

BOROUGH OF WEST READING – BOROUGH COUNCIL

October 18, 2016 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, October 18, 2016 with the following persons present: Council President Carl G. Garman; Council Vice-President Nathalie Kulesa; Council Members Grace M. Craze, Kristin L. Kramer, Christopher C. Lincoln, Suzanne Thompson, Philip C. Wert; Acting Borough Manager Cathy L. Hoffman; Mayor Valentin Rodriguez, Jr; Police Chief Stephen D. Powell; Fire Chief Mark Burkholder; Main Street Manager Christin Kelley (arrived at 9:05 p.m.); Public Works Director Dean Murray; Solicitor Charles Haws ; Engineer Tom Unger; Recreation Director Helen Moyer; and Administrative Clerk Stephanie L. Burkholder. Elm Street Manager Dean Rohrbach was unable to attend.

VISITORS:	James T. Rogers	Resident
	Audrey Schaeffer	Resident
	Scott Fiegel	Resident
	Amber Rambo	Resident
	Mack Garvin	Resident
	Karen Livingood	Resident
	Oswald Herbert	Resident
	Reporter	Reading Eagle

1. **CALL TO ORDER:** Council President Carl G. Garman stated that on October 5th prior to the Council meeting an executive session was held to discuss the Borough Manager position as well as. The council meeting was then called to order at 7:05 p.m. which was followed by the Pledge of Allegiance and Roll Call.

2. **PUBLIC COMMENT:**

Scott Fiegel provided an update on the truck traffic on Sunset Road and stated that he sees a car carrier on his block very often. Mr. Fiegel took some pictures of the truck and showed them to Council. He stated that Chestnut Street was starting to become a truck parking area which may be an issue during the winter months. Mr. Garman stated that this matter would be discussed with the Chief to see what the best way is on how to handle this situation, as well as people going through stop signs. Mr. Fiegel advised that this occurs every week. Mr. Fiegel also asked if the flashing speed sign on Penn Avenue could be moved to other locations. Chief Powell advised that he's looking to get another sign which will record average speeds. He also stated that said they can do speed enforcement.

Amber Rambo also commented regarding the truck traffic on Sunset Road and stated that it's not just the car carrier that's the issue. She stated that this occurs early in the morning and speeding is an issue as well as people going through the stop sign.

James T. Rogers requested a copy of the draft budget and Mr. Garman stated they will look into it. Mr. Rogers mentioned the parking study and noted the amount of vehicles that are on Franklin Street between the 300 block to the 700 block. He said he would like there to be no parking on one side of the street during street cleaning days. Mr. Garman stated if street cleaning is done that way then the road crew would not be able to do a thorough job. Mr. Rogers also noted the amount of cars that are parked on the municipal lot at night.

Mack Garvin spoke about the property at 545 Franklin which was abandoned by the owner in July, which has caused problems for his property. He stated the owner hadn't fixed the hail damage to the roof and as a result, Mr. Garvin's home has been damaged. Much discussion ensued regarding how to proceed and what can be done to resolve the issue. Mr. Haws stated that if this is a property

maintenance code issue the homeowner can be cited for any violations of the property maintenance code. If the fines aren't paid then a lien can be placed on the property. There would costs the borough incurred in addition to the fines but doesn't involve damage to adjoining properties which then becomes a private matter and the borough can't make the determination as to which property caused the damage. Mr. Garvin advised that the water has been turned off to the property as the water bill not paid, and there is no electricity.

Mr. Rogers advised that 417 Franklin has been sold and is being gutted according to Mrs. Schaeffer.

3. **APPROVAL OF COUNCIL MINUTES:**

Moved by Mr. Wert and seconded by Ms. Thompson to approve the Council minutes of September 20, 2016 and the budget meeting minutes of October 1, 2016. **Motion carried 7-0.**

4. **ORDINANCES/RESOLUTIONS:**

- a. Ordinance – Mr. Garman advised that the ordinances 1062 and 1063 will be ready for adoption on November 5th. Ordinance 1064 was distributed to Council for their review. **Moved** by Mr. Lincoln and seconded by Mr. Wert to advertise the proposed Ordinance 1064. **Motion carried 7-0.**

