

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

**APRIL 15, 2008 – 7:00 P.M.**

West Reading Borough Council held its regular monthly meeting at West Reading Borough Hall on Tuesday, April 15, 2008 with the following persons present: Council President Nathalie Kulesa; Council Members Kevin Conrad, Michael Geddio, James Gallen Jr., Michael Morrill, Philip Wert; Mayor Shane Keller; Borough Manager George Tindall; Borough Solicitor Socrates Georgeadis; Police Chief Ed Fabriziani; Fire Chief Mark Burkholder; Code Enforcement Officer Gerald Trate, Borough Foreman Jim Beane; Recreation Coordinator Daphne Klahr; Main Street Executive Director Nevin Hollinger; Elm Street Manager Dean Rohrbach; Administrative Assistant Cathy Hoffman. Council Vice-President Michael Doyle arrived at 9:00 p.m.

**VISITORS:** Ruth Cardell – 728 Reading Avenue  
Becca Keller – 395 Oak Terrace  
Lucille Tirdell – 308 Sunset Road  
Darrin Youker – Reading Eagle  
Karen Livingood – 211 Sycamore Road  
Kelly Lonaberger – 133 Franklin Street  
Jim Livingood – 211 Sycamore Road  
Don Haines – 156B West Fulton Street  
Tina Shenk – 404 Penn Avenue  
Sheila Scott – 322 Chestnut Street  
Elizabeth Heckler – 460 Chestnut Street  
Deborah Hutcheson – 512 Penn Avenue  
Rebecca Simmons – 508 Penn Avenue  
Amber Rambo – 307 Sunset Road  
Nevin Breneman – 532 Franklin Street  
Regina Doyle – 513 Sunset Road  
Bill Murray – 320 S. Park Road, Wyomissing  
Darryl Jenkins – Great Valley Consultants

Council President Nathalie Kulesa called the meeting to order at 7:00 p.m. Reverend Hellemo of Bethany Lutheran Church gave the invocation which was followed by the Pledge of Allegiance and Roll Call.

### **PUBLIC COMMENTS:**

There were no public comments.

### **APPROVAL OF COUNCIL MINUTES:**

**On motion duly made by Mr. Conrad, seconded by Mr. Geddio and passed, Council approved the Council minutes of March 18<sup>th</sup>, 2008.**

### **BOROUGH MANAGER'S REPORT:**

Art on the Avenue - Mr. Tindall introduced Rebecca Simmons and Deborah Hutcheson who are organizing the Art on the Avenue event. Ms. Simmons provided Council with an overview of last year's Main Street events, and then spoke about the upcoming event on June 21<sup>st</sup>. Ms. Simmons indicated that because of the success of the beer garden at the Fall Festival, they are planning another beer garden, which would be located on the 500 block of Penn Avenue. It was noted that the 500, 600, and 700 blocks of Penn Avenue will be closed to traffic for the duration of the event on June 21<sup>st</sup>. Ms. Simmons provided a list of scheduled events along with other

events that are happening that day along the Penn Corridor. She noted that there will be a free shuttle available for participants that will travel between The Works in Wyomissing and the Sovereign Center in the City. **On motion duly made by Mr. Conrad, seconded by Mr. Geddio and passed, Council approved the Art on the Avenue Event.**

Fence Installation at the Maintenance Building – Mr. Tindall stated that the Elm Street program had received grants for a storage shed and lawn/yard equipment that can be borrowed by residents however a secure location had not been found. It was therefore suggested that the shed be placed at the Maintenance compound but to do so would require a modification of the security enclosure around the property to allow access to the shed. Mr. Tindall asked Council's permission to spend \$1481 from line item 01-430-300 to modify the fence and add a gate. **On motion duly made by Mr. Conrad, seconded by Mr. Gallen and passed, Council approved the expenditure.**

Appointment to Joint Municipal Authority – Mr. Geddio stated that he had submitted the resume of a resident who was interested in the position, however he does not know the person well and therefore can not give him a personal recommendation. It was decided that because there are two applicants both should be interviewed, therefore they will be asked to attend the May 20th Council meeting.

Recycling Containers – Mr. Tindall stated that recycling containers are currently in short supply and would therefore like to order new containers. He recommended that larger 22 gallon containers be ordered. It was noted that pricing for 500-999 is 7.98 (savings of \$2.60 per container), therefore it was decided to order 500 to get the price break. There is also a one time \$300 plate set-up fee. **On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the purchase of recycling containers.**

Parkview Road Bridge – Mr. Tindall referred to the letter from the City of Reading, which was sent as a result of his meeting with Charlie Jones, Director of Public Works for the city. He said the Traffic Committee would be discussing the letter at their meeting on April 16<sup>th</sup>.

