

**BOROUGH OF WEST READING
BOROUGH COUNCIL MEETING**

February 15, 2022 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, February 15, 2022 with the following persons present: Council President Ryan Lineaweaver; Council Vice President Philip Wert; Council Pro-Tem Christopher Lincoln; Council Members Jennifer Bressler, Patrick Kaag, Denise Drobnick, and Zachary Shaver; Mayor Samantha Kaag; Solicitor Daniel Becker; Officer-in-Charge Ryan Phillips; Recreation Director Christine Boud (via Zoom); Fire Chief Chad Moyer; Code Department Manager Cathy Hoffman (via Zoom); Engineer Tom Unger; Borough Manager Dean Murray; Public Works Team Leader Kerry Grassley; Treasurer Jeanette Rentschler; Main Street Manager Mark Ratcliffe (via Zoom); Sergeant Wayne Holben and Chad Marks; Police Officer Nicholas Karetas (via Zoom), Brandon Breitenstein, and Kyle Bohn; and Borough Secretary Cynthia Madeira.

VISITORS:

James Rogers, Resident	Karen Livingood, Resident
Oswald Herbert, Resident	Suzanne Thompson, Resident
Carl & Rachel Garman, Residents	Roger Hinsey, Resident
Robert & Nathalie Kulesa, Residents	Andrew Kearney, Resident
Nicholas Johnson, Great Valley Consultants	John Phillips, Wyomissing Chief of Police
Matthew Cavallo, Wyomissing Police Officer	Samuel Bryant, Wyomissing Police Officer

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. **PRESENTATIONS:**

- a. **Police Award Ceremony:** Sergeant Phillips noted five awards for two separate events that are planned for this evening. Sergeant Holben was requested to present an award to West Reading Borough Officers Brandon Breitenstein and Kyle Bohn, and Wyomissing Borough Officers Matthew Cavallo and Samuel Bryant. The Department Commendation recapped an incident that occurred last year where during a routine traffic stop the joint efforts of these Officers resulted in the apprehension of a male wanted for homicide out of Philadelphia. These combined efforts from both Departments are an outstanding example of the teamwork and great working relationship these Departments share. The Officers were awarded the West Reading Police Department "Department Commendation" medal.

Sergeant Phillips presented an award to Sergeant Marks for his actions last year in Bern Township where he responded to a request for assistance to apprehend a male wanted for armed robbery and a number of other crimes. Sergeant Marks assisted with establishing command of the incident and supervising the scene until Bern Township Police Department Supervisors could respond and the suspect was taken into custody. A letter was sent from the Bern Township Chief of Police conveying his heartfelt appreciation to Sergeant Marks stating that his assistance was instrumental in the successful conclusion of this incident. Sergeant Marks was awarded a Department Commendation medal.

Wyomissing Borough Chief of Police John Phillips expressed his appreciation in going above and beyond in recognizing Wyomissing Borough Police Officers.

Sergeants Wayne Holben and Chad Marks; Officers Brandon Breitenstein and Kyle Bohn; Wyomissing Borough Chief of Police John Phillips and Officers Samuel Bryant and Matthew Cavallo departed the meeting at 7:11 p.m.

- b. **Nathalie Kulesa Commendation:** Mayor Kaag read the Commendation aloud that recognized Mrs. Kulesa's service to the community as a Council Member from 2004 to 2017 and Recreation Commission Member from 2004 to 2021. Mrs. Kulesa has demonstrated an unwavering commitment to the maintenance and improvement of recreation activities in the Borough. The Commendation was presented to Mrs. Kulesa who expressed her joy in serving the community and thanked the Public Works and Police Department for their assistance with these programs throughout the years.

Mr. & Mrs. Kulesa and family members and, Mr. & Mrs. Garman departed the meeting at 7:13 p.m.

- c. **Stormwater Management Requirements:** Mr. Johnson reviewed a series of MS4 federal and state regulations associated with stormwater management that were established in 2003, noting that the Borough has been under an MS4 permit since 2003. The six core components of minimum control measures are:

1. Public Education and Outreach – A public forum presentation, as being presented this evening is required at least once per year.
2. Public Involvement and Participation – The Borough has excelled in this component through Earth Day programs that protect the environment within the Borough.
3. Illicit Discharge Detection and Elimination – This pertains to obvious sources of pollution such as pouring motor oil into a catch basin. This activity should be stopped and reported.
4. Construction Site Runoff – The Memorandum of Understanding that is listed as an action item this evening between the Borough and the Berks County Conservation District to jointly review construction activity to limit accelerated earth disturbance activities was recommended to be approved or adopted.
5. Post Construction Runoff – Inspections following construction to ensure stormwater control measures are being maintained.
6. Good Housekeeping – This is where the Borough leads by example in activities such as street sweeping, emptying catch basins, and promptly managing waste at the Public Works site.

