

BOROUGH OF WEST READING – BOROUGH COUNCIL

September 21, 2010 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, September 21, 2010 with the following persons present: Council President Kevin Conrad; Vice President Philip Wert; Council Members James Gallen, Amy Good-Ashman, Elizabeth Heckler, Deborah Hutcheson, Nathalie Kulesa; Mayor Shane Keller; Borough Manager Richard Sichler; Police Chief Edward Fabriziani; Socrates Georgeadis, Kozloff Stoudt; Code Enforcement Officer Tracey Levering; Fire Chief Mark Burkholder; Public Works Director Dean Murray; Recreation Coordinator Daphne Klahr; Elm Street Manager Dean Rohrbach; Administrative Assistant Cathy Hoffman; Darryl Jenkins, GVC.

<u>VISITORS:</u>	Ruth Cardell	Fire Police
	Audrey Schaeffer	Resident
	James Rogers	Resident
	Rich Weiger	Resident
	Gregory Braley	Resident
	Tina Shenk	Business/Property Owner
	Karen Livingood	Resident
	Oswald Herbert	Resident
	Chris Reber	Reading Eagle
	Craig Fries	Wyomissing Area School District
	Scott Adams	Gilbert Architects Inc., Lancaster
	Tim & Vicki Krall	SSM
	Don Haines	Ephrata
	Representative	Waste Management

Council President Kevin Conrad called the meeting to order at 7:00 p.m. which was followed by the Pledge of Allegiance and roll call.

PUBLIC COMMENT

Rich Weiger spoke about the recent work on Sunset Road and said that although the new street is very nice, there are items that have not been completed – the corners aren't done, there are still pieces of equipment and signs in the area that have not been removed. He also noted the children are playing in the streets and motorists are driving much too fast. He suggested that the speed trailer be moved to Sunset Road for a few days so drivers can see how fast they are going. Chief Fabriziani stated that he would have the trailer moved to Sunset Road.

Audrey Schaeffer asked Council for their help concerning the ongoing problem she is having with delivery vehicles blocking the alley behind her house and not allowing access to her off street parking. Chief Fabriziani asked Mrs. Schaeffer to contact the police department when this situation arises again and Mr. Sichler was asked to contact In Home Oxygen concerning the delivery trucks.

James Rogers showed Council a photograph of a 'no parking' sign, that is attached to a privately owned building which states that parking is prohibited in the public alley in front of the building. Chief Fabriziani told Mr. Rogers that the sign is not an authorized sign, therefore the police department cannot enforce it. Signs and enforcement were discussed and it was determined that if a sign is not legally placed per the ordinance, it is illegal and must be removed. He added that he or one of his officers will contact the owner of the property concerning the sign.

B. I. D. APPROVAL

Mr. Conrad informed Council that Ms. Degler was unable to attend the meeting, therefore discussion concerning the B.I.D. will be postponed to the October meeting.

APPROVAL OF COUNCIL MINUTES:

Moved by Mr. Gallen and seconded by Mr. Wert to approve the minutes of August 17th, 2010. **Motion carried.**

UNFINISHED BUSINESS:

Belovich Development – No new information has been received.

CONSULTANTS' REPORTS:

Solicitor's Report - Mr. Georgeadis told Council that the Easement Agreement between the Borough and the hospital is the final piece of the waterline relocation project and that Mr. Jenkins has reviewed the document. Approval from Council is necessary so that the agreement can be recorded at the Recorder of Deeds office. **Moved** by Ms. Hutcheson and seconded by Mrs. Heckler to authorize the Borough Manager to sign the Easement Agreement. **Motion carried.** **Moved** by Mr. Wert and seconded by Mr. Gallen to approve the Solicitor's Report. **Motion carried.**

Engineer's Report – Mr. Jenkins referred to his written report of September 16th and stated that item 1 has to do with the approval of the preliminary plan for the West Reading Elementary Center. He stated that at the September 1st Planning Commission meeting, the Commission made a recommendation for approval of the preliminary plan. Mr. Krall then presented the plan to Council, showing drawings for the proposed addition and the parking lot reconstruction. He also detailed the approvals that were received from the Zoning Hearing Board. He noted that the new parking lot will be one tier in design and will increase the number of parking spaces from 16 to 31 and that the lot will be open after hours for use by the community as it is now. The retaining wall at its highest point, the south east corner, will be 20 feet in height and the District will work with the Planning Commission to enhance the wall so it is aesthetically pleasing for the surrounding neighbors.