5. **UNFINISHED BUSINESS:**

- a. **Belovich Development (Street Dedication)** – Tom Unger reported that the all document have been prepared and the roads are ready for dedication. Mr. Unger reported that there is a list of items that they need to take action on and noted that if there's an issue at the time of dedication when the maintenance period starts, they will be responsible for anything for 18 months. There is also a maintenance security bond that should be posted for 15% of their original escrow account which will be held for the 18 month period to guarantee the work. The payment in lieu of open space is \$15,000 which is included in the \$73,341.88. A letter will be submitted to request the letter of credit reduction to \$143,000. Several motions were required to complete the process:

Moved by Mr. Wert and seconded by Mr. Lincoln to accept the fee of \$15,000 in lieu of the open space. **Motion carried 7-0.**

Moved by Mr. Lincoln and seconded by Ms. Craze to accept the three deeds of dedication and one easement. **Motion carried 7-0.**

Moved by Mr. Lincoln and seconded by Ms. Kramer to authorize the reduction of the letter of credit for the numbers that are set out in SDE's review letter dated for October 14th, with the amount being \$219,413.01. **Motion carried 7-0.**

Mrs. Hoffman stated that action has been taken on those items which will allow us to move forward. When the documents arrive they will need to be executed and some of them will require council's signatures which can be done at next week's meeting. Mrs. Hoffman advised that the checks, letters of escrow, etc. will be processed in the next few days. Mrs. Hoffman stated that they can accept the dedication of the streets and Mr. Garman stated that the borough will be plowing those streets.

- b. **Abandoned Properties** – It was mentioned that 417 Franklin has been sold and the new owner is obtaining the necessary permits so they can proceed with repairs.

- c. **Hail Damage Repairs** – Ms. Hoffman reported that some of the contracts were received and they are in the process of getting them executed. Mrs. Hoffman also stated that they are hoping to have all the hail damage repairs completed by Thanksgiving.
- d. **UGI Update** – Mr. Murray stated that the crews are working on finishing up the smaller ditches in the area in the 300 block of Spruce Street. There were multiple ditches in one area which had replaced the paving from the curb to the middle of the street.

6. **CONSULTANTS' REPORTS:**

- a. **Solicitor's Report** – Mr. Haws stated that everything he needed to say had been addressed elsewhere in the agenda. Mr. Haws also reported that Chief Powell had made revisions to the police contract which would need to be addressed during executive session at the Council meeting next week. Mr. Haws had nothing further to report other than what had already been covered.

Moved by Ms. Thompson and seconded by Ms. Craze to approve the Solicitor's report. **Motion carried 7-0.**

- b. **Engineer/Code Enforcement Report** – Mr. Unger reported that the final payment applications have been received for the Borough Hall and Fire Company hail damage contracts. Payment application #2 for contract A was for borough hall in the amount of \$11,666.82 which matches the contract amount.

Moved by Ms. Craze and seconded by Mr. Lincoln to Approve the payment in the amount \$11,666.82, for application #2 contract A. **Motion carried 7-0.**

Mr. Unger also stated that Contract "B" for the fire company for the final payment of application #2 was in the amount of \$10,036.12 and needed to be approved. Mrs. Kulesa asked if the leak at the fire company had been taken care of and Mr. Murray stated that it needs to be fixed. It was determined to hold off on the payment for now until the leak is repaired. If it's fixed prior to the council meeting next week the payment application can be approved otherwise the payment application will get approved next month.

Mr. Unger noted the following:

- Currently waiting on the resubmittal of plans for Narrow Fabric, Belovich, and the Lofts at Narrow.
- Buttonwood Street is being tabled pending the funding that's available.
- Blatt Construction was hired to fix the masonry column at the municipal garage.
- A total of three bids for Museum Road were received. They are from Austil Construction in the amount of \$14,700.00; Bertolet Construction in the amount of \$22,113 and Wexcon in the amount of \$12,600. Wexcon came in as the low bid.

Moved by Ms. Kulesa and seconded by Ms. Craze to approve the 3 bids for Museum Road. **Motion carried 7-0.**

Moved by Ms. Kulesa and seconded by Ms. Kramer to award the contract to Wexcon in the amount of \$12,600 for the Museum Road project. **Motion carried 7-0.**

Mini Cell Tower Application – Mr. Unger spoke about the existing regulations concerning cell towers and the proposed ordinance. He noted that the application that has been received will be

denied per the existing ordinance, which requires a conditional use hearing, which allows the borough to address items such as FCC regulations and ROW agreements that would be applicable.

