

BOROUGH OF WEST READING – BOROUGH COUNCIL**OCTOBER 17, 2006 – 7:00 P.M.**

West Reading Borough Council held its regular monthly meeting at Borough Hall on the above date. Council President Stephanie J. Murray called the meeting to order with the following persons present: Council Members Kevin M. Conrad, Michael H. Doyle, Michael P. Ferenchick, Nathalie R. Kulesa, and Michael W. Morrill; Mayor Shane J. Keller, Borough Manager George I. Tindall, Solicitor Socrates J. Georgeadis, Police Chief Edward C. Fabriziani, Fire Chief Mark D. Burkholder, Code Compliance Officer Jason S. Ganster, Borough Foreman Jim A. Beane, and Administrative Assistant Rosalie A. Loeper.

VISITORS: Sam Loth - West Reading Main Street Executive Director
Kelly Lonaberger – 133 Franklin St
Don Haines – 156B West Fulton St
Amy Good-Ashman – 210 Chestnut St
Becca Keller – 395 Oak Terrace
Ruth Cardell – 728 Reading Ave
Elizabeth Heckler – 460 Chestnut St
Bill Damore – 325 Kline St
Jim & Karen Livingood – 211 Sycamore Rd
Jay Kupiszewski – 228 South Third Ave
Reverend Abera Hellemo – Bethany Lutheran Church

PLEDGE OF ALLEGIANCE AND INVOCATION: Pastor Hellemo gave the invocation, which was followed by the Pledge of Allegiance.

PUBLIC COMMENTS:

William Damore – 325 Kline Street – Mr. Damore asked if the Borough could control the property owners to make them screen the tenants better. He stated the tenants on his street are very noisy and do not keep their property clean. When asked if Mr. Damore calls the Police when they are noisy, he replied that he does not. He was asked to call the police each time they are noisy so it is on record. He said that by the time the police come, the noise would be over, so why report it. Solicitor Socrates J. Georgeadis stated that it is important to call the police if he thinks the law is being broken, since it is very important that the police have a record of these incidents. Mr. Georgeadis stated the Borough has many ordinances that regulate absentee property owners, but if the residents do not report incidents, there is nothing that can be done.

COUNCIL MINUTES: On motion duly made by Council Member Nathalie R. Kulesa, seconded by Council Member Michael P. Ferenchick, and passed, Council approved the minutes of the regular Council meeting of September 19, 2006. Council Member

Michael W. Morrill inquired if the minutes have been transcribed for September 23, 2006. Borough Manager George I. Tindall replied they have not yet been transcribed because there were glitches in the water billing software program, which needed to be worked out so the bills could go out in a timely manner. They will be transcribed as soon as possible.

Council Member Nathalie R. Kulesa suggested that, if the *Reading Eagle* reporter is not at a meeting, then the Borough should not answer questions for the reporter. The same is true for *Westside Weekly*.

BOROUGH MANAGER'S REPORT: On motion duly made by Council Member Nathalie R. Kulesa, seconded by Council Member Michael P. Ferenchick, and passed, Council accepted the Borough Manager's Report. The following items were discussed:

Paving of Beaver Alley and Elk Alley – The Borough received bid proposals on October 16, 2006 for the Spruce Alley Repaving Project, which is Beaver Alley and Elk Alley behind Third & Spruce Café. Great Valley Consultants have reviewed the bid proposals, and it appears that EJB Paving & Materials Company is the apparent low bidder for \$38,556.00. GVC recommends the contract be awarded to EJB Paving & Materials, contingent upon review and approval by Borough Council. Other bids received were from the following: Schlouch, Inc. - \$40,890.00; Windsor Service - \$41,355.55; and Burkholder Paving - \$44,572.25 .

RECOMMENDATION: On motion duly made by Council Member Kevin M. Conrad, seconded by Council Member Michael P. Ferenchick, and passed, Council awarded the contract to EJB Paving & Materials Company for \$38,556.00. On motion duly made by Council Member Nathalie R. Kulesa, seconded by Council Member Michael H. Doyle, and passed, Council authorized the Borough Manager to execute the contract, contingent upon the solicitor's review of it.

