

MOUNT PENN BOROUGH
BOROUGH COUNCIL BUSINESS MEETING
November 28, 2023

The Mount Penn Borough Council met for its monthly Business Meeting on November 28, 2023, at Borough Hall located at 200 N. 25th Street, Reading, PA 19606. The meeting was called to order by Council President Troy Goodman at 7:30 PM and adjourned at 10:15 PM. Council Members in attendance were Mayor Ryan Maurer, Council President Troy Goodman, Council Vice President Rick Lombardo, Council Member Christina Dise, Council Member Jason 'Tuan' Duong, Council Member Michael Kindlick, and Council Member Roger Stief. Staff and Professional Members present were Office Administrator Hunter L. Ahrens, Solicitor Zak Morey, Engineer Ty Leinneweber, and Police Chief Ray Serafin. Council Member Jim Cocuzza joined the meeting at 9:02 PM.

Others present included Jose Martins of J.P. Mascaro, Todd Weikel of Lower Alsace Township, Jennifer Lopez, Dr. Heidi Rochlin, Roberta Banks, Curt Itzi, Mark Dise, Amanda Stief, Joe Taimango, Josh Steingraber, and several members of the public.

Mr. Goodman opened the meeting with a pledge to the flag at 7:30 PM. Roll calls were made with one member absent. A quorum was present.

Mr. Goodman recognized Jose Martins, a representative of JP Mascaro, to discuss the trash and recycling days presented under the bid. Mr. Martins recommended to Council that weekly trash collection be taken on Tuesday and Friday, and weekly recycling be moved to Thursdays. He shared that this would make scheduling easier and collections more efficient for JP Mascaro while creating as little disruption as possible for residents.

Mr. Goodman recognized Todd Weikel, Township Supervisor and Police Commission member for Lower Alsace Township. Mr. Weikel shared that he was present to support the Police Budget and answer any questions that may be asked from the Commission's perspective.

There were no other public comments.

Engineers Report

Mr. Leinneweber reviewed the Engineering Report, including the ADA Project completion by Drumheller Construction. He shared that 25 ramps were completed this year, and a pay application was submitted. The total expense recommended for payment was \$140,737.46, a retainer would be held in the amount of \$15,637.50, with a balance of payment of \$21,838.54 for the remaining work to be recommended from the Engineer for payment. Mr. Ahrens commented that because the payment was not listed on the agenda for payment, the Council would need to wait until the December meeting to authorize payment.

Mr. Leinneweber shared that there was a minor increase of \$7,820.00 due to additional concrete that needed to be laid for additional work. This would bring the total cost for the entire 2023 project to \$162,576.00. Mr. Duong asked for clarification on the reason for the change order. Mr. Leinneweber responded that it was due to work being completed outside the original bid. Mr. Duong asked additional questions for clarification about the condition of some ramps and alleys specific to the project.

Mr. Leinneweber identified further components of the project that were pending recommendation to the Borough to pay the remaining cost of the project. Mr. Leinneweber emphasized that he wanted to see the project closed before year-end. Mr. Lombardo asked about the intersection of Brooke and 25th Streets and additional work that needed to be completed; Mr. Leinneweber discussed the remediation he required of the bidder.

Mr. Leinneweber shared that road work being completed by Phil May was pending a recommendation to pay the contractor. He shared that the work that was done reduced the depth of the curbs relative to the road. The contractor submitted a lump-sum payment request, which was insufficient due to the concern with the level of depth on Grant and Hollywood. The paving had been completed. Mr. Leinneweber shared that he was concerned to the point that the road may need to be repaved to reclaim the appropriate level of depth at the curb. The conversation concluded that remediation would need to be done in the Spring of 2024, which is also when the final payment would be expected to be approved.

Mr. Leinneweber shared that the contract from J.P. Mascaro for trash, recycling, and leaf collections was still pending receipt as well as updated insurance and performance bond. The contract would be approved and signed when final receipts were made by Systems Design Engineering.

The council provided a consensus for the staff to write the check to be approved in the bills list in December for the ADA project ramps recommended by Mr. Leinneweber in the amount of \$140,737.46, as well as the related change order to be approved retroactively in December.

