

BOROUGH OF WEST READING – BOROUGH COUNCIL

May 19, 2010 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Wednesday, May 19, 2010 with the following persons present: Acting Council President Kevin Conrad; Council Members James Gallen, Amy Good-Ashman, Elizabeth Heckler, Deborah Hutcheson, Nathalie Kulesa, Philip Wert; Mayor Shane Keller; Borough Solicitor Socrates Georgeadis; Code Enforcement Officer Gerald Trate; Assistant Zoning Officer Tracey Levering; Police Chief Edward Fabriziani; Fire Chief Mark Burkholder; Public Works Foreman Jim Beane; Recreation Coordinator Daphne Klahr; Elm Street Manager Dean Rohrbach; Administrative Assistant Cathy Hoffman; Darryl Jenkins, GVC. Absent: Borough Manager.

<u>VISITORS:</u>	Ruth Cardell	Fire Police
	Rebecca Doubek	Resident
	Oswald Herbert	Resident
	Tina Shenk	Business/Property Owner
	Rich Sichler	Resident
	Chip Bilger	Western Berks Water Authority
	Bill Murray	Western Berks Water Authority
	Ben Hanbicki	Integrated Aquatics Engineering

Acting Council President Kevin Conrad called the meeting to order at 7:00 p.m. which was followed by a moment of silence, the Pledge of Allegiance and Roll Call.

Mr. Conrad stated that a letter had been received from Mrs. Kulesa advising that she has resigned as Borough Council President. **Moved** by Ms. Good-Ashman and seconded by Ms. Hutcheson to accept Mrs. Kulesa's letter of resignation for the position of Borough Council President only. **Motion carried.**

Moved by Mr. Gallen and seconded by Ms. Good-Ashman to appoint Mr. Conrad as Borough Council President. **Motion carried.**

Moved by Mr. Conrad and seconded by Ms. Good-Ashman to appoint Mr. Wert as Borough Council Vice-President. **Motion carried.**

Mr. Conrad thanked Mrs. Kulesa for her years as Borough Council President and for all that she has done for the Borough.

PUBLIC COMMENT:

Rebecca Doubek spoke about the Fall Festival which will be held on September 18th. She stated that they will require a liquor license in order to have the beer tent again this year, and they also wish to have several blocks of Penn Avenue closed for the event. **Moved** by Mr. Gallen and seconded by Mr. Wert to approve the presence of the beer tent for the Fall Festival. **Motion carried.** Council asked that they determine which blocks will be closed and bring the information back to Council so that the necessary letter can be sent to PennDOT.

WESTERN BERKS WATER AUTHORITY

Chip Bilger, Executive Director and Bill Murray, chairman of the Authority were on hand to discuss the proposed installation of solar panels for the Western Berks Water Authority. Public Works Foreman Jim Beane, who is the Borough's representative on the Authority board, explained that the boroughs of Shillington and Wyomissing have already reviewed the information and have adopted a resolution which will enable the Water Authority to proceed with a grant application for the project. If grant funds are not acquired, the project will not proceed. If grant funds are received, additional funds are borrowed and the project approved, the net result will be less costly electricity to run the facility and the possibility of selling excess electricity. **Moved** by Ms. Hutcheson and seconded by Mr. Wert to approve Resolution 2010-5. **Motion carried.**

INTEGRATED AQUATICS ENGINEERING

Mr. Ben Hanbicki spoke to Council about the report he had written after examining the Borough's diving well. He stated that the diving well currently does not meet the Department of Health code because of various issues. One item of concern is the filter tank which is very rusty and will need to be replaced or repaired, however if it were repaired, it would still not meet code because it is not large enough. He stated that the diving well is very clean because of the phenomenal maintenance it has received.

He stated that there are structural cracks that go around the well and also hollow areas, which indicate that the well is beginning to fall apart. As well, if the diving boards require repair or replacement, it can't be done because of the well not meeting the code requirements. He strongly recommended that the Borough replace the shell of the pool and repurpose the well for other programming. He suggested that the Borough should work on the redesigning of the well now, and complete the reconstruction in the fall.

Mr. Conrad asked that the Recreation Commission review the recommendations made by Mr. Hanbicki and report back to Council with some ideas for repurposing the diving well along with the associated costs.

APPROVAL OF COUNCIL MINUTES:

Moved by Mr. Gallen and seconded by Mr. Conrad to approve the minutes of April 20th, 2010 as amended. (Page 1 the minutes erroneously referred to placement of handicapped parking spaces in the middle of the block.) **Motion carried.**

Moved by Ms. Hutcheson and seconded by Mr. Wert to approve the May 8th, 2010 minutes. **Motion carried.** Mrs. Kulesa asked that her letter of resignation become part of the minutes.

