

## **BOROUGH OF WEST READING – BOROUGH COUNCIL**

**January 21, 2014 – 7:00 p.m.**

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, January 21, 2014 with the following persons present: Council President James J. Gallen, Jr., Vice President Philip C. Wert; Council Members Grace Craze, Carl Garman, Elizabeth L. Heckler, Deborah Hutcheson, Nathalie R. Kulesa; Mayor Valentin Rodriguez, Jr.; Borough Manager Richard J. Sichler; Police Chief Stephen D. Powell; Fire Chief Mark D. Burkholder; Borough Solicitor Daniel P. Becker; Chief Code Enforcement Officer Tracey L. Levering; Elm Street Manager Dean L. Rohrbach; Recreation Coordinator Helen Moyer; Administrative Assistant Cathy L. Hoffman. Public Works Director Dean E. Murray and Borough Engineer Tom Unger were unable to attend.

<b><u>VISITORS:</u></b>	James T. Rogers	Resident
	Karen & Jim Livingood	Residents
	Jim Keller	Resident
	Amber Rambo	Resident
	Oswald Herbert	Resident

1. **CALL TO ORDER:** Council President James Gallen called the meeting to order at 7:00 p.m. which was followed by the Pledge of Allegiance and roll call.
2. **PRESENTATION – READING SKATE PARK ASSOCIATION:**  
Due to the inclement weather, no one was in attendance to give this presentation.
3. **PUBLIC COMMENT:**  
James T. Rogers thanked Council for the notice concerning the “Snow Emergency” that was in effect. He also asked if liquid fuels funds are being used to reconstruct the alleys and Mr. Sichler said that those funds are used for street lighting.
4. **APPROVAL OF COUNCIL MINUTES:**  
There was some discussion concerning a portion of the December 17<sup>th</sup> minutes that spoke about the Greater Berks Development Fund and the DCED Keystone Communities Enterprise Zone. Mayor Rodriguez noted that he had spoken about the Keystone Opportunity Zone that exists adjacent to West Reading and explained that it should be called a Keystone *Extended* Opportunity Zone. Mrs. Kulesa asked for clarification regarding the implications for the Borough, considering the motion that was approved at that meeting.

Mr. Wert explained about the existing KOZ in Reading and the proposed Keystone Communities Enterprise Zone. He noted that if the application is approved, which is difficult to do, it simply opens the door for that zone to obtain funding.

Mayor Rodriguez asked if it would be more beneficial for the Borough to apply on its own however it was noted that the biggest drawback would be the full time designated KOZ manager that must be in place once the designation is made, even if the funds don’t come through. Mr. Wert noted that the Greater Berks Development Fund would assess the sites (within the designated zone) that they feel are most appropriate for the available funding. There was concern about the Borough having no voice about where the funding goes once the grant is given to the GBDF. Mr. Sichler noted the strengths of the Borough that will enhance the application and may make it easier for West Reading to be considered for any proposed projects. He also stated that the GBDF wants West Reading’s participation because they believe the Narrow Fabric property is a site that really fits the

criteria.

**Moved** by Mr. Wert and seconded by Mrs. Kulesa to approve the Council meeting minutes of December 17, 2013 and the Reorganization meeting of January 6, 2014. **Motion carried.**

5. **UNFINISHED BUSINESS:**

**Rental Inspections** – It was previously suggested that the schedule for rental inspections be changed from every year to every two years. Mrs. Heckler stated that she was opposed to this because there are properties that are in constant need of repair. She indicated that the properties that are kept in good shape could be done every two years however the others still need to remain at one year. Mrs. Levering noted that there are only a small number of properties that are in such bad shape that they require frequent inspections. She also explained that previously, inspections were only done every three years and in 2007 it changed to every year. Mrs. Kulesa also was not in favor of making the change, stating that she is afraid that things could return to the way it was before. She noted the deplorable condition of some properties that she personally saw several years ago.

Mr. Herbert suggested offering an incentive; that any property that has three consecutive inspections without any significant violations could go to a two or three year cycle. Those who don't meet the criteria would remain at a yearly inspection cycle. Offering incentives was felt to be a possible solution therefore Mr. Becker will look into it.

