

REGULAR MEETING OF KENHORST BOROUGH COUNCIL  
April 7, 2016

President Roche called the April 2016 meeting of the Kenhorst Borough Council to order at 7:00 PM. Present: Mayor Hatzas, Councilmen Correnti, De Pasquale, Fritz, Holland, Ibach and Mohn. Fire Chief Dwayne Hart, Reading Police Lt. Paul Reilly, Borough Manager Jeri Diesinger and Solicitor Jill Nagy. Absent: Tax Collector Denice Carroll. Eileen Becker, Borough Secretary recorded minutes of the meeting.

**Persons Wishing to be Heard** –

Ms. Lorraine Rutkowski, 1400 Block New Holland Road – Ms. Rutkowski relayed her concerns about the property located at 1422 New Holland Road. She mentioned property maintenance issues (i.e. bags of trash piled at rear of house, grass not being cut, snow not being shoveled, etc.) as well as possible drug activity and loud, disruptive parties. This includes the incident on March 25<sup>th</sup> when several neighbors called police about a loud party at this property that spilled out onto the sidewalk and street with 30-40 people fighting in the middle of New Holland Road. Ms. Rutkowski's companion in attendance reported that just recently, another neighbor who lives behind 1422 New Holland Road witnessed one of the male residents waiving a sword or a machete threatening another person who came to the house.

Lt. Reilly responded that the police are aware of some of the issues at this property. The owner of 1422 NHR will be responsible for the repair of his neighbor's fence that was damaged by one of his guests on March 25<sup>th</sup>. Also, Officer Goudy issued a Disruptive Conduct Report (DCR) to the owner as a result of the March 25<sup>th</sup> incident. Lt. Reilly reiterated the Police and Borough's strong recommendation to residents that they should always contact the Reading Police to report anything suspicious or to request a patrol car be dispatched if there is a more urgent need.

Ms. Rutkowski mentioned that she thought 1422 NHR was being put up for Sheriff's Sale – Mrs. Diesinger confirmed that a nearby property was set for Sheriff Sale later this spring (1444 NHR). Mrs. Diesinger will check on the status of 1422 NHR and will follow up with Ms. Rutkowski. Mr. Roche thanked Ms. Rutkowski for her coming before Council and said the Borough will check into her concerns.

**PRESIDENT OF COUNCIL** – President Roche presented the meeting minutes from the March 3<sup>rd</sup> Council meeting. Mr. De Pasquale made a motion to approve the March minutes with Mr. Fritz offering a second. Motion passed unanimously.

**Mayor** –

- A total of \$432.67 in fines was received by the Borough during the month of March.
- Mayor Hatzas said his other item will be covered later in the agenda.

**Reading Police** – Lt. Paul Reilly presented the March Crime Statistics report to Council. He mentioned that crime reports for March were down as compared to the first two months of the year.

**Kenhorst VFD Chief –**

- Chief Dwayne Hart provided the March 2016 report. There were 21 calls with a total of 97 firefighters responding; there were an average number of 5 firefighters per call with a total time spent of 10 hours and 29 minutes. There was no loss to the Borough.

**Finance –**

- Mr. Fritz presented the expense report information for March and explained that this was the first month that Integra Business Solutions processed the Borough's payable expense and payroll checks. Council was asked to bear with the transition and formatting changes to the financial reports. The expectation is to have the changes finalized by the May meeting. Mr. Fritz made a motion to approve the March bills with Mr. Ibach offering a second. Motion passed unanimously.

**Codes & Emergency Services –**

- Mr. Roche summarized Kraft Code Services permitting report for March and reminded Council that a copy is posted on the bulletin board.
- Mr. Roche asked Ms. Nagy for her recommendations regarding three codes/zoning issues:
  1. Ms. Nagy agreed with Council's stance that the Borough and its agents (ex. Kraft Code Services, Reading Police) cannot be in the business of trying to address neighbor/civil related complaints or disputes. The Borough will only address possible Codes or Zoning related matters. Too much time and effort is being spent on the part of Borough staff and others in response to residents complaining about their neighbors. After discussion, it was agreed that Ms. Nagy would provide a draft statement to document that position for Council's review.
  2. On a related topic, Mr. Roche asked whether the Borough can legally attempt to recoup the costs of investigating complaints regarding possible codes or zoning violations if they are determined to be unfounded complaints. Ms. Nagy said the Borough can recover professional service expenses such as legal or engineering if a complaint is determined to be unfounded provided that is explained to residents upfront. As such, she recommended that all such inquiries be documented on a form by the person making the complaint. It should be stressed to residents that the complaint/inquiry form is not subject to the Right-To-Know Law provisions. It was agreed that Ms. Nagy and Mrs. Diesinger would work on a draft complaint form.
  3. Because of the increase in police responses over the last year to the New Story School, Mr. Roche asked Ms. Nagy and Mrs. Diesinger to research whether NS is in violation of their zoning permit as it relates to the type and nature of students who would be attending the school. Council and the ZHB approved the Zoning Variance for New Story based upon testimony that there would not be older, problem students attending the school. This was a concern of residents near New Story as well as the Borough and New Story representatives assured everyone that this would not be the case. Lt. Reilly will also provide information on police activity at New Story over the last three or four month timeframe.