2007 MMO for the Police Pension Plan- Borough Manager George I. Tindall outlined the enclosed letter from Thomas J. Anderson of Thomas J. Anderson & Associates, Inc. Council will have to determine if it wishes to deduct police officers members' contributions of 3.2% effective January 1, 2007 to meet the anticipated obligation. Solicitor Socrates J. Georgeadis explained that the Police Contract, which expires at the end of 2008, stipulates that Borough Council cannot impose a contribution on police personnel, because Borough Council bargained away its ability to impose member contributions on our police officers in our union contract sometime ago. The Police Contract was presented to the Solicitor, who reviewed it. The Contract states that Contributions by the Police Officers to the West Reading Police Pension Fund shall be eliminated until such time as actuarial studies required by applicable statutes and regulations indicate that the Police Pension Fund will no longer be actuarially sound in the absence of such contributions. It also states that this section of the agreement may be re-opened by the Police Officers if in any year contributions by the police officers to

the Police Pension Fund are required. Borough Council would have to have an actuarial study performed before Council can impose police contributions.

RECOMMENDATION: Borough Manager is to get a price cost for the November Council meeting for an actuarial study for 2007.

Trip to Watrous/American Flow Control Factory – Minneapolis, Minnesota – LB
Water of Ephrata and Watrous are offering a free Tour of the Plant and Manufacturing Operations. Borough Manager George I. Tindall asked for Council's permission to send Foreman Jim Beane. The Borough incurs no cost for the trip and Mr. Beane would leave on 10/29/06 and return on 10/31/06. Mr. Beane stated that there is a benefit to seeing how something is assembled.

RECOMMENDATION: On motion duly made by Council Member Nathalie R. Kulesa, seconded by Council Member Michael H. Doyle and passed, Council motioned to send Foreman Jim Beane to Minneapolis, Minnesota.

Pool Building – Mr. Tindall received three written quotes for resurfacing the floor of the Men and Women's restroom and change room and would like to award to the lowest bidder. The Borough received the following quotations:

- | | |
|------------------------------------|---|
| a. H.Y. Painting | \$3,510.00 |
| b. Criterion Flooring Systems, LLC | 4,500.00 plus \$472.00 for 8" base cove for a total of \$4,972.00 |
| c. Hannahoe Painting | \$5,800.00 |

RECOMMENDATION: On motion duly made by Council Member Michael W. Morrill, seconded by Council Member Michael H. Doyle and passed, Council accepted the bid from H.Y. Painting for \$3,510. This is a non-skid epoxy finish very similar to what is at the firehouse. Mr. Tindall would like to redo the partitions next spring. The entrance area is not included. The Borough Crew will need to remove all the wooden partitions. Council Member Michael P. Ferrenchick inquired about the one-year warranty and suggested it might be better to do this in the spring. Mr. Tindall replied that something could be worked out with the contractor regarding the warranty.

Council Vacancy – Mr. Tindall reminded Council Members that the following people responded to the ad to fill the vacancy on Council. Please bring these resumes with you on Thursday, October 19, 2006 at 6:00 PM.

6:00 PM – Amy Good-Ashman
6:15 PM – Philip C. Wert
6:30 PM – James Gallen, Jr.
6:45 PM – Steven Schartel

10/17/06

Penn Avenue Paving – Mr. Tindall explained that there was a mistake made by PennDOT and the contractor. They were supposed to put down a 5/8" cover; however, instead they put down a 1 ½" cover. To rectify this they are going back to uncover and to raise all the manholes, and water stops at their cost. The result is that they will be no more than 1' deep when the work is completed. This is within PennDOT specifications. They paved over eight valve boxes, which will be dug up and redone.

FEMA – Mr. Tindall received notification from FEMA that the Borough shall receive \$34,614.06 in about three to four weeks from October 9, 2006 for flood related damages. More paperwork must be done when the project is completed.

Recycling Grant – Mr. Tindall applied for a \$25,000 Recycling Grant to purchase new leaf vacuum to replace the 1991 leaf vacuum. The grant pays 90%; the Borough pays 10%. This cost will be added to the 2007 budget. Mr. Morrill inquired as to why the Borough had not recently received grant money as other municipalities. Mr. Tindall replied that the Borough did not receive grant money because the amount collected was considerably less than previous years. However, he noted that the Borough should receive money next year, since the tonnage increased.

Software Conversion – Mr. Tindall stated that there were some glitches and as a result, the bills went out ten days late. There are still some glitches that need to be worked out.

ENGINEER'S REPORT: On motion duly made by Council Member Michael W. Morrill, seconded by Council Member Kevin M. Conrad and passed, Council accepted the Engineer's Report. The following items were discussed:

The Traffic Committee developed a scope of work for various traffic projects for 2007 as summarized below.