Discussion ensued about the process that is followed when violations are not corrected. It was also noted that the outside of properties need to be inspected as well, which has not been happening as much as it should because of the workload for the department.

**Moved** by Mr. Wert and seconded by Ms. Craze to table the rental inspection discussion to the next meeting. **Motion carried.**

**Fee Schedule** – The Recreation fee schedule was discussed and it was noted that the rental fee for the BiCentennial House is being increased to \$125., and the Pavilion rental fee is now \$100.

**Moved** by Ms. Craze and seconded by Mrs. Heckler to approve the fee schedule. **Motion carried.**

**Water and Sewer Rates** – Mr. Sichler stated that sewer rates are not being increased by the Joint Municipal Authority of Wyomissing Valley and the current rate structure adequately covers the Borough's costs, therefore it is unnecessary to increase the sewer rates.

With regard to water, Mr. Sichler said that the Western Berks Water Authority is increasing the wholesale water rates by 3% for 2014, from 1.93¢ per cubic foot to 1.99¢ per cubic foot. In order to cover the cost of this increase and break even, the Borough will need to raise water rates by 1.5%, therefore the minimum residential and commercial water purchase rate will need to be increased from \$24.95 to \$25.33 for the first 400 cubic feet. Mr. Sichler also provided stats comparing the Borough's rates to other municipalities and noted that Western Berks Water Authority rates are significantly lower than other local water authorities.

**Moved** by Mrs. Heckler and seconded by Mr. Wert to increase the water rates by 1.5%. **Motion carried.**

**Fifth Avenue Sidewalk Project** – Mr. Sichler said that the contractor had not satisfactorily completed the punch list for this project therefore it was tabled.

Armed Forces Day Parade – A request has been received for the Armed Forces Day Parade to be held on May 17, 2014. **Moved** by Ms. Hutcheson and seconded by Ms. Craze to approve the Armed Forces Day Parade scheduled for Saturday, May 17, 2014. **Motion carried.**

Real Estate Tax Collector – Mr. Sichler reported that no one has volunteered to take on the role of Tax Collector however it is critical to have the position filled soon. This matter was tabled.

2014 Appointments – EMA and Solicitor – **Moved** by Mr. Wert and seconded by Mrs. Heckler to approve Grace Craze and Rich Sichler to the EMA Committee. **Motion carried.**

Regarding the Committees of Council, the following amendments were made:

- Economic Development Committee – Mayor Rodriguez and Dean Rohrbach appointed
- Finance Committee – Grace Craze appointed
- Hospital Committee – Same
- Infrastructure Committee – Same
- Mayor's Advisory Committee – Mrs. Heckler appointed
- Traffic Committee – Same
- Protection of Persons and Property – Mr. Garman appointed
- School Board Ad Hoc – Same
- Western Berks Water Emergency – Same
- Personnel Committee – Mr. Garman and Mrs. Heckler appointed

It was decided that the Economic Development Committee would become a regular advertised meeting, therefore a date will be set for the meetings and the public will be notified.

**Moved** by Mrs. Kulesa and seconded by Ms. Hutcheson to approve the Committees of Council appointments as noted. **Motion carried.**

6. **CONSULTANTS' REPORTS:**

- a. Solicitor's Report – Mr. Becker stated that in accordance with the Borough Code, the Tax Collector appointment must be made within 30 days of the Reorganization meeting or it will go to the Vacancy Board. However no one has been appointed to the Vacancy Board therefore it becomes imperative that the position is filled. Once someone is found, a special meeting should be held to make the appointment and get the Tax Collector sworn in.
- b. Engineer's Report – In response to a question concerning the status of the Borough Engineer, Mr. Sichler said he has tasked Mr. Unger with some compliance issues pertaining to the sewer system pump station flow monitoring and the rehabilitation of the Olive Street Pumping Station. It was noted that Great Valley Consultants is still involved with the hospital project and Planning Commission issues.

7. **BOROUGH MANAGER'S REPORT:**

- a. Certification of Uncollected Real Estate Taxes – Mr. Sichler reported that the document, as provided by the Deputy Tax Collector, details the unpaid taxes for 2013 and amounts to \$25,350.86 in Borough taxes.

