

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

**FEBRUARY 19, 2008 – 7:00 P.M.**

West Reading Borough Council held its regular monthly meeting at Borough Hall on the above date. Council President Nathalie R. Kulesa called the meeting to order with the following persons present: Council Members Michael H. Doyle, James J. Gallen, Jr., Michael Geddio, and Philip C. Wert; Mayor Shane J. Keller, Borough Manager George I. Tindall, Solicitor Socrates J. Georgeadis, Police Chief Edward C. Fabriziani, Fire Chief Mark D. Burkholder, Code Enforcement Officer Gerald A. Trate, Borough Foreman Jim A. Beane, Recreation Coordinator Daphne E. Klahr; and Administrative Assistant Rosalie A. Loeper.

**VISITORS:** Karen and Jim Livingood – 211 Sycamore Rd  
Elder Roy Kissinger - St. James Church  
Sheila Scott – 332 Chestnut St  
Elizabeth Heckler – 460 Chestnut St  
John C. Althouse – 111 N. Brobst St., Shillington  
Michael Vind – Financial Solutions LLC  
Becca Keller – 395 Oak Terrace  
Amber Rambo – 307 Sunset Rd  
Doug Wesner – Westside Weekly  
Eve Kimball – 1303 Orchard Rd

**PLEDGE OF ALLEGIANCE AND INVOCATION:** Elder Roy Kissinger of St. James Church gave the invocation, which was followed by the Pledge of Allegiance and Roll Call.

**PUBLIC COMMENTS:** None

**COUNCIL MINUTES:** On motion duly made by Mr. Gallen, seconded by Mr. Geddio, and passed, Council approved the minutes of the January 15, 2008 Council meeting.

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

Borough of Shillington Interceptor – Easement Agreement – Mr. Tindall explained that the pipe would run across the Borough's park property near the intersection of Museum Road and Parkside Drive South, and proceed around the perimeter of the tennis courts. The pipe will continue along Old Wyomissing Road and proceed across the baseball field to the Wyomissing Valley Joint Municipal Authority's wastewater treatment plant. Mr. Jenkins further explained the project using visuals. On motion duly made by Mr. Geddio, seconded by Mr. Gallen, and passed, Council approved the execution of the easement agreement with the laying of the pipe with the Borough of Shillington and authorizing the president of Borough Council and Borough secretary to sign it.

Cooperative Service Agreement – USDA for Canada Goose Management – The Department of Agriculture for Canada Goose Management has asked the Hospital, the Reading Public Museum, and the Borough to join together regarding goose management. The cost is approximately \$3,654.00. On motion duly made by Mr. Gallen, seconded by Mr. Geddio, and passed, Council approved for the Borough Manager to sign this Agreement with a not to exceed cost of \$1,350. Mr. Tindall stated the agreement will contain \$3,654, but it is understood the cost will be divided by three entities.

Resignation of Michael Geddio – Mr. Geddio submitted his letter of resignation from the Joint Municipal Authority of Wyomissing Valley (JMA). On motion duly made by Mr. Gallen, seconded by Mr. Wert, and passed, Council accepted the letter of resignation of Michael Geddio from the Joint Municipal Authority of Wyomissing Valley (JMA).

Authorize advertisement for open position on Joint Municipal Authority of Wyomissing Valley (JMA). On motion duly made by Mr. Geddio, seconded by Mr. Gallen, and passed, Council approved to advertise the vacant position.

Repairs to Mobile Lift – line item #01-430-337. Mr. Tindall advised the Borough received only one bid for \$10,500 from Mobile Lifts, Inc., who is the manufacturer of the unit. On motion duly made by Mr. Geddio, seconded by Mr. Wert, and passed, Council awarded the bid to Mobile Lifts, Inc. for \$10,500.

Bicentennial House Agreement/Usage Permit Policy/Hold Harmless Agreement – After reviewing the Agreements, on motion duly made by Mr. Geddio, seconded by Mr. Doyle, and passed, Council approved both agreements.

Commercial Building Inspector Course – Mr. Tindall announced that he would begin training for Commercial Building Inspector starting the week of March 3 and ending April 17, 2008. He will attend class two or three days a week.

