

**BOROUGH OF WEST READING  
BOROUGH COUNCIL MEETING**

**March 21, 2023 – 7:00 p.m.**

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, March 21, 2023 with the following persons present: Council President Ryan Lineaweaver; Council Vice President Philip Wert (arrived at 7:57 p.m.); Council Pro-Tem Christopher Lincoln; Council Members Jennifer Bressler, Patrick Kaag, Denise Drobnick, and Zachary Shaver; Mayor Samantha Kaag; Solicitor Daniel Becker; Fire Chief and Building Code Official Chad Moyer; Police Chief Wayne Holben; Recreation Director Michael Esterly; Treasurer Jeanette Rentschler; Borough Manager Dean Murray; Public Works Director Kerry Grassley; Main Street Manager Mark Ratcliffe; Engineer Tom Unger; and Borough Secretary Cynthia Madeira.

**VISITORS:**

Karen Livingood, Resident

Tina Shenk, Resident & Business Owner

Suzanne Thompson, Resident

Rafael Torres, Resident

Ty Gardner, Resident

James Rogers, Resident

Kacie Rodriguez, Resident

Diane Price, Armed Forces Day Parade

1. **CALL TO ORDER:** Council President Ryan Lineaweaver called the meeting to order at 7:09 p.m., which was followed by the Pledge of Allegiance and Roll Call.

2. **EXECUTIVE SESSION:**

Mr. Lineaweaver noted an additional topic of discussion during the executive session held on Tuesday, February 21, 2023, at 8:40 p.m. that pertained to potential litigation of a resident's denied appeal to the Office of Open Records. An executive session was also held this evening at 6:00 p.m. to discuss personnel matters as it relates to performance, potential hiring of a police administrative aide and/or parking enforcement officer, the settlement of Third Circuit appeal by the Lofts at Narrow litigation, potential litigation regarding illegitimate subpoenas served to the Borough, and the potential acquisition of real property.

3. **AGENDA AMENDMENTS:**

There were no amendments to the agenda.

4. **PUBLIC COMMENT:**

Mr. Rogers noted copies of the Fire Marshal's inspection report that he provided to Borough Council members this afternoon notating stained ceilings within 26 apartment units that appeared to be a residue of creosote. Mr. Rogers inquired as to the building code policy on this type of finding. Mr. Moyer stated that he cannot speak specifically as to the current presence of creosote, he noted remediation efforts and to his knowledge no further resident complaints have been received. Mr. Rogers referred to a notation in the report that a contractor intended to cover the ceiling with a metal covering two years ago. For the benefit of the community and to avoid lawsuits Mr. Rogers thought that additional inspections should have been performed during that time.

Ms. Price noted the 75<sup>th</sup> anniversary of the Armed Forces Day Parade and some additional features this year to commemorate the anniversary such as a string band, a flyover and ladder arch over Penn and Eighth Avenue. Each year a branch of the military is highlighted, this year is the Air Force International Guard. A commemorative 75th anniversary coin will be provided to

the Borough as an appreciation of the Boroughs support of this event. Any Veteran is welcome to join the parade.

Motion to approve the 75<sup>th</sup> Annual Armed Forces Day Parade on Saturday, May 20, 2023, and the closure of Penn Avenue from Eighth Avenue to Third Avenue. **Moved** by Mr. Lincoln and seconded by Mr. Shaver. **Motion carried 6-0.**

5. **APPROVAL OF COUNCIL MINUTES:**

Motion to approve the February 21, 2023, regular meeting minutes, and the February 28, 2023, special meeting minutes. **Moved** by Ms. Drobnick and seconded by Mrs. Bressler. **Motion carried 6-0.**

6. **ORDINANCES / RESOLUTIONS:**

- a. **Ordinance – Rental Property Amendment** – Mr. Lineaweaver noted the lengthy review by the Planning Commission to amend the rental property ordinance in its entirety.

Motion to authorize the advertisement of an amendment to the Rental Property Ordinance. **Moved** by Mr. Kaag and seconded by Mrs. Bressler. **Motion carried 6-0.**

- b. **Ordinance – Special Purpose Parking Zones Amendment** – Mr. Lineaweaver noted the proposed addition of a handicapped parking space to the 100 block of South Second Avenue.