**Moved** by Ms. Hutcheson and seconded by Mrs. Kulesa to approve the Certification of Uncollected Taxes document. **Motion carried.**

- b. Insurance Renewal – Mr. Sichler said a single carrier has been found for the General and Police Liability insurance which will result in savings of \$31,600. It was noted that the proposed carrier 'BRIT' comes highly recommended and because they provide umbrella coverage the Borough will have better coverage than in the past.

**Moved** by Ms. Hutcheson and seconded by Ms. Craze to bind our insurance with BRIT for 2014.  
**Motion carried.**

- c. Martin Limestone / 2013 Alley Project – 1<sup>st</sup> Payment Approval - Mr. Sichler noted that there were some minor punch list items remaining however the retainage is more than sufficient to cover them. **Moved** by Mr. Wert and seconded by Mrs. Kulesa to approve Payment Application No. 1 to Martin Limestone in the amount of \$124,086.45 for the 2013 Alley Project.  
**Motion carried.**

- d. Budget Adjustments - 2013 - Mr. Sichler explained that in preparation for the 2013 audit, all of the various Borough 'Funds' are being reviewed by Donal Renninger CPA (formerly with RKL). Two discrepancies have been found, as follows:

- \$40,000 was to be transferred from Recreation to a special reserve for recreation, however only \$25,000 was transferred to an account named "Transfer from Recreation Fund". On advice from the CPA, the fund should be renamed as 'Recreation Capital Expense' (under special reserve funds) and the amount needs to be changed from \$25,000 to \$40,000.
- \$195,000 was to be transferred from the Sewer Fund to the Sewer Bond Issue however there was an error and \$196,000 was transferred instead. The transfer should therefore be corrected to show \$196,000. Mr. Sichler noted that all bond transfers have been checked to ensure they are correct.

**Moved** by Mr. Wert and seconded by Mrs. Heckler to amend the budget based on these two budget adjustments. **Motion carried.**

**Moved** by Ms. Hutcheson and seconded by Ms. Craze to approve the Borough Manager's Report.  
**Motion carried.**

8. **MAYOR'S REPORT:**

Mayor Valentin Rodriguez noted that prior to the meeting he had distributed copies of his report which provides an overview of the events and meetings he has attended over the past two months. He also noted a new quarterly magazine by Hoffmann Publishing called 'West Reading Avenues' which promotes events in West Reading and the Avenue in general. He said he was quite impressed by the publication as a PR piece for the Borough.

**Moved** by Ms. Hutcheson and seconded by Mrs. Kulesa to approve the Mayor's Report.  
**Motion carried.**

9. **DEPARTMENT REPORTS:**

- a. Code Enforcement – Mrs. Levering referred to her written report. There were some questions concerning what is discussed when she meets with potential business owners as well as the hearings with the District Justice. Mr. Garman also asked about snow removal for elderly residents and several suggestions were made. It was noted that volunteers are difficult to find and Mrs. Levering said she would continue to find solutions in this regard.

**Moved** by Mr. Wert and seconded by Mrs. Heckler to approve the Code Enforcement Officer's Report. **Motion carried.**

- b. Police Department – Chief Powell referred to his written report and added that Recreation Coordinator Helen Moyer provided a tremendous amount of assistance with the Delaney Brown caroling and funeral. The following items were also discussed:
- There is some graffiti around the bridges/overpasses along 422 as well as the railroad bridge on Penn Avenue. The County's Graffiti Abatement team will be cleaning it up in April or May. The Borough will need to provide the list of areas to be cleaned up.
  - Funds remain available for the street cameras. A new RFP will need to be written with the new specifications. Chief Powell said he would be looking for additional sources of funding to assist with the project. Mrs. Kulesa suggested that the \$30,000 in insurance savings be put toward the cameras. Mr. Gallen noted that an RFP may not be necessary because the project could be handled in house. He said that he would like to discuss this with the Chief and Mayor before proceeding with discussions on funding.
  - Mr. Garman asked about the Skateboard Ordinance and Chief Powell said he had forwarded the information he had to Mr. Becker for review. Mr. Becker added that in April 2013 Mayor Keller and Sergeant Phillips had worked on it and Mayor Keller asked that it be reviewed by an advisory committee, which is where it ended.

