

**BOROUGH OF WEST READING
BOROUGH COUNCIL MEETING**

July 20, 2021 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, July 20, 2021 with the following persons present: Council Vice President Philip Wert; Council Members Patrick Kaag, Samantha Kaag, Jennifer Bressler, and Ryan Lineaweaver; Mayor Andrew Kearney; Solicitor Daniel Becker; Police Sergeant Ryan Phillips; Public Works Team Leader Kerry Grassley; Recreation Director Christine Boud; Fire Chief Chad Moyer; Assistant Treasurer Helen Moyer; Interim Borough Manager & Public Works Director Dean Murray; Code Department Manager Cathy Hoffman; Treasurer Jeanette Rentschler; Engineer Tom Unger; and Borough Secretary Cynthia Madeira. Council President Jack Gombach was unable to attend.

VISITORS:

Karen Livingood, Resident

Zachary Shaver, Resident

Audrey Schaeffer, Resident

Carl Garman, Resident

Brian Adams, Resident

Carol Kerchner, Resident (via Zoom)

Rajavel Jagadesan, Business Owner

Sheila Perez, Visitor

Denise Drobnick, Resident

James Rogers, Resident

Stacey Shirk, Resident

Tina Shenk, Resident

Phillipe Newman, Resident (via Zoom)

Lance Parmer, Visitor (via Zoom)

Devi Jagadesan, Business Owner

1. **CALL TO ORDER:** Council Vice President Philip Wert called the meeting to order at 7:07 p.m., which was followed by the Pledge of Allegiance and Roll Call.
2. **PUBLIC COMMENT:**

Mr. Rogers reported his findings through a right-to-know request that Franklin Manor has not paid their business privilege tax on rental income from 2017 through the present. Also, he reported that if information is not received there is no way to process non-payments. Mr. Wert recommended sharing this information with Turnkey Taxes to seek their guidance. Mr. Murray noted progress in sharing files with Turnkey Taxes, however the information needs to be reviewed for accuracy.

Mr. Rogers inquired with the Engineer as to the plans associated with the pool located on the roof of the Lofts at Narrow building and the structural integrity. Mr. Unger confirmed that the plans were certified as structurally sufficient to support the pool by a third-party structural engineer.

Mr. Adams asked to address Council regarding an incident on April 20, 2021 involving a Council Member and asked why Council had not addressed this situation.

Mrs. Schaeffer inquired as to enforcement of sidewalk repairs as discussed in 2014 since a number of areas within her walking route have become tripping hazards. Mr. Wert noted a ranking system that was created and the question of responsibility when Borough tree roots have caused, in part, a tripping hazard. Mrs. Schaeffer indicated that the area in question has not been damaged by tree roots. It was noted that curb repairs recently became the Borough's responsibility and a system needs to be established to address sidewalk repairs. Mr. Lincoln requested a report of the areas in question in order to begin addressing needed repairs. Ms.

Shenk asked why grinding of sidewalks is not practiced in the Borough. It was noted that this has been done in certain instances dependent on the thickness of the concrete pad. Mr. Jagadesan recommended elevating the concrete slab to clear the tree roots and reset the concrete slab for cost saving purposes.

Mrs. Schaeffer reported line-of-sight issues at the intersection of Fourth Avenue and Cherry Street due to vegetation. Mr. Unger indicated that the Code Department would review the area for compliance.

Sheila Perez who lives in the City of Reading asked why the parking issue has not yet been addressed at Second Avenue and Franklin Street as part of the investigation into the April 20th incident.

Ms. Kaag reported that Borough Council is investigating the incident and also reviewing the parking issue through the Traffic and Infrastructure Committee.

Mr. Wert indicated that it was the responsibility of Council to perform an investigation of the incident in question and noted a briefing earlier tonight during an executive session as to the status of the investigation. A full executive summary of the investigation, once completed, will be available to the public.

Mr. Jagadesan inquired as to recent parking study discussions. Mr. Wert noted the pursuit of grant funding to perform an overall study of the Borough with regards to permit parking and how to best implement this type of program. Mr. Jagadesan requested Council to consider reverting back to angle parking along Penn Avenue, he felt that this would slow traffic and create additional parking spaces. Mr. Lincoln indicated that PennDOT would need to approve this aspect since it is a state roadway. The width of Penn Avenue may not support this type of parking while maintaining a center emergency service lane.

