



Meeting of the Mount Penn Borough Council (5/30/23) - BUSINESS MEETING Minutes

Mt. Penn Borough

May 30, 2023 at 7:30 PM EDT

@ 200 N 25th St, Reading, PA 19606

Attendance

Present:

Members: Joseph Cunliffe, Christine Dise, Troy Goodman, Rick Lombardo, Borough Secretary Suzie Macedo, Ryan Maurer, Roger Stief

Guests: Engineer C. Falencki, Solicitor T. Klonis, Systems Design Engineering (SDE) T. Leinneweber, Police Chief Serafin

Absent:

Members: Josh Nowotarski

- I. CALL TO ORDER (Presenters: Troy Goodman)
Meeting Commenced at 7:34 p.m.
- II. PLEDGE TO THE FLAG (Presenters: Troy Goodman)
- III. ROLL CALL (Presenters: Borough Secretary Suzie Macedo)
- IV. AUDIENCE PARTICIPATION (Presenters: Troy Goodman)

Adam Krafczek, resident of 237 Endlich Avenue addressed council with three matters needed to close out the Krafczek Project:

1. Whether Mount Penn Borough would agree to cover the overage cost of the project in the amount of \$2,310.56.
2. Mr. Krafczek informed council that Mrs. Krafczek agreed to fund and cover the split rail fence and planting of 30 trees along Endlich Avenue. He stated the fence would be completed within 30 days and the 30 trees would be planted around September/October due to the weather which will close out the project.
3. The final item he discussed was the request for the Original Letter of Credit which was provided by Mrs. Krafczek because she satisfied her obligation in full.

Engineer Falencki with McCarthy Engineering had no objection and verified everything was in order.

Motion:

Motion to pay overage amount of \$2,310.56 on Krafczek Project

Motion moved by Rick Lombardo and motion seconded by Joseph Cunliffe.
Councilmember Stief - nay. All other votes in favor 4-1

Motion:

Motion to return the Letter of Credit to the Krafczek's.

Motion moved by Rick Lombardo and motion seconded by Joseph Cunliffe. Motion passed unanimously

Mrs. Agatha Johns, resident of 2701 Perkiomen Avenue stated she is working on opening her home to clients with intellectual disabilities. She stated the engineer came in and noted the house was in order with exception to installation of a sprinkler system. She stated house is about 73 years old and after inquiring with various sprinkler companies, none will install the sprinkler system on such an old property. She requested assistance from council on an alternative.

The consensus was to have Systems Designs Engineering review her request and make a determination if it would be a feasible request or if any modifications would be necessary.

Jim and Cindy Debellis, residents of 2700 Cumberland Avenue discussed issues with their neighbor who has two Rottweiler's that they do not clean up after in their yard for weeks at a time and because of the proximity they are constantly smelling the excreta. He stated when they do clean it up they leave it in a bucket sitting in their yard. Solicitor Klonis stated they have prosecuted dog excrement cases in the past and noted Code Enforcement Officer Bender is aware of the steps needed for that purpose. He stated the ordinance requires it must be picked up within a 24 hour period and if not picked up citations can then be issued. He stated the first step is a Notice of Violation putting the homeowner on notice of violating the ordinance followed by a citation. Mr. Debellis commended the communication and interaction with Code Enforcement Officer Bender.

Danielle Hartline resident of 229 Friedensburg Road briefly explained the situation with the plans that were previously approved by Council. She stated Council had to reapprove the plans, sign and date so she can submit within the appropriate time period.

Motion:

Motion to reapprove Hartline Plans

Motion moved by Christine Dise and motion seconded by Rick Lombardo. Motion passed unanimously

V. ENGINEERING (Presenters: Chris Falencki)

Engineer C. Falencki thoroughly reviewed his engineering report. A copy of his report is attached.

 [2023-5 Engineer Report Full.pdf](#)

VI. STREETS (Presenters: Rick Lombardo)

Councilmember Lombardo and Councilmember Stief reviewed their street report on the street sweeper including cost, compliance and problems the crew encountered.

Council President Goodman stated in discussions with Chief Serafin, the Borough could not tow only vehicles out of registrations or out of inspection but would have to tow all vehicles in violation of the no parking signs.

Council President Goodman asked how many tickets were issued during the week of street sweeping. Borough Secretary Macedo stated Executive Assistant to the Chief R. Gresh emailed the total tickets issued were 23, about 12 a day.

Councilmember Lombardo discussed Antietam Valley Municipal Authority (AVMA) agreement. He met with Mr. Agert from St. Lawrence and his solicitor is drafting up an interlocal government agreement on the shared garage for the grant which will then be presented to Solicitor Klonis for review.

