



CITY COUNCIL

Standards of Living Committee

Monday, September 19, 2016
Council Office
5:00 pm

The Standards of Living Committee's responsibilities and topics include but are not limited to Housing Planning strategies, Building, Trades and Property Maintenance Inspection and Enforcement, Public Safety, Public Works, Police, Fire, Neighborhood Parks, Neighborhood Revitalization, Community Development, Customer Service, Graffiti Abatement, Community Group Organization and Support

Committee Members: Ms. Reed, Mr. Daubert and Mr. Marmarou

Although Council committee meetings are open to the public, public comment is not permitted at Council Committee meetings. However, citizens are encouraged to attend and observe the meetings. Comment from citizens or professionals during the meeting may be solicited on agenda topics via invitation by the Committee Chair.

All electronic recording devices must be at the entry door in all meeting rooms and offices, as per Bill No. 27-2012

I. Legislation Review

A. Ordinance - restricting parking by establishing a No Parking zone on the east side of Reed Street at the intersection of Buttonwood Street and Reed Street for a distance of approximately 28 feet. The purpose of the restriction is to establish a safe and sufficient turning space for vehicles turning from Buttonwood Street onto that section of Reed Street.

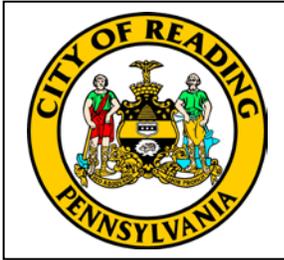
II. Idling Trucks/Buses (PA Act 124 of 2008 attached pg 7) - David Beane

III. Lease Agreement Update - T. Coleman

- Fire Tower - Pagoda Skyline
- Reading Redevelopment Authority
- Blacktop Basketball
- Berks County Emergency Services area of City Hall

Pending Topics

- UGI Meters
- East Ends
- City Cleanliness
- Fire Dept. "Do Not Enter" signage



CITY COUNCIL *Standards of Living Committee*

Monday, July 18, 2016
Meeting Report

Committee Members Attending: D. Reed, C. Daubert, S. Marmarou

Others Attending: S. Katzenmoyer, B. Rivera, A. Palacios, L. McCauley, A. Adams, D. Driesbach

The meeting was called to order at 5:05 pm by Mr. Daubert.

I. Trap, Neuter, Release or Discounted Neutering Programs

Mr. Daubert stated that he wanted to focus the discussion on three main areas which are that the City recognizes and acknowledges there is a problem with the over population of feral cats, that Trap Neuter Release (TNR) is an effective method to address this problem and how the City, with its limited funding, can arrive at a solution for this ever-growing problem.

Ms. McCauley agreed with Mr. Daubert stating that this is the reason she brought along members of the No Nonsense Neutering organization to talk about how they may be able to assist. She introduced Ms. Adam and Ms. Driesbach. She stated that TNR is very effective as last year the Animal Rescue League (ARL) was taking in 900 to 1000 cats and this year that number has decreased to 400 to 500.

Mr. Marmarou questioned what area of the City is most problematic in having the highest numbers of feral cats. Ms. McCauley stated that it's difficult to answer that as the problem is widespread. She stated that ARL takes in approximately 3,000 to 4,000 cats per year and of that

number, roughly 3,000 of them are from the City. She stated that there was a big issue in the Milmont area this year but that the problem is definitely widespread.

Ms. Driesbach distributed handouts outlining numbers of cats trapped by zip code. She stated that the calls she receives for help with TNR are mostly around the City and not in the City. She stated that she has a few trappers that go through the City that feed and trap. She stated that generally the community in the City is not actively involved in the TNR process. She directed the group to the handouts and explained that the illustrations indicate that though TNR is taking place, the rate at which cats are reproducing, there is still much work to be done. She stated that these numbers are City and County numbers. She stated that she suggests targeting a specific area at a time, possibly by district (two to three per year), rather than all over the City. She stated that she has also educated the community by speaking with them; sometimes by going door-to-door.

Ms. Reed questioned what grants may be available for this specific need and would No Nonsense Neutering file the application. Ms. Driesbach stated that it would depend on the grant as some are federally funded for municipalities and others exclusively for non-profit organizations. She questioned if there was currently any type of funding available through the City.

Mr. Daubert stated that unfortunately there is not at this time. Ms. Reed reiterated stating that the City is very limited in discretionary funding and stated that perhaps CDBG funding may be available. Mr. Palacios stated that CDBG funding cannot be used for this type of project.

Ms. Adams stated that in the past she has utilized fundraising as a means to raise funds to implement the TNR process in a specific area which proved quite successful. She suggested that this may be useful in the City as well.

