

BOROUGH OF WEST READING – BOROUGH COUNCIL

JULY 17, 2007 – 7:00 P.M.

West Reading Borough Council held its regular monthly meeting at West Reading Fire Company on Tuesday, July 17, 2007 with following persons present: Council President Stephanie Murray; Council Vice-President Kevin Conrad; Council Member Michael Doyle; Council Member Amy Good-Ashman; Council Member Kevin Hefty (Mr. Hefty was appointed immediately prior to the Council meeting); Council Member Nathalie Kulesa; Council Member Michael Morrill; 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 Sam Loth; Elm Street Manager Dean Rohrbach; Recording Secretary Cathy Hoffman.

VISITORS: Ruth Cardell – 728 Reading Avenue
Karen Livingood – 211 Sycamore Road
Jim Livingood – 211 Sycamore Road
Becca Keller – 395 Oak Terrace
Phil Wert – 214 Olive Street
Bonnie Lou Batdorf – 384 Oak Terrace
James Eschbach – 412 Sycamore Road
James T Rogers – 414 Reading Avenue
Angela Kupiszewski – 228 S. Third Avenue
Bill Damore – 325 Kline Street
Audrey Schaeffer – 419 Franklin Street
David Weidenhammer – 237 Chestnut Street
Lori Weidenhammer – 237 Chestnut Street
Ann Westley – 403 Pine Street
Shiela Scott – 322 Chestnut Street
Elizabeth Heckler – 460 Chestnut Street
Ronald Westley – 403 Pine Street
Frank Struble – 226 Chestnut
Kelly Lonaberger – 133 Franklin Street
Don Haines – 156B West Fulton Street
Summer Misner – 216 Chestnut Street
Mark Macrina – 213 Chestnut Street
Tom Kupiszewski – 381 Pine Street #4
Jeanne Tucci – 215 Tulpehocken Avenue
Tom Gajewski – 633 Court Street, Reading
Ted Gabriel – 116 S Seventh Avenue
JoAnn Gabriel – 116 S Seventh Avenue

Council President Stephanie Murray called the meeting to order at 7:05 p.m. Reverend Shaun Myers of St. James Church gave the invocation, which was followed by the Pledge of Allegiance and Roll Call.

PUBLIC COMMENTS:

James Rogers 414 Reading Avenue asked about the status of the Cherry Street project and Mr. Tindall responded that a committee has been formed that will review each block of Cherry Street and come back to the Traffic Committee with recommendations. Mr. Conrad added that the project is not going forward at this point, however the \$1.5 million in funding does not have a time frame allocated to it. He noted that the Traffic Committee will be meeting on Wednesday, July 18th at 7:00 p.m.

Don Haines – NAC Representative asked about the hillside on Chestnut Street and Mr. Loth responded that the Main Street Design Team has picked up the project and will work toward rectifying the situation.

Bonnie Batdorf – 384 Oak Terrace asked what progress is being made with the property across from her home and Mayor Keller responded that he had asked Chief Fabriziani to investigate. Chief Fabriziani then stated he will be meeting with the property owner on Wednesday, July 18, 2007 and that there could be criminal charges pending. He added that they will have the situation resolved by next month, one way or another.

APPROVAL OF COUNCIL MINUTES:

On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the Council minutes of June 19th, 2007.

PRESENTATION RE: THE PROPOSED CANDLEWOOD SUITES DEVELOPMENT

Merve Heller (attorney for the developer) introduced those in attendance to discuss the proposed project:

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| Daryl Shoff – Developer | John Thorsen – Builder |
| Bryan Morrison – Architect | Dan Henretty – IHC Representative |
| Devang Parich – Owner/Operator | Grant Smith - Engineer |

Mr. Shoff spoke about his decision to develop the site, the types of uses that he had looked at (multi family, office building) and the final decision to contact Mr. Parich, the current owner of Country Inn & Suites in Wyomissing.

Mr. Henretty gave an extensive overview (including photographs) of the type of facility that Candlewood Suites will build on the site, if permitted. He provided demographics regarding the types of people who generally stay at 'extended stay' facilities: 80% are male, ages 25-54, \$104,000 annual income, average stay - 14 nights. They generally are government employees, trainers, temporary medical staffing, families members in hospitals, etc. He also detailed the company's inspection and customer service procedures that are utilized to ensure that their facilities maintain their standards.

Mr. Parich spoke briefly about his previous hotel ownership, the quality of his business, the safety of his employees, and their training.

The floor was then opened to public comment:

- Mrs. Heckler asked Council to keep their fingers on the pulse of the people in the Borough and reminded them that the Penn View Motel wasn't a bad facility when it was built.
- Mr. Herbert reminded Council about the history of the Penn View and stated that no one can guarantee that the same situation won't happen with the proposed Candlewood Suites in future. He suggested that the best scenario for the property would be multiple uses.
- Mr. Damore asked about parking, traffic and employees. Mr. Smith responded that there would be 110 parking spaces on site, then the General Manager from Country Inn & Suites spoke about their staffing requirements.

