

MOUNT PENN BOROUGH
BOROUGH COUNCIL VOTING MEETING
February 20, 2024

The Mount Penn Borough Council met for a Special Meeting on February 20, 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 8:12 PM. No action was taken at the meeting and the meeting intended to permit questions and answers from the community related to work with the Antietam School District.

Members in attendance were Mayor Ryan Maurer, Council President Troy Goodman, Council Member Thomas Baer, Council Member Christine Dise, Council Member Yrisol 'Iris' Garcia, Council Member Michael Kindlick, and Council Member Richard Lombardo. Staff and Professional Members present were Borough Manager Hunter L. Ahrens, Solicitor Thomas Klonis, and Engineer Ty Leinneweber. Council Vice President Roger Stief was absent.

Others present included A. Michael Roberts, Rev. David Duquette, Al Rochlin, Heidi Rochlin, Kelly Landherr, Tracy Detwiler, Amanda Stief, Nathan Rupright, Holly Rigg, Jennifer Reese, Travis Reese, Darrah Doyle, Stacey Fink, Joan London, Esq., Clara Worrall, Tianna Schaeffer, Susan Arnold, Marina McGough, A. Shaub, Alex Aimette, Patrick McDevitt, Jennifer Reeves, Brian Reeves, Kim Wittich, Bill McClain, Joyce McClain, Kate Flowers, Rachel Constein, Dan Constein, Shannon Billman, Jose Ventura, Amy Johnson, Geneia Esterly, Robert Miller, Heather Hildenbrand, Kyla Ramsey, and several other 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.

Michael Roberts, Antietam School District Board President – Mr. Roberts shared that he appreciated the work between the School District, and Borough, as well as Senator Schwank and Representative Rozzi. Mr. Roberts emphasized that the School District and Borough were working together and needed to continue doing so to benefit the students at the Antietam School District.

Clara Worrall, 136 Butter Lane – Ms. Worrall read a statement reflecting the need for an educated public and the responsibility of the public to provide that education. Ms. Worrall emphasized that virtual learning that was conducted during the COVID-19 Pandemic was not successful for the majority of students and needed to be considered as decisions were made for the location of the school district's facilities. She encouraged the Borough to work cooperatively with the School District to ensure that students have a place to go to school for the next school year.

Patrick McDevitt, 2326 Grandview Avenue – Mr. McDevitt shared that if the Borough continued to block the School District's plan to locate school facilities in the Borough. Mr. McDevitt commented that Bowman Consulting was hired to conduct a Traffic Study which changed the requirements for the school district's requirements needed to fulfill. Mr. McDevitt commented that this left only virtual learning as a viable method of instruction in 2024 – 2025. Mr. McDevitt entreated the Borough to work with the School District to complete the necessary approvals.

Mr. Klonis responded that the traffic study was not a requirement made by the Borough Council but was mandated by the Zoning Hearing Board decision and the Council was obligated to follow the decision of the Zoning Hearing Board. Furthermore, the hiring of a traffic engineer was meant to narrow the scope of the traffic study which would allow the process to be completed more quickly. Mr. Klonis also reviewed the process he undertook to conclude that permit work could begin at the Mt. Penn Primary Center building before Zoning approvals so long as it did not increase student capacity.

Mr. McDevitt asked for clarifications on conducting a traffic study, wherein the Borough confirmed that the Traffic Engineer's work was to focus the scope of work and that the District would hire a Traffic Engineer to complete the study before certain portions of the building permit were completed.

Shannon Billman, 2519 Philmay Terrace – Asked if a traffic study would still be completed. Mr. Klonis responded that a traffic study would be completed by the district as required by the Zoning Hearing Board.

Geneia Esterly, 816 Brighton Avenue – Ms. Esterly asked if a text amendment would still be feasible. Ms. Esterly also commented that the liability faced by Mt. Penn Borough was not her concern and it should not be prioritized over the student's education. She further added that a text amendment should remain on the table.

Mr. Klonis responded that liability exists for Mt. Penn insofar as it ignored decisions of the Zoning Hearing Board, specifically that the Borough could be the target of a lawsuit that would force the Borough to enforce the Zoning Hearing Board's decision.

Ms. Esterly responded that the Borough Council's decision could violate students' rights and their qualified immunity could be in jeopardy due to their decisions.