Councilmember Lombardo stated Dave will get with SDE to get items ready for the bid on the three streets they will be completing. If there is any additional monies left over they will take care of three additional streets.

Council President Goodman asked for Streets Department to resubmit all paperwork on the three top streets he wants done so all council has copies.

Councilmember Stief stated street crew is now on a four day work weeks until Labor Day.

VII. ACTION ITEMS FOR APPROVAL (Presenters: Troy Goodman)

A. Minutes from previous Meetings

 [2023-03-28 minutes Business Meeting .undefined](#)

 [2023-04-25 minutes Business Meeting.undefined](#)

 [2023-05-12 minutes Special Meeting.undefined](#)

Motion:

Motion to approve minutes from March 28, 2023, April 25, 2023 and May 12, 2023

Motion moved by Rick Lombardo and motion seconded by Troy Goodman.

Motion passed unanimously

B. Payment of Bills

 [Bills Paid Apr 25 - May 26.pdf](#)

Motion:

Motion to approve Payment of Bills report as amended to include check number 19399

Motion moved by Rick Lombardo and motion seconded by Christine Dise. Motion passed unanimously

C. Finance Report from previous month

 [April Treasurer Report .pdf](#)

Motion:

Motion to approve April's 2023 Treasurer's Report

Motion moved by Roger Stief and motion seconded by Rick Lombardo. Motion passed unanimously

VIII. LIASION REPORTS

A. Fire Company

Councilmember Lombardo discussed 911 dispatch service billing and discussed the 911 tax in other municipalities and the increase upcoming in the next three years.

Council President Goodman will address these services with the County officials. There will need to be a review on the upcoming year's budget and verification that this has been accounted for within the budget. He stated the Fire Department had graciously volunteered to cover the fire dispatch cost on the billing and this has been confirmed with the Fire Chief.

B. MPBMA

No Report

C. AVMA

Council President Goodman stated they have a new supervisor and assistant supervisor who will help bring technology to the sewer system. He stated there is a lot of work that needs to be done on the system which is 100 years old and is shared between Lower Alsace, St. Lawrence and Mount Penn. There will be a need for a lot of upgrades in the future. Everything is up and running but they are doing an intensive line repair for sewer lines. There may be trucks on the streets or closing of streets to do relining of the mains. There is a lot of infiltration problems and any issues over 9 million gallons an hour has to be reported to the Department of Environmental Protection (DEP) which means money has to be paid.

Mayor Maurer joined the meeting at 8:25 p.m.

D. Planning Commission

No report

E. Aulenbach Cemetery

Councilmember Cunliffe stated flags are up at the cemetery. There is a plot owners meeting the following day and a board meeting following. Councilmember Cunliffe stated he will be attending the meeting.

F. Police Commission

No report

IX. COUNCIL PRESIDENT REPORTS (Presenters: Troy Goodman)

No report

X. COMMITTEE REPORTS

A. Parks and Buildings (Presenters: Troy Goodman, Joseph Cunliffe)

Councilmember Cunliffe addressed council regarding the re-keying of the Borough Hall. He stated the vendors are reworking because of Council's request for more specialized keys that can not be duplicated at any store. He stated he will have more information at the upcoming meeting for council to review.

B. Solid Waste/Public Utilities (Presenters: Joseph Cunliffe, Christine Dise)

Councilmember Cunliffe stated trash pick-ups are going smoothly but for recycling, the service is lacking and the lack of communication is an issue. He stated with the communication on Friday with missed pickups the recycling company did come out Saturday and made collections for the streets that were missed on Friday. That being said, communication on picking up those missed streets for Saturday was not conveyed. Blosenski also does not communicate when a representative will be out of office like what the Borough is accustomed to with J.P. Mascaro where we can reach someone by phone or via text message that helps address missed collections within an hours notice.

Councilmember Dise discussed conversations she had with Solicitor Klonis about moving forward with the next contract and taking the lowest bidder. She emphasized that the Borough was obligated to take the lowest "responsible" bidder which means they have done their job according to the contract.

There was discussion from council on the non-performance clause and Council President Goodman stated the missed collections was laid out on the bid that was submitted by Blosenski and it states, "the Borough shall email or fax complaint forms to the contractor immediately for missed regular collections for Municipal solid waste, recyclables or yard waste and the contractor shall by the end of the day (complaints received after 4:00 p.m. shall be emailed or faxed the following business day) be collected. The penalty of \$100.00 per occurrence will be deducted from the month's invoice for these violations. " He clarified that the bid was incorporated into the contract and each house would be considered an occurrence. For the upcoming year when it is put out to bid, if Blosenski is the lowest responder, if there is a written record, full documentation for all of the lapses of communication, service etc. to address the lack of responsible service then the Borough has the opportunity to not accept their bid.