Mr. Unger explained that the conditional use would give an opportunity to discuss incorporating the pole with an existing pole which would be similar to the siren at borough hall. Mr. Unger stated that he wanted to discuss the cell tower ordinance and Mr. Garman asked what the ordinance is going to enable the borough to do and what they can follow. Mr. Unger stated that this is going to force them to co-locate with an existing pole and make them prove that they need it. Mr. Garman asked Mr. Unger if this will benefit residents in the borough and he said it does. There's an area located in the borough which has weak service and this will increase that service and this is also due to the amount of cell phones and I-pads and the systems being overloaded. Mr. Unger stated that all of these questions could be answered at a conditional use hearing.

Pump Station- Mr. Unger reported that the construction cost came back in the amount of \$16,250 which is under the public bidding amount. They can get three cost estimates to do the work and have them available for the next meeting. Mr. Unger asked if this could be included in the budget for this year and Mrs. Hoffman believed they can make it work since it's a small amount. Mr. Murray noted that this is something the state is forcing them to do.

Alley – Mr. Unger reported that the grant application has been put together and a sample resolution needs to be passed. The total estimated project cost which is being requested in the grant is \$223,714. Discussion ensued concerning increasing the borough's contribution to 30%. The scope of the work would be for the sewer line replacement and trench restoration which will cover half of the cost of the repaving. At 30% of the borough's contribution would be \$67,114, and the additional cost of the paving would be \$30,000. The grant amount is 70% which is \$156,600 and Mr. Unger stated that a resolution # and motion will need to be passed.

Moved by Mr. Lincoln and seconded by Ms. Kramer to authorize resolution 2016-10 in the amount of \$156,600 for the Commonwealth Financing Authority. **Motion carried 7-0.**

Moved by Ms. Craze and seconded by Ms. Thompson to approve the Engineer's Report. **Motion carried 7-0.**

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

- a. **NIMS Training –** Mrs. Hoffman reported that Westside Regional Emergency Management Agency's Manager Tom Bausher recommended that everyone become current on their NIMS training which would be units 100 and 700. This would include all council members which do not have it currently as well as staff. The training can be done online and is mandatory.
- b. **Mini Cell Tower Ordinance –** This was covered under the Engineer's Report.
- c. **Shade Tree Appointment –** Mrs. Hoffman stated that a letter from borough resident Lynne Burns had been received requesting her appointment on the Shade Tree Commission. Ms. Burns is a lifelong resident of the borough and also has a passion for trees and Penn Avenue. Ms. Burns is also on the WRCRF board, has a lot of history and is very knowledgeable.

Moved by Ms. Thompson and seconded by Mr. Lincoln to appoint Lynne Burns to the Shade Tree Commission. **Motion carried 7-0.**

- e. **Parking Spaces on S 7th Avenue** – Mrs. Hoffman stated that due to the new construction at the hospital the street has been bumped out and a total of ten parking spaces need to be taken away. Council was not aware that spaces were being removed and Mr. Murray reported that this is being looked into. Parking spaces are also being removed on the north side of Parkside Drive North. Mr. Wert stated that he didn't remember anyone saying eight spaces were being taken away. Mrs. Hoffman said that they will be using the parking lot at Scottish Rite where parking has been allocated for the hospital. No Parking Signs will need to be put up for the removal of the stall lines. Mr. Murray will be meeting on site with the contractor and Hospital representatives to discuss this.

Mr. Haws advised that there should be separate approval for what the Land Development Plan stated it could do and Mrs. Hoffman said that the plan didn't include the removal. Mr. Unger reported that Great Valley has been doing the inspection and is finishing the project. There's also an issue on the area of the hill going over top of the sewer and water lines.

Moved by Mr. Lincoln and seconded by Ms. Kulesa to approve the Borough Managers report.
Motion carried 7-0.

