

BOROUGH OF WEST READING – BOROUGH COUNCIL

May 21, 2014 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Wednesday, May 21, 2014 with the following persons present: Council President James J. Gallen, Jr.; Vice President Philip C. Wert; Council Members Grace Craze, Carl Garman, Elizabeth L. Heckler, Deborah Hutcheson, Nathalie R. Kulesa; Mayor Valentin Rodriguez, Jr.; Borough Manager Richard J. Sichler; Police Chief Stephen D. Powell; Fire Chief Mark D. Burkholder; Borough Solicitor Daniel P. Becker; Chief Code Enforcement Officer Tracey L. Levering; Public Works Director Dean E. Murray; Elm Street Manager Dean L. Rohrbach; Recreation Coordinator Helen Moyer; Borough Engineer Tom Unger; Administrative Assistant Cathy Hoffman.

VISITORS:

James T. Rogers	Resident	Tina Shenk	Property Owner
Karen Livingood	Resident	Tatiana Foronda	Resident
Ruth Cardell	Temple	Becca Gregg	Reading Eagle
Casey Tharp	Resident	John Turner	Business Owner
Audrey Schaeffer	Resident	Andrew Po	Bethlehem
Oswald Herbert	Resident	Kelly Garrity Haldeman	Cross Keys
Glenn Styer	Resident	Dee Koutsourais	Mohnton
Jen Witman	Resident	Mateo Toro	Reading
Ricky Eline	Resident	Bob Capone	Reading
Noah Knapp	Resident	Janae Sholtz	Resident
Lisa Knapp	Resident	Jim Graser	Resident
Amber Rambo	Resident	Michael Kroger	Resident
Amanda Hard	Resident	Sarah Kinard	Wernersville
Kyle Scroggs	Resident	Dorothy Long	Resident

1. **CALL TO ORDER:** Council President James Gallen called the meeting to order at 7:00 p.m. which was followed by the Pledge of Allegiance and roll call.

Mr. Gallen then introduced Dee Koutsourais who requested approval for a Road Run in memory of Delaney Brown. Ms. Koutsourais proposed two different routes, the first would require the closing of Penn Avenue but the second would keep runners in the residential areas of the Borough and on the trail. It was noted that the route for option 2 would begin on Chestnut Street (Delaney's parents' home). After much discussion, Council decided that the second option would be best as it would require fewer street closures and require less manpower. **Moved** by Ms. Craze and seconded by Mr. Garman to approve the Road Run in memory of Delaney Brown (course 2).

In favor of the motion: Ms. Craze, Mr. Garman, Mr. Wert, Mr. Gallen, Ms. Hutcheson, Mrs. Kulesa

Against the motion: Mrs. Heckler

Motion carried 6-1.

2. **PUBLIC COMMENT:**

James T. Rogers asked for an update regarding the Reading Health System's contribution in lieu of taxes. Mr. Gallen noted that members of Council had met with Hospital representatives the previous week, that the Hospital board will be meeting on the 22nd and that an answer should be forthcoming within the next week.

John Turner, owner of Holistic Skateshop 516 Penn Avenue, asked about the proposed skateboard ordinance and noted that a skateboard is the same as a bicycle or scooter so if one is restricted they all should be restricted. He added that as a business owner he understands why the Borough might want to ban skateboards on Penn Avenue, but it needs to include bicycles on the sidewalk as well.

Andrew Po spoke about the park that the City of Bethlehem constructed in order to get skateboarders off the streets and urged Council to talk to their recreation personnel if they have questions about grants, liability, costs etc.

Mr. Turner said that he has looked at other municipalities for a skate park location however he would like to see a park in West Reading because it is central and easy for kids to get to. West Reading also has a high concentration of skateboarders. He spoke about the 1.4 acre property at Old Wyomissing Road and Parkview Drive (in Reading) that the Borough owns, which would easily accommodate a 15,000 square foot park. He noted that the land has to be designated before any fundraising can be done.

Ms. Craze noted that as part of a grant application, the state requires a parking area, handicapped parking, and a plan for drainage. Mr. Turner said that this would be incorporated in the preliminary plan design. He also noted that because the land is in Reading, there are funds available for redevelopment but added that it could be scaled down to a mini ramp which would only require 5,000 sq. ft. He said that it is a year round sport that is growing rapidly.

