

Mt. Penn Preserve Executive Committee Meeting

Thursday, August 10, 2017

Liederkrantz

7 pm

Attending: L. Olsen (Pagoda Foundation), K. Mallatratt (Alsace), M. Dudash (Mt. Penn), C. Crupi (Lower Alsace & Pagoda Skyline), L. Kelleher (City and CHCC), S. Rossman (County Planning), W. Stefanik (R-BAR), T. Coleman, Esq.

Mr. Olsen called the meeting to order at 7:05 pm.

Ms. Rossman reminded everyone that the Master Plan is available at <http://www.co.berks.pa.us/Dept/Planning/Pages/MountPennPreserve.aspx>.

Hessian Camp Issues

Mr. Olsen stated that a number of Hessian Camp residents are here with us to bring our attention to some issues they continue to deal with. People partying at the Pagoda with loud music during extended periods of time, including the overnight hours and over the past weekend, an overnight baseball tournament at Egleman's Park where drinking and very obnoxious behavior took place all night. Those participating then left the next morning, leaving behind all their debris.

They also complained about the overrun condition of Egleman's Park – high grass, damaged pavilions, etc. They noted that as the City no longer locks the gates during times when the park is closed to the public, people sometimes use the park after dark. They also complained that the police rarely check on the park or the homes in the vicinity of the park. They questioned why the City has been so lax with basic maintenance at this park, while in the 1980's this park was pristine.

Ms. Kelleher noted her understanding of their frustration and noted that the City is a much different place today and in a different financial situation. She noted the dramatic cuts in police and Public Works staffing. She reminded them that in the 1980's there was a full-time Public Works employee who was the caretaker for the park and he lived in a home on park grounds. The practice was eliminated around 1998.

Ms. Kelleher explained that the Mt. Penn Preserve Executive Committee is meeting regularly to discuss the implementation of the Mt. Penn Preserve Master Plan. She stated that the need for a plan for the Preserve was moved forward by Mr. Olsen, Mr. Barnhardt and Mr. Stefanik. The plan contains recommendations for the Preserve overall and for the five (5) focus areas – Skyline, Antietam, Mountain Village, Gravity Railroad and Central Mountain. Egleman’s Park is located in the Gravity Railroad area and there are specific suggestions for various park improvements that the group will work to implement the plan over time.

Ms. Kelleher apologized for the difficulties the group is experiencing but she noted that the Mt. Penn Preserve group cannot do anything to resolve the problems. She suggested speaking with Mayor Scott.

Mr. Olsen noted that Ms. Kelleher sits on this group as a representative of the City and of the College Heights Community Council. He asked the Hessian Camp neighbors to select a representative to join the committee as well. Mr. Willman, President of the Hessian Camp Community Council, stated that their group will select a representative to participate at the Hessian Camp next meeting on September 13th at 7 pm.

Council of Government

Mr. Olsen stated that Ms. Kelleher distributed a research document of Councils of Government (COG), which is a mechanism that can be used to move the Master Plan into implementation. He asked Ms. Kelleher to provide a summary.

Ms. Kelleher stated that the document that was distributed is not the “sales pitch” for the use of a COG but it is the backup material that will help the municipal officials, managers and solicitors understand the concept and the enabling legislation. Mr. Barnhardt and Mr. Olsen will distribute this document out to officials at the municipal meetings they attend over the next two (2) months. She stated that the benefits of using a COG, enacted by ordinance of each participating municipality, are:

- explore and implement the initiatives in the Mt. Penn Preserve Master Plan and report back regularly to the participating municipalities
- develop one set of regulations that will apply to the Preserve area
- develop an event calendar for the area for improved coordination
- promote events scheduled in the Preserve area

- improve coordination of all activities, including police activities in the Preserve area

All COGs share the following characteristics:

- They have no taxing powers.
- Their organizational structure, including voting representation, is a matter of local choice of the participating agencies.
- They are established by adoption of ordinances by the member municipalities.
- They have an agreement that outlines their responsibilities and capabilities that is approved by the member municipalities.