Motion to authorize the advertisement of the designation of a handicapped parking space within the 100 block of South Second Avenue. **Moved** by Mrs. Bressler and seconded by Mr. Shaver. **Motion carried 6-0.**

- c. **Resolution 2023-2 PennDOT Comprehensive Maintenance Services Agreement** – Mr. Lineaweaver noted a previous discussion on the benefits of the Borough mowing the cloverleaf area. This agreement provides roughly \$6,000 annually in compensation by PennDOT for a period of three years.

Motion to adopt Resolution 2023-2 Comprehensive Maintenance Services Agreement. **Moved** by Mr. Lincoln and seconded by Ms. Drobnick. **Motion carried 6-0.**

7. **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 advertised to receive bids for the 2023 road projects with the anticipated bid results being provided to Borough Council during the regular April meeting.

As an action item, Mr. Unger requested consideration to allow Systems Design Engineering to design grading of the hillside to install three terraces for seating along Parkside Drive North near the Pickleball Courts. These engineering services would be funded by the Pickleball Association.

Motion to authorize the engineer to prepare plans for terrace seating at the Pickleball Court conditioned upon the Pickleball Association's funding of the same. **Moved** by Mr. Lincoln and seconded by Mr. Kaag. **Motion carried 6-0.**

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

Mr. Unger departed the meeting at 7:30 p.m.

7. **COUNCIL PRESIDENT'S REPORT:**

Mr. Lineaweaver shared his communication efforts today with the State Representative's District Office Director, Mr. Aden regarding House Bill No. 451 that would provide an annual revenue sharing program for municipalities relating to tax-exempt property. Mr. Lineaweaver noted that more than 50% of the Borough's tax base is non-profit or tax exempt. He indicated that there appears to be support for this newly introduced bill.

Mr. Lineaweaver also congratulated the Wyomissing High School Girls Basketball Team for their accomplishments this year.

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

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

- a. **Emergency Management Board** – Mr. Murray requested consideration to appoint Chad Moyer as the alternate member on this board. In essence Mr. Moyer would attend the quarterly meetings in the event of his absence.

Motion to appoint Chad Moyer as an Alternate Board Member to the Emergency Management Board. **Moved** by Mr. Lincoln and seconded by Ms. Drobnick. **Motion carried 6-0.**

- b. **Payroll Adjustment** – Mr. Becker clarified the wage increase for three administrative positions, the Borough Secretary, Code Secretary and Assistant Treasurer to provide them with the standard 3% wage increase that is provided to all Borough employees in addition to the market rate adjustment authorized at the end of 2022. This will be retroactive as of January 1, 2023.

Motion to retroactively approve a 3% wage increase for three administrative employees effective January 1, 2023. **Moved** by Mrs. Bressler and seconded by Mr. Shaver. **Motion carried 6-0.**

- d. **Police Department Administrative Aide Position** – Mr. Lineaweaver noted interviews that were conducted last evening of eight candidates.

Motion to provide a conditional offer of employment for a full-time Administrative Aide to the Police Department. **Moved** by Mr. Shaver and seconded by Mrs. Bressler. **Motion carried 6-0.**

- e. **Parking Enforcement Officer Position** – Mr. Murray requested consideration to advertise the position of Parking Enforcement Officer.

Motion to authorize the advertisement to fill a Parking Enforcement Officer position. **Moved** by Mr. Kaag and seconded by Mr. Lincoln. **Motion carried 6-0.**

- e. **Order to Cease and Desist** – Mr. Murray requested consideration to authorize the ratification of the Borough's insurance agent to issue an order of cease and desist.

Motion to ratify the approval of the Borough's insurance agent to issue an order to cease and desist. **Moved** by Mr. Shaver and seconded by Ms. Drobnick. **Motion carried 6-0.**

f. **Special Events** – Mr. Murray requested consideration of the following event requests:

- Taqueria Comalli – On Friday, May 5<sup>th</sup> a request was made to partially close the 700 block of Court Street for an event shared with Fleet Feet. Communication of this partial road closure will be shared with the trash hauler.

