

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

**November 16, 2010 – 7:00 p.m.**

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, November 16, 2010 with the following persons present: Council President Kevin Conrad; Vice President Philip Wert; Council Members James Gallen, Amy Good-Ashman, Deborah Hutcheson; Borough Manager Richard Sichler; Police Chief Edward Fabriziani; Socrates Georgeadis, Kozloff Stoudt; Chief 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; Nick Johnson, GVC. Council Members Elizabeth Heckler and Nathalie Kulesa arrived at 7:47 p.m., having just completed their Citizens' Police Academy graduation. Absent: Mayor Shane Keller.

<b><u>VISITORS:</u></b>	Ruth Cardell	Fire Police
	Robert Hill	Resident
	Tina Shenk	Business/Property Owner
	Karen Livingood	Resident
	Amber Rambo	Resident
	John Schaich	Resident
	Don Haines	Ephrata
	Reporter	Reading Eagle

Council President Kevin Conrad called the meeting to order at 7:00 p.m. which was followed by the Invocation (Rev. Caseras – Lighthouse Christian Center), the Pledge of Allegiance and roll call.

### **PUBLIC COMMENT**

Resident Amber Rambo spoke about her difficulty in obtaining a permit to install a fence in her front and side yard. She explained that people see it as a park area and permit their children and dogs to freely run there. She noted that initially she was told that she could install a fence, and because she was permitted to do this, she removed a row of shrubs (a living fence). Since then, because of changes to the zoning ordinance, she is no longer allowed to place a fence in that location because it does not meet the setback requirements for her property. After much discussion, it was determined that the Planning Commission would revisit this section of the ordinance to see what the recommendation was originally. As well, minutes from the Planning Commission will be reviewed.

Resident Robert Hill complained about the number of young people who remain at the playground long after the 9:00 p.m. closing time. He said he does report this to the police who patrol the area regularly, however they scatter before the police can get there. Fencing and security cameras were discussed and it was decided that Ms. Klahr and Chief Fabriziani will meet to discuss possible solutions.

Resident John Schaich also spoke about the same issue at the playground.

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

**Moved** by Mr. Gallen and seconded by Ms. Hutcheson to approve the minutes of October 19, 2010.  
**Motion carried.**

### **UNFINISHED BUSINESS:**

Belovich Development – No new information has been received.

Ticketing Options – Chief Fabriziani stated that based on year-to-date figures, \$18,000 in ticket revenue has been received with 62% being attributed to Penn Avenue tickets. Discussion ensued regarding the possibility of tickets being reduced by \$5.00 if it is paid within 24 hours. Chief Fabriziani stated that it

would be almost impossible to make that scenario work. Ms. Hutcheson stated that the merchants are trying to educate their customers about parking within the stall lines and have conducted strategic planning sessions to explore possibilities. **Moved** by Ms. Hutcheson and seconded by Mr. Wert to reduce the stall line violation fine by \$10., if paid within 24 hours. Voting 'no' were Mr. Gallen, Ms. Good-Ashman, Mr. Wert and Mr. Conrad. Ms. Hutcheson voted 'yes', **Motion defeated.**

Bond Issue – Mr. Sichler stated he had spoken with Mr. Schlesinger of Concord Financial, and there are no savings to be had at current rates. Because a 'bond rating' cannot be requested for another year, it was decided not to revisit the bond issue in the immediate future. Mr. Gallen was asked to watch the market for any changes.

Water Rate Increase – Mr. Sichler stated that although rate increases have been received from the Joint Municipal Authority of Wyomissing Valley and Western Berks Water Authority, the Borough has not finalized the water and sewer budget for 2011, therefore he recommended that rate increase decisions be put on hold for now.

Pressure Seal Mailing Equipment – Mr. Sichler provided pricing information for the pressure sealing equipment and forms to be used for water and sewer billing. **Moved** by Ms. Good-Ashman and seconded by Mr. Wert to approve the purchase of the Formax AutoSeal FD 1200 at a price not to exceed \$2130 through Philadelphia Business Forms and order 10,000 pressure sealed forms for \$800. **Motion carried.** It was noted that the cost would be shared equally between the various funds – water, sewer, trash and recycling.

