

**Mt. Penn Preserve Steering Committee Meeting**  
**Wednesday, March 28, 2018**  
**Mt. Penn Borough Hall**  
**6:30 pm**

**Attending:** L. Olsen (Pagoda Foundation & Governance Committee), M. Dudash (Mt. Penn, Governance & Marketing Committees), L. Kelleher (City, CHCC, Governance & Public Safety Committees), M. Goodman-Hinnershitz (City and Pagoda Foundation, Governance Committee), D. Reed (Marketing Committee), B. Burkovich (County Planning & Marketing Committee), R. Rock (Environmental Committee), M. Frankhouser (Environmental Committee), C. Crupi (Lower Alsace and Public Safety & Environmental Committees), J. Blatt (Hessian Camp, Public Safety & Environmental Committees), A. Sellers (Environmental Committee), S. Rossman (County Planning, Governance Committee). T. Styer (Lower Alsace & Governance Committee), R. Johnson (City PW Director), S. Kauffman (Pagoda Foundation & Public Safety Committee)

Mr. Olsen called the meeting to order.

**Public Comment**

None

**I. Committee reports**

**Governance – K. Mallatratt & L. Kelleher – Co-Chairs**

Ms. Kelleher reported that all municipalities but Mt. Penn have approved the ordinance to create the MP3 COG. The City has appointed Ms. Goodman-Hinnershitz and Ms. Kelleher to the MP3 COG Executive Committee and the County has appointed Mr. Barnhardt and Mr. Olsen to the MP3 COG. *(Note: The County reps are a Commissioner and a rep from the Berks County Planning Commission)*

Ms. Styer stated that Lower Alsace plans to make their appointments at an upcoming business meeting.

Mr. Dudash explained that the Mt. Penn solicitor wants some minor amendments to the COG agreement and he questions the ability of the COG Executive Board to make these modifications, as the Police Commission cannot make modifications to their agreement for police services with Central Berks Police.

Ms. Styer stated that while Mr. Dudash is correct about the Lower Alsace/Mt. Penn Police Commission agreement, the assumption that the agreements are the same is incorrect. The COG documents provides the COG with the ability to make language modifications to the agreement as follows:

- Ordinance Section 3 - The MP3 COG shall be governed by the same regulations and or Laws that are applicable to the member governments and by the Articles of Agreement, attached as Exhibit A, which may be amended from time to time by the membership of the MP3 COG.
- Agreement Article IV Membership, D.2.d. - act on amendments to the Articles of Agreement, as approved by the Government Members;

Ms. Kelleher stated that Asst. County Solicitor Bradshaw spoke with the Mt. Penn Solicitor several times, including last evening at the Mt. Penn Borough Council meeting, and proposed a minor amendment to the agreement that does not affect the mission or scope of the COG and does not impact the financial obligation of the participating governments. The amendment only makes the language clarifications the Mt. Penn Solicitor requested. She read the proposed amendments:

1. ARTICLE IV – MEMBERSHIP, Paragraph A. Eligibility & Membership, is amended by adding after the word “administrator” in the third line of the text thereof the words “or a second elected official”.
2. ARTICLE V – FINANCING, the second full paragraph of text, is amended by inserting after the sentence ending with the words “Government Member.” in the sixth line of the text thereof the following sentence: “No Government Member shall be obligated or required to make capital contributions, apart from the annual operations contribution, described in the preceding paragraph, to fund projects on facilities not owned by that Governmental Member.”

Ms. Kelleher explained that the first amendment allows the substitution of an additional elected official if the municipal secretary/administrator is unavailable. The second amendment adds language to the existing text to provide the clarification the Mt. Penn Solicitor wants (shown in bold italics):

Beginning in 2019, Government Members in the MP3 COG shall participate in funding the basic cost of the MP3 COG operations. To recognize their joint commitment to the MP3 COG, all five (5) Government Members shall equally share in funding the MP3 COG operations budget by remitting \$2,000 annually.

A prioritized five (5) year capital plan will be drafted and presented to the Government Members for their consideration and approval. These costs shall be established by the MP3

COG Executive Committee in the annual budget, adopted by June 30<sup>th</sup> of each year and submitted to the Government Members by July 30<sup>th</sup> of each year for their consideration. Capital contributions, apart from the annual operations contribution, will be allocated on a per-project basis based on the nature and extent of each project and impact on the facility owned by the Government Member. ***No Government Member shall be obligated or required to make capital contributions, apart from the annual operations contribution, described in the preceding paragraph, to fund projects on facilities not owned by that Governmental Member.*** Successful fundraising by the MP3 may reduce the amount of the Government Members capital contributions.

There was a discussion about future amendments to the agreement and where approval of a new ordinance would be required. Mr. Johnson questioned if the COG is assigned too much power and control.