Ms. Kerchner expressed concern of the deteriorating vacant neighboring property that is beginning to affect her home. It is her understanding from the Code Department that the home is in the process of being managed by a nursing home causing an absence of a responsible party. Mr. Wert requested that Ms. Kerchner allow the Code Department to have access to her home to view the damage to potentially attain an Administrative Search Warrant through the legal system to gain access to the premises. This would allow the Borough to remedy any issues causing damage to her home.

As the new owners of Chatty Monks Brewing Company Ms. Jagadesan requested guidance in hosting pop-up beer gardens within the park area. Their vision is to host Friday night live music with seating areas. Mr. Wert recommended that the Jagadesan's attend a Recreation Commission meeting to determine if the request is amenable to the Recreation Commission's goals. The next meeting will be held on Monday, August 2nd in Council Chambers. Mr. Wert did note that alcohol in the park is not welcomed by all residents, the location may not be an issue as much as the frequency. A policy change was made four years ago to allow alcohol in the park during specific events with permission from Council. Ms. Jagadesan indicated that alcohol would not be the focus of the event, Chatty Monks' new approach is community oriented.

Mr. Rogers inquired as to when curb repair responsibilities transferred to the Borough. It was noted that the Pine Street paving project spurred these discussions and it was felt that curbing is

a component of the roadway. Mr. Rogers noted curb repairs that he made to his rental property in 2019 and the continued trash vehicle damage to this curb area, which now reveals rebar.

3. **APPROVAL OF COUNCIL MINUTES:**

Motion to approve the June 15, 2021 regular meeting minutes, and the June 22, 2021 second meeting minutes. **Moved** by Mr. Lincoln and seconded by Mr. Lineaweaver. **Motion carried 6-0.**

4. **ORDINANCES / RESOLUTIONS:**

- a. **Resolution 2021-11 Support of America250PA** – Mr. Wert noted the 250th anniversary of the United States that is approaching in five years and a push from County and State officials for municipalities to endorse their initiative to appropriately plan efforts to celebrate this milestone.

Motion to approve Resolution 2021-11 Support of America250PA. **Moved** by Mr. Lincoln and seconded by Ms. Kaag. **Motion carried 6-0.**

- b. **Resolution 2021-12 Adoption of the Downtown Vision and Master Plan** – Mr. Wert reported that the West Reading Community Revitalization Foundation (WRCRF) commissioned a plan from Derck & Edson, LLC of Lititz for a conceptual design plan of the downtown of West Reading. Implementation of the plan recommendations via grant funding is more viable when the governing body adopts the plan.

Motion to approve Resolution 2021-12 Adoption of the Derck & Edson, LLC November 30, 2020 Downtown Vision and Master Plan. **Moved** by Mrs. Bressler and seconded by Mr. Kaag. **Motion carried 6-0.**

5. **CONSULTANT'S REPORT:**

- a. **Solicitor's Report** – Mr. Becker provided an update on the pickleball court agreement. The comments made during the Special Borough Council meeting last Friday have been incorporated into the agreement. Mr. Shields has agreed to the following aspects:
- Three courts will remain open to the public except during tournaments, camps or other types of special events.
 - A 10% discount will be honored to West Reading Borough residents for training or lessons.
 - A \$10,000 maintenance escrow will be established. Should Borough Officials deem repairs to be necessary to the court area they would contact Mr. Shields to make the repairs. If Mr. Shields does not make the repairs the Borough can draw on these funds for repairs and Mr. Shields would then need to replenish the escrow account within ten days.

Mr. Lincoln asked if the new address for the facility as recommended by the City of Reading and County Emergency Services has been listed in the agreement. Mr. Becker confirmed the address in the agreement is listed as 915 Old Wyomissing Road, formerly known as 901 Old Wyomissing Road.

Mr. Lincoln asked what an estimated cost would be to resurface the courts. Mr. Becker reported that Mr. Shields indicated the courts would need to be resurfaced every seven to

ten years and would cost roughly five to seven thousand dollars, which is why the escrow amount was established at \$10,000.

