

**BOROUGH OF WEST READING
BOROUGH COUNCIL MEETING**

December 17, 2019 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, December 17, 2019 with the following persons present: Council President Philip Wert; Council Vice President Christopher Lincoln; Council Members Patrick Kaag, Jennifer Bressler, and Jack Gombach; Mayor Andrew Kearney; Solicitor Charles Haws; Police Chief Stephen Powell; Public Works Director Dean Murray; Code Department Manager Cathy Hoffman; Engineer Tom Unger; Fire Chief Mark Burkholder; Main Street Manager Mark Ratcliffe; Treasurer Jeanette Rentschler; Borough Manager Nicholas Imbesi and Borough Secretary Cynthia Madeira.

VISITORS:	Oswald Herbert	Resident
	James Rogers	Resident
	Karen Livingood	Resident
	Jason Ulrich	Resident
	Andrew Moletress	Resident
	Carl Garman	Resident
	Nathalie Kulesa	Resident
	Douglas Zeeger	Resident
	Stephanie DeLozier	Business Owner
	Edward DeLozier	Police Officer
	Jesse Stock	Police Officer
	Wayne Holben	Police Sergeant
	Harry & Janice Stock	Non-Residents
	Eric Weaver	Non-Resident
	Reading Eagle Reporter	

1. **CALL TO ORDER:** Council President Philip Wert called the meeting to order at 7:00 p.m., which was followed by the Pledge of Allegiance and Roll Call.
2. **POLICE DEPARTMENT RECOGNITION:** Chief Powell presented Sergeant Holben with an Accommodation Award for demonstrating his desire to serve and protect even while off duty by apprehending an individual that was running from a store in Spring Township. Sergeant Holben held the suspect until the Spring Township Police Department arrived. The suspect was eventually charged with theft and other related offenses. If not for the immediate action of Sergeant Holben it is likely that the suspect would have fled the scene.

Chief Powell presented Sergeant Wayne Holben and Officers Edward DeLozier and Jesse Stock with Life Saving Awards for their actions during a medical emergency along Penn Avenue on August 2, 2019. A male individual had been in cardiac arrest and was unresponsive, the immediate action of these individuals by administering CPR and the use of an Automated External Defibrillator (AED) device are reasons in part that the male individual is still alive today. Chief Powell stated that this is the second Life Saving Award received by Officer Stock.

Chief Powell also thanked Stephanie DeLozier, owner of Salon Avanti located along Penn Avenue, whom often raises funds for various charities or organizations and whom recently donated \$394 towards the Canine Fund.

3. **FIRE CHIEF RECOGNITION:** Mayor Kearney requested everyone to stand while he presented a Proclamation to Fire Chief Mark Burkholder who is stepping down as Fire Chief effective December

31, 2019. Mayor Kearney thanked Fire Chief Burkholder for his twenty-seven years of service and dedication to the West Reading Fire Department whom has effectively lead the 100% volunteer fire department to meet the increased emergency response needs of the community. Chief Burkholder was wished many years of happiness and health as he begins this new chapter in life.

4. **PUBLIC COMMENT:** James Rogers requested an update from the Solicitor as to the status of the Lofts at Narrow garage violations. Mr. Wert stated that efforts are being made to work towards a resolution.

Carl Garman thanked the Public Works Department and Cathy Hoffman for their efforts in relocating the Veteran's Memorial and provided an update as to finding appropriate flag holders to recognize every branch of the military. Mr. Garman and Mrs. Kulesa plan to cover the cost of the flag holders, flags and wreath placement at appropriate times and requested assistance from the Public Works Department to create cement bases for the flag holders when weather and time permits. Also, a small dedication ceremony will be planned at the Veteran's Memorial in memory of Dean Rohrbach with his family and fiancé.