Mr. Conrad stated that they had also met with County Commissioners to discuss ownership. He said that based on that meeting, it is his impression that the bridge belongs to the Borough. The issue was discussed at the last Traffic meeting and it was decided that more information needs to be obtained regarding how much use the bridge gets, what the cost would be to remove the bridge or to repair it, etc. Mr. Conrad said the information will help Council make the decision regarding the future of the bridge. He did note that the County is pulling back their liquid fuel funds, and PennDot will not likely have funds available for repairs to the Parkview Road bridge.

Mr. Georgeadis added that this subject was researched several years ago and that there is neither evidence nor recorded documentation that covers the bridge. It was noted that the Borough owns the land on both sides of the bridge, therefore the perception is that the bridge belongs to the Borough.

As part of the information gathering, letters must also be obtained from emergency services (ie fire, police, ambulance) regarding their use of the bridge.

Shade Tree Commission – Mr. Tindall stated that due to Dean Murray's relocation outside the Borough, it is necessary to make changes to the Commission member designations. **On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the appointment of James Beane as Resident Representative and Dean Murray as Employee Representative.**

Emergency Operations Plan – Resolution 2008-01 – Mr. Tindall displayed the Emergency Operations Manual that was assembled by Tom Bausher, Emergency Management Coordinator for the West Side EMA and invited Council to review the document at their convenience. **On motion duly made by Mr. Conrad, seconded by Mr. Gallen and passed, Council approved Resolution 2008-1 regarding the Emergency Operations Plan with a 5-1 vote. Mr. Morrill stated that his ‘no’ vote was not in opposition to the Resolution, but due to not being given the opportunity to review the document.** It was noted that the Operations Manual was assembled per PEMA requirements, and that all four municipalities will be adopting the same procedures manual.

Health Care Rebate – Mr. Tindall informed Council that the Borough had received a check in the amount of \$50,200 as a rebate from Benecon, the Borough’s medical group administrator. It was recommended that the funds be held in reserve for future health care needs.

Discussion of Executive Session – Mrs. Kulesa stated that she would like to see changes in the scheduling of the Executive Session – that it be planned for the beginning of the Council meeting, and that Council remove themselves to another location for the session. While all Council members agreed that Council should leave the Council chamber, they did not all agree regarding the timing. After some discussion, it was decided that the Council meeting should not be delayed past the 7:00 p.m. starting time, therefore if the Executive session needed to go longer, it could be suspended for the duration of the formal Council meeting, then reconvened at the end of the Council meeting. Mr. Georgeadis stated that advertising the changes was unnecessary and that it was legally permissible to begin the Council meeting at 7:00 p.m. and simply state that an Executive Session had occurred just prior to the meeting.

Code Enforcement Secretary – Mr. Tindall stated that the position had been advertised, 35 applications had been received, the search was narrowed to 8 candidates, and 6 were interviewed. **On motion duly made by Mr. Morrill, seconded by Mr. Geddio and passed, Council approved the hiring of Lorie Moyer of Fleetwood for the position of Code Enforcement Secretary, at a rate of \$13.94 per hour, contingent upon successfully passing drug screening testing and a background check.**

Request from Nevin Breneman - Mr. Tindall introduced Mr. Breneman of 532 Franklin Street who had come to him regarding his large water/sewer bill that occurred because a tenant didn’t report a plumbing problem. Mr. Breneman stated his case but he was told that the Borough has to pay for the purchase of the water along with wastewater treatment, therefore Council could not offer any discount, however a payment plan could be arranged. Mr. Breneman accepted the answer and left the meeting.

**On motion duly made by Mr. Conrad, seconded by Mr. Geddio and passed, Council approved the Borough Manager’s Report.**

#### **ENGINEER’S REPORT:**

Wexcon Inc Payment Application #2: Mr. Jenkins recommended final payment to Wexcon Inc in the amount of \$10,028. for the completion of the 2007 Sanitary Sewer Repair Project. **On motion duly made by Mr. Gallen, seconded by Mr. Conrad and passed, Council approved payment to Wexcon Inc in the amount of \$10,028.**

Diversified Construction Final Payment: Mr. Jenkins recommended final payment in the amount of \$14,710 to Diversified Construction for the 2007 ADA Curb Ramp Project. He noted that \$12,668 will be paid by Berks Community Development and the remaining \$2042 is payable by the Borough. The Borough authorized Diversified Construction to replace several sections of broken curbing and sidewalk adjacent to these areas, which accounts for the \$2042. fee. **On motion duly made by Mr. Gallen, seconded by Mr. Conrad and passed, Council approved Payment Application #5 to Diversified Construction in the amount of \$14,710.**

Mr. Jenkins also reported that they are ready to proceed with the next phase of the Penn Avenue Streetscape which they hope will be ready to go to bid in May. The scope of work will be the installation of new curbing, sidewalk, and street lighting of one block north and one block south of 5<sup>th</sup> Avenue at intersection of Penn Avenue.