Motion to enter into an agreement between the Borough of West Reading and the West Reading Pickleball Association, LLC. **Moved** by Mr. Kaag and seconded by Mrs. Bressler. **Motion carried 6-0.**

Mr. Becker requested a motion to grant family sick leave to a requesting police officer consistent with the manner in which that leave has been granted to police officers in the past.

Motion to grant family sick leave to a requesting police officer. **Moved** by Mr. Lincoln and seconded by Ms. Kaag. **Motion carried 6-0.**

Motion to accept the Solicitor's report. **Moved** by Ms. Kaag and seconded by Mrs. Bressler. **Motion carried 6-0.**

- b. **Engineer's Report** – Mr. Unger provided an update on the Parkview Road Pedestrian Bridge project noting that the bridge was delivered last week. UGI Utilities, Inc. has installed the gas line piping, DESCCO Design and Construction will be pouring the concrete abutments tomorrow, and the bridge should be set next week. The handrails, approaches and sidewalk work will need to be completed once the bridge is set and prior to opening the bridge to the public.

Motion to accept the Engineer's report. **Moved** by Ms. Kaag and seconded by Mr. Lineaweaver. **Motion carried 6-0.**

- 6. **EXECUTIVE SESSION:** Mr. Wert noted an executive session that was held at 6:00 p.m. this evening to discuss personnel matters.

- 7. **COUNCIL PRESIDENT'S REPORT:** Mr. Wert did not have a report for this evening.

- 8. **BOROUGH MANAGER'S REPORT:**

- a. **Street Closure Request** – Mr. Murray noted an additional street closure request for the 400 Block of Elm Street for a backpack giveaway block party. This request is for Sunday, August 15, 2021 with a rain date of Sunday, August 22, 2021. Esterly Concrete does not have any objections to this road closure, and the police department will be assisting with the backpack giveaway aspect. There were no reported issues with the previous street closure, only very nice comments. Mr. Wert noted that the applicant, Mrs. Wells, is very community minded.

Motion to approve the closure of Elm Street from Tulpehocken Avenue to Olive Street on Sunday, August 15, 2021 or Sunday, August 22, 2021 as an alternate rain date. **Moved** by Ms. Kaag and seconded by Mr. Kaag. **Motion carried 6-0.**

- b. **Teamsters Collective Bargaining Agreement** – Mr. Lincoln noted that the revised agreement appears to reflect all of the requested changes.

Motion to approve the Collective Bargaining Agreement between the Borough of West Reading and Teamsters Local Union No. 429 for the period of January 1, 2022 through December 31, 2026. **Moved** by Mr. Lincoln and seconded by Mrs. Bressler. **Motion carried 6-0.**

- c. **428 Penn Avenue** – Mr. Murray noted the following three approvals that are needed for Nickel Properties, LLC to develop a three-story structure at 428 Penn Avenue:
- Municipal Improvements and Maintenance Agreement
 - Stormwater Controls and Best Management Practices Operations and Maintenance Agreement
 - Irrevocable Letter of Credit

Mr. Wert noted that this project was slated to begin on March 30, 2020, which was delayed by the pandemic. There were no changes to the originally approved plans.

Motion to approve the Municipal Improvements and Maintenance Agreement; Stormwater Controls and Best Management Practices Operations and Maintenance Agreement; and Irrevocable Letter of Credit for the proposed structure at 428 Penn Avenue. **Moved** by Mr. Lincoln and seconded by Ms. Kaag. **Motion carried 6-0.**

- d. **Animal Control Services** – Mr. Murray indicated that Mr. Becker has some minor comments regarding the Animal Rescue League proposed contract. Mr. Becker said that his questions were relatively minor in nature, however he is waiting for clarification as to the term of the contract.

Motion to accept the Borough Manager's report. **Moved** by Mr. Lincoln and seconded by Mr. Kaag. **Motion carried 6-0.**

Mr. Unger departed the meeting at 8:00 p.m.

9. **MAYOR'S REPORT:**

Mayor Kearney read his report aloud with two additions:

The Mayor requested everyone to join him and the Police Department at the National Night Out event on Tuesday, August 3rd from 5:00 p.m. to 8:00 p.m. at the playground.

The Mayor and the Chief will be attending the ribbon cutting ceremony at the new Drexel University Medical School on Tuesday, July 27th.

