

BOROUGH OF WEST READING – BOROUGH COUNCIL

March 16, 2010 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, March 16, 2010 with the following persons present: Council President Nathalie Kulesa; Council Vice-President Kevin Conrad; Council Members James Gallen, Amy Good-Ashman, Elizabeth Heckler, Philip Wert, Deborah Hutcheson; Borough Manager George Tindall; Code Enforcement Officer Gerald Trate; Police Chief Edward Fabriziani; Fire Chief Mark Burkholder; Public Works Foreman Jim Beane; Recreation Coordinator Daphne Klahr; Elm Street Manager Dean Rohrbach; Borough Solicitor Socrates Georgeadis; Administrative Assistant Cathy Hoffman. Mayor Shane Keller arrived at 7:26 p.m.

<u>VISITORS:</u>	Ruth Cardell	Fire Police
	Frank Struble	Resident
	John Otto	Resident
	Amber Rambo	Resident
	Becca Keller	Resident
	Karen Livingood	Resident
	Jim Livingood	Resident
	Don Haines	Ephrata
	Darrin Youker	Reading Eagle
	Jim Rogers	Resident
	Oswald Herbert	Resident
	John Spang	Resident
	Tanya Russ	Resident
	Darryl Jenkins	Great Valley Consultants
	Mike Vind	Financial Solutions
	Darryl Jenkins	Great Valley Consultants

Council President Nathalie Kulesa called the meeting to order at 7:00 p.m. which was followed by the invocation and Pledge of Allegiance.

PUBLIC COMMENT:

Richard Wagner spoke about existing handicapped parking spaces near his home, one across the street from his home and the other on the same side as his home but closer to the end of the block. He asked to have the space across the street moved so that it will be located directly in front of his home. There was some discussion regarding current Borough practices as well as negative repercussions if the space were changed. It was decided that the request would be explored further as well as the costs associated with changing a handicapped parking space. Chief Fabriziani will bring the information back to Council for their consideration.

Oswald Herbert talked about the importance of Penn Avenue with regard to the businesses and recommended that parking meters be installed on the Avenue with the intent that parking meter funds be used solely for the maintenance and upkeep of Penn Avenue. He suggested that a committee be formed to research the feasibility of parking meters.

APPROVAL OF COUNCIL MINUTES:

Moved by Mr. Gallen and seconded by Mr. Conrad to approve the minutes of February 16th, 2010 as amended. (Ms. Klahr stated that under the recreation report, the letter that was mentioned is for the new grant for playground equipment.) **Motion carried.**

ZONING ORDINANCE AMENDMENT - OVERLAY DISTRICT

Mr. Georgeadis stated that a public hearing has been held for the proposed "overlay district" and is ready for the vote. **Moved** by Mr. Conrad and seconded by Ms. Hutcheson to approve Ordinance 989, as written. **Motion carried.**

SOLICITOR'S REPORT:

Mr. Georgeadis said that there were three ordinances that have been prepared for advertisement. The first updates the Borough's International Fire Code to the 2009 version. The second updates the Uniform Construction Code to the 2009 version. The third ordinance clears up an ambiguity with regard to the "parking violations during a snow emergency" and increases the fine from \$15 to \$25.

Moved by Mr. Conrad and seconded by Mr. Gallen to advertise all three amendments as stated by the Solicitor. **Motion carried.**

Moved by Mr. Conrad and seconded by Mr. Wert to accept the Solicitor's report. **Motion carried.**

ENGINEER'S REPORT:

Mr. Jenkins reported that bids had been received for the 2010 Sanitary Sewer project and that the low bidder was Mr. Rehab. He recommended awarding the contract to Mr. Rehab, however with a change order that would remove a portion of the contract that was unreasonably high. Mr. Jenkins explained that initially the project entailed the replacement of all sanitary sewer laterals, however now it is recommended that the laterals be televised and only the badly damaged laterals be replaced.

Moved by Mr. Conrad and seconded by Mrs. Heckler to award the 2010 Sanitary Sewer Project to Mr. Rehab, in an amount not to exceed \$166,529 per the change order. **Motion carried.**

Moved by Ms. Hutcheson and seconded by Mr. Conrad to accept the Engineer's report. **Motion carried.**

BOROUGH MANAGER'S REPORT:

PennDOT letter re traffic pattern reconfiguration – Mr. Tindall requested Council's approval to send a letter to PennDOT asking for a traffic pattern change because a portion of Penn Avenue will be closed to accommodate the several events. **Moved** by Mr. Conrad and seconded by Mr. Wert to approve altering the traffic pattern for Art on the Avenue (June 19th), the Farmers' Market (Sundays from May 30th to November 21st) and the Fall Festival (September 18th). **Motion carried.**

Met-Ed Resolutions – Mr. Tindall spoke about the proposed resolution that would allow the upgrading of Met-Ed owned street lights within the Borough for the entire year, with the exception of the Borough owned lights on Penn Avenue. **Moved** by Mr. Conrad and seconded by Mr. Gallen to approve Resolution 2010-3 for the upgrading of street lights for the entire year of 2010. **Motion carried.**

Tapping Fees – Mr. Tindall explained that when the fee schedule was approved in January, three items had been missed which is why the resolution is being brought forward. Council had not previously been given the opportunity to review the document, therefore the issue was tabled until the next Council meeting.

