

MOUNT PENN BOROUGH
BOROUGH COUNCIL BUSINESS MEETING
January 30, 2024

The Mount Penn Borough Council met for its monthly Business Meeting on January 2, 2024, at Borough Hall located at 200 N. 25th Street, Reading, PA 19606. The meeting was called to order by Council President Troy Goodman at 7:00 PM and adjourned at 9:13 PM.

Members in attendance were Mayor Ryan Maurer, Council President Troy Goodman, Council Vice President Roger Stief, Council Member Thomas Baer, Council Member Christine Dise, Council Member Yrisol 'Iris' Garcia, and Council Member Richard Lombardo. Council Member Michael Kindlick joined the meeting at 7:35 PM. Staff and Professional Members present were Borough Manager Hunter L. Ahrens, Solicitor Thomas Klonis, Engineer Ty Leinneweber, and Road Crew Lead David Okonski. Chief of Police Ray Serafin joined the meeting at 7:03 PM.

Others present included several guests and members of the public.

Public Comment

Mr. Goodman read a brief statement sharing the expectation that decorum is maintained when residents are raising concerns or comments during public comment.

Tianna Schaeffer, 115 S. 23rd Street – Ms. Schaeffer asked what the Borough is doing to support the school district's application and asked other questions related to ensuring that the district can offer in-person instruction. Mr. Klonis responded about the process involved that is moving forward.

Marina McGough, 2619 Cumberland Ave – Mrs. McGough asked what the progress of implementing permit parking is to support the parking challenges in the Borough. Mr. Ahrens responded that it was being considered and would likely be on the February agenda.

Amy Johnson, 517 N. 26th Street – Ms. Johnson asked when the Liaison Committee meetings would be opened to the public and whether minutes or a summary would be provided. Mr. Ahrens responded that the meetings were expected to be public at some point and would discuss transparency measures such as minutes. Ms. Johnson commented that decisions should not be made without the public's knowledge.

Sean Moretti, 520 N. 26th Street – Mr. Moretti asked if there was a permission structure to rent off-street parking. Mr. Klonis responded that would be an agreement between private individuals and would not be something that the Borough would be involved with.

Bill Howze, 1404 Friedensburg Road – Mr. Howze wanted to offer compliments to the Council for responding to the issues being raised around the codes and parking issues.

Corinne Hauck, 212 Haag Street - – Ms. Hauck asked where the Borough's position is on streaming meetings. Mr. Ahrens responded that it had been on the canceled meeting agenda for January. Ms. Hauck also asked if the Council could address whether the Council or the Zoning Hearing Board can look at the challenges with the district objectively. Mr. Lombardo responded that the issue needed to be about supporting the community's students.

Mike Frankhouser, 1962 Woodvale Ave – Mr. Frankhouser commented that the Borough should take additional steps to share the new recycling schedule with the community because there were significant missed collections. Mrs. Dise responded that steps were being taken and there was a disconnect of residents that the hauler has recognized as well.

Corinne Hauck, 212 Haag Street – Ms. Hauck asked separately which Borough website was the Borough's official website and asked if that was fully updated. Mr. Ahrens responded that it was not updated, which is a staff priority, but its prioritization is competing with other priorities. Mr. Ahrens shared that ".com" website is the Borough's official website. Items related to agendas and minutes were being updated on both websites.

Susan Arnold, 2228 Fairview Avenue – Ms. Arnold thanked Mr. Lombardo for his comments.

Minutes and Finance Report

Mr. Goodman requested motions to approve the December 28, 2023 Business Meeting minutes.

A motion was made by Rick Lombardo to approve the minutes for the December 28th, 2023, Borough Council Business Meeting. The motion was seconded by Roger Stief. There was no further discussion. The motion was agreed to unanimously.

A motion was made by Rick Lombardo to approve the minutes for the January 2nd, 2024, Borough Council Reorganization Meeting. The motion was seconded by Thomas Baer. There was no further discussion. The motion was agreed to unanimously.

