

BOROUGH OF WEST READING – BOROUGH COUNCIL

December 16, 2014 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, December 16, 2014 with the following persons present: Council President James J. Gallen, Jr.; Vice President Philip C. Wert; Council Members Elizabeth L. Heckler, Nathalie R. Kulesa, Deborah Hutcheson, Grace Craze, Carl Garman; Mayor Valentin Rodriguez, Jr.; Borough Manager Richard J. Sichler; Police Chief Stephen D. Powell; Fire Chief Mark D. Burkholder; Borough Solicitor Daniel P. Becker; Code Enforcement Officer Tracey Levering; Recreation Coordinator Helen Moyer; Public Works Director Dean Murray; Borough Engineer Tom Unger; Administrative Assistant Cathy Hoffman. Elm Street Manager Dean L. Rohrbach was only in attendance for the APA presentation.

VISITORS:	Ruth Cardell	Temple
	Jim Livingood	Resident
	James T. Rogers	Resident
	Massimo Grande	Nonno Alby's
	Salvatore Folino	Wyomissing
	Amber Rambo	Resident
	Gary Laity	Resident
	Suzanne Thompson	Resident
	Robin Horman	Resident
	Keith Fox	Residents
	Becca Gregg	Reading Eagle
	Oswald Herbert	Resident
	Tina Shenk	Property/Business Owner
	Shannon Rossman	Berks County Planning
	Kathy Frymoyer	Resident
	Judy Schwank	PA Senate
	Carol McStay	Resident

1. **CALL TO ORDER:** Council President James Gallen called the meeting to order at 7:00 p.m.
2. **PRESENTATIONS:**
 - American Planning Association, Pennsylvania Chapter – Shannon Rossman, Executive Director of the Berks County Planning Commission spoke about the 2014 Great Places in PA Award which was presented by the American Planning Association, Pennsylvania Chapter as a result of the application made by Dean Rohrbach in the “Great Neighborhoods” Category, specifically The Avenue, Center Point and Ten Points. The APA’s award was presented to Mayor Rodriguez, who then recognized Elm Street Manager Dean Rohrbach, Borough Council and the West Reading Community Revitalization Foundation who have all worked diligently to make West Reading a better place. He also recognized the Wyomissing Foundation as a partner in making West Reading a great place. Senator Schwank read a Citation from the Senate of Pennsylvania to honor West Reading which in part read “The Senate of Pennsylvania congratulates local leaders and citizens of West Reading Borough on being designated a 2014 Great Neighborhood Award Winner by the Pennsylvania Chapter of the APA and wishes them continued success building strong neighborhoods and a vibrant community.”
 - Police Department Awards – Official Commendations were presented to Officers Peter Purcell and Ashley Borman of Wyomissing and Officer Marc Oxenford and Sgt. Ryan Phillips of West Reading for their actions in apprehending a home invasion suspect who had taken hostages on November 5th. Sgt. Laurence Gausch of Cumru Township and Officer Matt Nguyen of West Reading received Distinguished Unit Citations on behalf of the officers of the Unit in which they serve as well as individually to them. Sgt. Gausch is the Tactical Team Leader of BCERT who was in charge of the unit during the incident of November 5th.

3. **LIQUOR LICENSE TRANSFER – 701 PENN AVENUE**

A Public Hearing for the Liquor License Transfer for Nonno Alby's 701 Penn Avenue was held at 6:30 p.m. with all members of Council present. **Moved** by Mr. Garman and seconded by Ms. Craze to approve the liquor license transfer for the property at 701 Penn Avenue known as Nonno Alby's. **Motion carried.**

4. **PUBLIC COMMENT:**

James T. Rogers asked for an update on Officer Fabrizio and he was told that the hearing is scheduled for January 25th. He also asked what was budgeted for the Codes department and if it has ever been under budget in the last two years. Mr. Sichler didn't have the information readily available but Mrs. Levering said that they have always been under budget and also had excess revenue.

