

**BOROUGH OF WEST READING
BOROUGH COUNCIL MEETING**

November 17, 2020 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, November 17, 2020 with the following persons present: Council President Jack Gombach; Council Vice President Philip Wert; Council Pro-Tem Christopher Lincoln; Council Members Patrick Kaag, Ryan Lineaweaver, Samantha Kaag and Jennifer Bressler; 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; Deputy Fire Marshal Mark Burkholder (arrived at 7:34 p.m.); and Borough Secretary Cynthia Madeira.

VISITORS: (In attendance via Zoom Meeting)

Karen Livingood, Resident

Heidi Reuter, Resident

Patrick Shields, Fromuth Tennis

Scott Grote, Sport Court of PA

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. A moment of silence was requested to honor those impacted by the coronavirus.
2. **PICKLEBALL PRESENTATION:** Patrick Shields, owner of Fromuth Tennis proposed to renovate West Reading's tennis courts into ten pickleball courts with funding from a charitable trust. Mr. Shields reported that pickleball is the fastest growing sport that would benefit the community through tournaments arranged by a certified teaching professional, Larry Zerbe. The recommended four to six-year court maintenance costs could be funded through an association that would generate revenue. Mr. Shields highly recommended fully converting the tennis courts into pickleball courts since there are a number of tennis courts available to residents within a one-mile radius. Programs could be made available during all hours of the day to attract various groups of people to the sport. An additional parking option of the Berks Catholic High School parking lot has been reviewed.

Mr. Shields has budgeted \$200,000 for this project to create a park like atmosphere with lighting and the ability to lock the facilities during overnight hours to prevent vandalism. The footprint of the existing tennis courts would remain unchanged, therefore approval from the City of Reading would not be required for these improvements.

Motion to approve the installation of ten pickleball courts. **Moved** by Mr. Wert and seconded by Mr. Lineaweaver. **Motion carried 7-0.**

Deputy Fire Marshal Mark Burkholder joined the meeting at 7:34 p.m. and Patrick Shields and Scott Grote departed the meeting.

3. **PUBLIC COMMENT:** There were no public comments.
4. **APPROVAL OF COUNCIL MINUTES:** Motion to approve the October 21, 2020 regular meeting minutes, and the October 27, 2020 budget workshop meeting minutes. **Moved** by Mr. Wert and seconded by Mr. Lincoln. **Motion carried 7-0.**

5. **ORDINANCES / RESOLUTIONS:**

- a. **Resolution 2020-21 Extension of Local Disaster Emergency** – This Resolution would extend the declaration expiration date to the December Council meeting, allowing the ability to apply for emergency disaster funding.

Motion to approve Resolution 2020-21 Extension of Local Disaster Emergency through December 15, 2020. **Moved** by Mrs. Bressler and seconded by Mr. Kaag. **Motion carried 7-0.**

- b. **Resolution 2020-22 Police Pension contribution for the year 2021** – Pension plan members would continue to contribute 6% for the year 2021.

Motion to approve Resolution 2020-22 Police Officers' Contributions to the Police Pension Plan for the Year 2021. **Moved** by Mr. Lincoln and seconded by Mr. Wert. **Motion carried 7-0.**

- c. **Ordinance 1128 – Environmental Advisory Council Composition Amendment** – This amendment to the enabling ordinance aligns with state statutes and provides the ability for the Council to appoint a Vice-Chairperson.

Motion to adopt Ordinance 1128 Environmental Advisory Council Composition Amendment. **Moved** by Mr. Kaag and seconded by Mr. Lincoln. **Motion carried 7-0.**

6. **CONSULTANT'S REPORT:**

- a. **Solicitor's Report** – Mr. Becker stated that he had nothing new to report at this time.

- b. **Engineer's Report** – Mr. Unger noted two action items this month:

- **Parkview Road Pedestrian Bridge** – The status of the UGI right-of-way agreement was requested in order to proceed with authorizing the purchase of a pedestrian bridge. Mr. Becker reported that the issue relating to ownership of the bridge has been resolved and that the agreement should be finalized within a week or two.

Motion to award Contech Engineered Solutions' September 22, 2020 quotation of a self-weathering steel with Trex composite decking pedestrian bridge in the amount of \$64,544 contingent upon execution of the right-of-way agreement with UGI.