Mr. Ahrens prefaced the bill's report, included more information and some of the fonts were small. He stated that the reports could be easily customized if the Council had preferences. Mr. Ahrens also shared that future reports would include a budget-to-actual statement. Mr. Maurer asked that the total liability for the M&T Bank Loan be included on the balance sheet. Mr. Ahrens responded that he would add that to the balance sheet.

A motion was made by Thomas Baer to accept the Treasurer's Report for the period of December 29 – January 30, 2024. The motion was seconded by Roger Stief. There was no further discussion. The motion was agreed to unanimously.

Antietam School District Discussion on Zoning

Mr. Klonis recognized Joan London, Solicitor for the Antietam School District, and Heidi Rochlin, Superintendent for the Antietam School District, to review the Special Exception application that the School District had submitted for the Mount Penn Primary Center.

Solicitor London shared why the application for the Grades 7-12 was made and responded that the district intended to use the building for Grades 9-12 but wanted to ensure the flexibility for the district to utilize the building for secondary grades generally. There were also special conditions, such as special education, that did not use firm grade bands at the secondary level. Solicitor London shared considerations that were being made by the district to ensure compliance with the traffic and parking requirements.

Solicitor London emphasized their support for the Borough's efforts to properly regulate parking and traffic patterns around these areas and will continue working with the Borough. Solicitor London concluded that the district was asking for the Borough's support of their application.

Jennifer Lopez, 2413 Cumberland Avenue – Ms. Lopez asked when compliance with the available parking spaces would start. Dr. Rochlin responded that the district was complying with their obligations.

Mr. Frankhouser, 1962 Woodvale Ave – Mr. Frankhouser asked if the district was utilizing the existing spots with the Elementary Use building and how that would change if the building was utilized for Grades 7-12. Dr. Rochlin shared that the district was considering restrictions about where Teachers, Staff, and Students would be able to park.

Ms. Garcia responded that all students should have an equal opportunity to drive because many families have different needs for their teens to be driving. Solicitor London responded that some restrictions currently exist and may need to be considered going forward, but the expectation of current drivers would not present a challenge for all current students to drive.

Mr. Ahrens commented that the needs for the building are not provided by the 44 spaces around the building. He continued that working on the challenge of where to secure those other parking spaces was the purpose of the ongoing discussions of the Liaison committee, among others, to ensure sufficient parking. Solicitor London agreed that was why permitted parking was being supported by the district, and the district was seeking a variance to permit parking outside the Zoning Ordinance's required 500 feet.

Mr. Ahrens added that another concern of the Borough was the lack of a policy guiding district faculty, staff, and guest parking, which had been raised in the Borough's December 26, 2023 Letter. Mr. Ahrens asked if that concern was being addressed as had been previously discussed. Solicitor London responded that was something that the Liaison Committee should finalize.

Mr. Frankhouser, 1962 Woodvale Ave – Mr. Frankhouser made additional comments about the overall impact of the proposed Special Exception application.

Kim Wittich, 610 N. 25th Street – Ms. Wittich asked what the next steps of the Zoning Hearing Board were to hold a hearing after the Special Exception application was filed. Solicitor London shared that there was a procedure required to be followed by the Zoning Hearing Board. Mr. Ahrens added that the Zoning Hearing Board Solicitor was aware of the application as well and was going to reach out to Solicitor London to schedule the hearing. Ms. Wittich asked if the Zoning Hearing Board had a full complement. Mr. Ahrens responded that a full complement was likely going to be in place that evening.

Mrs. Dise commented that while the parking issue was important, the traffic safety concerns were prominent as well. Especially, if the Primary Center shifts to a High School, a large portion of drivers could be teen drivers. Dr. Rochlin responded that the traffic conditions today are as complicated as they will be because all students are split within the area of the Elementary Center and Primary Center. She added that the historical use of the teenage drivers was not significant and would help reduce any challenges. Dr. Rochlin commented that if the district can shift the K-2 Grades to the Pennside Building on Friedensburg Road in Lower Alsace Township it would likely improve the traffic conditions in the Borough.

