

BOROUGH OF WEST READING – BOROUGH COUNCIL

March 15, 2016 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, March 15, 2016 with the following persons present: Council President Carl G. Garman; Vice President Nathalie Kulesa; Mayor Valentin Rodriguez, Jr.; Council Members Grace M. Craze, Kristin L. Kramer, Christopher C. Lincoln, Suzanne Thompson, Philip C. Wert; Borough Manager Richard J. Sichler; Police Chief Stephen D. Powell; Fire Chief Mark Burkholder; Public Works Director Dean E. Murray; Main Street Manager Christin Kelley; Elm Street Manager Dean L. Rohrbach; Engineer Tom Unger; Borough Secretary Cathy L. Hoffman. Recreation Director Helen Moyer was unable to attend.

VISITORS:	Karen Livingood	Resident
	Tina Shenk	Property Owner
	James T. Rogers	Resident
	Oswald Herbert	Resident
	Amber Rambo	Resident
	Becca Gregg	Reading Eagle
	Audrey Schaeffer	Resident
	Kerry Grassley	Employee
	Robin Horman	Resident
	Nick Imbesi	Resident
	Ammon Heckler	Resident
	Elizabeth Heckler	Resident
	Eileen & Keith Fox	Residents
	Mark Radcliffe	Sustainability Festival
	Ed Moreland	Western Berks Ambulance
	Scott Fiegel	Resident

1. **CALL TO ORDER:** Council President Carl G. Garman called the meeting to order at 7:00 p.m. which was followed by the Pledge of Allegiance and Roll Call.

Ed Moreland with Western Berks Ambulance was in attendance to provide his annual report and stated that they had completed more than 1200 calls in the Borough in 2015. He provided a brief update concerning some of their activities over the last year.

2. **PUBLIC COMMENT:**

James T. Rogers asked about the Business Privilege Tax report for 2015. Mr. Sichler responded that the solicitor for Berks EIT has stated that they can provide the amounts by classification but not by individual accounts. Mr. Rogers also asked if the tax is collected for billboards and cell towers however Mr. Sichler did not think they would be taxable under business privilege.

Ammon Heckler asked about recycling requirements for newspapers and Mr. Sichler recommended either placing them in the recycling bin or using a paper bag, but not plastic bags or string.

Keith Fox said that his gas meter is scheduled to be updated and moved to the front of his house. He had contacted UGI concerning the installation and was told that regulations state that meters must be located outside above ground or in a vault underground. Much discussion ensued and the consensus was that there is great concern about how the meters degrade the appearance of neighborhoods. It was decided that Mr. Haws would look into this further to see if the Borough has any recourse.

Scott Fiegel spoke about his attendance at the Traffic Committee meeting where he provided information about tractor trailers on residential streets. This subject will be discussed during the Traffic Committee report.

3. **APPROVAL OF COUNCIL MINUTES:**

The minutes of February 16th contained an error where Mrs. Kulesa was listed as both making and seconding a motion during Public Comment. **Moved** by Ms. Craze and seconded by Mrs. Kulesa to approve the Council minutes of February 16, 2016 as amended. **Motion carried 7-0.**

4. **ORDINANCES/RESOLUTIONS TO BE ADOPTED:**

a. **Resolution 2016-1** – The resolution was revised to contain the changes as discussed at the last meeting. **Moved** by Mrs. Kulesa and seconded by Ms. Kramer to approve Resolution 2016-1. **Motion carried 7-0.**

b. **Non Uniform Pension Ordinance** – Mr. Sichler stated that this draft ordinance was prepared by the solicitor to reflect the changes that were made in the Teamsters contract to freeze the defined benefits plan and begin a defined contribution plan. **Moved** by Ms. Craze and seconded by Mr. Lincoln to advertise the proposed ordinance. **Motion carried**

c. **Resolution 2016-3** – The resolution authorizes the filing of the grant application that was proposed in 2015 for the 6th Avenue Streetscape Project. The \$25,000 noted in the resolution was budgeted for 2016. **Moved** by Ms. Craze and seconded by Ms. Kramer to execute the agreement and approve the Resolution. **Motion carried 7-0.**

5. **UNFINISHED BUSINESS:**

a. **Belovich Development** – Mr. Sichler stated that Fulton Bank has been working steadily to get the deed corrections completed. The letters have gone out to the ten effected land owners and some have already visited Borough Hall to have their documents notarized. There are revised final plans that also must be signed by all ten owners as well as Council and the Planning Commission before they can be filed so the process will take some time. It was also noted that the Borough will be taking dedication of the utility easements on the unfinished streets, but not the streets themselves.

