

**BOROUGH OF WEST READING  
BOROUGH COUNCIL MEETING**

**January 21, 2020 – 7:00 p.m.**

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, January 21, 2020 with the following persons present: Council President Jack Gombach; Council Vice President Philip Wert; Council Pro-Tem Christopher Lincoln; Council Members Patrick Kaag, Jennifer Bressler, and Samantha Kaag; Mayor Andrew Kearney; Solicitor Daniel Becker; Police Chief Stephen Powell; Public Works Director Dean Murray; Code Department Manager Cathy Hoffman; Recreation Director Helen Moyer; Fire Marshal Troy Hatt; Engineer Tom Unger; Fire Chief Chad Moyer; Main Street Manager Mark Ratcliffe; Treasurer Jeanette Rentschler; Borough Manager Nicholas Imbesi and Borough Secretary Cynthia Madeira. Council Member Nicholas Gardecki was unable to attend.

<b>VISITORS:</b>	Oswald Herbert	Resident
	James Rogers	Resident
	Karen Livingood	Resident
	Susan Fisher	Resident
	Andrew Moletress	Resident
	Suzanne Thompson	Resident
	Douglas Zeeger	Resident
	Ryan Phillips	Police Sergeant
	Chad Marks	Police Sergeant
	Danny Voorheis	Police Officer
	Kyle Bohn	Police Officer
	Tina Shenk	Business Owner
	Lauren Marks & Family	Non-Residents
	Karen & Terry Marks	Non-Residents
	Nicole Plank	Non-Resident

1. **CALL TO ORDER:** Council President Jack Gombach 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 Officer Bohn with an Accommodation Award for his attention to duty during a medical emergency where an unresponsive female was recognized as a potential opioid overdose. Officer Bohn administered a dose of Narcan and the female remained unresponsive, Officer Bohn then administered a second dose and the female did ultimately recover from the incident. If not for the immediate and decisive action of Officer Bohn this incident could have had a different outcome. Officer Bohn's actions are indicative of his abilities as a Police Officer and his desire to serve and protect the citizens of the Borough of West Reading, which reflects highly upon himself and the entire department.  
  
Chief Powell reported that Sergeant Chad Marks officially became a Sergeant on January 1, 2020. Sergeant Marks is a fourteen-year veteran of the Police Department whom has served as a Police Officer and Canine Officer and is doing an outstanding job. Mayor Kearney implemented the swearing-in of Sergeant Marks while Sergeant Marks' son Trevor held the Bible.
3. **FASHIONISTA 5K:** A board member of Laney's Hope, Nicole Plank requested permission to host the annual Fashionista 5K event on April 26, 2020. Ms. Plank stated that the event particulars remain the same with registration beginning at 7:30 a.m., and ending around noon. Ms. Plank also requested Council to waive any fees associated with this event.

Motion to approve the Fashionista 5K event to be held on April 26, 2020 and the waiving of fees.

**Moved** by Mr. Wert and seconded by Mrs. Kaag. **Motion carried 6-0.**

4. **PUBLIC COMMENT:** Oswald Herbert noted his recent requests to Borough Staff for documents that were denied as instructed by the Borough Manager. Mr. Herbert stated that the Borough Manager has violated Title 8 of state law regarding duties of a Treasurer. Daniel Becker recommended that Mr. Herbert submit his request in writing. Mr. Herbert requested permission to finish his comment and read a portion of Section 1106 that outlines the duties of the Treasurer to maintain all receipts and accounts that are open to the Council and Citizens of the Commonwealth. Mr. Herbert also stated that he would again request these documents within 48-hours and if there is another denial he would take this information to other channels.

James Rogers requested a status update as to a Resolution pertaining to the operation and payment of the parking kiosks. Mr. Rogers was reminded that the public comment segment of the meeting is not a question and answer session. Mr. Rogers then inquired as to this recent change in policy and how a resident can provide guidance to Council. Mr. Wert stated that Council meetings are held to conduct business and it was recommended to attend Committee meetings to hear and potentially participate in the discussions.