Discussion ensued in detail about the proposed project and Mrs. Murray asked if a public hearing should be held, separate from a regular Council meeting, in order to give everyone an opportunity to voice their concerns. She then asked Mr. Georgeadis to explain the process.

OVERVIEW OF ZONING ORDINANCE (as it pertains to the proposed Candlewood Suites development):

Mr. Georgeadis spoke about the process that the Candlewood Suites application has already gone through, how the Planning Commission has dealt with the information provided in the application, as well as the review letters that have been provided by the Borough's Engineer. He stated that as part of the process, the developer has already changed the plans to comply with the comments of the Planning Commission and the Borough's Engineer. He stated that the Planning Commission has correctly concluded that the project is a permitted use in the zoning district in which it is located, and has therefore recommended that Borough Council approve the preliminary plan, subject to certain conditions.

Mr. Georgeadis added that Council can hold a public hearing wherein all comments would be recorded by a stenographer which would become part of the public record. He added that state law dictates that a municipality must approve a plan if it meets the ordinances, however Council has the right to make inquiry of its residents.

Mr. Herbert asked how the Borough could approve taking the property by eminent domain before knowing what was going to be developed at that site. Mr. Georgeadis responded that it was not a Borough project, but a County Development project.

Commissioner Gajewski, who was in the audience, stated that there were families living at the Penn View at that time, and that the County was compelled to do something. He added that 300 RFPs were sent out – 200 by his office and 100 by the redevelopment office, however only one response was received. He stated that Mr. Shoff had looked at other types of uses for the development of the property, however none were viable so he had to go with a hotel.

Mr. Kupiszewski suggested that a school could be built at that location, and Mr. Morrill explained that the suggestion was presented to the school board but it didn't seem to be taken seriously. He stated that the Borough doesn't have any control in that situation.

Mr. Cullen told Council that he had requested from the County the list of RFP recipients and that there were only about 100 on the list and they consisted of primarily politicians and real estate people. Discussion regarding parking and traffic issues followed.

On motion duly made by Mr. Doyle, seconded by Mr. Conrad and passed, Council approved that a Public Hearing be scheduled for Wednesday, August 15th at 7:00 p.m. at the Fire Company.

Council adjourned for a short break from 8:20 to 8:30 p.m.

BOROUGH MANAGER'S REPORT:

Completion of Employee Handbook - Mr. Tindall requested that Council approve his working with a paralegal from Kozloff Stoudt to complete the employee handbook, with the expenditure not to exceed \$1200. **On motion duly made by Mr. Doyle, seconded by Mrs. Kulesa and passed, Council approved the expenditure.** (Mr. Conrad voted no and Ms. Good-Ashman was unavailable for the vote.)

EMS Tax – Mr. Tindall provided the information (as detailed in the agenda) for Council's information purposes only. No action was necessary.

Resolution regarding destruction of old records – Mr. Tindall explained that the Treasurer had reviewed old documents from the file room and had prepared a list of items to be destroyed, as detailed in the

Resolution. On motion duly made by Mrs. Kulesa, seconded by Mr. Conrad and passed, Council approved the resolution regarding the destruction of old records.

Octoberfest – Rebecca Simmons & Debra Hutcheson provided Council with information regarding the proposed “Fall Festival on the Avenue”, scheduled for September 22, 2007, that will be located in the Chef Alan’s parking lot . They stated that the event will be a fund raising venture with funds to be used to promote other “Main Street” events in the Borough. They provided information regarding all aspects of the event, including those items with which they will require assistance from the Borough such as: barricades, trash receptacles, the wagon, the stage, the hanging of an event banner, and extra police personnel.

Some discussion ensued regarding who would pull the wagon, and the issue of insurance for the event. Mr. Loth verified that the “Foundation” is sponsoring the event, and that they have the necessary liability policy to cover the event.

After further discussion regarding what is required from the Borough, it was determined that if the barricades, stage, trash receptacles, etc could be delivered to the site, volunteers would take care of placement. Therefore Borough assistance will only be required for the hanging of the banner, as well as the availability of a police officer (or perhaps 2). Timing for the event was set for 1:00 p.m. to 9:00 p.m.

On motion duly made by Mr. Doyle, seconded by Mr. Morrill and passed, Council approved the “Fall Festival on the Avenue” event.

On motion duly made by Mrs. Kulesa, seconded by Mr. Doyle and passed, Council approved the Borough Manager’s Report.

