entry-level employee or promotional appointee shall receive permanent status within the Fire Department.

5.8 Reserved

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5.9 Provisional Appointment

Whenever there are urgent reasons for the filling of a vacancy in any position in the Fire Department and there are no names on the Eligibles List for such appointment, the Wyomissing Borough Council may nominate a person to the Commission for a non-competitive examination. Such a nominee may be certified by the Commission after the ~~nominee~~ successfully passes such a non-competitive examination. He may then be appointed provisionally to fill such vacancy. It shall thereupon become the duty of the Commission, within thirty days, to begin the process for a competitive examination and related tests, investigations and examinations, under Articles III and IV of these Rules and Regulations. An Eligibles List will then be established and a certified list of three names will be presented to Borough Council from which a regular appointment shall be made. Nothing in this Section shall prevent the appointment, without examination, of persons temporarily assigned the full duties of a Firefighter for the Borough of Wyomissing in cases of emergencies.

ARTICLE VI SUSPENSIONS, REMOVALS AND REDUCTIONS IN RANK

6.1 Grounds for Disciplinary Action

A. No person appointed to a position in the Fire Department may be suspended without pay, removed or reduced in rank except for the following reasons:

1. Physical or mental disability affecting the Officer's ability to continue in service, in which case the Officer shall receive an honorable discharge from service with the Wyomissing Borough Fire Department.
2. Neglect or violation of any official duty.
3. Violation of any law of the Commonwealth of Pennsylvania which provides that such violation constitutes a misdemeanor or felony.
4. Inefficiency, neglect, intemperance, disobedience of orders or conduct unbecoming a Firefighter as an officer of the Borough of Wyomissing.
5. Intoxication while on duty.
6. Engaging or participating in, or conducting of any political or election campaign other than the firefighter's exercise of the right of suffrage.

B. No Firefighter, Technician, or Chief, ~~including Commissioner~~ or Captain, shall be removed, censured or reprimanded for any religious, political or racial reasons.

6.2 Furloughs

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A. Reduction in Force. If it shall be deemed necessary by the Borough of Wyomissing to reduce the number of firefighters in the Fire Department due to economic or other reasons, then the Borough shall apply the following procedures:

1. If there are any employees eligible for retirement under the terms of any retirement or pension law, the Borough may first determine whether any of those employees eligible for retirement are interested in retiring. In the event the number of employees voluntarily retiring is insufficient to affect the number of reductions required, the Borough shall proceed under Section 6.2.A.2 below.
2. If the number of firefighters who voluntarily elect to retire is insufficient to affect the number of reductions required, then the reduction shall be affected by furloughing firefighter(s), including probationers, last appointed to the Fire Department and in accordance, where applicable, with the Veterans' Preference Act of Pennsylvania, 51 Pa.C.S. 7103.
3. This provision is not applicable to the Fire ~~Commissioner~~~~Chief~~.

B. List. Whenever the Borough shall determine the need for a reduction in the number of firefighters, the Commission shall prepare and maintain a list of the names of all furloughed officers, together with the position held by each firefighter at the furlough's time. The names on the furlough list shall be arranged in priority order based on each furloughed firefighter's service length.

C. Reinstatement. In the event that the Appointing Authority decides to increase the size of the Fire Department personnel, the furloughed firefighters shall be reinstated in order of their seniority in the Fire Department. Employees so notified of reinstatement must accept reinstatement within two (2) normal business days of receipt of recall notice and report to work within two (2) weeks of notice, otherwise such employee shall be deemed to have waived any right to reinstatement.

D. Removal of Names. The name of any person appearing on a furlough list shall be removed by the Commission if the person:

1. Is appointed to a position in the Fire Department; or
2. Declines an appointment to a position in the Fire Department;
3. Fails to make a written reply to the Commission within two (2) normal business days upon receipt of recall notice; or
4. Indicates availability for appointment and is appointed to fill a vacancy but fails to report for duty at the time prescribed within two (2) weeks of notice, unless, in the Borough's opinion the person shows good and sufficient reasons for failure to report; or

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5. Is selected for appointment but unavailable to fill the vacancy at the prescribed time, and makes a mutual agreement with the Borough as to when the individual may be available for appointment.

E. Nonremoval from Furlough List. The Commission shall not remove any person's name from a furlough list who refuses or accepts a position of lower rank than that from which furloughed on a Commission List.

6.3 Notice of Suspension, Removal or Reduction in Rank

Whenever a firefighter is suspended, removed or reduced in rank, the specific charges warranting such actions shall be stated in writing by the Wyomissing Borough Council. The charges shall be stated clearly and in sufficient detail to enable the Officer to understand the charges and to allow the firefighter an opportunity to respond to the charges. The charges shall specify the sub-section of Section 6.1, Grounds for Disciplinary Action, of these Rules and Regulations which provides the basis for disciplinary action as well as an explanation of the factual circumstances upon which the Appointing Authority relied in finding a violation of Section 6.1, Grounds for Disciplinary Action, of these Rules and Regulations.