Douglas Zeeger clarified that any questions residents may have in the future must be filtered through Borough Staff.

Susan Fisher expressed concern regarding the Second and Penn Avenue area of the Borough, nearest Franklin Street where trash seems to accumulate and the existence of a potential drug house. Ms. Fisher did contact the Police Department who stated that they would monitor the area more closely.

5. **APPROVAL OF COUNCIL MINUTES:** Motion to approve the December 17, 2019 regular Council meeting minutes, the January 6, 2020 Reorganization meeting minutes, and the January 9, 2020 Special meeting minutes. **Moved** by Mrs. Bressler and seconded by Mr. Lincoln. **Motion carried 6-0.**
6. **ORDINANCES / RESOLUTIONS:**
  - a. **Ordinance – Recreation Commission** – The recommended changes have been incorporated into the ordinance. Motion to advertise an ordinance amendment to the Recreation Commission. **Moved** by Mr. Lincoln and seconded by Mr. Kaag. **Motion carried 6-0.**
  - b. **Ordinance – Finance Committee** – Amendments to the Finance Committee enabling ordinance were discussed, which would expand the membership to include non-resident appointees that hold an interest in the Borough and whose background is in alignment with the interests of the Borough such as administration or finance. Also, to avoid confusion regarding membership terms, it was recommended to appoint members to one-year terms. Mr. Imbesi stated that members whose terms expired on December 31, 2019 would be provided the opportunity to submit a letter of interest for reappointment. Motion to advertise an ordinance amendment to the Finance Committee. **Moved** by Mr. Wert and seconded by Mr. Lincoln. **Motion carried 6-0.**
  - c. **Resolution 2020-3 Fee Schedule Amendment** – It was noted that the Plumbing Licensing fees would be removed now that this requirement has been dissolved and an update to the sewer tap-in fee has been made to match the Joint Municipal Authority fee schedule. Motion to approve Resolution 2020-3 Fee Schedule Amendment. **Moved** by Mr. Kaag and seconded by Mrs. Bressler. **Motion carried 6-0.**

7. **CONSULTANT'S REPORTS:**

- a. **Solicitor's Report** - Mr. Becker stated that he had nothing to report at this time and thanked Council for the opportunity to serve the Borough.
- b. **Engineer's Report** – Mr. Unger thanked Council for reappointing Systems Design Engineering and stated that there are no action items this month.

Mr. Lincoln inquired as to repairs to a clogged sewer line. Mr. Murray reported that the clog was found quickly and repaired.

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

8. **EXECUTIVE SESSION:** Council recessed to executive session at 7:34 p.m. to discuss personnel, land acquisition and potential litigation items. Council reconvened at 8:43 p.m. and Mr. Gombach noted the following action items:

- Motion to authorize the Borough Solicitor to attend the January 23, 2020 Zoning Hearing Board meeting. **Moved** by Mr. Kaag and seconded by Mr. Lincoln. **Motion carried 6-0.**
- Motion to offer a temporary-to-hire employment agreement through Gage Personnel to Melissa Batterson. **Moved** by Mrs. Bressler and seconded by Mr. Kaag. **Motion carried 6-0.**

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

- a. **Resignation of Tax Collector** – Mr. Imbesi noted receipt of a letter of resignation from the Tax Collector now that Mr. Ulrich has been appointed as the Zoning Hearing Board Solicitor.

Motion to accept the letter of resignation from Jason Ulrich as Tax Collector. **Moved** by Mr. Lincoln and seconded by Mrs. Kaag. **Motion carried 6-0.**

Mr. Imbesi requested permission to advertise the Tax Collector vacancy in order to fill this vacancy within the required thirty-days.

Motion to advertise the Tax Collector vacancy. **Moved** by Mr. Kaag and seconded by Mrs. Bressler. **Motion carried 6-0.**

- b. **Parking Kiosk** – Mr. Imbesi noted that the trial period has ended for the two parking kiosks and a sales quote has been received totaling \$18,790. Also, the West Reading Community Revitalization Foundation (WRCRF) has expended \$9703.12 to prepare the parking lot with line painting and sign installations. Mr. Imbesi also noted receipt of a one-year parts and labor maintenance contract in the amount of \$2472 or parts only contract in the amount of \$1500.

