

BOROUGH OF WEST READING – BOROUGH COUNCIL

January 19, 2010 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, January 19, 2010 with the following persons present: Council President Nathalie Kulesa; Council Vice-President Kevin Conrad; Mayor Shane Keller; Council Members James Gallen, Amy Good-Ashman, Philip Wert; Borough Manager George Tindall; Code Enforcement Officer Gerald Trate; Police Chief Edward Fabriziani; Fire Chief Mark Burkholder; Public Works Foreman Jim Beane; Recreation Coordinator Daphne Klahr; Elm Street Manager Dean Rohrbach; Borough Solicitor Socrates Georgeadis; Administrative Assistant Cathy Hoffman.

<u>VISITORS:</u>	Ruth Cardell	Resident
	Mark Macrina	Resident
	Alan Trobman	Resident
	Darrin Youker	Reading Eagle
	Karen Livingood	Resident
	Sheila Scott	Resident
	Elizabeth Heckler	Resident
	Don Haines	Ephrata
	Darryl Jenkins	Great Valley Consultants

Council President Nathalie Kulesa called the meeting to order at 7:00 p.m. which was followed by a moment of silence and the Pledge of Allegiance.

PUBLIC COMMENT:

None of the visitors in attendance gave public comment.

APPROVAL OF COUNCIL MINUTES:

Moved by Mr. Conrad and seconded by Mr. Wert to approve the minutes of December 15th, 2009 and January 4th, 2010. **Motion carried.**

SOLICITOR'S REPORT:

Mr. Georgeadis stated that Ruth Cardell is the newly elected Tax Collector for the Borough, who will be reimbursed in the amount of \$599 annually. Mrs. Cardell, at the Borough's recommendation, has proposed to appoint Janice Kaucher as Deputy Tax Collector for the Borough. **Moved** by Mr. Conrad and seconded by Mr. Wert to accept the Tax Collector agreement as explained by Mr. Georgeadis and as distributed. **Motion carried.**

Mr. Georgeadis stated that Mrs. Rita Seghetti Ditsky has agreed to withdraw her appeal of her civil matter with the District Justice, regarding the stove at her premises. He requested Council's approval to permit George to sign the stipulation withdrawing the appeal. Chief Fabriziani stated that he did not agree in this matter and asked to meet with Council in Executive Session to discuss it.

Moved by Ms. Good-Ashman and seconded by Mr. Gallen to accept the Solicitor's report. **Motion carried.**

ENGINEER'S REPORT:

Mr. Jenkins brought forward the following items for discussion and action:

Moved by Mr. Conrad and seconded by Mr. Wert to approve B & R Construction's Payment Application No. 3 in the amount of \$20,626.21 for work completed to date for the Sunset Road and Yarnell/Grape Street water main replacement project. **Motion carried.**

Mr. Jenkins asked for approval to begin the design work for the reconstruction of Sunset Road which is part of the 2010 Streets Project. Mr. Tindall added that the water main has already been replaced on Sunset Road and UGI is currently replacing gas lines to the houses. The work to be completed in 2010 will include the road surface, curb, street lighting and trees. **Moved** by Mr. Conrad and seconded by Mr. Wert to authorize the engineer to prepare the contract documents and design the project. **Motion carried.**

Mr. Jenkins added that with regard to the Elm Street project, the remaining work for Yarnell and Grape Streets includes the reconstruction of the streets, which was authorized in 2009 and will be completed in 2010. The existing sanitary sewer line will also be relined as part of that project.

Moved by Mr. Conrad and seconded by Ms. Good-Ashman to accept the Engineer's report. **Motion carried.**

BOROUGH MANAGER'S REPORT:

2010 Fee Schedule (Resolution 2010-1) – Mr. Tindall reviewed the changes that were made to the schedule for 2010 and Mr. Trate explained the fee structure for Code inspections. **Moved** by Mr. Wert and seconded by Mr. Conrad to approve the fee schedule for 2010. **Motion carries.** It was noted that the fee schedule should be included in "new resident / new business" information packets, as well as being added to the Borough's web site.