The high-quality cold-water fishery known as Wyomissing Creek presents additional responsibilities for the Borough and seven other municipalities. A total maximum daily load of sediment must be maintained. A lengthy cost sharing plan was created in 2012 to improve the Stanford Avenue Dam in Spring Township and the Mohnton Borough High Brook Channel to bring the Wyomissing Creek into compliance within twenty-five to thirty years. The goal for the next five years is to reduce sedimentation by 400,000 pounds per year. This is estimated to cost \$1.5 to \$2 million dollars that would be divided between the eight municipalities relative to their overall acreage contribution. Funds have been received for best management practices and have already been implemented. The goal of tonight's

presentation was to educate the public and new Council members as to the importance and the use of these annually budgeted funds.

Mr. Johnson departed the meeting at 7:25 p.m.

Mr. Lineaweaver noted Mr. Unger's request to amend the agenda to include a discussion on the 2021 Chapter 94 report. Motion to amend the agenda to include a discussion on the 2021 Chapter 94 Municipal Wasteload Management Report. **Moved** by Mr. Kaag and seconded by Mrs. Bressler. **Motion carried 7-0.**

3. **PUBLIC COMMENT:**

Mr. Rogers reported that the agreement with Turnkey Taxes has been terminated and spoke of a number of missing Business Privilege Tax payments pertaining to rental property income. Mr. Rogers urged Council to take action to recoup these funds.

Mr. Hinsey of the Recreation Commission urged Council to accommodate Mr. Kuhn's June basketball event.

4. **APPROVAL OF COUNCIL MINUTES:**

Motion to approve the January 18, 2022 regular meeting minutes, and the January 25, 2022 second meeting minutes. **Moved** by Mr. Wert and seconded by Mr. Lincoln. **Motion carried 7-0.**

5. **ORDINANCES / RESOLUTIONS:**

- a. **Ordinance 1148 Deferred Retirement Option Plan Amendment** – This amendment was advertised last month, there were no questions or comments.

Motion to adopt an amendment to the Pension and Retirement Chapter to extend the maximum period for an officer to participate from three to four years to align with the current Collective Bargaining Agreement. **Moved** by Mr. Lincoln and seconded by Mr. Shaver. **Motion carried 7-0.**

- b. **Ordinance – Tax Collector Certification Fee Amendment** – Authorization was requested to advertise an amendment to the tax collector certification fee.

Motion to authorize the advertisement of an amendment to the Tax Collector certification fee from \$15 to \$25. **Moved** by Mr. Wert and seconded by Ms. Drobnick. **Motion carried 7-0.**

- c. **Resolution 2022-2 Civil Service Commission Rules and Regulations Amendment** – The Solicitor reviewed the Civil Service request for amendments to the rules and regulations and noted a few minor comments.

Motion to approve the Civil Service Commission rules and regulations amendment. **Moved** by Mr. Shaver and seconded by Mrs. Bressler. **Motion carried 7-0.**

6. **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 provided an update on the following projects:

- 2022 Road Project – The bids are being prepared;
- ADA Ramps – The seven locations are being prepared for bidding;

- 2021 Linden Lane Sanitary Sewer Improvements – The work has been completed with the exception of paving restoration, which should be completed this spring. A payment application has been received in the amount of \$315,868.83, a retainage is being held for final restoration.

Motion to approve Payment Application No. 1 to Wexcon, Inc. in the amount of \$315,868.83 for the 2021 Sanitary Sewer Project. **Moved** by Mrs. Bressler and seconded by Mr. Kaag. **Motion carried 7-0.**

- Storm Sewer Inspection – This project is nearing completion.
- Chapter 94 Municipal Wasteload Management Report – The 2021 sanitary sewer report to the Joint Municipal Authority is required annually to provide data based on flows, connections and condition of the system. The two monthly pump station flow graphs that are included in the Council reports are added to this report.

Motion to allow the Borough Manager to execute the 2021 Chapter 94 Municipal Wasteload Management Report. **Moved** by Mr. Lincoln and seconded by Mr. Shaver. **Motion carried 7-0.**

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

Mr. Unger departed the meeting at 7:38 p.m.