Motion to approve the Taqueria Comalli event on Friday, May 5, 2023, and the partial closure of the 700 block of Court Street. **Moved** by Mr. Kaag and seconded by Ms. Drobnick. **Motion carried 6-0.**

- French Fry Fest – Mr. Woodward’s annual event request is for Saturday, August 12, 2023, with a rain date of Saturday, August 19, 2023, and an expansion of road closure to include South Sixth Avenue from Penn Avenue to Franklin Street, and a portion of Franklin Street.

Motion to approve the French Fry Fest event on August 12, 2023, with a rain date of August 19, 2023, and the road closure of South Sixth Avenue from Penn Avenue to Franklin Street and Franklin Street from Sixth Avenue to Clark Alley. **Moved** by Mr. Shaver and seconded by Ms. Drobnick. **Motion carried 6-0.**

g. **Lofts at Narrow Litigation** – Mr. Lineaweaver requested consideration to enter a settlement of the Third Circuit appeal with the Lofts at Narrow pending solicitor approval of the final language.

Motion to enter a settlement of the Third Circuit appeal with the Lofts at Narrow pending solicitor approval of the final language. **Moved** by Mr. Kaag and seconded by Mr. Lincoln. **Motion carried 6-0.**

h. **Pennsylvania State Association of Boroughs (PSAB) Voting Delegate** – Mr. Murray requested consideration of 2023 voting delegates for the PSAB Annual Conference. Mayor Kaag nominated Mr. Murray as the Voting Delegate and Mr. Shaver as the Alternate.

Motion to appoint Dean Murray as the 2023 PSAB Voting Delegate and Zachary Shaver as the Alternate Voting Delegate for the PSAB Annual Conference. **Moved** by Ms. Drobnick and seconded by Mr. Kaag. **Motion carried 6-0.**

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

9. **MAYOR’S REPORT:** Mayor Kaag referred to her report noting the following:

- The February 25<sup>th</sup> West Reading Fashion Show was the largest to date.
- Attended a ribbon cutting ceremony on March 11<sup>th</sup> for Adrienne Beck Photography.
- A Labor Management meeting was held on March 13<sup>th</sup> per the Collective Bargaining Agreement.
- On March 18<sup>th</sup> the Borough’s 116<sup>th</sup> Birthday, the Mayor and Councilman Kaag cleaned a 500’ portion of Penn Avenue collecting seven bags of trash.
- Also, on March 18<sup>th</sup> the Mayor attended the IM Able Bash to support a foundation that benefits the community.
- The Local Share Account (LSA) Security System Improvement Grant Application administered by the Pennsylvania Department of Community & Economic Development

that was submitted last year has been approved in the amount of \$264,750. Mayor Kaag thanked Councilman Kaag and Council President Lineaweaver for their assistance in applying for the grant funding. Mayor Kaag also noted that the West Reading Community Revitalization Foundation has been approved for two grants in the amount of \$113,522 for streetlights and \$100,000 for redevelopment of gateway signage. Chief Holben was approved for a technology grant in the amount of \$153,988 by the Pennsylvania Commission on Crime and Delinquency.

- Future plans include attending a woman's resource fair this Saturday hosted by State Representative Johanny Cepeda-Freytiz; attending a one-year anniversary event for Fox and Fern Collective; and Councilman Kaag will be joining the Public Works Crew in clearing the creek tomorrow with funding he secured through a grant opportunity. It was noted that the creek cleanup is just in time for the April 15<sup>th</sup> Kids Fishing Rodeo.

Mayor Kaag requested consideration to amend the agenda to include a discussion on her ability to officiate marriages without the intent to charge fees, and to take part in the Pride flag raising ceremony.

Motion to amend the agenda at the Mayor's request for Council's approval to officiate marriages and for approval to participate in the Pride flag raising ceremony. **Moved** by Mr. Shaver and seconded by Mrs. Bressler. **Motion carried 6-0.**

Mr. Lineaweaver asked members of the public as to any comments they may have on the two agenda amendments. There were no questions or comments.

Motion to approve the Mayor to officiate marriages. **Moved** by Mr. Lincoln and seconded by Ms. Drobnick. **Motion carried 6-0.**

Motion to approve participation in the Pride flag raising ceremony on June 1<sup>st</sup> at 5:30 p.m. **Moved** by Mr. Shaver and seconded by Mrs. Bressler. **Motion carried 6-0.**

Mayor Kaag noted that the City of Reading Pride flag raising ceremony will be held on June 3<sup>rd</sup> with the first ever march to follow. Mr. Castro has invited Borough Council members and residents to this event.