Announcement – Mr. Tindall announced that Administrative Assistant Rosalie Loeper is retiring after 25 years of service.

Refund the Outstanding General Obligations Bonds, Series of 2002, With a Fix Rate Bank Loan – Michael D. Vind of Financial S&Lutions LLC presented a opportunity for the Borough to save approximately \$104,500 over the life of a Series of 2008 Note. Mr. Vind explained the action steps required and his recommendations to Council as outlined in his February 19, 2008 presentation with attachments. The first step is the bid process. The Borough may reject all bids if it so wishes. When asked, Mr. Vind stated his fees are negotiable. The Solicitor advised that in order to accomplish this in Mr. Vind's time frame, Council would have to authorize the advertisement of an ordinance, which would authorize the Borough to refund its 2002 Bond Issue for a Bank Loan to the lowest responsible bank proposal received. On motion duly made by Mr. Doyle,

seconded by Mr. Gallen, and passed, Council approved to advertise the refunding of the General Obligation Bond Series 2002.

Ad Hoc Committee – Council President Nathalie R. Kulesa established an Ad Hoc Committee to meet quarterly with the Wyomissing Area School District, the Borough of Wyomissing, and the Borough of West Reading. The Committee consists of Michael Doyle, Mayor Shane Keller, Chief Edward Fabriziani, Borough Manager George Tindall, and Mrs. Kulesa.

On motion duly made by Mr. Doyle, seconded by Mr. Gallen, and passed, Council accepted the Borough Manager's Report.

### **ENGINEER'S REPORT:**

Narrow Fabrics Subdivision – Due to an administrative oversight, the final plan that was approved by Council in December 2007 was not reviewed by the Berks County Planning Commission. As a result, the developer was not allowed to record the plan. The County Planning Commission has since reviewed the plans, in addition, the developer has addressed their minor comments. The plan was re-approved and signed at the February 6, 2008 meeting of the Borough's Planning Commission, with the recommendation that Council re-approve the plan as well. On motion duly made Mr. Doyle, seconded by Mr. Wert, and passed, Council re-approved the plan for the Narrow Fabrics Subdivision.

Candlewood Suites – The developer did not record the final plan that was approved by Borough Council in the fall of 2007. Therefore, the plan must be "re-approved" by Council before it may be recorded. The Planning Commission reaffirmed and signed the plan at its meeting of February 6, 2008, with the recommendation that Council re-approve the plan as well. Mr. Tindall explained that the 90-days expired, due to a hold-up in the transfer of the title. On motion duly made by Mr. Doyle, seconded by Mr. Wert, and passed, Council re-approved the plan.

2007 West Reading ADA Curb Ramp Project – Application for Payment No. 3 – Great Valley Consultants has reviewed Application for Payment No. 3 for \$18,004.50 for 2007 West Reading ADA Curb Ramp Project. On motion duly made by Mr. Gallen, seconded by Mr. Doyle, and passed, Council approved Application for Payment No. 3 for \$18,004.50 to Diversified Construction Corporation. Great Valley Consultants will send a letter to the Berks County Community Development for payment.

Construction bids for basement stairway, retaining wall, and metal access door in pool house –line item # 30-450-000 was received on February 19. Mr. Jenkins explained the two bids. The budgeted amount was \$23,000. The lowest bid received is \$45,580. On motion duly made by Mr. Doyle, seconded by Mr. Gallen, and passed, Council rejected the bids received.

2008 Public Works Project – Streets and Sanitary Sewers – Mr. Jenkins informed Council that the Infrastructure Committee has finalized the scope of work for the following projects: Streets Project: Paving of Buttonwood Street and the Pine Street alley. Sanitary Sewers: Lining/repair of sewer lines in Penn Avenue, Cherry Street, and Elm Street. The JMA will contribute \$75,000 over a three-year period to the sewer project, which the work can be done in one year or over three years. On motion duly made by Mr. Geddio, seconded by Mr. Doyle, and passed, Council authorized the preparation of bid documents for the above-listed projects.

On motion duly made by Mr. Gallen, seconded by Mr. Geddio, and passed, Council accepted the Engineer's Report.