b. **Abandoned Properties** – Mr. Sichler said that there was nothing new to report, however the Codes Department is looking into a possible water intrusion at an adjacent property. Mr. Wert added that the County is moving forward with the property at 417 Franklin, by scheduling a Blight Determination Hearing which will be followed by a Blight Certification Hearing.

c. **Board Vacancies/Reappointments** –

(i) A letter of interest had been received from resident Nicholas Imbesi who was in attendance. **Moved** by Ms. Kramer and seconded by Ms. Craze to appoint Mr. Imbesi to the Planning Commission. **Motion carried 7-0.**

(ii) The Recreation Commission has not received any letters of interest.

(iii) Mr. Garman volunteered to sit on the Police Pension Committee.

d. **Cumru Township Property** – Mr. Haws said that he had had a brief conversation with Mike Setley, solicitor for Cumru Township who had suggested an intermunicipal agreement that might allow the Borough to police the area in question and provide for reimbursement in the amount of tax revenue that is generated from the property. Mr. Setley will discuss this with township staff. Mr. Sichler said that the only other alternative is to have a voter referendum (on both sides) to designate the

property as being located in the Borough of West Reading which may be difficult to do. It was also noted that any agreement would also have to include fire protection and code enforcement services as well as police.

6. **CONSULTANTS' REPORTS:**

- a. **Solicitor's Report** – Mr. Haws indicated that his items for discussion were covered elsewhere on the agenda. **Moved** by Mr. Lincoln and seconded by Ms. Thompson to approve the Solicitor's Report. **Motion carried 7-0.**
- b. **Engineer/Code Enforcement Report** – Mr. Unger reported the following:
 - The RFP for the design/build for the Parkview Road Bridge has been prepared and is ready for advertising. **Moved** by Mrs. Kulesa and seconded by Ms. Craze to advertise the design/build RFP for the Parkview Road Bridge. **Motion carried 7-0.**
 - The payment application for the road paving project is being withdrawn and will be resubmitted with changes which will become the final application for payment.
 - The hail damage repairs continue with the Hall roof currently in the process of being replaced. The Fire Company roof is complete and payment for the work is required. **Moved** by Ms. Thompson and seconded by Ms. Craze to authorize payment to Ram Siding Company in the amount of \$69,321.01. **Motion carried 7-0.**
 - He attended the Planning Commission meeting of March 2nd to discuss the proposed Narrow Fabric lofts. It is expected that a special exception request will be submitted.
 - The Streetscape project has been completed and submitted to Mr. Rohrbach.
 - Olive Street Pump Station sidewalk material has been ordered with the work scheduled to begin in about two weeks.
 - The Code Enforcement report was also included with the written report.**Moved** by Ms. Thompson and seconded by Ms. Craze to accept the Engineer's Report. **Motion carried 7-0.**

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

- a. **Pension Administration - Police** – Mr. Sichler referred to the letter from McGlinn Capital Management stating that they will no longer be managing the Police Pension Fund because they are closing the business. A decision now needs to be made concerning the funds being held with Wells Fargo. McGlinn has recommended that the Borough liquidate the investments. The funds can then be held until a new pension administrator is determined. He added that the Pension Committee needs to meet to finalize and advertise the pension RFP.
- b. **Damage Repair Schedule** – Mr. Sichler said that during budget preparation an account code should have been set up so that the insurance monies stayed in the building repair funds but instead they went to the general fund, therefore a budget adjustment will have to be completed to cover those payments. Some of the amounts are known and can be included in a motion to transfer however the remainder of invoices may be somewhat different and may require a further adjustment in the future when the final invoices come in. The bid for the Hall roof was \$90,338.90 and \$85,941.19 for the Fire Company roof. **Moved** by Mrs. Kulesa and seconded by Mr. Lincoln to transfer \$91,000 from the General Fund to line item 01-409-355 Building Claim Repairs (Borough Hall). **Motion carried 7-0.** **Moved** by Ms. Thompson and seconded by Ms. Craze to transfer \$86,000 from the General Fund to line item 01-411-355 Building Claim Repairs (Fire Company). **Motion carried 7-0.**
- c. **Buttonwood Gateway Conceptual Design** – Mr. Sichler stated that a letter had been prepared by the Mayor regarding the meeting on March 16th concerning the conceptual design that will be

prepared by Michael Kautter of Kautter and Kelley Architects. Mayor Rodriguez added that the letter was sent to the residents and businesses that have been impacted by the Buttonwood Bridge reconstruction to inform them about possible redevelopment of that area including streetscaping, better lighting, and repaving the street from the Bridge to Delaney Circle. The amount of \$3000 had been budgeted to proceed with the preliminary plans and drawings. Residents are welcome to attend the public meeting on March 16th at 7:00 p.m.

