

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

**April 21, 2009 – 7:00 P.M.**

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, April 21, 2009 with the following persons present: Council President Nathalie Kulesa; Council Vice-President Michael Doyle; Council Members Kevin Conrad, James Gallen Jr., Michael Morrill, Philip Wert; Mayor Shane Keller; Borough Solicitor Socrates Georgeadis; Police Chief Ed Fabriziani; Code Enforcement Officer Gerald Trate; Borough Foreman Jim Beane; Fire Chief Mark Burkholder; Recreation Coordinator Daphne Klahr, Main Street Executive Director Nevin Hollinger; Elm Street Manager Dean Rohrbach; Administrative Assistant Cathy Hoffman. Absent: Michael Geddio, Borough Manager George Tindall.

<b><u>VISITORS:</u></b>	Elizabeth Heckler	Resident
	Sheila Scott	Resident
	Nancy Campbell	623 Penn Avenue
	Karen Livingood	Resident
	Ruth Cardell	Resident
	Tina Shenk	400 Penn Avenue
	Rebecca Keller	Resident
	Audrey Schaeffer	Resident
	Kurt Bertges	450 Penn Avenue
	Rita Ditsky	522 Penn Avenue
	Nancey Seghetti	522 Penn Avenue
	Joe Caccione	520 Penn Avenue
	Ron Schaeffer	550 Penn Avenue
	John Pakradooni	103 Franklin Street
	Tamera Adolf	Resident
	Darrin Youker	Reading Eagle
	Daryl Jenkins	Great Valley Consultants

Council President Nathalie Kulesa called the meeting to order at 7:25 p.m. (A Conditional Use Hearing for the Reading Hospital had been held prior to the Council meeting.) Reverend Hellemo of Bethany Lutheran Church gave the invocation which was followed by the Pledge of Allegiance and Roll Call.

### **PUBLIC COMMENTS:**

Nancey Seghetti – Updated Council regarding the upcoming Art on the Avenue event which is planned for June 20<sup>th</sup>. She thanked Rita Ditsky and Nancy Campbell for their fundraising efforts for the event. She also asked for volunteers for the event.

Audrey Schaeffer – Stated that she has been having problems finding a parking space near her home because vehicles are illegally parked. She asked when the Parking Enforcement Officers would be hired. Chief Fabriziani responded by saying that the applications have been reviewed and they are now ready to interview the candidates. He hopes to have a recommendation for Council at the May Council meeting.

Tina Shenk – Also voiced the same concern regarding parking enforcement. She also asked why the 2-hour parking zone for Penn Avenue doesn't include Saturdays and if there is anything that can be done to change it. Chief Fabriziani stated that in the past it was felt that all day parking on Saturdays would better accommodate the residents that live along the Avenue. He suggested that the issue may need to be revisited and invited Ms. Shenk to attend the next Traffic Committee meeting to discuss it.

Rita Ditsky – Asked what is being done about the Sidewalk Café regulations that are currently being reviewed. Chief Fabriziani stated that the issue needs to be discussed through the Main Street meetings, with a recommendation being forwarded to Council. He stressed that the business owners need to be represented by "one voice". This was later reiterated by Mrs. Kulesa and Mayor Keller. Nevin Hollinger stated the issue was discussed at length that at the last Main Street meeting, several specific recommendations were made that will be brought to the next Main Street Authority meeting, and hopefully

a recommendation will be made to Council at the May Council meeting. He added that he would then like to send out those recommendations to other members of the business community for their input.

Kurt Bertges – Asked about the lack of minutes on the Borough web-site. Chief Fabriziani explained that the County hosts the site and because they haven't yet updated their software (as planned) it is very difficult to make changes to the site. After some discussion Council directed the Borough Manager to look into other alternatives and the costs associated with it.

Mr. Bertges also asked for an update regarding the Belovich town homes. Mr. Georgeadis stated that Fulton Bank is cooperating with the Borough, and they are attempting to sell the properties to a developer. The funds that the Borough is holding (approximately \$150,000) will not be released until everything has been completed and the streets are dedicated to the Borough.

Mr. Bertges said that at the February Marketing and Promotion meeting, the Sidewalk Café Ordinance was discussed and that a motion should have been made to Main Street which would in turn be recommended to Council. He said he had expected to hear that a recommendation had been brought to Council stating that a one time fee would be required (\$25) and there would be no calendar restrictions. He said there was a breakdown in communication. After some discussion, Mr. Conrad said that Carol Wells would be contacted to find out where things stand, then the issue would be brought to the next Authority meeting, and move forward from there.