Mr. Wert asked if Mr. Jenkins had had the opportunity to speak to the Belovich Group regarding stop signs in the new townhouse development and Mr. Jenkins responded that he had not. He said he would send correspondence to them.

**On motion duly made by Mr. Morrill, seconded by Mr. Geddio and passed, Council approved the Engineer's Report for March 14<sup>th</sup> and April 11<sup>th</sup>.**

**CODE ENFORCEMENT OFFICER'S REPORT:**

Mr. Trate thanked Council for the hiring of the department's Code Enforcement Secretary. He asked if Council had any questions about his report.

Mr. Geddio asked about the property at 101 and 103 Franklin, which has a retaining wall and sidewalk that need repair. Mr. Tindall stated that the Codes Department would be in contact with him.

**On motion duly made by Mr. Gallen, seconded by Mr. Conrad and passed, Council approved the Code Enforcement Officer's Report for March and April.**

**SOLICITOR'S REPORT:**

Mr. Georgeadis stated that the Police Pension ordinance (#970) is again before Council and needs to be resolved because the auditors are again requesting that the housekeeping item be completed. **On motion duly made by Mr. Doyle, seconded by Mr. Morrill and passed, Council approved Ordinance 970.**

Regarding the refinancing of the bond, Mr. Georgeadis advised that the amount is \$3,484,000 at a rate of 3.4%. He added that DCED has approved the refinancing and the net savings to the Borough will be \$96,480. He noted that the refinance will close on either the 18<sup>th</sup> or 21<sup>st</sup> and that if Council signs the documents now, only Mrs. Kulesa and Mr. Tindall will have to execute the documents at closing.

**On motion duly made by Mr. Morrill, seconded by Mr. Geddio and passed, Council approved the Solicitor's report.**

**COMMITTEE/COMMISSION REPORTS:**

Traffic Committee – Mr. Conrad reported that there were no items for action from the March minutes, however at the February meeting, a request for a handicapped parking space had been received from the Pace Assisted Living facility on the 400 block of Reading Avenue. After much discussion, the issue died for lack of a motion. The primary objection came as a result of a statement previously made by the owner of the facility that handicapped parking would not be needed for the facility. Mr. Tindall or Chief Fabriziani will inform the applicant in writing of the decision.

Mr. Conrad also stated that he had originally received a request from Mr. Lis of Diller Jewelers on Penn Avenue requesting a two hour parking zone on Penn Avenue on Saturday and Sundays from 9am to 9pm. Since then Mr. Lis has requested two hour parking on Saturdays from 6 a.m. to 9 p.m. Mr. Conrad stated that this request was taken to the Main Street Authority and Foundation where it received no support, therefore he would be taking their recommendation to the Traffic Committee.

**On motion duly made by Mr. Conrad, seconded by Mr. Morrill and passed, Council approved the Traffic Committee report of March 19<sup>th</sup> and February 20<sup>th</sup>.**

Recreation Commission – Daphne Klahr, Recreation Coordinator reported that one name was omitted from the hiring list that was approved at the last Council meeting, therefore **on motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the hiring of Nick Banta at \$7.15 per hour.**

Ms. Klahr also reported the following:

- A bicycle trail ride will be held on the morning of June 21<sup>st</sup>.
- A grant has been approved for the paving of the trail.
- The father-daughter dance will be held on May 2<sup>nd</sup>.
- Council is invited to attend a facilities tour on May 17<sup>th</sup>.
- Summer staff orientation will be held on May 17<sup>th</sup>.
- The exercise equipment has arrived and will be installed in June.

**On motion duly made by Mr. Morrill, seconded by Mr. Wert and passed, Council approved the Recreation Commission minutes of March 4<sup>th</sup> and April 1<sup>st</sup> 2008.**

Safety Committee – **On motion duly made by Mr. Gallen, seconded by Mr. Conrad and passed, Council approved the Safety Committee minutes of February 25<sup>th</sup> and March 20<sup>th</sup> 2008.**

Planning Commission – Mr. Wert stated that the April 2<sup>nd</sup> minutes dealt exclusively with the proposed amendments to the Zoning Ordinance. Mr. Jenkins added that the review has been completed from the Planning Commission perspective, it will now go to the Borough Solicitor for review, then to the Borough Manager and back to the Planning Commission prior to being presented to Council.