Moved by Mr. Lincoln and seconded by Mr. Kaag. **Motion carried 7-0.**

- **2020 Road Project** – Reamstown Excavating, Inc. has completed the Sycamore Road handicapped ramp reconstruction project and submitted payment Application No. 1 in the amount of \$34,110. A 10% retainage of \$3,790 will be held until the contractor provides the required project close-out documents. There were no additions or deletions to this project and Mr. Unger requested approval of the payment application.

Motion to approve payment of Application No. 1 to Reamstown Excavating, Inc. in the amount of \$34,110. **Moved** by Mr. Lincoln and seconded by Mrs. Bressler.

Motion carried 7-0.

Motion to accept the Engineer's report. **Moved** by Mr. Kaag and seconded by Mr. Lineaweaver. **Motion carried 7-0.**

7. **EXECUTIVE SESSION:** Mr. Gombach noted an executive session that was held at 6:30 p.m. this evening to discuss contracts and personnel matters.
8. **COUNCIL PRESIDENT'S REPORT:** Mr. Gombach stated that he had nothing new to report at this time.
9. **BOROUGH MANAGER'S REPORT:**

- a. **Water Shutoff** – Mr. Imbesi noted a number of accounts with outstanding balances and requested Mr. Becker's guidance as to resuming the practice of terminating water service to urge payment. Mr. Becker reported that the Public Utility Commission's moratorium imposed at the onset of the coronavirus pandemic emergency expired on November 9, 2020. The practice of notifying customers of unpaid balances that put them at risk of service termination, and providing them with options for addressing overdue balances and a time range for possible termination should be followed.

Motion to resume the practice of terminating water service to address overdue balances.

Moved by Mr. Lincoln and seconded by Mr. Kaag. **Motion carried 7-0.**

- b. **Budget Schedule** – Mr. Imbesi reminded Council members of the November 24, 2020 budget meeting and 6:00 p.m. Conditional Use Hearing.
- c. **Animal Control Services** – Mr. Imbesi offered to answer any further questions that Council may have in deciding which animal control services the Borough should contract with during the year 2021 and noted that the higher cost of the Animal Rescue League's services was factored into the proposed 2021 budget. It was noted that an important component of animal control services that addresses feral cats is not provided by the Safety Net Sanctuary contract. Clarification of feral cat services through Safety Net Sanctuary was requested prior to making a decision.

Also, Mr. Lineaweaver requested the number of manhours devoted to transporting the reported sixty cats and four dogs to Safety Net Sanctuary's establishment in Fleetwood.

Motion to accept the Borough Manager's report. **Moved** by Mr. Wert and seconded by Mr. Lincoln. **Motion carried 7-0.**

10. **MAYOR'S REPORT:** Mayor Kearney shared a commercial that aired four times during a football game on WEEU last week to promote the Borough of West Reading. This commercial was funded by the West Reading Community Revitalization Foundation and noted the business district, Farmers' Market and mural corridors.

Mayor Kearney noted receipt last week of a letter of resignation from Police Chief Stephen Powell effective at midnight on December 5, 2020 and read the letter of resignation.

Mayor Kearney could not express enough gratitude towards Chief Powell for his service and leadership that has improved the West Reading Police Department. Mayor Kearney assured residents that after Chief Powell moves on that the Police Department is prepared and superbly trained to care for and protect the citizens of West Reading.

Mr. Wert noted interviewing Chief Powell seven years ago during a dark period of the Police Department. Chief Powell had impressed members of the personnel committee with his approach to the position and was unanimously chosen to fill the position of Chief of Police. The one-word Mr. Wert used to describe Chief Powell was "professional". Professionalism was practiced during every interaction with Council, the public and the media. Mr. Wert thanked Chief Powell for being dedicated to the residents, the job and Council and wished him the best on his journey.

Motion to accept the Mayor's report. **Moved** by Mr. Wert and seconded by Ms. Kaag. **Motion carried 7-0.**

11. DEPARTMENT REPORTS:

- a. **Police Department** - Chief Powell thanked everyone for their comments and offered to answer any questions about the report. Chief Powell requested, per discussions during the last budget meeting, to purchase a police vehicle at a quote of \$44,391 plus the additional cost to transfer radio equipment to this vehicle bringing the grand total to \$46,900. An approximate amount of insurance proceeds and funds raised by the Mayor that would be allocated towards this purchase was \$30,000.

