BOROUGH OF WEST READING BOROUGH COUNCIL MEETING

September 19, 2023 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, September 19, 2023 with the following persons present: Council President Ryan Lineaweaver; Council Vice President Philip Wert; Council Pro-Tem Christopher Lincoln; Council Members Patrick Kaag, Jennifer Bressler, and Denise Drobnick; Mayor Samantha Kaag; Solicitor Daniel Becker; Fire Chief and Building Code Department Manager Chad Moyer; Chief of Police Richard Tornielli; Recreation Director Michael Esterly; Treasurer Jeanette Rentschler (via Zoom); Borough Manager Dean Murray; Public Works Director Kerry Grassley; Engineer Pamela Stevens; and Borough Secretary Cynthia Madeira. Council Member Zachary Shaver was unable to attend.

VISITORS:

Ty Gardner, Resident
Karen Livingood, Resident
Charles Aden, Resident
Tina Shenk, Resident & Business Owner
Marisol Martinez, Resident
Kimberly Reyes, Visitor
Brad Hollenbaugh, Visitor (via Zoom)
James Rogers, Resident
Lance Parmer, Fire Police
Suzanne Thompson, Resident
Nathalie Kulesa, Resident
Bethany Bower, Resident
Albert DeGennaro, Visitor

Mark Burkholder, Fire Marshal (arrived at 7:38 p.m. via Zoom)

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 executive session that was held on Tuesday, September 19, 2023 at 6:30 p.m. to discuss the potential acquisition of real property, the dismissal of Pennsylvania Human Relations Commission (PHRC) filings being closed due to insufficient evidence, and terms and conditions of employment of an employee.

3. AGENDA AMENDMENTS:

There were no amendments to the agenda.

4. PUBLIC COMMENT:

Mr. Rogers congratulated everyone for a fantastic Fall Fest event last weekend and indicated that we should not have a parking problem anymore now that 1,100 parking spaces were made available by medical establishments in the vicinity of Reading Avenue and Park Road. He recommended that the availability of Reading Hospital Campus parking facilities be better publicized in the future. Mr. Rogers spoke of a reoccurring issue of an unmarked vehicle parking in a designated handicapped parking space on Chestnut Street and recommended that in addition to ticketing the vehicle that it be removed to allow the person in need to use the space. Mayor Kaag offered to review the incident to determine if there are additional courses of action that can be taken.

Ms. Shenk thanked Borough Council on behalf of the West Reading business owners for their support of the Fall Fest event. She noted that it did not appear to be a drinking festival this year and the presence of Mr. Kaag and others that came to clean up the area the following day.

Mrs. Kulesa inquired as to the department that is responsible for maintaining the memorial area in the park, noting the need to replace the flags and wreaths. Mr. Grassley shared plans for cleaning the area with the appropriate product. The Recreation Department was tasked with replacing the flags and wreaths.

Mrs. Kulesa also noted an influx of children playing in the vicinity of the triangle on Pine Street near Sunset Road and Third Avenue. Mr. Lincoln noted discussions that began this month on possible revisions to this area during the Traffic and Infrastructure Committee meeting.

Ms. Reyes introduced herself as the coordinator of the Wyomissing Homecoming Bonfire Parade this year and wanted to thank the Borough for modifying our schedule to allow their celebration to take place on October 13th.

5. **READING HOSPITAL ROAD RUN:**

Ms. Kohl introduced herself as a representative of the Friends of Reading Hospital and noted the annual fundraising event that was brought back to Reading Hospital in 2019 that traverses West Reading Borough, Wyomissing Borough, the City of Reading and surrounding municipalities. In conjunction with the approved special event, she requested consideration to waive the cost to rent barricades and traffic equipment. It was noted that the Friends of Reading Hospital does fundraising for the community and the recent donation of an E-bike to the West Reading Police Department. They are fully committed to paying the costs associated with public works and police labor. Mayor Kaag was in favor of waiving this annual request.

Motion to approve the request for fee waiver associated with barricades and traffic equipment for the October 15, 2023 Friends of Reading Hospital Road Run event. **Moved** by Mr. Lincoln and seconded by Mr. Kaag. **Motion carried 6-0.**

Ms. Kohl departed the meeting at 7:25 p.m.