5. **APPROVAL OF COUNCIL MINUTES:** Motion to approve the November 19, 2019 regular Council meeting minutes, and the November 26, 2019 Budget meeting minutes as stated. **Moved** by Mr. Lincoln and seconded by Mr. Kaag. **Motion carried 5-0.**

6. **ORDINANCES / RESOLUTIONS:**

- a. **Ordinance 1118 – Adoption of 2015 International Code Council Codes (ICC)** – There were no questions or comments. Motion to adopt Ordinance 1118 by updating the Uniform Construction Code to adopt the 2015 ICC. **Moved** by Mr. Kaag and seconded by Mr. Gombach. **Motion carried 5-0.**
- b. **Ordinance 1119 – Business Privilege Tax Amendment** – There were no questions or comments. Motion to adopt Ordinance 1119 repealing Ordinance 1101, which amended the imposition of business privilege tax, to cause the tax rates to revert to those rates in effect under Ordinance 651. **Moved** by Mr. Kaag and seconded by Mrs. Bressler. **Motion carried 5-0.**
- c. **Ordinance 1120 – Water Rate Amendment** – There were no questions or comments. Motion to adopt Ordinance 1120 amending the Borough water rates. **Moved** by Mr. Lincoln and seconded by Mrs. Bressler. **Motion carried 5-0.**
- d. **Ordinance 1121 – Sewer Rate Amendment** – There were no questions or comments. Motion to adopt Ordinance 1121 amending the Borough sewer rates. **Moved** by Mrs. Bressler and seconded by Mr. Lincoln. **Motion carried 5-0.**
- e. **Ordinance 1122 – Tax Rate Amendment** – There were no questions or comments. Motion to adopt Ordinance 1122 amending the fire protection tax rate. **Moved** by Mr. Kaag and seconded by Mr. Lincoln. **Motion carried 5-0.**
- f. **Resolution 2019-16 Refuse/Recycling Fees** – There were no questions or comments. Motion to adopt Resolution 2019-16 amending the refuse and recycling collection service fee. **Moved** by Mr. Lincoln and seconded by Mrs. Bressler. **Motion carried 5-0.**
- g. **2020 Budget Adoption** – There were no questions or comments. Motion to adopt the 2020 Budget as duly advertised. **Moved** by Mrs. Bressler and seconded by Mr. Kaag. **Motion carried 5-0.**

7. **CONSULTANT'S REPORTS:**

- a. **Solicitor's Report** - Mr. Haws provided a verbal report of activity this past month and stated that these items are being addressed elsewhere on the agenda.

Motion to approve the Solicitor's report. **Moved** by Mr. Lincoln and seconded by Mr. Gombach.
Motion carried 5-0.

- b. **Engineer's Report** – Mr. Unger referred to his report and stated that there are no action items this month and provided a hard copy of the online sewer grant application submission.

Mr. Wert inquired as to a timeline for grant award notification and it was indicated that late summer is when notifications should be received.

Mr. Unger wished everyone Happy Holidays and a safe and healthy new year.

Motion to approve the Engineer's report. **Moved** by Mr. Kaag and seconded by Mr. Gombach.
Motion carried 5-0.

Mr. Unger departed the meeting at 7:24 p.m.

8. **EXECUTIVE SESSION:** Council recessed to executive session at 7:24 p.m. to discuss personnel and potential litigation items. Council reconvened at 8:19 p.m. and Mr. Wert stated that no action was needed at this time.

Mr. Haws departed the meeting at 8:19 p.m.

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

- a. **Trash and Recycling Contract** – Mr. Imbesi requested permission to sign the three-year trash/recycling contract with Edgar Holland Trash Removal, Inc.

Motion to authorize the signing of the trash/recycling contract with Edgar Holland Trash Removal, Inc. **Moved** by Mr. Lincoln and seconded by Mr. Gombach. **Motion carried 5-0.**

- b. **Landfill Lease Agreement** – Mr. Imbesi requested permission to sign the Third Lease Extension Agreement with Pioneer Crossing Landfill for an additional two-year term.

Motion to authorize the signing of a Third Lease Extension Agreement with Pioneer Crossing **Moved** by Mr. Lincoln and seconded by Mr. Kaag. **Motion carried 5-0.**

- c. **Humane Pennsylvania** – Mr. Imbesi noted Humane Pennsylvania's request to utilize the Bicentennial House as a facility to provide free vaccinations to West Reading resident dogs or cats and requested Council's feedback on the use of this facility and waiving the rental fee. Council members agreed to the use of the facility and waiving the rental fee. However, the security/key deposit would still be required.

Motion to authorize Humane Pennsylvania's use of the Bicentennial House at no charge, other than the required security/key deposit. **Moved** by Mr. Lincoln and seconded by Mrs. Bressler.
Motion carried 5-0.