Within five (5) days after the Wyomissing Borough Council has voted to impose disciplinary action, a written statement of the charges shall be delivered to the firefighter either by personal service or by certified mail. In addition, the letter of charges shall notify the firefighter of the right to appeal under Section 6.4, Hearings on Suspension, Removal or Reduction in Rank, of these Rules and Regulations. A copy of the statement of charges shall also be served upon all members of the Civil Service Commission, again either by personal service or by Certified mail.

6.4 Hearings on Suspension, Removal or Reduction in Rank

The firefighter, who has been suspended, removed or reduced in rank, may appeal the decision of the Borough Council by requesting a hearing with the Civil Service Commission. In the event an officer aggrieved by such a decision is entitled by a collective bargaining agreement to pursue a grievance on the matter, the officer must elect to pursue the matter either under the processes in place under the collective bargaining agreement or under these rules and regulations. Once an election of remedies is made, the alternate procedure is waived. When chosen, the civil service hearing process is as follows:

- A. The hearing request notice must be received in writing by the Secretary of the Civil Service Commission at the Wyomissing Borough Hall, 22 Reading Boulevard Wyomissing, PA 19610 within ten (10) days after the firefighter received notice of the discipline. The firefighter may make written answers to any charges filed not later than the date fixed for the hearing. Failure of the firefighter to provide written answers to any of the charges shall not be deemed an admission by the firefighter.

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B. The Commission shall schedule a hearing within ten (10) days from receipt of the firefighter's written request for a hearing. Such hearing date may be delayed by the Commission for cause at the request of the Commission, the Wyomissing Borough Council or the firefighter charged. At the hearing, the firefighter against whom the charges have been made, may be present and/or may be represented by legal counsel. The firefighter may call witnesses and present testimony and documentation in his own defense. The Borough Council may also be represented by legal counsel, call witnesses and present evidence as is necessary to support the charges against the firefighter. A stenographic record of all testimony shall be taken at every hearing and preserved by the Commission. In the event that charges are dismissed against the firefighter, the record shall be sealed and will not be made available for public inspection.

C. In conducting the hearing, the Commission's standard of review shall be to determine whether sufficient evidence has been presented to support the statutory reason for the proposed disciplinary action. If the Commission finds that sufficient evidence has been introduced to support the charge(s), the Commission shall not modify the penalty imposed by the Wyomissing Borough Council, unless it finds that the penalty imposed was arbitrary, discriminatory or an abuse of the Council's discretion. In considering the appropriateness of the discipline, the Commission shall not substitute its judgment for that of the Borough Council. The Commission may request post hearing briefs, and shall issue a written decision containing specific findings of fact and conclusions of law within sixty (60) days of receipt of the hearing transcript.

6.5 Hearing Procedure

A. All testimony shall be given under oath administered by the Chairperson, or in the absence of the Chairperson, the Vice Chairperson. The Commission shall have the power to issue subpoenas as set forth in Section 2.15, Subpoenas, of these Rules and Regulations.

B. Unless, prior to commencement of the hearing, a written or oral request to open the hearing to the public is made either by the firefighter charged or the Wyomissing Borough Council, the proceedings shall be held in the nature of a closed executive session that shall not be open to the public. The deliberations of the Commission, including interim rulings on evidentiary rulings or procedural issues may be held in private and shall not be subject to a request to be open to the public by the Council, the person sought to be removed or reduced in rank or any other party. The Commission's disposition of the disciplinary action shall constitute official action which shall be held at a public meeting.

C. If the Commission sustains the charges, the firefighter who was suspended, removed or reduced in rank may file an appeal with the Court of Common Pleas within thirty (30) days from the date of entry by the Commission of its final order. No order of suspension

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shall be made against a firefighter for a period longer than one (1) year. In the event that the Commission fails to uphold the charges, then the firefighter shall be reinstated with full pay for the period of the suspension, removal or reduction in rank. No charges related to the suspension, removal or reduction in rank shall be officially recorded in the firefighter's official personnel records, nor may any of these charges be held against the firefighter for the future merit pay raises or promotional opportunities.

ARTICLE VII MISCELLANEOUS

7.1 Severability

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared to be the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

7.2 Headings and Titles

The headings or titles of sections herein are for informational purposes only and have no legal effect.

7.3 Inconsistent

All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

7.4 Repealed

As stated herein, the "Rules and Regulations of the Borough of Wyomissing's Civil Service Commission," as they apply to Civil Service Rules and Regulations for firefighters or potential firefighters, adopted on February 7, 2007.

