

BOROUGH OF WEST READING – BOROUGH COUNCIL

November 15, 2011 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, November 15, 2011 with the following persons present: Vice President Philip C. Wert; Council Members Elizabeth L. Heckler, Nathalie R. Kulesa, Deborah Hutcheson, James J. Gallen Jr., Mayor Shane J. Keller; Borough Manager Richard J. Sichler; Police Chief Edward C. Fabriziani; Fire Chief Mark D. Burkholder; Borough Solicitor Daniel P. Becker; Chief Code Enforcement Officer Tracey L. Levering; Recreation Coordinator Daphne E. Klahr; Elm Street Manager Dean L. Rohrbach; Administrative Assistant Cathy L. Hoffman; Borough Engineer Terry Naugle. Council President Kevin M. Conrad and Amy B. Good-Ashman were unable to attend. Public Works Director Dean E. Murray and Treasurer Sharon Morgan were in attendance for the budget portion of the meeting.

<u>VISITORS:</u>	Charles G. Wagner Sr.	Resident
	Nathan Hartman	Resident
	Ruth Cardell	Fire Police Captain
	Tina Shenk	Business/Property Owner
	Doug Geiger	Resident
	Jay Kupiszewski	Resident
	Carl Garman	Resident
	Rachel Garman	Resident
	Amber Rambo	Resident

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

Moved by Mr. Gallen and seconded by Ms. Hutcheson to recess the meeting at 7:02 p.m. **Motion carried.**

Mr. Wert convened the Public Hearing for Ordinance 1004, an amendment to Chapter IV, Part 1 entitled "Uniform Construction Code" to enforce the International Building Code, the ICC Electrical Code, the International Fire Code, the International Fuel Gas Code, the International Mechanical Code, the International Plumbing Code, the Mechanical Code, the International Plumbing Code, the International Residential Code and International Existing Building Code. As there were no public comments concerning the amendment, it was **Moved** by Mr. Gallen and seconded by Mrs. Heckler to adjourn the Public Hearing. **Motion carried.**

The Council meeting was reconvened and Mr. Wert stated that Ordinance 1004 had been advertised on November 1st and 8th. **Moved** by Ms. Hutcheson and seconded by Mrs. Heckler to approve Ordinance 1004. **Motion carried.**

2. **PUBLIC COMMENT:**
Business/Property Owner Tina Shenk spoke about some recent incidents involving thefts from businesses on Penn Avenue and the need for a greater police presence. She also said that when the incidents were reported to police not enough was done to pass the information along to the other business owners on Penn Avenue. She felt that if the information had been distributed by police, people would have been more vigilant and fewer thefts would have occurred.

Resident Amber Rambo asked if minutes published on the website could omit the resident's address. She also spoke about her fence request which was originally requested in November 2010 and although the Planning Commission seems to be willing to amend the ordinance to allow the fence, the ordinance has not been amended. She is aware that much of this is due to lack of budgeted funds, but wondered what has been scheduled for 2012. Mr. Wert responded that funds have been budgeted to amend the Zoning Ordinance in 2012 and that there is a Planning Commission meeting in December so it will be discussed again.

Mayor Keller on behalf of Representative Thomas Caltagirone presented Officer David Brown with a citation from the House of Representatives honoring him for 30 years of exemplary service with the West Reading Police Department. Officer Brown said he appreciated the plaques from the Borough and his brother officers as well as the citation. He said he enjoyed the years working in the Borough with all of the residents, merchants, and Council members.

3. **APPROVAL OF COUNCIL MINUTES:**

Moved by Mr. Gallen and seconded by Mrs. Heckler to approve the minutes of October 18, 2011.
Motion carried.

4. **UNFINISHED BUSINESS:**

Belovich Townhouse Development – Dan Becker explained that this will continue to be on the agenda until spring when some decisions regarding the development can be made. He added that there has been some general interest regarding the property however it has been very preliminary.