Right Turn on Red – Mr. Morrill inquired about the change to allow "Right Turn on Red" at the intersections of Fourth, Fifth, Sixth, and Seventh Avenues with Penn Avenue. Mr. Jenkins replied that pedestrians would have to be more mindful when crossing the street. The Public Works crew also thought it would be a good change. Mr. Ferenchick asked if there were any suggestions for establishing time restrictions such as 6:00 a.m. to 6 p.m. Mr. Jenkins replied that when you put restrictions like that at intersections, it increases the probability of violations. If the restriction is placed such as 6:00 a.m. to 6 p.m., then what we are trying to implement is compromised. Since Main Street originally requested the removal of "Right Turn on Red", Mr. Ferenchick asked if anyone got his or her opinion. Council Member Kevin M. Conrad stated that these are Traffic Committee recommendations, which Council can accept or not.

25 MPH Speed Limit – Implement 25 MPH speed limit throughout the Borough.

Eliminate northbound and southbound through traffic at Third and Penn Avenues.

Seventh and Reading Avenues – Construct traffic signal at the intersection of Seventh and Reading Avenues.

It was the Committee's idea to submit all recommendations in one request to PennDOT for its approval.

Belovich Group Town Homes - Release No. 5 - Project Manager for Great Valley Consultants, Michael H. Muffley, recommends the payment of Release No. 5 from the escrow account for \$212,842.02 to Belovich Group.

RECOMMENDATION: Seek Council approval for payment in the amount of \$212,842.02 to Belovich Group for Release No. 5. On motion duly made by Council Member Nathalie R. Kulesa, seconded by Council Member Michael P. Ferencick and passed, Council approved the payment of \$212,842.02 to Belovich Group for Release No. 5.

Pool Roof Replacement – Mr. Jenkins stated that the pool roof replacement is complete. No Payment Application has been received to date. The expected payment request should be \$28,455.

SOLICITOR'S REPORT: On motion duly made by Council Member Michael W. Morrill, seconded by Council Member Nathalie R. Kulesa and passed, Council accepted the Solicitor's Report. The following items were discussed:

Ordinance No. 941 – Stop Signs at Certain Intersections – An ordinance establishing Stop signs to be established at Third Avenue and Franklin Street and Fourth Avenue and Franklin Street.

RECOMMENDATION: Seek Council approval of Ordinance No. 941. On motion duly made by Council Member Kevin M. Conrad, seconded by Council Member Nathalie R. Kulesa and passed, Council adopted Ordinance No. 941.

Western Berks Water Authority - Solicitor Socrates J. Georgeadis stated that he received a call from Mark Yoder, the solicitor for Western Berks Water Authority, who asked what the Borough's reaction was to the Water Authority's letter to the Borough dated August 24, 2006. Shillington and Wyomissing Boroughs also received the letter, which states the Authority is looking to extend its Service Agreement with the three Boroughs. The Service Agreement with the

10/17/06

three Boroughs is presently scheduled to expire on November 15, 2013. They want to extend it to November 15, 2038. The reason for the request is to facilitate the Authority's ability to borrow money on a bonding basis. The bonds require longer amortization periods. Attorney Dan Becker had attended the September Council meeting and was to have spoken with Attorney Georgeadis about this request. Mr. Georgeadis will review the documents and apologized to Council for the misunderstanding.

SHADE TREE COMMISSION: On motion duly made by Council Member Michael P. Ferencick, seconded by Council Member Nathalie R. Kulesa, and passed, Council accepted the Shade Tree Commission Report. The following item was discussed:

Mr. Tindall advised that he would prepare the variety trees to be planted and the cost for each for the November Council meeting. Mrs. Kulesa asked if one of the trees could be planted on Sunset Road where several had been removed.

TRAFFIC COMMITTEE: On motion duly made by Council Member Michael P. Ferencick, seconded by Council Member Kevin M. Conrad, and passed, Council accepted the Traffic Committee Report. The following items were discussed:

432 Playground Drive - Fire Chief Mark D. Burkholder asked Council to eliminate the parking space located at 432 Playground Drive. This would alleviate the hardship of trying to navigate large fire apparatus around the bend. On motion duly made by Council Member Michael P. Ferencick, seconded by Council Member Kevin M. Conrad, and passed, Council approved the removal of this parking space.

RECREATION COMMISSION: On motion duly made by Council Member Kevin M. Conrad, seconded by Council Member Michael P. Ferencick, and passed, Council accepted the Recreation Commission Report. Council Member Nathalie R. Kulesa highlighted sections of the Recreation Commission Report.

