

**BOROUGH OF WEST READING
BOROUGH COUNCIL MEETING**

August 18, 2020 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, August 18, 2020 with the following persons present: Council President Jack Gombach; Council Vice President Philip Wert; Council Pro-Tem Christopher Lincoln; Council Members Patrick Kaag and Samantha Kaag; Mayor Andrew Kearney; Solicitor Daniel Becker; Police Chief Stephen Powell; Borough Manager Nicholas Imbesi; Public Works Director Dean Murray; Fire Chief Chad Moyer; Recreation Director Helen Moyer; Treasurer Jeanette Rentschler; Code Department Manager Cathy Hoffman; Engineer Tom Unger; Main Street Manager Mark Ratcliffe; and Borough Secretary Cynthia Madeira. Council Member Jennifer Bressler was unable to attend.

VISITORS: (In attendance via Zoom Meeting)

Karen Livingood
Christina Shenk
Joseph Brennan

James Rogers
Mark Burkholder
Maureen Hasty

Ryan Lineaweaver
Brian Adams

1. **CALL TO ORDER:** Council President Jack Gombach called the meeting to order at 7:00 p.m. via Zoom, which was followed by the Pledge of Allegiance and Roll Call. Mr. Gombach requested a moment of silence to remember those impacted by the COVID-19 virus.
2. **BOROUGH COUNCIL AND COMMITTEE/BOARD INTERVIEWS:** Three letters of interest were received regarding vacancies for Borough Council, Zoning Hearing Board and Environmental Advisory Council. The three candidates were requested to share information regarding their background and answer any questions that Council Members may have.

Brian Adams (100 S. Second Avenue) – Mr. Adams shared his love of West Reading and the Community Garden that is close to his home. Mr. Adams is currently involved with a number of charities and would like to become more involved within the community.

Mr. Wert thanked Mr. Adams for attending this meeting and for his desire to become involved in Borough Council, Zoning Hearing Board and the Environmental Advisory Council. Mr. Adams' length of residency was requested in order to be in compliance with Borough Code requirements to fill a Council vacancy where the individual must reside within the Borough continuously for a least one year prior to the individual's appointment. Mr. Adams indicated that he moved into the Borough on December 31st. Mr. Wert thanked Mr. Adams for his enthusiasm and ideas that have been shared on social media with regards to the Community Garden and indicated a desire to appoint Mr. Adams to the Environmental Advisory Council.

Motion to appoint Mr. Adams to the Environmental Advisory Council. **Moved** by Mr. Wert and seconded by Ms. Kaag. **Motion carried 5-0.**

Mr. Adams was sworn into the office of the Environmental Advisory Council by Mayor Kearney.

Ryan Lineaweaver (723 Wayne Avenue) – Mr. Lineaweaver noted the purchase of his home six years ago from Council Members Patrick and Samantha Kaag and his three years of service on the Environmental Advisory Council. Mr. Lineaweaver is very happy with his decision to reside

and raise a family in West Reading and wishes to become more involved in serving the community by being a member of Borough Council.

Motion to appoint Ryan Lineaweaver to Borough Council. **Moved** by Mr. Kaag and seconded by Mr. Lincoln. **Motion carried 5-0.**

Mr. Lineaweaver was sworn into the office of Borough Council by Mayor Kearney. Mr. Imbesi informed Mr. Lineaweaver that he is now a participating and voting member of Borough Council.

Joseph Brennan (100 Kent Way) – Mr. Brennan reported that he has resided in West Reading since 2007 and that he was approached by a neighbor that currently serves on the Zoning Hearing Board to encourage his pursuit to fill this vacancy.

Mr. Wert indicated that he had spoken with Mr. Brennan a few times and can attest to his dedication to the success of the Borough. Membership on the Zoning Hearing Board is typically a thankless but crucial position and is often difficult to fill vacancies. Mr. Wert thanked Mr. Brennan for his desire to serve the community in this capacity.