SOLICITOR'S REPORT:

Mr. Georgeadis stated that he had received an inquiry from a resident concerning the Belovich land development project. Code Enforcement Office Gerry Trate inspected the site and saw that debris is being dumped on the undeveloped lots and grass is not being cut. Mr. Georgeadis recommended that Mr. Trate get estimates to clean up the lots and then Fulton Bank can be contacted to see if they will cooperate with the Borough. If not, the area can be declared a public nuisance and the Borough can complete the work.

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

ENGINEER'S REPORT:

Mr. Jenkins reported that bids had been opened that morning for the paving project on Sunset Road as well as the repaving of Cherry Street. \$218,000 had been budgeted for Sunset Road and \$50,000 for Cherry Street. Windsor Service was the lowest bid received. **Moved** by Mr. Gallen and seconded by Mrs. Heckler to award the contract to Windsor Service in the amount of \$245,309 for the Sunset Road and Cherry Street paving projects. **Motion carried.**

Moved by Mr. Wert and seconded by Ms. Hutcheson to accept the Engineer's report. **Motion carried.**

BOROUGH MANAGER'S REPORT:

2003 Bonds – Mr. Conrad spoke about Mr. Vind's proposal to refinance the 2003 bonds and asked Council if there was any interest in taking action. It was decided that after further review, the proposal is not a positive step, therefore Mr. Vind will be contacted and advised that the proposal has been declined. Mr. Gallen said that he would like to explore other options and he was encouraged to do so.

JMA Appointment – The position is still vacant and Mr. Wert said that he has a potential candidate in mind, however he needs to speak with him further. Mr. Conrad said that he also had someone in mind.

Housing and Redevelopment Assistance Grant – Mr. Rohrbach stated that Elm Street has received a \$205,000 grant for streetscape improvements, however matching funds must be allocated in 2011 in the amount of \$28,159. **Moved** by Mrs. Kulesa and seconded by Mr. Wert to approve the allocation of \$28,159 in the 2011 budget as matching funds for the Elm Street streetscape improvements.

Moved by Mr. Gallen and seconded by Ms. Hutcheson to accept the Borough Manager's report. **Motion carried.**

CODE ENFORCEMENT OFFICER'S REPORT:

In addition to his report, Mr. Trate reported that the Codes department has been receiving a much higher volume of calls and complaints over the past few days. Zoning issues have significantly increased as well. **Moved** by Mr. Wert and seconded by Mrs. Heckler to accept the Code Enforcement Officer's report. **Motion carried.**

COMMITTEE/COMMISSION REPORTS:

Safety Committee – **Moved** by Mr. Conrad and seconded by Mr. Gallen to accept the Safety Committee report. **Motion carried.**

Recreation Commission – Ms. Klahr reported that the tennis courts have been in bad repair for many years, and after discussing the situation with others a plan of action has been developed. Pat Shields in conjunction with Matt Jacobs (co-owner of Hillcrest Racquet Club and Sport Builders), Fromuth Tennis, and the McGlinn Foundation have agreed to donate \$6000 of the \$9000 total project cost which includes painting, surfacing, nets, and posts. The Borough will need to contribute \$3000 for the project, which she recommended could come from 2 line items (90-452-370 and 90-452-374). Ms. Klahr noted that the Borough is hosting a tennis program this summer for ages 4 – 17, which is being provided by the City of Reading's tennis program at no cost. **Moved** by Mrs. Kulesa and seconded by Mrs. Heckler to allocate \$3000 to complete the tennis court project. **Motion carried.**

Moved by Ms. Good-Ashman and seconded by Mr. Gallen to accept the Recreation Commission report. **Motion carried.**

Planning Commission – Mr. Wert reported that at the May 5th meeting, the Commission had reviewed a sketch plan which was submitted by the Wyomissing Area School District for changes to the school as well as the parking lot on Obold Street. After a brief review of the proposed preliminary plan, the placement of the dumpsters was discussed and concerns about the odor which could be a problem. Council asked Mr. Wert to raise the issue at the next meeting of the Commission. It was also briefly mentioned that the unnamed alley adjacent to the Obold Street parking lot would have to be wider in order to use it for vehicular traffic. It was suggested that the Planning Commission also discuss this.

Moved by Ms. Hutcheson and seconded by Mr. Conrad to approve the Planning Commission report. **Motion carried.**

Traffic Committee - Chief Fabriziani told Council that it was recently discovered that one of the "trash alleys" is not listed in the ordinance as a trash alley, therefore they have been unable to uphold citations that have been issued in this alley on trash days. A list of the discrepancies will be compiled and corrected in the near future.