8. **MAYOR'S REPORT:**

Mayor Rodriguez had a question regarding the demolition for the property located at 502 Cherry Street regarding the status of the property. Mr. Unger stated that the contractor had been through the demolition process and they would be patching and capping areas of the adjacent property at 504 Cherry Street. Mayor Rodriguez stated that Buttonwood Street has a trench that was caused by UGI installing new service. He wanted to ensure that it is restored before any repaving can be done.

Mayor Rodriguez provided an update regarding the status of the columns on the bridge by stating that a letter was sent to Norfolk Southern requesting the repair of the columns and that this should be done in conjunction with the scheduled work on the Buttonwood Street Bridge. Anti-graffiti paint is being placed on the columns so it will make graffiti removal easier.

Mayor Rodriguez advised that he has items to bring to executive session but he will bring those matters to the meeting next week since he had to leave the meeting early.

Moved by Ms. Thompson and seconded by Ms. Craze to approve the Mayor's report. **Motion carried 7-0.**

9. **DEPARTMENT REPORTS:**

- a. **Police Department** – Chief Powell stated that he had an item for executive session. Mr. Lincoln asked about the cameras on Penn Avenue as to the extent of the damage and what caused it. Chief Powell said the damage was caused by a power surge from a lightning strike and about five cameras were affected. The cameras were located on 4th Avenue, 300 block of Penn and at least three of them are on 5th. They are under warranty, some of them have been repaired and others still have to be replaced.

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

- b. **Public Works** – Mr. Murray referred to his written report and advised that the contractor that was doing tree removal on Buttonwood Street and Reading Avenue did a great job with the removal of the trees and trimming. Mr. Murray stated that the contractor was \$700 cheaper than what had been bid on. He received a lot of compliments and plans to use the same contractor in the future.

Mr. Lincoln questioned the taste and smell that's been in the water. Mr. Murray stated that he was speaking with Mr. Bilger and they plan on drafting an announcement for the website. Mr. Murray stated that the water is safe to drink and to bathe in but residents can use bottled water if they wish to.

Ms. Craze asked Mr. Murray about the line painting at a crosswalk that was done on a Sunday. Mr. Murray stated that he didn't have enough paint to do the keyboard on the street and this was the first time crew members were out on a Sunday to paint those lines. Ms. Craze said she noticed there were five crew members out and Mr. Murray stated that this was for painting and traffic control.

Moved by Ms. Kulesa and seconded by Ms. Kramer to approve the Public Works Report. **Motion carried 7-0.**

- c. **Fire Department** – The following was discussed concerning Chief Burkholder's report:

Chief Burkholder reported that both the hydrant flushing and the open house went well. Mr. Garman questioned when they would hear about the status of the roofs and Mr. Murray was going to look into it since no one had called Chief Burkholder. Mr. Murray hadn't heard anything and wasn't sure if anything had been done. Chief Burkholder stated that there was leaking around the pipe.

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

- d. **West Reading Community Revitalization Foundation**

Elm Street and Main Street Manager' Report – Mrs. Hoffman stated that Ms. Kelley was representing the Borough at the Center for Excellence in Local Government award presentation.

Mrs. Hoffman stated that Mr. Rohrbach wanted everyone to be aware that the PDC assessment will be held on Thursday, December 15th and is requesting everyone's presence to inform them of the work the borough does.

Ms. Kelley arrived later in the evening and gave her report as well as the Elm Street Manager's report. Ms. Kelley invited everyone to attend Costumes on the Corridor and was looking for volunteers to help hand out candy from 5:00pm to 7:00pm. The event had previously been held by the Young Professionals and Main Street has adopted the event. Cruising on the Avenue and Fall Festival were huge successes and both were well attended. Ms. Kelley will provide those numbers at the meeting next month. Ms. Kelly also noted that an event permit for Penn Avenue is being written since events on Penn Avenue are becoming very popular and the permit is needed especially for businesses and outside parties. This will allow the Borough crew to know what is required ahead of time as well as the Police Department so they can be prepared and have coverage.

Mr. Rohrbach's new mural is being installed and was sponsored by several businesses including Edwards Business Systems. The mural was painted by Alison Shannon of Alison Clothing and they have been working closely with Michael Miller and art students from Wyomissing High School's Art Department. Ms. Kelly advised that this year marks the 10th anniversary for the Farmers' Market

and there will be cake and activities for the kids on the last day of the Farmers' Market which is Sunday, November 6th.