- d. **Vehicle Sales** – Mr. Sichler reported that he has re-advertised the 2008 Dodge Charger that had been advertised on Public Surplus and received a high bid of \$3251.99 however that bidder did not follow through with the bid. The re-advertised bid closed on the 13th with a high bid of \$3250.

Moved by Mrs. Kulesa and seconded by Ms. Craze to sell the 2008 Dodge Charger to Bernard Fogarty of McAdoo in the amount of \$3250. **Motion carried 7-0.**

As a follow-up, Mr. Sichler asked Council to authorize Cathy Hoffman to sign vehicle titles. He explained that the original letter from 2012 needs updating and as Borough Secretary, Mrs. Hoffman should be signing these documents. **Moved** by Mrs. Kulesa and seconded by Mr. Lincoln to authorize Mrs. Hoffman to sign the title documents. **Motion carried 7-0.**

Mr. Sichler also reported that the title issues have finally been resolved for the 2004 Ford Explorer used by the Fire Company. When the title comes back it will be ready to advertise for sale.

As a final note, Mr. Sichler announced that March 31st would be his last day working for the Borough.

Moved by Mr. Wert and seconded by Ms. Thompson to accept, with regret, Mr. Sichler's resignation as Borough Manager. **Motion carried 7-0.**

Moved by Ms. Kramer and seconded by Mr. Lincoln to approve the Borough Manager's report. **Motion carried 7-0.**

8. **MAYOR'S REPORT:**

Mayor Rodriguez stated that he had not had the opportunity to distribute the Codes Department meeting notes but would have them available for the next meeting. He also noted a hand-out prepared in the event that there is discussion concerning the Borough Mayor's Manual. He also had two items for Executive Session.

Moved by Ms. Thompson and seconded by Ms. Craze to approve the Mayor's Report.

Motion carried 7-0.

Mr. Garman provided Council with a copy of the advertisement for the Borough Manager position that will be placed in the newspaper on four dates as well as on the PSAB website. **Moved** by Ms. Thompson and seconded by Ms. Kramer to authorize the advertising of the Borough Manager vacancy. **Motion carried 7-0.** Council also received a copy of the job description for review.

9. **DEPARTMENT REPORTS:**

- a. **Police Department** – Chief Powell referred to his written report and noted that he had two items for Executive Session.

Mr. Wert asked if the cameras on Penn Avenue had picked up the vehicle information for the truck that had taken down one of the Borough's street lights recently and Chief Powell indicated that it had. Discussion ensued regarding future placement of cameras and when it might occur because of the bridge detour.

Chief Powell also spoke about a portable speed indicator ("Show Your Speed" device) that was discussed at the last Traffic meeting. It was the consensus of the Committee that two of these units be purchased to help prevent speeding on residential streets. After some discussion it was decided the Chief Powell would obtain more information from other suppliers.

Moved by Mrs. Kulesa and seconded by Ms. Craze to approve the Police Department Report.
Motion carried 7-0.

- b. **Public Works** – Mr. Murray referred to his written report and noted the following:
- A repair company was called in twice to repair a garage door at the Fire Company over the weekend.
 - A section of steps was replaced at the fishing dock.
 - The walking bridge in the park is complete.
 - Street sweeping signs have been installed on the streets that were approved to be added.

Mr. Wert reported a section of the 600 block of Reading Avenue that is in particularly bad shape. Mr. Murray said that it needs to be milled out and replaced with asphalt.

Moved by Mr. Lincoln and seconded by Ms. Kramer to approve the Public Works Director's Report.
Motion carried 7-0.

- c. **Fire Department** – Chief Burkholder stated that the new software is now up and although the reports look different, all of the usual information is there.

Moved by Mrs. Kulesa and seconded by Mr. Lincoln to approve the Fire Department Report.
Motion carried 7-0.

