

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

**JANUARY 15, 2008 – 6:30 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 Kevin M. Conrad, James Eschbach, James J. Gallen, Jr., Michael Geddio, and Michael W. Morrill; Mayor Shane J. Keller, Borough Manager George I. Tindall, Solicitor Dan Becker, 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; Elm Street Manager Dean Rohrbach; and Administrative Assistant Rosalie A. Loeper.

**VISITORS:** Rebecca Keller – 395 Oak Terrace  
Deacon Bill Kase – Sacred Heart Parish  
Theresa Vogel – 211 Spruce St  
Philip Wert – 214 Olive St  
Karen Livingood – 211 Sycamore Rd  
David and Lori Weidenhammer – 237 Chestnut St  
Donald Haines – 156B West Fulton St  
Sheila Scott – 332 Chestnut St  
Elizabeth Heckler – 460 Chestnut St  
Darrin Youker – Reading Eagle  
Mark W. Macrina – 213 Chestnut St  
Frank Struble – 226 Chestnut St

**PLEDGE OF ALLEGIANCE AND INVOCATION:** Deacon Bill Kase of Sacred Heart Parish gave the invocation, which was followed by the Pledge of Allegiance and Roll Call.

**COUNCIL INTERVIEWS** – Borough Council interviewed the following individuals:

Philip C. Wert, Theresa Vogel, and Michael Geddio

Following interviews, Mr. Morrill moved and Mr. Conrad seconded to appoint Philip Wert to fill the vacant seat of Mrs. Murray. Motion defeated by a 3-2 vote. Voting “no” were Mr. Gallen, Mr. Eschbach, and Mrs. Kulesa.

Mr. Gallen moved and Mr. Eschbach seconded to appoint Michael Geddio to fill the vacant seat of Mrs. Murray. Motion carried by a 3-2 vote, with Mr. Conrad and Mr. Morrill voting “no”. At 7:13 p.m., Mayor Keller swore in Michael Geddio.

President Nathalie R. Kulesa thanked Mr. Wert and Mrs. Vogel for applying and coming to Council to be interviewed.

**PUBLIC COMMENTS:** None

President Kulesa publicly thanked Stephanie J. Murray for her dedication and leadership to the Borough. Ms. Murray gave willingly of her time and talents to the Borough and this Council. The Murray family is moving out of the Borough and will be missed as residents. Mrs. Kulesa also thanked Council for their support in electing her at the organization meeting and pledged to do her best to serve the residents and Council.

**COUNCIL MINUTES:** On motion duly made by Mr. Conrad, seconded by Mr. Morrill, and passed, Council approved the minutes of the December 18, 2007 Council meeting. On motion duly made by Mr. Gallen, seconded by Mr. Eschbach, and passed, Council approved the minutes of the January 7, 2008 Organization meeting.

**BOROUGH MANAGER'S REPORT:**

Cooperative Agreement Penn Avenue Tax Increment Financing District (TIF) – Mr. Tindall informed Council that the addendum each member received to the TIF agreement is in the final printout of the copy that is to be signed. On motion duly made by Mr. Eschbach, seconded by Mr. Conrad, and passed, Council moved to sign the Cooperative Agreement Penn Avenue Tax Increment Financing District (TIF) by a 4-1-1 vote. Mr. Gallen voted “no” and Mr. Geddio abstained.

Parkview Road Bridge – Mr. Tindall informed Council that the County has set aside funds to rehabilitate this bridge. Mr. Conrad stated the County owns the bridge and the Borough should not take ownership of the bridge due to the poor quality of the bridge. The funds the County wants to give the Borough will only temporarily fix the bridge. After that, it would be placed on PennDOTs twelve-year plan and it is not known if it would remain on the twelve-year plan. Mr. Conrad suggested the Borough not accept the funds and to ask the County to close the bridge. Mr. Conrad believes the funds could be better utilized to fix the Buttonwood Street Bridge, which is used more.

Following discussion, on motion duly made by Mr. Conrad, seconded by Mr. Morrill, and passed, Council agreed not to take advantage of County Liquid Fuels Funds made available to us to “fix” the bridge and not to accept ownership of this bridge. On motion duly made by Mr. Conrad, seconded by Mr. Eschbach, and passed, Council authorized Mr. Tindall to write a letter on behalf of the Borough to the County Bridge Department asking them to close the bridge.

Pool House Bid Specs – Mr. Tindall asked for authorization for the preparation of bid specs and advertisement for replacement of basement stairway, retaining wall, and metal access door in pool house –line item # 30-450-000 – Capital – not to exceed \$23,000.00. On motion duly made by Mr. Morrill, seconded by Mr. Conrad, and passed, Council approved the preparation of bid specs and advertisement of it.

