

BOROUGH OF WEST READING – BOROUGH COUNCIL

November 17, 2009 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, November 17, 2009 with the following persons present: Council President Nathalie Kulesa; Council Members Kevin Conrad, James Gallen, .Michael Geddio, Michael Morrill, Philip Wert; Mayor Shane Keller; Borough Manager George Tindall; Borough Solicitor Socrates Georgeadis; Police Chief Edward Fabriziani; Code Enforcement Officer Gerald Trate; Borough Foreman Jim Beane; Fire Chief Mark Burkholder; Recreation Coordinator Daphne Klahr; Elm Street Manager Dean Rohrbach Administrative Assistant Cathy Hoffman. Absent: Council Vice-President Michael Doyle.

<u>VISITORS:</u>	Elizabeth Heckler	Resident
	Sheila Scott	Resident
	Ron Schweitzer	Resident
	Karen Livingood	Resident
	Don Haines	Ephrata
	Ruth Cardell	Resident
	Jay Kupiszewski	Resident
	Rebecca Keller	Resident
	March Wilkes	Resident
	Paul Toburon	Reading Hospital
	Dave Major	Reading Hospital
	Jim Hehn	Reading Hospital
	Oswald Herbert	Resident
	Amber Rambo	Resident
	Vicki DiArchangelo	Business Owner/Tenant
	Dalyn Boyer	Business Owner/Tenant
	Stephen DeLucas	Reading Eagle
	Darryl Jenkins	Great Valley Consultants

Council President Nathalie Kulesa called the meeting to order at 7:13 p.m. Rev. Caseras, Lighthouse Christian Center gave the invocation which was followed by the Pledge of Allegiance and Roll Call.

PUBLIC COMMENTS:

Don Haines commented about the lack of specific information being given to residents concerning work at or near their property when reports are being given at a Council meeting. He specifically referred to incidents that had occurred at his residence that he was not notified about. Council agreed that a public comments/question session could be added at the end of each Council meeting.

APPROVAL OF COUNCIL MINUTES:

Moved by Mr. Conrad and seconded by Mr. Geddio to approve the minutes of October 20, 2009. **Motion carried.**

CONDITIONAL USE HEARING – 401 BUTTONWOOD STREET

Mr. Tindall stated that a public hearing was held on November 10th for the property at 401 Buttonwood Street (The Reading Hospital) and that the conditional use was unanimously approved by Council. In order to ratify that vote, it was **Moved by** Mr. Gallen and seconded by Mr. Wert to ratify the motion concerning the approval of the Conditional Use for the property at 401 Buttonwood Street. **Motion carried.** Mr. Morrill and Mr. Conrad abstained as they were not in attendance for the hearing.

CONDITIONAL USE HEARING – 135 JUNIATA STREET

Mr. Tindall announced that at the public hearing which was held just prior to this Council meeting, the Conditional Use application was approved for the property at 135 Juniata Street. In order to ratify that vote, it was **Moved by** Mr. Conrad and seconded by Mr. Morrill to ratify the motion concerning the approval of the Conditional Use for the property at 135 Juniata Street. **Motion carried.** Mr. Tindall commented that this business is a wholesale auto parts distributor that is in the Light Industrial zone which permits wholesale businesses by Conditional Use only.

SOLICITOR'S REPORT:

Mr. Georgeadis announced that Council met just prior to this Council meeting for an Executive Session to discuss personnel matters. No actions were forthcoming as a result of this session.

Moved by Mr. Morrill and seconded by Mr. Geddio to accept the Solicitor's Report. **Motion carried.**

ENGINEER'S REPORT:

Mr. Jenkins referred to his written report and requested approval for three payment applications:

Moved by Mr. Conrad and seconded by Mr. Morrill to approve Payment Application No. 1, to B & R Construction in the amount of \$74,840.40 for work completed to date for the water main replacement project on Sunset Road and Yarnell/Grape Streets. **Motion carried.**

Moved by Mr. Conrad and seconded by Mr. Morrill to approve Payment Application No. 1 to B. P. Paterson, Inc. in the amount of \$15,480.00 for the Cherry Street Sewer Main Replacement project. **Motion carried.**