Mrs. Kulesa commended Chief Powell on the new report format. Ms. Craze asked about the reports that refer to the officers by initials only. Chief Powell said he would provide a chart showing officers' names in the report.

Mr. Garman also asked if Council could do something to commend the officers and civilian that were mentioned in the December Council minutes Police report. Mayor Rodriguez said that he could provide a proclamation. Chief Powell added that he has been working on a recognition award for future use, for both officers and civilians as a distinguished service award, department commendation, etc. He said he would forward it to Council.

**Moved** by Mr. Garman and seconded by Mrs. Heckler to approve the Police Department Report. **Motion carried.**

- c. Public Works – Mr. Sichler noted that Mr. Murray was out plowing and salting streets and unable to attend the meeting. Mr. Sichler informed Council that the Borough is involved with the salt contract that has been providing an inferior salt product to many local municipalities and that they are looking at recovering some of the funds.

**Moved** by Mr. Wert and seconded by Ms. Craze to approve the Public Works Director's Report. **Motion carried.**

- d. Fire Department – Chief Burkholder referred to his written report, then announced that after meeting with the Armed Forces Day Parade organizers, it has been decided that the new ladder truck will be included in the Parade on May 17<sup>th</sup> as part of its presentation ceremony. This will be followed by its christening at the Fire Company and a small celebration.

Chief Burkholder also read the following list of officers who have been reappointed for 2014:

Fire Chief	Mark Burkholder
Deputy Fire Chief	James Beane
Assistant Fire Chief	Chad Moyer
Captain	Jeff Reinert
Lieutenant	Jason Witman
Lieutenant	Nick Lesagonicz
Fire Marshall	Jason Ganster
Fire Police Captain	Tom Kupiszewski
Fire Police Lieutenant	Pete Goda

**Moved** by Ms. Hutcheson and seconded by Mrs. Heckler to approve the Fire Department appointments for 2014. **Motion carried.**

**Moved** by Mrs. Heckler and seconded by Ms. Hutcheson to approve the Fire Chief's Report. **Motion carried.**

- e. Elm Street – Mr. Rohrbach said that in addition to his written report he had distributed a letter from the West Reading Community Revitalization Foundation Board which requests the following:
1. Appoint Mayor Val Rodriguez to the WRCRF Board.
  2. Reappoint Deborah Hutcheson to the WRCRF Board.
  3. Approve street closures for:
    - Jazz on the Avenue (3/29)
    - Art on the Avenue (6/21)
    - Fall Festival (9/20)
  4. Lift the sidewalk ordinance for Penn Avenue Sidewalk Sales as listed in the 1/21/14 letter.
  5. Take action to force the owners of 425 Chestnut and 417 Franklin to make repairs and comply with the borough code.

Mr. Rohrbach noted that Mrs. Levering works very hard to get the property owners to make the necessary repairs however some do not attend their appointments. He added that the Chestnut property has eight outstanding citations currently. He said that Act 90 is a mechanism that can assist in this regard by extraditing the out-of-state property owners. Mr. Wert spoke about this process and suggested that it could be an excellent first agenda item for the Economic Development Committee. This will send a strong message to non-compliant landlords.

Mr. Rohrbach also spoke about the decorative grass medians that have created as part of the streetscape projects and said that an ordinance needs to be enacted that will protect these medians. Mr. Wert indicated that a more specific diagram needs to be added to the zoning ordinance that will define what a planting strip is and by doing so, will allow the regulations that are already in place to protect those zones. He said that this change will be made as part of the next round of amendments to the zoning ordinance. Mrs. Levering also noted that currently there is nothing in the sidewalk ordinance that requires replacement of the sidewalk if it is dug up or damaged. Streets must be reinstated if they are dug up (for example by a utility company) and the sidewalk ordinance needs to have the same regulations in place.

Mr. Becker asked about the plan to inventory the streets that need planting strips throughout the Borough as well as the streets that cannot accommodate a planting strip. Mr. Rohrbach said he would inventory the Borough once he is provided with a list of streets.

