

BOROUGH OF WEST READING – BOROUGH COUNCIL

November 20, 2012 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, November 20, 2012 with the following persons present: Council President Kevin M. Conrad; Vice President James J. Gallen Jr.; Council Members Elizabeth L. Heckler, Nathalie R. Kulesa, Deborah Hutcheson, Philip C. Wert; Mayor Shane J. Keller; Borough Manager Richard J. Sichler; Sgt. Keith Phillips OIC; Fire Chief Mark D. Burkholder; Borough Solicitor Daniel P. Becker; Chief Code Enforcement Officer Tracey L. Levering; Public Works Director Dean E. Murray; Elm Street Manager Dean L. Rohrbach; Administrative Assistant Cathy L. Hoffman; Borough Engineer Terry Naugle. Council Member Amy B. Good was unable to attend.

<u>VISITORS:</u>	Ed Fabriziani	Fleetwood
	Ruth Cardell	Temple
	James T. Rogers	West Reading
	Karen Livingood	West Reading
	Jim Keller	West Reading
	Carl Garman	West Reading
	Karen Prange	Corpus Christi
	Pat Ritz	West Reading
	Diane Custer	West Reading
	Donna Ladd	Shillington
	Becca Gregg	Reading Eagle
	Terry Siggins	West Reading

1. **CALL TO ORDER:** Council President Kevin M. Conrad called the meeting to order at 7:00 p.m. which was followed by the Pledge of Allegiance and roll call.
2. **PUBLIC COMMENT:** A resident asked about Officer Hawn, and Mr. Conrad said it is a personnel matter that can't be discussed in a public meeting. There was no other public comment.
3. **APPROVAL OF COUNCIL MINUTES:**
Moved by Mrs. Heckler and seconded by Mr. Gallen to approve the minutes of October 16th (regular meeting) and November 14th (special meeting). **Motion carried.**
4. **UNFINISHED BUSINESS:**
Alley Parking Issues – Mr. Sichler said that he and PEO Mark Civitarese had surveyed the Borough for other problem locations that could be remedied by parking restrictions but found none. He asked for a motion to amend Chapter 14 Section 302 (regarding parking being prohibited at all times at certain locations) to include Grape Street between S. 5th and S. 6th Avenues. The area in question is on the north side of the alley, at the rear of 541 Chestnut Street which requires parking to be prohibited so that the resident can park his car in the garage. The second revision is to Section 304 (regarding parking being prohibited at certain locations, certain days and hours) for Grape Street between S. 4th and S. 5th Avenues to restrict parking (in addition to the current restrictions during school hours) on the south side on Tuesdays, Wednesdays, and Fridays between the hours of 6:00 a.m. and noon. It was noted that the Traffic Committee minutes incorrectly stated that the existing school restrictions are from 6:00 a.m. and noon. **Moved** by Mr. Gallen and seconded by Mrs. Kulesa to advertise the ordinance to reflect the changes as stated by Mr. Sichler. **Motion carried.**

5. **ORDINANCES/RESOLUTIONS:**

- a. Resolution 2012-14 –Mr. Sichler said that at the October meeting the request from Western Berks Water Authority to amend their bylaws was discussed. **Moved** by Mrs. Heckler and seconded by Mr. Wert to adopt Resolution 2012-14. **Motion carried.**

6. **CONSULTANTS' REPORTS:**

a. Solicitor's Report –

- The deadline to order radios is the end of November therefore the paperwork must be in place to cover the 80% of the purchase that the Borough must pay over seven years through funding by the County. In order to do so, an ordinance must be enacted (which has already been advertised) to authorize the borrowing, Council must approve the execution of the DCED application for the borrowing, a debt statement and borrowing based statement must be completed for DCED, and promissory notes must be executed. Mr. Becker also noted that the number of radios to purchase has been reduced by three portables and one mobile which will save approximately \$16,000. He added that the ordinance will have to be enacted subject to that change.

Moved by Mr. Wert and seconded by Ms. Hutcheson to authorize the execution and enactment of the ordinance authorizing the borrowing for the purchase of the County radios but with the change to remove 3 portable radios and one mobile radio.

Mr. Gallen spoke about the unresolved issues concerning this entire project and said that municipalities are being forced into something that may be unnecessary at an outrageous expense. He said he will be opposing it.

Mr. Becker said he has been speaking with Brian Gottshall at the County who has indicated that if all of the documentation is not put in place at this meeting, there will be no guarantee that the Borough will be able to obtain the radios in time and the County's portion of the financing and funding may be lost. It was noted also that all municipalities in the County are in this position and most are going along with it reluctantly. In explaining the situation with the radios it was stated that the narrow banding is being implemented by the federal government but the County is going above and beyond those requirements. However if the Borough doesn't comply, the police department and fire department will not be able to communicate with anyone because the Communication Center will be using the new radio system.

In favor of the motion: Mrs. Kulesa, Ms. Hutcheson, Mrs. Heckler, Mr. Wert, Mr. Conrad.