Amusement fees – Chief Code Enforcement Officer Tracey Levering stated that based on her research, the fee for a special event should be \$25. Coin operated amusements should be subject to a \$100 annual fee as well as 10% of the earnings. It was decided that these fees would become part of the fee schedule that is enacted in January of each year. Also necessary is an amendment to the ordinance. **Moved** by Ms. Good-Ashman and seconded by Mr. Gallen to approve Resolution 2010-8 for Section 202 (amusement fees) which will permit a \$25 fee per event. **Motion carried.**

**Moved** by Ms. Good-Ashman and seconded by Mr. Wert to approve Resolution 2010-9 which will allow the charging of fees for coin operated amusements at \$100 per year and 10% of the proceeds. **Motion carried.**

**Moved** by Ms. Good-Ashman and seconded by Ms. Hutcheson to approve the amending of Section 253 to include the addition of the tax collector collecting the fees for those services. **Motion carried.**

### **CONSULTANTS' REPORTS:**

Solicitor's Report - Mr. Georgeadis presented an amendment to the parking permit ordinance, which has been advertised and includes the following;

1. to establish residential permit parking on S. 4<sup>th</sup> Avenue between Oak Terrace and Spruce Street,
2. to establish residential permit parking on Chestnut Street between S. 4<sup>th</sup> and S. 5<sup>th</sup> Avenues,
3. to repeal residential permit parking on the north side of Spruce Street between S. 7<sup>th</sup> and Lakeview,
4. to repeal residential permit parking on the south side of Sycamore Road between Museum Road and S. 5<sup>th</sup> Avenue.

Mrs. Kulesa noted that eliminating permit parking on Sycamore would be detrimental to pool members who use that permit parking area during the summer months. After some discussion it was decided to remove item 4 from the list of amendments. **Moved** by Mrs. Kulesa and seconded by Mrs. Heckler to approve the ordinance except to remove the section pertaining to the south side of Sycamore Road.

**Motion carried.**

Engineer's Report – Nick Johnson from Great Valley Consultants was on hand to provide the Engineer's report. There were no items that required action. **Moved** by Ms. Good-Ashman and seconded by Mr. Gallen to accept the Engineer's report. **Motion carried.**

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

Mr. Sichler told Council that there are funds remaining from PennDOT for the streetscape project along Penn Avenue. Application had been made to PennDOT several years ago to make streetscape improvements, however the approved funds (\$115,000) had never been used. Mr. Sichler said he would look into it further and bring more information to the next Council meeting.

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

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

Mayor Keller was not in attendance therefore no report was given.

### **DEPARTMENT REPORTS:**

Code Enforcement – Mrs. Levering presented her written report. It was noted that a full-time enforcement officer has been approved for hire contingent upon a successful background check. He should begin employment by December 6<sup>th</sup>. As well, re-advertising will have to be completed for the two part-time positions. **Moved** by Mr. Gallen and seconded by Ms. Good-Ashman to accept the Chief Code Enforcement Officer's report. **Motion carried.**

Police Department – As a follow up to the reports of speeding on Sunset Road, Chief Fabriziani stated that the speed trailer had been placed on Sunset Road for 2 weeks. The data collected showed that 1900 cars had travelled through this one way street and speed data collected showed that 11% of vehicles were travelling 1 and 10 miles per hour; 37% between 11 and 20 mph; 34% between 21 and 30 mph; and 16% between 31 and 40 mph. There were only 8 vehicles that were travelling in the 41 – 50 mph range, 6 of which were between 8 and 9 a.m. and the remaining 2 between 1 and 2 p.m. Chief Fabriziani stated overall on 10% were exceeding the speed limit and he would not consider this to be a high amount of speeders. Mr. Gallen noted that this didn't include the running of the stop sign and Chief Fabriziani said that Officer Eckert had monitored that intersection for a couple of days and issued 6 citations.

Chief Fabriziani reported that he had attended the County Chiefs of Police meeting where a proposal was brought forward by the "Friends of the Reading Hospital" who intend to have a defibrillator device (AED) in every police car in the county. He added that there will be no costs for maintenance, and the units will be replaced at no cost at the end of their lifespan which is about 8 years. Training will be the only issue on a yearly basis however it can simply be added to the required CPR and First Aid training.

Chief Fabriziani said that they also received a briefing regarding the County's radio upgrade and the awarding of the bid to Motorola. He said that they hope to be able to make local talk groups available to each municipality who currently has a local frequency which will allow police to be able to talk to public works. The cost for the upgrade will be released to municipalities within the next 30 days. Chief Fabriziani added that the drop dead date for the federally mandated narrow banding is January 13, 2013, however the County hopes to have everything up and running by the third quarter of 2012. He said he would bring the information to Council as soon as it is available and noted that the Borough may not have to pay for it in 2011, however he felt it was prudent to budget some funds because the project is going to be very costly.