Insurance Renewal – Mike Wagner from VIST Insurance reviewed the changes for the policy for 2010. He noted that the premium for 2010 will be \$215,049.00, an increase of \$8,049.00 which is due primarily to changes in payroll. After some discussion, it was decided that the policy would be reviewed by Mr. Tindall, Mr. Gallen and Mr. Wagner to see if there are areas that could be changed to reduce the premium amount. **Moved** by Mr. Conrad and seconded by Mr. Gallen to approve the policy with Vist Insurance not to exceed \$215,049.00. **Motion carried.**

Appointment to Vacant Council Position - Mr. Tindall stated that Mr. Conrad had been elected to a 4 year and 2 year term on Council therefore when he accepted the 4 year term, the 2 year position became vacant. A letter of interest had been received from Mrs. Elizabeth Heckler, 460 Chestnut Street, and as she was in attendance, Council interviewed her for the position and asked her opinion regarding challenges facing the Borough, taxes, the Main Street program, what Council's most immediate concerns should be, etc. **Moved** by Mr. Conrad and seconded by Mr. Gallen to appoint Mrs. Elizabeth Heckler to the 2 year Council position. **Motion carried.** It was noted that Mrs. Heckler will remain a member of the Recreation Commission.

Council recessed for a ten minutes as Mrs. Heckler was sworn in by Mayor Keller and assigned a seat at the Council table.

It was also announced that elected resident David Thomas had decided not to accept the 2 year position he was elected to, therefore the seat has been declared vacant. **Moved** by Mr. Gallen and seconded by Mr. Conrad to declare Mr. Thomas' council seat vacant. **Motion carried.**

Mr. Georgeadis added that the Borough Code gives the Borough 30 days to fill the vacancy, which will be February 18th, 2010. As the next Council meeting will be on February 16th, Council decided that all letters of interest must be received at Borough Hall by February 11th at noon

Handicapped Parking Requests – Chief Fabrizio brought forward several handicapped parking space requests, as follows:

- Luther Gilbert (333 Sunset Road) – the space was previously approved under a 90 day order by Mayor Keller for another resident who did not use it. Mr. Gilbert has been using the space but it needs to be made official.
- Nancy and Joseph Kalis (410 Penn Ave) – it is recommended that the space on the south side of the 400 block be approved for a handicapped space. Although the space is not in front of the Kalis' home, they are in agreement for the location.
- Matthew Delp (321 Franklin Street) – it is recommended that the space be approved in front of his home, which is an end space even though it is in the middle of the block.
- Betty Rolon (111 S. 7th Ave) – it is recommended that the space be approved at the end of the block, per Borough guidelines.
- Ruth Himmelberger (318 Cherry St) and Lisa Wilson (314 Cherry St) – have both applied for a space on Cherry but because parking is only permitted on the south side of the 300 block, only one space will be allocated. It is recommended that the space be assigned to Mrs. Wilson, but both residents may use it.

Chief Fabrizio said that the yearly recertification forms have been sent out and are due back on the 19th therefore at the next Council meeting, these spaces will be reviewed and at least one will be repealed.

Moved by Mr. Gallen and seconded by Mr. Conrad to advertise the handicapped spaces as noted in Chief Fabrizio's report. **Motion carried.**

Reappointment of Code Enforcement Officer and Assistant Code Enforcement Officer:

Moved by Mr. Gallen and seconded by Mr. Conrad to reappoint Gerald Trate as Code Enforcement Officer and Tracey Levering as Assistant Code Enforcement Officer. **Motion carried.**

Moved by Ms. Good-Ashman and seconded by Mr. Conrad to accept the Borough Manager's report. **Motion carried.**

CODE ENFORCEMENT OFFICER'S REPORT:

Mr. Trate reported that the \$25.00 fines have gone into effect, with 25 being issued to property owners who did not remove snow from the sidewalks during previous storms. He added that most people have paid the fine, but some will go to the District Justice.