- d. **West Reading Community Revitalization Foundation**
Elm Street and Main Street Manager' Report – Mr. Rohrbach referred to their written report and Ms. Kelley spoke about the tour they had taken with the National Funders Association through the Borough. She noted that the information is included on the website entitled "A Tale of Two Cities" which includes photos of the tour. Mr. Rohrbach also noted a special program about the Thuns and Janssens on PBS 39. The Wyomissing Foundation referred them to the Elm Street Program because of all the funding they have provided over the past five years. He also spoke about a project that the NAC has undertaken to create a poster of all of the murals and mosaics that have been created in the Borough which would be a fundraiser for the NAC. It was also noted that Earth Day events will be held on April 16th as well as Art on the Avenue on June 18th.

Moved by Ms. Kramer and seconded by Ms. Thompson to approve the Elm Street and Main Street Managers' Reports. **Motion carried 7-0.**

10. **COMMITTEE/COMMISSION REPORTS:**

- a. **Recreation Commission** – Mrs. Moyer was unable to attend because of the PRPS conference therefore Mrs. Kulesa gave the report concerning the following:
- Mark Radcliffe spoke about a sustainability festival that is proposed to be held on July 23rd in the park, behind the pool. He spoke further about the event details and Mrs. Kulesa noted that the event would be self-contained at no cost to the Borough – all setup and tear down would be completed by the event planners. **Moved** by Ms. Thompson and seconded by Ms. Craze to approve the event. **Motion carried 7-0.** It was also noted that the

Borough would not charge a rental fee for this year because this would be their first event in the Borough. **Moved** by Mr. Lincoln and seconded by Ms. Thompson to waive the rental fee for this year. **Motion carried 7-0.** Mr. Radcliffe stated that any proceeds would be donated to Habitat for Humanity.

- Mrs. Kulesa requested approval of the hiring list for summer staff at the pool and playground. Ms. Craze asked if this could be tabled until Mrs. Moyer returns and it was noted that a hiring commitment needs to be made as soon as possible, particularly for lifeguards. It was suggested that this be discussed further in Executive Session.
- Mrs. Kulesa also noted that the Commission had requested that the Personnel Committee review the job descriptions for summer staff as well as the policy and procedures manual, which has not been done since 2005. She asked that the Committee return the documents with the proposed changes to Mrs. Kulesa and Mrs. Moyer by the next Council meeting. She noted that the older documents are missing important information such as criminal background checks and the cell phones policy however that any proposed changes will not come into effect until 2017.
- The costs for the various clearances, CPR and First Aid were discussed and it was noted that the Borough will pay for them for 2016 however in future it will be a two year process where the costs will be reimbursed to the employee at the end of their second year. The possibility of having an in-house trainer for CPR and First Aid was also mentioned.
- April 18th has been scheduled for the ground breaking of the concession stand.

Moved by Ms. Thompson and seconded by Ms. Craze to approve the Recreation Commission Report. **Motion carried 7-0.**

- b. **Planning Commission** – Mr. Wert referred to the minutes of the March 2nd meeting which were in the packet and the March 10th minutes that were distributed just prior to the meeting. He noted that Mr. Kevin Hughes had attended the March 10th meeting which had taken up a large portion of the meeting. Also discussed was the SALDO draft which had been reviewed by Mr. Haws who recommended some minor changes. The appendices to the SALDO also need to be reviewed by Mr. Haws and Mr. Wert asked that SDE submit those appendices to Mr. Haws for review. The final component of the process is the Public Hearing for the SALDO and Mr. Wert requested that it be held just prior to the April Council meeting at 6:30 p.m. **Moved** by Ms. Craze and seconded by Ms. Kramer to advertise the SALDO hearing for April 19th at 6:30 p.m. **Motion carried 7-0.** Mr. Wert also noted that there are only about 10 pages remaining of the General Code Editorial Analysis to be reviewed.

Moved by Ms. Craze and seconded by Ms. Kramer to approve the Planning Commission report. **Motion carried 7-0.**

- c. **Economic Development Committee** – Mr. Wert stated that a meeting was scheduled for March 14th however there was no quorum.

Moved by Ms. Craze and seconded by Mr. Lincoln to approve the Economic Development Committee minutes. **Motion carried 7-0.**

- d. **Environmental Advisory Committee** – Mr. Sichler apologized for not having the minutes ready and said that two sets of minutes would be ready for the next Council meeting.

- e. **Traffic and Infrastructure Committees** – Mr. Lincoln spoke about the Traffic meeting and noted that Mr. Fiegel had attended to speak about the amount of truck traffic that is travelling through the residential areas, particularly Sunset Road and also crossing the Parkview Road Bridge which is weight restricted. He noted that the Committee is looking at solutions including increasing the \$25 fine to \$1000. More information will be presented at the next Council meeting. Discussion ensued about the fines and how they would be issued without being able to weigh vehicles. Letters will be sent immediately to the businesses that have been identified as allowing truck traffic through the area. Mr. Haws will look at the ordinance and prepare some information for next month.