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

Mr. Rohrbach will provide his report next month.

Moved by Mr. Wert and seconded by Ms. Kramer to approve the Elm Street Managers' Report. **Motion carried 7 -0.**

10. **COMMITTEE/COMMISSION REPORTS:**

- a. **Recreation Commission** – Mrs. Moyer stated that if anyone would like to donate some of their time to assist with the Harvest Hayride this weekend she would appreciate the help. Mrs. Kulesa mentioned the filtration tank stating that the amount should not be \$4000. Mrs. Moyer stated that the cost is \$40,000 for all of it and that this is the price for one tank which is not correct. Mrs. Moyer stated they will adjust those minutes. The cost is \$35,000 for the ones that Mrs. Moyer and Mr. Murray had discussed and it was mentioned in her report. The old tanks need to be taken out and replaced with new ones. One of the tanks is made of fiberglass and the other one is not and believes that the other one might be steel. Mr. Garman asked how old the tanks are and Mr. Murray advised that they may be about 13 years old. Mr. Murray also advised that the tank in the baby pool was replaced with a fiberglass tank and is doing fine.

Mrs. Moyer stated that a total of \$505 was raised during the Fall Festival event and a lot of the items were donated. Mrs. Moyer made the wreaths and numerous items had been sold. Some of the items that were made were made from materials that were donated. Mrs. Moyer was unable to host the games and the pumpkin patch on the field due to the weather.

Mr. Garman asked Mrs. Moyer if they wanted to discuss the resurfacing of the basketball court and she stated that she's putting that item in her budget and will discuss it with the Treasurer.

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

EAC – Mr. Wert provided an update on the energy audit application and noted that the grant is decided by a statewide committee. Mr. Wert stated that we should know more by next week.

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

Traffic and Infrastructure - There were no questions concerning either report.

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

- b. **Planning Commission** – The meeting was cancelled.
- c. **Economic Development Committee** – The meeting was cancelled.

- d. **Shade Tree Commission** – There were no questions concerning Mr. Murray's report.

Moved by Mr. Lincoln and seconded by Ms. Kramer to approve the Shade Tree Commission report.
Motion carried 7-0.

- e. **Finance Committee** – The Committee did not meet.

Mr. Garman asked council if they all agreed to have Ms. Renninger become part of the Finance Committee. It was noted that the committee hasn't met due to the budget preparation. Mr. Lincoln asked about the Ordinance and Mrs. Hoffman said that the committee will need to work on the Ordinance and determine the goal of the committee. Mrs. Hoffman stated that the meetings are already scheduled on a monthly basis and she would make sure that a meeting is held in November.

- f. **Safety Committee** – There were no questions concerning the committee minutes.

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

- g. **Personnel Committee** – Mr. Garman asked Council to review the report that was distributed just prior to the meeting, for discussion at the meeting next week when the Mayor is present.

TREASURER'S REPORT:

- a. **Revenues with Comparison to Budget – 9 months ending 9/30/2016**

Mr. Garman had a question regarding a line item entitled Sanitation Fund Miscellaneous Expenses and the year to date total is \$10,975 with 0 budgeted. Mrs. Hoffman stated that it may be for the recycling containers.

Moved by Mr. Lincoln and seconded by Ms. Craze to approve the Revenues with Comparison to Budget Report for the nine months ending September 30th. **Motion carried 7-0.**

- b. **Payment Approval Report – 9/21/2016 to 10/15/2016 and 10/16/2016 to 10/18/2016**

Moved by Ms. Craze and seconded by Mrs. Kulesa to approve the Payment Approval Report for the periods of 9/21/2016 – 10/15/2016 and 10/16/2016 – 10/18/2016. **Motion carried 7-0.**

11. **EXECUTIVE SESSION:**

Council recessed to Executive Session at 9:22 p.m. to discuss the borough manager position. When the regular meeting reconvened at 10:05 p.m., no action was taken.

12. **PUBLIC COMMENT:**

There was no public comment.

13. **ADJOURNMENT:**

Moved by Ms. Kramer and seconded by Ms. Thompson to adjourn the meeting at 10:08 p.m. **Motion carried 7-0.**

Respectfully submitted,

Stephanie Burkholder
Administrative Clerk