Fire Marshal Searfoss joined the meeting at this time.

Mr. Marmarou stated that in looking at the numbers for the 19604 area, he believes that number will be exceeded in the coming weeks and months and stated that many Albright students leave their pets behind when they move home.

Ms. McCauley stated that ARL has stopped allowing adoptions for college students as they tend to leave the animal behind when they return home.

Ms. Adams stated that a major benefit to this program is to go door-to-door to educate the public. She stated that many of them do not understand that the animal will be returned after neutering so they are apprehensive about the process in general.

Mr. Johnson arrived at this time.

Ms. Reed suggested that another outreach group may be the elderly community. She stated that educating them would be beneficial as many of them do not have the means to neuter or spay their pet but can still partake in the TNR process.

Ms. Driesbach stated that once funding is in place, their organization's plan would be to target a specific area, perform effective outreach measures, set up TNR Workshops and informational sessions and then implement the TNR process.

Mr. Daubert suggested reaching out to neighborhood groups as an outreach source.

Ms. Adams, Ms. McCauley and Ms. Driesbach left the meeting at this time.

II. Reinstatement of Requirement for Local Property Manager for Rental Properties

Mr. Palacios stated that at the last meeting it was suggested to make this a requirement.

Ms. Reed stated that as she recalls, it used to be a requirement but later rescinded. Ms. Katzenmoyer confirmed stating that it was a recommendation from Property Maintenance to have this removed.

Ms. Reed stated that Council will propose this so that the Administration can implement the reinstatement.

Mr. Palacios stated that once it has been reinstated, putting the language together will be the next step.

Mr. Marmarou handed Mr. Palacios paperwork and suggested that he study it as it was something that was implemented in Boston that could be very effective if it was implemented in Reading. He stated that there are six houses in the 1500 block of North 12th Street, meaning there are 24 college students living on that block and the College will not cooperate in giving the names of these students. He stated that these students do not pay the Per Capita tax yet they reap all the benefits.

Mr. Daubert questioned what the next step would be to move this forward.

Mr. Palacios replied that he would research the former requirement and make adjustments where needed.

Ms. Reed suggested that the Standards of Living Committee introduce this legislation and Mr. Daubert concurred.

III. Fire Department "Do Not Enter" List

Fire Marshal Searfoss introduced himself. He distributed handouts to the group outlining demographic information on the program he has developed. He stated that the main purpose for this program is to protect the City's firefighters. He explained the difference between vacant and abandoned properties. He stated that this is unfortunately a systemic problem across our nation not just in our City. He stated that statistics show that of the number of fires in vacant buildings, 25 percent of these fires are intentionally set. These fires pose a great danger to our firefighters because of deteriorated conditions at these unoccupied properties. Firefighter injuries at unsecured, unoccupied houses are extremely high. This program is designed to assist in "flagging" these properties so that our firefighters know what they're going in to and can be better prepared. He stated that the County does not allow the City to mark buildings. He stated that the communication portion of all of this is its own separate issue.

Ms. Reed questioned if there was anything that prohibited the City from marking the exterior of a building. Mr. Searfoss stated that according to the City of Reading's Fire Prevention Code, there is a section on placarding and the ability to legally post signage indicating dangerous conditions. He developed a sign that would alert firefighters of the type of danger any one building may pose. He showed the group this sign and explained in detail how it would alert firefighters to structural or other conditions in the property. He stated that he has spoken with the Fire Chief who believes the signage is too costly at this time.

Ms. Reed questioned what Council can do to assist. Fire Marshal Searfoss stated that the Department has funds set aside for the signage which he obtained three estimates for. He stated that the signage would cost \$3911.00 and the signs would be reusable.

Fire Marshal Searfoss stated that within the program a database was developed outlining these dangerous properties and one of the benefits is that this database will be shared with the Police Department so that they, too, will be made aware of potentially dangerous conditions.

Ms. Reed stated that an email would be sent to the Fire Chief and the Mayor to move this forward and purchase the signage needed to implement this program for the safety of firefighters and police.

Fire Marshal Searfoss left the meeting at this time.

IV. Idling Trucks/Buses

Ms. Katzenmoyer stated that this agenda issue came by way of an EAC meeting where this concern was presented. One of the EAC members found a DEP explanation regarding the idling of diesel vehicles. She stated that the concern is when a vehicle is idling for hours due to an event near one of the City's entertainment venues.

Ms. Reed suggested that the City work together with Santander to utilize lots instead of City streets.

There was some discussion on specific streets where this is occurring.

Mr. Daubert stated that if these individuals are in violation of the DEP regulations, they should be cited.