PERSONNEL COMMITTEE: Chairperson Michael P. Ferencick stated he would bring the minutes of the last three personnel meetings to the budget/council meeting on Thursday, October 24.

POLICE CHIEF'S REPORT: On motion duly made by Council Member Kevin M. Conrad, seconded by Council Member Nathalie R. Kulesa, and passed, Council accepted the Police Chief's Report.

MAYOR'S REPORT/GARDEN CLUB: On motion duly made by Council Member Nathalie R. Kulesa, seconded by Council Member Kevin M. Conrad, and passed, Council accepted the Mayor's Report. The Mayor discussed the following item:

Centennial Committee – The Centennial Committee met Tuesday, October 10 and finalized details for the parade. Fund raising efforts have begun with the

assistance of Tele-Publications; we will be creating the Centennial program. The next meeting is scheduled for October 24 at 7:00 p.m.

Appointment of Mayor to Committees - Council President Stephanie J. Murray asked for a motion to appoint the Mayor to the following positions: Main Street Authority, Main Street Foundation, Traffic Committee, Westside Emergency Management Board, Western Berks Water Emergency Committee, and the Hospital Committee. On motion duly made by Council Member Kevin M. Conrad, seconded by Council Member Michael P. Ferenschick, and passed, Council appointed the Mayor to the above-listed Boards and Committees. There is a vacancy on the Police Pension Fund Committee. If anyone is interested in being appointed to this committee, please advise Mrs. Murray.

BOROUGH FOREMAN'S REPORT: On motion duly made by Council Member Nathalie R. Kulesa, seconded by Council Member Kevin M. Conrad, and passed, Council accepted the Borough Foreman's Report. The following items were discussed:

Purchase Water Meters - Foreman Jim Beane asked to purchase 36 water meters at \$94 each, totaling \$3,384.00. Following a long discussion, Council advised Borough Manager Tindall to secure three telephone bids regarding this product.

Cantilever Rack - On motion duly made by Council Member Nathalie R. Kulesa, seconded by Council Member Kevin M. Conrad, and passed, Council approved the purchase of a Cantilever Storage Rack at \$1,589.40.

Tractor Repair - Foreman Jim Beane advised Council that the repair of the tractor came in \$636.26 higher than the original quote of \$2,700.00.

Uniforms - Mr. Beane modeled the new uniform that Borough crewmembers are wearing.

MAIN STREET EXECUTIVE DIRECTOR'S REPORT: On motion duly made by Council Member Michael P. Ferenschick, seconded by Council Member Kevin M. Conrad, and passed, Council accepted the Main Street Executive Director's Report. The following items were discussed:

Taste of West Reading - Main Street Executive Director Sam Loth advised that participation is 33% over the original goal, with a cap of 160 people.

Centennial Parade - Mr. Loth advised that 300 invitations have been sent and many more will be mailed.

Elm Street Homebuyers Fair - An Elm Street Homebuyers Fair will be held in The Reading Hospital sometime in November.

Audit - Council Member Michael W. Morrill inquired about an audit. Mr. Loth

10/17/06

explained that there were two grants given to the Main Street program in 2003 and 2004. Year 2003 was for 5th year of the funding program for \$40,000. In 2004, he applied for an exit grant. DCED at that time added the paperwork of that grant to Year 2003. Both were closed out two years ago. About two weeks ago, DCED sent 1,400 letters out across the State to municipalities, etc. that because DCED amended grants rather than creating new contracts, the level of \$100,000 was reached, which automatically causes an audit by State law. Reinsel Kuntz Leshner LLP will conduct the audit.

CODE COMPLIANCE OFFICER'S REPORT: On motion duly made by Council Member Michael W. Morrill, seconded by Council Member Michael H. Doyle, and passed, Council accepted the Code Compliance Report. The following items were discussed:

New Chestnut Street Homes – Mr. Ganster reported that the contractor has started digging for the foundation for the three homes on Chestnut Street at the site of the former Neg Tech building.

Appeal – Mr. Ganster received an appeal on his decision and on the Zoning Hearing Board's decision.

Zoning Hearing Board – Received an application from West Reading Walk-in Bingo to have "package Bingo."

UGI – Mr. Ganster stated UGI is currently replacing its gas meter reading equipment.