Mike Vind – Financial Solutions – Mr. Vind explained that the Borough has outstanding debt (\$810,000) that could be reduced by taking advantage of low interest rates. He outlined the amounts that could be saved, the process to be undertaken as well as the costs associated with the refinancing. The total amount saved is projected at \$190,000 after \$160,000 is paid for underwriter costs, bond insurance, etc. Mr. Vind explained that no action could be taken prior July 1st and suggested that Council consider the options and potentially authorize action at the May meeting.

Moved by Mrs. Heckler and seconded by Mr. Conrad to accept Mr. Tindall's final Borough Manager's report. **Motion carried.**

CODE ENFORCEMENT OFFICER'S REPORT:

Mr. Trate informed Council that the fee from the District Justice is \$125 for property owners who do not remove snow from their sidewalk. If they choose not to pay the Borough's \$25 fine, it will be sent to the District Justice and will be required to pay \$125. He noted however, that the Borough receives only a portion of that amount.

Moved by Ms. Hutcheson and seconded by Mr. Conrad to accept the Code Enforcement Officer's report. **Motion carried.**

COMMITTEE/COMMISSION REPORTS:

Safety Committee – Mr. Tindall stated that the committee is looking at first aid and CPR training. He also noted that the membership of the Committee has been reconfigured to include other employees. **Moved** by Mr. Conrad and seconded by Mr. Wert to accept the Safety Committee report. **Motion carried.**

Recreation Commission – Ms. Klahr presented a list of summer employment applicants that the Commission is recommending be hired. She also reported that the playground program will be opening on June 21st, which is one week later than usual – due to the school year being extended one week. The pool however will be opening on June 17th (the day after school ends).

Moved by Mr. Conrad and seconded by Mr. Wert to accept the Recreation Commission report.

Moved by Mr. Conrad and seconded by Mrs. Heckler to approve the 2010 Summer Employees as distributed to Council. It was noted that the wage rate is in keeping with the minimum wage rates. **Motion carried.**

Planning Commission – Mr. Wert reported that they had discussed building permits and zoning permits and how the process works. They also discussed the tripled fees that are levied when property owners don't obtain the necessary permits prior to doing the work. The Commission didn't feel that the tripled fees were appropriate and felt it would be clearer for residents/property owners if the information was explained on the Borough's web site. They also recommended that the Zoning Ordinance be available online as well. Mr. Tindall suggested that this information not be placed online until the Overlay District amendments have been completed.

Mr. Wert also suggested that it would be helpful if more information were provided on the website that details the necessary steps to be taken when a homeowner has a project to complete. He felt that this would assist homeowners to become compliant, which ultimately is the Borough's goal.

Moved by Ms. Hutcheson and seconded by Mr. Conrad to accept the Planning Commission report. **Motion carried.**

Traffic Committee – The Traffic minutes inaccurately stated that any decisions made by the Traffic Committee would be sent back to Main Street for approval (with regard to possibly changing the two hour parking zone to a three hour).

Moved by Ms. Hutcheson and seconded by Mr. Wert to accept the Traffic Committee minutes, as amended. **Motion carried.**

Infrastructure Committee – Mr. Conrad informed Council that they have completed the original five year plan that was instituted for streets and sewers, and are now revising the five year plan on additional items that need to be dealt with concerning streets, sewers and water.

Moved by Mr. Conrad and seconded by Mr. Wert to accept the Infrastructure Committee report. **Motion carried.**

POLICE CHIEF'S REPORT:

Chief Fabriziani spoke about the following:

- arrangements have been made for the upcoming Armed Forces Parade
- a request has been received from a group who are organizing a motorcycle ride to benefit the Muscular Dystrophy Association. They have requested assistance getting the 600-700 motorcycles through the Borough and are willing to pay any necessary costs for traffic control. After some discussion, it was decided that Fire/Police will be utilized as well as Police Officers on duty to assist with traffic control, so that the organization will not have to pay additional costs, if possible.
- several burglaries have recently occurred at businesses on and near Penn Avenue. The businesses were ransacked but only cash was taken in each burglary. Chief Fabriziani noted that businesses in Wyomissing were also targeted. He added that a meeting was held at the Fire Company for Borough businesses to provide information concerning the burglaries, as well as provide tips to help prevent it from occurring again. Based on information from a resident as a burglary was in progress, a suspect was arrested. Chief Fabriziani emphasized the importance of residents being watchful and report any suspicious activity.
- there has been a rash of thefts from vehicles. Chief Fabriziani suggested that the Borough should begin thinking about installing surveillance cameras to assist police, and as a deterrent for criminals.
- Detective Brown has received his certified polygraph training (12 week course). Polygraph equipment was budgeted and has been received, however there are items for the interview room that were not budgeted. Mr. Adams, the District Attorney has provided drug forfeiture funds to assist with those purchases. In return, Detective Brown will be available to the District Attorney's office to do polygraph testing, when needed.
- meetings have been held with the school district regarding gang activity and a seminar was held with parents to teach them about what to look for regarding gang activity. Chief Fabriziani stated the Officer Chad Marks has been working with the schools in this regard and it is something that they will continue to work with.