Mr. Wert stated that the WRCRF would remit payment of all parking lot implementation costs and the Borough would reimburse the WRCRF with proceeds from the metered parking program. A Resolution agreement would be created and executed by both parties.

- c. **Unpaid Tax Bills** – The Deputy Tax Collector has provided a list of 2019 regular unpaid tax bills and unpaid interim tax bills. Council's approval of the list is needed prior to providing the information to the County.

Motion to approve the 2019 Regular Unpaid Tax Bills and the Unpaid Interim/Change Tax Bills. **Moved** by Mr. Lincoln and seconded by Mr. Kaag. **Motion carried 6-0.**

- d. **Humane Pennsylvania** – Humane Pennsylvania was informed of Council’s permission to use the Bicentennial House at no charge other than the security deposit. The representative stated that no other municipality has charged a fee and requested waiving the security deposit requirement. Council suggested to offer an explanation of the purpose for security deposit fees and provided that the facility is left in a clean, and undamaged condition the fee would be returned in full.
- e. **2020 Census** – Borough Staff members and the Mayor plan to attend an upcoming meeting at the Center for Excellence in Local Government where a presentation will be provided regarding the 2020 Census. Ideas for partnering with the Census Bureau will be gathered to assist in achieving a total count of Borough residents.
- f. **NIMS Training** – Mr. Imbesi reminded Council and the Mayor of the required National Incident Management System training. Mrs. Kaag stated that she has certifications and will provide this information to the Borough.
- g. **SpyGlass** – A revised audit agreement was received from SpyGlass to perform a telecommunications audit, which includes additional confidentiality clauses and the representative offered to execute a non-disclosure agreement. Council recommended Borough Staff to review invoices for potential savings in lieu of entering into an agreement with SpyGlass.
- h. **Ice & Spice Event** – The owner of West Reading Tavern has requested waiving the two-hour parking restrictions along Penn Avenue during his upcoming weekend event. Due to other available parking options and the limited number of Penn Avenue business participants, Council agreed not to waive these parking restrictions.

Mr. Imbesi stated that a policy would be created to require future requests of Council to waive fees or restrictions to be submitted in writing prior to the regular Council meeting.

Mr. Imbesi reported that he has completed the course requirements for a Masters Degree in Public Administration from Villanova University and that he has been appointed to serve as an At-Large Member on the Executive Committee for the Berks County Borough’s Association.

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

10. **MAYOR’S REPORT:** The Mayor stated that he has nothing new to report.

11. **DEPARTMENT REPORTS:**

- a. **Police Department** – Chief Powell referred to his written report and the 2019 Year End Review.

Mr. Wert noted 5,343 calls for service during the 2019 calendar year, which in part, provides a safe and viable community. The average of fourteen calls per day is justification of the cost associated with providing Police services within the Borough. The average response time from dispatch to on-scene arrival is five minutes.

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

- b. **Public Works** – Mr. Murray referred to the written report and there were no questions or comments.

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

- c. **Fire Department** – Chief Moyer referred to his first written report and offered to answer any questions.

Mr. Wert referred to page four of the 2019 Year in Review report, which lists 820 calls in 2019, a drastic increase from the 293 calls received in 2010. Mrs. Kaag stated that the volunteer response time is excellent and noted that she missed two calls while living down the street from the Fire Department.

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

- d. **Code Enforcement Department** – Mrs. Hoffman referred to the report and offered to answer any questions. There were no questions or comments.