Mr. Tindall noted that he has been approached by the Borough of Wyomissing to meet and compare the two Zoning Ordinances, and discuss the possibility of a joint zoning venture.

**On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the Planning Commission report.**

Shade Tree Commission – Mr. Tindall informed Council about a letter received from Neil Perate's lawyer regarding trees that are lifting the sidewalk adjacent to his property on Sycamore Road. He said he has spoken with the lawyer and explained the process regarding sidewalk replacement and tree root removal.

**On motion duly made by Mr. Morrill, seconded by Mr. Gallen and passed, Council approved the Shade Tree Commission minutes of March 20, 2008.**

#### **POLICE CHIEF'S REPORT:**

Chief Fabriziani presented his report to Council and highlighted recent incidents that occurred in the Borough:

- A slashing incident occurred on Buttonwood Street – an arrest has been made.
- Several daylight burglaries occurred during the last week. A suspect has been developed and charges should be filed in the coming week. (Mr. Geddio noted that he has received very positive comments regarding the Police Department from a resident who had been robbed.)

Chief Fabriziani also noted that one of his officers has returned to duty after his sick/maternity leave that Council approved. As well, another officer is out on sick leave for approximately four weeks (not work related).

Chief Fabriziani also spoke about the Candlewood Suites development on South Third Avenue. He said that some parking spaces will need to be removed as the construction progresses to allow large trucks access to the site. He stated that some of the parking spaces that will have to be removed on South Third can probably be added to Franklin and Cherry Streets. After some discussion, it was determined that the Mayor can issue a temporary no parking order for 90 days, which can be extended as it becomes necessary.

Chief Fabriziani requested authorization to purchase a replacement speed timing device in the amount of \$3995. He stated that the item was budgeted and that the purchase price includes training. As well, there may be some grant funds available through the Smooth Operator program to assist with the purchase. **On motion duly made by Mr. Conrad, seconded by Mr. Morrill and passed, Council approved the expenditure.**

Chief Fabriziani also reported that the Police Department participated for the first time in the "Smooth Operator" program which targets aggressive drivers. He said that 86 violations were written as part of the program.

The traffic trailer has arrived and is already being used in the Borough. In addition to its use as speed indicator and message board, it is also capable of gathering raw data which can be used to compile speeding stats, traffic counts, etc. by downloading data to a spreadsheet. Chief Fabriziani stated the Officer Ryan Phillips is in charge of the traffic trailer.

One last issue Chief Fabriziani brought to Council was in reference to a bill that is being proposed – House Bill 2107. He stated that the proposed bill will require the person issuing a parking ticket to take a digital photograph of the rear of the vehicle and the information on the registration plate. This photograph would then have to be attached to the parking ticket. If the ticket is unpaid, a second notice including another copy of the photograph would have to be sent to the owner. Chief Fabriziani stated that if this Bill passes, it would cost the Borough a fortune and would require another staff person to administrate it. He asked that Council authorize a letter being sent to Harrisburg voicing their opposition. After some discussion it was suggested that Representative Caltigirone be contacted. Mr. Tindall stated that he and Chief Fabriziani would compose the correspondence.

**On motion duly made by Mr. Conrad, seconded by Mr. Geddio and passed, Council approved the Police Chief's Report for February and March 2008.**

### **MAYOR'S REPORT:**

Mayor Keller took the opportunity to introduce Nevin Hollinger, who started on March 25<sup>th</sup> as the new Executive Director of the Main Street program.

Mayor Keller reviewed the following list of events:

- March 29<sup>th</sup> - Penn Corridor ground breaking, held at the Sovereign Center.
- Berks Economic Partnership has launched a website for Penn Corridor events.
- April 3<sup>rd</sup> - first corridor wide 'Thursday on Penn' event which was well attended
- May 1<sup>st</sup> - "Thursday on Penn" The Penn Corridor shuttle will transport patrons at no cost along the Corridor, from the Works in Wyomissing to the Sovereign Center between 5pm and midnight. In West Reading a stage will be erected on S. 6<sup>th</sup> Avenue for live music between 5 and 9pm.

North 6<sup>th</sup> Avenue will also be closed from Penn Avenue to Court Street for the Miller Bloodmobile.