6. APPROVAL OF COUNCIL MINUTES:

Motion to approve the August 15, 2023, regular meeting minutes, and the August 29, 2023 and September 9, 2023 budget meeting minutes. **Moved** by Mr. Wert and seconded by Mrs. Bressler. **Motion carried 6-0.**

7. ORDINANCES / RESOLUTIONS:

a. **Ordinance 1173 Animals Code Red / Code Blue** – Mr. Lineaweaver noted the advertised proposed amendment to Chapter 152 to include provisions that would prohibit an animal from being left outdoors during extreme hot or cold weather conditions.

Motion to adopt an amendment to Chapter 152 Animals to include provisions that would prohibit an animal from being kept outdoors during extreme hot or cold weather conditions. **Moved** by Mr. Kaag and seconded by Ms. Drobnick. **Motion carried 6-0.**

b. **Ordinance 1174 Pension Advisory Committee** – Mr. Lineaweaver noted the establishment of an enabling ordinance that would structure the committee to include all involved stakeholders.

Motion to adopt an amendment establishing an enabling ordinance for a Pension Advisory Committee. **Moved** by Mr. Lincoln and seconded by Mr. Kaag. **Motion carried 6-0.**

There were no questions or comments.

c. Ordinance – Special Purpose Parking Zones & One-Way Streets Amendment – Mr. Lineaweaver requested consideration to authorize an amendment to relocate a handicapped parking space and to add Juniata Street and Holland Square to the list of one-way streets.

Motion to authorize the advertisement of an amendment to relocate a handicapped parking space within the 100 block of Tulpehocken Avenue and supplement the list of one-way streets to include Juniata Street from Walnut Street to Olive Street, and Holland Square from Lakeview Drive to Lakeview Drive. **Moved** by Mr. Kaag and seconded by Mr. Lincoln. **Motion carried 6-0.**

d. **Resolution 2023-20 Extension of Local Disaster Emergency** – Mr. Lineaweaver requested consideration to extend the local disaster emergency until the next Borough Council meeting.

Motion to adopt Resolution 2023-20 extending the Proclamation of the Local Disaster Emergency until the October 18, 2023 Borough Council meeting. **Moved** by Ms. Drobnick and seconded by Mr. Lincoln. **Motion carried 6-0.**

8. CONSULTANT'S REPORT:

- a. **Solicitor's Report** Mr. Becker indicated that he had nothing new to report that is not otherwise covered on the agenda.
- b. **Engineer's Report** Ms. Stevens provided the following updates:
 - The 2023 Road Projects have been completed except for a few punch list items including pavement markings. The final payment application should be ready for approval next month.
 - The Pennsylvania Department of Community & Economic Development (DCED) Green Light-Go grant application has been awarded in the amount of \$209,975.60 with a Borough match of \$52,493.90. Ms. Stevens will assist in preparing the bid package as appropriate to improve four traffic signals along Fifth Avenue and Parkside Drive North.
 - Ms. Stevens met with Berkshire Systems Group, Inc. to discuss the grant-funded security camera upgrades through the Commonwealth of PA Financing Authority (CFA) Local Share Account (LSA) to clarify items such as contract time, traffic control, and hours of work. The deadline to complete work is June 30, 2026, however, it is anticipated that work will be completed by the end of January 2024. Ms. Stevens noted a similar grant opportunity that opened on September 1st through November 30th that does not require a match on projects valued between \$25,000 to \$1,000,000 and recommended expanding security upgrades for projects such as the traffic circle, license plate readers, and handgun recognition software noting that more than one application may be submitted.
 - The traffic study and diagonal parking plan submitted on behalf of the Pickleball Association to the City of Reading is still awaiting comments.
 - The four-fold garage door for the firehouse has been ordered and should be installed before the end of the year.

- The Ann Street Multi-Model Grant application decision is not expected until November of 2023.
- The water line replacement project grant decision is not expected until the fall of 2023.
- The Solid Waste and Recycling Bids were opened on September 12, 2023.
 Representatives were available from both bidding companies and were allowed to address Borough Council.