Motion to appoint Joseph Brennan to the Zoning Hearing Board. **Moved** by Mr. Wert and seconded by Mr. Lincoln. **Motion carried 5-0.**

3. **PUBLIC COMMENT:**

Ms. Shenk requested parking revisions to the 00 block of South Fourth Avenue to accommodate her residential rental occupants in this area and shared her concerns of driving good tenants away from West Reading due to parking constraints. Mr. Gombach recommended that she visit the Traffic and Infrastructure Committee meeting to discuss her concerns. Mr. Lincoln shared the committee's progress on reviewing parking in alleys and consideration being given to overall parking plan modifications. It was suggested that Ms. Shenk either attend a Traffic and Infrastructure Committee meeting or review the minutes to keep track of this progress.

Mr. Rogers requested Council to direct the Treasurer to request additional documentation from Berks EIT to fulfill his recent Right-to-Know request of Business Privilege Tax collections for the calendar years 2018 and 2019. Partial documentation was provided to fulfill his request that included May through December of 2019. Mr. Rogers noted that Wendy's and the two gas stations within the Borough were not listed as contributing towards this tax during that time frame. Mr. Gombach indicated that he would discuss this with the Borough Manager and Treasurer.

Mr. Brennan was sworn into the office of Zoning Hearing Board by Mayor Kearney.

4. **APPROVAL OF COUNCIL MINUTES:** Motion to approve the July 21, 2020 Council meeting minutes. **Moved** by Mr. Kaag and seconded by Mr. Lincoln. **Motion carried 6-0.**

Council Member Christopher Lincoln departed the meeting at 7:34 p.m.

5. **ORDINANCES / RESOLUTIONS:**

- a. **Resolution 2020-15 Extension of Local Disaster Emergency** – This Resolution would extend the declaration expiration date to the September Council meeting, allowing the ability to apply for emergency disaster funding.

Motion to approve Resolution 2020-15 Extension of Local Disaster Emergency through September 15, 2020. **Moved** by Mr. Wert and seconded by Mr. Lineaweaver. **Motion carried 5-0.**

- b. **Ordinance 1125 Certificate of Use and Occupancy** – An amendment that would require the issuance of a use certificate prior to the sale of property, in compliance with state municipal code regulations.

Motion to adopt Ordinance 1125 Certificate of Use and Occupancy amendment. **Moved** by Mr. Wert and seconded by Ms. Kaag. **Motion carried 5-0.**

- c. **Ordinance 1126 Fireworks** – This amendment would provide a penalty section setting the maximum state law summary offense penalty of \$100.

Motion to adopt Ordinance 1126 Fireworks amendment. **Moved** by Mr. Kaag and seconded by Mr. Wert. **Motion carried 5-0.**

- d. **Ordinance 1127 Pennsylvania Municipal Retirement System (PMRS) Non-Uniform Pension Plan** – This amendment would define the term “full-time” as forty-hours and name our union members as “Local 429”.

Motion to adopt Ordinance 1127 Pennsylvania Retirement System Non-Uniform Pension Plan amendment. **Moved** by Mr. Wert and seconded by Mr. Kaag. **Motion carried 5-0.**

- e. **Resolution 2020-16 Reaffirm Zoning Hearing Board Appointments** – Joseph Brennan would be inserted into Roman numeral three of the list of appointed Zoning Hearing Board Members with his term ending on December 31, 2020.

Motion to approve Resolution 2020-16 Reaffirming Appointments to the Zoning Hearing Board. **Moved** by Mr. Wert and seconded by Ms. Kaag. **Motion carried 5-0.**

- f. **Resolution 2020-17 Council Vacancy Appointment** – Ryan Lineaweaver would be inserted as the appointment to Borough Council with his term ending on December 31, 2021.

Motion to approve Resolution 2020-17 Council Vacancy Appointment of Ryan Lineaweaver. **Moved** by Ms. Kaag and seconded by Mr. Kaag. **Motion carried 5-0.**

6. **CONSULTANT’S REPORT:**

- a. **Solicitor’s Report** – Mr. Becker stated that he had nothing to report other than items that are covered elsewhere on the agenda.
- b. **Engineer’s Report** – Mr. Unger referred to his report and noted that there were no action items this month. A preconstruction meeting was held with Reamstown Excavating, Inc. to discuss the handicap ramp repairs along Sycamore Road. This project is scheduled to begin within two weeks and depending on weather, it is anticipated to be completed within two weeks. Also, Parkview Road Pedestrian Bridge applications have been submitted to DEP.