Motion to approve the purchase of a replacement police vehicle in the amount of \$46,900.

Moved by Ms. Kaag and seconded by Mr. Lincoln. **Motion carried 7-0.**

Motion to accept Chief Stephen Powell's letter of resignation. **Moved** by Mr. Lineaweaver and seconded by Mr. Kaag. **Motion carried 7-0.**

Motion to accept the Police Department report. **Moved** by Ms. Kaag and seconded by Mr. Wert. **Motion carried 7-0.**

- b. **Public Works Department** - Mr. Murray offered to answer any questions regarding the report. There were no questions or comments.

Motion to accept the Public Works Department report. **Moved** by Mrs. Bressler and seconded by Mr. Wert. **Motion carried 7-0.**

On behalf of the Public Works Department Mr. Murray stated that it was a great pleasure working with Chief Powell. All members of the department have had nothing but good things to say about Chief Powell's service and he was wished the best of luck in the future.

- c. **Fire Department** - Chief Moyer requested Council's feedback on the annual Kiddie's Christmas Party event. Social distancing guidelines were discussed by the department. In lieu of sitting on Santa's lap letters to Santa are being requested as well as a waiver, release and indemnification agreement.

Mr. Gombach reported that during the annual open house he was impressed with the social distancing measures that were taken and was confident that this event would be handled safely. Mr. Lineaweaver recommended offering time slots during the event to avoid over crowding at one time.

Motion to approve the Annual Kiddie's Christmas Party at the firehouse while following social distancing guidelines. **Moved** by Mr. Wert and seconded by Ms. Kaag. **Motion carried 7-0.**

Chief Moyer thanked Chief Powell on behalf of the Fire Department and the residents for the services he provided to the Borough and stated that he will be missed.

Motion to accept the Fire Department report. **Moved** by Mr. Lincoln and seconded by Mr. Kaag. **Motion carried 7-0.**

- d. **Code Department** - Mrs. Hoffman provided an update to Council on the recent condemnation order placed on Franklin Manor. There have been ongoing issues with this property including recent reports of units without a heat source as well as security issues. The owner is now striving to make the requested immediate improvements by Thursday to avoid eviction of the tenants.

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

- e. **West Reading Community Revitalization Foundation** – In Mr. Ratcliffe’s absence Mr. Wert added to the written report that a County grant has been awarded to the WRCRF in the amount of \$50,000 to offset losses from the cancellation of 2020 events. Also, Mr. Ratcliffe is diligently working on implementation of the five-year plan. Plans are being developed for some sort of holiday celebration on the Avenue this year while following the new Department of Health restrictions that were imposed today.

Mr. Wert congratulated Winedown and Say Cheese on their recent reopening. Empire Home Center officially opened last Friday. Saylor House, a design business from Wyomissing will be moving into the previous Curious on the Avenue space. It was noted that a number of home décor type businesses have been moving into the Borough, which compliments and diversifies the types of services offered within the Borough.

Motion to accept the West Reading Community Revitalization Foundation report. **Moved** by Ms. Kaag and seconded by Mr. Kaag. **Motion carried 7-0.**

12. COMMITTEE / COMMISSION REPORTS:

- a. **Recreation Commission** – Mrs. Moyer expressed her gratefulness to Chief Powell and stated that he will be missed.

The Recreation Commission and Environmental Advisory Council will be providing “Thankful” tea light bags for residents to place on their front porch or stairs at no charge. The tea lights have been approved by the Fire Marshal and the Fire Chief and are available for pickup at the Bicentennial House on Thursday from 5-8pm and Sunday from 10am-2pm.

Also, Mrs. Moyer reminded everyone of the revised holiday tree lighting plans to light the tree at Delaney Circle and request residents to also turn on their lights at that time.

Motion to accept the Recreation Director’s report. **Moved** by Mr. Lincoln and seconded by Mrs. Bressler. **Motion carried 7-0.**

- b. **Planning Commission** – Mr. Wert reported that the Planning Commission has decided to delay rental property ordinance amendments based on the recommendation of the solicitor due to a pending court case. The outcome of this case could provide guidance from the state on administrative warrants.