Resolution No. 26-23 related to approval to seek a grant from the Commonwealth of Pennsylvania for infrastructure improvements on Borough streets, totaling \$1,000,000.00. The motion is included below and has one change regarding incidental language:

A motion was made by Roger Stief to approve Resolution No. 26-23 Authorizing the Application for the Related Grant. The motion was seconded by Christine Dise. There was no further discussion. The motion was agreed to unanimously.

Mr. Goodman began a discussion with the Council reviewing the correspondence with the Antietam School District regarding various code and zoning concerns related to the use of properties by the Antietam School District for education purposes. Specifically, Mr. Leinneweber related requirements for the district to adhere to related to the applications for Special Exceptions, Variances, provision of traffic and parking plans, inspections, and other methods.

Dr. Heidi Rochlin, the Superintendent of the Antietam School District, was present and asked for clarification as to what information should be provided to address the concerns raised in the Borough's letter. Mr. Goodman asked that the information that had been verbally reviewed with the Borough Council at their workshop meeting be provided in writing, and Mr. Goodman asked that the leases related to the parking arrangements be provided.

Mr. Leinneweber emphasized the biggest problem at this time was the on-street parking concerns raised by residents because the district's parking was crowding out resident's parking. Dr. Rochlin responded

that she understood the concern and outlined their efforts with both students and staff to encourage and request, where able, for them to park in the district's provided parking. Dr. Rochlin acknowledged challenges in getting faculty and staff to voluntarily comply with those parking requirements. Mr. Duong suggested that parking spots could be reserved for short-term unloading or drop-off spots to facilitate faculty and staff parking in the district lots. Dr. Rochlin concluded that she would consider that suggestion and would provide the requested information to the Borough Engineer.

Minutes and Treasurer's Report

Mr. Goodman requested motions to approve the minutes and treasurer's reports for the Borough. The motions are included below:

A motion was made by Rick Lombardo to approve the minutes for the October 24th, 2023; October 30th, 2023; and November 13th, 2023 Borough Council Meetings. 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 accept the Treasurer's Report for the period of October 25 – November 28, 2023. The motion was seconded by Troy Goodman. There was no further discussion. The motion was agreed to unanimously.

A motion was made by Jason 'Tuan' Duong to accept the bills list and authorize payment of bills. The motion was seconded by Rick Lombardo. There was no further discussion. The motion was agreed to unanimously.

Liaison Reports

Mr. Lombardo shared that the Fire Company would be driving around the community with Santa on December 15, 2023.

Mr. Goodman shared that the Mount Penn Borough Municipal Authority was seeking a support letter for a grant application. The motion is included below:

A motion was made by Rick Lombardo to support the Mount Penn Borough Municipal Authority's application for a grant. The motion was seconded by Jason 'Tuan' Duong. There was no further discussion. The motion was agreed to unanimously.

Mr. Goodman shared that there was a recommended appointment for Nathan Rupright as a Board Member for the Antietam Valley Municipal Authority. That appointment was drafted in the form of a Resolution. The motion is included below, and the Resolution was approved with a clarification of the appointment being made for the Antietam Valley Municipal Authority:

A motion was made by Rick Lombardo to approve Resolution No. 27-23 to Appoint Nathan Rupright to the position of Board Member for the Antietam Valley Municipal Authority. The motion was seconded by Roger Stief. There was no further discussion. The motion was agreed to unanimously.

Mr. Goodman noted that Mr. Cocuzza was absent; no report for the Planning Commission was made.

Discussion of Police Budget

Mr. Maurer began a discussion of the Police Budget for 2024. Mr. Maurer emphasized that the budget was proposed with a 4.00% increase that was in line with plans that were provided by the Center for Excellence in Local Government at Albright College. Chief of Police, Ray Serafin, offered some comments about cost drivers and reflected that the Police Department's budget was in line with the community's conditions and that he and the commission review the budget meticulously to recognize cost savings. Both Mr. Maurer and Mr. Serafin shared that the proposed budget was lower than other peer organizations around the County.

