

**BOROUGH OF WEST READING
BOROUGH COUNCIL MEETING**

September 20, 2022 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, September 20, 2022 with the following persons present: Council President Ryan Lineaweaver; Council Vice President Philip Wert (via Zoom); Council Members Jennifer Bressler, Patrick Kaag, Denise Drobnick, and Zachary Shaver; Mayor Samantha Kaag; Solicitor Daniel Becker; Engineer Tom Unger; Code Department Manager Cathy Hoffman; Chief of Police Wayne Holben; Fire Chief Chad Moyer; Borough Manager Dean Murray; Public Works Director Kerry Grassley; Treasurer Jeanette Rentschler (via Zoom); Main Street Manager Mark Ratcliffe; and Borough Secretary Cynthia Madeira. Council Pro-Tem Christopher Lincoln was unable to attend.

VISITORS:

James Rogers, Resident	Christina Shenk, Resident & Business Owner
Maria Roman, Resident	Karen Livingood, Resident (via Zoom)
Terry Siggins, Resident (via Zoom)	Suzanne Thompson, Resident (arrived 7:15 p.m.)

1. **CALL TO ORDER:** Council President Ryan Lineaweaver called the meeting to order at 7:05 p.m., which was followed by the Pledge of Allegiance and Roll Call.

2. **EXECUTIVE SESSION:**

Mr. Lineaweaver noted an executive session that was held on Monday, September 19, 2022 to discuss personnel matters, and on Tuesday, September 20, 2022 to discuss personnel matters and potential litigation.

3. **AGENDA AMENDMENTS:**

The following action items were requested to be added to the agenda following executive session discussions:

- a. Consideration to extend an offer to a candidate for the Recreation Director position. Motion to amend the agenda to include a discussion to offer a candidate the Recreation Director position. **Moved** by Mr. Kaag and seconded by Ms. Drobnick. **Motion carried 6-0.**
- b. Consideration to provide Fire Police assistance as requested. Motion to amend the agenda to include a discussion to provide Fire Police assistance as requested. **Moved** by Mr. Shaver and seconded by Mrs. Bressler. **Motion carried 6-0.**

4. **PUBLIC HEARING – ZONING ORDINANCE AMENDMENTS:**

At 7:06 p.m. the business meeting was recessed to open a public hearing to discuss amendments to the zoning ordinance. Mr. Becker announced that this is the time, date and location advertised for a public hearing by Borough Council and provided an overview of the following administrative exhibits associated with the hearing:

1. Public Hearing Notice
2. Proof of Publication within the Reading Eagle on August 22, 2022 and August 29, 2022.
3. Affidavit of Posting Borough Hall
4. Proposed Ordinance Amendment
5. Berks County Planning Commission Review Letter

For clarity Mr. Becker read into the record the amendments that are being considered tonight within Chapter 455 Zoning:

- (1) To provide for a minimum setback from the inside edge of a sidewalk;
- (2) To add maximum yard requirements;
- (3) To add a condition for reconstruction of an existing nonconforming structure;
- (4) To add a maximum front yard setback for structures erected on a vacant lot between two improved lots each occupied by a principal building;
- (5) To provide definitions of rope lights, string lights, tape lights, strip lights and textured pavers;
- (6) To remove the footcandle light intensity factor and to include lighting which is prohibited.

During the public comment portion of the hearing Ms. Shenk requested clarification on the lighting requirements. Mr. Lineaweaver indicated that rope, tape, and strip lights would be prohibited, however, string lights would be allowed. It was noted that the lights may not blink, flash or twinkle and may not be permanently connected to an electrical source via an extension cord.

The public hearing was adjourned and the regular monthly meeting reconvened at 7:11 p.m.

5. PUBLIC COMMENT:

Mr. Rogers spoke of his findings this week in researching delinquent Business Privilege Taxes (BPT) for the businesses known as Candlewood Suites, Lukoil and Wendy's stating that they are paying their BPT, however the owners of these properties have not been paying this tax. It was recommended to review the ordinance to include taxing the income of garage rentals. Mr. Rogers also recommended pursuing collection of taxes from the land owners of fourteen various billboards located within the Borough since the creation of the Business Privilege Tax Ordinance. Mr. Rogers indicated that he was unable to attend the recent Traffic & Infrastructure Committee meeting but noted discussions regarding the increased traffic to the dangerous intersection of Reading and North Sixth Avenues and recommended improvements be considered in the near future.