Motion to accept the Engineer’s report. **Moved** by Ms. Kaag and seconded by Mr. Wert. **Motion carried 5-0.**

- 7. **EXECUTIVE SESSION:** Mr. Gombach reported that an executive session was held at 6:00 p.m. this evening to discuss real estate and personnel matters.

8. **COUNCIL PRESIDENT'S REPORT:** Mr. Gombach reported that he has been in contact with local businesses to obtain a sense of how they are faring through the pandemic. The general consensus was that they are coping.

Also, Mr. Gombach attended a meeting with the Center for Excellence in Local Government to discuss the upcoming budget season. This will be an extraordinarily difficult budget season due to the pandemic. However, Mr. Gombach is confident that Borough Council will successfully navigate the 2021 budget to ensure a stable future for the Borough.

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

- a. **Commonwealth of PA Winter Traffic Service Contract** – Mr. Imbesi noted receipt of a five-year contract from the Commonwealth of Pennsylvania Department of Transportation for the Borough to provide snow/ice removal services along Penn Avenue. Mr. Wert reported that this contract is non-negotiable and was pleased to see an increase in compensation from the state for these services.

Motion to enter into a Winter Traffic Services Five-year agreement with the Commonwealth of Pennsylvania Department of Transportation through the 2024-2025 Winter Season. **Moved** by Mr. Wert and seconded by Ms. Kaag. **Motion carried 5-0.**

- b. **Budget Meeting Schedule** – Mr. Imbesi noted the first budget meeting that is scheduled next Tuesday, August 25th at 7:00 p.m. Paul Janssen of the Center for Excellence in Local Government will be presenting budgeting recommendations based on their recent review of the Borough's finances and Mr. Imbesi requested that all department heads attend this meeting.
- c. **Right-to-Know Requests** – Mr. Imbesi shared information pertaining to the amount of time and expense incurred by the Borough to fulfill these requests this past month. A total of six and a half hours of Borough staff time totaling \$203.12 was tallied as well as additional costs associated with a legal review, which is unknown at this time.
- d. **Animal Control Services** – Mr. Imbesi noted that Safety Net Sanctuary is requesting an additional \$1,500 for services during the 2021 calendar year. A request has been made to the Animal Rescue League of Berks County for a cost of their services for comparison. This information should be available and shared with Council next month.
- e. **Pension Fund Committee Member** – The Pension Fund Committee has requested to remove Chad Marks from this committee and add Nicholas Karetas as a member.
- Motion to accept the resignation of Sergeant Chad Marks and to appoint Officer Nicholas Karetas to the Pension Fund Committee. **Moved** by Mr. Wert and seconded by Mr. Lineaweaver. **Motion carried 5-0.**
- f. **Linden Lane Sanitary Sewer Replacement Project** – Mr. Imbesi shared grant award information received from the Commonwealth of Pennsylvania in the amount of \$200,000 to improve the sanitary sewer line along Linden Lane. Mr. Imbesi thanked Senator Judy Schwank and Representative Mark Rozzi for their tremendous efforts in assisting West Reading Borough in receiving this grant.

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

10. **MAYOR'S REPORT:** Mayor Kearney thanked all of the department heads and committee chairs and obviously Mr. Wert for all of their time and commitment to the Borough of West Reading. Mayor Kearney recognized and admired how hard the Borough Manager and Mr. Lincoln are working to solve difficult parking issues as illustrated during a recent Traffic and Infrastructure Committee meeting.

Secondly, with regards to the Police Chief's request last month for a replacement police vehicle, Mayor Kearney intends to step-up efforts to continue to raise funds for a new vehicle now that he has extra time. Also, a connection he has with the West Palm Beach Florida County Sheriff's Department has agreed to donate two police vehicles once all local requests have been satisfied. Mayor Kearney stated that this is not a guarantee and the vehicles would not be new, but they would be free. There would be minimal costs associated with converting these used vehicles to the West Reading Police Department fleet.

