

BOROUGH OF WEST READING

BOROUGH COUNCIL MEETING

October 16, 2019 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Wednesday, October 16, 2019 with the following persons present: Council President Philip Wert; Council Members Patrick Kaag, Jennifer Bressler, Jack Gombach and Suzanne Thompson; Mayor Andrew Kearney; Solicitor Keith Mooney; Police Chief Stephen Powell; Public Works Director Dean Murray; Recreation Director Helen Moyer; Code Department Manager Cathy Hoffman; Engineer Tom Unger; Fire Chief Mark Burkholder; Main Street Manager Mark Ratcliffe; Treasurer Jeanette Rentschler; Borough Manager Nicholas Imbesi and Borough Secretary Cynthia Madeira.

VISITORS:	Oswald Herbert	Resident
	James Rogers	Resident
	Karen Livingood	Resident
	Chad Moyer	Resident
	Valentin Rodriguez, Jr.	Resident
	Jason Ulrich	Resident
	Douglas Cowan	NB+C Engineering Services, LLC
	Raissa Simchak	NC+C Engineering Services, LLC

1. **CALL TO ORDER:** Council President Philip Wert called the meeting to order at 7:20 p.m., which was followed by the Pledge of Allegiance and Roll Call.
2. **PUBLIC COMMENT:** James Rogers inquired as to payment arrangements for the two parking kiosks. It was indicated that the West Reading Community Revitalization Foundation (WRCRF) would be providing payment of the kiosks following the trial period with funds that were donated by BB&T Bank and that the Borough would reimburse the WRCRF with the Borough's portion of funds generated by the paid parking program. Mr. Rogers indicated that a written agreement should be in place for this type of arrangement. Mr. Wert stated that an agreement would be created once the total cost information has been identified. Discussions ensued regarding agreements between the Borough and the WRCRF, it was noted that a number of Borough officials and staff have a seat on the WRCRF Board as a safety mechanism and that the previous state required agreements were for the DCED Main Street and Elm Street program designations. Ms. Thompson asked if there was ever a vote by Council for the kiosk payment arrangement, Mr. Wert indicated that a vote would be taken prior to finalizing the payment arrangements.

Mr. Rogers also inquired as to whom would benefit from the funds received through the parking kiosks following the trial period. Mr. Mooney stated that a lease was agreed upon approximately one year ago between the property owner and the Borough, which sets forth revenue sharing for the proceeds. Ticketing revenues would go directly to the Borough; kiosk funds are to be split 50/50 with the owner of the parking lot and the Borough. Ms. Thompson then inquired as to interest for repayment of the kiosks and why the Borough would not remit funds directly as opposed to entering into an agreement with the WRCRF. She indicated that constituents are being kept in the dark for the use of taxpayer dollars. Mr. Mooney stated that funds generated through the kiosks would be considered taxpayer revenue.

Mr. Gombach requested that the conversation be tabled to allow the three new Council members time to review this important information to allow the board as a whole to act intelligently.

Valentin Rodriguez, Jr. asked for clarification as to a previous agreement that was in place to purchase the kiosks through a grant from the Wyomissing Foundation. A grant had not been received from the foundation; funds that were allocated by the WRCRF were received through a donation from BB&T Bank. A Resolution would be created outlining repayment terms from the revenue received through the kiosks.

Fire Chief Mark Burkholder arrived at 7:40 p.m.

3. **CONDITIONAL USE HEARING:** Mr. Wert stated that a continued conditional use hearing was held prior to tonight's meeting regarding two proposed Wireless Communication Facilities (WCF) to be located at 201 Walnut Street and 300 S. Seventh Avenue and requested an action to be taken by Council.

Motion to approve the Wireless Communication Facility's to be located at 201 Walnut Street and 300 S. Seventh Avenue conditioned upon the written agreement to be provided to the applicant.

Moved by Mr. Gombach and seconded by Mrs. Bressler. **Motion carried 5-0.**

4. **APPROVAL OF COUNCIL MINUTES:** Motion to approve the September 17, 2019 Conditional Use Hearing minutes, the September 17, 2019 regular Council meeting minutes, the September 24 and 28, 2019 Budget meeting minutes as well as the October 12, 2019 Budget meeting minutes. **Moved** by Mr. Gombach and seconded by Mr. Kaag. **Motion carried 5-0.**

5. **ORDINANCES / RESOLUTIONS:**

- a. **Ordinance – Noise Amendment** – This amendment would change the timeframe allowed to load or unload dumpsters.