The new Police Chief was sworn in approximately a month ago. Since June 28th Police Chief Glenn Granitz has been getting acquainted with staff, civic leaders, business leaders, residents and stake holders in West Reading. The Mayor is very confident in Chief Granitz's capabilities and vision for the West Reading Police Department, and he admires and respects the Chief's approach and methods to protect residents, businesses and visitors alike.

The Mayor met with Chief Granitz and Sergeant Phillips to discuss concerns about the increase in COVID-19 cases to ensure vigilance in protecting the department against contracting variants of the flu by monitoring the return of the pandemic.

The Art of the Avenue event that occurred on June 19th was brought to a close by 9:10 p.m. The volunteers were helpful in reopening Penn Avenue in record time based on recent year standards. We were happy to see our Police and Public Works staff leaving for home at 9:30 p.m. The Mayor thanked the Public Works Department, Borough Council, residents, business owners, the WRCRF and Police Department for making this event a success.

The Mayor congratulated Sergeant Phillips for confidently and capably taking on the command of the department from December 5, 2020 through June 28, 2021.

Finally, in Chief Granitz's absence the Mayor read aloud his memorandum thanking the Borough of West Reading for this opportunity. The Chief has been acclimating to WRPD, the officers as well as most of the Borough staff and is appreciative of the time every one has spent with him. Chief Granitz recognized the work done by Sergeant Phillips, Sergeant Holben, and Sergeant Marks during the first half of the year. He is impressed with his initial observation of professionalism of the WRPD Officers. Whether responding to calls for service, being proactive with their patrols or engaging in community related initiatives, they have gone above and beyond. Chief Granitz invited everyone to the community event on August 3rd at the pool, which is occurring on National Night Out. It will be hosted by various parts of the Borough including Recreation, Fire and Public Works, not just WRPD. It is important to collaborate in all areas and this event would not be possible without the work of many people both inside and out of WRPD. This will be a great opportunity for residents to reconnect with officers after missing out on so many activities this past year. Chief Granitz apologized for his pre-scheduled vacation that prevented him from attending this month's Borough Council meeting. He is excited to share some initial thoughts and ideas next month.

Motion to accept the Mayor's report. **Moved** by Mr. Kaag and seconded by Ms. Kaag. **Motion carried 6-0.**

10. **DEPARTMENT REPORTS:**

- a. **Police Department** – Sergeant Ryan Phillips reiterated Chief Granitz's apologies for missing the Borough Council meeting due to a planned vacation. He thanked Borough Council for their dedication in selecting our new Police Chief. Sergeant Phillips stated that he was very fond of Chief Powell and in only three weeks of working with Chief Granitz he feels that lightning may have struck twice. He is excited to work with Chief Granitz who has a different style, however he seems to say the same things as Chief Powell. Chief Granitz will be bringing more of a social media aspect to the department. Sergeant Phillips indicated that when there is a change such as this, there can be push back from the officers, but we are not getting any of that. Chief Granitz has been welcomed and is keeping us involved.

Sergeant Phillips stated that Franklin Manor will be removed from the monthly report since this property has been pretty quiet recently. Should anything arise, an update will be provided. He also noted that it was pretty quiet this year with regards to illegal firework activity in the Borough.

Motion to accept the Police Department report. **Moved** by Mrs. Bressler and seconded by Mr. Lincoln. **Motion carried 7-0.**

- b. **Public Works Department** - Mr. Grassley referred to the report written by Mr. Murray and offered to answer any questions. There were no questions or comments.

Motion to accept the Public Works Department report. **Moved** by Mr. Kaag and seconded by Mr. Lincoln. **Motion carried 6-0.**

- c. **Fire Department** – Chief Moyer offered to answer any questions regarding the fire report. Mr. Lincoln inquired as to garage door operations. It was noted that this was a minor malfunction.

Motion to accept the Fire Department report. **Moved** by Ms. Kaag and seconded by Mr. Lincoln. **Motion carried 6-0.**

- d. **Code Department** – Mrs. Hoffman offered to answer any questions regarding her report and requested Council’s feedback on property maintenance enforcement during weekend hours. She proposed the same property maintenance officer every other Saturday from 8:00 a.m. to 2:00 p.m. through September at a cost of \$2,250, which has not been budgeted. Mr. Wert noted that weekend enforcement in the past was very valuable from an enforcement standpoint and the difficulty in filling this position. Ms. Shenk inquired as to the purpose of weekend hours to substantiate the added expense. Mr. Wert noted a history of illegal permit activity during weekend hours based on the knowledge that there was a lack of enforcement. The income may help offset the expense.