Ms. Thompson arrived at 7:15 p.m.

Ms. Roman expressed concerns of the removal of residential permit parking from North Sixth Avenue between Reading Avenue and Court Street. Mr. Murray clarified that the ordinance amendment would remove permit parking from North Sixth Avenue between Court Street and Penn Avenue.

Ms. Shenk thanked everyone for their efforts in hosting Fall Fest this year noting that the business association did not have any negative comments. Ms. Shenk reported that West Reading Borough has a lot to be proud of.

6. APPROVAL OF COUNCIL MINUTES:

Motion to approve the August 16, 2022 regular meeting minutes, and the August 30, 2022 and September 10, 2022 budget meeting minutes. **Moved** by Mr. Kaag and seconded by Mrs. Bressler. **Motion carried 6-0.**

7. ORDINANCES / RESOLUTIONS:

- a. **Ordinance 1154 Zoning Ordinance Amendments** – Mr. Lineaweaver requested consideration to enact an amendment to the zoning ordinance as discussed during the public hearing earlier this evening.

Motion to approve amendments to the zoning ordinance as it relates to front yard setbacks and lighting use in the Central Business District. **Moved** by Mrs. Bressler and seconded by Mr. Shaver. **Motion carried 6-0.**

- b. **Ordinance 1155 Residential Permit Parking Amendment** – Mr. Lineaweaver noted that this ordinance amendment has been advertised and requested consideration to enact the amendment.

Motion to enact an amendment to Section 430-29 Residential Permit Parking. **Moved** by Mrs. Bressler and seconded by Mr. Kaag. **Motion carried 6-0.**

- c. **Resolution 2022-10 Fee Schedule Amendment** – Mr. Lineaweaver noted that the amendment would adopt the addition of park vendor fees and afterhours rental key access fees; and amend the sidewalk/street opening extension length of time and water service reconnection fees to be in line with their respective adopted ordinances.

Motion to adopt Resolution 2022-10 to amend the fee schedule to include park vendor fees and afterhours rental key access fees, and amend the sidewalk/street opening permit extension length of time and water service reconnection fees to be in line with their respective adopted ordinances. **Moved** by Ms. Drobnick and seconded by Mr. Shaver. **Motion carried 6-0.**

- d. **Resolution 2022-11 Police Officers' Contributions to the Police Pension Plan** – Mr. Lineaweaver noted the annual adoption process of police pension plan contributions that would remain at 8% for the year 2023.

Motion to adopt Resolution 2022-11 Police Officers' Contributions to the Police Pension Plan. **Moved** by Mr. Kaag and seconded by Ms. Drobnick. **Motion carried 6-0.**

8. CONSULTANT'S REPORT:

- a. **Solicitor's Report** – Mr. Becker stated that he had nothing new to report that is not otherwise covered on the agenda.
- b. **Engineer's Report** – Mr. Unger referred to his report and noted that there are no action items this month. The project at 428 Penn Avenue will be discussed with the Borough Manager and Solicitor with regards to a maintenance security. This recommendation will be minimal and will be brought to Borough Council for consideration in the future.

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

Mr. Unger departed the meeting at 7:22 p.m.

9. COUNCIL PRESIDENT'S REPORT:

Mr. Lineaweaver indicated that he had nothing new to report at this time.

10. **BOROUGH MANAGER'S REPORT:**

- a. **Joint Parking App Contract** – Mr. Murray requested consideration to enter into a joint paid parking app program with ParkMobile and Flowbird. It was noted that the two mobile app services of MobileNow and Flowbird were implemented at the beginning of the paid parking program until MobileNow went out of business. ParkMobile was thought to be the easiest and most used paid parking app.

Motion to enter into a joint paid parking app program with ParkMobile and Flowbird.

Moved by Mr. Kaag and seconded by Mr. Shaver. **Motion carried 6-0.**

- b. **MOU for Baseball Field Use** – Mr. Murray requested consideration to draft a Memorandum of Understanding (MOU) between the Borough and Wyomissing Area School District for use of the baseball field for their junior high baseball program. Mr. Lineaweaver noted that the addition to Wyomissing Hills Elementary School has limited the amount of space available to support their baseball program.