The upcoming liquor license transfer hearing was discussed and the commission voted against approval of the transfer based on the following reasons:

- Square footage requirements to support seating of at least thirty patrons;
- Inconsistency with the intent of the business district and economic development goals;
- The competition that would be created for existing long-term restaurant establishments;
- Inability to maintain a 300' distance from a school crossing guard intersection;
- Availability of public restrooms.

Mr. Wert will be recusing himself from the vote during the hearing in order to represent the Planning Commission.

Motion to accept the Planning Commission report. **Moved** by Ms. Kaag and seconded by Mr. Lineaweaver. **Motion carried 7-0.**

- c. **Economic Development Committee** – Mr. Wert highlighted the following new business openings:

- Snazzy Beauty Supply will be opening soon at 408 Penn Avenue;
- Willow Creek Brewing at 643 Penn Avenue is waiting for paperwork from the state to open;
- Finch + Fern at 728 Penn Avenue recently opened;
- B-Green Deli at 36 N. Sixth Avenue recently opened.

Mr. Wert commended business owners for navigating these unprecedented times and their resiliency within the West Reading business district.

Mrs. Bressler requested the results of the strategic plan community survey when they become available.

Motion to accept the Economic Development Committee report. **Moved** by Mrs. Bressler and seconded by Mr. Kaag. **Motion carried 7-0.**

- d. **Environmental Advisory Council** – Mr. Kaag reported that the community garden is in the process of being closed for the season and efforts continue to find an alternate location for the garden. The goals for 2021 were discussed during the meeting held last evening, which includes pursuit of a Ready for 100 Campaign and certification as a sustainable Pennsylvania community. Also, an annual report will be provided to Borough Council.

Motion to accept the Environmental Advisory Council report. **Moved** by Mr. Lincoln and seconded by Mrs. Bressler. **Motion carried 7-0.**

- e. **Traffic and Infrastructure Committee** – Mr. Lincoln stated that there are no major items to note that have not been covered elsewhere tonight or in the recent budget meeting. Mr. Lincoln took a moment to share his appreciation of Chief Powell specifically on this committee for sharing his insights and his time, and stated that he will be missed.

Motion to accept the Traffic and Infrastructure Committee report. **Moved** by Mr. Wert and seconded by Ms. Kaag. **Motion carried 7-0.**

- f. **Shade Tree Commission** – The November Shade Tree Commission meeting was cancelled.

- g. **Safety Committee** – Mr. Murray referred to the safety meeting minutes and offered to answer any questions. There were no questions or comments.

Motion to accept the Safety Committee report. **Moved** by Mr. Kaag and seconded by Mr. Lineaweaver. **Motion carried 7-0.**

- h. **Finance Committee** – The November Finance Committee meeting was cancelled.

- 13. **TREASURER'S REPORT:** Mrs. Rentschler noted a meeting scheduled tomorrow morning with the consultant from the Center of Excellence in Local Government. The latest budget update has been provided for review. The outcome of this meeting will be shared with Council immediately following that meeting.

- a. **Financial Statement Ending 10/31/2020** – There were no questions or comments.

Motion to accept the Financial Statement ending 10/31/2020. **Moved** by Mr. Wert and seconded by Mrs. Bressler. **Motion carried 7-0.**

- b. **Payment Approval Report 10/22/20 to 11/12/20 & 11/13/20 to 11/17/20** – Mr. Kaag inquired as to the "MV" and "SV" description for street lighting. Mr. Murray stated that this refers to the type of lighting, whether it is sodium or halogen bulb. Mr. Lineaweaver inquired as to an \$860 Bluetooth speaker purchase. Mr. Murray clarified that the purchase of a Uline safety cabinet came with a free Bluetooth speaker.

Motion to approve the Payment Approval 10/22/20 to 11/12/20 & 11/13/20 to 11/17/20. **Moved** by Mr. Wert and seconded by Mr. Lincoln. **Motion carried 7-0.**

- 14. **PUBLIC COMMENT:**

There were no public comments.

Mr. Gombach wished Chief Powell well, stating that he has been an amazing resource to the Borough whom helped him to sleep better at night.

Chief Powell thanked everyone for the kind words and for taking a chance on him.

- 15. **ADJOURNMENT:** Motion to adjourn the meeting at 8:44 p.m. **Moved** by Ms. Kaag and seconded by Mr. Kaag. **Motion carried 7-0.**

Respectfully submitted,

Cynthia Madeira
Borough Secretary