- h. **2020 Meeting Schedule** – Mr. Imbesi noted the various boards/committees review of the 2020 meeting dates and requested permission to advertise.

Motion to authorize advertisement of the 2020 meeting schedule as presented. **Moved** by Mr. Lincoln and seconded by Mr. Gombach. **Motion carried 5-0.**

- i. **Animal Control Services** – Mr. Imbesi stated that the Animal Rescue League has still not responded to multiple voicemail and email requests for additional information. Also, it was noted during a recent Secretary's meeting that a number of municipalities have contracted with Safety Net Sanctuary and are pleased with their services. Council members discussed options to handle animal cruelty investigations should the need arise and it was noted that a state agency could handle these types of situations. Due to disappointment with the Animal Rescue League's inability/unwillingness to return calls, Council requested the Borough Manager to obtain a draft contract from Safety Net Sanctuary for review.
- j. **Reorganization Meeting** – Mr. Imbesi reminded everyone of the Reorganization Meeting scheduled on Monday, January 6, 2020 at 7:00 p.m.

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

10. **MAYOR'S REPORT:** The Mayor reiterated his gratitude for Chief Burkholder's years of service to the West Reading Fire Department and hopes additional volunteers will aspire to be as dedicated as Chief Burkholder has been for the past twenty-seven years. The Mayor also wished everyone a Merry Christmas and a Happy New Year.

Motion to approve the Mayor's report. **Moved** by Mr. Kaag and seconded by Mrs. Bressler. **Motion carried 5-0.**

11. **DEPARTMENT REPORTS:**

- a. **Police Department** – Chief Powell referred to his written report and requested permission to obtain document disposal service pricing to purge an excessive number of documents. It was recommended to also research hosting a community event or sharing services with the Reading Hospital if possible.

Mr. Kaag requested an update to the recent overdose incident in the Borough. Chief Powell stated that two people have been charged for selling cocaine laced with fentanyl, which caused twelve overdoses and a few fatalities that weekend throughout the County. Four doses of Narcan were administered to the West Reading victims, which saved their lives. The investigation is ongoing.

Motion to approve the Police Department report. **Moved** by Mr. Gombach and seconded by Mr. Lincoln. **Motion carried 5-0.**

- b. **Public Works** – Mr. Murray referred to the written report and requested pre-approval of two 2019-budgeted tree removal expenditures, which should be completed by the end of the year.

Motion to award contract to Soltzfus Professional Tree Service for the removal of five large trees along South Fourth Avenue totaling \$9,200; and approval to Arbor Care for the removal of three trees located at Parkside Drive North near the Emergency Room entrance, North Third Avenue and Third Avenue and Spruce Street totaling \$7,500. **Moved** by Mr. Lincoln and seconded by Mr. Kaag. **Motion carried 5-0.**

Motion to approve the Public Works Department report. **Moved** by Mr. Gombach and seconded by Mr. Kaag. **Motion carried 5-0.**

- b. **Fire Department** – Chief Burkholder referred to his last written report and noted that he would be assisting Chad Moyer through the transition to Fire Chief. Chief Burkholder stated that it has been a pleasure working with Council and the Fire Department.

Motion to approve the Fire Department report. **Moved** by Mr. Lincoln and seconded by Mr. Gombach. **Motion carried 5-0.**

- c. **Code Enforcement Department** – Mrs. Hoffman referred to the information provided and offered to answer any questions. Mr. Wert noted a number of residential building permits that were issued at this normally slow time of year.

Motion to approve the Code Enforcement Department report. **Moved** by Mrs. Bressler and seconded by Mr. Lincoln. **Motion carried 5-0.**

- d. **West Reading Community Revitalization Foundation** – Mr. Ratcliffe referred to the written report and noted the following:
- Covered carriage rides took place last weekend during a rainy event.
 - Charles Dickens' "A Christmas Carol" scene enactments took place last weekend, which provided local news coverage.
 - Christmas Carolers have been performing along Penn Avenue.
 - Business owners have reported an increase in business revenues this year.

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

12. COMMITTEE/COMMISSION REPORTS:

- a. **Recreation Commission** – In Mrs. Moyer's absence Mr. Wert noted a well attended Annual Tree Lighting Ceremony and an impressive amount of funds raised in Christmas candy sales.