7. **EXECUTIVE SESSION:** Mr. Lineaweaver noted executive sessions that were held on Friday, February 4, 2022, Friday, February 11, 2022 and Tuesday, February 15, 2022 to discuss personnel matters.
8. **COUNCIL PRESIDENT'S REPORT:** Mr. Lineaweaver stated that he has nothing new to report at this time.
9. **BOROUGH MANAGER'S REPORT:**
 - a. **County of Berks Project Funding** – Mr. Murray requested authorization to enter into a grant funding project with the County of Berks. Originally it was thought to request funding of technology improvements to the Council Chamber room for virtual meetings, however, it is understood that preference is given to water, sewer, or MS4 projects. It was decided to pursue funding for the budgeted water project along Spruce Street.

Motion to authorize the Borough Manager to apply for a project funding grant through the County of Berks. **Moved** by Mr. Kaag and seconded by Mrs. Bressler. **Motion carried 7-0.**
 - b. **2022-2023 Road Salt Bid** – Mr. Murray requested authorization to participate in the annual bid to purchase road salt through the Berks County Cooperative Purchasing Council.

Motion to authorize the Borough Manager to enter into an agreement with the Berks County Cooperative Purchasing Council for the 2022-2023 Road Salt Bid. **Moved** by Mr. Shaver and seconded by Mr. Lincoln. **Motion carried 7-0.**
 - c. **Memorandum of Understanding with the Berks County Conservation District** – Mr. Murray requested permission to accept the proposed changes to the MOU with the County

MS4 program. The highlighted areas are additions to the agreement which are inline with state laws and guidelines.

Motion to accept the proposed changes to the Memorandum of Understanding with the Berks County Conservation District regarding MS4 requirements. **Moved** by Ms. Drobnick and seconded by Mr. Wert. **Motion carried 7-0.**

- d. **Armed Forces Day Parade** – Mr. Murray referred to the written request to host this annual parade through the Borough.

Motion to approve the Armed Forces Day Parade on Saturday, May 21, 2022 and the closure of Penn Avenue from Eighth Avenue to Third Avenue. **Moved** by Mrs. Bressler and seconded by Mr. Kaag. **Motion carried 7-0.**

- e. **Landfill Agreement** – Mr. Murray requested permission to allow the Solicitor to draft a multi-year landfill/hauling request for proposal for services to begin on January 1, 2023.

Motion to authorize the Borough Solicitor to draft a landfill/hauling multi-year agreement. **Moved** by Mr. Lincoln and seconded by Ms. Drobnick. **Motion carried 7-0.**

- f. **Fire Police Request Form** – In an effort to structure a more permanent annual request form for Fire Police services Mr. Murray requested permission to allow the Solicitor to draft an annual resolution. Chief Moyer noted the primary purpose for the written request is for the requesting municipality to provide Workers' Compensation benefits should a Fire Police Officer become injured while providing assistance.

Motion to authorize the Borough Solicitor to draft a resolution for Fire Police assistance approval on an annual basis. **Moved** by Mr. Shaver and seconded by Mr. Lincoln. **Motion carried 7-0.**

- g. **Replacement Telephone System**- Mr. Murray requested consideration to replace the existing Comcast telephone system with a Go to Connect system that would save roughly \$10,000 per year. Sergeant Phillips noted an added feature with the Go to Connect system that would provide the ability to record calls. A contract for service was requested as well as references for further consideration at a later date.

Motion to authorize the Borough Manager to pursue a viable contract to upgrade the telephone system. **Moved** by Mr. Wert and seconded by Mr. Kaag. **Motion carried 7-0.**

- h. **Western Berks Ambulance** – A request for a letter of support has been received from Western Berks Ambulance for their efforts to seek additional funds from the American Rescue Plan. Mr. Murray noted a similar request from the Reading Area Water Authority.

Motion to approve Western Berks Ambulance request for a letter of support to seek additional funds from the American Rescue Plan. **Moved** by Mr. Lincoln and seconded by Mr. Shaver. **Motion carried 7-0.**

- i. **Joint Noise Disturbance Letter** – Mr. Murray noted the Borough of Wyomissing Council approval of a joint letter to the City of Reading regarding the intermittent noise disturbances. A copy of the joint letter is available for signature tonight and will then be forwarded to Wyomissing Borough Council for signatures.

Motion to execute the joint noise complaint letter to the City of Reading Council and Mayor. **Moved** by Ms. Drobnick and seconded by Mr. Wert. **Motion carried 7-0.**

- j. **Consolidation of Police Services** – Permission was requested to draft a letter to the Borough of Wyomissing formally requesting preliminary discussions of consolidated police services. Mr. Lineaweaver elaborated indicating that in the absence of a Chief of Police it was thought to be in the Borough's best interest to explore the possibility of consolidated police services with the Borough of Wyomissing. The intent is not necessarily to save money but to gain services and provide better training opportunities for existing police officers through a merger.