**Parks & Playground** –

- Mr. Holland reported the Park Master Plan Committee held its monthly meeting March 13<sup>th</sup>. It was decided that the group would break into 3 smaller sub-committees in order to work on the Park Master Plan project more efficiently. The three sub-committees are Playground Facilities, Fields and Buildings and Parking and Security. The hope is to have most of the Master Plan completed by the beginning of the summer. The next large group meeting is scheduled for April 19<sup>th</sup> at which time Mrs. Diesinger hopes to have the results of the Park survey ready for the committee's review. Mr. Holland will not be in attendance at that meeting.
- Mr. Holland, Mr. Terry Naugle of the Kenhorst Planning Commission and Mrs. Diesinger met with a representative from one of the playground equipment vendors to review the preliminary equipment wish-list. Additional research will be completed to assess other playground equipment vendors and options.

**Personnel** – will be covered under new business

**Property & Buildings** –

- Mr. Correnti reported that the new self-leveling sewer pipe camera has arrived. Mr. Hart shared that the new jetter equipment would be delivered next week. Arrangements can be made for the Public Works Crew to demonstrate both pieces of equipment if Council is interested.
- The rain gutters on the Borough Hall building need to be replaced. Our Public Works Crew will perform that work themselves as well as completing a roof over the new deck at the rear exit of the Borough Hall building.

**Sanitation** – Mr. Mohn stated that he had not heard of any recent issues or problems. Mrs., Diesinger confirmed that other than an occasional missed pickup, things have been going well recently with Eagle Disposal.

**Sanitary Sewers** –

- Mr. Roche and Ms. Nagy indicated that there have been no new developments regarding the new sewer agreement.
- Mrs. Diesinger reported that the mag meters are in operation and are measuring flow and capturing data. Mr. Hart commented that he is now working with the new data and reporting capabilities of the flow meter system software.

**Streets & Storm Water**

- Mr. De Pasquale will be accompanying Mr. Hart and the Streets Committee to survey the condition of the Borough streets and finalize what will be included in this year's street project.

**Solicitor** – nothing new to report.

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**Borough Manager** – Mrs. Diesinger previously provided a report to Council highlighting activities completed in March. Of special note –

- Thirteen meetings were attended in March.
- Sod damaged from the winter season's plowing was repaired and reseeded in the borough islands.
- Manhole lids and inserts were inspected and/or replaced.
- The Public Works laptop was received and is being used with the new pump station/flow meter system.
- 2016 Real Estate Registries have been reviewed and filed; AMS has been updated as appropriate.
- Integra processed the first full month of bi-weekly payroll and expense checks.
- All 6 playground leaders from last season are returning for this year's program.
- 2016 Sanitary Sewer maintenance projects have been identified and inspections will begin next week.
- Met with Jim McCarthy to review 2016 Street Project Bid Documents.
- New dump truck has been ordered – Mr. Hart said it is expected to be ready in June.

### **OLD/UNFINISHED BUSINESS**

- Alley behind Pump Station - Mr. De Pasquale conducted an initial check on the alley but would like to review it again in person with Roads Supervisor Hart. They will report back to Council in May.