ENGINEER’S REPORT:

BiCi Roof Replacements: Mr. Jenkins told Council that at the June meeting, he had been authorized to go ahead with the advertising of bids for the BiCi House Roof Replacement project. He stated that 2 bids had been received and that Spotts Brothers had been the low bid at \$11,340 and requested authorization to award the project. **On motion duly made by Mr. Morrill, seconded by Mrs. Kulesa and passed, Council approved the awarding of the project.**

Mr. Morrill referenced the July 12th letter regarding the Candlewood Suites application wherein Mr. Jenkins recommends the elimination of 2 parking spaces on South Third Avenue by the driveways to the site. He asked Mr. Jenkins if that recommendation would stand regardless of the type of business that would be developed at that location and Mr. Jenkins stated that the recommendation would stand.

On motion duly made by Mr. Conrad, seconded by Mrs. Kulesa and passed, Council accepted the Engineer’s Report while tabling all actions regarding the Candlewood Suites property.

CODE ENFORCEMENT OFFICER’S REPORT:

Council did not have any questions regarding the Code Enforcement report, therefore **On motion duly made by Mr. Conrad, seconded by Mrs. Kulesa and passed, Council approved the Code Enforcement Officer’s Report.**

SOLICITOR'S REPORT:

Ordinance re Parks & Recreation – Mr. Georgeadis stated that the Ordinance has been advertised and is ready for Council's approval. Mr. Morrill asked if the park regulations apply to the land that the Borough owns that is located in the City of Reading and Mr. Georgeadis stated that it did. **On motion duly made by Mr. Morrill, seconded by Mrs. Kulesa and passed, Council approved the adoption of the ordinance.**

Ordinance regarding handicapped parking on Spruce Street – **On motion duly made by Mr. Doyle, seconded by Mr. Conrad and passed, Council approved the adoption of the ordinance.**

Mr. Georgeadis updated Council regarding the issuing of verbal warnings in Code Enforcement proceedings, which was discussed at the June meeting. He said that he worked with Mr. Tindall, Mr. Trate, Chief Fabriziani and Mr. Conrad to develop language that would authorize the code enforcement officers to issue verbal warnings for code violations, where the violations are of a minor nature and do not present any immediate danger to persons or property nor do not render any structure unfit for human habitation. He presented Council with a proposed ordinance for discussion at next month's meeting. Chief Fabriziani noted that this was being done to streamline the code enforcement process, to allow situations to be resolved earlier, without letters being sent through the mail.

On motion duly made by Ms. Good-Ashman, seconded by Mr. Conrad and passed, Council approved the Solicitor's report.

COMMITTEE/COMMISSION REPORTS:

Traffic Committee – **On motion duly made by Ms. Good-Ashman, seconded by Mr. Doyle and passed, Council approved the Traffic Committee minutes of June 20, 2007.**

Recreation Commission - Mrs. Kulesa told Council that she had not attended the meeting, but that after the short meeting, members worked on the Parade Float. She publicly thanked everyone who worked on the float, as well as those who participated in the 4th of July Parade in Wyomissing.

On motion duly made by Mr. Morrill, seconded by Ms. Good-Ashman and passed, Council approved the Recreation Commission minutes of June 27, 2007.

Safety Committee – Mr. Tindall stated that the meeting had consisted primarily of training regarding 'trench safety'. **On motion duly made by Ms. Good-Ashman, seconded by Mrs. Kulesa and passed, Council approved the Safety Committee minutes of July 5, 2007.**

Planning Commission – **On motion duly made by Mr. Morrill, seconded by Mrs. Kulesa and passed, Council approved the Planning Commission minutes of July 11, 2007.**

POLICE CHIEF'S REPORT:

Chief Fabriziani presented his report and noted that if there were questions regarding the overtime report, to contact him.

On motion duly made by Mrs. Kulesa, seconded by Mr. Morrill and passed, Council approved the Police Chief's Report.

MAYOR'S REPORT:

Mayor Keller commended everyone who helped with the 4th of July parade and float. He presented Council with the 1st place ribbon that had been awarded by the Borough of Wyomissing. Mayor Keller also spoke about National Night Out which will be held on August 7th. He asked that residents who are unable to attend the festivities to at least turn their porch lights on as a show of solidarity.

Mayor Keller told Council that Commissioner Gajewski had sent literature and letters regarding a new crime alert program called "Stop Dumping on Berks". All municipalities are being asked to adopt a resolution to assist with this program. **On motion duly made by Mr. Conrad, seconded by Mr. Doyle and passed, Council approved the adoption of this resolution.**

On motion duly made by Mrs. Kulesa, seconded by Ms. Good-Ashman and passed, Council approved the Mayor's Report.

BOROUGH FOREMAN'S REPORT:

Borough Foreman Jim Beane stated that he met with hospital personnel regarding the incident which happened last week at 'G' building. He stated that the hospital indicated that they did have a spike in pressure, but the Borough had not, therefore it would seem as if the problem was within their system, but the hospital is still investigating.