Motion to draft and execute a letter to Wyomissing Borough formally requesting preliminary discussions of consolidated police services. **Moved** by Mr. Kaag and seconded by Mr. Shaver. **Motion carried 7-0.**

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

10. **MAYOR'S REPORT:** Mayor Kaag read her report noting the following:

- **Thank You** – Mayor Kaag thanked Kerry Grassley for stopping to assist a woman in distress. This is an example of acts of kindness that are needed and should be strived for in West Reading.
- **Commendation** – Mayor Kaag expressed her honor to have been able to commend Nathalie Kulesa for her years of service to the Borough in so many ways. She hopes that Mrs. Kulesa continues to be involved, especially as Mrs. Claus at Christmastime. Likewise, it is wonderful to see recognition of our police officers as well as neighboring police officers.
- **West Reading Events** – Mayor Kaag noted the recent successful events such as restaurant week, Ice N' Spice Festival, and Galentines on the Avenue. Similar to the support shown to the LGBTQ community, Mayor Kaag recommended the promotion of Black History month by promoting Black owned businesses in an effort to make everyone feel welcomed and safe.

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

11. **DEPARTMENT REPORTS:**

- a. **Police Department** – Officer-in-Charge Ryan Phillips noted an action item that requests reimbursement for continuing education of two officers.

Motion to approve college course reimbursement of continuing education for two officers. **Moved** by Mrs. Bressler and seconded by Ms. Drobnick. **Motion carried 7-0.**

Mr. Wert inquired as to further information pertaining to community service hours for littering. Mr. Becker noted a conversation he had with Judge Taylor where the Judge encouraged the creation of a community service program to be able to cite littering violations under state statutes. In order to establish a community service program liability insurance and manpower to oversee community service hours would be needed.

Motion to amend the agenda to include a discussion and potentially take action on a community service program. **Moved** by Mr. Wert and seconded by Mr. Lincoln. **Motion carried 7-0.**

A written procedure would need to be established prior to implementation of a community service program. Also, liability insurance and the designation of an overseeing body would need to be established for the minimal average number of violations that are issued in the Borough each year.

Motion to instruct Borough Staff to create a community service program for the collection of litter as cited under state statutes. **Moved** by Mr. Shaver and seconded by Mr. Kaag. **Motion carried 7-0.**

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

- b. **Public Works Department** - Mr. Grassley offered to answer questions regarding his report and noted plans to begin curb repairs next month. A sanitary sewer issue will be addressed next week within the 600 block of Spruce Street as well as patching of Linden Lane.

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

- c. **Fire Department** – Chief Moyer offered to answer any questions regarding his report and noted a correction to a previous report that a lease agreement had not been established for Western Berks Ambulance to occupy space within the firehouse. Borough staff located a ten-year agreement that had been established in 2004 that allowed an automatic one-time, ten-year roll over that expires on December 31, 2023. It was noted that one hundred eighty days' notice is required to renegotiate the lease. A reminder to review this agreement has been set for next January.

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

- d. **Code Department** – Mrs. Hoffman offered to answer questions regarding her report. Mayor Kaag suggested the property maintenance inspector review more closely the area along Fifth Avenue near Pine Street where there are violations pertaining to a fire pit, trash bags and furniture on the porch. Mrs. Hoffman will ask the inspector to visit this area.

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

- e. **West Reading Community Revitalization Foundation** – Mr. Ratcliffe thanked the Mayor for her kind words regarding the events on the Avenue, and the support given by Borough staff and Police Department. Mr. Ratcliffe also thanked Ms. Drobnick for her assistance with the upcoming Fashion Show.

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

12. COMMITTEE / COMMISSION REPORTS:

- a. **Recreation Commission** – Ms. Drobnick noted that pool and playground seasons are right around the corner and the dilemma that is being reviewed by Commission members to address neighboring seasonal employee wages. In lieu of increasing wages above the budgeted \$1 per hour increase, creative ideas such as funding of certifications and pay regardless of inclement weather are being considered. Mr. Lineaweaver wants to ensure adequate qualified staffing for these potentially lifesaving positions. It was noted that a 30% increase in concession stand food pricing would match last year's neighboring concession stand prices. Mr. Grassley offered to review expenses, including wages to ensure a 35% profit margin is being met. It was recommended to prohibit coolers and food being brought into the pool area to promote purchases from the concession stand. Chief Moyer recommended reviewing the potential of merging recreational facilities with the Borough of Wyomissing. Ms. Drobnick also noted discussions on spending the budgeted \$12,000 on fireworks, noting that an event could be planned without fireworks.