5. **ORDINANCES/RESOLUTIONS:**

- a. Ordinance 1005 – Mr. Becker stated that the ordinance concerning the establishment of rules and regulations for the professional review of applications has not been advertised and therefore not ready for enactment. Tracey Levering explained that the ordinance will set fees for professional services when a commercial property owner wishes to meet with an engineer, for example. **Moved** by Mrs. Kulesa and seconded by Mr. Gallen to authorize the advertising of Ordinance 1005. **Motion carried.**
- b. Ordinance 1006 – Mr. Becker said that this ordinance amends Part 4 (in its entirety) of Chapter XXI, which deals with the procedures for collecting Earned Income Tax in accordance with Act 32. He added that the ordinance has been advertised and is ready for enactment. (The new regulations go into effect in January 2012.) **Moved** by Mr. Gallen and seconded by Mrs. Heckler to enact Ordinance 1006. **Motion carried.**

6. **CONSULTANTS' REPORTS:**

- a. Solicitor's Report – Mr. Becker had nothing further to add.
Moved by Ms. Hutcheson and seconded by Mr. Gallen to approve the Solicitor's Report.
Motion carried.
- b. Engineer's Report – Mr. Naugle referred to his written report and as there were no questions, it was **Moved** by Ms. Hutcheson and seconded by Mrs. Kulesa to approve the Engineer's Report. **Motion carried.**

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

- a. Pension Fund Policy and Procedures – Mr. Sichler explained that the Borough would like to put the handling of the uniform and non-uniform pension plans out for bid in order to get the best use of the Borough's funds. To do so, procedures need to be in place per State law.
- b. Pension Fund Resolution – **Moved** by Mrs. Kulesa and seconded by Ms. Hutcheson to approve Resolution 2011-15 which formally adopts these guidelines. **Motion carried.**
- c. 2011 Audit Services – RKL proposes to continue to perform the Borough audit and has quoted a cost, not to exceed \$21,500. It was noted that because this is a professional service, it is not necessary to put it out for bid. Mr. Gallen suggested that they be asked to lower their quoted price therefore the issue was placed on hold while Mr. Sichler obtains further information.
- d. 2010 Tax Collector Audit – Mr. Sichler presented the audit as completed by RKL and noted that there were some comments about the checks and balances, however as a one person department, nothing can be done. Another comment concerned the lack of monthly reporting and it was questioned if this should be done mandatorily, therefore Mr. Becker will check into it. Mr. Becker told Council that some tax collectors attend Council meetings and provide a report. Mr. Sichler said he would inquire and bring it back to the next meeting.

It was noted that in the audit report there were other deficiencies including a lack of adequate records detailing the tax collector's daily activities and a check register. Also the documentation concerning wire transfers were inconsistently maintained. However, RKL has determined that this did not constitute significant deficiencies or material weaknesses. This will remain under unfinished business for the next Council meeting.

- e. Mr. Sichler said he had distributed a purchasing policy at the Budget meeting on the 12th however Mr. Becker has not had the opportunity to review it, therefore it will be tabled for now. Mr. Becker added that the exceptions are not consistent with Borough code and therefore needs to be tightened up a little bit.
- f. Mr. Sichler advertised the Borough's 1987 Seagrave ladder truck for sale in a local firefighter publication and four sealed bids were received, the highest being \$3,636. Because the Borough can reject any offer, it was decided to advertise it more widely. It was noted that the truck will be officially out of service after December 31, 2011. It was also noted that other ideas have been suggested such as it becoming a museum piece. **Moved** by Mr. Gallen and seconded by Mrs. Kulesa to reject all bids. **Motion carried.**