Motion to advertise an amendment to the Noise Ordinance. **Moved** by Mr. Kaag and seconded by Mrs. Bressler. **Motion carried 5-0.**

- b. **Ordinance 1116 School Crossing Guard Training** – An ordinance adoption that would provide an agreement between the Borough of West Reading and the Wyomissing School District regarding training of crossing guards, compensation has been removed from the proposed ordinance.

Motion to adopt Ordinance 1116 School Crossing Guard Training. **Moved** by Mrs. Bressler and seconded by Mr. Gombach. **Motion carried 5-0.**

- c. **Resolution 2019-14 Police Pension Contribution for the year 2020** – A Resolution to approve the annual police pension contribution that is established annually, which sets the percentage rate at 6% for the year 2020.

Motion to adopt Resolution 2019-14 establishing the 2020 Police Pension contribution at a rate of 6%. **Moved** by Mr. Kaag and seconded by Mr. Gombach. **Motion carried 5-0.**

6. **CONSULTANT'S REPORTS:**

- a. **Solicitor's Report** - Mr. Mooney provided a verbal report of his activity this past month and noted discussions that were held with the Police Department regarding their social media policy, there were no recommended revisions to this policy; reviewed the Recreation Department's policy regarding service dogs within the pool area and provided clarification of the same; and preparations for the conditional use hearing held earlier this evening.

Mr. Rogers requested to pose a question that may require the solicitor's response prior to his departure from the meeting. Have we provided Mr. Mooney with Joan London's road map on how to repeal the Business Privilege Tax? Mr. Imbesi provided a status update; he stated that

communication continues with Ms. London, who has begun preparing the necessary documentation. Also, a phone conference with Berks EIT is scheduled tomorrow.

Motion to approve the Solicitor's report. **Moved** by Ms. Thompson and seconded by Mr. Kaag. **Motion carried 5-0.**

Mr. Mooney departed the meeting at 7:48 p.m.

- b. **Engineer's Report** – Mr. Unger referred to his written report and noted completion of the additional 2019 paving projects by New Enterprise Stone & Lime Co., Inc. A payment application in the amount of \$135,007.13 has been received, which is \$58,621.37 below the awarded bid of \$193,628.50.

Motion to approve Payment Application #1 to New Enterprise Stone & Lime Co., Inc. for the additional 2019 paving projects in the amount of \$135,007.13. **Moved** by Mr. Kaag and seconded by Mr. Gombach. **Motion carried 5-0.**

The Pine Street Water Project has been completed with a punch list of remaining walk through items that are being addressed. A Change Order has been received from Wexcon, Inc. to reduce the contract price by \$28,530 from changes to service connections.

Motion to approve Wexcon, Inc. Change Order No. 2 to reduce the contract price by \$28,530. **Moved** by Mrs. Bressler and seconded by Mr. Kaag. **Motion carried 5-0.**

A partial Payment Application #1 in the amount of \$171,389.50 has been received from Wexcon, Inc., Mr. Unger requested approval from Council.

Motion to approve Payment Application #1 to Wexcon, Inc. for the Pine Street Water Project in the amount of \$171,389.50. **Moved** by Mr. Kaag and seconded by Mr. Gombach. **Motion carried 5-0.**

Mr. Unger stated that the zoning and code enforcement portion of his report is now being handled by the Code Department Manager.

Motion to approve the Engineer's report. **Moved** by Mr. Kaag and seconded by Ms. Thompson. **Motion carried 5-0.**

Mr. Unger departed the meeting at 7:53 p.m.

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

- a. **Shade Tree Commission Vacancy** – Two letters of interest were received to fill the one vacant seat on this commission. Yahaira Castillo who is interested in becoming a volunteer member of a board or committee and Samantha Kaag whose letter of interest was provided to Council this evening, it was noted that Ms. Kaag currently is a member of the Environmental Advisory Council.

Mr. Wert stated that it is rare to have more interest than seats available and thought it would be important to have more individuals involved.

Motion to appoint Yahaira Castillo to the Shade Tree Commission. **Moved** by Mr. Gombach and seconded by Mrs. Bressler. **Motion carried 5-0.**

- b. **Animal Rescue League Update** – Mr. Imbesi stated that he attempted to reach the new director via telephone and email, and has not received a response to Council's request to attend a meeting to discuss program fees.