Moved by Mr. Conrad and seconded by Mr. Wert to accept the Code Enforcement Officer's report. **Motion carried.**

COMMITTEE/COMMISSION REPORTS:

Safety Committee – There were no questions. **Moved** by Mr. Conrad and seconded by Ms. Good-Ashman to accept the Safety Committee report. **Motion carried.**

Recreation Commission – Ms. Klahr stated that although there was no meeting in January, she reported that a DCNR grant has been approved for fitness equipment at the park. As well, the winter newsletter is in the process of being mailed to residents. Mr. Tindall commended Ms. Klahr for her extensive work in applying for the grant, which is in excess of \$40,000. **Moved** by Mr. Wert and seconded by Mr. Conrad to accept the Recreation Commission report.

Planning Commission – The January meeting was not held.

Shade Tree Commission – The meeting scheduled for January 14th was not held.

Traffic Committee – Mr. Conrad stated that Traffic Committee did meet on January 14th, however the minutes have not yet been prepared. There were several items that were discussed at that meeting that require action concerning parking spaces on Penn Avenue. Chief Fabriziani provided the following information and noted that the Traffic Committee did recommend these actions:

- S. 6th Ave between Penn and Cherry on the west side is 2 hour parking, however the east side is open parking. The recommendation is to make the east side spaces 2 hour spaces to conform with parking regulations in the Central Business District.
- N. 6th Ave (0 hundred block) has 2 hour parking on the west side of the street with one loading zone at the end space before the driveway for the jewelry store. The recommendation is to make the loading zone 2 hour parking because the jewelry store is using the private driveway for a loading zone. On the east side, there are four 2 hour spaces, then a loading zone for Chef Alan's. The recommendation is to create 2 loading zone spaces in the middle of the block, and create two new 2 hour spaces in the areas between the loading zones and the bank driveway, in accordance with the Central Business District.
- S. 7th Ave between Penn and Cherry has open parking on both sides. The recommendation is to change the spaces to 2 hour parking spaces, in accordance with the Central Business District.
- N. 7th Ave has 20 minute spaces on the west side and 2 hour spaces on the east side. The recommendation is to change the 20 minutes spaces to 2 hour parking, in accordance with the Central Business District.
- 400 block of Reading Ave (in front of Morris Pace Assisted Living) has a 20 minute parking space that is no longer necessary. The recommendation is to make the space open parking.
- S. 2nd Ave has four spaces that have 20 minute parking. The recommendation is to designate them as open parking, with the exception of the end space at Franklin, which Council just approved to become a handicapped parking space.
- Franklin St just east of S. 5th Ave has two 20 minute parking spaces. The recommendation is to convert the second space from the corner to an open parking space.
- In the ordinance, the 300 block of Cherry St is listed as 2 hour parking for the entire length, which completely incorrect. The recommendation is to repeal that section.
- There is still a 2 hour zone at 4th and Franklin that should be prohibited parking instead. The recommendation is to return the space to the yellow zone designation.

Moved by Mr. Conrad and seconded by Mr. Wert to accept all of the changes, as presented by Chief Fabriziani. **Motion carried.**

Moved by Mr. Conrad and seconded by Mr. Wert to accept the Traffic Committee report from December 10th, 2009. **Motion carried.**

JOINT MUNICIPALITY AUTHORITY REPORT:

Mr. Herbert told Council that the JMA has begun manufacturing Class A certified biosolid material, which is being offered at no cost to municipalities. As a result, sludge is no longer being sent to the landfills.

POLICE CHIEF'S REPORT:

There was nothing further to add to the written report. **Moved** by Mr. Conrad and seconded by Mrs. Heckler to accept the Police Chief's Report. **Motion carried.**

MAYOR'S REPORT / MAIN STREET REPORT:

Mayor Keller reported that Mr. Conrad had submitted a letter of resignation from the Main Street Authority and Foundation as of January 11, 2010. This results in one Council appointment available on the Authority board and two appointments available on the Foundation board. He asked Mrs. Kulesa to make the appointments at her convenience.

Mayor Keller also reported that Mr. Rohrbach had applied for a grant on behalf of Main Street, through the PA Partners and the Arts Fund and had received \$1765. for the mural at the school playground.

At Mrs. Kulesa's request, Mr. Conrad asked Mr. Wert to take his former position on the Main Street Authority and Foundation boards. Mr. Wert accepted both positions.