Motion to draft a Memorandum of Understanding between the Borough of West Reading and Wyomissing Area School District for use of the baseball field for the junior high baseball program. **Moved** by Mr. Shaver and seconded by Ms. Drobnick. **Motion carried 6-0.**

- c. **Code Department Staff** – Mr. Murray requested consideration to appoint Chad Moyer to the Code Department on a full-time basis.

Motion to appoint Chad Moyer to the Code Department on a full-time basis. **Moved** by Mr. Kaag and seconded by Mrs. Bressler. **Motion carried 6-0.**

- d. **Vehicle Reallocation** – Mr. Murray requested consideration to reallocate the 2014 Ford Fusion from the Police Department to the Code Department's use.

Motion to reallocate the 2014 Ford Fusion to the Code Department. **Moved** by Mr. Shaver and seconded by Mr. Kaag. **Motion carried 6-0.**

- e. **Fire Police Assistance** – Mr. Murray noted receipt of a request for Fire Police assistance from the Mohnton Borough Police Department for Saturday, October 15, 2022 for a Halloween Parade.

Motion to approve the Mohnton Borough Police Department request for Fire Police assistance on October 15, 2022. **Moved** by Mrs. Bressler and seconded by Ms. Drobnick. **Motion carried 6-0.**

- f. **Recreation Director Position** – Mr. Murray requested consideration to extend an offer to a candidate for the Recreation Director position.

Motion to extend an offer of employment to a candidate for the Recreation Director position. **Moved** by Mrs. Bressler and seconded by Mr. Shaver. **Motion carried 6-0.**

Mr. Murray thanked Borough Council members for trusting him to manage the Borough as today is the one-year anniversary of his official appointment.

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

11. **MAYOR'S REPORT:** Mayor Kaag noted another busy month and the following events:

- **Restaurant Week** – Mayor Kaag thanked Adam Cocuzza for creating the trend of getting local businesses involved noting that the week of August 15th to the 20th was a successful restaurant week.
- **Art Bazaar** – Hydra Arts held an art bazaar on August 27th that brought a number of local artists and visitors to the area.
- **Karaoke Competition** – Mayor Kaag thanked the Recreation Commission for this very fun event and hopes this will become an annual occurrence.
- **Public Safety Meeting** – On September 7th Mayor Kaag held a public safety meeting to get acquainted with everyone and review items such as how to manage snow emergencies.
- **CELG Picnic in the Park** – Mayor Kaag attended the picnic hosted by the Center for Excellence in Local Government on September 8th.
- **Ribbon Cutting Ceremonies** – Mayor Kaag attended a number of ribbon cutting ceremonies this past month.
- **Ride & Vibes** – This was a fun community event followed by a block party.
- **Fall Fest** – This event was well attended throughout the day. Following this event Mayor Kaag and other members of Council attended Laney's Legacy of Hope Gala.
- **Fall Cleanup Event** – Mayor Kaag thanked the West Reading Fire Department for allowing the use of their space, noting that following the Fall Fest event Penn Avenue was in need of some cleaning.

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

12. **DEPARTMENT REPORTS:**

a. **Police Department** – Chief Holben highlighted the following items within this month's report:

- **Community Impact Car** – The Penn Avenue Car has been rebranded to a Community Impact Car to allow Officer's uninterrupted time to make an impact on the community by visiting schools or Penn Avenue.
- **K-9 Activity** – Officer Breitenstein will be providing an overview each month of the activities of K-9 Zea.
- **K-9 Grant** – Officer Breitenstein applied for a K-9 grant through the Berks County Community Foundation and was awarded \$7,500 to offset the costs of the K-9 program.

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

b. **Public Works Department** - Mr. Grassley referred to his report and offered to answer any questions, noting the best Fall Fest event with regards to cleanup and reopening of Penn Avenue.

Mr. Grassley requested consideration to hire either a full-time or part-time Public Works employee. Based on the appointment of Chad Moyer on a full-time basis in the Code Department it was decided to authorize the hiring of a full-time member.