In order to proceed with the project, the following motions were made:

Moved by Mr. Wert and seconded by Mr. Gallen to waive the Borough's Act 167 Storm Water Ordinance requirements due to the limitations of the site. **Motion carried.**

Moved by Ms. Hutcheson and seconded by Mrs. Kulesa to approve the West Reading Elementary Center preliminary plan based on the recommendations of the Borough Engineer and the Planning Commission. **Motion carried.**

Regarding the sewer system break at Playground Drive and Parkview Road, Mayor Keller thanked Chief Burkholder and his crew for assisting with the laying of pipe but also going door-to-door informing residents about the situation.

Moved by Mr. Gallen and seconded by Mrs. Kulesa to accept the Engineer's report. **Motion carried.**

BOROUGH MANAGER'S REPORT:

MMO Approvals – The Minimum Municipal Obligation was presented to Council as a requirement of state law. This will allow Mr. Sichler to certify that Council is aware of the obligation the Borough has to fund both the Uniform (\$306,655 for 2011) and Non-Uniform (\$97,697 for 2011) pensions.

Red Flag Rule – Mr. Sichler stated that he attended a seminar concerning the Red Flag Rule which has been put in place to safeguard against identity theft for our residents. He noted that a policy will need to be developed, a manual created and training provided for Borough staff. This must be completed by the end of the year.

Mr. Sichler also spoke about the water/sewer billing postcards which currently do not meet privacy regulations and stated that we will be moving forward to obtain the necessary pressure sealing equipment. Sufficient funds are available under office equipment to make the necessary purchases.

MS4 Stormwater – Mr. Sichler explained what the Pennsylvania Stormwater Coalition is and noted that their goal is to represent all Stormwater permit holders when presenting their case to the EPA and the State. He explained that this is a very expensive unfunded mandate and the Coalition has serious concerns about how the law is going to be enforced and regulated. They are asking us to join the coalition and assist with funding which will be determined based on population (approximately \$750 for West Reading). Because the Borough's Stormwater discharge is into a high quality stream and we have had our permit for a long time, it will not have much impact for the Borough.

As there was no urgency to join, it was decided to table the issue and monitor the situation by obtaining updates on a monthly basis.

EPA – SSO Order – This will be discussed in Executive Session.

Other Items – Mr. Sichler reported that as a result of the sewer main repair, 25 loads of excess fill had to be moved and rather than paying to have it hauled away, it was staged near the basketball court area with the possibility of it being used to build up an area where the bleachers could be relocated. He noted that a fencing project has been scheduled for the tennis court area and if the new bleacher area is added, the fencing project would have to be modified, however he felt confident the extra funds could be found to extend the fencing.

Much discussion ensued whether the project should continue in this budget year, if the fencing should be put into next year's budget or if the bleachers should be moved at all. It was decided that Mr. Sichler will prepare a more detailed analysis for the October meeting. It was also noted that the gate needs to be locked because damage is already being done to the new tennis courts. It was suggested that funding for security cameras be explored as well.

Trash/Recycling Bids – Mr. Sichler told Council that bids were opened on the 20th for the upcoming 3 year trash and recycling contracts. He provided an analysis of the various bids and options for collection (once or twice per week) and after much discussion, it was decided that in the best interest of the residents, trash collection should remain at twice per week. It was also noted that the difference in price between one pick-up per week and two pick-ups is not substantially prohibitive. Therefore it was **Moved** by Mr. Wert and seconded by Mr. Gallen to award the trash contract to the low bidder based on a bi-weekly pick-up, contingent upon the successful review of the bid package by the Borough Manager. **Motion carried.**

PennDOT Winter Maintenance – Mr. Sichler presented the Winter Traffic Services 5 year agreement between the Borough and PennDOT. **Moved** by Mrs. Kulesa and seconded by Mr. Wert to approve the 5 year agreement with PennDOT, in the total amount of \$8398.90, contingent upon the successful review of the agreement by Mr. Georgeadis. **Motion carried**

Moved by Ms. Hutcheson and seconded by Mr. Wert to accept the Borough Manager's report. **Motion carried.**

MAYOR'S REPORT AND MAIN STREET REPORT:

Mayor Keller had nothing to report.