Motion to accept the Code Enforcement Department report. **Moved** by Mr. Wert and seconded by Mr. Lincoln. **Motion carried 6-0.**

- e. **West Reading Community Revitalization Foundation** – Mr. Ratcliffe referred to the lengthy year-end report and noted a number of accomplishments. The following is a list of 2020 events in need of Penn Avenue street closures from 8:00 a.m. to 9:00 p.m.:

- Craft Pretzel & Beer Festival – April 25<sup>th</sup>
- Art on the Avenue – June 20<sup>th</sup>
- Fall Festival – September 19<sup>th</sup>

Motion to approve the Penn Avenue closure dates from 8:00 a.m. to 9:00 p.m. on Saturday, April 25, 2020, Saturday, June 20, 2020 and Saturday, September 19, 2020. **Moved** by Mrs. Kaag and seconded by Mrs. Bressler. **Motion carried 6-0.**

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

## 12. COMMITTEE/COMMISSION REPORTS:

- a. **Recreation Commission** – Mrs. Moyer referred to the written report and requested Council's approval of the 2020 Recreation Event dates.

Motion to approve the 2020 Recreation Event dates. **Moved** by Mr. Wert and seconded by Mr. Lincoln. **Motion carried 6-0.**

Motion to accept the Recreation Commission report. **Moved** by Mr. Wert and seconded by Mr. Kaag. **Motion carried 6-0.**

- b. **Planning Commission** – Mr. Wert referred to the minutes and noted the two topics of discussion were addressed earlier in the meeting.

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

- c. **Economic Development Committee** – Mr. Wert noted the continued discussions regarding vacant properties and stated that the vacancy rate for Penn Avenue businesses has remained near zero percent for quite some time.

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

- d. **Environmental Advisory Council** – The Environmental Advisory Council did not meet during the month of December.
- e. **Traffic & Infrastructure Committee** – The January meeting had been cancelled.
- f. **Shade Tree Commission** – Mr. Murray referred to the minutes and noted welcoming of a new Commission Member. Board members will meet with a DCNR representative to review the tree inventory results on February 3<sup>rd</sup>. A number of large trees were recently removed and found to be deteriorating to the point of becoming a safety hazard. Mr. Wert recommended giving consideration to a larger species of trees for replacement in certain areas to allow larger tree canopies.

Motion to accept the Shade Tree Commission report. **Moved** by Mrs. Kaag and seconded by Mr. Wert. **Motion carried 6-0.**

- g. **Safety Committee** – Mr. Murray referred to the minutes and noted the review of working around electrical lines and MS4 credits.

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

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

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

- a. **Financial Statement Ending 12/31/19** – There were no questions or comments.
- b. **Payment Approval Report 12/18/19 to 1/16/20 & 1/17/20 to 1/21/20** – Mrs. Rentschler stated that the parking kiosk payment was missed in the approval report and requested approval to remit payment of \$2,220 to the owner of the parking lot.

Motion to approve the Financial Statement ending 12/31/2019 and the Payment Approval reports for 12/18/19 to 1/16/20 & 1/17/20 to 1/21/20 with the additional payment of parking kiosk revenues in the amount of \$2,220 to the property owner. **Moved** by Mr. Wert and seconded by Mr. Lincoln. **Motion carried 6-0.**

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

#### 14. **PUBLIC COMMENT:**

Mr. Zeeger stated that after observing the entire meeting tonight he does not know any more than he did prior to the meeting. It seems that if he wants to know what Council is doing he will need to ask for every committee report to find out exactly what is going on. As a citizen and Borough resident he finds this to be disturbing and is unsure why the open dialogue is no longer allowed.

Mr. Rogers questioned why the purchase of two parking kiosks valued in excess of \$15,000 was not placed out for competitive bids.

Mr. Herbert stated that the WRCRF received a grant that far exceeded the value of the kiosks. Since this was a non-matching grant, some would view this as unjust enrichment to the WRCRF to be paid for something that came for free.

Ms. Fisher asked that everyone be aware of the area she spoke of earlier tonight since she feels this is a threat to residents.

15. **ADJOURNMENT:**

Motion to adjourn the meeting at 9:33 p.m. **Moved** by Mr. Lincoln and seconded by Mrs. Kaag.

**Motion carried 6-0.**

Respectfully submitted,

Cynthia Madeira  
Borough Secretary