Ms. Styer explained that the representatives of the municipalities are expected to vote on things in a way that supports the mission and purpose of the COG partnership while protecting the municipality's interest. She noted that there may be times when advice from the municipality should be obtained in advance. It was also noted that any COG recommendations regarding laws, real estate interest or municipal expense will require approval from the municipality.

Mr. Dudash expressed the belief that the Mt. Penn Borough Council would vote on the ordinance at their April 10<sup>th</sup> business meeting.

#### **Marketing – B. Burkovich, Chair**

Ms. Burkovich reported that the votes on the mission statement were tallied and the mission statement receiving the most votes is:

“To protect, promote and enhance the natural beauty and created attractions of the Mount Penn Preserve”

There was discussion on the definition and implications of the phrase “created attractions” and the group agreed to remove the word “created”. The final mission statement will eliminate the word “created” as follows:

“To protect, promote and enhance the natural beauty, heritage and attractions of the Mount Penn Preserve”

Ms. Burkovich described the work to create a logo using the artwork on the sign located at the Duryea Road entrance to the Preserve as a base. The artwork on the sign shows the Fire Tower on the right and the Pagoda on the left with a sweep of mountaintop in between.

Ms. Burkovich was asked to obtain permission from the Little Old German Sign Maker, who created the sign and Pagoda Skyline, who commissioned the sign. It was also suggested that the Little Old German Sign Maker be approached about creating the Preserve logo, as the new logo will expand on the logo they originally created for the sign.

Ms. Burkovich described the committee's work to continue to update and improve the Preserve social media to expand communication with the public. She stated that the committee is working to create a Mt. Penn Preserve wall calendar using sponsorships to cover the costs.

#### **Public Safety – P. Kline, Chair**

Ms. Kelleher reported that the access to the live feed camera located at the Pagoda was provided to Central Berks Police and that Mr. Kline was to arrange access to the Reading Police, which will allow those departments to quickly monitor conditions and complaints reported. The Departments will determine who within the department will be able to access the live feed.

Ms. Kelleher reported that the City Public Works Director asked Traffic Sgt. Rothermel to work with Mr. King to select a new location for the gravity races. However, the Reading locations preferred by Mr. King would require police officers to be present which increases the cost of the race due to the need to pay those officers. She stated that Sgt. Rothermel determined that the most unobtrusive location for the race would be the North 13<sup>th</sup> Street hill from the former convention center (formerly Lucent) to the area near the post office, which is in Muhlenberg. The Muhlenberg Township Manager and Police Chief are open to considering this and other potential locations for the race and Sgt. Rothermel will ask Mr. King to make contact with Muhlenberg.

It was noted that the nighttime partying at the Pagoda has restarted and that the ordinance restricting parking after 11 pm was not an effective deterrent. Ms. Kelleher stated that while the current Park Code includes the preserve area, further clarification will be provided in the upcoming revision of the code.

The group noted the need for cross-enforcement on the Preserve when Reading Police or Central Berks is unavailable to respond to an issue on the Preserve was discussed. Potential solutions were also discussed. The group also discussed the need for the County park hours to

match the City's park hours, so all law enforcement agencies along with the County Park Rangers can coordinate.

It was noted that some Berks County residents have the perception that the Preserve area is unsafe. The need to alter that perception was discussed.

**Environmental – M. Frankhouser, Chair**

Mr. Frankhouser stated that the committee met for a tour of the trails behind the Fire Tower two (2) weeks ago. He noted that there was a large amount of debris dumped along with bags of drugs (not empty bags). The group identified a significant number of Tree-of-Heaven trees which are an invasive species that crowd out native trees in the area and other invasive species of trees and plantings. The need to eradicate the lantern fly was also noted, along with the need to find a solution to the illegal dumping that currently exists.

Mr. Frankhouser noted that the improper expansion of the trail system has increased erosion issues on the mountain and the need to control this and eliminate improperly created trails was discussed, along with the need to dismantle ramps, jumps, etc. The need to create some type of ambassador program was noted. It was noted that Berks Nature has a training program that could be used for volunteer ambassadors.

Ms. Sellers suggested contacting AmeriCorp to address the erosion problems and other issues. She described the mission and work of the organization.

Lastly Mr. Rock and Mr. Frankhouser stated that the next volunteer cleanup will occur on April 21<sup>st</sup> for the Great American Cleanup. Volunteers should meet at the City owned stone building located at North 14<sup>th</sup> and Walnut Streets.

**Finance – J. Waltman, Chair**

Ms. Kelleher reported for Mr. Waltman. She stated that all committees submitted their top initiatives from the Master Plan. The results were tallied and the committee's recommendation will be made after the organization meeting of the MP3 COG.

**Old Business**

None

**New Business**

Mr. Olsen reported that he and Mr. Barnhardt are working to organize an event to celebrate the 2<sup>nd</sup> anniversary of this organization. The date, time and location will be announced.

**Meeting Schedule**

The meeting adjourned at 8 pm. The April meeting is cancelled.

*Respectfully submitted by Linda A. Kelleher CMC, City Clerk*