Moved by Mr. Geddio and seconded by Mr. Morrill to approve Payment Application No. 1 (and final invoice) to EJB Paving in the amount of \$45,844.28 for the Parkview Road Bridge paving project. **Motion carried.** Mr. Jenkins noted that the repairs that were made were not as extensive as originally expected. He said that only minor repairs remain to be completed, including sandblasting and repainting of the beams. A full scale evaluation remains to be completed. Council will then have to decide how to proceed. Discussion ensued concerning the bridge and it was recommended that a maximum weight restriction be imposed for vehicles over 15 tons, with the exception of emergency vehicles. Chief Fabrizio noted that the bridge is currently in a "no trucks" area but a weight restriction would enhance that requirement. It was decided that the Traffic Committee would review the information and make a recommendation.

Mr. Wert noted that the proposed Overlay District information had been distributed to Council and discussed and is now ready to be advertised. **Moved by** Mr. Morrill and seconded by Mr. Geddio to advertise the proposed Overlay District. **Motion carried.**

Mr. Jenkins also provided a brief report for the Sunset Road project and detailed some of the problems that the contractor found during the course of the project which is nearing completion.

Moved by Mr. Gallen and seconded by Mr. Conrad to accept the Engineer's Report. **Motion carried.**

BOROUGH MANAGER'S REPORT:

Resolution 2009-13 (Eliminating Police Officers' Contributions to the Police Pension Plan for the Year 2010) – **Moved by** Mr. Morrill and seconded by Mr. Conrad to approve Resolution 2009-13. **Motion carried.**

Resolution 2009-14 (Elm Street Request for Funds from DCED) – Mr. Tindall explained that Elm Street is requesting \$250,000 from the Department of Community and Economic Development just as has been done in the past. It was noted that DCED's level of funding from the State has been lowered significantly, therefore Elm Street is submitting their request early in hopes that they will obtain some of the remaining funds. Mr. Rohrbach noted that this request and resolution has been reviewed and approved by the NAC, was reviewed at a public hearing and has received the approval of the Main Street Authority. **Moved** by Mr. Morrill and seconded by Mr. Conrad to approve Resolution 2009-14. **Motion carried.**

Armed Forces Day Parade – Mr. Tindall referred to a letter from the Berks County Armed Forces Advisory Committee which requests West Reading's assistance as part of the Armed Forces Day Parade on May 15, 2010. Chief Fabrizio advised that the cost to the Borough for police department overtime would be in the \$1500-\$2000 range. **Moved** by Mr. Conrad and seconded by Mr. Geddio to support the parade. **Motion carried.** Mayor Keller noted that our costs for the 2009 parade would have been substantially higher were it not for the cooperation of the Sheriff's Department. He said that he is assuming that the same level of cooperation will be available again in 2010.

Handicapped Parking Requests – Mr. Tindall stated that he and Chief Fabrizio will have the necessary information available for the December meeting and requested that this item be tabled until then.

2010 Budget – Mr. Tindall said that Council has been working on the budget for several weeks and noted that it must be advertised for 30 days before it can be adopted. He added that as of the last budget meeting, the General Fund is short \$74,320 and Capital is short \$45,432 of being a balanced budget. Mr. Morrill stated that it had been previously suggested that a 1 mill increase would allow the budget to be balanced.

Moved by Mr. Morrill and seconded by Mr. Wert to advertise the 2010 budget which will include a 1 mill tax increase to balance the budget. **Voting yes: Mr. Wert and Mr. Morrill; Voting no: Mr. Gallen, Mr. Geddio, Mr. Conrad, Mrs. Kulesa. Motion Defeated.**

They also noted that 1 mill represents \$178,000. The current rate is 6.135 which includes 1.35 for the fire tax. The total assessment in West Reading is \$173,000,000 and of that amount \$143,000,000 is the Reading Hospital which is tax exempt.

Council determined that they would continue the meeting on November 18th at 7:00 p.m. to resolve the budget discussion.