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

8. **MAYOR'S REPORT & MAIN STREET REPORT:**

Mayor Keller reported that the part-time Administrative Assistant in the Police Department has resigned effective November 11th. He read the letter of resignation dated October 28th as written to Chief Fabriziani. **Moved** by Mr. Gallen and seconded by Ms. Hutcheson to accept Tara Neff's letter of resignation. **Motion carried.** Mayor Keller noted that Chief Fabriziani is in the process of preparing an advertisement which will appear in the Sunday paper, assuming that Council is agreeable to this position being replaced. Chief Fabriziani said that the position is necessary because of the work load as well as providing a service to the residents by keeping the office open from 5:00 p.m. to 9:00 p.m. **Moved** by Mr. Gallen and seconded by Ms. Hutcheson to advertise the

20 hour/week position. **Motion carried.**

Mayor Keller also reported the following:

- the last Farmers' Market of the season will be November 20th.
- the Personnel Committee is meeting on a monthly basis to work on the handbook for non-uniform personnel which is long overdue
- once the handbook is completed, the Personnel Committee will begin working on an exit interview form
- employee evaluations will also be prepared

Moved by Ms. Hutcheson and seconded by Mrs. Kulesa to approve the Mayor's Report.

Motion carried.

9. **DEPARTMENT REPORTS:**

- a. Code Enforcement – Tracey Levering reported that she met with the managers at Lowe's who have committed to provide \$5.00 coupons for Borough residents to offset the cost of trash cans. She said she was not certain how many she would receive, however she will have them by the end of the week and will have the information added to the Borough's website. The coupons will be available on a first serve basis. This is being done because Council approved Ordinance #1000 that will require all residents to use a trash can (not greater than 35 gallons in size) instead of plastic bags.

As there were no questions concerning the written Codes report that was distributed at the November 12th meeting, it was **Moved** by Ms. Hutcheson and seconded by Mrs. Kulesa to approve the Chief Code Enforcement Officer's Report. **Motion carried.**

- b. Police Department – Chief Fabriziani said that he had distributed his written report just prior to the meeting. He noted that the ballistic duty vests have been distributed to our officers. Fifty percent of the cost of the vests was covered by the Department of Justice.

Also of note was Chief Fabriziani's attendance at the 3rd Annual Citizen's Police Academy graduation in Spring Township. He noted that this was the largest graduation group so far, with 30 residents (West Reading, Wyomissing and Spring Township) completing the Academy. He noted that in future, larger facilities will be needed because of the numbers of people who are involved.

Mrs. Heckler asked if information about incidents such as the ones reported by Tina Shenk could be put out as an e-mail to the businesses and Chief Fabriziani said that the Police Department must be made aware of the incidents, or nothing can be done. He said that the department does send out information when there has been a rash of events but in this case, only one incident was reported in early October and another incident more recently. After speaking with Ms. Shenk there were 3 other victims that came forward later however they hadn't reported the incident to police. He noted that they are gathering more information and working with other departments to look at suspects. Chief Fabriziani noted that with the 7000 calls that are received annually, the department has to set priorities. He added that the same week as the incidents on Penn Avenue there were 21 vehicle break-in/burglaries that they were dealing with. Now that the incidents on Penn Avenue have escalated, it has become a priority. He said he would endeavor to get the word out when the situation warrants it and when there are resources available to do so.

Moved by Mr. Gallen and seconded by Mrs. Kulesa to approve the Police Chief's Report.

Motion carried.

- c. Public Works – Mr. Murray was not in attendance however Mr. Sichler referred to the written report and noted Mr. Murray's thanks to the Fire Department for their assistance during the October 29th snowstorm cutting down limbs from trees. Mrs. Kulesa also thanked Public Works for their assistance with the Halloween Hayride and the Mother Son Dance.

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

- d.. Fire Department –Chief Burkholder referred to his report that was distributed just prior to the meeting. There were no questions.

Moved by Mrs. Kulesa and seconded by Ms. Hutcheson to approve the Fire Chief's Report.

Motion carried.

- e. Elm Street – Mr. Rohrbach noted that his report had been distributed at the Budget meeting on the 12th. He also said that he has scheduled the Public Hearing for December 5th, and requires one more Council person to attend that meeting at 6:00 p.m.

