

**BOROUGH OF WEST READING
BOROUGH COUNCIL MEETING**

July 23, 2024 – 7:00 p.m.

West Reading Borough Council held its second monthly meeting at Borough Hall on Tuesday, July 23, 2024 with the following persons present: Council President Ryan Lineaweaver; Council Pro-Tem Patrick Kaag; Council Members Denise Drobnick, Zachary Shaver, Bethany Bower, and Zanna Leiendecker; Mayor Samantha Kaag; Solicitor Daniel Becker (via Zoom); Public Works Director Kerry Grassley; Code Department Manager Chad Moyer; Borough Manager Randall P. Miller (via Zoom); and Borough Secretary Cynthia Madeira. Council Vice President Philip Wert was unable to attend.

VISITORS: James Rogers, Resident Candace Reyes, Resident
Karen Livingood, Resident (via Zoom)

1. **CALL TO ORDER:** Council President Ryan Lineaweaver called the meeting to order at 7:00 p.m., which was followed by the Pledge of Allegiance and Roll Call.
2. **AGENDA AMENDMENTS:** There were no amendments to the agenda.

3. **PUBLIC COMMENT:**

Ms. Reyes shared multiple issues she has experienced since moving into the Franklin Manor apartment complex on March 6, 2024 noting a broken water pipe from a unit above causing a mold issue in her unit. She expressed difficulty in getting service to her HVAC unit to remediate the mold and breathing issues that are being experienced by herself and her one-year-old son. She indicated that the property manager is non-responsive and requested a third-party inspection be performed since the two visits by the borough's code department did not include an entire unit inspection, nor were any photographs taken. She was informed that air-conditioning is not a code requirement and there were no visible signs of mold observed during these visits. Her third request for an inspection was questioned and denied. Mr. Moyer noted that Code Enforcement Officers Weber and Davenport visited her unit on May 31, 2024 and June 27, 2024, and noted that the HVAC service technician requested access to the unit around the 4th of July. Mr. Becker stated that the code department are not landlord police and there are limits as to what a municipality can do. As a tenant there are private causes of action that can seek remedies, and an attorney could assist in deductions in rent up to and including termination of the lease. Mr. Moyer indicated that code violations were not found during the two requested borough inspections, and there was note of an accumulation of dust. Disassembling an HVAC unit is beyond the scope of a borough inspection. Ms. Reyes felt that the code department is responsible for ensuring that a unit is habitable and shared images of her HVAC unit from her phone to Council members seated at the table. As a commercial HVAC tradesman, Mr. Kaag offered to speak with her after the meeting to provide guidance. Mr. Becker encouraged tenants to share concerns with the code department and the code department to inspect Ms. Reyes' unit again. Ms. Reyes was recommended to explore her options either through the district justice office or an attorney. Mr. Lineaweaver shared that all violations were required to be corrected prior to reopening Franklin Manor in 2022. Ms. Reyes requested copies of reports from inspections of her unit to which Mr. Moyer indicated were being gathered in response to a Right-to-Know request that was filed last Friday. Mayor Kaag sympathized with Ms. Reyes and

encouraged her and any other residents of Franklin Manor to communicate with borough officials.

Mr. Grassley departed the meeting at 7:20 p.m.

Mr. Rogers expressed his feelings that issues relating to health, safety and welfare are being ignored. He requested an update to the liquor license transfer for Third & Spruce. Mr. Lineaweaver indicated that scheduling is the hold up. The Pennsylvania Liquor Control Board (PLCB) is down to one lawyer that handles these tasks. The hearing has been scheduled for August 19, 2024. Mr. Rogers then requested an update on scheduling reinspection's of units at the Lofts at Narrow. Mr. Moyer indicated that the Lofts at Narrow are working through scheduling inspections with each of their tenants.

Ms. Reyes questioned why we were inspecting the Lofts at Narrow. Mr. Moyer indicated that all rental units are inspected on a biennial basis. She then asked when the last rental inspection was performed at Franklin Manor. Mr. Moyer indicated that a property transfer inspection occurred in 2023.

4. ORDINANCES / RESOLUTIONS:

- a. **Resolution 2024-21 Purchase of Real Property** – Mr. Lineaweaver noted plans to close on 433 Penn Avenue this Friday. Within the resolution there are references to the purchase in lieu of condemnation, it was noted as an entity with the power of eminent domain this essentially provides tax benefits to the seller. The Mayor confirmed that the decision to purchase the property in lieu of condemnation was to directly benefit the Schweitzer family.

Motion to adopt Resolution 2024-21 authorizing the purchase of real property known as 433 Penn Avenue, West Reading. **Moved** by Ms. Leiendecker and seconded by Ms. Bower.

Motion carried 6-0.

5. ENGINEER'S REPORT:

Mr. Lineaweaver reviewed the following three action items for the engineer to ensure that these projects can commence this year:

- **Emergency Paving Repairs to South Seventh Avenue** – Due to water main breaks there has been damage in various locations to the base and wearing course within the 100 and 200 blocks of South Seventh Avenue, including repairs that were made today to replace a faulty clamp. A verbal quote was provided to repave from Cowboy Alley to Spruce Street and from Steel Alley to Wayne Avenue.

Motion to authorize the engineer to bid emergency paving repairs to South Seventh Avenue. **Moved** by Mr. Shaver and seconded by Ms. Drobnick. **Motion carried 6-0.**

- **Ann Street Multi-Model Grant** – Mr. Lineaweaver shared the grant award of \$253,850 to restore 875 linear feet of curbing, 4,185 square feet of sidewalk, and six ADA ramps along Ann Street.

Motion to authorize the engineer to bid the Ann Street Multi-Model grant funded curb, sidewalk, and ADA ramp restorations. **Moved** by Ms. Leiendecker and seconded by Mr. Kaag. **Motion carried 6-0.**

- **500 Block Spruce Street Water Line Replacement Project** – Mr. Lineaweaver shared grant funding of 600 linear feet of water line, two services to the hospital, associated valves, and reconnection of two fire hydrants. The new main will be 12" in diameter.

Motion to authorize the engineer to bid the 500 block Spruce Street Water Line Replacement Project. **Moved** by Ms. Drobnick and seconded by Mr. Kaag. **Motion carried 6-0.**

5. **PUBLIC COMMENT:**

Mr. Rogers inquired as to the amount that Mr. Schweitzer will receive from the sale of his property. Mr. Lineaweaver confirmed that \$675,000 is the agreed upon sale price.

6. **ADJOURNMENT:** Motion to adjourn the meeting at 7:34 p.m. **Moved** by Mr. Shaver and seconded by Ms. Leiendecker. **Motion carried 6-0.**

Respectfully submitted,

Cynthia Madeira
Borough Secretary