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

CODE ENFORCEMENT OFFICER'S REPORT:

Mr. Trate noted that in addition to his written report he had provided a supplemental report as an FYI concerning the extra fees that have been recently collected due to the diligent work by Sandy McEwen, secretary for the Codes Department. **Moved** by Mr. Conrad and seconded by Mr. Wert to accept the Code Enforcement Officer's Report. **Motion carried.**

COMMITTEE/COMMISSION REPORTS:

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

Recreation Commission – Ms. Klahr gave a brief review of recent events in the Borough and reminded everyone about the upcoming Christmas Tree Lighting on December 4th and the Holiday Decorating

contest. **Moved** by Mr. Morrill and seconded by Mr. Conrad to approve the Recreation Commission report. **Motion carried.**

Planning Commission – Mr. Wert stated that at the November 4th meeting, the Commission had recommended approval of the Conditional Use application for the property at 135 Juniata Street.

The remainder of the meeting was the discussion about a proposed official map. Mr. Wert explained that an official map is used to identify properties that a municipality may wish to purchase in future for municipal use, but only if the property becomes available. He noted that in discussions with Mr. Jenkins they have determined that existing mapping could be used to form the official map, which could be done easily at little expense. Mr. Wert added that there was some discussion concerning legal issues that would need to be explained by Mr. Georgeadis because the Municipal Planning Code did not clearly address these issues. Mr. Georgeadis said that he could put something together for the Planning Commission to review at the December meeting.

Moved by Mr. Conrad and seconded by Mr. Geddio to allow the Planning Commission to begin discussions concerning the implementation of an Official Map. **Voting yes: Mr. Geddio, Mr. Wert, Mr. Conrad, Mrs. Kulesa; Voting no: Mr. Morrill and Mr. Gallen. Motion carried with a 4-2 vote.**

Mr. Georgeadis then left the meeting.

POLICE CHIEF'S REPORT:

Chief Fabriziani reported that he had just attended a graduation ceremony at the Fire Company for the first Citizen's Police Academy, which was comprised of 30 participants who are residents of Wyomissing, West Reading and Spring Township. He added that the 7 week course dealt with many aspects of police work including forensics, SWAT, K-9 etc. He commended Cpl. Keith Phillips for his extensive work along with two Sergeants from Spring Township and Wyomissing.

Chief Fabriziani reported that a shooting had occurred in the Borough at 5th and Franklin that was a drug related incident and not a home invasion as had been reported previously. He thanked all levels of law enforcement that were involved in assisting with the situation.

Also reported was the postponement of the trial for the homicide by vehicle incident that was scheduled to begin in October. It has now been scheduled for the second week of December. Chief Fabriziani also reminded Council that the Borough will now have to pay for all costs associated with MOPEC recertification that was previously covered by the State.

As a final note, Chief Fabriziani stated that the new weapons have been received. There will be classroom training as well as training at Muhlenberg Township's firing range.

Moved by Mr. Conrad and seconded by Mr. Morrill to accept the Police Chief's Report. **Motion carried.**

MAYOR'S REPORT:

Mayor Keller spoke about:

- the assistance that our Police Department received during the recent shooting investigation. He said it was nice to see that level of cooperation.
- business owners have complained regarding the lack of communication between Main Street and the Penn Avenue businesses therefore Main Street has developed a brochure that details information from various committees as well as upcoming events.
- a DUI checkpoint has been scheduled for some time prior to the end of the year.
- Council's support of the Armed Forces Day Parade for 2010.

- the current Parking Enforcement Officer. Mayor Keller explained that 2 part-time people were hired earlier this year, however the second Parking Enforcement Officer quit after just a few days and the Police Department was not successful at finding another suitable candidate. He asked that Council move the current Parking Enforcement Officer to a part-time no benefits status at a rate of \$13. per hour. **Moved** by Mr. Conrad and seconded by Mr. Wert to approve the Mayor's request. **Voting yes: Mr. Gallen, Mr. Geddio, Mr. Wert, Mr. Conrad, Mrs. Kulesa; Voting no: Mr. Morrill. Motion carried with a 5-1 vote.** (Mr. Morrill explained that his no vote was due to the lack of a balanced budget being in place.)

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

BOROUGH FOREMAN'S REPORT:

Mr. Beane reported that there had been a break in the line at the Chestnut Street pumping station, but it has been resolved. Mayor Keller reminded Mr. Beane that a water line for the community garden was scheduled to be installed in conjunction with the Sunset Road project.