Mr. Duong asked for clarification on the level of service provided to the Borough of St. Lawrence and Oley Township, because Mount Penn and Lower Alsace, as host municipalities and commission members, pay a greater share of the total budget. Mr. Serafin offered that both Mount Penn and Lower Alsace realize a higher level of service than Oley and St. Lawrence do which is why the costs shared are disproportionate. Mr. Serafin also reflected on the specifics that relate to executive information on personnel and public safety and security. The Council agreed to enter an Executive Session to gain an understanding of those specific issues.

Mrs. Dise asked for clarification on the schedule on which the budget was being presented. Mr. Serafin responded that the budget would be incomplete without insurance costs provided later in the year and could not be provided accurately without those finalized insurance costs. Mrs. Dise suggested that the Commission's Bylaws be reviewed to align the timeline required for the budget's presentation to member municipalities with their current practice of waiting until insurance rates have been finalized.

Mr. Goodman announced that the Council would recess into Executive Session, to which they would return, to discuss personnel and security matters. The Executive Session started at 8:19 PM. The Executive Session was concluded, and the meeting resumed at 8:51 PM.

Mr. Goodman resumed the meeting and sought a motion to accept the Police Budget for 2024 in the amount of \$1,336,027.50 to be paid for by the Borough in monthly installments. The motion is included below and reflects a Roll Call Vote:

A motion was made by Troy Goodman to accept the Central Berks Regional Police Proposed Budget for 2024. The motion was seconded by Jason 'Tuan' Duong. Mr. Goodman requested a roll call vote. Duong – Aye; Stief – Aye; Lombardo – Aye; Goodman – Aye; Kindlick – Aye; Dise – Aye; Cocuzza – Absent. The motion was agreed to unanimously.

Council Presidents Report

Mr. Goodman shared that three proposals had been received to apply for Pennsylvania's Strategic Management Planning program. Mr. Ahrens shared that proposals were received from HRG, Inc., Keystone Municipal Solutions, and the Pennsylvania Economy League.

A motion was made by Rick Lombardo to select the Pennsylvania Economy League's proposal with an amount not to exceed \$52,255. The motion was seconded by Roger Stief. Mr. Ahrens shared that he

recommended HRG, Inc. for their expertise in infrastructure as the main approach to the planning process. Mr. Goodman and Lombardo clarified that they were the most expensive proposal. Mr. Duong asked if Mr. Ahrens had any concerns with the Economy League's staff on the project. Mr. Ahrens responded that he had no concerns about their staff, and his recommendation was based on his knowledge of HRG, Inc. Mr. Duong responded that work on these projects depended on staffing, and he recommended utilizing the Economy League. The motion was agreed to unanimously.

Mr. Goodman noted that a thank you letter had been submitted by J.P. Mascaro for the Borough's acceptance of their bid for Trash, Recycling, and Leaf Collections.

Mrs. Dise shared the progress that the Borough had made towards raising support for Representative Rozzi's Christmas program to support needy families. Work thus far included sharing the information with staff, the Council, and through social media.

Mr. Goodman reviewed the work that Mr. Lomnychuk was doing to raise Holiday lights around the Borough's public spaces. Mr. Morey asked for clarification on whether he was bonded or had insurance to protect against accidents. The Council concluded that he would.

The Council reviewed the schedule for the 2024 meetings, specifically the reorganization meeting to be held on January 2nd, 2024; Workshop meetings on the third Tuesday of the month; and Business meetings on the last Tuesday of the month. There would be one meeting in the summer months of June, July, and August. The Council agreed to move the meeting time from 7:30 PM to 7:00 PM. Mr. Maurer indicated that he had a conflict with the meetings beginning at 7:00 PM but offered that he would come later to the meetings. Motions were agreed to setting the meeting dates for 2024 and are included below:

A motion was made by Rick Lombardo to set and advertise the 2024 Reorganization Meeting for January 2nd, 2024 at 7:00 PM. The motion was seconded by Christine Dise. There was no further discussion. The motion was agreed to unanimously.

A motion was made by Rick Lombardo to set the 2024 regular meeting dates for Business meetings to be held on the last Tuesday of every month January through December at 7:00 PM, and the Workshop meetings would be held on the third Tuesday of every month January through May, and September through December. The motion was seconded by Michael Kindlick. There was no further discussion. The motion was agreed to unanimously.