Inner Circle on Reading Avenue – Mr. Ganster advised that Zoning Hearing Board and Borough Council decided to convert the property back into an assistant living facility. There is a sale pending from the current owner to the person who will convert the property to an assistant living facility.

Crematorium – Mr. Ganster was asked about the holdup of the decision letter for the crematorium. Mr. Ganster will distribute copies of the letter when he receives it.

FIRE CHIEF'S REPORT: On motion duly made by Council Member Nathalie R. Kulesa, seconded by Council Member Michael P. Ferencick, and passed, Council accepted the Fire Chief's Report. The following item was discussed:

Apparatus – Repairs to Squad 64 have been completed. We are awaiting the insurance adjuster to look at the truck so it can be released to us. Soon Engine 64 will be scheduled for p.m. service and state inspection.

TREASURER'S STATEMENT OF OPERATIONS – General Fund, Water Fund, Sewer Fund, Capital Reserve, Highway Aid, Recreation Fund, and Refuse/Recycling Fund. On

motion duly made by Council Member Michael W. Morrill, seconded by Council Member Kevin M. Conrad, and passed, Council accepted the Treasurer's Statement of Operations.

ACCOUNTS PAYABLE – General Fund, Water Fund, Sewer Fund, Capital Reserve Fund, Recreation Fund, Refuse/Recycling Fund. On motion duly made by Council Member Kevin M. Conrad, seconded by Council Member Michael W. Morrill, and passed, Council approved the bills to be paid.

POLITICAL FREE SPEECH ORDINANCE – Council Member Michael W. Morrill spoke about political lawn signs being removed from lawns and requested that the Borough adopt an ordinance that would allow lawn signs on planting strips. Mr. Morrill presented a sample ordinance. Mr. Ganster replied that this falls under Zoning and public right-of-way. Mr. Ganster stated that he only removed signs located on Borough property.

EXECUTIVE SESSION - Council President Stephanie J. Murray recessed the meeting for an executive session to discuss police personnel at 8:28 p.m. The meeting reconvened at 8:45 p.m.

POLICE OFFICERS – Corporal Rick Vetter discussed police officers. Some of the following are facts that he presented. There are 388 shifts to be covered of which 233 had to be covered in order to keep minimum staffing. Of the 233 shifts, 82 were covered by overtime, 61 by part-time, 25 by Chief Fabriziani, and 65 by part-time Officer Sacks at a cost of \$73,900. Had we two additional officers, those two officers would have worked 252 shifts, and their salary would have been \$69,554, not including benefits. In 2005, each officer worked 182 shifts per year and we were short 412 shifts. This shows we were down 2.6 officers during the year. Corporal Vetter outlined the benefits of having two additional police officers.

Cpl. Vetter stated the Department is in desperate need of having an additional criminal investigator. Cpl Vetter compared the number of cases the Borough's criminal investigator versus the number of cases of surrounding departments. Cpl. Vetter explained the additional time the investigator must spend on cases generated at the Hospital, due to stabbings and crime created in the City of Reading. In order to obtain a search warrant, it must now be signed by someone in the area where the crime was created and by someone where the search must be conducted i.e. video tapes of happenings at the Hospital. Solicitor Socrates J. Georgeadis will call the District Attorney to inquire why the Hospital will not release videos without a search warrant.

Council President Stephanie J. Murray asked the Borough Manager to activate the Hospital Committee, Chief Fabriziani, and Corporal Vetter to meet with the Hospital regarding current issues. Mayor Shane J. Keller asked that Council be proactive rather than reactive to keep crime down in the Borough. Mayor Keller noted that by hiring two officers now, there would be a savings of \$9,000 for this year.

10/17/06

Budget – Council discussed the fact that there are requests for 2007 to hire two police officers, one additional full-time codes officer, one additional part-time codes officer and one crewmember. Mr. Morrill stated that the cost for wages and benefits must be known before any new people are hired.

Officer Matthew Beighley – On motion duly made by Council Member Nathalie R. Kulesa, seconded by Council Member Kevin M. Conrad, and passed, Council approved Officer Beighley to use seven sick days for the birth of his second child.

Garden Party - Solicitor Socrates J. Georgeadis stated that the Garden Party is going to be located at the Reading Public Museum 2007.

ADJOURNMENT: On motion duly made by Council Member Nathalie R. Kulesa, seconded by Council Member Michael H. Doyle, and passed, the meeting adjourned at 9:25 p.m.

Respectfully submitted,

Rosalie Loeper
Recording Secretary

Approved by George I. Tindall
Borough Manager/Secretary