Motion to approve the Recreation Commission report. **Moved** by Mr. Lincoln and seconded by Mrs. Bressler. **Motion carried 5-0.**

- b. **Planning Commission** – Mr. Wert noted the Commission's review of the 428 Penn Avenue Redevelopment Project that has a targeted ground breaking date of March 30, 2020. This project will add two additional parking spaces along Penn Avenue.

Motion to approve the Planning Commission report. **Moved** by Mr. Lincoln and seconded by Mr. Kaag. **Motion carried 5-0.**

Mr. Ratcliffe departed the meeting at 8:50 p.m.

- c. **Economic Development Committee** – Mr. Wert shared information on two new businesses that are opening along Penn Avenue, a retail establishment and a yoga studio. Also, it was noted that Bistro 614 has closed as well as Earth Rhythms. The owner's of Empire Surplus recently purchased the Earth Rhythm's property and intends to create a kitchen and bathroom design center. Mr. Wert stated that the vacancy rate for Penn Avenue businesses has remained near zero percent for quite some time.

Mr. Wert also noted a five-year strategic plan preliminary analysis recently provided by Derck & Edson that demonstrated an unprecedented amount of revenue generated by Penn Avenue small businesses without having the benefit of an anchor store. The numbers of competitive businesses located within a five to ten minute drive also quantifies this analysis.

Motion to approve the Economic Development report. **Moved** by Mr. Kaag and seconded by Mr. Gombach. **Motion carried 5-0.**

- d. **Environmental Advisory Council** – It was reported that this meeting had been cancelled.

- e. **Traffic & Infrastructure Committee** – Mr. Lincoln noted implementation of a fifteen-minute paid parking interval in the shopping center lot for pickup of carry out food or prescriptions. There are no action items from this Committee this month.

Motion to approve the Traffic and Infrastructure Committee report. **Moved** by Mr. Kaag and seconded by Mrs. Bressler. **Motion carried 5-0.**

- f. **Shade Tree Commission** – Mr. Kaag noted coordination of a meeting with the Environmental Advisory Council and a DCNR representative to discuss the tree inventory results at the end of January. Mr. Wert asked that Council members be apprised of the meeting date should they wish to also attend the meeting.

Motion to approve the Shade Tree Commission report. **Moved** by Mr. Lincoln and seconded by Mr. Gombach. **Motion carried 5-0.**

- g. **Safety Committee** – Mr. Murray referred to the minutes and there were no questions.

Motion to approve the Safety Committee report. **Moved** by Mr. Kaag and seconded by Mrs. Bressler. **Motion carried 5-0.**

- h. **Finance Committee** – This meeting was cancelled due to the lack of a quorum.

13. **TREASURER'S REPORT:**

- a. **Financial Statement Ending 11/30/19** – Mrs. Rentschler provided the following two updates to the financial statement:

- 01-331-320 Parking Meter Violations was miscoded, \$1,220 should be added to this line bringing the total to \$3,080.
- 01-363-210 Parking Meter Revenue, \$1,220 would need to be removed from this line bringing the total to \$4,176.91.

- b. **Payment Approval Report 11/20/19 to 12/13/19 & 12/14/19 to 12/17/19** – There were no comments. Motion to approve the Financial Statement ending 11/30/2019 and the Payment Approval reports 11/20/19 to 12/13/19 & 12/14/19 to 12/17/19. **Moved** by Mrs. Bressler and seconded by Mr. Kaag. **Motion carried 5-0.**

Motion to approve the Treasurer's report. **Moved** by Mr. Lincoln and seconded by Mr. Gombach. **Motion carried 5-0.**

14. **PUBLIC COMMENT:**

Mr. Rogers requested an update as to the collection of rental fees from the Lofts at Narrow complex now that the rental fee schedule has been amended. Mr. Wert stated that this information is not available at the table and a Right-to-Know request would be needed to answer this question.

15. **ADJOURNMENT:**

Motion to adjourn the meeting at 9:10 p.m. **Moved** by Mr. Lincoln and seconded by Mrs. Bressler. **Motion carried 5-0.**

Respectfully submitted,

Cynthia Madeira
Borough Secretary