Mr. Garman said that the ordinance is not to ban skateboarding but to stop them from hitting cars and stay off of private property. Mr. Turner said that if the Borough is going to enact the ordinance, they need to provide a place for skaters to go.

Ms. Hutcheson said that a dialogue needs to begin and proposed that the Community Revitalization Foundation work with Mr. Turner to find a solution. She noted that Mr. Rohrbach has said that there are funds available through grants.

Residents Dorothy Long and Kyle Scroggs spoke in support of establishing an area for local kids to skate. Mr. Scroggs also commented that he and his wife moved to West Reading because of its pedestrian friendly reputation however the Borough could use more speed bumps and bicycle lanes to make it safer for pedestrians.

3. **APPROVAL OF COUNCIL MINUTES:**

Moved by Ms. Hutcheson and seconded by Mrs. Heckler to approve the Council meeting minutes of April 15, 2014. **Motion carried.**

4. **UNFINISHED BUSINESS:**

- a. 2013 Audit – Mr. Sichler referred to Ms. Craze’s question from the last meeting and explained that upon further review it was determined that the negative numbers in the audit did not indicate a negative balance but a decrease in the total balance between 2012 and 2013.
- b. Blighted Property Ordinance – Mr. Becker referred to the draft ordinance that was distributed to Council in April. He said he had received no comments and asked if Council wished to proceed and advertise the ordinance. **Moved** by Mr. Wert and seconded by Ms. Craze to advertise the Blighted Property Ordinance. **Motion carried.**

- c. Snow Removal Ordinance - Mr. Garman said that based on the comments received as part of earlier discussions, he had changed the time frame in which to respond from 24 hours to 36 hours. This would give residents an extra 12 hours after the end of a storm in which to clear and/or treat their sidewalks, depending on weather conditions.

Council was reminded that residents will still have to shovel their sidewalks, however if the conditions are such that the snow/ice can't be removed without damaging the concrete, residents can apply an abrasive substance such as salt or sand to make the sidewalk safe and passable for pedestrians.

This was discussed at length prior to a motion being brought forward. **Moved** by Mr. Wert and seconded by Ms. Hutcheson to advertise the ordinance.

In favor of the motion: Ms. Hutcheson, Mr. Garman, Mr. Wert, Mr. Gallen

Against the motion: Mrs. Kulesa, Ms. Craze, Mrs. Heckler

Motion carried.

5. **CONSULTANTS' REPORTS:**

- a. Solicitor's Report – Mr. Becker spoke about the following:

- The rental inspection ordinance amendment was approved for advertisement at the last Council meeting however Mr. Becker asked if the permit fee is being changed to every two years along with the rental inspection schedule. Mrs. Levering explained that even though an inspection would not be performed every year, there is a lot of paperwork that must be completed on an annual basis to keep the rental information up to date. Mr. Becker said that the proposed ordinance would be advertised as every year for permits and every other year for inspections.
- The planting strip portion of the Sidewalk Ordinance was discussed at the last meeting and was distributed to Council. Mr. Becker has not received any comments from Council although Mr. Wert said he would send his comments along to Mr. Becker.
- The proposed amendments to the Zoning Ordinance have been sent to the County Planning Commission for comments however nothing has been received as yet. Because it is not anticipated that the comments will not be significant, Mr. Becker recommended that the ordinance be advertised and a time set for the Public Hearing. **Moved** by Ms. Hutcheson and seconded by Mr. Wert to authorize the advertisement of the Zoning Ordinance and the Public Hearing which will be held on June 17th at 6:30 p.m. **Motion carried.**
- Regarding the Belovich development, Mr. Becker said that the bank's attorney has stated that they anticipate being ready for the August 8th foreclosure sale. When that occurs, the bank will become the owner of the remaining undeveloped properties.
- The appointment of Andrew Moletress was approved as the last meeting however a resolution has been written and needs to be signed.
- The West Reading Main Street Authority, which meets once per year to reorganize, is proposing the following appointments with term expiration dates:

Philip Wert	2015
Mayor Rodriguez	2016
Andrew Moletress	2017
John Woodward	2018
Robin Horman	2019

Moved by Ms. Hutcheson and seconded by Mrs. Heckler to approve the appointments to the West Reading Main Street Authority. **Motion carried.**

- A brief Executive Session was requested.