As a final note, Chief Fabriziani said that the Citizens' Police Academy held its second graduation and commended the officers who were in charge. He also thanked the Borough's Civil Service Commission for their participation and assistance through the sergeant promotion process.

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

Public Works – Public Works Director Dean Murray presented his written report. He noted that the crew is currently posting streets for leaf removal and will continue to do so until the first snow. **Moved** by Ms. Good-Ashman and seconded by Mr. Gallen to accept the Public Works Director's report. **Motion carried.**

Fire Department – Chief Burkholder presented his written report. **Moved** by Mr. Wert and seconded by Mrs. Heckler to accept the Fire Chief's report. **Motion carried.**

Elm Street – Mr. Rohrbach referenced his third quarter report and noted that a retreat had been held for both the Authority and the Foundation. As a result of the retreat, the Authority has requested that the Authority and Foundation be joined, or that the Authority become dormant and the organization be renamed.

Mr. Rohrbach also noted that his report contained Resolution 2010-8A which will be submitted along with an application to the Department of Community and Economic Development to designate the new Elm Street neighborhood, the "Center Point" neighborhood. This would require funding for two years of a five year program. **Moved** by Ms. Hutcheson and seconded by Mrs. Kulesa to approve Resolution 2010-8A which authorizes the filing of a proposal for funds with the Department of Community and Economic Development. **Motion carried.**

**Moved** by Ms. Good-Ashman and seconded by Mr. Gallen to accept the Elm Street Manager's report.  
**Motion carried.**

#### **COMMITTEE/COMMISSION REPORTS:**

Safety Committee – **Moved** by Mr. Gallen and seconded by Mr. Ms. Good-Ashman to accept the Safety Committee report. **Motion carried.**

Recreation Commission – Ms. Klahr thanked everyone who assisted with the Halloween Hayride and the Mother/Son Dance, particularly Borough Crew member Dave Rodriguez for building the 10' cat for the dance. **Moved** by Mr. Gallen and seconded by Mrs. Heckler to accept the resignation of Trish Ganster from the Recreation Commission. **Motion carried.** Mr. Conrad asked that any suggestions for her replacement be presented at the next meeting.

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

Planning Commission – Mr. Georgeadis stated that the school district project was approved and the subdivision plans were signed, and now the Municipal Improvements Agreement needs to be signed by Mr. Conrad and Mr. Sichler. **Moved** by Mr. Gallen and seconded by Ms. Good-Ashman to approve Mr. Conrad and Mr. Sichler entering into the Municipal Improvements Agreement. **Motion carried.**

Traffic Committee – Mr. Conrad noted that no action was required as a result of the Traffic meeting. **Moved** by Ms. Good-Ashman and seconded by Mr. Gallen to approve the Traffic Committee report.  
**Motion carried.**

Shade Tree Commission – No action was required as a result of the meeting however Mrs. Heckler asked about the replacement of the trees on Reading Avenue and the tree for the Wunsch family. Mr. Murray responded that they will be planting new trees in the spring, once the snow and salt is gone. **Moved** by Ms. Good-Ashman and seconded by Mrs. Heckler to approve the Shade Tree Commission report.  
**Motion carried.**

**TREASURER'S REPORT:**

**Moved** by Mrs. Kulesa and seconded by Ms. Hutcheson to approve the revenue report for the 10 months ending October 30, 2010. **Motion carried.**

**Moved** by Mrs. Kulesa and seconded by Ms. Hutcheson to approve the Payment Approval Report for 10/16/10 to 11/10/10 and 11/13/10 to 11/16/10. **Motion carried.**

**NEW BUSINESS** – Mrs. Kulesa read the letter of resignation from Ruth Cardell, the Borough's Tax Collector, effective November 30<sup>th</sup> 2010. **Moved** by Mrs. Heckler and seconded by Mrs. Kulesa to accept Mrs. Cardell's resignation. **Motion carried.**

Mr. Georgeadis stated that the vacancy needs to be filled by December 31<sup>st</sup> or it will go to the Vacancy Board. It was decided that the vacancy would be advertised by word-of-mouth rather than advertising in the newspaper and it was noted that it must be a resident. It was also noted that the Deputy Tax Collector will stay in place.

**EXECUTIVE SESSION:**

Council recessed to Executive Session at 8:36 p.m. to discuss pending litigation. When Council reconvened at 9:02 p.m. no action was taken.

**ADJOURNMENT:**

**Moved** by Ms. Hutcheson and seconded by Mrs. Kulesa to adjourn the meeting at 9:03 p.m.

Respectfully submitted,

Cathy Hoffman  
Administrative Assistant