

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

**August 18, 2009 – 7:00 p.m.**

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, August 18, 2009 with the following persons present: Council President Nathalie Kulesa; Council Members Kevin Conrad, Michael Geddio, James Gallen, Michael Morrill, Philip Wert; Mayor Shane Keller; Borough Manager George Tindall; Dan Becker, Kozloff Stoudt; Police Chief Edward Fabriziani; Code Enforcement Officer Gerald Trate; Borough Foreman Jim Beane; Fire Chief Mark Burkholder; Recreation Coordinator Daphne Klahr; Administrative Assistant Cathy Hoffman. Absent: Michael Geddio; Elm Street Manager Dean Rohrbach. Council Vice-President Michael Doyle joined the meeting at 7:12 p.m.

<b><u>VISITORS:</u></b>	Elizabeth Heckler	Resident
	Rebecca Keller	Resident
	Terry Siggins	Resident
	Tina Shenk	Business/Property Owner
	Oswald Herbert	Resident
	Karen Livingood	Resident
	Don Haines	Ephrata
	Ruth Cardell	Resident
	Chris Reber	Reading Eagle
	Rich Weiger	Resident
	Darryl Jenkins	Great Valley Consultants

Council President Nathalie Kulesa called the meeting to order at 7:02 p.m. A moment of silence was observed, followed by the Pledge of Allegiance and Roll Call.

### **PUBLIC COMMENTS:**

Elizabeth Heckler stated that she had spoken to Mrs. Wunsch's family regarding the tree that is to be planted in her memory and that the family had suggested that it be planted in front of their home, to replace a tree that is dying.

Rich Weiger spoke about oversized vehicles travelling on Sunset Road and asked if there was some way to restrict them given the fact that parked vehicles are being damaged on an ongoing basis. After some discussion, it was decided that the street could be posted with "no trucks" signage. Mr. Becker will research the issue to see what is required in order to post such signs.

Mr. Weiger also complained about hospital employees who smoke near his property and leave trash behind. He said he has informed the hospital's security people, however that doesn't always help. It was decided that Mr. Tindall will address the issue with the hospital again. Also, Mr. Becker will look at drafting an ordinance concerning no loitering.

Tina Shenk of 400 Penn Avenue asked if Council at some point could go over information contained in the County's policing study. Mr. Tindall said that he would like to schedule a session to discuss the study, at 6:00 p.m. on September 15<sup>th</sup>, just prior to the Council meeting.

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

**Moved** by Mr. Morrill and seconded by Mr. Wert to approve the minutes of July 21, 2009. **Motion carried.**

**SOLICITOR'S REPORT:**

Dan Becker provided the Solicitor's report on Mr. Georgeadis' behalf. He gave a status report concerning the Belovich bankruptcy, and reviewed proposed changes to the ordinance concerning snow removal. It has been proposed that Subsection (c) be added to Chapter 20, Part D, Section 260, which will enable the Codes Enforcement Department to issue tickets to property owners who fail to remove snow and ice from sidewalks. Currently, citations are sent to the District Justice for processing however it can take several months before the property owner receives the fine. The amendment will allow tickets to be issued in the same manner that parking tickets are issued.

As a final note, Mr. Becker requested an executive session to discuss pending litigation.

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

**ENGINEER'S REPORT:**

Mr. Jenkins stated that he had four action items, as follows:

**Moved** by Mr. Conrad and seconded by Mr. Morrill to award the 2009 Water System project to B & R Construction in the amount of \$235,062. **Motion carried.**

**Moved** by Mr. Morrill and seconded by Mr. Conrad to approve Payment Application No. 1 from Windsor Service for the 2009 Streets project in the amount of \$80,074.51. **Motion carried.** Mr. Jenkins noted that this project is complete.

**Moved** by Mr. Conrad and seconded by Mr. Morrill to approve Payment Application No. 3 from Burkholder Paving, for the 2008 Streets project in the amount of \$5,351.93. **Motion carried.** Mr. Jenkins noted that the project is complete, however \$8,560.37 is being retained until a drainage issue is resolved.

**Moved** by Mr. Conrad and seconded by Mr. Wert to release \$38,761.08 from the Candlewood Suites developer's escrow account. **Motion carried.** Mr. Jenkins noted that this the final release for the project.

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

**EXECUTIVE SESSION:**

Council recessed for an Executive Session at 7:22 p.m. to discuss pending litigation. The meeting reconvened at 7:45 p.m. with no action being taken as a result of the executive session.