Mr. Beane asked Council's approval to put the Borough Crew through training to upgrade their licenses to 'Class A'. He said that Lehigh Technical (through Berks Technical Institute) can do the training which would include pre-permit class testing as well as one-on-one driver training. He added that there would be 8 one-on-one training sessions. There was some discussion regarding funding for the training, and Mr. Conrad stated that the amount the Borough will save by doing in-house sewer line flushing, the training amount can easily be saved in one year. **On motion duly made by Mr. Morrill, seconded by Mr. Doyle and passed, Council approved the Class 'A' training for the Public Works employees.**

On motion duly made by Mrs. Kulesa, seconded by Mr. Conrad and passed, Council approved the Borough Foreman's Report.

FIRE CHIEF'S REPORT:

Chief Burkholder apologized for not having his report available prior to the meeting. He said he would have a full report on the hospital incident for next month's meeting.

Chief Burkholder asked for approval to purchase turn-out gear in the amount of \$9283. which was budgeted as a capital item in the amount of \$12,500. This will be the total allotment of gear for this year. **On motion duly made by Mr. Morrill, seconded by Mrs. Kulesa and passed, Council approved the purchase of turn-out gear.**

On motion duly made by Mr. Morrill, seconded by Mrs. Kulesa, and passed, Council approved the Fire Chief's Report.

MAIN STREET EXECUTIVE DIRECTOR'S REPORT:

Mr. Loth stated that he had 3 items for Council:

- Main Street will place a table at the National Night Out activities
- The annual sidewalk sale will be extended to include the Sunday Farmers' Market
- An application has been sent to the Department of Agriculture requesting funding for the Farmers' Market

On motion duly made by Ms. Good-Ashman, seconded by Mrs. Kulesa and passed, Council approved the Main Street Executive Director's Report.

ELM STREET MANAGER'S REPORT:

Mr. Rohrbach spoke about his written report, specifically regarding items that make up the action plan with goals over the next five years, which the NAC group will review. He also noted that the Elm Street logo has been changed, and that the mural and hillside projects are progressing nicely. He stated that he has a petition of 46 names – 43 of which love the mural and where it is going to be located, which is on the side of a garage on Kline Street. He showed Council a color copy of the mural, which depicts the Borough in 1907, in honor of the Borough's Centennial.

Mr. Rohrbach also told Council that Elm Street's newsletter was delivered to homes in the Elm Street district, which encompasses 5 blocks. He stated that the biggest article was regarding the Police bicycle patrols.

Mr. Morrill asked about the status of the 501(c)(3) and Mr. Rohrbach indicated that he is waiting for a determination from the Foundation's CPA.

On motion duly made by Ms. Good-Ashman, seconded by Mr. Doyle and passed, Council approved the Elm Street Manager's Report.

REVENUES WITH COMPARISON TO BUDGET – ENDING 6/30/07:

On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the Revenues Report for the period ending 6/30/07.

PAYMENT APPROVAL REPORT - 6/20/07 TO 7/31/07:

On motion duly made by Mr. Morrill, seconded by Mrs. Kulesa and passed, Council approved the Payment Approval Report for 6/20/07 to 7/31/07.

EXECUTIVE SESSION:

Council then adjourned at 9:23 p.m. to Executive Session to discuss personnel. Council reconvened at 10:20 p.m.

Ms. Murray appointed Mr. Hefty to 'Protection to Persons and Property', replacing Mr. Ferencick and asked Chief Fabriziani and Chief Burkholder to meet with Mr. Hefty at some point to explain his roles and duties.

Regarding personnel, Mr. Morrill stated that it had come to Council's attention that a policy was issued in March of 2002 by the Public Works Director (at that time) regarding the use of Borough owned equipment and tools, which has not been uniformly enforced. He recommended that the Borough Manager rewrite the policy to include the use of borough vehicles for personal use, and that the memo go out to all employees and Department Heads. Exceptions to the policy are as follows:

- the Canine Officer
- the on-duty Criminal Investigator (as outlined in the existing Police contract)
- the on-duty Officer for the Fire Department
- during lunch time for Police Officers

Mr. Morrill further added that violations of this policy would be subject to the same discipline as other violations of Borough policy. **On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the change in policy, as noted above, with a 4-3 vote. Mr. Conrad – Yes; Mr. Morrill – Yes; Mr. Doyle – No; Ms. Good-Ashman – No; Mrs. Kulesa – No; Mr. Hefty – Yes; Ms. Murray – Yes.**

ADJOURNMENT:

On motion duly made by Mrs. Kulesa, seconded by Ms. Good-Ashman and passed, Council adjourned the meeting at 10:25 p.m.

Respectfully submitted,

Cathy Hoffman
Recording Secretary

Approved by George I. Tindall
Borough Manager/Secretary