Motion to approve an expenditure equivalent to \$2,250 towards code enforcement hours every other Saturday beginning on July 31, 2021 through September between the hours of 8:00 a.m. to 2:00 p.m. **Moved** by Mr. Lincoln and seconded by Mr. Kaag. **Motion carried 6-0.**

Motion to accept the Code Department report. **Moved** by Mr. Kaag and seconded by Ms. Kaag. **Motion carried 6-0.**

- e. **West Reading Community Revitalization Foundation** – In Mr. Ratcliffe’s absence Mr. Wert shared his appreciation of Council’s support of Art on the Avenue and his attendance to the ribbon cutting ceremony at the pickleball courts this past weekend. Mr. Wert shared the new rebranding logo.

Motion to accept the West Reading Community Revitalization Foundation report. **Moved** by Ms. Kaag and seconded by Mr. Lineaweaver. **Motion carried 6-0.**

11. COMMITTEE / COMMISSION REPORTS:

- a. **Recreation Commission** – Ms. Boud introduced herself as the new Recreation Director and thanked everyone who came out to support the pickleball grand opening event last weekend. She noted that she plans to volunteer as a member of the West Reading Pickleball Board of Directors. Ms. Boud requested permission to hire Bianca Dragan as a lifeguard at \$9.25 per hour and to relocate Robert Rivera from the front desk to Concession Stand Manager at \$11.00 per hour.

Motion to approve the hiring of Bianca Dragan as a lifeguard at a rate of \$9.25 per hour and to relocate Robert Rivera from the front desk position to Concession Stand Manager at a rate of \$11.00 per hour. **Moved** by Mr. Lineaweaver and seconded by Ms. Kaag. **Motion carried 6-0.**

Ms. Boud requested Council’s approval of a beer garden to be sponsored by Brewer’s Bar and Grill during the LGBTQ Center Out in the Park event proposed on October 16, 2021. Brewer’s Bar and Grill will provide a credit card reader and rope off the area.

Motion to approve a beer garden sponsored by Brewer’s Bar and Grill during the LGBTQ October 16, 2021 Out in the Park event. **Moved** by Mrs. Bressler and seconded by Ms. Kaag. **Motion carried 6-0.**

Ms. Boud requested Council to approve the appointment of Jennifer Sundermeir to join the Recreation Commission. Her letter of interest was attached to the report.

Motion to appoint Jennifer Sundermeir to the Recreation Commission. **Moved** by Ms. Kaag and seconded by Mr. Lincoln. **Motion carried 6-0.**

Ms. Boud requested permission to close the pool between Monday, August 23rd through Friday, August 27th due to low staffing issues. Wyomissing School District and colleges will be returning to school this week and would not allow for sufficient lifeguard coverage during business days. The information will be posted for residents in various areas for transparency purposes.

Motion to close the pool Monday, August 23, 2021 through Friday, August 27, 2021. **Moved** by Mr. Kaag and seconded by Mr. Lincoln. **Motion carried 6-0.**

Motion to accept the Recreation Director's report. **Moved** by Ms. Kaag and seconded by Mr. Lineaweaver. **Motion carried 6-0.**

- b. **Planning Commission** – Mr. Wert noted a productive but frustrating meeting to discuss applying aspects from the downtown master plan into regulations of the Borough's Zoning Ordinance. Also, the animal ordinance language is being amended in an effort to minimize the chances of another dog incident. He hopes to have a recommendation in front of Council in September or October.

Motion to accept the Planning Commission report. **Moved** by Ms. Kaag and seconded by Mr. Kaag. **Motion carried 6-0.**

- c. **Economic Development Committee** – The July Economic Development Committee meeting was cancelled.
- d. **Environmental Advisory Council** – Mr. Kaag referred to the minutes and noted discussions regarding a solar project and the review of Borough building energy usage, as well as discussions on establishing regular electronic recycling programs. Mr. Kaag also noted discussions during the May meeting where the board chose to reorganize and voted to leave the Vice Chairperson position vacant. He recommended reviewing the May minutes for further details.