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

FIRE CHIEF'S REPORT:

Chief Burkholder reported that in addition to his written report, the Kiddies Christmas Party will be held at the Fire Company on December 19th from 2:00 to 4:00 p.m. Ms. Klahr added that the Marine Corps will once again be donating toys for the Kiddies Christmas Party and thanked them for their assistance.

Moved by Mr. Conrad and seconded by Mr. Morrill to accept the Fire Chief's Report. **Motion carried.**

ELM STREET MANAGER'S REPORT:

Mr. Rohrbach referred to his written report that includes the results of the resident survey which is conducted annually. **Moved** by Mr. Morrill and seconded by Mr. Conrad to accept the Elm Street Manager's report. **Motion carried.**

REVENUE WITH COMPARISON TO BUDGET – 10 MONTHS ENDING 10/31/09:

Moved by Mr. Conrad and seconded by Mr. Morrill to approve the Revenue Report for the ten months ending 10/31/09. **Motion carried.**

PAYMENT APPROVAL REPORT – 10/20/09 to 11/12/09 and 11/13/09 to 11/17/09:

Moved by Mr. Conrad and seconded by Mr. Wert to approve the Payment Approval Report for 10/20/09 to 11/12/09 and 11/13/09 to 11/17/09. **Motion carried.**

ADDITIONAL COMMENT:

- Council congratulated resident Amber Rambo for having completed the Citizen's Police Academy.
- Vicky DiArchangelo asked about the parking meters that have been proposed and Mr. Tindall stated that he had requested informal estimates for a study to be completed. One company estimated \$15,000 to \$20,000 and the other company estimated between \$10,000 and \$20,000. Some discussion ensued and it was noted that funds have not been budgeted for 2010, so Mr. Tindall has not been directed to write an RFP.

- White circles in the Borough right-of-way at various locations throughout the Borough indicate that a tree is scheduled to be planted there within the next month. Council asked Mr. Tindall to inform the residents who will be having a tree planted adjacent to their property.

ADJOURNMENT:

Moved by Mr. Conrad and seconded by Mr. Morrill that the meeting be recessed until Wednesday evening at 7:00 p.m., at which time the meeting will be reconvened to discuss the unbalanced 2010 budget. **Motion carried.**

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CONTINUATION OF COUNCIL MEETING ON NOVEMBER 18, 2009

West Reading Borough Council continued the meeting at Borough Hall on Wednesday, November 18, 2009 with the following persons present: Council President Nathalie Kulesa; Council Members Kevin Conrad, James Gallen (arrived at 7:10 p.m.), Michael Geddio, Philip Wert; Mayor Shane Keller; Borough Manager George Tindall; Police Chief Edward Fabriziani; Code Enforcement Officer Gerald Trate; Borough Foreman Jim Beane; Fire Chief Mark Burkholder; Recreation Coordinator Daphne Klahr; Administrative Assistant Cathy Hoffman. Absent: Council Vice-President Michael Doyle and Council Member Michael Morrill.

<u>VISITORS:</u>	Elizabeth Heckler	460 Chestnut Street
	Don Haines	156B. West Fulton Street
	Oswald Herbert	314 Reading Avenue
	Chris Reber	Reading Eagle

Mrs. Kulesa called the meeting to order at 7:02 p.m. and stated that the purpose of the meeting was to balance the budget.

Mr. Conrad stated that he felt it would be prudent to remove the \$50,000 (line item 30-465-004) for street paving, Using \$45,432 will balance the Capital Fund, and the remaining \$4,568. in line item 30-465-004 for crack sealing. He noted that they will still be doing two major street projects for the year.

Discussion ensued regarding the water and sewer rates and Mr. Conrad emphatically stated that capital funds should not be used to do water and sewer projects. He added that the water and sewer rates need to be increased to keep up with the cost of inflation. The bare minimum rate increases that have been made over the last few years have only been a pass through from Western Berks Water Authority and the Joint Municipal Authority of Wyomissing Valley.

