

## **BOROUGH OF WEST READING – BOROUGH COUNCIL**

**October 19, 2010 – 7:00 p.m.**

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, October 19, 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, Mayor Shane Keller; Borough Manager Richard Sichler; Police Chief Edward Fabriziani; Socrates Georgeadis, Kozloff Stoudt; Code Enforcement Officer Tracey Levering; Fire Chief Mark Burkholder (arrived at 7:48 p.m.); Public Works Director Dean Murray; Recreation Coordinator Daphne Klahr; Elm Street Manager Dean Rohrbach; Administrative Assistant Cathy Hoffman; Darryl Jenkins, GVC. Nathalie Kulesa was absent due to her attendance at the Citizens' Police Academy.

<b><u>VISITORS:</u></b>	Ruth Cardell	Fire Police
	Jay Kupiszewski	Resident
	Tina Shenk	Business/Property Owner
	Karen Livingood	Resident
	Amber Rambo	Resident
	Craig Fries	Wyomissing Area School District
	Scott Adams	Gilbert Architects Inc., Lancaster
	Tim Krall	SSM
	Don Haines	Ephrata
	Marge Boyadjian	Property Owner
	Jamie Schlesinger	Concord Public Finance

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**

Tina Shenk spoke about the following:

- thanked Council on behalf of A to Z Vacuum for changing the traffic pattern during the Fall Festival to include a portion of the 400 block of Penn Avenue
- told Council about a group of people who were picketing on Penn Avenue during a fundraising event at her shop. Chief Fabriziani told her that unless the group was obstructing traffic, nothing could have been done.
- spoke about attending the Traffic Committee meeting to discuss the situation on Penn Avenue where customers are being ticketed for parking over the stall line. She stated that the customers are irate, which has prompted her to check other similar municipalities such as Lititz and Kutztown where the fines are \$10 or \$15, or warnings are issued. She added that customers need to be educated, but asked if Council would consider lowering the ticket fee, issue warnings, or suspend ticketing over the holidays.

It was noted that the Borough can't selectively enforce parking. If changes are made to accommodate the business districts, the changes will also impact the residential areas. The parking regulations were enacted in the Borough and stall lines were painted on the asphalt to optimize the number of parking spaces, because of the shortage of parking spaces in most of the borough. There is a cost associated with enforcing these necessary parking regulations, and the costs are being taken care of by the fines. After much discussion it was **Moved** by Ms. Hutcheson to reduce parking fines to at least \$15.00. As the motion was not seconded, the motion failed. A second option, to repeal the stall line portion of the ordinance, did not inspire a motion, therefore for the time being, the ordinance and fines will remain the same. Chief Fabriziani was asked to explore the option of reducing the cost of a ticket if it is paid within a certain time frame such as 24 hours.

Marge Boyadjian spoke to Council regarding the moratorium on digging for the newly reconstructed Sunset Road. She stated that had she known about the moratorium, she would have had UGI install the gas line to her rental property at 380 Sunset Road. However now she must wait for 5 years before the street can be dug up to make the installation. She added that one extra line of information in the letters that were sent out would have changed everything. It was noted that the omission was not deliberate and future construction will include notification regarding gas connections.

#### **JAMES SCHLESINGER – CONCORD PUBLIC FINANCE**

Mr. Schlesinger spoke about the refunding of the 2003 note and the BBB+ rating that has just been established by Standard & Poor's Ratings Services. As a result of the rating not being as high as was anticipated, there are new options to consider such as selling the bonds at a competitive auction, delaying the refunding until the Borough's rating is higher, or asking Wachovia Bank to reconsider the refinancing of the debt. It was noted that the request has already been made to Wachovia, however no response has been received as yet. After further discussion, it was decided to table Ordinance 993 (General Obligation) until the November Council meeting.

**Moved** by Mr. Gallen and seconded by Mrs. Heckler to table Ordinance 993. **Motion carried.**

**Moved** by Mrs. Heckler and seconded by Mr. Gallen to direct Concord Financial to pursue with Wachovia Bank the renegotiating the outstanding debt. **Motion carried.**

#### **APPROVAL OF COUNCIL MINUTES:**

**Moved** by Mr. Wert and seconded by Ms. Hutcheson to approve the minutes of September 21<sup>st</sup>, 2010. **Motion carried.**

#### **UNFINISHED BUSINESS:**

Belovich Development – No new information has been received.

#### **CONSULTANTS' REPORTS:**

Solicitor's Report - Mr. Georgeadis told Council that a municipal improvements agreement has been written for the school project which has been approved by Mr. Jenkins. The agreement can be formally entered into once the final plan has been approved. Mr. Conrad stated that the Planning Commission has approved the final plan and it is their recommendation that Council should approve the plan as well.