DEPARTMENT REPORTS:

Code Enforcement – Mrs. Levering presented her written report. Mayor Keller then read a letter of resignation from Gerald Trate which will take effective October 31, 2010. **Moved** by Mrs. Heckler and seconded by Ms. Hutcheson to accept the resignation of the part-time Code Enforcement Officer. **Motion carried.**

Moved by Mr. Gallen and seconded by Mr. Wert to accept the Chief Code Enforcement Officer's report. **Motion carried.**

Police Department – Chief Fabrizio announced that K-9 Officer Fox will be graduating on Friday and will begin full duty on September 28th. He also reported that the written portions of the sergeant exams have been administered. The Commission will meet next week to unseal the scores and proceed with the next round of testing.

Recently a rash of thefts from vehicles has occurred however most of the vehicles were not locked. Chief Fabrizio asked that everyone remember to keep their vehicles locked and all electronic items out of sight. He noted that over the past few weeks, Officer Nguyen has arrested three of these thieves.

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

Fire Department – **Moved** by Ms. Hutcheson and seconded by Mrs. Heckler to accept the Fire Chief's report. **Motion carried.**

Public Works – Mr. Murray thanked the Fire Department for their assistance with the sewer line break and Ms. Hutcheson thanked the crew for all the work they did for the Fall Festival. **Moved** by Mr. Gallen and seconded by Mrs. Heckler to accept the Public Works Director's report. **Motion carried.**

Elm Street – Mr. Rohrbach reported that the NAC had made \$193 at the Fall Festival which gives them an \$800 total for the year (that they have earned themselves). **Moved** by Mr. Gallen and seconded by Mrs. Heckler to accept the Elm Street Manager's report. **Motion carried.**

COMMITTEE/COMMISSION REPORTS:

Safety Committee – **Moved** by Mr. Wert and seconded by Mrs. Heckler to accept the Safety Committee report. **Motion carried.**

Recreation Commission – Ms. Klahr stated that the Tons of Trucks event was a huge success and thanked the Borough Crew, Fire and Police personnel for their assistance with the event.

Mr. Conrad noted that in the minutes, pool membership discounts were discussed and Ms. Klahr stated that because of the high number of memberships that were purchased this year, it was suggested that discounts be offered for memberships purchased before April 30th. She also noted that a large part of the memberships sold this year were to employees of Borough businesses, such as the hospital. She suggested that the discount would only apply to those who are eligible for the resident rate and not those who are sponsored. It was noted that discounts were offered to residents in years past. Council suggested that the numbers be reviewed before a decision is made.

Moved by Mrs. Kulesa and seconded by Mr. Wert to approve the Recreation Committee report. **Motion carried.**

Planning Commission – Mr. Wert highlighted items in the minutes and noted that the Berks County Planning Commission's comments concerning the West Reading Elementary Center had been attached to the minutes. He added that the school district will be presenting the plan for final approval at the October meeting. The retaining wall for the parking lot on Chestnut was discussed with regard to aesthetics for nearby residents versus the costs to taxpayers. Chief Fabriziani recommended that anti-graffiti paint be used on the wall to deter unwanted artists and Mr. Wert said he would mention it at the next meeting.

Moved by Mrs. Heckler and seconded by Ms. Hutcheson to approve the Planning Commission report. **Motion carried.**

Traffic Committee – Mr. Conrad reported that the Committee had been discussing the permit parking areas and have recommended the following changes:

- the 700 block of Spruce should be removed from parking permit list
- the south side of the 400 block of Sycamore between 5th and Museum should be removed as well
- the 400 block of Chestnut should be added
- the half block of 4th Avenue, between Oak Terrace and Spruce Street should be added.

