

BOROUGH OF WEST READING – BOROUGH COUNCIL

June 17, 2014 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, June 17, 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; Recreation Coordinator Helen Moyer; Borough Engineer Tom Unger; Administrative Assistant Cathy Hoffman. Elm Street Manager Dean L. Rohrbach was unable to attend.

VISITORS:

James T. Rogers	Resident
Regina Copeland	Resident
Ruth Cardell	Temple
Casey Tharp	Resident
Audrey Schaeffer	Resident
Oswald Herbert	Resident
Bryce Matthews	Resident
Jennifer Witman	Resident
Nicole Phillips	Mt View Rd
Sheila Yasher	Maryland
Aaron Schaeffer	Reading
Amber Rambo	Resident
Tara Fouldy	Resident
Terry Siggins	Resident
Tina Shenk	Property Owner
Terry Siggins	Resident
Greg Braley	Resident
Janie Tenney	Resident
Valcis Lacis	Reading Eagle

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.

Mayor Rodriguez then swore in Officer Kyle Bohn (part-time) and Sgt. Ryan Phillips.

2. **PUBLIC COMMENT:**

Greg Braley complained about the Elementary School placing yard debris in the street after the street sweeper had just gone by. Mrs. Levering said that she has already placed a call to the school district concerning this.

James T. Rogers asked if the vendors at the Farmers' Market are paying Business Privilege Tax and Ms. Hutcheson said that they fall under the West Reading Community Revitalization Foundation which has tax exempt status as a non-profit under 501(c)(3). He said that he would like to see the paperwork supporting this.

He also asked about the negotiations with the Reading Hospital and Mr. Gallen said that they did recently meet and the proposed amount is still being negotiated.

Tina Shenk announced that two new businesses will be opening in the coming week and a block party will be held as well.

Amber Rambo thanked the Borough crew for their hard work dealing with the hail storm.

Mayor Rodriguez spoke about his attendance at the Wyomissing Area School Board meeting on June 16 where he served notice that there is no representation on the Board from West Reading. He told them that they must redistrict their regions to incorporate the Borough of West Reading to ensure that the Borough has representation on the Board. He added that he made the remarks as a private citizen and not as Mayor of the Borough.

Mayor Rodriguez then presented commendations to Cindy Madeira, Stephanie Burkholder and Mark Civitarese for their actions while assisting a resident who became ill at Borough Hall. Tracie Milbut who was not in attendance also received a commendation.

3. **APPROVAL OF COUNCIL MINUTES:**

Moved by Ms. Hutcheson and seconded by Mrs. Heckler to approve the Council meeting minutes of May 21, 2014. **Motion carried.**

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

- a. Snow Removal Ordinance 1029 - It was noted that the ordinance had been properly advertised and was ready for the vote. **Moved** by Ms. Hutcheson and seconded by Mr. Wert to adopt the ordinance. **Motion carried.**
- b. Blighted Property Ordinance 1030 – Mr. Becker noted that this ordinance refers to Act 90 concerning blighted properties. **Moved** by Ms. Hutcheson and seconded by Mr. Wert to adopt the Blighted Property Ordinance. **Motion carried.**
- c. Rental Inspection Ordinance 1031 – It was noted that with this ordinance, inspections will be completed every other year but new rental properties will be subject to immediate inspection. **Moved** by Ms. Craze and seconded by Ms. Hutcheson to approve the Ordinance. Voting yes were Ms. Craze, Mr. Garman, Mr. Wert, Ms. Hutcheson, Mr. Gallen
Voting no were Mrs. Heckler and Mrs. Kulesa.
Motion carried.

5. **UNFINISHED BUSINESS:**

- a. Skateboard Park – Mrs. Moyer referred to the information that she had provided in Council's packets which details an area of the park, adjacent to Parkside Drive South which could accommodate a skateboarding area. She noted that there are already lights and security cameras in that area however some tree removal would be necessary to accommodate it. This area would be used for rollerblading, and bicycles as well as skateboards.

There was much discussion concerning maintenance and other responsibilities, as well as the need for grants to fund it. It was also noted that Mr. Turner would be attending the upcoming West Reading Community Revitalization Foundation meeting where discussions concerning grants would take place.

Also discussed:

- Mr. Turner's group would be responsible for any matching funds with a grant.
- The size of the skating area will be dependent on funding.
- West Reading police will have no jurisdiction because the property is in Reading, therefore an inter-municipal agreement may be necessary.
- Borough ordinances would not be in effect for the property.