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

#### 10. DEPARTMENT REPORTS:

- a. **Police Department** – Chief Holben noted an action item to consider the allowance of an Officer to use family sick time. There were no questions or comments.

Motion to approve an Officer's request to use family sick time. **Moved** by Mr. Shaver and seconded by Mr. Lincoln. **Motion carried 6-0.**

Chief Holben recognized Officer Bohn who researched and secured funds for a PepperBall launcher through the Kyle Pagerly Memorial Fund. The PepperBall is filled with pepper powder and is non-lethal.

Chief Holben noted that the police vehicle graphics have been refreshed. There were no questions or comments.

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. He noted that a new fence has been installed in the pool area, and that Crew members removed the old fencing to save on expenses. The ballfield has been hydroseeded where the storm sewer was installed. Council Chambers wall improvements were completed this month. And the replacement truck has been ordered and should be delivered in roughly six weeks. Mr. Grassley noted that trees will be trimmed along Fifth Avenue next week and that he is coming in early to monitor the trash hauler's activity.

Mr. Grassley requested consideration to hire a budgeted part-time Crew member to assist in curbing replacements prior to this year's paving projects.

Motion to approve the hiring of a part-time seasonal Public Works employee. **Moved** by Ms. Drobnick and seconded by Mr. Lincoln. **Motion carried 6-0.**

Mr. Murray noted that it was difficult for him to let go of the control of the Public Works Department but acknowledged that Mr. Grassley has successfully taken on that responsibility. Mayor Kaag confirmed that Mr. Grassley has filled the position well and appreciates his efforts in going above and beyond the call of duty.

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

- c. **Fire Department** – Chief Moyer referred to his written report and provided an update on the progress of building the new Engine/Rescue 64. The final inspection has been confirmed for April 5<sup>th</sup> through the 8<sup>th</sup>, members will be in South Dakota reviewing the truck during that time. The truck will then be moved to the dealership for lettering for roughly 30 days. In exchange for displaying the truck during the May 19<sup>th</sup> Harrisburg Fire Expo the manufacturer will provide free maintenance for a specified period. Borough ownership of the truck will take place following the Expo.

Motion to accept the Fire Department report. **Moved** by Mr. Lincoln and seconded by Mrs. Bressler. **Motion carried 6-0.**

- d. **Code Department** – Mr. Moyer provided an update for transparency purposes on the status of commercial fire inspections noting the agreement with the Township of Spring to perform these inspections depended on the hiring of additional staff. Due to the Township of Spring's difficulties in retaining additional staff, the Borough is now working towards the ability to perform these inspections in-house. It is hopeful that the initial round of inspections be completed by the end of the year. Letters will be mailed to business owners to alert them to the reimplementation of the inspection program.

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

Mr. Murray noted Mrs. Hoffman's plans to retire next month stating the decision to bring Chad Moyer in as the Code Department Manager has provided a new energy as well as

accomplishments within this department. Mr. Murray wished Mrs. Hoffman well in her retirement.

Mr. Wert joined the meeting at 7:57 p.m.

- e. **West Reading Community Revitalization Foundation** – Mr. Ratcliffe thanked all volunteers that assisted with the recent fashion show and noted the upcoming Craft Pretzel and Beer Festival planned for April 29<sup>th</sup>. Grant status updates were provided noting applications submitted to the Wyomissing Foundation and T-Mobile for a Hometown grant. It was noted that notification of grant awards submitted last year to the Department of Community and Economic Development (DCED) for lighting improvements is still pending. A Business Improvement District (BID) meeting was held yesterday morning that provided great feedback from the merchants. A merchant survey will be sent later this week to obtain additional feedback. And two ribbon cutting ceremonies are planned on April 14<sup>th</sup>.

Mr. Lineaweaver referred to a list of 2<sup>nd</sup> Friday event dates and road closures that were provided to Council for consideration.