Mr. DeGennero introduced himself as the Deputy General Counsel for J.P. Mascaro & Sons and appreciated the working relationship with the Borough currently in the capacity of the contracted landfill at Pioneer Crossing. A letter addressed to the Borough Manager was shared with Borough Council noting that although Hollenbaugh Trash & Recycling, LLC submitted a lower dollar bid he suspects that the bid is nonresponsive and ineligible for award. Assuming that is the case he noted the two available options the Borough has to move forward: 1) reject the bids and rebid; or 2) award the contract to J.P. Mascaro as the lowest responsive bidder. He strongly suggested that Council award a three-year contract to his company. He noted increased service costs and the reasonable bid cost of \$2.88 per collection day per residence and recommended against rejecting the bids to avoid future increased bid proposals.

Mr. Hollenbaugh introduced himself as the owner of Hollenbaugh Trash & Recycling, LLC, that currently services the Borough after purchasing Edgar Holland Disposal a little more than a year ago. He believes that he provided a fair bid to comfortably fulfill a new three-year contract with the Borough and noted the recent growth of his family-owned business that now services customers in six counties.

Mr. Lineweaver reported that two bids were received for waste and recyclable collection services, with two available options that retained the existing services of twice per week trash collection and once per week recycling collection with an option for the bidder to contract with a landfill. A new ticketed bulk collection program that would provide flexibility to the removal of bulk items on any collection day while collecting a fee to offset expenses was included in the two bidding options. For option one J.P. Mascaro bid \$2,561,124, Hollenbaugh bid \$1,668,200, a difference of roughly \$900,000. Option two J.P. Mascaro bid \$1,962,396, Hollenbaugh bid \$1,008,900, a difference of roughly \$950,000.

Mr. Becker noted deficiencies in the Hollenbaugh Trash & Recycling, LLC bid submission and the possibility of those deficiencies being challenged legally, and the drastic difference between bid amounts. Mr. Becker indicated that Borough Council could reject all bids but warned that subsequent bids could be higher. The best course of action as recommended by Mr. Becker was to reject the bids and readvertise. Ms. Stevens stated that bid options could be varied to provide additional cost-saving options. Ms. Drobnick made a recommendation to reduce the number of trash collections per week to save money and be more ecologically friendly. Mr. Lineaweaver recommended scaling back the intervals of available bulk collection days as a cost savings. Mr. Wert did not feel that scaling back to one trash collection day per week would result in much of a savings and noted ramifications of this theory.

Motion to reject the Collection, Transportation, Marketing and Processing of Municipal Solid Waste, Bulk Items, and Recyclable Materials bid submissions of September 12, 2023. **Moved** by Mr. Lincoln and seconded by Mr. Kaag. **Motion carried 6-0.**

Mr. DeGennero and Mr. Hollenbaugh departed the meeting at 7:56 p.m.

Borough Council requested an opportunity to view the revised request for bids during next week's budget meeting, prior to readvertising.

Motion to accept the Engineer's report. **Moved** by Mr. Kaag and seconded by Mr. Lincoln. **Motion carried 6-0.**

Ms. Stevens departed the meeting at 7:59 p.m.

9. COUNCIL PRESIDENT'S REPORT:

Mr. Lineaweaver reported that he and Mark Dougherty of the West Reading Community Revitalization Foundation met with Penn State Berks stakeholders to discuss options to partner with West Reading on internships and volunteer work utilizing Penn State Berks graduates.

Mr. Lineweaver requested consideration to appoint a member to the July 4th Ad Hoc Committee, noting the need for additional volunteers.

Motion to appoint Stephanie Perrette to the July 4th Ad Hoc Committee. **Moved** by Ms. Drobnick and seconded by Mrs. Bressler. **Motion carried 6-0.**

An update was provided on the Junior Council Person Program noting that interest has been expressed, however, resumes have not yet been submitted.