Mr. Johnson stated that he believes the Police Department enforces this only when a complaint is made. He stated that many of the newer vehicles address these environmental issues already.

Ms. Katzenmoyer read the definition section to the group adding that she will again meet with the EAC and will ask for clarification on those specific sections related to private and commercial vehicles. *(Note: The EAC is researching the issue and will report back to Council.)*

V. Lease Agreement Updates

- Fire Tower

No report.

- Reading Redevelopment Authority

No report.

- Blacktop Basketball

No report.

- County Emergency Services

No report.

Ms. Reed requested that Mr. Coleman attend the September meeting.

VI. Other Matters

- Bodegas and Trash Receptacles

Mr. Daubert requested a discussion on this particular issue because he was made aware that there is legislation requiring bodegas to have trash receptacles outside of their establishment. He stated that he knows for a fact that this is not happening in certain parts of the City. He stated that in personally doing some clean ups on South 4th Street, he could not locate trash receptacles to dispose of the litter he collected.

Ms. Reed agreed and stated that she has had issues with the uncleanliness of certain areas surrounding bodegas in her district. She questioned if these bodegas have registered haulers.

Mr. Johnson stated that this is an issue on Public Works' extensive list of things to be addressed and that he's looking to make adjustments to how often these trash receptacles/dumpsters are being emptied.

The meeting was adjourned at 6:10 pm.

Respectfully submitted,
Shelly Katzenmoyer, CMC
Deputy City Clerk and *Bea*
Rivera, Legislative Aide

Pennsylvania's Diesel-Powered Motor Vehicle Idling Act (Act 124 of 2008)

Diesel vehicles are a significant source of emissions that contribute to elevated ozone and fine particulate matter concentrations in Pennsylvania. The Diesel-Powered Motor Vehicle Idling Act (Act 124) became effective on February 6, 2009. The act reduces unnecessary idling of the main propulsion engine in diesel-powered motor vehicles, including trucks and buses, by imposing time limits and sign requirements. The act applies to public and private locations, statewide. While the requirements of the act will not be incorporated into any permit issued by the Department of Environmental Protection (DEP), those requirements remain independently enforceable by DEP.

Q. Who is subject to the requirements of Act 124?

A. Owners and operators of any diesel-powered motor vehicle with a gross vehicle weight of 10,001 pounds or more, engaged in commerce, must comply with the provisions of Act 124. Additionally, owners and operators of locations where subject vehicles load, unload, or park must comply.

Q. What are the requirements of Act 124?

A. Act 124 prohibits the owners and operators of any diesel-powered motor vehicle with a gross vehicle weight of 10,001 pounds or more, engaged in commerce, from causing the engine of the vehicle to idle for more than

5 minutes in any continuous 60-minute period, except as provided in the act. Act 124 also prohibits the owners and operators of locations where subject vehicles load, unload, or park from allowing the engine of the vehicle to idle for more than five minutes in any continuous 60-minute period, except as provided in the act. In addition, owners and operators of locations where subject vehicles load or unload, or where 15 or more parking spaces are provided for vehicles subject to the act, must erect and maintain at least one permanent sign to inform drivers that idling is restricted in Pennsylvania. A posted sign does not relieve the owner or operator of the site of its other responsibilities under the act.

Q. What is meant by the term 'engaged in commerce' as used in Act 124?

A. A motor vehicle is „engaged in commerce“ under Act 124 if it has a business name or logo visible on the outside of the vehicle. The term includes, but is not limited to, vehicles carrying a load or a trailer and vehicles on their way to pick up a load or trailer. School buses and other types of vehicles specifically referenced in the act are also considered to be „engaged in commerce“ for purposes of Act 124. A diesel-powered motor vehicle used exclusively for private use is not considered to be engaged in commerce.

Q. What types of vehicles are exempt from the requirements of Act 124?

A. Motor homes, commercial implements of husbandry, implements of husbandry, farm equipment, and farm vehicles are not covered by Act 124. The definitions of these types of vehicles can be found in Title 75, Pennsylvania Consolidated Statutes, Section 102 (relating to definitions). DEP does not consider vehicles identified as „off-road“ or „non-road“ to be subject to Act 124, either.