Each participating municipality, including the County of Berks would adopt an ordinance authorizing their participation in the COG through Articles of Agreement which addresses the:

- Conditions of the agreement
- Duration of the agreement
- Purpose and objectives of the agreement, including the powers and scope of authority delegated to the COG
- Manner and extent of financing the agreement
- Organizational structure necessary to implement the agreement
- Manner in which property, real or personal, shall be acquired, licensed or disposed of
- Statement empowering the COG to enter into contracts for group insurance and employee benefits, including social security, for its employees

Types of COGs that would work for the Mt. Penn Preserve:

Recreation; Tourism Promotion; Park Maintenance; Community Development, possibly combined with regional policing

Ms. Rossman expressed the belief that the use of a COG is the appropriate mechanism to move the Master Plan forward. She noted that a COG operates a quasi-form of government and will not need to form a separate 501C3. She agreed that the participating municipalities decide on the amount of authority to provide to the COG.

In response to a question, Ms. Kelleher noted that the three (3) board composition ideas in the document are just initial suggestions to start a conversation and that the composition can be as broad or as limited as the municipal governing bodies decide. Ms. Rossman added that COG board members can either be elected officials from the

participating communities or citizens appointed by the elected officials or a mix thereof. The COG offers a great level of flexibility to the governing bodies that create them.

Ms. Kelleher stated that it appears that COGs are widely used in the central and western portions of Pennsylvania but not widely used here. Ms. Rossman recalled the use of (1) COG in Berks County around a special issue and Ms. Kelleher recalled that the Pottstown area uses a COG for police services.

Ms. Kelleher introduced Mr. Coleman to the group. He is an unaffiliated municipal law attorney who has volunteered to assist our group with legal issues, such as drafting the enabling ordinance and municipal agreements moving forward. She noted that Mr. Barnhardt and Mr. Olsen are pleased that Mr. Coleman stepped forward to assist with this initiative.

Ms. Crupi distributed a calendar of events scheduled by Lower Alsace for the Skyline area. Ms. Rossman stated that her staff has created an online calendar of events which can be updated moving forward. There was a discussion about the need to modify the island located near the Pagoda that divides the traffic lanes so all north/south bound traffic can be moved and the Pagoda parking area can be closed overnight.

Ms. Crupi inquired about the status of the lease agreement for the Fire Tower, negotiated with Pagoda Skyline. Ms. Kelleher stated that the final lease agreement was given to Mr. Steckman in January 2017. Mr. Coleman stated that this final draft was approved by Pagoda Skyline and now needs the City's approval.

The group discussed the functions of Pagoda Skyline, Inc., in existence since 1969, and the Pagoda Foundation, organized around 2008. Ms. Crupi explained that Pagoda Skyline manages the Fire Tower, works to make repairs to the stone wall and runs a gift shop to support its activities in the Pagoda, among other things. Mr. Olsen explained that the Fire Tower is a City-owned property that is located in Lower Alsace Township. He stated that the Pagoda Foundation was organized to expand the use of the Pagoda, manage the Pagoda and do some small capital repairs.

Mr. Olsen suggested exploring a merger of Pagoda Skyline with the Pagoda Foundation, as they perform very similar functions with limited assistance from volunteers/employees.

The group discussed the form and content of the ordinance to create the COG and agreement. Ms. Kelleher stated that during her research she discovered an organization called "PA COGs" that has a listing of member COGs with website addresses and contact information. She offered to use this resource to obtain sample ordinances and agreements.

Minutes

Mr. Olsen noted that the meeting minutes from the last meeting were distributed. He inquired if there were any modifications needed. No changes were requested.

Ms. Rossman inquired if the group would like the minutes to be posted on the website along with the other Mt. Penn Preserve materials. The group agreed.

Meeting Schedule

Mr. Olsen stated that the Mt. Penn Preserve executive committee is scheduled to meet with the participating municipalities as follows. He encouraged the members to attend as their scheduled permit.

1. **Reading City Council – August 14th at 5 pm** in the Penn Room, City Hall
2. **Lower Alsace Twp Supervisors – August 24th at 6:30 pm**
3. **County Commissioners – Thursday, August 31st at 10 am**
4. **Mt. Penn Borough Council – Tuesday, September 26th at 7:30 pm**
5. **Alsace Twp Supervisors – Wednesday, October 4th at 8 pm**

Mr. Olsen stated that the executive committee meetings through the end of the year are listed below. He noted the need to change the September meeting from the 14th to the 21st at the Liederkrantz.

- August 10th at 7 pm
- September 14th 21st at 7 pm with the Steering Committee
- October 12th at 7 pm
- November 9th at 7 pm

- December 14th at 7 pm

Respectfully submitted by Linda A. Kelleher CMC, City Clerk