Motion to accept the Mayor's report. **Moved** by Mr. Lineaweaver and seconded by Mr. Wert.
Motion carried 5-0.

11. **DEPARTMENT REPORTS:**

- a. **Police Department** - Chief Powell referred to his written report and there were no questions or comments.

Motion to accept the Police Department report. **Moved** by Mr. Wert and seconded by Mr. Kaag. **Motion carried 5-0.**

- b. **Public Works Department** - Mr. Murray referred to his written report and requested Council's preapproval of an expenditure not to exceed \$30,597 for the budgeted and ordered pickup truck. The expense of this vehicle would be divided into thirds between the water, sewer and refuse funds.

Motion to approve an expenditure not to exceed \$30,597 for a pickup truck. **Moved** by Mr. Wert and seconded by Ms. Kaag. **Motion carried 5-0.**

Motion to accept the Public Works Department report. **Moved** by Mr. Wert and seconded by Ms. Kaag. **Motion carried 5-0.**

Deputy Fire Marshal Mark Burkholder joined the meeting at 8:02 p.m.

- c. **Fire Department** - Chief Moyer referred to his written report and provided an update on the COVID Fire Emergency Services grant application. There was some miscommunication between the State Fire Commissioners office and FEMA. It was thought that grant funding could be used towards diminishing the Fire Department's strain on the budget. However, FEMA regulations restricts the use of these funds to a COVID related expense which was not contained within the current budget. This brings possible grant funding down from \$15,000 to \$1,500. Chief Moyer will keep Council posted on the outcome.

The Fire Department's grant writer has scored another regional grant with Boyertown and Blandon Fire Companies to purchase new hydraulic rescue tools in the amount of \$47,446. This will save on the cost to purchase a new rescue engine.

Motion to accept the Fire Department report. **Moved** by Ms. Kaag and seconded by Mr. Wert.
Motion carried 5-0.

- d. **Code Department** - Mrs. Hoffman noted additional information that was added to her report with regards to the types of permits issued last month and requested feedback on whether this is of interest to Council. Also, the rental occupancy renewals were mailed for the year by Mrs. Madeira who stepped in to assist while the Code Department Secretary was on maternity leave.

Motion to accept the Code Department report. **Moved** by Ms. Kaag and seconded by Mr. Wert. **Motion carried 5-0.**

- e. **West Reading Community Revitalization Foundation** - Mr. Ratcliffe noted that sixteen new businesses have now moved into the Borough since the beginning of the year. Home Décor is planning to move into the previous Wyomissing Rug Gallery space. There is also another business that is eager to move into West Reading.

A downsized Art on the Avenue event is planned for this weekend. The Mayor has agreed to close north and south Sixth Avenue from Court Street to Cherry Street. Eight tents will be placed along the avenue for the artist participants. There are no vendors or street music planned for this small event to generate more business to the Penn Avenue area.

Chief Powell expressed some concerns regarding enforcement of social distancing and wearing masks, especially within the closed Sixth Avenue space that could facilitate crowds consuming alcohol. This event may unnecessarily expose the police force to the virus.

Due to a lack of diligence in wearing face masks, the nice weather forecasted for the weekend and the necessity to plan for the worst, the general consensus of all Council members was to err on the side of caution and not to expose the police force to the virus unnecessarily.

Motion to advise the West Reading Community Revitalization Foundation to postpone the annual event known as Art on the Avenue. **Moved** by Mr. Wert and seconded by Mr. Kaag. **Motion carried 5-0.**

Motion to accept the West Reading Community Revitalization Foundation report. **Moved** by Mr. Kaag and seconded by Ms. Kaag. **Motion carried 5-0.**

12. COMMITTEE / COMMISSION REPORTS:

- a. **Recreation Commission** – Mrs. Moyer reported that similarly to the first scavenger hunt there was only one participant for the second scavenger hunt. The Recreation Commission is only planning events that would take place in front of homes for the remainder of the year. Mrs. Moyer has been staying busy by organizing Code Department files this past month.