**CODE ENFORCEMENT OFFICER'S REPORT:** On motion duly made by Mr. Doyle, seconded by Mr. Geddio, and passed, Council accepted the Code Enforcement Officer's Report.

**SOLICITOR'S REPORT:**

Hospital Agreement – Mr. Georgeadis explained the Hospital's attorney questioned what happens if during the three-year term of this contract, the Borough, in violation of this contract, increases building permit fees with the Hospital. Our response was (a) we would not do that because we have an Agreement and (b) if we did, any increase amount of the permit would act as a credit against what is owed to the Borough. Hospital Solicitor John Roland rejected that response and took the position that if the Borough raises its fees then anything they paid us that year is refunded in full. Mr. Georgeadis suggested scheduling a meeting with Dick Mable, John Roland, the Borough Manager, and two members of Council and/or the Mayor to further discuss this. Council discussed various options. The Borough Manager and the Solicitor will call Mr. Mable and Mr. Roland.

Ordinance No. 967 – This ordinance has to do with establishing fees for inspections and rescheduled inspections. On motion duly made by Mr. Doyle, seconded by Mr. Wert, and passed, Council adopted Ordinance No. 967.

Ordinance No. 968 – This ordinance amends Chapter XXV-Section 146-Certificate of Occupancy – establishing fees for inspections and rescheduled inspections. Since this is a part of the Zoning Ordinance, the Solicitor stopped to call a Public Hearing and asked for public comment. No one commented on the proposed change to the Zoning Ordinance. Mr. Georgeadis noted that, since this is a Zoning Ordinance, the Borough is required to solicit the input of the Berks County Planning Commission, who responded on January 7, 2008 and advises the Borough that the proposal is consistent with the Berks County Vision 2020 Comprehensive Plan. Therefore, its staff has no adverse comment at this time. On motion duly made by Mr. Doyle, seconded by Mr. Geddio, and passed,

Council adopted Ordinance No. 968.

Proposed Ordinance – This proposed ordinance changes certain Sections of the West Reading Police Pension Ordinance. Mr. Georgeadis stated this ordinance was prepared in accordance with the most recent auditor's report on the Police Pension Plan. This pension plan does not affect benefits or contributions in any way. On motion duly made by Mr. Doyle, seconded by Mr. Gallen, and passed, Council approved the ordinance for advertisement.

Proposed Ordinance – This proposed ordinance changes the West Reading Stormwater Ordinance. Mr. Georgeadis explained that Act 167 requires that each municipality have an updated Stormwater Management Ordinance. Mr. Jenkins provided more information regarding this Act. Mr. Jenkins noted that he has segregated his time for this, since the Borough will be able to receive reimbursement for 75% of all costs for preparation. The Solicitor's costs are also reimbursable. On motion duly made by Mr. Doyle, seconded by Mr. Wert, and passed, Council approved the ordinance for advertisement.

On motion duly made by Mr. Wert, seconded by Mr. Geddio, and passed, Council accepted the Solicitor's Report.

#### **TRAFFIC COMMITTEE:**

Art on the Avenue – Chief Fabriziani requested Council approval to close down the 500 and 600 blocks of Penn Avenue, except for the cross street at Sixth Avenue, for Art on the Avenue on June 21. The Chief will notify the State to seek its approval following Council approval. On motion duly made by Mr. Doyle, seconded by Mr. Wert, and passed, Council approved to close the 500 and 600 blocks of Penn Avenue to traffic on June 21, 2008.

On motion duly made by Mr. Doyle, seconded by Mr. Wert, and passed, Council accepted the Traffic Committee Report and the Infrastructure Committee Report.

#### **PLANNING COMMISSION:**

Appointments - Mr. Wert informed Council that at its February 6, 2008 Planning Commission meeting, he was appointed Chairperson and Mr. Shaffer was appointed Vice-Chairperson of the Planning Commission.

Approvals – Mr. Wert informed Council that the Commission re-approved the Narrow Fabric Plan and the Candlewood Suites Plan.

Zoning Ordinance Updates – Mr. Jenkins and Commission members reviewed the proposed changes to the zoning ordinance and using tract changes will present the proposed changes to Attorney Georgeadis for legal review.