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

10. BOROUGH MANAGER'S REPORT:

- a. Cooperative Police Service Agreement with the City of Reading Mr. Murray requested consideration to amend the agreement to be the primary dispatch for calls associated with the Pickleball court area. Mr. Wert requested clarification on the need to amend the contract. Chief Tornielli clarified that calls pertaining to the Pickleball and Basketball Court area would be dispatched to West Reading while calls for parking or street related issues would be dispatched to the City of Reading.
 - Motion to amend the Cooperative Police Service Agreement with the City of Reading to be the primary agency dispatched to calls for the Pickleball and Basketball area. **Moved** by Mr. Lincoln and seconded by Mr. Wert. **Motion carried 6-0.**
- b. **Borough Safety Manual** Mr. Murray requested consideration to adopt an official safety manual as recommended by the Safety Committee. Mr. Wert inquired as to the benefit of adopting a safety manual. Mr. Murray indicated that a discount would be provided on the Borough's insurance policy.

Motion to adopt a Borough of West Reading Safety Program as the official safety manual. **Moved** by Mrs. Bressler and seconded by Ms. Drobnick. **Motion carried 6-0.**

- c. **Accident and Illness Coordinator** As a part of the safety manual, Mr. Murray requested consideration to designate Stephanie Burkholder as the coordinator. She handles setting up meetings and interacts with the insurance company, therefore, the committee nominated Mrs. Burkholder to fill this position.
 - Motion to appoint Stephanie Burkholder as the Accident and Illness Coordinator. **Moved** by Mr. Kaag and seconded by Mr. Lincoln. **Motion carried 6-0.**
- d. **Metal Detector Use** Mr. Murray shared a request from a non-resident that has been using a metal detector on Holland Square to dig a found object and then replace the grass like a sod plug. Mr. Becker indicated that an area could be isolated as an acceptable area for this type of use. Mr. Moyer referenced two sections of the ordinance that pertain to this request, Section 347-1 prohibits persons from defacing public property, and Section 347-4 prohibits taking material from streets, alleys, or public grounds in the Borough. To avoid unnecessary holes throughout the Borough the requested action was not authorized and would be enforced under the noted sections of the ordinances.

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

- 11. MAYOR'S REPORT: Mayor Kaag noted the following events that she attended this past month:
 - On August 24th she swore-in a new member of the fire police at Borough Hall.
 - On August 26th she officiated Emily & Matthew Murray's wedding at Borough Hall and congratulated Mr. Murray.
 - September 5th, she swore-in the new Chief of Police Richard Tornielli.
 - September 1^{st,} she attended a Special Event Committee meeting.
 - September 2nd, she attended the West Reading Karaoke competition.
 - On September 8th she attended Bob McLennan's featured artist of the month at the Art Plus Gallery, swore-in a new member of the fire police, and attended a ribbon cutting ceremony for Reiki Balance, LLC.
 - September 16^{th,} she attended the Fall Fest event.
 - September 17th, she attended the West Reading Fall Cleanup event.

Mayor Kaag noted plans to provide commendations next month for Mr. Geiger, Mr. Hinsey, and Mrs. Hoffman to allow additional time for families to attend.

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

12. **DEPARTMENT REPORTS:**

a. Police Department – Chief Tornielli referred to his report and noted that Fall Fest had no disorderly conduct or crime related issues. There were two missing juveniles that had been located rather quickly. Chief Tornielli requested feedback from Borough Council as to the type of data points they would like to see in the monthly reporting system. There were no questions or comments.

Motion to accept the Police Department report. **Moved** by Mr. Wert 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 prior to addressing his two action items. The first item was a request of Borough Council's consideration to build a Public Works memorial with a water fountain in the park area. The project would be funded by multiple municipalities including the Reading Area Water Authority. Mr. Lincoln requested the monument to be scaled to fit the area requested near the Pickleball courts. Mayor Kaag welcomed the water fountain aspect and shared her desire to have public restrooms in the area as opposed to porta-potties. Mr. Grassley noted the possibility of tapping into the sewer system in conjunction with the water fountain. Maintenance of the memorial would be the responsibility of the Borough. Mr. Lincoln requested to be involved in the final determination of the structure and location of the monument.