Motion to accept the Environmental Advisory Council report. **Moved** by Mr. Lincoln and seconded by Mr. Lineaweaver. **Motion carried 6-0.**

- e. **Traffic and Infrastructure Committee** – Mr. Lincoln noted a lengthy meeting with two main topics. The most time was spent reviewing parking restrictions. The solicitor approved the combination of the time limit parking and time limit parking on certain days sections of the ordinance. Discrepancies between the ordinance sections and what is in the field are under review. Another review of the information will be completed prior to bringing a recommendation to Council and making changes in the field. The other item of note, the committee will be reviewing a draft Request for Proposal (RFP) for Information Technology (IT) services. The current contract expires at the end of this year, staff members have been meeting with local IT providers and the committee will review the RFP to ensure that it includes all required aspects.

Mrs. Bressler inquired as to the costs associated with a new contract and the importance of having this information for budget discussions. Mr. Lincoln expressed concerns for the current email system, which is Exchange 2010 that may no longer be supported by Microsoft.

Mr. Kaag thanked Mr. Lincoln, Mr. Murray and Mrs. Madeira for their time associated in preparing the information for the committee to review.

Motion to accept the Traffic and Infrastructure Committee report. **Moved** by Mrs. Bressler and seconded by Ms. Kaag. **Motion carried 6-0.**

- f. **Shade Tree Commission** – The July Shade Tree Commission meeting was cancelled.
- g. **Safety Committee** – Mr. Murray referred to the report and offered to answer any questions. There were no questions or comments.

Motion to accept the Safety Committee report. **Moved** by Mr. Lineaweaver and seconded by Mr. Lincoln. **Motion carried 6-0.**

12. TREASURER'S REPORT:

- a. **Financial Statement Ending 6/30/2021** – Mr. Wert reported that 98.5% of real estate taxes have been collected to date.

Mr. Lineaweaver inquired as to the Reading Hospital building permit inspection fees that are currently at 0% collected of the budgeted \$90,000 and wondered if we could expect income in the near future. It was noted that due to the financial state of the hospital no building permits have been pulled to date.

Motion to accept the Financial Statement ending 6/30/2021. **Moved** by Mrs. Bressler and seconded by Mr. Lincoln. **Motion carried 6-0.**

- b. **Payment Approval Report 6/16/21 to 7/16/21 & 7/17/21 to 7/20/21** – There were no questions or comments.

Motion to approve the Payment Approval Reports of 6/16/21 to 7/16/21 & 7/17/21 to 7/20/21. **Moved** by Mr. Lincoln and seconded by Mrs. Bressler. **Motion carried 6-0.**

Mr. Lincoln requested an update on the search for a Borough Manager. Mrs. Rentschler reported that the Center for Excellence in Local Government is performing phone interviews this week and should have something to present to our office early next week. Mrs. Rentschler was unsure as to the number of applicants.

13. PUBLIC COMMENT:

Mrs. Schaeffer inquired as to the speed limit within the Borough if the street is not posted. Sergeant Phillips reported that state law dictates unposted speed limits at 35 miles per hour. Mrs. Schaeffer recommended an illuminated "No Left Turn" sign for the intersection of Fifth and Penn Avenues. Mr. Lincoln noted that this would need to be approved by PennDOT.

Ms. Shenk requested that her contact information be shared with the woman coordinating the community block party in order to include her on the adopt-a-block program discussions.

Ms. Shenk questioned the property maintenance inspector visiting the Penn Avenue area on a daily basis. Mrs. Hoffman stated that the inspector visits Penn Avenue one time per week on Monday mornings to park and walk the Avenue.

Ms. Shenk commented about the April 20th incident and hoped that the investigation would be completed soon so things could return to normal. As a resident and business owner she commented that everyone needs to be positive since there is so much to be proud of in West Reading. She also noted that her new focus for 2nd Fridays would be to engage charity organizations.

14. **ADJOURNMENT:** Motion to adjourn the meeting at 9:00 p.m. **Moved** by Mr. Lincoln and seconded by Mrs. Bressler. **Motion carried 6-0.**

Respectfully submitted,

Cynthia Madeira
Borough Secretary