Tina Shenk spoke about the rental inspection ordinance amendment and asked why the paperwork can't be sent out every other year at an increased rate instead of making owners pay every year. Council explained that many apartments in the Borough are vacated annually, therefore the paperwork must be updated in order to keep the information accurate.

Moved by Ms. Craze and seconded by Ms. Hutcheson to approve the Solicitor's Report. **Motion carried.**

- b. Engineer's Report – Mr. Unger reported that the plans and specifications are 90% complete for the Kent Way project and that the proposed scope of the work is as follows:

- tree removal and stump grinding (200 block only)
- curb replacement (if out of alignment)
- water line replacement – 8" line
- service lateral replacement (from curb stop to the main)
- street milling to a 5" depth; then paving
- tree plate installation (if the budget allows)
- new tree selection – determined by the Shade Tree Commission

There was some discussion about the removal of trees and Mr. Sichler explained that they are being included because of the damage they are causing to curbs, sidewalks and intrusion into the sewer lines on the 200 block only. He also noted that they will be bidding the project by line item so that if it exceeds the budgeted amount, it can be scaled back.

Moved by Ms. Craze and seconded by Ms. Hutcheson to advertise the Kent Way project. **Motion carried.**

Mr. Unger also reported that they are working on a permit to replace the retaining wall at the pool, and noted that the actual work can be phased in however the permit must be obtained first. Mayor Rodriguez asked if an insurance claim had been made for those damages and Mr. Sichler said the insurance company will get back to him.

Moved by Ms. Hutcheson and seconded by Ms. Craze to approve the Engineer's Report. **Motion carried.**

6. **BOROUGH MANAGER'S REPORT:**

- a. West Shore By-Pass – Mr. Sichler said he had attended two information meetings within the past month with PennDOT representatives. There are two sections in West Reading that will impact the Borough: the first is the area by the Borough Garage and Bertolet Dock which they have not made any decisions about at this time. The second is the Penn Avenue interchange which is proposed to be six lanes of traffic from Penn Avenue to Route 12. The information is still very preliminary however plans should be finalized by the end of the summer.
- b. Readingbridges.net – The web site was created by the Chamber of Commerce and will be kept live throughout all three bridge construction projects. It will provide up to date information about the project, alternate routes and how to handle the detours. At this point, the Buttonwood Street Bridge detours may be delayed until next spring.

- c. Santander Agreement - The designated signers for the Santander accounts need to be updated therefore it was determined that the Borough Manager, Treasurer and two members of Council would be designated, with two signatures required for all transactions. **Moved** by Mr. Garman and seconded by Ms. Craze to approve the change of signors for Santander Bank and execution of the documentation pending the Solicitor's review. **Motion carried.**
- d. Benecon – Benefits during Leaves of Absence – Mr. Sichler said that Benecon is requesting information concerning employee medical benefit eligibility continuation during a leave of absence, however he would like to obtain more information. This will be brought back to Council once more information is obtained.
- e. Damages for Late Salt Delivery – Mr. Sichler said that the contract stipulated that liquid damages could be claimed at \$100 per day for any salt delivery that was more than three days late. The amount has been calculated at just above \$4000. for West Reading, which Mr. Sichler has deducted from the last invoice. They have been notified regarding the claim however Mr. Sichler has not heard anything in response .

Moved by Mrs. Heckler and seconded by Ms. Craze to approve the Borough Manager's Report.
Motion carried.

7. **MAYOR'S REPORT:**

Mayor Valentin Rodriguez referred to his written report. Concerning the West Reading Community Revitalization Foundation, he noted the following:

- The Foundation has reorganized.
- Strategic planning issues for 2014 are being discussed.
- A new logo has been created for the Foundation.
- The Main Street Authority is being brought back online which will allow the Foundation to apply for additional funding.

Ms. Hutcheson requested permission to close the 500 and 600 blocks of Penn Avenue on October 2nd from 6 to 8 p.m. for a Car Cruise (car show). **Moved** by Mr. Garman and seconded by Mrs. Kulesa to approve the closure. **Motion carried.**

Moved by Mr. Wert and seconded by Ms. Hutcheson to approve the Mayor's Report, as amended.
Motion carried. (The date for the Reading Hospital meeting was the 12th, not the 13th as noted in the minutes.)

8. **DEPARTMENT REPORTS:**

- a. Code Enforcement – Mrs. Levering referred to her written report.