A motion was by Rick Lombardo to advertise the regular meeting schedule as previously agreed to. The motion was seconded by Michael Kindlick. There was no further discussion. The motion was agreed to unanimously.

Mr. Goodman shared that he would submit a written letter of resignation to resign from the Police Commission. He shared that he was present on the Commission to fill a vacancy that was previously filled, and it would be appropriate to share the opening with more members of the Council.

Committee Reports

Mr. Lombardo shared the Streets Committee Report. He shared that Leaves were continuing to be collected until December 13th, 2023. Hometown Hero Banners will be hanged on Borough streets this week.

Mr. Cocuzza joined the meeting at 9:02 PM.

Mr. Goodman shared the Park and Public Property Committee Report. He shared that the estimates for the Hot Water Heater and Garage Heater repair had been received from Wagner's Heating and Cooling in the total amount of \$1,965.00. A motion is included below authorizing the work to be authorized and paid.

A motion was made by Rick Lombardo to accept and authorize work by Wagner's Heating and Cooling to replace a Hot Water Heater and make repairs to the municipal Garage Heater in the amount of \$1,965.00. The motion was seconded by Roger Stief. There was no further discussion. The motion was agreed to unanimously.

Mrs. Dise requested the Council discuss the Trash, Recycling, and Leaf Collections days as part of the Solid Waste and Public Utilities report. Mr. Stief requested Mr. Martins to refresh the Council with his comments at the beginning of the meeting. Mr. Martins shared that Tuesday and Friday each week are the current trash days; the bid proposes to change those dates to Monday and Thursday each week; recycling is currently collected on Friday as well and the bid proposes to change that to Thursday. Mr. Martin shared that J.P. Mascaro proposes to change the recycling collection to Thursday to simplify the process while maintaining the most current days.

Mrs. Dise commented that she was comfortable with the Council's decision as J.P. Mascaro has been responsive to the needs of the Borough as issues have arisen. The council discussed whether it was appropriate to change the contract to reflect the proposed dates by J.P. Mascaro. The Council also discussed whether the change of dates created any issues for the other bidders who responded. Mr. Ahrens and Mr. Morey agreed that based on the language of the bid, bidders had the opportunity to request different collection days, but did not and therefore were not concerned that the days were being proposed to change. A motion was recommended by Mr. Morey and is included below:

A motion was made by Christine Dise to reflect a collection schedule, in accordance with Paragraph 17.7, of Tuesdays and Fridays weekly for Trash Collection and Thursdays weekly for Recycling Collection. The motion was seconded by Rick Lombardo. Mr. Duong requested clarification if any bidders could raise a complaint about the change or schedule. Mr. Morey responded that the Borough had complied with its requirements under the bid and therefore should not be concerned with approving the change of days. The motion was agreed to unanimously.

Mr. Cocuzza shared that there was no report for the Insurance and Pension Committee report.

Mr. Stief shared the Personnel Committee report. Mr. Stief shared that the Ordinance draft for the Borough Manager's position had been shared with the Council and was reviewed in depth with the

Personnel Committee. Mr. Lombardo asked about the separation of duties for the discharge of employees. Mr. Ahrens shared that he believed that was addressed with the ordinance draft, but suggested a change that would make that intent clearer on a first reading.

The Council discussed the intended process of an employee's suspension and discharge. The consensus of the Council was that the Manager would have the ability to suspend with pay for the Personnel Committee or Council to consider sustaining that suspension or the Manager to recommend other courses of action up to and including termination, but it was ultimately the Council's decision. Mr. Morey recommended changes to move the "approval of Council" language to the front of the sentence to utilize a passive voice.

Mr. Stief requested that the Council consider the draft this evening for advertisement. Mr. Morey commented that the Council could approve the draft with the provision that the Solicitor would make a final review of the ordinance before advertisement so long as there were no serious issues that needed to be brought back to Council. A motion approving the draft ordinance for review and advertisement is included below:

A motion was made by Rick Lombardo to authorize the Solicitor to make a final review and advertise for final consideration the Borough Manager Draft ordinance. The motion was seconded by Michael Kindlick. There was no further discussion. The motion was agreed to unanimously.