- c. **Verizon Manhole Work** – A Verizon representative visited the office today with a request to work within manholes located along Penn Avenue. Chief Powell indicated that he reviewed the detour routes that would be monitored by Flagger Force, and the work would be performed overnight, Verizon is hopeful that the work can be completed in one night.
- d. **Hospital Agreement** – A revised PILOT agreement has been received from the Reading Hospital, which lists Spotts Stevens & McCoy (SSM) under item number four as the permit reviewer, Mr. Imbesi stated that this was the only change to the agreement.

Motion to approve the Reading Hospital Second Amendment to Contribute Agreement. **Moved** by Mr. Gombach and seconded by Mrs. Bressler. **Motion carried 5-0.**

- e. **Landfill Quote** – Mr. Imbesi noted his request to Conestoga Landfill to obtain price quotes and will share the information with Council once the information becomes available.

Motion to approve the Borough Manager's report. **Moved** by Ms. Thompson and seconded by Mr. Kaag. **Motion carried 5-0.**

8. **MAYOR'S REPORT:** The Mayor stated that he has attended budget meetings since the fall of 2017, and annually the Police Department has had to remove the purchase of police vehicles due to budget constraints. His contribution to the Borough as Mayor is to raise funds to purchase a police vehicle, to date \$15,000 of the \$40,000 goal has been raised and the Mayor is confident that he will achieve his goal.

Motion to approve the Mayor's report. **Moved** by Mr. Kaag and seconded by Mr. Gombach. **Motion carried 5-0.**

9. **DEPARTMENT REPORTS:**

- a. **Police Department** – Chief Powell referred to his written report and noted the following additional items:
 - Two handicapped parking space applications have been received. A request for the 100 block of South Fifth Avenue is from a mother of a child who is mentally challenged and has muscular dystrophy. The applicant is agreeable to placement of the space at the corner of Fifth Avenue and Franklin Street. There are currently no handicapped spaces within this block. The second application is for the 200 block of Chestnut Street; the applicant uses a walker/cane and does not have access to off-street parking. This applicant is agreeable to a space being located at the corner of Second Avenue and Chestnut Street.

Motion to approve handicapped parking space designations at/near 101 S. Fifth Avenue and 200 Chestnut Street. **Moved** by Mr. Kaag and seconded by Ms. Thompson. **Motion carried 5-0.**

- Chief Powell stated that the approved purchase of a 2019 Jeep Cherokee for parking enforcement use has been sold. Dean Murray and the Borough mechanic examined a used 2013 Ford Edge with 89,000 miles at a cost of \$12,933 and felt that this was a viable alternative that could provide five to ten years of service. Chief Powell indicated that he has confidence in the mechanic's judgment that has taken good care of the police vehicles. Financing options are unknown at this time; however, the anticipated financing rate for a used vehicle would be 6%. Funds have not been allotted for this expenditure; the treasurer indicated that there are funds available within the General Fund.

Motion to approve the purchase of a 2013 Ford Edge not to exceed \$13,500. **Moved** by Mr. Kaag and seconded by Mrs. Bressler. **Motion carried 5-0.**

- The Reading Hospital Road Run took place last Sunday without incident. Traffic was held at the Olive and Buttonwood Street intersection for approximately 15 minutes. Police and Public Works services will be invoiced to the applicant. Chief Powell stated that the applicant requested Council to consider waiving the fees associated with the use of 30 saw horse barricades.

Motion to waive the rental fee of 30 saw horse barricades for the Reading Hospital Road Run event. **Moved** by Mr. Kaag and seconded by Ms. Thompson. **Motion carried 5-0.**

- Ticketing overtime parking within the paid parking lot began yesterday and resulted in 22 violations being issued, five during the day and 16 during the evening hours. It was noted that one of the parking kiosks is currently not accepting credit card payments; a technician is scheduled to visit the location tomorrow.

Chief Powell noted two personnel items to be discussed during an executive session.

Motion to approve the Police Department report. **Moved** by Mr. Kaag and seconded by Ms. Thompson. **Motion carried 5-0.**

- b. **Public Works** – Mr. Murray referred to the written report, there were no questions or comments.