Mr. Baer asked whether the district could convert the 25th Street side of the building into additional parking where there was currently a driving island. Mr. Ahrens commented that in that scenario the district would likely need to go through a Land Development plan process that thoroughly investigates that ability.

Patrick McDevitt, 2326 Grandview Avenue – Mr. McDevitt asked what would happen if the Zoning Hearing Board would reject the application of the School District. Mr. Klonis responded that it was unlikely they would have their application rejected and more likely the Zoning Hearing Board would attach conditions. An additional conversation ensued about the contingencies the school district was considering including virtual learning. Mr. Ahrens responded that the scenario would not happen.

Tianna Schaeffer, 115 S. 23rd Street – Ms. Schaeffer asked if a lawsuit brought against any decision by the Zoning Hearing Board to delay the start of school. Attorneys for the Borough and the School District both agreed that would be difficult to conceive of who would have standing to bring that type of lawsuit.

Bill Howze, 1404 Friedensburg Road – Mr. Howze sought clarification from the Solicitor, and the Manager's comments appeared to indicate the Borough had already decided the application for the Zoning Hearing Board. Mr. Klonis and Mr. Ahrens responded that was not a fair characterization of their comments.

Mr. Howze continued to ask questions of Solicitor London and Dr. Rochlin about the previous Zoning Hearing Board process. Solicitor London responded that Mr. Howze's line of questioning was intended to discredit Dr. Rochlin's testimony from that hearing and that she disagreed with the conclusions she interpreted he was drawing.

Mr. Goodman asked Dr. Rochlin if the district was planning for the proposed concept to be permanent. Both Dr. Rochlin and Solicitor London responded in the affirmative.

Members of the community shared their concerns and comments about community pride, and local challenges.

Mrs. Dise gave a brief update about the Liaison Committee, which would be meeting on Wednesday, January 31, 2024. Those conversations would still be private for the time being.

Amy Johnson, 517 N. 26th Street – Ms. Johnson asked why the Liaison Committee only included one representative from Lower Alsace Township. Mr. Klonis responded that was because their Board only included three members, which precluded more than one Supervisor from attending so as not to create a quorum.

Engineering Reports

Mr. Leinneweber reported that Drumheller Construction had completed their maintenance bond and completion of the work on ADA Curb and Ramp projects for 2023 was certified by the engineer.

A motion was made by Richard Lombardo to approve the completion of work and the related payment application for Drumheller Construction for \$21,838.64. The motion was seconded by Yrisol Garcia. The motion was agreed to unanimously.

Mr. Leinneweber reported that Construction Masters had completed their work on paving Grant Street, Hollywood Court, Philmay Terrace, and Oak Terrace. They had submitted completion requests, change orders, and pay applications that if granted would close the project. Mr. Lombardo asked for clarification on whether the remediation of Philmay Terrace curbs was completed. Mr. Leinneweber responded that remediation was completed at the Borough's requirement.

A motion was made by Richard Lombardo to approve a change order for Construction Masters Services, LLC decreasing the total project cost by \$7,507.48 due to fewer materials being used. The motion was seconded by Michael Kindlick. The motion was agreed to unanimously.

A motion was made by Richard Lombardo to approve the final payment request by Construction Masters Services, LLC for \$36,713.00. The motion was seconded by Roger Stief. The motion was agreed to unanimously.

A motion was made by Richard Lombardo to sign the completion notice for the Pennsylvania Department of Transportation of the Construction Masters Services, LLC 2023 paving project for parts of Grant Street, Hollywood Court, Philmay Terrace, and Oak Terrace. The motion was seconded by Roger Stief. The motion was agreed to unanimously.