**Moved** by Mrs. Kulesa and seconded by Mrs. Heckler to appoint Mayor Rodriguez and reappoint Ms. Hutcheson to the West Reading Community Revitalization Foundation Board. **Motion carried.**

**Moved** by Mr. Wert and seconded by Ms. Hutcheson to approve liquor license permits for Jazz on the Avenue and Fall Festival. **Motion carried.**

**Moved** by Mr. Wert and seconded by Ms. Craze to approve street closures for Art on the Avenue, Jazz on the Avenue and Fall Festival. **Motion carried.**

**Moved** by Mrs. Heckler and seconded by Ms. Craze to approve the Elm Street Manager's Report. **Motion carried.**

10. **COMMITTEE/COMMISSION REPORTS:**

- a. Recreation Commission – Helen Moyer referred to her minutes and indicated that the second page contained a list of events for 2014.

**Moved** by Ms. Craze and seconded by Mr. Wert to accept the list of recreation events for 2014. **Motion carried.**

**Moved** by Mrs. Heckler and seconded by Ms. Craze to approve the Recreation Commission minutes. **Motion carried.**

- b. Planning Commission – Mr. Wert reported that the Planning Commission has completed the current review of the zoning amendments and now requires direction from Council. It was decided that the proposed changes would be reviewed by Mr. Becker with the intention that a date for the public hearing would be scheduled at the next Council meeting.

**Moved** by Mr. Garman and seconded by Ms. Craze to approve the Planning Commission Report. **Motion carried.**

- c. Environmental Advisory Council – Mr. Sichler was asked about the section of the minutes which dealt with the possible development of a parking lot at Museum Road and Parkside Drive South. Mr. Sichler explained that the discussions are very preliminary and that there are many issues that would have to be dealt with as part of the process.

Mr. Wert also noted that an EAC member has resigned and that a letter of interest has been received.

**Moved** by Ms. Hutcheson and seconded by Ms. Craze to accept the resignation of Erica Lavdanski. **Motion carried.**

**Moved** by Ms. Hutcheson and seconded by Ms. Craze to appoint Jim Keller to the Environmental Advisory Council. **Motion carried.**

**Moved** by Ms. Craze and seconded by Ms. Hutcheson to approve the Environmental Advisory Council minutes. **Motion carried.**

- d. Safety Committee – It was noted that the Safety Committee had reorganized at their last meeting.

**Moved** by Mrs. Heckler and seconded by Mrs. Kulesa to approve the Safety Committee Report.  
**Motion carried.**

11. **TREASURER'S REPORT:**

- a. **Moved** by Ms. Hutcheson and seconded by Mr. Wert to approve the Revenues with Comparison to Budget Report for the 12 months ending 12/31/2013. **Motion carried.**
- b. **Moved** by Mrs. Kulesa and seconded by Ms. Craze to approve Payment Approval Report for 12/18/2013 – 1/16/2014 and 1/17/2014 – 1/21/2014. **Motion carried.**

12. **PUBLIC COMMENT:**

There was no public comment.

13. **EXECUTIVE SESSION:**

Council recessed to Executive Session at 9:21 p.m. to discuss personnel and contract negotiations. When the meeting reconvened at 10:51 p.m., the following actions were taken:

**Moved** by Ms. Hutcheson and seconded by Mr. Wert to accept the Teamster's negotiated contract for non-uniform employees, contingent upon successful review by the Solicitor. **Motion carried.**

**Moved** by Mrs. Heckler and seconded by Ms. Hutcheson to reappoint Dan Becker as Solicitor for 2014.

Voting yes – Mr. Garman, Mrs. Heckler, Mr. Wert, Mr. Gallen, Ms. Hutcheson, Mrs. Kulesa.

Voting no – Ms. Craze.

**Motion carried.**

**Moved** by Ms. Craze and seconded by Mr. Garman to approve the sick time request from Officer Nguyen. **Motion carried.**

Mr. Rogers said that he had spoken to his daughter while Council was in Executive Session and she has agreed to fill the Tax Collector vacancy.

**Moved** by Ms. Craze and seconded by Mr. Wert to appoint Denise DeAntonio as Tax Collector.

**Motion carried.**

14. **ADJOURNMENT:**

**Moved** by Ms. Craze and seconded by Mrs. Heckler to adjourn the meeting at 10:54 p.m. **Motion carried.**

Respectfully submitted,

Cathy Hoffman  
Administrative Assistant