Moved by Mr. Gallen and seconded by Mr. Conrad to accept the Police Chief's Report. **Motion carried.**

MAYOR'S REPORT / MAIN STREET REPORT:

Mayor Keller stated that at the March 1st Main Street Foundation meeting, it was recommended unanimously that Council appoint Robin Horman to the vacant Main Street Foundation Board seat.

Moved by Ms. Hutcheson and seconded by Mr. Wert to appoint Robin Horman to the Main Street Foundation Board. **Motion carried.**

Mayor Keller also reported that K-9 Officer Dolfo became ill and required emergency surgery which Mayor Keller authorized. He is recovering well and is expected back to full duty in the near future.

Moved by Mr. Conrad and seconded by Ms. Hutcheson to accept the Mayor's report. **Motion carried.**

BOROUGH FOREMAN'S REPORT:

Mr. Beane stated that in addition to his written report, he wished to make Council aware that DEP is considering enacting new fees for community water systems that if approved, will be very costly for communities. Mr. Conrad added that the State made funding cuts that are affecting small water systems, therefore DEP is looking for ways to recoup funds. Mr. Beane asked for Council's permission to submit a letter to the Technical Assistance Committee, which will be written by Mr. Tindall.

Mr. Beane thanked Mr. Tindall for his service to the Borough and said that he will be greatly missed.

Moved by Mr. Gallen and seconded by Mr. Conrad to accept the Borough Foreman's report. **Motion carried.**

FIRE CHIEF'S REPORT:

Chief Burkholder told Council that since the beginning of the year, the Fire Department has been awarded grants in the amount of \$83,450. **Moved by** Mr. Conrad and seconded by Mr. Wert to accept the Fire Chief's report. **Motion carried.**

ELM STREET MANAGER'S REPORT:

Mr. Rohrbach noted that the NAC has been dealing with noise issues from rental properties and have been reviewing ordinances from other communities regarding noise. He added that he will soon be presenting a proposed ordinance for Council's consideration.

Mr. Rohrbach informed Council that he had received word that DCED has approved \$110,000 of the \$250,000 grant application, and possibly more funds may be forthcoming. In order to proceed, another resolution is required, which is essentially a reaffirmation of the resolution that was approved in November 2009. It was noted that Borough funds, in addition to those budgeted, will not be required. **Moved by** Mr. Conrad and seconded by Ms. Hutcheson to approve Resolution 2010-4. **Motion carried.**

Moved by Mr. Conrad and seconded by Mr. Wert to accept the Elm Street Manager's report. **Motion carried.**

SNOWSTORM REPORT:

Mr. Tindall commended the Police Department for their assistance in clearing vehicles from the emergency snow routes during the recent snow storms. He said that five private contractors were hired to haul the snow away and that expenditure was not budgeted. He noted that there are some funds pending from the Parkview Road bridge project as well as from Phases 4 and 5 from PennDOT. He also stated that the overtime cost for the Borough Crew was approximately \$7800.

REVENUE WITH COMPARISON TO BUDGET – 2 MONTHS ENDING FEBURARY 28, 2010:

Moved by Mr. Gallen and seconded by Mr. Conrad to approve the revenue report for the 2 months ending February 28, 2010. **Motion carried.**

PAYMENT APPROVAL REPORT – 2/17/10 TO 3/11/10:

Moved by Mr. Conrad and seconded by Mrs. Heckler to approve the Payment Approval Report for 2/17/10 to 3/11/10. **Motion carried.**

The Council meeting was Mr. Tindall's last official meeting and Mrs. Kulesa thanked Mr. Tindall for all that he has done for the Borough.

EXECUTIVE SESSION:

Council recessed to Executive Session at 9:00 p.m. to discuss personnel and litigation. When the meeting reconvened at 10:25 p.m., The following motions were brought forward:

The Borough's water line that was located on hospital property and accidentally breached during the hospital's construction project has been moved. The work was completed by a hospital contractor at a cost of \$35,000. Mrs. Kulesa, Mr. Tindall and Mr. Georgeadis met with hospital officials and jointly agreed that \$8700. would be a fair amount for the Borough to pay as settlement for the project. **Moved by** Mr. Conrad and seconded by Mr. Wert to approve the payment of \$8700. to the Reading Hospital from account 06-400-370 (water system maintenance and repair). **Motion carried.**

Also discussed was a safety bonus for the Borough crew. **Moved** by Mr. Conrad and seconded by Ms. Good-Ashman to approve the proposed safety bonus. **Voting yes:** Mr. Conrad and Ms. Good-Ashman. **Voting no:** Mr. Gallen, Mrs. Heckler, Mr. Wert, Mrs. Kulesa and Ms. Hutcheson. **Motion defeated.**

ADJOURNMENT:

Moved by Mr. Wert and seconded by Mr. Conrad to adjourn the meeting at 10:25 p.m.

Respectfully submitted,

Cathy Hoffman
Administrative Assistant