Ms. Klahr noted that the permit parking area on the south side of Sycamore Road is used by pool members during the summer who have special permits that are issued at the pool. Mr. Conrad responded that those spaces aren't used during the rest of the year.

Moved by Mr. Wert and seconded by Ms. Hutcheson to approve the Traffic Committee proposal for the changes to the permit parking areas, based on the Traffic Committee's official recommendation. **Motion carried.** Mr. Georgeadis noted that these changes will require an ordinance change and must be advertised.

Mr. Gallen said that reversing the traffic direction on Sunset Road has been discussed before, however no commitments have been made and he asked how long it will take to have a traffic study completed. Discussion ensued concerning traffic on adjacent streets and Mr. Conrad noted that a traffic study has not been budgeted for this year. He added that a cost estimate will have to be received from GVC to determine if the funds are available to do it.

Moved by Mr. Wert and seconded by Mrs. Heckler to approve the Traffic Committee report. **Motion carried.**

Shade Tree Commission – **Moved** by Mr. Gallen and seconded by Ms. Hutcheson to approve the Shade Tree Commission report. **Motion carried.**

Mrs. Kulesa asked what happened to the Borough sign inventory project and Mr. Conrad said that he has not had the opportunity to complete his portion of the project. Mrs. Kulesa volunteered to complete his section.

Finance Committee – Mr. Gallen spoke about the potential refinancing opportunity that currently exists. He noted that a proposal had been offered several months ago, but rates have dropped further since then which could result in savings of \$200,000. He also noted that he requested a proposal from another company which he says if selected, will provide the Borough with free financial advice along with the \$200,000 savings.

Mr. Sichler noted that he had contacted Concord Financial as well and was told that the Borough's interest rate will be obtained on an auction basis which will give us the best possible rate. Much discussion ensued and the new proposal was compared to the previous proposal from S&Lutions. It was

also noted that refinancing is a 45 day process, however Concord also agreed to approach the bank that currently holds the note and ask if they will lower the rate.

Moved by Mr. Wert and seconded by Mr. Conrad to do a reissuance of the bond, with the net savings of \$194,000. of the cost. **Motion carried.**

Moved by Mr. Gallen and seconded by Mrs. Heckler to authorize Concord Public Finance to refinance the Borough's bond. **Motion carried.**

Mr. Conrad noted that it is budget season and Mr. Sichler said the first draft would be submitted to the Treasurer on Monday the 27th.

Moved by Ms. Hutcheson and seconded by Mr. Wert to approve the Finance Committee report. **Motion carried.**

TREASURER'S REPORT:

Moved by Ms. Hutcheson and seconded by Mr. Gallen to approve the revenue report for the 8 months ending August 31, 2010. **Motion carried.**

Moved by Mr. Gallen and seconded by Ms. Hutcheson to approve the Payment Approval Report for 8/14/10 to 9/17/10. **Motion carried.**

NEW BUSINESS – Ms. Good-Ashman asked about the status of the vacant Codes positions and Mayor Keller said that résumés were accepted until September 1st and they are currently being reviewed independently by Mrs. Levering and Mayor Keller. They will be reviewed jointly before being presented to the Personnel Committee.

Ms. Good-Ashman also asked about regulations for murals in the Borough and as there is not currently a regulation, she suggested that the Borough consider adopting one. She noted that she has received some complaints concerning the existing murals. Mayor Keller suggested that the discussion be moved to the Mayor's Advisory Committee which is tentatively scheduled to meet immediately prior to the next Council meeting.

EXECUTIVE SESSION:

Council recessed to Executive Session at 8:54 p.m. to discuss personnel issues. When Council reconvened at 9:33 p.m. no action was taken.

ADJOURNMENT:

Moved by Mr. Gallen and seconded by Mr. Wert to adjourn the meeting at 9:34 p.m.

Respectfully submitted,

Cathy Hoffman
Administrative Assistant