Motion to approve the Public Works Department report. **Moved** by Mrs. Bressler and seconded by Mr. Kaag. **Motion carried 5-0.**

- b. **Fire Department** – Chief Burkholder referred to the written report and noted that the month of September resulted in 102 calls, and this was the first time the department has exceeded 100 calls in a month period.

Living across from the Fire Department, Mayor Kearney inquired as to trucks exiting the fire hall only to return a short time later. Chief Burkholder indicated that paid fire departments tend to arrive on scene faster and are able to assess the situation and notify the driver if services are not needed.

Motion to approve the Fire Department report. **Moved** by Mr. Gombach and seconded by Mr. Kaag. **Motion carried 5-0.**

- c. **Code Enforcement Department** – Mrs. Hoffman referred to the information provided and offered to answer any questions. Mr. Wert again noted the of number of violations that are addressed by the property maintenance inspector for items such as trash, graffiti, peeling paint, weeds, fire pits, etc., and the time needed to interact with these residents. Mrs. Hoffman stated that the property maintenance inspector is in the Borough on a part-time basis and makes it a point to walk Penn Avenue once per week.

Motion to approve the Code Enforcement Department report. **Moved** by Mr. Gombach and seconded by Mr. Kaag. **Motion carried 5-0.**

- d. **West Reading Community Revitalization Foundation** – Mark Ratcliffe referred to the written report and noted the best Fall Festival to date. Seven years ago the event lost money and this year's event netted over \$42,000. Drone footage of the event indicated an estimated 20,000 people were in attendance.

Motion to approve the West Reading Community Revitalization Foundation report. **Moved** by Mrs. Bressler and seconded by Mr. Gombach. **Motion carried 5-0.**

10. COMMITTEE/COMMISSION REPORTS:

- a. **Recreation Commission** – Mrs. Moyer referred to the written report and thanked Mr. Gombach for attending the recent Recreation Commission meeting.

Legal feedback was received from the solicitor with regards to the Doggie Day Waiver, however Mrs. Moyer requested Council's approval.

Motion to approve the Doggie Day Waiver language to handle dogs at the pool. **Moved** by Mrs. Thompson and seconded by Mr. Gombach. **Motion carried 5-0.**

Mrs. Moyer also noted that the Hayride/Haunted House event is scheduled this coming weekend and welcomed visitors.

Motion to approve the Recreation Commission report. **Moved** by Ms. Thompson and seconded by Mr. Gombach. **Motion carried 5-0.**

- b. **Planning Commission** – Mr. Wert noted a number of ordinance reviews that were tabled for additional information. The rental fee schedule should be coming forward next month for Council's consideration. Review of the rental ordinance is coming to a close and should be ready to forward to the solicitor for comment.

Motion to approve the Planning Commission report. **Moved** by Mr. Gombach and seconded by Mr. Kaag. **Motion carried 5-0.**

- c. **Economic Development Committee** – Mr. Wert stated that this committee would meet on Thursday evening this week due to the Columbus Day Holiday.

- d. **Environmental Advisory Council** – Mr. Kaag stated that the meeting was cancelled due to the lack of a quorum.

- e. **Traffic & Infrastructure Committee** – In Mr. Lincoln's absence Mr. Imbesi provided an overview of the topics discussed. An inventory of stop signs will be gathered next month; review of the handicap parking space policy is ongoing; a 20-minute parking space policy is being reviewed due to recent requests from business owners to create 20-minute parking spaces; the Public Works Director and Mr. Imbesi will be attending a preconstruction meeting in Allentown pertaining to the upcoming Penn Avenue paving project; also, the committee is looking into pricing to install a mirror at the Sycamore Road alley entrance to assist safe navigation of this intersection.

Motion to approve the Traffic and Infrastructure Committee report. **Moved** by Mr. Gombach and seconded by Mrs. Bressler. **Motion carried 5-0.**

- f. **Shade Tree Commission** – Mr. Murray referred to the written report and stated a meeting with a DCNR representative would be scheduled once the full tree inventory report is available. Also, the committee has discussed reverting back to meeting on a bi-monthly basis.

Motion to approve the Shade Tree Commission report. **Moved** by Mr. Kaag and seconded by Mrs. Bressler. **Motion carried 5-0.**

- g. **Safety Committee** – Mr. Murray noted that the annual update meeting was held yesterday and that information will be provided next month.