7.5 Effective

This Ordinance shall become effective on the earliest date permitted by law following the date of its enactment.

ARTICLE VIII AMENDMENT PROCESS

8.1 Amendment Procedure

A. Amendment by the Commission. The Commission, with the approval of the Borough may, from time to time, amend any of these rules and regulations.

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B. Amendment by the Borough Council. The Borough Council at its own discretion may amend any of these rules and regulations, from time to time, as they deem applicable.

ARTICLE IX ADOPTION OF RULES AND REGULATIONS

9.1 Adoption Procedure

These rules and regulations are adopted in accordance with the powers granted by the Civil Service provisions of “The Borough Code,” 53 P.S. §§ 46171-46195 (Purdon 1966 & Supp. 1993), as amended, enacted by the General Assembly of the Commonwealth of Pennsylvania and they specifically repeal the “Rules and Regulations of the Borough of Wyomissing’s Civil Service Commission,” as they apply to Civil Service Rules and Regulations for firefighters or potential firefighters, adopted on February 13, 2007.

Originally adopted by the Civil Service Commission of the Borough of Wyomissing the 5th day of December 2011.

Approved as amended by the Civil Service Commission of the Borough of Wyomissing the _____ day of _____, 2023.

Jeremiah Sensenig
Chairperson of Civil Service Commission

Attest:

Keith Neff
Secretary of Civil Service Commission

Approved by the Borough Council of the Borough of Wyomissing this _____ day of _____ 2023.

William Jenckes
President of Borough Council

Attest:

Melissa Miller
Borough Secretary

NO. 2269

AN ORDINANCE

AN ORDINANCE OF THE BOROUGH OF HANOVER, YORK COUNTY, PENNSYLVANIA, ESTABLISHING RESTRICTIONS ON THE OPERATION AND PARKING OF LARGE VEHICLES AND MOTOR VEHICLES.

BE IT ENACTED AND ORDAINED by the Council of the Borough of Hanover, York County, Pennsylvania, and it is hereby enacted and ordained by the authority of same as follows:

ARTICLE I

1. Definitions.

For the purpose of this Ordinance, the following terms shall have the meanings ascribed to them in this section, except where the context in which the word is used clearly indicates otherwise:

- a. "Large vehicles" shall mean the following recreational, commercial or private vehicles, as defined in 75 Pa.C.S.A. § 102, and as amended from time to time: Articulated Bus, Combination, Construction Truck, Driveaway-towaway Operation, Farm Equipment, Full Trailer, House Trailer, Limousine (capable of carrying ten or more passengers), Maxi-cube Vehicle, Mobile Home, Motor Carrier Vehicle, Motor Home, Recreational Vehicle or Trailer, Semitrailer, Stinger-steered Automobile or Boat Transporter, Tow Dolly, Tow Truck, Trailer, Truck-camper, Truck Trailer, and Truck Tractor.
- b. "Motor Vehicle" shall mean a vehicle which is self-propelled except a self-propelled wheel chair, an electric personal assistive mobility device, or a vehicle which is propelled solely by human power. Motor Vehicles include Large Vehicles as defined herein.
- c. "Nuisance" shall mean any condition, structure or improvement which constitutes a danger or potential danger to the health, safety or welfare of citizens of the Borough or causes a blighting effect in neighborhoods.
- d. "Park or Parking" shall mean the halting of a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers.
- e. "Person" shall mean a natural person, firm, partnership, association, corporation or other legal entity.
- f. "Recreational Vehicle" shall mean a vehicle used customarily for human habitation or recreational activities during tours or vacation periods including, but not limited to, travel homes, travel trailers, motor homes, truck campers, tent campers, trailers, boats and trailers, snowmobiles and trailers, and any other similar vehicle.
- g. "Private Vehicle" shall mean a vehicle used for domestic non-commercial use.
- h. "Street" shall mean any road, avenue, highway, court, cul-de-sac, alley, public way or public square used as a public thoroughfare within the municipal limits of the Borough of Hanover.
- i. "Trailer" shall mean a vehicle designed to be towed by a motor vehicle.
- j. "Truck" shall mean any large commercial motor vehicle which is or may be used for attaching or pulling a trailer. This term shall also refer to but not be limited to, a tractor trailer and/or truck tractor, straight body truck, flatbed truck, storage truck, refrigerator truck, any large commercial motor vehicle, dump truck, tow truck, tri-axle vehicle, and/or any heavy motor vehicle designed for carrying or pulling heavy loads.

k. "Truck trailer" shall mean any motor vehicle which attaches to a trailer and which is primarily used for the transportation of goods, merchandise and materials, and which, when in combination or on its own, totals thirty (30) feet or more in length. This term is commonly referred to as a "tractor trailer" or an "18 wheel" vehicle. This term is not meant to include vehicles which are making local deliveries in permitted areas.