Solicitor Klonis suggested that every time there is a missed pick up and we reach out, if it is by phone, follow up with an email for documentation purposes so there is a written record of the communications with Blosenski in the event that they are the lowest bidder. The Borough can then counter with the response that they are not the lowest responsible bidder, and with the documentation, be in a position to lay out the reason why. Moving forward the bill should be paid minus any occurrences.

Council President Goodman stated he would like to review the bid and the contract before any action against Blosenski is taken as well as have Solicitor Klonis review both to make sure we are at legal capacity to pursue Blosenski for those occurrences.

C. Insurance/Pension (Presenters: Joseph Cunliffe, Josh Nowotarski)

No report

D. Personnel (Presenters: Roger Stief, Josh Nowotarski)

Councilmember Stief reported that the office is finally fully staffed with the newest employee, Elva Luz, doing a great job learning CBC and the permitting side. He is hearing positive feedback and he feels the office is moving in the right direction.

E. Codes (Presenters: Rick Lombardo, Christine Dise)

Councilmember Dise discussed the Codes car and its maintenance. She has been provided the number to Chad. After doing some research on whether the Borough could be awarded a grant for 2022-2023 for a new codes car. The issue with the grant is whatever they do award to the Borough it must be match by the Borough. She stated Chad was unable to give her an amount to see whether the Borough could match what they were willing to give.

Council agreed to hold off on applying for the grant until next year to be able to budget an amount to move forward with applying for the grant.

Councilmember Lombardo discussed having an after hour code personnel available due to the amount of rental properties within the Borough and the need for emergency access and services when needed. He asked Police Chief Serafin if this was an option.

There was discussion between Police Chief Serafin, Councilmember Lombardo and Solicitor Klonis on why the need to have an after hours contact.

Police Chief Serafin stated he would look into this and would discuss with Code Enforcement Supervisor Lorah and get back with Council.

F. Finance (Presenters: Troy Goodman, Josh Nowotarski, Roger Stief, Ryan Maurer)

Council President Goodman touched on the meeting with auditor Herbein and the discussion with Herbein was that the Borough needed to hire an outside professional to clean up the books for 2022 and part of 2023. He detailed with council the issues Quickbooks Online caused with the books. Council President Goodman stated Herbein could fix the books at a cost of \$200.00 per hour but the Borough would then need to obtain a different auditor to conduct the audit because of the conflict of interest. Council President Goodman and Borough Secretary Macedo conducted a search through Quickbooks for a professional and were referred to a specialist based out of Wyomissing and are awaiting a response.

Mayor Maurer volunteered to reach out to other firms to assist in obtaining quotes for the clean up.

XI. OTHER REPORTS

A. Mayor - Ryan Mauer (Presenters: Ryan Maurer)

No report

B. Police Report - Chief Serafin (Presenters: Chief Serafin)

Police Chief Serafin discussed pedestrian signs that were destroyed and not repairable on 24th Street and Perkiomen.

Council President Goodman noted that this would need to be budgeted for the upcoming year.


C. Solicitor (Presenters: Tom Klonis)

No report

XII. ORDINANCES (Presenters: Troy Goodman)

- A. Ordinance No. 883 Handicap Use at 2321 Cumberland Avenue, 2402 Filbert Avenue, 2517 Cumberland Avenue

Solicitor Klonis covered in detail Ordinance Number 883 as part of his segment.

 [Ord 883 HANDICAPPED for 2321 Cumberland Avenue & 2402 Filbert Avenue & 2517 Cumberland Avenue.docx](#)

Motion:

Motion to approve Ordinance No. 883 Handicap Use at 2321 Cumberland Avenue, 2402 Filbert Avenue, 2517 Cumberland Avenue

Motion moved by Christine Dise and motion seconded by Troy Goodman. Motion passed unanimously

XIII. RESOLUTIONS - NONE (Presenters: Troy Goodman)

XIV. OLD BUSINESS (Presenters: Troy Goodman)

- A. Danielle Hartline Plans

This item was heard during audience participation.

- B. Krafczek Project

This item was heard during audience participation.

 [Krafczek Project .pdf](#)

- C. DCED Merger

Council President Goodman stated he had not heard any new information from Borough Manager Pottinger from Lower Alsace. He asked if Council wanted to discuss coordinating a new date for July.

There was consensus from Council to set a date for the second week of July and to notify Lower Alsace Township so they could coordinate a date that week and also advertise prior to the meeting date. This would be further discussed at June's meeting.

Solicitor Klonis requested that Thursday of that week not be an option for the meeting due to other engagements that would conflict for that day.

XV. NEW BUSINESS (Presenters: Troy Goodman)

- A. Solicitation Signage

Councilmember Stief stated at the Workshop there was consensus from Council to purchase new signs since there was an ordinance in place on solicitation. Councilmember Stief intended to have the signs reference the ordinance as per Mayor Maurer's suggestion.