Moved by Mr. Wert and seconded by Ms. Hutcheson to approve the Code Enforcement Officer's Report. **Motion carried.**

- b. Police Department – Chief Powell noted the following as part of his report:

- The video system in the interview room is being updated at no cost to the Borough. The \$7600 system is being provided by the District Attorney's office.
- Permission is being requested to work with the Solicitor to amend the Noise Ordinance. It was noted that the current noise ordinance requires decibel meter readings to cite someone, which is unrealistic and needs to be changed.
- He would like Council to consider a 'school time curfew' similar to the ordinance that Reading has. He explained that there have been several incidents lately involving school age juveniles

including theft and conduct issues. A better enforcement mechanism is needed other than driving them back to school and dropping them off. This would apply to anyone who is subject to 'compulsory school attendance'.

- Mr. Wert had provided information concerning 'red light enforcement grants' and Chief Powell distributed a list of eligible projects. Mr. Wert explained that the window in which to apply is very short (June 1 – 30) and noted that there are no limits to the number of applications that can be submitted with no requirement for matching funds. Council reviewed the list and the following were suggested:
 - Replacement of pedestrian signals on Penn Avenue which could be upgraded to include countdown devices and/or audible tones for the visually impaired
 - Cross Walk striping
 - School striping

It was noted that the information about the grant was received after the Traffic Committee meeting and the committee will not be meeting again until July, therefore it was decided that Mayor Rodriguez, Chief Powell and Mr. Sichler would work on the applications and bring a draft to Council for final approval.

- The Police Civil Service Commission need permission to advertise for entry level testing for the hiring of a full time police officer which was approved in the 2014 budget, with the anticipation of a retirement in 2015. **Moved** by Mr. Garman and seconded by Mr. Wert to authorize the Police Civil Service Commission to advertise for the entry level testing.
In favor of the motion: Ms. Craze, Mr. Garman, Mr. Wert, Ms. Hutcheson, Mrs. Kulesa
Against the motion: Mrs. Heckler, Mr. Gallen

Motion carried.

Moved by Mrs. Kulesa and seconded by Ms. Craze to approve the Police Department Report.

Motion carried.

- c. Public Works – Mr. Murray apologized for not having submitted his written report but noted that they have been extraordinarily busy getting things up and running for the Memorial Day weekend, including the Armed Forces Day Parade and the opening of the pool. It was also noted that the yard waste drop-off is still running at the Borough Garage and that residents are encouraged to continue dropping off leaves, grass, branches etc.

Moved by Ms. Craze and seconded by Mr. Wert to approve the Public Works Director's Report.

Motion carried.

- d. Fire Department – Chief Burkholder thanked Mrs. Kulesa, Helen Moyer, Ms. Craze and Mrs. Heckler for their help in preparing for the ladder truck dedication on May 24th. He said he didn't know how it would have been done without them.

Moved by Mr. Wert and seconded by Ms. Craze to approve the Fire Chief's Report. **Motion carried.**

- e. Elm Street – Mr. Rohrbach referred to the first quarter report which was distributed, and noted the following:

- The Wyomissing Foundation has provided funding in the amount of \$85,000
- Colonial Oaks Foundation has donated \$20,000
- The DCED District Office is recommending the approval of a \$250,000 grant. The final decision is pending in Harrisburg.
- 'Great Cities Pennsylvania' is a competition by the American Planning Association which

involves no funds but does involve recognition.

- An offer has been made to purchase the property at 501 Chestnut.
- After working with the Reading Health System for many years, an employee assisted home buying program has been put in place. RHS will provide up to \$5000 in down payment assistance for employees who wish to purchase a home in the Elm Street district, as well as a \$2500 façade grant.

Moved by Mr. Garman and seconded by Ms. Craze to approve the Elm Street Manager's Report.
Motion carried.

9. **COMMITTEE/COMMISSION REPORTS:**

- a. Recreation Commission – Helen Moyer referred to her minutes. She also thanked Mrs. Kulesa, Ms. Craze, Mrs. Heckler and her staff for their help with the pool, preparing the concession stand and helping with the Fire Department 'Housing' event.