Motion to authorize the placement of a Public Works Memorial within the Borough parkland. **Moved** by Mr. Kaag and seconded by Mr. Lincoln. **Motion carried 6-0.**

The second item pertained to restructuring stormwater flows in the vicinity of the proposed R.M. Palmer Memorial Garden. MS4 improvement costs were provided to either be contracted out or performed in house at a cost savings of roughly \$3,000. Mr. Lincoln inquired as to DEP permitting requirements. Mr. Grassley indicated that a permit would not be required because the flow is not being altered, only restructured. Mayor Kaag noted offers to donate towards the memorial garden that she could explore to offset the cost of these stormwater improvements. The in-house cost, not including man hours, was quoted to be \$8,000. Mr. Lineaweaver noted funds that are being reserved by the Berks County Community Foundation that are available for the construction of a memorial garden. Mr. Grassley shared the optimal time for New Castle Lawn & Landscape to plant the garden during the month of October and requested Borough Council's permission to complete these improvements.

Motion to authorize the Public Works Department to improve the storm sewer catch basins near the firehouse in preparation of the R.M. Palmer Memorial Garden. **Moved** by Mr. Lincoln and seconded by Mr. Kaag. **Motion carried 6-0.**

Motion to accept the Public Works Department report. **Moved** by Mr. Wert and seconded by Ms. Drobnick. **Motion carried 6-0.**

c. **Fire Department** – Chief Moyer referred to his written report and noted that five inquiries were received to bid on the old fire engine without any bid submissions. He requested consideration to extend the bid acceptance timeframe.

Motion to authorize the readvertisement and extension to the bid acceptance timeframe of sixty days for the 2000 Seagrave Engine. **Moved** by Ms. Drobnick and seconded by Mr. Wert. **Motion carried 6-0.**

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

d. **Code Department** – Mr. Moyer referred to his written report and noted UGI Utilities, Inc. plans to replace the gas main along the 200 through 400 blocks of Penn Avenue and northern connecting side streets beginning in early October. Work is scheduled to begin in the 400 block and progress down to the 200 block. Mr. Lincoln recommends sharing with PennDOT the

Borough's regulations on breaking of the pavement surface within five years of paving improvements and the requirement to repave the entire street since Penn Avenue was repaved by PennDOT roughly two years ago. The two-month project to install a gas main and service lines will take place during the hours of 9:00 a.m. to 3:00 p.m. Mr. Moyer offered to share Borough Council's project concerns with UGI Utilities representatives. A press release will be shared on the website and social media avenues to alert residents and businesses. It was noted that natural gas line infrastructure appears to be a priority in this area following the R.M. Palmer explosion.

Mr. Moyer shared the unfortunate news that the 2014 Ford Taurus that was handed down from the police department has a failed transmission and requested permission to explore replacement vehicle options. A base model Ford Bronco Sport with four-wheel drive was proposed. The Treasurer recommended a lump sum purchase to avoid high financing rates. It was noted that the purchase of a new vehicle should last the Code Department roughly ten years and Mr. Moyer was authorized to research available options including financing or funding.

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

e. **West Reading Community Revitalization Foundation** – In Mr. Ratcliffe's absence Mr. Lineaweaver provided an overview of his report noting the upcoming approved Fete en Blanc event at the Pavilion on October 7th with the approval of alcohol sales through vendors, and a book stroll on October 13th. The lighting and gateway grants are still in progress with a design competition that is running for the next thirty days to redesign the railroad bridge. A winner should be selected in January with a project start date of Spring 2024. The codes grant is in progress and Mr. Ratcliffe is applying for an LSA grant that is due in November.