Motion:

Motion to procure four new solicitation signs with language as suggested by Mayor Maurer.

Motion moved by Roger Stief and motion seconded by Rick Lombardo. Motion passed unanimously

B. Re-Key Building

This agenda item was heard during item X(A) - Parks and Buildings Segment

C. Banners

Councilmember Stief stated he emailed all council with the chosen design "Let's Honor" and excluded the wording "Mount Penn" on the banner because of the unknowns of the merger with Lower Alsace. He stated there was a total of 88 poles that he would want to line up including 60 on Perkiomen, 23 on Carsonia, and five by the police station. The banner size he is considering is 24 by 48, which is what boroughs in other areas typically use. He is still gathering information on actual costs which would include the banner, brackets, shipping costs, and an inclusion to account for any damages that may occur to signs so that we do not have to collect from families to pay for an additional sign if they chose to have a replacement. Once a packet is completed it will be posted on our website and other sites.

D. Letter of Intent

Council President Goodman discussed the need to have someone assigned from DECD to help train Office Borough Secretary. Council President Goodman and Secretary Macedo signed the Letter of Intent dated May 30, 2023 for submittal.

 [Letter of Intent.pdf](#)

Motion:

Motion to approve Letter of Intent signed on May 30, 2023.

Motion moved by Roger Stief and motion seconded by Rick Lombardo. Motion passed unanimously

E. AirBnB's and VRBO's

Council President Goodman informed council on inquiries from various residents requesting to open AirBnB's. He stated the Borough had no Ordinances enforcing regulations on dwellings being used as a rental for these services. He stated there could be a safety factor to consider. Councilmember Lombardo stated most other municipalities have these rentals categorized under their rental programs.

SDE Engineer Leineweber said he would review the Zoning Ordinances and have an answer for the Borough at the following meeting; these rentals may be limited to certain areas.

Council President Goodman stated that the Borough is receiving an increase of inquiries on these rentals and wanted to address these before the influx of AirBnB's and VRBO's begin to be available in the area and inquired on whether we needed to have a Zoning Ordinance established.

Solicitor Klonis went into detail on the lengthy process to have a new Zoning Ordinance established because of the Joint Zoning Ordinance agreement between the Borough and Lower Alsace but suggested for SDE to first review the current Zoning Ordinance book and the Borough could then determine how to proceed.

F. ADA Ramp Replacement Program bid documents and to advertise for bid

Council Member Lombardo stated Streets Supervisor Okonski would get with our engineering firm to work out specifics.

SDE Engineer Leinneweber stated he needed authorization from the board in order to prepare bid documents, advertise, place it out for bid and authorize the engineer to work with Streets Supervisor Okonski to come up with the scope of work. He clarified that SDE would only be putting the bid specifications together and the required details for the applicants to meet. The actual plan and survey would not be done by SDE. He stated he would need to talk with Street Supervisor Okonski to find out if engineering is included as part of the grant because the Borough had the option to have engineering inspection completed and paid by the grant. He further clarified that he needed a document that specified what was included in the grant.

Solicitor Klonis stated SDE would not get any action on a motion for bid that night because Council needed time to review the location of the ramps and that would need to be approved prior to authorization.

Motion:

Motion to authorize Engineering Firm, SDE to start the ADA Ramp Replacement Program bid document process in anticipation of advertising at next meeting.

Motion moved by Rick Lombardo and motion seconded by Roger Stief. Motion passed unanimously

G. Vacant Council Seat

Council President Goodman informed Council that a phone call was received informing the board that Candidate Billie Jean Buckland had withdrawn her letter of interest. Council notified Candidate Cocuzza that an Affidavit of Residency would be needed along with notarization of said form before the next Business Meeting so Mayor could swear him into office.

1. Candidate Billie Jean Buckland

Candidacy was verbally withdrawn by Candidate Billie Jean Buckland.

 [Billie Jean Buckland Letter of Interest.pdf](#)

2. Candidate James Cocuzza

 [James Cocuzza Letter of Interest.pdf](#)

Motion:

Motion to appoint James Cocuzza into the vacant council seat

Motion moved by Rick Lombardo and motion seconded by Troy Goodman. Roll call vote was necessary due to unclear votes

Council Member Stief - Nay

Council Vice President Lombardo - Yes

Council President Goodman - Yes

Council Member Dise - Yes

Council Member Cunliffe - Nay

Solicitor Klonis clarified for the record Motion Carries 3 to 2.

XVI. EXECUTIVE SESSION (Presenters: Troy Goodman)

NONE

XVII. ADJOURNMENT (Presenters: Troy Goodman)

Meeting was adjourned at 9:32 p.m.