Mr. Garman asked about the municipal lot at Cherry and Franklin and noted that there is no lighting there and as a result has been used as a drop off spot for televisions and other items that should not be there. He asked that lighting be added at that location. He also asked for additional lighting at the 6th and Penn intersection which is dangerous for pedestrian traffic. Two pedestrian fatalities have occurred there in recent years. Mr. Lincoln said they would look into it.

Mr. Wert asked about loading zones in the minutes and Mr. Lincoln said that there are no existing loading zones on Penn Avenue and it was the consensus of the Committee that they be prohibited therefore an ordinance amendment will be forthcoming. It was noted that there are several changes that will soon be recommended along with the loading zone section.

The Infrastructure Committee meeting was not discussed.

Moved by Ms. Craze and seconded by Ms. Kramer to approve the Traffic Committee and Infrastructure Committee reports. **Motion carried 7-0.**

- f. **Shade Tree Commission** – The meeting was cancelled.
- g. **Finance Committee** – The meeting was cancelled.
- h. **Safety Committee** – Mr. Sichler referred to the minutes, however there were no questions concerning the meeting.

Moved by Mr. Lincoln and seconded by Ms. Kramer to approve the Safety Committee report. **Motion carried 7-0.**

- i. **Personnel Committee** – There were no minutes from the Personnel Committee meeting and there was some discussion as to whether there should be minutes. It was noted that any general discussion such as job descriptions could be included but anything personal should be omitted or redacted. It was also noted that it is not a public meeting and no action is ever taken by the Committee. It was recommended that any minutes be structured for 'confidential' and 'non-confidential' sections.

Moved by Ms. Kramer and seconded by Ms. Thompson to approve the Personnel Committee report. **Motion carried 7-0.**

Mr. Garman stated that further research concerning powers of the Mayor in supervising the Codes Department has been brought up due to some new information being found therefore he asked for a motion to make it official. Mayor Rodriguez provided Council with some information as well from

the Borough Code for Council's review. **Moved** by Mrs. Kulesa and seconded by Mr. Lincoln to authorize the Solicitor to look into the matter. **Motion carried 7-0.**

11. **TREASURER'S REPORT:**

- a. **Revenues with Comparison to Budget** – Mrs. Hoffman reminded Council that approval of the February 29th report was tabled to allow for additional time to review it. Ms. Kramer also suggested that an additional column in the report comparing last years' numbers would be helpful. Mr. Sichler said he would ask the Treasurer to look into it.

Moved by Mr. Lincoln and seconded by Ms. Kramer to approve the Revenues with Comparison to Budget Report for the two months ending February 29th and three months ending March 31st. **Motion carried 7-0.**

- b. **Payment Approval Report** – Mrs. Kulesa questioned the telephone bill for the pool and Mr. Sichler indicated that funds have been budgeted for a new phone system which will probably include a new carrier which should resolve any outstanding phone issues.

Moved by Ms. Kramer and seconded by Mr. Lincoln to approve the Payment Approval Report for the periods of 2/17/2016 – 3/11/2016 and 3/12/2016 – 3/15/2016. **Motion carried 7-0.**

12. **EXECUTIVE SESSION:**

Council recessed to Executive Session at 9:38 p.m. to discuss personnel and litigation. When the meeting reconvened at 11:49 p.m., the following actions were taken:

Moved by Ms. Kramer and seconded by Ms. Thompson to approve the 2016 recreation seasonal staff list and pay rates with the exception of the pool manager acquiring the CPO certification by pool opening on May 28th. **Motion carried 7-0.**

Moved by Ms. Kramer and seconded by Ms. Thompson to approve the new 'no smoking' signs for the pool area. **Motion carried 7-0.**

Moved by Ms. Thompson and seconded by Ms. Kramer to submit the DCNR Trail Grant application with the 50/50 match which would be budgeted over two years. **Motion carried 7-0.**

13. **PUBLIC COMMENT:**

There was no public comment.

14. **ADJOURNMENT:**

Moved by Mr. Lincoln and seconded by Ms. Thompson to adjourn the meeting at 11:52 p.m. **Motion carried 7-0.**

Respectfully submitted,

Cathy Hoffman
Borough Secretary