- There currently is no dollar figure identified for the additional insurance that would be necessary for the skating area.
 - The property is zoned recreational which should be adequate for the skating area. A building permit would have to be obtained.
- b. Sidewalk Ordinance – It was noted that the proposed amendment will concern the regulations for planting strips. There was much discussion concerning the establishment of planting strips in situations where residents would rather have concrete. Mr. Wert noted that it has been well established that planting strips enhance aesthetics and improve property values. It was also noted that planting strips are part of the property owner's land however they are in the Borough's right-of-way. This ordinance would also cover site distance, political signs, etc. which have become an issue. Mr. Becker suggested that the proposed ordinance be sent to a committee for discussion. Mrs. Levering noted that the current concrete ordinance stipulates that if a property owner is replacing their concrete, they must install a planting strip.
- c. Zoning Ordinance Amendment and Public Hearing - Mr. Becker explained that originally a public hearing for the Zoning Amendments was scheduled for June 17th, however because of the pending changes to the noise section of the Ordinance, the hearing has been postponed.
- d. Noise Ordinance - The Noise Ordinance has been distributed to Council and the Berks County Planning Commission for their comments. A Curfew Ordinance has also been handed out for review by Council. This was proposed by Chief Powell and was written by Mr. Becker with input from the Chief.
- e. 'Red Light' Enforcement Grants – Chief Powell said that a quote was received from General Highway Products (the only company listed on CoStars for this type of work) to upgrade several intersections in the Borough to improve pedestrian safety. The cost would be \$14,306 per intersection with a possibility of matching funds being a requirement. It was noted that even if the grant is approved, the Borough does not have to accept the funds.

Moved by Ms. Craze and seconded by Mr. Wert to offer a 5% match of the total cost for three intersections. **Motion carried.**

6. **CONSULTANTS' REPORTS:**

- a. Solicitor's Report – Mr. Becker had nothing further to report except that the Belovich properties are scheduled to be included in the August 8th foreclosure sale.

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

- b. Engineer's Report – Mr. Unger reported that bids were received on June 16th for the Kent Way water main replacement project, as follows:
- A.H. Moyer \$282,839.00
 - Reamstown Excavating \$339,719.67
 - Wexcon \$338,567.50

It was noted that although Mr. Unger has not worked with A.H. Moyer, Mr. Murray said that the Borough has done several projects with them and they have performed well.

Mr. Sichler said that the project will be covered under several line items – water, sewer, and Elm Street. The bids are good for 60 days therefore he would like to take 30 days to determine how to proceed. He added that the bid documents had everything broken down so that certain

components can be selected to ensure that line items aren't exceeded. He asked to table it until the July meeting when he can also provide a complete report concerning overall revenue to date. He added that the 100 block of Kent Way must be completed as part of their grant with DCED.

Mr. Unger said that they are also pursuing the permit for the wall at the pool.

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

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

- a. Tax Collector Audit – Mr. Sichler noted that the Tax Collector's Audit for 2013 has been completed and Council received copies. There were no questions.
- b. 4th of July Holiday Collection – Trash collection is moved to July 8th because of the holiday, along with bulk pick-up. Residents will be notified by an ad in the newspaper and information placed on the web site. Mr. Wert asked if it could be noted on the water bills as well.
- c. Hail Storm – Damage Report - Damage to Borough vehicles has been addressed and properties have been inspected as well. The insurance company is new and they have delegated all claim work to a third party administrator who has been very responsive. Seven of the Borough's nine Police vehicles were damaged and were dealt with first. Of those seven, four have been totaled and three are repairable. The insurance company is giving the four totaled vehicles to the Borough at no charge so the equipment can be recovered and installed in the new vehicles. Once the equipment has been removed, reconstructed titles can be obtained from PennDOT and the vehicles can be sold.

Moved by Ms. Craze and seconded by Ms. Hutcheson to spend up to \$15,000 of insurance money to repair police vehicle 38-5. **Motion carried.**

Mr. Sichler reported that he has located four 2014 vehicles; a Ford Taurus (all wheel drive), a Ford Fusion and two Ford Explorers. Total cost for all four vehicles is \$118,797.