As a final note, Mr. Bertges stated that Council needs to be in better contact with the business community and that many merchants would appreciate the opportunity to discuss issues directly with Council who ultimately are the decision makers. Council reiterated that business owners need to attend Main Street meetings in order to make changes.

Joe Cacchione stated that the businesses on Penn Avenue are suffering, many are closing, and Council needs to be more concerned. Mr. Conrad explained that the Marketing team has been asked to put together a recommendation for Council because they are business owners and are directly effected by the regulations. Much discussion ensued regarding the decision making process for Penn Avenue businesses and it was noted that several appointments on both the Authority and the Foundation will be vacant as of December 31, 2009. It was suggested if there are business owners that would like to be part of these groups, they must make Council aware of their interest because the appointments are made by Council.

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

**Moved** by Mr. Morrill and seconded by Mr. Conrad to approve the minutes of March 17, 2009 (regular session). **Motion carried.**

#### **ENGINEER'S REPORT:**

Mr. Jenkins referenced his April 1<sup>st</sup> letter regarding Candlewood Suites Escrow Release #2. **Moved** by Mr. Doyle and seconded by Mr. Gallen to approve Escrow Release #2 in the amount of \$79,802.00. **Motion carried.**

With regard to the Reading Hospital Co-Generation plant, Mr. Jenkins reviewed the list of waivers (as noted in the Engineer's Report of April 16<sup>th</sup>) that were recommended for approval by the Planning Commission on April 1<sup>st</sup>. A motion was introduced to approve the waivers in order to facilitate discussion. It was subsequently withdrawn and after some discussion it was determined that each waiver should be dealt with individually. The letter from the Berks County Planning Commission was also discussed and the major area of concern was the request to waive the impact statement for fire protection.

**Moved** by Mr. Morrill and seconded by Mr. Doyle to permit the applicant to file a combined preliminary/final plan. **Motion carried.**

**Moved** by Mr. Morrill and seconded by Mr. Conrad to waive the requirement that the entire 300 acres of the Hospital campus be shown on the land development plan. (The proposed plan effects only a small part of the entire property.) **Motion carried.**

**Moved** by Mr. Morrill and seconded by Mr. Conrad to waive the requirement that the total tract boundary line of the project area be shown on the land development plan. **Motion carried.**

**Moved** by Mr. Conrad and seconded by Mr. Doyle to waive the requirement for an impact statement regarding the school system, taxes, traffic, police protection, sanitary and storm sewers, water and utilities, trash removal and street systems. **The motion was carried with a 5-2 vote (Mr. Gallen and Mr. Wert voted "no").** The requirement for an impact statement regarding fire protection remains, and Chief Burkholder noted that he has no concern because everything will be constructed according to code. He will however review the plans and provide a letter with his recommendations.

**Moved** by Mr. Conrad and seconded by Mr. Morrill to waive the requirement to provide storm water quantity controls since the proposed project will decrease the amount of existing impervious cover at the site. **Motion carried.**

Mr. Jenkins reported that bids had been received for the 2009 Streets Project and recommended awarding of the project to the low bidder, Windsor Service. He stated that \$50,000 has been allotted for streets and the remainder will come from the sewer fund. **Moved** by Mr. Doyle and seconded by Mr. Conrad to award the project to Windsor Service with a bid price of \$78,429. **Motion carried.**

Quotes were received for the reconstruction of 4 ADA ramps at Holland Square. **Moved** by Mr. Doyle and seconded by Mr. Conrad to award the project to Ambrus Company in the amount of \$8,000. **Motion carried.**

**Moved** by Mr. Conrad and seconded by Mr. Morrill to approve the Engineer's Report. **Motion carried.**

#### **SOLICITOR'S REPORT:**

Mr. Georgeadis noted that just prior to the Council meeting (6:00 pm) a public hearing had been held for the Conditional Use application of the Reading Hospital to install a Co-Generation facility on its campus. Council indicated that the matter should be tabled therefore Mr. Georgeadis noted that at the May meeting Council would have before them the Conditional Use Application as well as the Final Plan. The Planning Commission will have another opportunity to review the matter before the May meeting. **Moved** by Mr. Doyle and seconded by Mr. Gallen to table the Conditional Use Application. **Motion carried.**

Traffic Ordinance 981 was presented by Mr. Georgeadis which is a clean-up ordinance that will eliminate the 'stop intersection' at Sycamore Road and S. Fifth Avenue. **Moved** by Mr. Doyle and seconded by Mr. Conrad to approve Ordinance 981. **Motion carried.**

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

Mr. Georgeadis and Mr. Jenkins then left the meeting.