Moved by Ms. Craze and seconded by Mrs. Heckler to approve the Recreation Commission minutes. **Motion carried.**

- b. Traffic and Infrastructure Committees – Mr. Sichler referred to the Traffic and Infrastructure minutes. Mr. Wert noted that at a previous Council meeting, it had been suggested that the traffic circle be named in memory of Delaney Brown and that the Traffic Committee was a good starting point for this discussion. There was some question however if approvals were necessary from PennDOT and if the Brown family was in agreement. This was not discussed by the Committee due to an oversight. Mr. Garman suggested that a plaque and sign should be placed in the circle. This will be discussed further at the July Traffic meeting.

Moved by Ms. Hutcheson and seconded by Mrs. Heckler to approve the Traffic and Infrastructure Committee Report. **Motion carried.**

- c. Safety Committee – There were no questions concerning the Safety Committee minutes.

Moved by Ms. Hutcheson and seconded by Mr. Garman to approve the Safety Committee Report. **Motion carried.**

- d. Economic Development Committee – Mr. Wert and Mr. Rohrbach spoke about the County's interest in utilizing the Conservatorship Act in West Reading as a test case. This would require finding the right abandoned property that meets the Act's requirements. Mr. Sichler said he would contact Ken Pick concerning this subject. Mayor Rodriguez reminded Council that he had brought this information to Council several months ago.

Moved by Ms. Hutcheson and seconded by Mr. Garman to approve the Economic development Committee report. **Motion carried.**

- e. Environmental Advisory Commission – Mr. Wert noted that an email has been received from the 'Partnership for the Delaware Estuary' requesting that a frog design be placed on one of the Borough's storm drains as an awareness tool. EAC had suggested that a symbol be placed on Penn Avenue and a second if available near the elementary school. Mr. Sichler will follow up.

Moved by Mr. Garman and seconded by Mrs. Heckler to approve the Environmental Advisory Council Report. **Motion carried.**

- f. Shade Tree Commission – There was some discussion about the trees along S. 7th Avenue and the tree replacements for Penn Avenue. Mr. Murray noted that on Penn Avenue there are 16 open spaces and 5 dead trees that need to be removed. Mr. Sichler noted that not all of the 16 replacement trees will be planted this spring.

Moved by Ms. Craze and seconded by Mr. Wert to approve the Shade Tree Commission report.
Motion carried.

10. **TREASURER'S REPORT:**

- a. **Moved** by Mrs. Kulesa and seconded by Ms. Hutcheson to approve the Revenues with Comparison to Budget Report for the 4 months ending 4/30/2014. **Motion carried.**
- b. **Moved** by Ms. Hutcheson and seconded by Mr. Wert to approve Payment Approval Report for 4/16/2014 – 5/15/2014 and 5/16/2014 – 5/21/2014. **Motion carried.**

11. **PUBLIC COMMENT:**

Jim Rogers asked about the results of the Sergeants' exam and it was noted that the top three were Joseph Brown, Ryan Phillips, and Nicholas Karetas, in that order.

12. **EXECUTIVE SESSION:**

Council recessed to Executive Session at 9:24 p.m. to discuss personnel. When the meeting reconvened at 11:09 p.m., the following actions were taken:

Moved by Ms. Hutcheson and seconded by Mrs. Kulesa to hire the Police Administrative Aide at a rate of \$13.80 per hour and 30 hours per week. **Motion carried.**

Moved by Mr. Wert and seconded by Mrs. Heckler to approve the hiring of three part-time police officers – K. Bohn, F. Mateo and A. Kuhrmann. **Motion carried.**

Moved by Ms. Hutcheson and seconded by Ms. Craze to authorize Mr. Sichler to put together the final wording for the Teamsters contract for non-uniform employees to incorporate the conversion from a defined benefit plan to a defined contribution plan with a minimum payment of \$2200 per year and one half of any excess to be received from the State. **Motion carried.**

Moved by Ms. Hutcheson and seconded by Mrs. Kulesa to promote Officer Ryan Phillips to the position of Sergeant.

In favor of the motion: Mrs. Heckler, Ms. Hutcheson, Mr. Wert, Mrs. Kulesa, Mr. Gallen

Against the motion: Ms. Craze, Mr. Garman

Motion carried.

13. **ADJOURNMENT:**

Moved by Mrs. Kulesa and seconded by Ms. Hutcheson to adjourn the meeting at 11:12 p.m. **Motion carried.**

Respectfully submitted,

Cathy Hoffman
Administrative Assistant