Motion to accept the Recreation Director's report. **Moved** by Ms. Kaag and seconded by Mr. Wert. **Motion carried 5-0.**

- b. **Planning Commission** – This August Planning Commission meeting was cancelled.
- c. **Economic Development Committee** – The August Economic Development Committee meeting was cancelled.
- d. **Environmental Advisory Council** – Mr. Kaag shared plans to clean up the Community Garden on Sunday, August 23rd and requested volunteers. A Borough wide cleanup event is being planned on Sunday, October 4th and the Alliance for Community Trees 2020 membership was received at no charge.

Motion to accept the Environmental Advisory Council report. **Moved** by Mr. Lineaweaver and seconded by Mr. Wert. **Motion carried 5-0.**

- e. **Traffic and Infrastructure Committee** – Mr. Kaag reported that the Borough and UGI have come to an agreement regarding funding of the Parkview Road Pedestrian Bridge and the permitting process has begun.

Contact has been made with PennDOT regarding the feasibility of allowing local restaurants curbside seating areas within the parking lane. PennDOT is requesting submission of form TE-300 Special Event Permit applications for review on a case-by-case basis.

Following staff member review of the existing alley signage in comparison to ordinance regulations, an overhead layered map was created by Mr. Lincoln to illustrate these findings. The committee will continue to work through this information for modifications to these regulations.

The north Sixth Avenue permit parking designation was discussed now that the clinic has moved from this vicinity. Council's feedback is requested on the decision to remove this permit parking designation. Mr. Wert suggested, based on discussions surrounding a Borough wide permit parking program, that this designation not be removed at this time. It is possible that funds could be allocated towards an overall parking study next year.

Motion to accept the Traffic and Infrastructure Committee report. **Moved** by Ms. Kaag and seconded by Mr. Wert. **Motion carried 5-0.**

- f. **Shade Tree Commission** – The August Shade Tree Commission meeting was cancelled.
- g. **Safety Committee** – The July Safety Committee meeting was cancelled.
- h. **Finance Committee** – The August Finance Committee meeting was cancelled.

13. **TREASURER'S REPORT:**

- a. **Financial Statement Ending 7/31/2020** – There were no questions or comments.

Motion to accept the Financial Statement ending 7/31/2020. **Moved** by Mr. Wert and seconded by Mr. Kaag. **Motion carried 5-0.**

- b. **Payment Approval Report 7/22/20 to 8/13/20 & 8/14/20 to 8/18/20** – There were no questions or comments.

Motion to approve the Payment Approval Report 7/22/20 to 8/13/20 & 8/14/20 to 8/18/20. **Moved** by Mr. Kaag and seconded by Ms. Kaag. **Motion carried 5-0.**

- c. **2019 Tax Collector Audit** – Mrs. Rentschler indicated that there were no findings within the audit and that receipt of the report was delayed due to the pandemic.

Motion to accept the 2019 Tax Collector Audit. **Moved** by Mr. Wert and seconded by Mr. Kaag. **Motion carried 5-0.**

- d. **Minimum Municipal Obligation Police and Non-Uniformed Pension Plans** – Mr. Wert requested the amount funded for the Police pension last year. Mrs. Rentschler reported that is was approximately \$8,000 less last year.

Motion to accept the Minimum Municipal Obligation of \$357,132 for the Police Pension Plan and \$0 for the Non-Uniformed Pension Plan. **Moved** by Mr. Wert and seconded by Mr. Kaag. **Motion carried 5-0.**

14. **PUBLIC COMMENT:**

Mr. Rogers requested an update on the apartment complex that owes approximately \$10,000. Mr. Imbesi stated that there is nothing new to report. A late fee was assessed at \$10 per unit and is due by September 30th. Mr. Becker recommended that Mr. Rogers contact the Borough Manager directly to ask these types of questions.

Mr. Rogers stated that he was unsure of why the permit parking designation could not be removed from north Sixth Avenue since this could be used by shoppers.

15. **ADJOURNMENT:** Motion to adjourn the meeting at 8:46 p.m. **Moved** by Ms. Kaag and seconded by Mr. Wert. **Motion carried 5-0.**

Respectfully submitted,

Cynthia Madeira
Borough Secretary