Event dates have been submitted by the Pickleball Association prior to the February 15th deadline. This information has not yet been provided to the Recreation Commission for their review and comment. Also, the events that request alcohol vendors will need to be presented to Council for consideration. Therefore, no action is needed at this time.

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

- b. **Planning Commission** – Mr. Wert noted the continued review of zoning amendments with Mr. Rohrer of Systems Design Engineering whom has offered valuable information. Rental Occupancy Ordinance amendment discussions have resumed while being mindful of the aspects that are currently under constitutional or legal review.

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

- c. **Economic Development Committee** – Mr. Wert noted the developers plans to complete the nine new townhomes by the end of the month. The Nitro Bar reopened today after being shut down for two years due to the pandemic. Contact has been made with the owner of the old Subway building who states they are currently renovating the apartment and intends to open a bubble tea establishment on the first floor. Trish's Specialty Cheesecakes plans to open at the end of March on north Sixth Avenue. Ezekiel Café plans to open at 10 S. Fifth Avenue which is located behind Giorgio's Pizzeria. Mr. Lineaweaver is pleased to see the façade program moving forward with the approval for Let's Taco Bout It.

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

- d. **Environmental Advisory Council** – Mr. Kaag noted discussions on how to educate the community on topics such as trash and recycling, and how to motivate volunteerism. A monthly cleanup plan was discussed to address Penn Avenue, residential blocks, the parklands, and the creek and dock areas. This program will be called the Barnhardt Bucket Brigade in honor of former Council Member and Mayor Kevin Barnhardt's past practices.

Motion to accept the Environmental Advisory Council report. **Moved** by Ms. Drobnick and seconded by Mr. Shaver. **Motion carried 7-0.**

- e. **Traffic and Infrastructure Committee** – Mr. Lincoln noted review of the stop intersection studies along the Walnut Street corridor and the continued review of various parking ordinance sections that will be brought to Council at one time. Joint safety grant opportunities are being reviewed as well as a location for a bike share program with the Wyomissing Borough Manager. More updates will be provided next month.

Mr. Wert was intrigued by the prospect of naming alleys and recommended commemorating volunteers and historical figures of the Borough. It was noted that a lettering system or a method to easily identify the location were discussed by committee members, and that it would be difficult to please everyone through a street naming process. Mr. Lincoln reported that there was no intention to install street signs, and that the street names would be for in-house use and shared with emergency management services.

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

- f. **Shade Tree Commission** – Mr. Kaag spoke of a presentation by Bartlett Tree Experts on behalf of the West Reading-Wyomissing Rotary Club whom is donating and planting seventy-five trees in the park area on April 30, 2022. The three chosen species are: Red Buds, Swamp White Oaks, and Paw Paws. Bartlett Tree Experts will determine the best locations for the different species as some are better suited for erosion prevention/wet environments or fruit bearing. Mr. Kaag noted tree trimming and removal discussions and review of the sidewalk repair guidelines created by the Code Department a few years ago. Mr. Kaag also shared a property owners' gratitude for the Borough's assistance in shaving tree roots during his sidewalk replacement project and for helping him through the permitting process.

Motion to accept the Shade Tree Commission report. **Moved** by Mr. Lincoln and seconded by Mr. Wert. **Motion carried 7-0.**

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

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

13. **TREASURER'S REPORT:**

- a. **Financial Statement Ending 1/31/2022** – There were no questions or comments.
- b. **Payment Approval Report 1/19/22 to 2/10/22 & 2/11/22 to 2/15/22** – Mr. Lineaweaver inquired as to a recent payment of background checks. Mr. Murray reported that this was for his employment background check that had not been billed last year.

Motion to approve the Financial Statement ending 1/31/2022, and the Payment Approval Reports of 1/19/22 to 2/10/22 & 2/11/22 to 2/15/22. **Moved** by Mr. Wert and seconded by Mr. Lincoln. **Motion carried 7-0.**

14. **PUBLIC COMMENT:**

Mr. Rogers found it interesting that a decision was made tonight to begin a community service program, yet no action has been taken to replace Turnkey Taxes or to pursue collection of missing Business Privilege Taxes. He wanted to know why Council does not take action.

15. **ADJOURNMENT:** Motion to adjourn the meeting at 9:14 p.m. **Moved** by Mr. Lincoln and seconded by Mr. Kaag. **Motion carried 7-0.**

Respectfully submitted,

Cynthia Madeira
Borough Secretary