5. **APPROVAL OF COUNCIL MINUTES:**

Moved by Ms. Craze and seconded by Mr. Wert to approve the minutes of November 1st, 6th, 13th and 25th Budget Sessions, November 18th Regular Session and December 10th Special Session. It was noted that at the December 10th meeting, Council agreed to form a committee to work on the cooperation agreement between the Borough and the West Reading Community Revitalization Foundation. This was not reflected in those minutes. **Motion carried.**

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

Grease Trap/Interceptor Ordinance 1037 and Resolution 2014 – 12

Mr. Sichler said that the ordinance had been advertised and is ready to be enacted. **Moved** by Mr. Garman and seconded by Ms. Craze to approve Ordinance 1037. **Motion carried.**

Moved by Mr. Wert and seconded by Mrs. Heckler to approve Resolution 2014 – 12 which establishes the fee for grease trap/interceptor inspections. **Motion carried.**

Handicapped Parking Ordinance 1038

Moved by Ms. Craze and seconded by Mr. Wert to approve Ordinance 1038. **Motion carried.**

7. **UNFINISHED BUSINESS:**

- a. **Planting Strip Ordinance** – Mr. Sichler said that at the last meeting, discussion surrounded the issues of vegetation height and prohibition of dirt being the primary substance in a planting strip. After careful consideration of the existing wording in the proposed ordinance, he felt that both of these concerns have been sufficiently addressed and a change in wording is unnecessary.

8. **CONSULTANTS' REPORTS:**

- a. **Solicitor's Report** – Mr. Becker provided an update concerning the Belovich property by stating that the Bank has received the list of outstanding items which their attorneys are currently reviewing. Documents will be prepared concerning easements and dedications once the legal descriptions are provided.

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

- b. **Engineer's Report** – Mr. Unger reported the following:

- The Community Park Stream Bank Retaining Wall project has been advertised and bids will be received on January 16th.
- The Olive Street Pump Station Rehab plans are complete and ready to be advertised. **Moved** by Mr. Wert and seconded by Mrs. Heckler to authorize the advertising of the Rehab project. **Motion carried.**

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

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

a. **Borough & Tax Collector Audit RFP** – Bids were received for the Borough Audits as follows:

RKL (current auditor)	\$22,800
Maher Duesell	\$18,936
Maillie LLP	\$14,500

Mr. Sichler noted that RKL reconsidered their original quote and decreased it to \$18,500. It was noted that Maillie recently assisted the Fire Company, and they have been recommended by our consultant CPA. **Moved** by Ms. Hutcheson and seconded by Mrs. Kulesa to appoint Maillie LLP as auditors for the Borough and Tax Collector in an amount not to exceed \$14,500. **Motion carried.** It was noted that \$22,800 had been budgeted for the Audit therefore this line item will be adjusted in the 2015 Budget.

b. **2015 Budget** – Mr. Sichler provided information concerning the following proposed budget changes:

- Line Item 90-453-431 (\$19,000) will be broken down as follows:

Community Special Events	90-453-431	\$5,100
Father Daughter Dance	90-452-109	\$1,700
Harvest Hayride	90-452-110	\$2,300
Mother/Son Dance	90-452-111	\$ 800
Tons of Trucks	90-452-112	\$ 100
4 th of July	90-452-113	\$9,000
- Two road projects had been proposed from the Capital Reserve Fund. These two projects (Franklin Street road projects), can now be funded out of the General Fund and still not impact the bottom line because some unanticipated revenue - \$118,000 from Earned Income Tax (from out of state workers). As a result, these changes will be made to the budget:
31-492-030 Transfer to Capital Fund – advertised at \$211,000, will now be zero.
01-481-860 Capital Fund Build-up – was advertised at \$11,650, will now be \$222,650
- 01-413-312 Planning – Engineering Fees – Mr. Wert spoke about the old maps in storage that need to be preserved. It was agreed to take \$1000 from engineering fees to preserve them. Engineering fees will stay the same at \$5000 but \$1000 will be earmarked for archiving.
- 01-413-401 Codes Department Administration – was advertised incorrectly at \$228,300. The amount should be \$228,800.
- 4th of July events were discussed and it was noted that because the 4th falls on a Saturday and Community Days will be having their fireworks therefore the Borough will not have a fireworks display. Events will continue as usual at the pool. This line item will be reduced by \$8000, (\$1000 will remain for events at the pool) and the Revenue line item will be reduced as well by \$8000 (90-367-815).
- Work at the basketball courts was also discussed and it was noted that it has been requested that the area under the bleachers be asphalted because the crushed limestone gets swept onto the court when it rains and causes issues. Mr. Sichler said that regular maintenance is required to control weeds so it might be a good idea to asphalt the area. He noted that the City of Reading would have to be contacted because of the impervious coverage that would be impacted. It was suggested that the project could be proposed if the funds become available.