**Moved** by Mr. Wert and seconded by Mrs. Heckler to approve the final land development plan with the Wyomissing Area School District for the improvements to the West Reading Elementary School. **Motion carried.**

**Moved** by Ms. Hutcheson and seconded by Mr. Wert to approve the execution of the municipal improvements agreement with the Wyomissing Area School District where the school district will guarantee the installation of \$132,579.90 of municipal improvements per the agreement which has been reviewed and approved by the solicitor and engineer. **Motion carried.**

**Moved** by Mr. Gallen and seconded by Mr. Wert to approve the Solicitor's Report. **Motion carried.**

Engineer's Report – Mr. Jenkins referred to his written report of October 15<sup>th</sup> which details two action items. **Moved** by Ms. Hutcheson and seconded by Mr. Wert to approve Payment Application #2 to Windsor Services in the amount of \$201,498.80 for the Sunset Road project. **Motion carried.** Mr. Jenkins noted that \$24,000 is still being held in retainage for the remaining punch list items.

**Moved** by Mrs. Heckler and seconded by Ms. Hutcheson to approve Payment Application #3 to EJB Paving and Materials in the amount of \$36,626.15 for the Grape and Yarnell project. **Motion carried.**

**Moved** by Ms. Hutcheson and seconded by Mr. Wert to approve Payment Application #4 to EJB Paving and Materials in the amount of \$8,368.83 for the release of 50% of the retainage for the Grape and Yarnell project. **Motion carried.** The remaining 50% is still being held until minor issues are resolved.

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

#### **BOROUGH MANAGER'S REPORT:**

Recycling Contract – Mr. Sichler stated that at the last Council meeting he had been directed to review the Trash and Recycling bids for verification of information, which has been completed. The low bid for the recycling contract was from Eagle Disposal which if approved will keep the contract at the same rate as the past two years (\$35,568 per year). As well, the bid price does not have an increase for years 2 and 3. **Moved** by Mr. Wert and seconded by Ms. Hutcheson to award the recycling contract to Eagle Disposal in the amount of \$106,704 for years 2011, 2012 and 2013. **Motion carried.**

Berks County Tax Claim Bureau Certification – **Moved** by Ms. Hutcheson and seconded by Mr. Conrad to approve the signing of the certification form that will allow five accounts to be turned over to the Berks County Tax Claim Bureau for collection. **Motion carried.**

Water Rate Increase – Mr. Sichler explained that the Western Berks Water Authority will be increasing water rates to the Borough by approximately 2% and if that increase is passed on to Borough customers, the rates will increase from \$3.85 to \$3.93 for residential and from \$4.14 to \$4.22 for commercial rates. It was decided to bring the issue forward at the next Council meeting, and to also determine if the base rate of \$20.79 should be increased.

Members' Contribution for the Police Pension Plan – Mr. Georgeadis explained that this issue will be part of the contract negotiation but noted that historically, the Borough has not required a member contribution for the pension plan. It was decided to give this item further consideration.

Other Items – Mr. Sichler updated Council about the proposed renovation to the tennis/basketball courts which would include moving the bleachers and extending the fencing. He noted that in addition to the budgeted funds, the extra work would cost between \$2750 and \$5000. **Moved** by Mr. Gallen and seconded by Mr. Wert to complete the tennis court project and transfer an amount, not to exceed \$3000 from line item 01-400-611. **Motion carried.**

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

#### **MAYOR'S REPORT AND MAIN STREET REPORT:**

Mayor Keller told Council that the Greater Reading Young Professionals group has sponsored and purchased banners for each of the districts of the Penn Corridor to be hung along the Avenue. The banner was displayed for Council and Mayor Keller said that Main Street is asking that the Borough take ownership of the banners and place them along the Avenue. The banners are routinely changed out by the Borough Crew in spring, summer, fall and winter and since they are scheduled to be changed out, it is proposed that the new banners are placed. **Moved** by Ms. Hutcheson and seconded by Mr. Wert to install the Penn Corridor banners. **Motion carried.**

Mayor Keller also reported that Mrs. Levering has scheduled interviews with the candidates that have the necessary qualifications for the Code Enforcement positions. The interviews will be conducted during the coming week by the Personnel Committee, with recommendations to be presented at the next Council

meeting. Mrs. Heckler commented about the length of time it has taken to get the interviews scheduled and felt that leaving the department shorthanded will be detrimental to Codes. She also recommended that exit interviews should be conducted as they can be a valuable tool. Mr. Conrad stated that it should be discussed with the Personnel Committee.

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

#### **DEPARTMENT REPORTS:**

Code Enforcement – Mrs. Levering presented her written report. Mrs. Heckler noted that Act 177-19 has been proposed and, if signed by the Governor, it will help Code officials with absentee landlords and will give officials more authority to go after them.

Mrs. Levering asked Council to consider establishing license fees for amusements and coin operated games. She added that in checking with other municipalities, a wide variety of fees currently exist. After much discussion, it was requested that Mrs. Levering determine the actual administrative cost for the Borough to issue a license/permit which would determine what an annual fee should be. As well, Mrs. Levering will do further research concerning other fees and bring her recommendation to Council.