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

Ron Shaffer – Explanation of Retail Space at 550 Penn Avenue – Mr. Shaffer provided a floor plan of his office/retail space at 550 Penn Avenue and explained the use of the spaces. He said that he has reviewed the information with the Zoning Officer and he is in compliance with zoning regulations. He said that he brought the information forward to set the record straight and address the concerns of some merchants on Penn Avenue.

Street Tree Replacement Policy – Mrs. Kulesa explained the policy that if the Borough removes a tree, another is planted. Also discussed were streets that may be lacking trees as well as recent vandalism to crab apple trees on Olive Street. Tamara Adolf thanked Council for the tree that was recently planted near her home.

Mr. Morrill left the meeting at 8:45 p.m.

Met-Ed Street Lighting Resolution 2009-5 – Met-Ed is replacing a street light in the area of 311 Cherry Street and requests a resolution to do so. **Moved** by Mr. Gallen and seconded by Mr. Conrad to approve Resolution 2009-5 regarding the street light at 311 Cherry Street. **Motion carried.**

Computer Policy – It was the consensus of Council that the Computer Policy be reviewed by the Personnel Committee prior to being considered by Council.

**Moved** by Mr. Conrad and seconded by Mr. Wert to approve the Borough Manager's Report. **Motion carried.**

#### **CODE ENFORCEMENT OFFICER'S REPORT:**

**Moved** by Mr. Conrad and seconded by Mr. Gallen to approve the Code Enforcement Officer's Report. **Motion carried.**

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

Recreation Commission – Ms. Klahr stated that she had some housekeeping items. **Moved** by Mr. Conrad and seconded by Mr. Doyle to remove two names from the Recreation Commission list: Regina Doyle and Shannon Wagner. **Motion carried.**

**Moved** by Mr. Conrad and seconded by Mr. Wert to add returning employee Patrick Cesarz to the list of summer recreation employees. **Motion carried.**

Ms. Klahr asked Council permission to send letters to local sports groups and the Wyomissing School District to close down the Borough's fields for renovation in 2010. She noted that the fields are in very bad shape and have become a safety hazard. She felt that giving the groups one year notice should be sufficient for them to find alternate locations. **Moved** by Mr. Doyle and seconded by Mr. Conrad to close the fields for 2010. **Motion carried.** It was noted that the fields would be unavailable for organized sports only from January to August 2010, based on the recommendation from Tomlinson Bomberger.

Ms. Klahr also noted:

- A letter of approval was received from the Berks Planning Commission regarding the grant for the fitness equipment at the park.
- Fishing rodeo - April 25<sup>th</sup>
- Father-Daughter Dance - May 1<sup>st</sup>

**Moved** by Mr. Conrad and seconded by Mr. Doyle to accept the Recreation Commission report. **Motion carried.**

Safety Committee – **Moved** by Mr. Doyle and seconded by Mr. Wert to approve the Safety Committee minutes of March 17, 2009. **Motion carried.**

Planning Commission – Mr. Wert stated that recent meeting primarily dealt with the Co-Generation Plant and the waivers associated with the project. The Zoning Ordinance was reviewed again and one minor error was found. The document is ready for Council's approval. **Moved** by Mr. Conrad and seconded by Mr. Doyle to accept the Planning Commission report. **Motion carried.**

Traffic Committee – Chief Fabriziani stated that an ordinance needs to be adopted regarding the 2 hour parking zone on S. Third Avenue between Cherry Street and Penn Avenue. Mayor Keller has enacted a 90 day parking order as of April 20<sup>th</sup> which will allow the 2 hour parking until the ordinance is enacted.

**Moved** by Mr. Conrad and seconded by Mr. Doyle to advertise an ordinance to permit 2-hour parking on the east and west sides of South Third Avenue from Cherry Street to Penn Avenue. **Motion carried.**

**Moved** by Mr. Conrad and seconded by Mr. Doyle to approve the Traffic Committee report. **Motion carried.**

#### **POLICE CHIEF'S REPORT:**

Chief Fabriziani reported that the replacement vehicle, budgeted for this year, has arrived however it will take 4 – 6 weeks for in-service time to allow the emergency equipment to be installed. He said that by changing manufacturers they were able to save \$3500.