Moved by Ms. Hutcheson and seconded by Mrs. Kulesa to approve the Elm Street Manager's Report. **Motion carried.**

10. **COMMITTEE/COMMISSION REPORTS:**

- a. Recreation Commission – Daphne Klahr presented a verbal report listing recent Recreation events. She thanked the Fire Department, Borough Crew and Rec Commission members for their assistance with the Halloween Hayride. The recently held Mother Son Dance was wildly successful with the theme being "A Minute to Win It". Those in attendance have asked to do it again next year with bigger and better games.

Ms. Klahr spoke about the upcoming Christmas Tree Lighting, which has been held annually since 1929 when they lit a tree in front of Borough Hall. She said this year's event will be held on December 2nd at 6:00 p.m. A craft night is also scheduled for December 14th at the BiCi House.

Moved by Mrs. Kulesa and seconded by Mrs. Heckler to approve the Recreation Commission Report. **Motion carried.**

- b. Shade Tree Commission – Mr. Sichler said that the newer version of the Commission minutes distributed at the meeting includes a list of trees for the trimming schedule. Because of the storm on October 29th, the tree trimming budget and crews to trim the trees are both hard to find. The Commission reviewed the list and approved it but it is on hold until trimmers are available and funding is in place. For now our Crew and bucket truck will tackle what they can handle and the others will have to wait until spring.

Moved by Ms. Hutcheson and seconded by Mrs. Kulesa to approve the Shade Tree Commission Report. **Motion carried.**

- c. Traffic & Infrastructure Committee – The meeting scheduled for November 14th was cancelled.

- d. Environmental Advisory Council – Mr. Wert said that he had applied for a grant for the Environmental Advisory Council with Smart Growth America, however it apparently has not been awarded to the EAC.

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

- e. Safety Committee – Mr. Sichler said that at the last meeting of the Committee the discussion had been about accident investigation.

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

11. **TREASURER'S REPORT:**

- a. **Moved** by Ms. Hutcheson and seconded by Mrs. Kulesa to approve the Revenue Report for the 11 months ending 11/30/2011. **Motion carried.**
- b. **Moved** by Mrs. Kulesa and seconded by Ms. Hutcheson to approve Payment Approval Report for 10/15/2011-11/10/2011 and 11/11/2011-11/15/2011. **Motion carried.**

12. **NEW BUSINESS:**

There were no new business items to discuss.

13. **EXECUTIVE SESSION:**

Council recessed to Executive Session at 8:16 p.m. to discuss personnel issues. When the meeting reconvened at 8:56 p.m., it was **Moved** by Mr. Gallen and seconded by Mrs. Kulesa to award Heart and Lung benefits to the officer that was referenced in the Executive Session. **Motion carried.**

14. **BUDGET SESSION:**

Treasurer Sharon Morgan said that based on the last budget meeting, the building permits were reduced by \$500,000 and all salaries that were increased at 3% were corrected to 2.75%. At this point the budget is short \$210,123 and the capital budget is short by \$168,664.

Mr. Sichler stated that the water, sewer and trash funds always have contingency funds available and current the water fund has \$22,184 the sewer fund \$220,574 and trash \$6,000 for a total of \$248,758 that can be left as is to build the fund balance, or transfer it. Mrs. Morgan noted that the lower amount in the water fund is due to the Oak Terrace or Kent Way project being proposed in the amount of \$170,000. It was also noted that the Western Berks Water Authority and the Joint Municipal Authority have both held their rates for 2012. Mr. Gallen suggested that commercial rates should increase to help offset the shortfall.

Regarding the capital fund, Mrs. Morgan stated that most of the income is transferred out of the other funds to cover anything that we are planning to do, plus the debt service. She said that we will be transferring approximately \$100,000 out of the general fund to build up the reserve in the capital but we should be increasing it because there are not sufficient funds to balance the budget with what has been proposed to do.