Mr. Garman asked that a personnel item be discussed in Executive Session before the budget is approved. He also asked that the motion to approve the budget include language concerning the proposed cooperation agreement committee concerning funds distribution. Mr. Sichler said that Council could direct him not to release any funds without Council's consent.

c. **Employee Handbook** – Mr. Sichler asked that some items in the proposed handbook be discussed in Executive Session, prior to adoption.

- d. **Water and Sewer Rate Amendments** – Proposed water rate increases, as discussed by Council during Budget sessions, are included in Ordinance 1039, and sewer rate increases in Ordinance 1040. **Moved** by Ms. Craze and seconded by Ms. Hutcheson to advertise Ordinance 1039 and 1040. **Motion carried.** This reflects a 3% water increase (in keeping with Western Berks Water Authority's increase) and 8.5% sewer increase (as increased by the Joint Municipal Authority of Wyomissing Valley).
- e. **2015 Meeting Schedule** – The proposed meeting schedule for 2015 was circulated which reflects that same schedule as 2014. It was suggested that budget meetings be included in the schedule to reduce advertising costs therefore the 2015 meeting schedule will include Budget Workshops on October 3rd, November 7th and December 5th. If all meetings are not needed, a sign can be posted indicating the meeting is canceled.

A second Council meeting per month was also discussed and it was suggested that the 4th Tuesday per month be scheduled and if unnecessary, it would be posted as canceled. It could also be posted on the website.

Moved by Ms. Craze and seconded by Mrs. Kulesa to advertise the 2015 Meeting Schedule as discussed. **Motion carried.**

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

10. **MAYOR'S REPORT & WEST READING COMMUNITY REVITALIZATION FOUNDATION:**

Mayor Rodriguez spoke about the traffic circle dedication to Delaney Brown and thanked Helen Moyer, the Recreation Commission and Council for the event.

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

11. **DEPARTMENT REPORTS:**

- a. **Code Enforcement** – Mrs. Levering referred to her written report. It was noted that the 'smoker' issue has been concluded. The business owner has vacated the premises.

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

- b. **Police Department** – There were no questions for Chief Powell concerning his written report but he noted that he had two items for Executive Session.

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

- c. **Public Works** – Mr. Murray referred to his written report. There was a question concerning street sweeping and it was noted that the streets that are permanently posted will continue to be cleaned until the end of December.

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

- d. **Elm Street** – Mr. Rohrbach was not in attendance for this portion of the meeting therefore no report was given.

12. **COMMITTEE/COMMISSION REPORTS:**

- a. **Recreation Commission** – Helen Moyer spoke about the Christmas Tree Lighting and the dedication of Delaney Circle. She thanked everyone who helped with the event and noted that Delaney's family were extremely happy with everything. Mrs. Moyer also thanked Tina Shenk for funding the construction of

the wall at the circle. She said that almost \$19,000 had been donated for the project and that more funds are expected for the plants to be installed.

Mrs. Moyer provided a list of Recreation Commission events for 2015 and asked Council's approval for the list. **Moved** by Mr. Garman and seconded by Ms. Craze to approve the list of events for 2015.

Motion carried.

Moved by Mrs. Kulesa and seconded by Ms. Hutcheson to approve the Recreation Commission Report.

Motion carried.

- b. **Planning Commission** – Mr. Wert spoke about the draft 'Animal' regulations which is Chapter II of the Borough Code of Ordinances. He said it integrates all of the sections from the old regulation that need to stay as well as new sections that both Environmental Advisory Committee and the Planning Commission have been discussing at length. He said he spoke with the Bee Keepers Association who recommended an ordinance that was approved by the community of Forrest Hills, PA which deals with the keeping of bees and chickens. He noted that the new language he incorporated into the proposed regulation is based largely on the Forrest Hills Borough ordinance which is an urban community just outside of Pittsburgh.

Mr. Garman voiced his concerns about chicken waste not being cleaned up because the Borough already has problems with residents not cleaning up dog feces in their yards and it was noted that most properties in the Borough will not be large enough to meet the setbacks required to keep chickens. It was also noted that a permit would be required.