Motion to authorize the advertisement of a full-time Public Works employee. **Moved** by Mr. Shaver and seconded by Mr. Kaag. **Motion carried 6-0.**

Motion to accept the Public Works Department report. **Moved** by Ms. Drobnick and seconded by Mrs. Bressler. **Motion carried 6-0.**

- c. **Fire Department** – Chief Moyer referred to his report and offered to answer any questions. An update to the process of building the new rescue/engine was provided noting that the cab and chassis are at the body factory in South Dakota. A final inspection date is slated at the end of December. Once the rescue/engine has been inspected it should arrive at the Fire Department within one to two weeks.

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

- d. **Code Department** – Mrs. Hoffman offered to answer questions regarding her report. There were no questions or comments.

Motion to accept the Code Department report. **Moved** by Mrs. Bressler and seconded by Ms. Drobnick. **Motion carried 6-0.**

- e. **West Reading Community Revitalization Foundation** – Mr. Ratcliffe thanked the Police and Public Works Departments, including volunteers for their assistance during the Fall Fest event. Mr. Ratcliffe indicated that the event seems to get better each year and thanked the Borough Manager for his efforts in coordinating pre and post event meetings.

Work continues in applying for three grant opportunities to improve lighting and security on Penn Avenue, gateway improvements, and downtown ordinance amendments. The BID process is also moving forward. Mr. Ratcliffe thanked the Borough Manager for coordinating the approvals of a contract with ParkMobile for the paid parking program. It was noted that gift card sales are primarily purchased by larger institutions like Drexel University as opposed to local merchants.

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

Mr. Ratcliffe departed the meeting at 7:42 p.m.

13. COMMITTEE / COMMISSION REPORTS:

- a. **Equity Diversity and Inclusion Taskforce** – Mrs. Bressler noted that a meeting had not been held last month. An update will be provided following tomorrow's scheduled meeting.

Motion to accept the Equity Diversity and Inclusion Taskforce report. **Moved** by Mr. Kaag and seconded by Mr. Shaver. **Motion carried 6-0.**

- b. **Recreation Commission** – Ms. Drobnick thanked the Commission volunteers whom are forming new events and looks forward to transitioning to a new Recreation Director. A new

event is being planned in early November that would memorialize lost pets by hosting a “Mexican Day of the Dead” themed pet parade.

Due to the lack of a Recreation Director the traditional Haunted House and Hayride events have been cancelled this year. Plans are underway to host a smaller Halloween Parade and Trunk-or-Treat event on Saturday, October 22nd. There will be music and a costume contest.

Mr. Kaag noted the first Disc Golf Tournament planned on Friday, November 25th, that is sanctioned by the Professional Disc Golf Association (PDGA).

Motion to approve the Recreation Commission report. **Moved** by Mrs. Bressler and seconded by Mr. Kaag. **Motion carried 6-0.**

- c. **Planning Commission** – Mr. Lineaweaver provided an overview of discussions surrounding the Conditional Use Application for 304 Penn Avenue to convert the first floor from commercial space to a residential dwelling unit. The Planning Commission has recommended Borough Council to approve the conditional use application contingent upon the installation of wheel stops within the onsite parking spaces. Code Red/Code Blue regulations that pertain to animals was discussed as well as solicitor recommendations to amend election signage regulations.

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

- d. **Economic Development Committee** – Mr. Lineaweaver provided an overview of discussions noting that the Zoning Hearing Board pertaining to 433 Penn Avenue has been delayed. The Little Lotus Children’s Boutique of 720 Penn Avenue will be scheduling a ribbon cutting ceremony in the near future, and construction activity is taking place at the old Subway commercial space of 450 Penn Avenue.

Motion to accept the Economic Development Committee report. **Moved** by Mr. Shaver and seconded by Mrs. Bressler. **Motion carried 6-0.**

- e. **Environmental Advisory Council** – Mr. Kaag referred to the minutes and noted an award of \$10,000 funded by the GIANT Company for the 2022 Healing the Planet Grant Program. The funds will be used to improve the health and quality of the creek by removing downed trees and shoring up the creek bed to prevent additional trees from falling.