Motion to accept the West Reading Community Revitalization Foundation report. **Moved** by Mrs. Bressler and seconded by Mr. Kaag. **Motion carried 6-0.**

13. COMMITTEE / COMMISSION REPORTS:

- a. **Equity Diversity and Inclusion Taskforce** Mrs. Bressler reported that a meeting was not held this past month.
- b. **Recreation Commission** Mr. Esterly referred to his written report and noted that the pool has been closed for the season, noting \$176 that was raised for the Animal Rescue League from the Pups at the Pool event. Preparations have begun for the haunted house and hayride events.
 - Motion to accept the Recreation Commission report. **Moved** by Mr. Kaag and seconded by Mr. Lincoln. **Motion carried 6-0.**
- c. **Planning Commission** Mr. Wert noted a conditional use application that was reviewed with a hearing scheduled next week for an auto repair shop to replace an HVAC business in the 100 block of Franklin Street. The Commission approved a motion in support of this request. The first official meeting to review form-based codes took place to begin establishing policies that will be reviewed next month.

- Motion to accept the Planning Commission report. **Moved** by Ms. Drobnick and seconded by Mr. Lincoln. **Motion carried 6-0.**
- d. **Economic Development Committee** Mr. Wert noted the August and September meeting minutes that were provided this month and reviewed the September meeting topics. The West Reading Motor Club will be opening soon, a soft opening is planned at the end of September offering a fine dining experience. The Legacy Cigar Lounge opened on September 1st.
 - Motion to accept the August 14, 2023, and September 11, 2023 Economic Development Committee reports. **Moved** by Mr. Kaag and seconded by Mrs. Bressler. **Motion carried 6-0.**
- e. **Environmental Advisory Council** Mr. Kaag referred to the meeting minutes and noted the third Free Market that is planned this Saturday with a rain date of Sunday at the Pavilion from 10:00 a.m. to 2:00 p.m. This time around they are teaming up with the Buy Nothing Group from West Reading and Wyomissing to bring more interaction from the public. He encouraged anyone with unwanted household items to bring them to the Pavilion. Mr. Lineaweaver noted the intent to schedule the Free Market following the community yard sale to encourage giving away items that were not sold during the yard sale to keep items out of the trash.
 - Motion to accept the Environmental Advisory Council report. **Moved** by Mr. Lincoln and seconded by Ms. Drobnick. **Motion carried 6-0.**
- f. Traffic and Infrastructure Committee Mr. Lincoln noted a number of good discussions during the public comment period on a few different topics. The two action items were addressed earlier in the evening for direction of travel on Juniata Street and Holland Square and the relocation of an accessible parking space. He offered to answer any questions, there were no questions or comments.
 - Motion to accept the Traffic and Infrastructure Committee report. **Moved** by Mrs. Bressler and seconded by Mr. Kaag. **Motion carried 6-0.**
- g. **Shade Tree Commission** The September Shade Tree Commission meeting had been cancelled.
- h. **Safety Committee** Mr. Murray referred to the August and September minutes offering to answer any questions noting that the safety manual had been approved earlier this evening.
 - Motion to accept the August 14, 2023 and September 11, 2023 Safety Committee reports. **Moved** by Mr. Lincoln and seconded by Ms. Drobnick. **Motion carried 6-0.**

14. TREASURER'S REPORT:

- a. **2024** Pennsylvania Municipal Retirement System (PMRS) Minimum Municipal Obligation (MMO) Mr. Lineaweaver noted based on the estimated 2024 payroll the MMO non-uniform pension plan totaled \$71,995.
 - Motion to approve the \$71,995 PMRS MMO budget for 2024. **Moved** by Ms. Drobnick and seconded by Mr. Kaag. **Motion carried 6-0.**
- b. Financial Statement Ending 8/30/2023 There were no questions or comments.
- c. **Payment Approval Report 8/16/23 to 9/15/23 and 9/16/23 to 9/19/23** There were no questions or comments.

Motion to approve the financial statement ending 8/30/2023, and Payment Approval Reports of 8/16/23 to 9/15/23 and 9/16/23 to 9/19/23. **Moved** by Mr. Wert and seconded by Mr. Lincoln. **Motion carried 6-0.**

15. **PUBLIC COMMENT:**

There were no public comments.

16. **ADJOURNMENT:** Motion to adjourn the meeting at 8:54 p.m. **Moved** by Mr. Kaag and seconded by Mr. Lincoln. **Motion carried 6-0.**

Respectfully submitted,

Cynthia Madeira Borough Secretary