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

Police Department – Chief Fabrizio updated Council concerning the Sergeants' exams and stated that the exam scores have been posted and oral interviews will begin on November 4<sup>th</sup>. The Civil Service Commission will then review the information and bring a recommendation to Council. Chief Fabrizio also reported the following:

- The Citizen's Police Academy is going very well
- Several officers have been off duty with injuries
- There have been a series of drug arrests
- An increase of violent activity has been noticed at the diner on weekends
- Gang activity is increasing
- Overtime is increasing as a result of the extra coverage on weekends

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

Public Works – Mr. Murray had nothing to add to his written report. In response to Mrs. Heckler's question, Mr. Murray stated that the wood for the walking bridge by the pool has been ordered and will be replaced soon. The repair will delay more extensive repairs for a few years. **Moved** by Mrs. Heckler and seconded by Ms. Hutcheson to accept the Public Works Director's report. **Motion carried.**

Fire Department – Chief Burkholder stated that the specifications for the ladder truck have been completed and asked Council's permission to compile the document and send it to Mr. Georgeadis for review. Once reviewed, it can be advertised. **Moved** by Mr. Wert and seconded by Mrs. Heckler to approve the advertising of the bid specifications upon the successful review by the solicitor. **Motion carried.**

**Moved** by Ms. Hutcheson and seconded by Mr. Gallen to accept the Fire Chief's report. **Motion carried.**

Elm Street – Mr. Rohrbach referred to his written report and highlighted the draft of the Center Point Plan which is what they will be basing the DCED application on, which must be submitted within the next 30 days. He also noted that a \$10,000 grant has been received from the Colonial Oaks Foundation and a \$2000 grant has been received from Sovereign Bank Foundation. A \$75,000 proposal has been submitted to the Wyomissing Foundation. Mr. Rohrbach announced that a public meeting will be held on

Monday, October 25<sup>th</sup> to discuss the Center Point Plan with the residents, then on November 1<sup>st</sup>, an advertised public meeting will be held so that the Main Street Authority can accept the report and vote to make a recommendation to Council. When asked about the proposed Center Point Plan, Mr. Rohrbach stated that much of the information came from the 2000 census and was compiled by Derck & Edson Associates, the consultants for the project. Mr. Wert commented that he had attended some of the meetings and found the information fascinating as to where the Borough sits, demographically speaking.

**Moved** by Ms. Hutcheson 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 Ms. Hutcheson to accept the Safety Committee report. **Motion carried.**

Recreation Commission – Ms. Klahr stated that there is no written report due to the lack of a quorum. She explained that three of the Commission members are attending the "Citizens Police Academy". She did note that the Halloween Hayride will be held on the 22<sup>nd</sup> and 23<sup>rd</sup> (volunteers are needed) and the Mother Son Dance will be held on November 5<sup>th</sup>.

She also told Council that she had met with Karen Rightmire, the Director of the Wyomissing Foundation to discuss recreation in the Borough and will be applying for funding for the security camera project.

As a final note, Ms. Klahr read a letter from a visitor to the Borough who was very impressed with the exercise equipment and the park in general.

Planning Commission – There were no questions therefore it was **Moved** by Ms. Hutcheson and seconded by Mrs. Heckler to approve the Planning Commission report. **Motion carried.**

Finance Committee – Mr. Gallen stated that the bond issue had been discussed, however there were no minutes, and therefore no report to approve.

#### **TREASURER'S REPORT:**

**Moved** by Mr. Gallen and seconded by Ms. Hutcheson to approve the revenue report for the 9 months ending September 30, 2010. **Motion carried.**

**Moved** by Mr. Gallen and seconded by Ms. Hutcheson to approve the Payment Approval Report for 9/18/10 to 10/15/10. **Motion carried.**

**NEW BUSINESS** – Mrs. Heckler commented regarding the following:

- the lack of budget meetings to date (Mr. Conrad responded that they had to wait for the budget, which was completed on Friday and included in their packets.)
- the committee that is supposed to meet with the hospital on an ongoing basis, but which has not met. (Mr. Conrad stated that the committee is an Ad-Hoc committee which meets only when necessary.)
- the purchase of the property at 6<sup>th</sup> and Spruce by the hospital will mean no further tax revenue for that property. She suggested that the hospital should realize that the Borough needs those tax funds. Mr. Conrad responded that the Committee is in the process of taking care of that.

- the Borough News magazine states that it is not necessary for the Borough to mail routine water bills in envelopes but only if the bill is delinquent. Mr. Sichler responded that it is his understanding that for privacy purposes the amount of water consumed should not be displayed and the postcard would only be acceptable if the bills were for flat rate amounts only. Mr. Georgeadis suggested that it is a judgment call. Ms. Good-Ashman said she would rather err on the side of caution, given the current privacy standards.

Regarding budget meetings, potential dates were discussed and it was decided to meet on Wednesday evenings in November (3,10,17,24<sup>th</sup>) at 7 p.m. **Moved** by Mr. Gallen and seconded by Mr. Wert to advertise those dates. **Motion carried.** The meeting on the 3<sup>rd</sup> will be held at the Fire Company, the remainder will be held at Borough Hall.

#### **EXECUTIVE SESSION:**

Council recessed to Executive Session at 9:03 p.m. to discuss personnel issues. When Council reconvened at 10:04 p.m. no action was taken.

#### **ADJOURNMENT:**

The meeting was adjourned at 10:05 p.m.

Respectfully submitted,

Cathy Hoffman  
Administrative Assistant