Motion to approve the West Reading Community Revitalization Foundation list of 2023 2<sup>nd</sup> Friday event dates with 00 block of South Sixth Avenue closures. **Moved** by Mrs. Bressler and seconded by Mr. Shaver. **Motion carried 7-0.**

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

#### 11. COMMITTEE / COMMISSION REPORTS:

- a. **Equity Diversity and Inclusion Taskforce** – Mrs. Bressler noted a meeting that was held on March 2<sup>nd</sup> between herself, Ms. Drobnick, and Enrique Castro to discuss the process of establishing a non-discrimination ordinance. The enactment of a resolution while work progresses with the ordinance was also discussed.

Motion to accept the Equity Diversity and Inclusion Taskforce report. **Moved** by Mr. Kaag and seconded by Mr. Shaver. **Motion carried 7-0.**

- b. **Recreation Commission** – Mr. Esterly noted the upcoming Easter Egg Hunt on April 1<sup>st</sup>, the Fishing Rodeo on April 15<sup>th</sup>, the Father/Daughter Dance on May 5<sup>th</sup>, and the return of Zumba classes at the pavilion on Saturday mornings beginning April 8<sup>th</sup>. Several good applicants have been interviewed for the pool and playground programs.

Mr. Lineaweaver provided an overview of the list of hires noting a pool manager at \$16.00/hour; an assistant pool manager at \$14.50/hour; a head lifeguard at \$10.50/hour; lifeguards ranging from \$10.00 to 11.75/hour. A concession stand manager at \$14.00/hour; and concession stand workers at \$10.00/hour. Playground leaders ranging from \$10.00 to \$10.50/hour.

Motion to approve the list of new and returning hire applicants. **Moved** by Mr. Wert and seconded by Mr. Shaver. **Motion carried 7-0.**

Mr. Lineaweaver requested consideration to accept a letter of resignation from Troy Hassler.

Motion to accept a letter of resignation from Troy Hassler from the Recreation Commission. **Moved** by Mr. Kaag and seconded by Mr. Shaver. **Motion carried 7-0.**

Mr. Lineaweaver referred to a letter of interest submitted by John Harvey to be appointed to the Recreation Commission. Mr. Esterly reported that Mr. Harvey has been assisting in preparations for the Easter Egg Hunt event.

Motion to appoint John Harvey to the Recreation Commission. **Moved** by Mr. Lincoln and seconded by Mr. Wert. **Motion carried 7-0.**

Mr. Lineaweaver noted discussions to limit the playground program to half-days. A survey was provided to last year's playground participants noting several negatives in the full-day program. Ms. Drobnick stated that the Borough is not equipped to provide a full-day daycare program filled with engaging activities.

Motion to approve the limitation of the playground program to a half-day program. **Moved** by Mr. Kaag and seconded by Mrs. Bressler. **Motion carried 7-0.**

Ms. Drobnick shared the Recreation Commission discussions on bringing the Father/Daughter Dance into the modern day by following a trend across the country to make it a Dazzling Daughters Dance so that children without a father can feel comfortable attending the event with a special adult in their lives.

Motion to accept the Recreation Commission report. **Moved** by Mrs. Bressler and seconded by Mr. Shaver. **Motion carried 7-0.**

- c. **Planning Commission** – Mr. Wert noted the earlier recommendation to advertise an amendment to the Rental Property Ordinance. Amendments to the Wireless Communication Facilities and Code Red/Code Blue for Animals sections are close to being ready to present to Borough Council. Future ordinance amendment discussions will focus on the Uniform Construction Code (UCC) adopted edition and various zoning items.

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

- d. **Economic Development Committee** – Mr. Wert noted 100% occupancy of business space along Penn Avenue and a list of businesses waiting for available space within our business community. The Motor Club and Legacy Cigar Lounge will be opening soon, and the Winnie Tea Bar is open and doing well.

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

- e. **Environmental Advisory Council** – The February meeting was cancelled due to the lack of a quorum.
- f. **Traffic and Infrastructure Committee** – Mr. Lincoln noted continuing discussions on sidewalk repairs with a focus on the best implementation of reintroducing sidewalk repair requirements. Additional information should be coming forward soon regarding changes to bulk trash collection practices. Pedestrian safety concerns around the Borough are being reviewed by staff with possible recommendations coming forward soon.