Much discussion ensued and Mr. Wert noted that the current ordinance as written allows all animals including chickens in the Borough if a 25' setback can be met. He asked Council if they are ready for the document to undergo a legal review and it was decided that it should be done.

Moved by Ms. Craze and seconded by Ms. Hutcheson to approve the Planning Commission report.

Motion carried.

- c. **Economic Development Committee** – The Committee did not meet therefore there was no report presented.
- d. **Safety Committee** – There were no questions concerning the minutes.

Moved by Mr. Wert and seconded by Ms. Hutcheson to approve the Safety Committee minutes.

Motion carried.

- e. **Environmental Advisory Committee** – There were no questions concerning the written report.

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

13. **PUBLIC COMMENT:**

Amber Rambo asked how the changes in the Codes Department would affect residents and Mr. Gallen said there should be a seamless transition with the professional outsourcing to our Engineering company. Everything will be handled at Borough Hall as usual including permits, violation notices, citations etc. being issued. She also asked about the surveillance camera project and Chief Powell said he is still working on funding.

James T. Rogers asked about the funding that the Borough gives to the West Reading Community Revitalization Foundation and was told that the amount will be \$52,000 in 2015. Also, \$37,000 has been proposed for Main Street. Mr. Rogers also asked if Public Comment could be held after Executive Session.

Kathy Frymoyer spoke about wooden bridge by the pool that is being replaced board by board but it still somewhat dangerous. Mr. Murray said that repairs have been planned.

14. **EXECUTIVE SESSION:**

Council recessed to Executive Session at 8:24 p.m. The meeting reconvened at 9:04 p.m.

Fire Department – Chief Burkholder distributed his written report. There were no questions. **Moved** by Mr. Wert and seconded by Ms. Hutcheson to approve the Fire Department Report. **Motion carried.**

15. **TREASURER’S REPORT:**

a. **Revenues with Comparison to Budget:**

Moved by Ms. Hutcheson and seconded by Mr. Wert to approve the Revenues with Comparison to Budget Report for the 11 months ending 11/30/2014. **Motion carried.**

b. **Payment Approval Report:**

Moved by Ms. Hutcheson and seconded by Ms. Craze to approve Payment Approval Report for 11/19/2014 - 12/11/2014 and 12/12/2014 – 12/16/2014. **Motion carried.**

16. **ADDITIONAL ITEMS FROM EXECUTIVE SESSION:**

- **Moved** by Mrs. Kulesa and seconded by Ms. Hutcheson to enforce the contractual agreement with Officer Fabriziani. **Motion carried.**
- In addition to the previously discussed budget changes, line item 01-400-130 (Treasurer’s salary) is being reduced from \$45,580 to \$40,217. **Moved** by Ms. Hutcheson and seconded by Ms. Craze to adopt the 2015 budget with the adjustments as discussed.
Voting yes: Ms. Craze, Mr. Garman, Mrs. Heckler, Mr. Wert, Mr. Gallen, Ms. Hutcheson. Voting no: Mrs. Kulesa. **Motion carried.**

17. **PUBLIC COMMENT:**

James T. Rogers asked about Officer Fabriziani’s pension given that he was not employed by the Borough during a portion of the 25 years and Mr. Gallen said that the contract stipulates that as of January 15, 2015 he will have 25 years of service with the Borough.

Deborah Hutcheson stated that she is submitting her resignation because she is moving out of the area therefore this will be her last Council meeting. Mr. Gallen accepted her resignation, with sadness, on behalf of Council.

Suzanne Thompson asked if there was any further action in terms of the funds for the CRF and Mr. Gallen said there was not.

Mr. Garman said he would like to vote regarding the Committee before adjourning. **Moved** by Mr. Garman and seconded by Ms. Craze to approve the members for the Cooperation Agreement Committee: Mayor Rodriguez, Mr. Sichler, Mr. Garman, Ms. Craze, and Mrs. Kulesa.

Voting yes: Ms. Craze, Mr. Garman, Mrs. Heckler, Mrs. Kulesa

Voting no: Mr. Wert, Mr. Gallen, Ms. Hutcheson

Motion carried.

18. **ADJOURNMENT:**

Moved by Ms. Craze and seconded by Mrs. Kulesa to adjourn the meeting at 9:11 p.m. **Motion carried.**

Respectfully submitted,

Cathy Hoffman
Administrative Assistant