Mr. Kaag reminded everyone that the Free-Market Potluck event will be held this Sunday, September 25th from 10:00 a.m. to 2:00 p.m. at the Pavilion. Residents are encouraged to bring any type of unwanted home goods to give away and a potluck dish to be shared in celebration of Spanish Heritage month.

Mr. Lineaweaver noted that a Sustainable Energy Met-Ed grant application will be pursued through the Berks County Community Foundation in the amount of \$300,000 to \$500,000.

Motion to approve the Environmental Advisory Council report. **Moved** by Mr. Shaver and seconded by Ms. Drobnick. **Motion carried 6-0.**

- f. **Traffic and Infrastructure Committee** – Mr. Kaag referred to the minutes and noted discussions surrounding potential traffic modifications to Cherry and Court Streets. The entire

length of both roadways will be reviewed for further discussion next month. Modifications to Delaney Circle are on hold until the engineer provides feedback regarding stop versus yield intersection access to the circle. Thoughts on implementing a utility billing policy were reviewed and options to upgrade the audio/video equipment in Council Chambers were discussed.

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

- g. **Shade Tree Commission** – The September Shade Tree Commission meeting was cancelled.
- h. **Safety Committee** – Mr. Murray offered to answer any questions regarding the report. Mr. Lineaweaver noted movement of the in-house meeting time to better facilitate reports to Council.

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

14. **TREASURER'S REPORT:**

- a. **2023 Minimum Municipal Obligation (MMO) Pension Plan for Pennsylvania Municipal Retirement System (PMRS)** – Mrs. Rentschler indicated that this worksheet pertains to the 5% non-uniform pension plan.

Motion to approve the 2023 PMRS MMO Non-Uniform Pension Plan Worksheet in the amount of \$61,995. **Moved** by Ms. Drobnick and seconded by Mrs. Bressler. **Motion carried 6-0.**

- b. **Investment Options** – Mrs. Rentschler requested consideration to move funds from M&T Bank to PLGIT. The Borough's investment policy allows these types of transfers to take place and it was suggested to transfer \$1.5 million to PLGIT Prime at a rate of 2.47%. Mrs. Rentschler would like to proceed through the budget process a little further prior to considering the movement of additional funds to a PLGIT Term investment. It was noted that the current M&T rate is 0.10%.

Motion to approve the movement of \$1.5 million from M&T Bank to Pennsylvania Local Government Investment Trust (PLGIT). **Moved** by Mr. Shaver and seconded by Mr. Kaag. **Motion carried 6-0.**

- c. **Financial Statement Ending 8/31/2022** – There were no questions or comments.
- d. **Payment Approval Report 8/17/22 to 9/15/22 and 9/16/22 to 9/20/22** – There were no questions or comments.

Motion to approve the financial statement ending 8/31/2022, and Payment Approval Reports of 8/17/22 to 9/15/22 and 9/16/22 to 9/20/22. **Moved** by Mrs. Bressler and seconded by Ms. Drobnick. **Motion carried 6-0.**

15. **PUBLIC COMMENT:**

Mr. Rogers requested clarification on the political sign research. Mr. Lineaweaver indicated that the current regulations limit the placement of temporary political signage to sixty-days prior to an election. Sign size is also being reviewed for all types of signage, not just political signs.

Ms. Shenk shared comments from the business association noting that events seemed to be geared towards Hispanic Heritage and the recommendation to include African American and Italian Heritages too. Mayor Kaag noted her promotion of events that have been planned by others and encouraged all community members to bring their event ideas to either the Environmental Advisory Council or Recreation Commission for promotion.

Mrs. Livingood shared on behalf of her neighbors a thank you to the Borough for paving the 200 block of Sycamore Road and Linden Lane. She also thanked the Public Works Department for paving the triangle at Fifth Avenue and Sycamore Road and the paths at the pool fence and pavilion. On behalf of the senior citizens of the Borough that visit the pool a thank you was shared with Borough Council for allowing the pool to remain open on certain weekends with the assistance of the Borough Manager and Assistant Treasurer.

16. **ADJOURNMENT:** Motion to adjourn the meeting at 8:05 p.m. **Moved** by Mr. Shaver and seconded by Ms. Drobnick. **Motion carried 6-0.**

Respectfully submitted,

Cynthia Madeira
Borough Secretary