### **NEW BUSINESS**

- Authorized Advertisement of 2016 Road Work Bid Documents – Mr. De Pasquale made a motion to authorize advertising the 2016 Road Work Bid Documents with Mr. Holland offering a second. Motion passed unanimously.
- Authorized Reading Electric to complete Pump Station Wet Well Electric Work – Mr. De Pasquale made a motion to authorize Reading Electric to complete the necessary electric work at the pump station wet well at a cost not to exceed \$9,900. Mr. Ibach offered a second and the motion passed unanimously.
- Authorized Manager/Met ED to Begin LED Street Lighting Switch Out Program – Mr. Fritz made a motion to authorize Mrs. Diesinger/Met ED to begin the change to LED street lighting. Mr. Holland offered a second and the motion passed unanimously.
- Authorized Change from Verizon to Comcast Phone Services – This change will upgrade the phone and voice mail system – an additional \$117 is required for set up and all other costs remain within current budget. Mr. De Pasquale made a motion to authorize changing the Borough's office phone services to Comcast. Mr. Ibach offered a second and the motion passed unanimously.
- Adopted Resolution #671 - Designation of Agent for Executing PEMA/FEMA Winter Storm Reimbursement - Mr. De Pasquale made a motion to approve Resolution #671 which designates Mrs. Diesinger as the Borough's agent for the purpose of executing the winter storm reimbursement forms. Mr. Fritz offered a second and the motion passed unanimously.
- Authorized Construction Masters Services (CMS) to Replace Storm Sewer Pipe in 900 block of Fern – Mr. Ibach made a motion to approve CMS for the storm sewer pipe replacement project in the 900 Block of Fern Avenue at a cost not to exceed \$7,700. Mr. De Pasquale offered a second and the motion passed unanimously.
- Authorized Industrial Grounds Maintenance (IGM) to Conduct Street Sweeping in mid-May – Mr. Ibach made a motion to authorize IGM for street sweeping in mid-May at a cost not to exceed \$3,400. Mr. Fritz offered a second and the motion passed unanimously.

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- Authorized Hiring Part-Time Property Maintenance Inspector Candidate – Mr. Fritz made a motion to authorize filling the position as a 30 day probationary hire with Mr. Ibach offering a second. The motion passed unanimously. After discussion, it was decided that the Personnel Committee would also like to meet with all three of the candidates interviewed by Mrs. Diesinger before an offer is extended.
- Authorized Drinking Water Sampling Cost Information Research – After discussion, it was determined that Council would like to evaluate cost estimates from three independent companies for the collection and analysis of drinking water samples from the Borough Hall and Community Center buildings. Mr. Ibach made a motion to authorize Mrs. Diesinger to obtain three project estimates/proposals for presentation to Council. Mr. Holland offered a second and the motion passed unanimously.
- Approved Discontinuing Holiday Lights Contest – Mr. Roche, Mr. Hatzas and Mrs. Diesinger related the recent complaint from a resident who felt a neighboring property was incorrectly picked to receive one of this year’s Lighting Contest prizes. It was determined that a mistake had been made due to the difficulty in being able to correctly identify property addresses. After much discussion, Mr. De Pasquale made a motion to discontinue the Holiday Lights contest with Mr. Mohn offering a second. The motion passed with a vote of 6-YES’s and 1-NO (Mr. Ibach).
- Authorized Park Improvement Survey Mailing – Mr. De Pasquale made a motion to send the park improvement survey to all residents. Mr. Holland offered a second and the motion passed unanimously.
- DJ Fines – Mayor Hatzas inquired about the level of discretion that DJ’s have concerning the fines that are levied when the Borough issues violation notices. Ms. Nagy explained that district justices do have discretion as to the exact fine amount if it meets the minimum and maximum amounts as set forth in the applicable Borough ordinance. District Justices do not have discretion in determining whether or not a particular ordinance is valid or trivial, etc. Ms. Nagy also shared that as explained on the violation notice forms, respondents are automatically deemed “guilty” of the violation if they do not appeal it within the timeframe specified.
- Neighborhood Watch Committee – as follow up to the last meeting, the NWC is currently in a state of change; its mission and future is undetermined at this time.

**FINAL REMARKS AND REMINDERS**

- Refuse/Recycling Committee – after April 7<sup>th</sup> meeting
- Park Master Plan Committee – Tuesday, April 19<sup>th</sup> at the Community Center - 7:00 p.m.
- Berks Commissioners’ Breakfast – Friday, April 22<sup>nd</sup> in Birdsboro, reserve seat by 4/13

**ADJOURNMENT**

With no other business before Council, a motion was made to adjourn by Mr. De Pasquale seconded by Mr. Correnti at 7:55 p.m.

Respectfully submitted,

Eileen D. Becker  
Kenhorst Borough Secretary