2. **Purpose.**

The Hanover Borough Council has determined that hazardous and unsafe traffic conditions within the municipal limits of the Borough exist because Large Vehicles are often parked on streets in the Borough. These hazardous and unsafe traffic conditions create a nuisance and are detrimental to the public health, safety and welfare of the residents of the Borough of Hanover and others, impede emergency vehicles (including fire trucks, ambulances, etc.) and interfere with the peaceful and quiet enjoyment of the residents of Hanover Borough in their homes and neighborhoods. The Borough Council has determined that the adoption of this Ordinance is necessary to remediate the foregoing.

ARTICLE II

1. **Parking of Large Vehicles Prohibited**

- a. No person shall park, cause to be parked, or permit to be parked any Large Vehicle on any street within the municipal limits of the Borough of Hanover.
- b. No person shall park or leave on private property, streets or other public property of the Borough, any inoperable Motor Vehicle or a Motor Vehicle without a current license plate/registration and/or current State inspection and emission sticker.
- c. Nothing in this article shall be intended to prohibit the parking of any truck or truck trailer or tri-axle vehicle for the purpose of the delivery or pick-up of merchandise, material, or goods provided that the parking of said vehicle shall terminate immediately upon conclusion of the delivery or pick-up of merchandise, material or goods.
- d. A Large Vehicle may be stored, unoccupied, upon private property, including but not limited to storage on private roads owned by or leased to the owner of such Large Vehicle. All such stored Large Vehicles must be located on the side or rear of the property on a crushed stone, black top or concrete surface capable of supporting the vehicle. All parking areas and access roads or areas that are created or expanded after the adoption of this Ordinance shall be constructed of a hard, homogeneous, all-weather surface such as cement or asphalt or equivalent; shall be graded to provide convenient vehicular access and proper drainage; and shall be maintained in good and usable condition. All existing parking areas and access roads or areas shall be constructed and maintained with an aggregate base, cement or asphalt all-weather surface. The parking of Large Vehicles on any surface or the accessing of parking areas across any surface that is not constructed in accordance with these regulations is strictly prohibited.
- e. It shall be unlawful for any Recreational Vehicle to be occupied for living purposes within the Borough of Hanover, whether located on a public street, public property or private property.

2. **Exceptions.** The regulations set forth in this Ordinance shall not apply to:

- a. Emergency Vehicles as defined by 75 Pa.C.S.A. § 102.
- b. Borough-owned Motor Vehicles.
- c. Motor Vehicles operated by the U.S. Postal Service.
- d. Motor Vehicles actively engaged in the construction or repair of streets, curbs, sidewalks, or utilities.

ARTICLE III

1. The provisions of any ordinances in effect upon the date of passage of this Ordinance which are contradictory to the terms hereof are hereby revoked and rendered null and void.

The provisions of this Ordinance, as far as they are the same as those of ordinances in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such ordinances and not as new enactments. The provisions of this Ordinance shall not affect any suit or prosecution pending to enforce any right or penalty or to punish any offense under the authority of any ordinance in effect at the time of the passage of this Ordinance.

2. The provisions of this Ordinance are severable, and if any of its provisions shall be held to be unconstitutional, illegal, or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as the legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid provision not been included herein.

ARTICLE IV

PENALTIES

1. Any person who violates the provisions of this ordinance shall be subject to a summary criminal proceeding before the magisterial district justice as provided by the Pennsylvania Rules of Criminal Procedure, as may be amended from time to time. Upon finding of a violation, a fine shall be imposed of not less than \$100 nor more than \$500, together with court costs and reasonable attorney fees incurred by the Borough of Hanover in prosecution of the violation. Any person who fails to pay the fines, court costs and attorney fees within 30 days of the imposition thereof may be subject to imprisonment for a period of time not to exceed 15 days.
2. For any subsequent offense, a person shall be charged with a misdemeanor of the third degree and upon conviction, shall be fined not less than \$500 nor more than \$1,000, plus costs of prosecution and reasonable attorney fees or to imprisonment for not more than ninety (90) days or both.
3. Each day in which a violation occurs or continues shall be deemed a separate violation hereof.

This Ordinance shall take effect April 25, 2018.

ENACTED AND ORDAINED by the Hanover Borough Council on this 25th day of April, 2018.

ATTEST:

**BOROUGH COUNCIL OF THE
BOROUGH OF HANOVER**

Secretary

By: _____
Council President

Approved this 25th day of April, 2018.

Mayor