On motion duly made by Mr. Geddio, seconded by Mr. Doyle, and passed, Council accepted the Planning Commission Report.

### **SAFETY COMMITTEE:**

Mr. Tindall highlighted some of the items on the December 27, 2007 minutes. On motion duly made by Mr. Doyle, seconded by Mr. Geddio, and passed, Council accepted the Safety Committee minutes of December 27, 2007 and January 25, 2008.

### **RECREATION COMMISSION:**

Correction – Ms. Klahr corrected item 3a in the February 5, 2008 Recreation minutes. The motion stated should be deleted.

TriActive America Fitness Equipment – Back in 2006, Ms. Klahr applied for a grant to purchase 10 pieces of equipment from TriActive America. Recently, Senator O’Pake’s office notified her that \$11,710 was approved. Since the cost of the equipment has increased as well as shipping charges, Ms. Klahr refigured the number of items to be purchased. The new cost for eight pieces of equipment and freight charges is \$12,741.98, which is \$1,031.98 short. Ms. Klahr asked Council approval to move \$1,031.98 from line item #90-453-431 (Community Special Events) to 90-453-354 (Recreation Equipment). On motion duly made by Mr. Doyle, seconded by Mr. Geddio, and passed, Council approved to move \$1,031.98.

Rosalie Loeper – Ms. Klahr thanked Rosalie for her help throughout the years.

On motion duly made by Mr. Doyle, seconded by Mr. Geddio, and passed, Council accepted the Recreation Commission Report.

### **POLICE CHIEF’S REPORT:**

Patrol Vehicle – Chief Fabrizioani requested Council authorization to lease a 2008 Dodge Charger for \$8,215.10 per year for three years through Ford Motor Credit Company and through the State purchase program from Warnock Fleet Leasing. There is an approximate 120-day delivery time for the vehicle. The additional emergency equipment for the vehicle will be purchased and installed by local vendor. Following discussion, on motion duly made by Mr. Doyle, seconded by Mr. Geddio, and passed, Council authorized the Chief to enter into a lease for a 2008 Dodge Charger.

B.C.E.R.T. Agency Agreement/Ordinance – Chief Fabrizioani presented a revised ordinance and referred Council to Page 3, Section 4. It now states the Annual Membership Fee shall be locked and remain \$1,000 per year for the first three years of membership per Council’s request. On motion duly made by Mr. Doyle,

seconded by Mr. Geddio, and passed, Council approved the advertisement of this ordinance.

Wayne Holben – Officer Wayne Holben requested to use 80 hours of sick time during the time when his wife delivers their baby around March 31. On motion duly made by Mr. Geddio, seconded by Mr. Doyle, and passed, Council approved the use of 80 hours of sick time as outlined above.

Operation Smooth Operator Grant – Chief Fabriziani briefed Council about Operation Smooth Operator, which will be done in four waves (periods of time). The \$8,000 grant pays for police overtime specific to this detail and approximately \$2,000 will be spent per wave.

Candlewood Suites – Chief Fabriziani and the crime prevention officers will meet with the owner of Candlewood to discuss security cameras and policy implementation.

Vandalism of Vehicles/Theft of GPS – Chief Fabriziani stated we are working with Wyomissing police personnel to stop this situation. One arrest was made.

Armed Robbery Luke Oil – Officer Chad Marks witnessed someone running very fast out of 315 Penn Avenue, getting into a vehicle, and speeding away. Officer Marks pursued the vehicle, which ran two stop signs. The perpetrator crashed into a stop sign in the City. Officer Marks and a city officer apprehended the person, who may also be involved in other robberies. The Chief commended Officer Marks regarding this incident. By being alert, Officer Marks was able to save about 80 hours of detective work.

Pedestrian Accident – Chief Fabriziani stated an arrest was made regarding the pedestrian accident where Polly Rassow succumbed from injuries received while crossing Penn Avenue. We are awaiting court action. Detective Brown, with the help of others, spent many hours in gathering information, which led to the arrest.

On motion duly made by Mr. Gallen, seconded by Mr. Doyle, and passed, Council accepted the Police Chief's Report.