Against the motion: Mr. Gallen. **Motion carried.**

Moved by Ms. Hutcheson and seconded by Mrs. Kulesa to approve the execution of the DCED application by the Borough Manager.

In favor of the motion: Mrs. Kulesa, Ms. Hutcheson, Mrs. Heckler, Mr. Wert, Mr. Conrad.

Against the motion: Mr. Gallen. **Motion carried.**

Moved by Ms. Hutcheson and seconded by Mrs. Kulesa to approve the execution of the debt statement and borrowing base certification by the President of Council and the Secretary.

In favor of the motion: Mrs. Kulesa, Ms. Hutcheson, Mrs. Heckler, Mr. Wert, Mr. Conrad.

Against the motion: Mr. Gallen. **Motion carried.**

Moved by Mrs. Kulesa and seconded by Ms. Hutcheson to approve the execution of the five separate promissory notes and security agreements.

In favor of the motion: Mrs. Kulesa, Ms. Hutcheson, Mrs. Heckler, Mr. Wert, Mr. Conrad.

Against the motion: Mr. Gallen. **Motion carried.**

- Concerning the pool situation, a demand has been made against the bond and the bonding company has agreed. Mr. Naugle has three quotes to present to the bonding company and a contractor will be selected to complete the work. It is anticipated that it will be completed in the spring, weather permitting.
- The final Zoning Ordinance proposed amendment has been reviewed by the Berks County Planning Commission and additions have been recommended, which Mr. Naugle will incorporate into the amendment. **Moved** by Ms. Hutcheson and seconded by Mr. Gallen to authorize the advertising of the Zoning Ordinance. **Motion carried.**

Moved by Mr. Wert and seconded by Mrs. Heckler to advertise the meeting for 6:30 p.m. on December 18th, 2012 for the Public Hearing and the Zoning Ordinance. **Motion carried.**

Moved by Mr. Gallen and seconded by Mrs. Heckler to approve the Solicitor's Report. **Motion carried.**

- b. Engineer's Report –Mr. Naugle had nothing to add to the information provided regarding the pool. There was some discussion concerning the project at 5th and Franklin/Grape.

Moved by Ms. Hutcheson and seconded by Mr. Wert to approve the Engineer's Report.

Motion carried.

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

- a. Agreement to Access PennDOT Systems: Mr. Sichler said that PennDOT has an electronic system to track and input reports concerning the Borough's Liquid Fuels Tax. PennDOT requires that access to the system be authorized with an intergovernmental agreement, and Mr. Sichler noted that this is only for convenience of reporting. **Moved** by Mr. Gallen and seconded by Mrs. Heckler to enter into the intergovernmental agreement with PennDOT. **Motion carried.**
- b. 2013 Budget: The budget meeting was held on November 17th, and revisions to the budget were completed and distributed to Council on November 19th. Mr. Sichler noted that they began with a balanced budget and that the current proposed fund revenue is \$5,600,000 with expenditures of \$5,400,000 therefore no increase in taxes is necessary. **Moved** by Ms. Hutcheson and seconded by Mr. Gallen to advertise the proposed 2013 budget. **Motion carried.**
- c. 2012 Audits: Mr. Sichler said that last winter he had requested quotes from several auditing firms, however the pricing was not definitive because of the manner in which they quote (ie. not to exceed...). Given that no price savings were offered Mr. Sichler asked that the Borough keep RKL as the auditors for 2013 for both the Borough and the Tax Collector audits. He added that they have reviewed the scope of the audit for the Borough and it was decided that \$3000 could be saved by eliminating one financial report that has been completed for the last few years however has not really been utilized. The 'not to exceed' cost for the Borough is \$18,000 and \$3600 for the Tax Collector. **Moved** by Ms. Hutcheson and seconded by Mr. Gallen to enter into an agreement with Reinsel Kuntz Leshner to perform the 2012 audits. **Motion carried.**

- d. Pension Meeting: The administration for both pensions (uniform and non-uniform) has been put out for bid and the RFPs were reviewed at a joint Pension Committee meeting. As there were only two responses, it was decided to close the first RFP as a non-decision and re-advertise a revised RFP more broadly and for a longer period of time. **Moved** by Mr. Gallen and seconded by Ms. Hutcheson to close out the first RFP. **Motion carried.**
Moved by Mr. Gallen and seconded by Mrs. Heckler to revise the RFP and re-advertise more broadly. **Motion carried.**
- e. Vehicle Auction: The auction for the sale of the 2000 GMC dump truck closed at \$12,800. **Moved** by Ms. Hutcheson and seconded by Mrs. Heckler to approve Resolution 2012-15 which authorizes the sale of the 2000 GMC 3500 Dump 4 x 4 with plow for \$12,800. **Motion carried.**

Moved by Mr. Gallen and seconded by Mrs. Heckler to approve the Borough Manager's Report. **Motion carried.**

8. **MAYOR'S REPORT & WEST READING COMMUNITY REVITALIZATION FOUNDATION REPORT:**

Mayor Keller noted that the West Reading Community Revitalization Foundation minutes for October 1st and 24th were in their packets. He added the following:

- The Farmers' Market ended for the season on November 18th
- The annual Christmas Tree Lighting will be held on Friday, November 30th at 6:00 p.m. Although Superstorm Sandy blew over the Christmas tree at the circle, another was found and transplanted in the same location.
- The Police Department has enough staff to take care of the Borough and all shifts are being covered.