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

Ms. Shenk departed the meeting at 8:19 p.m.

g. **Shade Tree Commission** – The March meeting was cancelled.

h. **Safety Committee** – Mr. Murray reported that the committee continues to work on updating the Safety Committee Handbook. There were no questions or comments.

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

## 12. **TREASURER'S REPORT:**

a. **Pennsylvania State Association of Boroughs Municipal Retirement Trust (PSAB-MRT)**

**Pension Statements** – Mrs. Rentschler provided an overview of the status of the pension plans noting that the police pension plan is underfunded, and the non-uniform pension plan is overfunded.

Motion to accept the PSAB pension statements. **Moved** by Mr. Shaver and seconded by Ms. Drobnick. **Motion carried 7-0.**

b. **2023 Budget Amendments** – Mrs. Rentschler reviewed the list of proposed amendments to the budget noting the following:

- **Police Technology Grant** – New General Ledger (GL) codes were created to track revenue and expenses associated with this grant award. Costs pertaining to the purchases of budgeted major equipment, technology, computer maintenance and equipment were lowered.
- **Sidewalks** – Based on the Traffic and Infrastructure Committee discussions surrounding an incentive type sidewalk replacement program pertaining to Borough tree damaged sidewalks \$10,000 was proposed in a Capital Sidewalk Program GL code. Mr. Lincoln was unsure if the program would be operational this year but welcomed the designation of funds.
- **Administration Vehicle** – Expenses pertaining to the Administration vehicle repairs, gasoline and insurance were added.

Mrs. Rentschler noted a net savings to the budget totaling \$34,680.

- **Capital Fund Buildings and Highways** – Remaining 2022 Capital Building funds of \$33,500 were recommended by Mr. Grassley to be used towards replacement windows at Borough Hall, an air conditioning upgrade to the Administration office, and a lean-to at the garage. The remaining 2022 Highway Capital funds of \$99,000 were recommended by Mr. Grassley to be used towards paving the 300-400 block of Sycamore Road and the portion of Sunset Road between Parkview Road and Pine Street dependent upon bid results. Council members felt it would be prudent to pursue these worthwhile improvements.

Motion to approve the proposed 2023 Budget amendments as discussed. **Moved** by Mr. Lincoln and seconded by Mr. Kaag. **Motion carried 7-0.**

- c. **Workers' Compensation Program** – Mrs. Rentschler noted the loss of an orthopedic surgeon in the current program and the recommendation from Benecon to adopt the Berks County standard panel of physicians for Borough employees.

Motion to designate the standard workers' compensation panel of health care providers by Susquehanna Municipal Trust. **Moved** by Mrs. Bressler and seconded by Ms. Drobnick.

**Motion carried 7-0.**

Mr. Ratcliffe departed the meeting at 8:34 p.m.

- d. **Financial Statement Ending 2/28/2023** – There were no questions or comments.
- e. **Payment Approval Report 2/22/23 to 3/16/23 and 3/17/23 to 3/21/23** – There were no questions or comments.

Motion to approve the financial statement ending 2/28/2023, and Payment Approval Reports of 2/22/23 to 3/16/23 and 3/17/23 to 3/21/23. **Moved** by Mr. Shaver and seconded by Mr. Kaag.

**Motion carried 7-0.**

13. **PUBLIC COMMENT:**

Mr. Rogers inquired as to the second comment in Mr. Lineaweaver's opening statement regarding executive session. Mr. Lineaweaver referred to the agenda that lists an additional topic within the February 21<sup>st</sup> executive session held at 8:40 p.m. of potential litigation to a resident's denied appeal to the Office of Open Records.

14. **EXECUTIVE SESSION:**

Motion to recess to an executive session at 8:38 p.m. without anticipation of any action to discuss employee performance. **Moved** by Mr. Kaag and seconded by Mr. Shaver. **Motion carried 7-0.**

Borough Council reconvened at 9:19 p.m. No action was needed at this time.

- 15. **ADJOURNMENT:** Motion to adjourn the meeting at 9:20 p.m. **Moved** by Mr. Shaver and seconded by Ms. Drobnick. **Motion carried 6-0.**

Respectfully submitted,

Cynthia Madeira  
Borough Secretary