Chief Fabriziani reported that a film company wishes to use Penn Avenue to shoot some footage and have requested the following parking changes/street closures:

May 26th from 8 a.m. – 10 a.m. – No parking on Penn Avenue from 4th to 7th Avenues
May 28th for a short time – Penn Avenue closed to all traffic, near the West Reading Diner
It was noted that Fire Police can assist with traffic control and duty cars may also be used.

Moved by Mrs. Kulesa and seconded by Mr. Wert to close Penn Avenue on May 28th for the filming purposes. **Motion carried.**

Moved by Mr. Conrad and seconded by Ms. Hutcheson to accept the Traffic Committee Report. **Motion carried.**

Shade Tree Commission – did not meet due to lack of a quorum. Mr. Beane was asked about the new trees on the 700 block of Penn Avenue and he stated that they are dying however he is unsure why. He stated that he would contact the company that supplied them to get more information. New trees will not be planted until the fall however.

POLICE CHIEF'S REPORT:

Chief Fabrizio told Council that a request had been received from In-Home Oxygen for a handicapped parking space in front of their premises. He noted that they have off street parking next to their store therefore he recommended that the request be denied. Council instructed him to send a letter denying the request.

A new parking control vehicle has been ordered and will arrive in four to six weeks. Chief Fabrizio asked what Council wished to do with the old vehicle and they briefly discussed either selling it or turning it over to the Recreation department. A decision will be made when the new vehicle arrives.

Chief Fabrizio updated Council concerning several major cases that have recently occurred. He also requested an executive session to discuss personnel.

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

MAYOR'S REPORT:

Mayor Keller reported that the Armed Forces Day Parade was well attended. He thanked all those who assisted with the parade. He also reported that the Farmers' Market will commence on May 30th with 24 vendors attending. He noted that the market may have to be expanded to 6th Avenue because they are running out of room.

Mayor Keller stated that he wished to clarify some information concerning his request last month to open discussion about the possibility of relocating the Code Enforcement department to make it more accessible to the public. He noted that the Borough Code, Chapter I, Part 2, Section 207(a) states that "The Borough Manager, under the direction of the Mayor, shall execute and enforce the laws of the Commonwealth, and the ordinances, resolutions and bylaws enacted or adopted by the Borough Council." As this section gives him the authority to make such changes, he retracted his previously stated request. He also requested an executive session which may require action.

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

BOROUGH FOREMAN'S REPORT:

Mr. Beane stated that the replacement of two pick-up trucks was originally budgeted, however after reviewing the budget he can only find provision for one vehicle. He said he would review his budget

documents to find out what happened and report back in June. He said he would begin obtaining pricing for the vehicles from Co-Stars.

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

FIRE CHIEF'S REPORT:

Chief Burkholder reported that after studying the Act 47 report from the City of Reading, he has prepared a report detailing how the City's situation will impact West Reading, in his opinion. The report was distributed to Council for their consideration. **Moved by** Ms. Good-Ashman and seconded by Mrs. Heckler to accept the Fire Chief's report. **Motion carried.**

ELM STREET MANAGER'S REPORT:

Mr. Rohrbach noted that in his report he detailed the events of Earth Day and thanked Mrs. Heckler, Mr. Wert, Mrs. Kulesa and Mayor Keller for their participation. He also noted that a special public meeting will be held at Borough Hall on May 24th to discuss the expansion of the Elm Street target area.

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

REVENUE WITH COMPARISON TO BUDGET – 4 MONTHS ENDING APRIL 30, 2010:

Moved by Mr. Gallen and seconded by Mrs. Heckler to approve the revenue report for the 4 months ending April 30, 2010. **Motion carried.**

PAYMENT APPROVAL REPORT – 4/20/10 TO 5/14/10 AND 5/14/10 TO 5/18/10:

Moved by Mrs. Kulesa and seconded by Mr. Conrad to approve the Payment Approval Report for 4/20/10 to 5/14/10 and 5/14/10 to 5/18/10. **Motion carried.**

EXECUTIVE SESSION:

Council recessed to Executive Session at 8:42 p.m. to discuss personnel and pending litigation. When Council reconvened at 10:05 p.m., no action was taken:

NEW BUSINESS – There was no New Business to report.

OLD BUSINESS – There was no Old Business to report.

ADJOURNMENT:

Moved by Mrs. Heckler and seconded by Mrs. Kulesa to adjourn the meeting at 10:06 p.m.

Respectfully submitted,

Cathy Hoffman
Administrative Assistant