Moved by Mr. Gallen and seconded by Mr. Wert to approve the Mayor's Report. **Motion carried.**

9. **DEPARTMENT REPORTS:**

- a. Code Enforcement – Chief Code Enforcement Officer Tracey Levering noted that she had handed out her report just prior to the meeting.
Moved by Mr. Gallen and seconded by Ms. Hutcheson to approve the Chief Code Enforcement Officer's Report. **Motion carried.**
- b. Police Department – Sgt. Keith Phillips, Officer in Charge, stated that he had prepared a report for Council as instructed, but added that he would like some input from Council concerning the content for future reports. He also reported that Officer Karie Good is back on duty.
Moved by Mrs. Kulesa and seconded by Mr. Gallen to approve the Police Department Report. **Motion carried.**
- c. Public Works – Ms. Hutcheson thanked the Crew for making the Avenue look so beautiful for the holidays, Ms. Kulesa thanked them for all their work for the Haunted Hayride and Mr. Gallen thanked them for the cleanup after the storm.
Moved by Mrs. Kulesa and seconded by Mrs. Heckler to approve the Public Works Director's Report. **Motion carried.**
- d.. Fire Department – Chief Burkholder had nothing to add to his written report.
Moved by Ms. Hutcheson and seconded by Mrs. Kulesa to approve the Fire Chief's Report. **Motion carried.**

- e. Elm Street – Mr. Rohrbach referred to his written report, and asked if Council would like to receive copies of the NAC meetings as well. Those minutes will now be included with his report.

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

10. **COMMITTEE/COMMISSION REPORTS:**

- a. Recreation Commission – Mrs. Kulesa stated that the Commission had held two workshops and one meeting and that minutes have been provided for each. She added that a request has been received for the Wyomissing Little League group to use the Borough's field on a regular basis. Mr. Conrad explained that the Wyomissing field is being modified to create longer distances to accommodate older children. Mrs. Kulesa was concerned that the Borough might lose control of the field however Mr. Conrad indicated that they would be issued permits as with any other group.

Mrs. Heckler asked about the status of the part-time Recreation Coordinator position and Mr. Sichler said that the résumés have been reviewed and he will be making the calls for interviews soon.

Moved by Mrs. Heckler and seconded by Ms. Hutcheson to approve the minutes of November 6, 8 and 13, 2012. **Motion carried.**

Moved by Mr. Gallen and seconded by Ms. Hutcheson to approve the Recreation Commission Report. **Motion carried.**

- b. Planning Commission – Mr. Wert had nothing to report in addition to what had been earlier reported.

Moved by Mrs. Kulesa and seconded by Mrs. Heckler to approve the Planning Commission Report. **Motion carried.**

- c. Shade Tree Commission – The minutes of the November 8th meeting were briefly discussed and it was noted that representatives from the Reading Hospital were on hand to discuss the trees that will be replaced as a result of the upcoming construction project. It has been proposed that the 13 existing Oak trees (Borough trees) will be replaced by 16 Zelkova trees.

Moved by Ms. Hutcheson and seconded by Mrs. Heckler to approve the Shade Tree Commission Report. **Motion carried.**

- d. Traffic & Infrastructure Committee – There was no new business to discuss.

Moved by Mr. Gallen and seconded by Mrs. Kulesa to approve the Traffic Committee Report. **Motion carried.**

- e. Environmental Advisory Council – The minutes of October 22nd were handed out prior to the meeting. There were no action items to discuss.

Moved by Mrs. Kulesa and seconded by Mr. Gallen to approve the Environmental Advisory Council Report. **Motion carried.**

- f. Safety Committee –

Moved by Ms. Hutcheson and seconded by Mr. Gallen to approve the Safety Committee Report. **Motion carried.**

11. **TREASURER'S REPORT:**

- a. **Moved** by Ms. Hutcheson and seconded by Mr. Gallen to approve the Revenues with Comparison to Budget Report for the 10 months ending 10/31/2012. **Motion carried.**
- b. **Moved** by Mrs. Kulesa and seconded by Mr. Wert to approve Payment Approval Report for 10/17/2012 - 11/15/2012 and 11/16/2012 – 11/20/2012. **Motion carried.**

12. **PUBLIC COMMENT:** There was no public comment.

13. **EXECUTIVE SESSION:**

Council recessed to Executive Session at 7:59 p.m. to discuss personnel and litigation. When the meeting reconvened at 8:25 p.m., no action was taken.

14. **ADJOURNMENT:**

Moved by Ms. Hutcheson and seconded by Mrs. Heckler to adjourn the meeting at 8:26 p.m.
Motion carried.

Respectfully submitted,

Cathy Hoffman
Administrative Assistant