Mr. Goodman asked Mr. Ahrens to share information about the 2024 Budget for the Finance Committee Report. Mr. Ahrens shared that he had confidence in the budget reflecting an accurate financial picture, but it had limitations due to the current state of the Borough's financials. Mr. Ahrens recommended that it be approved as a preliminary budget to be advertised for approval in December.

Mr. Lombardo asked why Street Cleaning was not included in the 2024 Budget Draft. Mr. Ahrens responded that there was no anticipation of street sweeping. Mr. Goodman and Mr. Lombardo added that the Borough's MS4 requirements were waived and there was a mild Winter that did not deposit significant amounts of materials on the streets.

Mr. Stief asked for clarification regarding the Playground Program costs being included in the budget. The Council discussed the purpose of the Playground expense. Mr. Ahrens responded that he was not sure but would get clarification. Mr. Ahrens added that if the budget varied more than a 10% increase or decrease it would require the budget to be readvertised. Mr. Ahrens sought clarification on whether to include money for street sweeping in 2024. The Council discussed other expenses related to the budget. A motion is included below for the 2024 Budget:

A motion was made by Rick Lombardo to adopt and advertise the 2024 Preliminary Budget. The motion was seconded by Roger Stief. There was no further discussion. The motion was agreed to unanimously.

Mrs. Dise shared the Community Relations Committee report. She recounted several posts on Facebook including leaf collection, Representative Rozzi's Christmas Present program, and Hometown Hero Banners. It was shared that Mr. Ahrens was added to the Facebook page administrators.

Committee Reports

Mr. Maurer shared that he had no other report.

Mr. Serafin shared that Central Berks Police Department would be holding its annual Shop with a Cop program. Mrs. Dise shared that she would share the program on Facebook.

Mr. Morey shared that he would provide the revised trash contract back to the Council shortly. Mr. Morey reviewed the draft Borough Manager's Contract.

Mr. Ahrens shared that he had no other report, but he had shared his weekly reports for the last two weeks with the Council by email.

Resolutions

Mr. Morey read the Joint Resolution between Lower Alsace Township and the Borough of Mount Penn to recount the details related to the proposed merger of Lower Alsace and Mount Penn. A motion to approve the merger resolution is included below:

A motion was made by Troy Goodman to approve Resolution No. 25-23 joining Lower Alsace Township in the process of considering a municipal merger. The motion was seconded by Rick Lombard. There was no further discussion. The motion was agreed to with six voting in the affirmative: Cocuzza, Dise, Duong, Goodman, Kindlick, and Lombardo. One voting in the negative: Stief.

Old Business

Mr. Ahrens shared that he was awaiting a final contract draft from Safety Net Sanctuary to be provided to the Borough of Mount Penn to approve a contract for Animal Control Services. Mr. Ahrens shared that an amount covering the anticipated charge was included in the budget draft.

Mr. Goodman announced that the Council would recess into Executive Session, to which they would return, to discuss personnel matters. Mr. Morey announced that no other action would be taken, except Mr. Ahrens proposed contract as Borough Manager. The Executive Session started at 10:02 PM. The Executive Session was concluded, and the meeting resumed at 10:12 PM.

Mr. Goodman resumed the meeting at 10:12 PM. Mr. Morey shared that a contract was received by the Borough for an employment agreement between Hunter L. Ahrens and the Borough of Mount Penn.

A motion was made by Rick Lombardo to approve the proposed employment agreement with one revision combining paragraphs related to Professional Development, summarized as the Council has the right to authorize Professional Development for the Manager. The motion was seconded by Michael Kindlick. Mr. Goodman requested a roll call vote. Duong – Aye; Stief – Aye; Cocuzza – Aye; Lombardo – Aye; Goodman – Aye; Kindlick – Aye; Dise – Aye. The motion was agreed to unanimously.

Adjournment

A motion was made by Rick Lombardo to adjourn the meeting at 10:15 PM. The motion was seconded by Michael Kindlick. There was no further discussion. The motion was agreed to unanimously.