Motion to approve the Safety Committee report. **Moved** by Mr. Kaag and seconded by Mr. Gombach. **Motion carried 5-0.**

- h. **Finance Committee** – Ms. Thompson reported that Mr. Gombach attended the recent Finance meeting and provided a copy of the meeting minutes to Council for review. Mr. Wert stated the motion advising Council to require the WRCRF to submit the appropriation of taxpayer monies is already supplied through the budget/program plan on an annual basis. Also, a cooperation agreement would be unnecessary since four members of the board are staff or Council members that could decide to cease funding at any time. Ms. Thompson stated that Mrs. Hand spoke of measurable goals and standardized practices.

Mr. Wert inquired as to the appropriation of finance committee meeting time to review the personnel handbook and discuss personnel evaluations when there is a personnel committee to handle these items. Ms. Thompson stated the goal of the discussion was for productivity reasons. Mr. Wert stated the enabling ordinance does not enumerate personnel evaluations and the committee should concentrate on items listed within the enabling ordinance.

Ms. Thompson stated the committee is considering the appointment of a Vice Chair during the November meeting.

Motion to approve the Finance Committee report. **Moved** by Mr. Gombach and seconded by Mr. Kaag. **Motion carried 5-0.**

11. TREASURER'S REPORT:

- a. **Financial Statement Ending 9/30/19** – There were no questions or comments.

Motion to approve the Financial Statement ending 9/30/19. **Moved** by Mrs. Bressler and seconded by Mr. Gombach. **Motion carried 5-0.**

- b. **Payment Approval Report 9/18/19 to 10/10/19 & 10/11/19 to 10/16/19** – There were no comments.

Motion to approve Payment Approval report 9/18/19 to 10/10/19 & 10/11/19 to 10/16/19. **Moved** by Mr. Gombach and seconded by Ms. Thompson. **Motion carried 5-0.**

Mr. Wert noted that the Police Department budget would be reviewed during next Tuesday's meeting.

- 12. **EXECUTIVE SESSION:** Council recessed to executive session at 8:58 p.m. to discuss Police Department personnel items. Council reconvened at 9:18 p.m. and Mr. Wert stated that no action was needed at this time.

13. PUBLIC COMMENT:

Oswald Herbert inquired as to the \$40,000 budgeted for fire inspection services during 2019 and the use of \$250. Mr. Imbesi stated that Spring Township experienced difficulty hiring additional staff to perform safety inspections within West Reading.

Mr. Rogers requested an update on the Lofts at Narrow inspection and loss of rental fees. Mr. Imbesi stated Systems Design Engineering is handling the inspection and review of the rental fee schedule should conclude next month. Mr. Imbesi indicated that he would obtain an update from the solicitor and share information that can be shared.

Mr. Rodriguez inquired as to the hospital agreement amount. Mr. Imbesi stated the contribution begins at \$636,140, matching the 2019 contribution with the allowance to engage SSM for permit reviews. Mr. Rodriguez stated with the assessed value of the property the tax revenue would be 2.6 million dollars.

Mr. Rodriguez provided a newspaper article regarding the new Ford hybrid Police Interceptor and urged Council to consider the purchase of green vehicles for gas savings and lowering of the carbon footprint. Chief Powell noted his review of hybrid vehicles prior to the last vehicle purchase and the additional upfront cost for the vehicle and outfitting totaling approximately \$15,000 was cost prohibitive.

Mr. Rodriguez commented on the WRCRF cooperation agreement discussion and noted that during his term as Mayor the agreement was set in place for the accountability of taxpayer dollars.

Mr. Rodriguez inquired as to additional contributions to the Police Pension fund. Mr. Wert stated two years ago an additional \$50,000 had been contributed. Mr. Imbesi stated during a recent Pennsylvania State Association of Boroughs meeting it was indicated that the investment in low risk bonds is projected to balance the fund in the not so distant future.

Mr. Rodriguez cautioned Council against entering into a per capita agreement with the Animal Rescue League to essentially charge a tax to each resident for animal services regardless of animal ownership and the precedence this may set for additional non-profit organizations that may provide services to the Borough.

14. ADJOURNMENT:

Motion to adjourn the meeting at 9:36 p.m. **Moved** by Mr. Kaag and seconded by Ms. Thompson.
Motion carried 5-0.

Respectfully submitted,

Cynthia Madeira
Borough Secretary