Moved by Mrs. Kulesa and seconded by Ms. Craze to approve the purchase of the four vehicles for the amount of \$118,797.00. **Motion carried.**

- d. Hail Storm – Resident Recognition – Mr. Sichler recognized the following people who helped out in the aftermath of the hail storm on May 22nd.
 - Thomas Dautrich – a resident who volunteered to help, by pulling a tree out of the pool, along with other volunteers from the Recreation Commission.
 - Dennis Wayne – a resident who provided shelter to a child who was walking home from school. He also directed traffic around a downed tree near his home until Borough personnel could get there to help.
 - Erin Keillor-Peters and Peter Raber – Reading residents who cleared leaves from the storm drains on the Buttonwood Street Bridge which drained the flooded bridge.

Moved by Mr. Garman and seconded by Mrs. Heckler to approve the Borough Manager's Report. **Motion carried.**

8. **MAYOR'S REPORT:**

Mayor Valentin Rodriguez spoke about the following:

- After doing some research, Mayor Rodriguez has discussed the use of green/hybrid vehicles with both Mr. Sichler and Chief Powell. As a result, the Ford Fusion that will be purchased will be a hybrid vehicle

- He recently attended two ribbon cutting ceremonies – the 25th anniversary of Justin Bortz Jewelry, and the 10th anniversary of A Running Start.

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

9. **DEPARTMENT REPORTS:**

- a. Code Enforcement – Mrs. Levering referred to her written report. Mrs. Heckler asked if it is possible for a resident to see violation notices pertaining to a residence in the Borough and Mrs. Levering said they would have to request the information through a Right-to-Know request form which would be reviewed by Mr. Sichler.

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

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

- Mr. Wert reported about the graffiti on one particular overpass that was recently removed by the Berks County Graffiti Abatement team. Unfortunately the graffiti reappeared within two weeks therefore Norfolk Southern has been contacted and they will allow our Police Department to enforce the prohibition of trespassers on their property. Mr. Wert suggested that the Borough purchase kits for graffiti abatement.
- A resident has requested a mid block handicapped space, however it was noted that it is not permitted under the current policy. A space could be approved at the end of the block.
- Mayor Rodriguez mentioned about a food truck parking in front of a fire hydrant at the Farmers' Market. He said he has reviewed the statute and this is not permitted, even if the street is closed down. He added that the Fire Chief will be drawing up an emergency plan for these types of events to ensure the safety and well being of the participants and residents.
- In response to Mr. Rogers' question, Chief Powell noted that the Police Department has addressed the situation where an individual was parking in front of a fire hydrant in the unfinished portion of the Belovich development.
- Mrs. Kulesa asked about the status of the camera installation and Chief Powell said they are preparing a plan that is most cost effective for the Borough. He noted that the Wyomissing Foundation has requested more information therefore a company has been contacted to assist with the project and they have been actively collecting information.

Moved by Mr. Garman and seconded by Ms. Craze to approve the Police Department Report. **Motion carried.**

- c. Public Works – Mr. Murray said that his report contained two key things – the approval of a third part time worker for the season, and the purchase of a truck. Truck 17 was damaged in the hail storm and has been listed as a loss. \$37,200 was budgeted for this year for a ¾ ton truck which comes with a plow, lift gate and lights, but the actual cost will be less than that. He noted that back injuries have decreased since the lift gates have been used on other vehicles. This is also through the CoStars program and the cost will be split between the water, sewer and trash funds.

Moved by Ms. Craze and seconded by Mrs. Heckler to hire Ivan Vivar at \$8.00 per hour. **Motion carried.**

Moved by Mrs. Kulesa and seconded by Mr. Garman to purchase the truck as previously noted. **Motion carried.**

- d. Fire Department – Chief Burkholder reported that during the hail storm all of the trucks were in the fire house, with the exception of Car 64 which sustained some damage.

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

- e. Elm Street – Mr. Rohrbach was not in attendance however his report was entered into the record.

Moved by Mr. Wert and seconded by Mrs. Heckler to approve the Elm Street Manager's Report. **Motion carried.**