Mr. Leinneweber shared that a second grant for \$275,000 was approved for the Borough's ADA Ramp projects that needed to be completed for compliance with the Americans with Disabilities Act. Mr. Leinneweber and Dave Okonski shared that the estimated cost for each ramp replacement would be approximately \$6,800.00. This would allow the Borough to complete about 40 ramps in 2024. Mr. Okonski shared that there were over 200 ramps throughout the Borough that needed to be completed.

Mr. Leinneweber and Mr. Okonski shared that the priority ramps were 18 ramps on Cumberland and 19 ramps on Filbert, then ramps elsewhere as funds allow. Mr. Lombardo commented that due to inflation, it would be wise to all work sooner rather than later to achieve the best costs of improvement. Mr. Goodman asked if there was a match for the grant and Mr. Leinneweber said there was no match. Mr. Okonski shared that the grant worked as a pass-through where we receive a bill from the contractor and the Borough submits the bill to the State for payment.

A motion was made by Richard Lombardo to develop a bid for ADA Curb and Ramp Improvements for 2024 that would cover the entire balance of the remaining grant funds. The motion was seconded by Roger Stief. The motion was agreed to unanimously.

Mr. Lombardo asked for information related to the sewage backups from Dollar Tree on Perkiomen Avenue because it had caused neighboring businesses to close for the day. Mr. Ahrens shared that Central Berks Codes department was involved in the clean-up and violation notices and was working to see Dollar Tree remediate the issue expeditiously. They had also involved partner organizations to ensure it was not a Sewer Authority issue.

Streets Reports

Mr. Okonski summarized the streets report, including repairs to vehicles and a plow, pothole remediation that is ongoing, and the placement of a new flagpole at the Perkiomen Avenue intersection. Mr. Maurer asked if the pothole that was installed on Summit Avenue was a permanent fix, because it appeared to

be Cold Patch. Mr. Okonski responded that he hoped the patch would be permanent until it could be paved. The council complimented the Road Crew's work on several recent issues including snow plowing.

Council President Report

Mr. Goodman asked Mr. Ahrens to summarize the Strategic Management Planning Program updates. Mr. Ahrens shared that all submissions had been made to DCED and the department expected that we would be awarded but needed to wait until final approval had been given in the form of a notice letter from DCED.

Mr. Goodman shared that merger discussions were pending another conversation with the Department of Community and Economic Development and there was not a current timetable for when that next conversation would occur.

Mr. Goodman summarized the committee appointments and thanked members of the Council for their willingness to share their interests in committees and serve on those committees to do work for the benefit of the residents.

Mr. Goodman shared that there was a resignation by Mrs. Dise from the Police Commission and there would need to be a subsequent appointment to fill her vacancy on the Police Commission. Mrs. Dise offered her resignation verbally and shared that she would submit another in writing.

A motion was made by Yrisol Garcia accept the resignation of Christine Dise from the Central Berks Regional Police Commission. The motion was seconded by Roger Stief. The motion was agreed to 6-1 with Mes. Dise and Garcia and Messrs. Baer, Goodman, Kindlick, and Lombardo voting in the affirmative; and Mr. Stief voting in the negative.

A motion was made by Richard Lombardo to appoint Thomas Baer to the Central Berks Regional Police Commission. The motion was seconded by Troy Goodman. The motion was agreed to unanimously.

Mr. Goodman shared that a vacancy existed on the Zoning Hearing Board and that Mr. Calvin Hess was a candidate for the vacancy. He shared that Mr. Hess had provided a cover letter and resume for the consideration of the Council.

Amy Johnson, 517 N. 26th Street – Ms. Johnson commented that recent Social Media posts indicated that Mr. Hess had made negative comments about the Antietam School District. Ms. Johnson shared that the Zoning Hearing Board was representing the entire community because the decision effects the entire School District and should keep that in view when making any decisions.

Patrick McDevitt, 2326 Grandview Avenue – Mr. McDevitt shared Ms. Johnson's concerns and asked the Council to take them seriously.

A Resolution appointing Mr. Hess is included later on the agenda.