Phase 6 of the Main Street Streetscape Project was discussed and it was noted that the \$115,000 that has been allocated to complete the project however it may not be adequate. The project entails storm water control, retaining wall and plantings at the entrance to the Borough adjacent to the cloverleaf, where the billboards are located. If the Borough doesn't go forward with the project, the owner remains responsible for the area and there will not be any negative ramifications for the Borough. Mr. Wert stated that something needs to be done to ensure that the area doesn't become more of an eyesore that it already is. It was suggested that local groups such as the Lions Club be asked to assist with beautification of that area. Mayor Keller said that he would ask the inmate work crew to do some cleanup of the area as well. **Moved** by Mr. Conrad and seconded by Mr. Gallen to remove line item 01-465-383 from the budget in the amount of \$21,500. **Motion carried.**

Council next discussed the Fire Department's line item 30-411-064 in the amount of \$50,000 which is being reserved for the purchase of Ladder 64. Chief Burkholder stated that the vehicle will be ordered in 2011 for delivery in early 2012. The projected cost for the vehicle is \$900,000. and Chief Burkholder said

that the current ladder vehicle could be sold for approximately \$100,000. After much discussion, it was determined that the ladder truck could be leased over 10 years with the Borough owning the vehicle at the end of the 10 years. If the fire tax could be increased $\frac{1}{4}$ mill, the funds could be held in escrow for that purchase, and not for any other use. Line item 30-411-064 will be reduced by 50,000, (0 funds remaining), line item 01-481-860 will be reduced by \$50,000 as well, (\$201,500 to \$151,500) and capital fund item 30-350-351 will be reduced by \$50,000 as well for a total of \$151,500.

With the removal of \$ 21,500 from 01-465-383, plus the \$50,000. from 01-481-860, the General Fund will have a surplus of \$2820. (with a $\frac{1}{4}$ mill increase in the Fire Tax).

Mayor Keller stated that in the police budget \$12,000 was allocated for a uniform changeover and \$12,000 to replace the parking enforcement vehicle. He said they are willing to lease the vehicle, which will reduce that line item from \$12000 to \$5500. (\$4000 for first year lease payment and \$1500 to outfit the vehicle). They are also willing to postpone the uniform changeover which will reduce that line item by \$12,000. Making these changes will put \$18,500 back into the budget, \$2820 to cover the shortfall (balance the budget) and the remainder to provide pay increases for the non-uniform staff without having to increase the property tax millage.

Much discussion ensued regarding the percentage amount that employees should receive for a pay increase. A 2% pay increase overall would require \$8,661., a 3% increase - \$12,991, 3.5% - \$15,155., 4% - \$17,210. Mr. Tindall said that he would forgo his increase therefore the numbers would change. Mayor Keller said he would like to propose a 3% increase, however Mr. Gallen said that 2% would be more appropriate. Chief Burkholder asked that if Council is considering raises, that the \$200 should be returned to the Fire Department for their reimbursements (increase 01-411-121 from \$5500 to \$5700).

Moved by Mr. Gallen and seconded by Mr. Conrad to utilize the funds that are now being accumulated for the fire truck and put it into the General Fund as previously discussed, and have a $\frac{1}{4}$ mill fire tax increase (can only be used for the acquisition of the next fire truck). **Motion carried.**

Moved by Mr. Conrad and seconded by Mr. Geddio to reduce the Police Capital Fund by \$18,500 (30-410-000) that would have been used for the uniform changeover and the purchase of the parking enforcement vehicle (will be leased instead). **Motion carried.**

At this point, the budget has a surplus of \$15,680 and if a 2% increase is given, there will be some extra funds available for unforeseen expenses.

Moved by Mr. Gallen and seconded by Mr. Geddio to approve a 2% increase and give the \$200 back to the Fire Company. **Voting yes: Mr. Gallen, Mr. Geddio, Mr. Wert, Mr. Conrad. Voting no: Mrs. Kulesa. Motion carried with a 4-1 vote.**

Moved by Mr. Conrad and seconded by Mr. Wert to advertise the proposed 2010 budget with an increase in the fire tax rate by $\frac{1}{4}$ mill. **Motion carried.**

Council recessed at 8:16 p.m. to discuss personnel issues. They returned to public session at 8:43 p.m. with no action being taken.

Moved by Mr. Conrad and seconded by Mr. Gallen to adjourn the meeting at 8:43 p.m.

Respectfully submitted,

Approved by,

Cathy Hoffman
Administrative Assistant

George I. Tindall
Borough Manager/Secretary