Robert Miller, Resident – Encouraged Borough Council to work with the school district to ensure that students had a building to attend school in the new year.

Post Action Approvals

A motion was made by Thomas Baer to appoint Christopher Williams, P.E. of Bowman Consulting as Transportation Engineer for Mt. Penn Borough; specifically for work related to the development and review of a traffic impact study by the Antietam School District. The motion was seconded by Michael Kindlick. The motion was agreed to unanimously.

Discussion

Mr. Ahrens summarized that after consultation with the Borough Solicitor, Building Permits for the Antietam School District would be approved by the Borough which were not related to increasing occupancy. Plan sets were submitted to the Borough and work to review those plan sets had begun.

Mr. Klonis asked Attorney Joan London, Esq., representing the Antietam School District, to address the support letters for the Mt. Penn Primary Center and the Mt. Penn Elementary Center. Attorney London

thanked the Council for their consideration of support letters and asked that they be adopted with some revisions. Attorney London asked that conditions addressing additional studies or off-site improvements be removed from the letters in both cases. Specifically, the requirement for a pedestrian flow plan, as well as off-site improvements for electric, crosswalks, signage, etc.

Mr. Ahrens responded that the pedestrian flow plan was envisioned to be completed by the school district's administration. The Attorney London believed that nothing would be gained for the Borough understanding that. Mr. Ahrens responded that the purpose of these plans was to identify the routes that needed to have snow cleared from there in the event there was traffic traversing between school buildings.

A motion was made by Richard Lombardo to amend and remove language from the draft support letters for the Mount Penn Elementary Center property, paragraph 7(c) and paragraph 2 in part from "if students attend... until the of the paragraph." The motion was seconded by Thomas Baer. The motion was agreed to unanimously.

A motion was made by Richard Lombardo to approve the amended support letter for the Mount Penn Elementary Center. The motion was seconded by Thomas Baer. The motion was agreed to unanimously.

Attorney London raised additional concerns with parts of Paragraph 8 in the letter addressed to the Mount Penn Primary Center property, which she requested be removed from the approved letter. The language that was requested to be removed was the first sentence of Paragraph 8. Mr. Ahrens responded that in effect removed language that the Zoning Hearing Board had previously included in its decision, so he did not see the purpose of removing the language that was already required by the Zoning Hearing Board.

Mr. Ahrens recommended that the letter be worked on directly with the district to determine acceptable language for both entities in advance of the next meeting. Attorney London agreed that would be a better avenue for the second letter.

A motion was made by Richard Lombardo to table consideration of the support letter for the Mt. Penn Primary Center. The motion was seconded by Christine Dise. The motion was agreed to unanimously.

Mr. Ahrens shared that the liaison committee between the School District, the Township, and the Borough, had a consensus to wait for the traffic study to be completed before making a final decision on the permit parking program. Mr. Ahrens recommended the Council look to the results of the traffic study for whether to implement the permit parking program.

Action

Members of the Council shared their desire to see all members of the community have the information shared at meetings available to them and livestreaming the meetings could help with that. Mr. Goodman suggested a trial run be undertaken.

A motion was made by Richard Lombardo to have a trial run of livestreaming the meetings. The motion was seconded by Christine Dise. The motion was agreed to unanimously.

A motion was made by Richard Lombardo to amend the agenda to accept the resignation of Tara Walters from the Zoning Hearing Board. The motion was seconded by Michael Kindlick. The motion was agreed to unanimously.

Mr. Klonis indicated that the absence of a third voting member could affect the School District's application before the Zoning Hearing Board. Mr. Lombardo shared that he thought it was appropriate to appoint an alternate in addition to another voting member.

A motion was made by Richard Lombardo to have a trial run of livestreaming the meetings. The motion was seconded by Michael Kindlick. The motion was agreed to unanimously.

Mr. Lombardo commented that the Borough and School District would continue working together to keep the community informed.

Nathan Rupright, 230 Friedensburg Road – Mr. Rupright commented that the Council should consider utilizing the Borough's website to a greater extent to post updated information for the process being undertaken.

Adjournment

A motion was made by Rick Lombardo to adjourn the meeting at 8:12 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 Acquisition of Real Estate.

Submitted,



Hunter L. Ahrens
Borough Manager