Committee Reports

Solid Waste – Mrs. Dise commented that the Borough was working to get residents onboard and aware of the new recycling schedule and that she and Mr. Ahrens would continue working on specific challenges where pickup was encountering challenges. Ms. Garcia shared that she would be happy to

support the translation of materials into Spanish for residents who have challenges with understanding English.

Personnel – Mr. Stief indicated that Personnel Committee items would be addressed in Executive Session.

Codes – Mr. Ahrens shared that Ms. Luz would be providing rental program updates by email to Council. Mr. Ahrens also shared that a meeting was being sought with the Codes Committee to continue implementing the rental program.

Finance Committee – Mr. Ahrens and Mr. Klonis commented that check signers needed to be determined before new check-signing cards were completed. Mr. Kindlick asked why Mr. Stief had not been selected as a check signer being that he is Vice President. Mr. Ahrens and Mr. Goodman shared that it was because Mr. Baer had more availability to sign checks because he is retired.

A motion was made by Richard Lombardo to permit Hunter L. Ahrens, Thomas Baer, Troy Goodman, and Ryan Maurer to serve as check signers. The motion was seconded by Yrisol Garcia. The motion was agreed to unanimously.

Mr. Ahrens shared that he was recommending two Pension Administrators be approved so no lapse in administrators could complete paperwork if there was turnover on the Council or in the office.

A Resolution appointing Mr. Ahrens and Mr. Goodman is included later on the agenda.

Community Relations – Mrs. Dise commented that planning for the 2024 Block Party would need to begin soon and that she would be seeking volunteers to assist with the planning of the Block Party. The Council had some discussion about the schedule and timeframe when the block party would occur.

Other Reports

Chief of Police – Chief Serafin shared about a vandalism event that took place at the Central Berks Regional Police Station where an individual damaged several department vehicles and personal vehicles with a baseball bat. He asked for any information that residents had about this approach the Police Department and share that information.

Other Business

Mr. Stief requested clarification about who would be responsible for hiring the Solicitor of the Zoning Hearing Board. Mr. Ahrens and Mr. Morey responded that was a decision of the Zoning Hearing Board, but the Borough Council should affirm that to pay the bills for the Zoning Hearings. The consensus of the Council was to appoint the firm Smith Bukowski and reflect that in the resolutions while removing specific references to an individual attorney for the firm.

A motion was made by Yrisol Garcia to strike reference to David Sobotka, Esq. on Resolutions 17 and 18 appointing a Solicitor for the Planning Commission and Zoning Hearing Board. The motion was seconded by Christine Dise. The motion was agreed to unanimously.

Amanda Stief, 125 N. 25th Street – Mrs. Stief asked if Chief Serafin or the Police Department had been engaged in conversations regarding a permit parking program with the Borough.

Resolutions

A motion was made by Thomas Baer to adopt the revisions to the Berks County All Hazards Plan under Resolution No. 31-24. The motion was seconded by Michael Kindlick. The motion was agreed to unanimously.

A motion was made by Thomas Baer to designate Hunter L. Ahrens and Troy Goodman as Pension Administrators under Resolution No. 32-24. The motion was seconded by Michael Kindlick. The motion was agreed to unanimously.

A motion was made by Yrisol Garcia to appoint Calvin Hess as a Zoning Hearing Board member under Resolution No. 33-24. The motion was seconded by Troy Goodman. The motion was agreed to 6-1 with Mses. Dise and Garcia and Messrs. Goodman, Kindlick, Lombardo, and Stief voting in the affirmative; and Mr. Baer voting in the negative.

New Business

Mr. Lombardo shared that the Mt. Penn Fire Company Fastnacht Sale would take place February 10th and February 11th.

Adjournment

A motion was made by Michael Kindlick to adjourn the meeting at 9:13 PM. The motion was seconded by Thomas Baer. There was no further discussion. The motion was agreed to unanimously. The council announced that following the meeting they would be meeting in Executive Session to discuss Personnel Matters.