- June 21<sup>st</sup> – Art on the Avenue events are scheduled. A letter must be submitted to PennDot regarding the closing of Penn Avenue for the event.
- The Farmer's Market will be held again this summer and because it doesn't require the closing of Penn Avenue, the Mayor has the authority to change the traffic pattern for the market and will inform PennDot.
- The Main Street Foundation at their April 7<sup>th</sup> meeting recommended the appointment of Marge Bligh to the Board, replacing Kevin Duncan.

**On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council authorized Chief Fabriziani to submit a letter to PennDot regarding the detour information for the closure of Penn Avenue on June 21<sup>st</sup>.**

**On motion duly made by Mr. Doyle, seconded by Mr. Conrad and passed, Council approved the Farmer's Market for 2008.**

**On motion duly made by Mr. Doyle, seconded by Mr. Conrad and passed, Council approved the appointment of Marge Bligh to the Main Street Foundation Board.**

**On motion duly made by Mr. Gallen, seconded by Mr. Conrad and passed, Council approved the Mayor's Report.**

#### **BOROUGH FOREMAN'S REPORT:**

Borough Foreman Jim Beane informed Council of the following:

- A grant was received that covered almost all of the purchase price of the leaf vacuum, and he asked Council if those funds could be allocated for a replacement generator, instead of going back into the general fund. He noted that the generator provides emergency power for Borough Hall, and that the last repairs cost \$1500. As well, parts are becoming hard to find for the generator. No decision was made regarding this request.
- One of the pump motors in the Olive Street Pump Station had to be pulled and rebuilt.
- Mr. Beane requested Council's approval to enter into a contract with M&S Service Company from Valley Forge. On a semi-annual basis, they will provide preventative maintenance for various pumps in the Borough. This will also provide the Borough with 24 hour emergency service when necessary. The contract has been reviewed and approved by the Borough Solicitor for legal content.

**On motion duly made by Mr. Conrad, seconded by Mr. Doyle and passed, Council approved the contract with M&S Service Company.**

**On motion duly made by Mr. Geddio, seconded by Mr. Wert and passed, Council approved the Borough Foreman's Report of April 10<sup>th</sup> and March 13<sup>th</sup>.**

#### **FIRE CHIEF'S REPORT:**

Chief Burkholder stated that due to the resignation of Assistant Chief Dean Murray, the officers of the department have chosen to promote two members and request that Council appoint these individuals.

**On motion duly made by Mr. Doyle, seconded by Mr. Conrad and passed, Council approved the appointment of James Beane to 2<sup>nd</sup> Assistant Chief and Jason Witman to Lieutenant, effective from April 1<sup>st</sup> until the end of the year.**

**On motion duly made by Mr. Morrill, seconded by Mr. Geddio, and passed, Council approved the Fire Chief's Reports for March and April 2008.**

**MAIN STREET EXECUTIVE DIRECTOR'S REPORT:**

Nevin Hollinger, the new Executive Director of Main Street stated that since March 25<sup>th</sup> he has been meeting, greeting and learning. As well, he attended a national convention in Philadelphia which was attended by 1600 people. He said that over the next few weeks, he will be focusing on getting to know the Main Street business owners.

Mr. Hollinger stated that he would be re-submitting a \$7000 grant application for the Farmers Market. He added that he has received a verbal indicator that the funds will be approved.

**On motion duly made by Mr. Conrad, seconded by Mr. Geddio and passed, Council approved the Main Street Executive Director's Report.**

**ELM STREET MANAGER'S REPORT:**

Mr. Rohrbach told Council that there would be a Borough-wide clean-up on Saturday and that all of the necessary supplies are available. He said they will be concentrating on the Bertolet Dock area and the areas at the bottom of the hill. He noted that a community garden has been established on the 100 block of South Second Avenue and residents will be able to rent beds (rental fee will cover the water cost). **On motion duly made by Mr. Gallen, seconded by Mr. Doyle and passed, Council approved the Elm Street Manager's Report.**

**REVENUES WITH COMPARISON TO BUDGET – ENDING 3/31/08:**

**On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the Revenues Report for the three months ending 3/31/08.**

**PAYMENT APPROVAL REPORT - 3/19/08 TO 4/15/08:**

**On motion duly made by Mr. Gallen, seconded by Mr. Conrad and passed, Council approved the Payment Approval Report for 3/19/08 to 4/15/08.**

**ADJOURNMENT:**

**On motion duly made by Mr. Conrad, seconded by Mr. Geddio and passed, Council adjourned the meeting at 9:32 p.m.**

Respectfully submitted,

Cathy Hoffman  
Administrative Assistant

Approved by George I. Tindall  
Borough Manager/Secretary