Q. Are there exemptions to allow idling longer than five minutes?

A. Yes. Buses, school buses and school vehicles may idle for 15 minutes in a continuous 60-minute period when passengers are aboard. Other exemptions address excess idling due to factors outside the drivers' control, such as traffic or mechanical issues. There are also exemptions addressing idling during maintenance, vehicle equipment inspection, and emergency or utility service functions and idling for security reasons. Additionally, the restriction on idling does not apply if a vehicle exhibits a label issued by the California Air Resources Board (CARB) under Title 13 California Code of Regulations, Section 1956.8(a)(6)(C), showing the vehicle's engine meets the optional NOx idling emission standard. Additionally,

subject vehicles equipped with auxiliary power units (APUs) can idle the APU unrestricted. Although not explicitly listed in the law, transportation refrigeration units (TRUs or reefers), which are subject vehicles that use the main engine to operate refrigeration equipment, may also idle unrestricted. See Act 124 at www.legis.state.pa.us. Navigate to the „Legislation“ tab, select 2007-2008 Regular Session under „Bills and Resolutions,“ and search for Senate Bill 295, Printer’s No. 2485, for the full listing and details of exemptions.

Q. Can trucks idle during rest periods if the outside temperature is outside a certain range?

A. No, unless the vehicle exhibits a label issued by CARB indicating it meets CARB's optional NOx idling emission standard (13 CCR §1956.8(a)(6)(C)). The exemption relating to idling during rest periods when the outside temperature is less than 40 degrees or greater than 75 degrees Fahrenheit expired May 1, 2010.

Q. Who is required to post permanent idling restriction signs?

A. Owners and operators of locations where subject vehicles load or unload, as well as owners and operators of locations that provide 15 or more parking spaces for subject vehicles, are required to post approved signs. Information for the approved sign format is available on the DEP's website at www.dep.pa.gov, enter search term "Idling." Links available on the web page direct you to the Pennsylvania Department of Transportation's (PennDOT) Publication 236M, Sign R7-100, which is the PennDOT-approved sign. Signs must be manufactured by approved sign manufacturers; a link to a list of approved sign manufacturers is provided on the webpage.

Q. Who has the authority to enforce the idling restrictions imposed under Act 124?

A. State and local law enforcement officials are authorized to enforce Act 124. DEP personnel are also authorized to enforce Act 124. Act 124 was approved by the U.S. Environmental Protection Agency (EPA) as a State Implementation Plan revision and, as a result, is also federally enforceable by EPA.

Q. What are the penalties for violating the requirements of Act 124?

A. Drivers and owners of vehicles and owners and operators of locations where subject vehicles load or unload, or where 15 or more parking spaces are provided for vehicles subject to the Act, found to be in violation of this Act commit a summary offense. A conviction will result in a fine ranging from \$150 to \$300, plus court costs. When prosecution of an offense under this Act is the result of local law enforcement action, one half of any fines assessed will be received by the local municipality. DEP is also authorized to assess civil penalties, not to exceed \$1,000 per day for each violation of Act 124, in accordance with the procedures and factors specified in Section 9.1 of Pennsylvania's Air Pollution Control Act.

Q. Will local idling ordinances (laws, rules, etc.) still be enforced?

A. Act 124 pre-empts and supersedes local anti-idling ordinances or rules, unless the local ordinance or rule meets specific requirements listed in the Act. Allegheny and Philadelphia Counties are the only counties with ordinances or rules that are affected. DEP understands that the Allegheny County Health Department (ACHD) has determined that Act 124 preempts Allegheny County's local ordinance. DEP understands that ACHD will provide compliance assistance for Act 124 to citizens and companies, and will refer complaints requiring enforcement action to local or state police, or the DEP regional office. ACHD will continue to enforce its off-road anti-idling ordinance. Philadelphia Air Management Services, a division of the Philadelphia Department of Public Health, and the Philadelphia Parking Authority will continue to enforce their regulation and ordinance, respectively. Links to the anti-idling requirements in Philadelphia County are available on DEP's website at www.dep.pa.gov, enter search term "Idling."

Q. What options are available to reduce idling?

A. The simplest way to reduce idling is to turn off the engine. Modern diesel engines do not require long warm-up or cool-down periods or constant idling in order to operate efficiently. The most common alternatives for main engine idling are auxiliary power systems and stationary idle reduction technologies. APUs are devices installed on vehicles to provide power for cabin temperature control and other electric needs typically provided by main engine idling. Stationary idle reduction technology provides some type of plug-in system at locations where subject vehicles park.

Q. Who can respond to questions or complaints?

A. For questions on Act 124, please contact the Pennsylvania DEP, Bureau of Air Quality, by telephone at 717-787-9495 or visit DEP's website at www.dep.pa.gov, enter search term "Idling." If someone is idling illegally, get in touch with a DEP regional office by calling the statewide Citizen's Complaint Line toll free at 1-866-255-5158. Local or state law enforcement officials may also take idling complaints. State police telephone numbers are available on the Pennsylvania State Police website at: www.psp.pa.gov. Local law enforcement non-emergency numbers can be found in the local telephone book.

For more information, visit www.dep.pa.gov.