#### **MAYOR'S REPORT/CENTENNIAL REPORT:**

Appointment of Rebecca Simmons - Mayor Shane J. Keller requested Council approval for the appointment of Rebecca Simmons to the Main Street Foundation Board of Directors. On motion duly made by Mr. Doyle, seconded by Mr. Geddio, and passed, Council appointed Ms. Simmons to the Board of Directors, to replace Ms. Lynne Burns who resigned effective December 31, 2007. Ms. Simmons' term of office shall expire on December 31, 2012. Mayor Keller advised there is one vacancy to be filled.

West Reading Elementary School – Mayor Keller attended a Citizens Facility Council meeting where the architect presented plans that do not involve any of residential properties on Chestnut Street. There is a public meeting scheduled for February 27 at 7 p.m. at the Jr/Sr High School. All are welcome.

Speed ALERT Traffic Control Trailer – Mayor Keller announced that the Borough received a \$17,790 state grant to purchase a Speed ALERT Traffic Control Trailer. Many departments can use this trailer. Mayor Keller congratulated Ms. Klahr for taking the initiative to complete the grant application and her diligence in obtaining free shipping. Therefore, the trailer is 100% state funded. The trailer can be used for traffic counts, speed detection, recreation, and public works. Although it may take several months until the Borough receives the money, Ms. Klahr asked Council to authorize the purchase. On motion duly made by Mr. Doyle, seconded by Mr. Geddio, and passed, Council approved the purchase of the trailer.

Executive Session – Mayor Keller requested an executive session later in the meeting to discuss personnel.

On motion duly made by Mr. Doyle, seconded by Mr. Wert, and passed, Council accepted the Mayor's Report.

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

Zero Turn Mowers – Mr. Beane stated he and the crew demoed five different zero turn mowers and ordered the Hustler Z model with the XR-7 for \$8,419.97. The mower is under state contract.

Rosalie Loeper – Mr. Beane wished her well on her retirement.

On motion duly made by Mr. Doyle, seconded by Mr. Wert, and passed, Council accepted the Borough Foreman's Report.

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

- Chief Burkholder presented his written monthly report and his yearly report.

On motion duly made by Mr. Gallen, seconded by Mr. Wert, and passed, Council accepted the Fire Chief's Reports.

#### **ELM STREET MANAGER'S REPORT:**

Dean Rohrbach attended the Westy Award this evening. On motion duly made by Mr. Geddio, seconded by Mr. Gallen, and passed, Council accepted the Elm Street Manager's Report.



**REVENUES WITH COMPARISON TO BUDGET – ENDING JANUARY 31, 2008:**

On motion duly made by Mr. Doyle, seconded by Mr. Wert, and passed, Council accepted the Revenues with Comparison to Budget Report.

**PAYMENT APPROVAL REPORT – JANUARY 22, 2008 TO FEBRUARY 29, 2008 AND FEBRUARY 16, 2008 TO FEBRUARY 19, 2008:**

On motion duly made by Mr. Doyle, seconded by Mr. Gallen, and passed, Council approved the bills to be paid.

**EXECUTIVE SESSION:** Council President Nathalie R. Kulesa recessed the meeting at 9:15 p.m. for an executive session to discuss personnel issues. The meeting reconvened at 10:34 p.m.

Civil Service Commission – On motion duly made by Mr. Doyle, seconded by Mr. Wert, and passed, Council activated the Civil Service list.

Cathy Hoffman – On motion duly made by Mr. Doyle, seconded by Mr. Geddio, and passed, Council appointed Cathy Hoffman as Administrative Assistant.

DCED Analysis – On motion duly made by Mr. Gallen, seconded by Mr. Geddio, and passed by a 3-2 vote, Council moved to ask DCED to perform a police department analysis. Voting “yes” were Mr. Gallen, Mr. Geddio, and Mr. Doyle. Voting “no” were Mr. Wert and Mrs. Kulesa.

Adjournment: On motion duly made by Mr. Doyle, seconded by Mr. Geddio, and passed, Council President Nathalie R. Kulesa adjourned the meeting at 10:38 p.m.

Respectfully submitted,

Rosalie Loeper  
Recording Secretary

Approved by George I. Tindall  
Borough Manager/Secretary