The speed timing device that Council previously approved has finally arrived, training has been completed and traffic speed details should be occurring soon.

Preparations for the Armed Forces Day Parade are going well; some of the equipment will be provided from neighboring municipalities; PennDot will be providing all of the necessary equipment to close the ramps to the By-pass.

Chief Fabriziani informed Council that late on weekend nights, gang-affiliated groups have been coming into the Borough from the City to eat at the all-night diner, and an incident occurred where a gun was drawn and an individual threatened. He noted that this also occurred in Wyomissing so both communities have stepped up their presence with extra patrols and utilized video surveillance. As a result these groups have ceased to frequent both Boroughs.

As a final note, Chief Fabriziani said he has been working on the stimulus grant that the Police Department was awarded through the Department of Justice. The Chiefs of all six municipalities receiving the grants have been working together and utilizing the City's grant writers to put the information together. The funds can't be used for anything that is currently budgeted, therefore Chief Fabriziani is requesting that the funds be used to purchase video equipment for the patrol vehicles.

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

#### **MAYOR'S REPORT:**

Mayor Keller stated that a group of people have decided to start a Lions Club in the Borough and they will be meeting on April 22<sup>nd</sup> at 8:00 a.m. at Borough Hall.

Mayor Keller told Council that the turnout at the Clean-up Day on April 18<sup>th</sup> was incredible and commended Elm Street Manager Dean Rohrbach for his hard work. As well, Dean and NAC Chair David Weidenhammer attended an event in Oley where they received the 2008 Urban Conservation Award from the Berks County Conservation District.

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

#### **BOROUGH FOREMAN'S REPORT:**

Mr. Beane reported that the pool project is being delayed because of the rainy weather. **Moved** by Mr. Conrad and seconded by Mr. Wert to approve the Borough Foreman's Report. **Motion carried.**

**FIRE CHIEF'S REPORT:**

**Moved** by Mr. Conrad and seconded by Mr. Doyle to approve the Fire Chief's Report. **Motion carried.**

**MAIN STREET EXECUTIVE DIRECTOR'S REPORT:**

Nevin Hollinger requested a motion from Council to obtain PennDot's permission to close the 400, 500, 600 and 700 blocks of Penn Avenue to vehicular traffic on Saturday, June 20<sup>th</sup> (rain date is June 21<sup>st</sup>) for 'Art on the Avenue'. **Moved** by Mr. Doyle and seconded by Mr. Conrad to approve the closure of Penn Avenue for the Art on the Avenue event. **Motion carried.** Chief Fabrizio stated that this type of request is occurring frequently and felt that the Borough should look at adopting a parade and event ordinance. He will research the idea and bring recommendations back to Council.

Mr. Hollinger also reported that Phases 4 & 5 of the Main Street project are now underway and should be completed by August.

**Moved** by Mr. Conrad and seconded by Mr. Doyle to approve the Main Street Executive Director's Report. **Motion carried.**

**ELM STREET MANAGER'S REPORT:**

Dean Rohrbach gave Council a verbal overview of Saturday's clean-up event and detailed the amounts of trash that were removed from the Elm Street area, the Schuylkill River and the fishing dock areas. He said that the 114 volunteers produced 456 volunteer hours that resulted in three quarters of a ton of trash being removed as well as 10 new garden beds being built in the 'award winning' community garden. Council congratulated Mr. Rohrbach for the very successful event.

**Moved** by Mr. Conrad and seconded by Mr. Doyle to approve the Elm Street Manager's Report. **Motion carried.**

**REVENUES WITH COMPARISON TO BUDGET – ENDING 3/31/09:**

**Moved** by Mr. Conrad and seconded by Mr. Gallen to approve the Revenues Report for three months ending 3/31/09. **Motion carried.**

**PAYMENT APPROVAL REPORT - 3/17/09 TO 4/20/09:**

**Moved** by Mr. Conrad and seconded by Mr. Doyle to approve the Payment Approval Report for 3/17/09 to 4/20/09. **Motion carried.**

**ADJOURNMENT:**

**Moved** by Mr. Conrad and seconded by Mr. Gallen to adjourn the meeting at 9:15 pm.

Respectfully submitted,

Cathy Hoffman  
Administrative Assistant

Approved by,

George I. Tindall  
Borough Manager/Secretary