Mobile Lift – Mr. Tindall asked for authorization to advertise for repairs to mobile lift – line item #01-430-337 – not to exceed \$12,000.00. On motion duly made by Mr. Conrad, seconded by Mr. Eschbach, and passed, Council approved the advertisement for repairs to mobile lift.

Hospital Agreement – Mr. Tindall advised that changes were made to the Hospital Agreement and are ready for a vote. On motion duly made by Mr. Morrill, seconded by Mr. Conrad, and passed, Council approved the signing of the Hospital Agreement by a 4-1-1 vote, with Mr. Gallen voting “no” and Mr. Eschbach abstaining.

Michael Jacko – On motion duly made by Mr. Conrad, seconded by Mr. Eschbach, and passed, Council approved the use of five days of sick time between January 28 through February 1, 2008 per his letter received January 2008.

Insurance Renewal – Mr. Tindall received the Borough’s renewal policy for commercial insurance, which renews January 25. On motion duly made by Mr. Gallen, seconded by Mr. Conrad, and passed, Council authorized Mr. Tindall to sign the binder. Mr. Gallen moved and Mr. Conrad seconded the motion for the Borough Manager to seek other insurance quotes.

Bicentennial House Agreement/Usage Permit Policy/Hold Harmless Agreement – Please review these documents and prepare to approve them at the next meeting

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

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

Sewer Repair Project – Application for Payment No. 1 – Wexcon, Inc. completed this project except for final restoration of the roadways where excavation occurred. Great Valley Consultants has approved payment for \$33,782.00 to Wexcon, Inc. At the December 18, 2007 meeting, Mr. Jenkins asked for approval to pay Wexcon up to the approved contract amount, which is stated above. A Change Order will be issued, since Wexcon is beyond the allowed time for completion. Final restoration will be completed in the spring.

2007 CDBG/Franklin Street Improvements-Application for Payment No. 1 - Great Valley Consultants approves payment to EJB Paving & Materials Company for \$189,958.23 for the 2007 CDBG Franklin Street Improvements Project. More than 50% of all work is complete, in place, and acceptable; therefore, pursuant to the Contract Documents a 5% retainer is being held in lieu of a 10% retainer. The final wearing course paving and line stripping cannot be completed until spring and a Change Order for the necessary time extension will be submitted separately. On motion duly made by Mr. Conrad, seconded by Mr. Morrill, and passed, Council approved to have the Berks County Community Development pay EJB

Paving & Materials Company for \$189,958.23 for the 2007 Franklin Street Improvements Project.

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

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

**SOLICITOR'S REPORT:**

Ordinance No. 965 – This ordinance proposes to expand areas available for use as sidewalk cafes. On motion duly made by Mr. Morrill, seconded by Mr. Conrad, and passed, Council adopted Ordinance No. 965.

Ordinance No. 966 – This ordinance amends Chapter 14 (Motor Vehicle) by deleting and adding some handicapped parking spaces. On motion duly made by Mr. Gallen, seconded by Mr. Morrill, and passed, Council adopted Ordinance No. 966.

Ordinance No. 967 – This ordinance proposes that the Borough enter into an intergovernmental agreement for joining with other political subdivisions and entities as a member of a local emergency response team to be known as the Berks County Emergency Response Team. Attorney Becker stated this ordinance requires tweaking and will be ready for enactment in February.

Solicitor Dan Becker requested an executive session to discuss possible litigation.

**TRAFFIC COMMITTEE** - Mayor Shane J. Keller reported that Traffic Committee deferred action on Mr. Schaeffer's letter as well as on a Penn Avenue business owner. On motion duly made by Mr. Gallen, seconded by Mr. Conrad, and passed, Council accepted the Traffic Committee Report.

**SAFETY COMMITTEE:** Mr. Tindall reported that he and Administrative Clerk Stephanie Burkholder met with Mr. Malinowski of EHD to conduct a safety inspection of the pool house. A report of the findings will be submitted next month.

**RECREATION COMMISSION:** Recreation Coordinator Daphne E. Klahr reported that the Commission had a meeting on January 8, but no quorum.

Chair Purchase – Mrs. Klahr requested permission to purchase 40 chairs for the Bicentennial House at a cost of \$1,426.39 covered by line item # 90453033. On motion duly made by Mr. Morrill, seconded by Mr. Eschbach, and passed, Council approved the purchase of 40 chairs for \$1,426.39.

Boat Safety Course – Ms. Klahr announced that in conjunction with the Pennsylvania Fish and Boat Commission, the Borough would host a Boat Safety Course on May 3, which will be held at the Fire Company.