10. **COMMITTEE/COMMISSION REPORTS:**

- a. Recreation Commission – Helen Moyer noted the following, in addition to her written report:
- A pool safety specialist inspected the pool area and recommended that a minimum of five lifeguards need to be on duty at all times and the chair height needs to be 8'. Mrs. Moyer said that they have already ordered chairs which will be purchased with grant funds.
 - The August 31st Delaney Legacy 5k event organizers are planning a gathering after the run and would like to use the Pavilion and grounds for concession stands, moon bounce, and other mini-fair items. Mrs. Moyer said that they have a clean-up crew that will take care of trash removal and bathroom cleaning after the event. **Moved** by Mr. Garman and seconded by Mrs. Kulesa to approve the use of the Pavilion and field for the Delaney Legacy Event. **Motion carried.**
 - Council's approval is requested to use the wagon for Wyomissing's 4th of July Parade. Mrs. Moyer said that playground children will be participating in the parade and a personal vehicle will be pulling the wagon. **Moved** by Ms. Craze and seconded by Ms. Hutcheson to approve the use of the wagon for the parade. **Motion carried.**
 - Mrs. Moyer reported that she had spoken with Delaney Brown's mother regarding the naming of the circle in her memory and Mrs. Brown indicated they would be honored. A group would also like to place a 'frog' somewhere in the Borough in her memory therefore it was suggested that the Circle would be the appropriate place. **Moved** Ms. Craze and seconded by Mrs. Kulesa to approve the naming of the circle as "Delaney Circle" and the placement of a frog in the circle in her memory. **Motion carried.** A dedication is planned in conjunction with the Christmas tree lighting.

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

- b. Planning Commission – Mr. Wert reported that the Commission has been working with the Zoning Ordinance changes which includes the removal of the Noise section to a separate ordinance. He noted that the Berks County Planning Commission has been reviewing the changes and their approval of the most recent changes is pending. Assuming that the changes are reviewed in a timely manner, Mr. Becker suggested that the Public Hearing be held just prior to the July Council meeting. Therefore a Public Hearing is scheduled for July 15th at 6:30 p.m. **Moved** by Ms. Hutcheson and seconded by Mr. Wert to approve the Planning Commission report. **Motion carried.**
- c. Economic Development Committee – Ms. Hutcheson noted that there was no quorum at their last meeting therefore no minutes have been prepared however she reported that they are moving forward with identifying blighted properties throughout the Borough. They are also working on a comprehensive welcome package for potential business owners. She said they are also working with a realtor to compile a list of all residential and commercial properties that are for sale in the Borough.

Moved by Mrs. Kulesa and seconded by Mrs. Heckler to approve the Economic Development Committee report. **Motion carried.**

11. **TREASURER'S REPORT:**

- a. **Moved** by Ms. Hutcheson and seconded by Ms. Craze to approve the Revenues with Comparison to Budget Report for the 5 months ending 5/31/2014. **Motion carried.** Ms. Craze had several questions concerning the report which were answered, and in some cases were items that needed to be looked into because they were coded improperly.
- b. **Moved** by Mrs. Kulesa and seconded by Ms. Craze to approve Payment Approval Report for 5/22/2014 – 6/12/2014 and 6/13/2014 – 6/17/2014. **Motion carried.**

12. **PUBLIC COMMENT:**

Oswald Herbert asked if trash truck/dumpster noise could be covered under the noise ordinance and Chief Powell said that under the new ordinance, they could be cited based on the resident's complaint.

Terry Siggins requested that Council revisit the fence ordinance and noted that West Reading is the only Borough that he has found that requires a 5' maximum height for solid fences. A 6' fence is permitted if it is not a solid fence. His issue is that 5' fencing is not standard construction and impossible to find in prefabricated sections.

It was recommended that the fence ordinance be changed, however in order to do so, the changes will have to be reviewed by the Planning Commission, then submitted to the Berks County Planning Commission for review. As a result, the Zoning Ordinance Public Hearing will be postponed again. Chief Powell added that the height of the gate should be lower for potential safety issues.

Jim Rogers asked if the Codes department has the authority to make roofers wear safety harnesses as they work and Mrs. Levering said that OSHA has been in touch with Codes and has been heavily monitoring the work sites here in the Borough. Mr. Gallen noted that it is not in the Borough's prevue to monitor this type of safety issue.

Amber Rambo asked about the contractors' signs that are appearing in the planting strip and have the potential to be there for several months because of the hail storm. Mrs. Levering said that the ordinance says they must be taken down within 7 or 15 days after the work is complete. Ms. Rambo asked if this could be changed for future situations.

13. **EXECUTIVE SESSION:**

Council recessed to Executive Session at 9:12 p.m. When the meeting reconvened at 9:54 p.m., no action was taken.

14. **ADJOURNMENT:**

Moved by Ms. Craze and seconded by Mrs. Heckler to adjourn the meeting at 9:54 p.m. **Motion carried.**

Respectfully submitted,

Cathy Hoffman
Administrative Assistant