Chief Fabrizio added to the report by stating that surveillance cameras will be installed at the school playground with funding assistance from District Attorney Adams' office. Also, in addition to funds being received from the DA's office for the replacement of the Department's K-9, Sam's Club will also be donating \$1000 for the program.

Moved by Mr. Conrad and seconded by Mr. Wert to accept the Mayor's report. **Motion carried.**

BOROUGH FOREMAN'S REPORT:

Mr. Beane provided information concerning the water main break that occurred on December 30th, 2009. He stated that the existing water main was located directly next to and under the building that was recently removed on the hospital property. He noted that he was on vacation when it occurred and commended Mr. Tindall, Crew Leader Dean Murray, and the crew for handling the situation so well. He added that the Reading Hospital is working on getting that water line moved before the Co-Gen building is constructed.

Mr. Tindall added that the CodeRed system was used to notify affected residents about the water loss and the boil order that followed. He said that it was the first opportunity the Borough has had to put the system to use and it worked well with 82% receiving notification. He encouraged all residents to ensure they have provided contact information to the CodeRed system.

Mayor Keller noted an item in Mr. Beane's report concerning the lack of lighting at the rear of Borough Hall to illuminate the American Flag, which has resulted in a State flag being flown in its place. Mayor Keller asked if it would be possible to also fly a POW-MIA flag below it. **Moved** by Mr. Conrad and seconded by Mr. Gallen to fly a POW-MIA flag beneath the State flag. **Motion carried.**

Moved by Mr. Conrad and seconded by Mr. Wert to accept the Borough Foreman's report. **Motion carried.**

FIRE CHIEF'S REPORT:

Chief Burkholder told Council that invitations will be mailed to them for the Fire Company banquet which is being held on February 20th at Chef Alan's. **Moved by** Mr. Conrad and seconded by Mr. Wert to accept the Fire Chief's report. **Motion carried.**

ELM STREET MANAGER'S REPORT:

Mr. Rohrbach noted that his report is also the year end report and highlighted funding received through private sector contributions. **Moved** by Mr. Gallen and seconded by Mr. Conrad to accept the Elm Street Manager's report. **Motion carried.**

REVENUE WITH COMPARISON TO BUDGET – 12 MONTHS ENDING DECEMBER 31, 2009:

Moved by Mr. Conrad and seconded by Mr. Wert to approve the revenue report for the 12 months ending December 31, 2009. **Motion carried.**

PAYMENT APPROVAL REPORT – 12/16/09 TO 1/13/10 AND 1/14/10 TO 1/19/10:

Moved by Mr. Gallen and seconded by Mr. Conrad to approve the Payment Approval Report for 12/16/09 to 1/13/10 and 1/14/10 to 1/19/10. **Motion carried.**

EXECUTIVE SESSION:

Council recessed to Executive Session at 8:56 p.m. to discuss personnel and pending litigation. When Council reconvened at 9:59 p.m., the following actions were taken:

Moved by Mr. Conrad and seconded by Mrs. Heckler to approve the hiring of Charles Menges as part time police officer pending medical drug and psychological screening. **Motion carried.**

Moved by Mr. Conrad and seconded by Mr. Wert to approve the teamsters agreement pending review by the solicitor and any member of council. **Motion carried.**

Moved by Mr. Conrad and seconded by Mr. Wert to approve the Fire Department Officers for 2010, as follows:

Fire Chief	Mark Burkholder
Deputy Chief	James Beane
Assistant Chief	Chad Moyer
Captain	Jeff Reinert
Lieutenant 64	Jason Witman
Lieutenant 64-1	Helen Shaylor
Fire Marshall	Jason Ganster

Motion carried.

Mrs. Kulesa appointed the following persons to the Personnel Committee:

George Tindall
Kevin Conrad
Shane Keller
Amy Good-Ashman

ADJOURNMENT:

Moved by Mr. Conrad and seconded by Mr. Wert to adjourn the meeting at 10:03 p.m.

Respectfully submitted,

Cathy Hoffman
Administrative Assistant

Approved by,

George I. Tindall
Borough Manager/Secretary