### **POLICE CHIEF’S REPORT:**

Code Red – Chief Fabrizio announced that on January 23 at Wyomissing Borough there will be a Code Red meeting to discuss the reverse 911 system.

Traffic/Informational Sign Speed Trailer – During budget negotiations, a request was made to purchase a trailer. The request was denied, due to budget restraints. Chief Fabrizio announced that through the efforts of Ms. Klahr, the Borough might receive funds from Senator O’Pake’s office for 75% of the cost of the trailer. The Borough would have to match 25%. Mr. Morrill inquired as to who authorizes the seeking of grants. He suggested that unless the grant is a 100% grant, it cannot be applied for unless permission is granted. Chief stated initially it was thought to be a 100% grant. Mr. Morrill suggested that Council President and Borough Manager establish a procedure policy to Council for obtaining grants.

On motion duly made by Mr. Conrad, seconded by Mr. Morrill, and passed, Council accepted the Police Chief’s Report.

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

Mayor Keller informed Council that the Centennial account has been closed.

Mayor Keller discussed the atmosphere of the three meetings that the Wyomissing Area School District conducted regarding the elementary school. The District does not want anything on the referendum that will fail.

President’s Award – Mayor Keller announced that recently Chief Edward C. Fabrizio received the President’s Award in recognition of his dedication to the Berks County Chief’s of Police Association, the law enforcement profession and the citizens of Berks County, as shown by his tireless efforts to organize the Berks County Special Emergency Response Team. The Berks County Chief’s of Police Association presented the award to him on December 18, 2007.

On motion duly made by Mr. Morrill, seconded by Mr. Conrad, and passed, Council accepted the Mayor’s Report.

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

Zero Turn Mower - Mr. Beane requested Council’s approval to purchase a zero turn mower not to exceed \$10,000.00 – budget line # 01-430-740. Following discussion, on motion duly made by Mr. Morrill, seconded by Mr. Geddio, and

passed, Council approved the search for a zero turn mower. This mower would be purchased under State contract.

On motion duly made by Mr. Conrad, seconded by Mr. Morrill, and passed, Council accepted the Foreman's Report.

**FIRE CHIEF'S REPORT:** On motion duly made by Mr. Conrad, seconded by Mr. Morrill, and passed, Council accepted the Fire Chief's Report. Chief Burkholder reminded Council that the fire company banquet is February 2.

**MAIN STREET EXECUTIVE DIRECTOR'S REPORT:** Mayor Keller stated that the Search Committee received over 20 resumes for the Executive Director's position.

**ELM STREET MANAGER'S REPORT:** Mr. Rohrbach stated that all the grants for which he applied have been approved and funds received, except for one. Last year, \$486,488 was invested in the Elm Street District. Mr. Rohrbach researched records at the Court House to prepare his report.

**Elm Street Happenings Newsletter** – Mr. Rohrbach recommended everyone read the newsletter for some very interesting articles.

On motion duly made by Mr. Conrad, seconded by Mr. Morrill, and passed, Council accepted the Elm Street Manager's Report.

**REVENUES WITH COMPARISON TO BUDGET – ENDING DECEMBER 31, 2007:** Mr. Morrill stated that revenues were about 10% over what was budgeted. On motion duly made by Mr. Morrill, seconded by Mr. Conrad, and passed, Council accepted the Revenues with Comparison to Budget Report.

**PAYMENT APPROVAL REPORT – DECEMBER 18, 2007 – JANUARY 10, 2008 and JANUARY 14 – 31, 2008:** On motion duly made by Mr. Conrad, seconded by Mr. Morrill, and passed, Council accepted the bills to be paid. All financial reports were collected that contained Social Security Numbers on them; Mr. Tindall stated that they would be re-issued.

**EXECUTIVE SESSION:** Council President Nathalie R. Kulesa recessed the meeting to discuss possible litigation at 8:23 p.m. The meeting reconvened at 9:05 p.m.

**RESIGNATION OF JAMES ESCHBACH:** On motion duly made by Mr. Morrill, seconded by Mr. Conrad, and passed, Council accepted the resignation of James Eschbach.

**APPOINTMENT FOR COUNCIL SEAT:** Following discussion, on motion duly made by Mr. Conrad, seconded by Mr. Morrill, and passed, Council appointed Philip C. Wert to fill the seat of Mr. Eschbach by a 3-2 vote, with Mr. Gallen and Mrs. Kulesa voting "no".

**ADJOURNMENT:** On motion duly made by Mr. Conrad, seconded by Mr. Morrill, and passed, President Kulesa adjourned the meeting at 9:25 p.m.

Respectfully submitted,

Rosalie Loeper  
Recording Secretary

Approved by George I. Tindall  
Borough Manager/Secretary