Mr. Sichler said that we haven't tried to balance the capital fund as yet. The items already added are things that have been set aside or that need to be done, so the fund can be balanced by lowering the amounts that are being carried over in the water and sewer or earmarking funds in the event

that there is revenue from the hospital, or eliminating/postponing projects. Capital fund expenditures were reviewed:

- Buildings – nothing has been added because currently any work to be done is included in other line items.
- Police – Chief Fabriziani detailed the capital items for the Police Department
 - >\$5000 for a mobile computer required for 38-6, however there may be funds available in the Berks County escrow account (carryover from 2011).
 - >\$15,000 for one camera that would be a start for a mobile camera system. The single camera can be used throughout the Borough and would be moveable with the Borough's bucket truck (carryover from 2011).
 - >\$10,000 for a telephone recording system for the police phones and radios. Most police departments have these systems in place. The \$10,000 is for a total digital system and includes installation.
 - >\$8,500 for a time tracking system which will replace the antiquated system currently used. The POSS system which is currently being used by other municipalities in Berks County eliminates the need for paper time sheets and will assist with the payroll process. He noted that it may be able to be built on for other departments use as well. Also, the system may only cost \$6,000 but he won't know the specific amount until December.
- Fire – Chief Burkholder said that the initial amount of \$60,000 can be reduced to \$50,000.
 - >\$10,000 is for gear.
 - >\$40,000 is for equipment is for the new ladder truck.
 - >\$44,465 is the amount already set aside for the purchase of the new ladder truck.
- Codes – A new copier is needed because the current one is 12 years old and some features don't work. Mrs. Levering added that they are currently spending \$1200 per year for repairs. \$3,557 is the State contract price. This will also eliminates the laser printer that has cost \$1100 so far this year in toner cartridges. Color copies will be 8¢ per page as opposed to 14¢ per laser printer page.
- Highway – Dean Murray said that proposed projects are the paving of two sections of the alley behind Ann Street and Sunset (from Pine to 5th and Ann to 5th) and the 200 block of Sycamore Road.
- Recreation – \$10,000 of the 2011 budget was allocated for the creek wall and another \$10,000 is budgeted for 2012. Mr. Sichler said he and Mr. Murray inspected the pool wall and didn't see any significant deterioration, so their thought is to leave it as it is for as long as possible to allow enough time to build up this line item. For now, minor patches can be done by the crew and eventually, the wall will be rebuilt in its entirety.
- General Obligation Bond Interest - \$792,500 pays for all bonds in 2012. Discussion ensued regarding attempting to pay off the debt earlier than 2032 and after looking into it, Mr. Sichler said he was advised that it would be better to pay off the fire truck first.
- Liquid Fuels – Mrs. Morgan said that she has been told that we will receive \$77,802 from the Motor Vehicle Fuel Tax. Since those funds have been targeted for street lighting, we will be wiping that account out at some point. She has been transferring money from the general fund because the street lighting is more than \$80,000 per year.

After totaling up the fund balances and adding vehicle sales, Mr. Sichler said that total amount of the short fall is \$377,000. Discussion ensued concerning the possible permit fees that may be coming from the Hospital in 2012. It was noted that this is a once and done source of funding which can't be counted on in future. Mr. Gallen again suggested that the water and sewer commercial rates be increased to offset some of the expenses. Mr. Sichler said he would prepare some information regarding rate increases for the next meeting. The BID was discussed briefly and Ms. Hutcheson said that the Authority is working toward bringing back the BID however not everyone is in agreement.

Chief Fabrizio stated that he has been looking at a fee schedule for the Police Department and will have something prepared for the next meeting.

The next budget meeting has been tentatively scheduled for November 21st. Mr. Gallen said that he would be out of the country. Mr. Sichler will send out an email for meeting availability.

15. **ADJOURNMENT:**

**Moved by Ms. Hutcheson and seconded by Mr. Gallen to adjourn the meeting at 9:50 p.m.
Motion carried.**

Respectfully submitted,

Cathy Hoffman
Administrative Assistant