Mr. Becker then left the meeting.

**BOROUGH MANAGER'S REPORT:**

Surplus Vehicles – Mr. Tindall stated that because of vehicles being passed down from the police department, there are 2 vehicles that need to be sold. The Borough of Kenhorst has offered to buy the 1995 Blazer (that is currently in use by the Fire Company) for \$2000 or it can be put up for bid. **Moved** by Mr. Gallen and seconded by Mr. Conrad to sell the vehicle to the Borough of Kenhorst for \$2000. **Motion carried.**

Also to be sold is a 1996 1-ton GMC dump truck. Mr. Tindall stated that it could be advertised either in the newspaper or on an online municipal bid site, however it can only be advertised after the new vehicle has arrived. **Moved** by Mr. Morrill and seconded by Mr. Conrad to advertise the vehicle for sale. **Motion carried.**

PennDOT re Cloverleaf – Mr. Tindall told Council that an agreement has been made between the Department of Prisons and PennDOT to mow the grass at the cloverleaf. This will not begin until the equipment that has been on site to paint the bridge is removed from the cloverleaf. It was noted that the Borough does not have a role in this agreement.

Shade Tree Commission Vacancy – A letter of interest was received from Bruce Dingeldein of 605 Penn Avenue concerning the vacancy on the Shade Tree Commission. **Moved** by Mr. Doyle and seconded by Mr. Conrad to appoint Bruce Dingeldein to the Shade Tree Commission. **Motion carried.**

Advertisement of Tree Trimming & Stump Removal Project – Mr. Tindall stated that the initial bid for this project came in under \$10,000. therefore it isn't necessary to advertise the project. He noted that he will be receiving two other bids in order to meet bidding requirements.

Water/Sewer Billing – Water and Sewer billing was discussed at length, concerning residents and landlords that don't pay their bills on time, as well as the possibility of changing the water and sewer billing to a pressure sealed form. The cost for changing the billing was viewed as prohibitive, therefore it was recommended that it be brought back to Council during the budget process. Regarding late payments, Council recommended that Mr. Tindall review the ordinance with Mr. Georgeadis to determine if it is feasible to impose additional fees for accounts that are not paid until threatened with shut-off.

Handicapped Parking Decisions – Council was advised that two handicapped spaces on Penn Avenue need to be amended in the ordinance. Council referred to page 3 of the draft Traffic Committee minutes. **Moved** by Mr. Morrill and seconded by Mr. Conrad to advertise the amendments to the ordinance per the Traffic Committee minutes. **Motion carried.**

Parking Meters – Mr. Tindall referred to the draft Traffic Committee minutes concerning the Committee's opinion on the potential installation of parking meters on Penn Avenue. Mr. Tindall read that section from the minutes and much discussion ensued on both sides of the issue. It was concluded that if a feasibility study is necessary, it must be done by someone with expertise, therefore an RFP must be prepared. The Traffic Committee was asked to determine the criteria for a feasibility study in preparation for the RFP.

Reading Hospital Co-Generation Plant – A letter was received from EarthRes Group Inc. concerning the application they have made to the PA Department of Environmental Protection for construction of the cogeneration plant at the Reading Hospital. The letter states that a 30 day comment period has been initiated and anyone with questions or comments should contact the DEP Bureau of Air Quality in Harrisburg.

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

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

Mr. Trate had nothing further to add to his written report. **Moved** by Mr. Conrad and seconded by Mr. Morrill to accept the Code Enforcement Officer's Report. **Motion carried.**

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

Recreation Commission – Ms. Klahr told Council that Holy Name High School has requested permission to hold a bonfire and football game on November 5<sup>th</sup> at the playground. **Moved** by Mr. Doyle and seconded by Mr. Gallen to approve the request from Holy Name. **Motion carried.**

Council was also asked to approve an appointment to the Recreation Commission. **Moved** by Mr. Doyle and seconded by Mr. Conrad to appoint Ambyr Elsasser of 205 Olive Street to the Recreation Commission. **Motion carried.**

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

Safety Committee – Mr. Tindall reported that the Safety Committee met on July 21<sup>st</sup> and had reviewed a driving safety video.

**Moved** by Mr. Conrad and seconded by Mr. Doyle to accept the Safety Committee report. **Motion carried.**

**POLICE CHIEF'S REPORT:**

Chief Fabrizio reported the following:

- National Night Out was a tremendous success; Officer Karie Eckert was in charge, with assistance from Daphne Klahr.
- 42 violations were issued during a speed detail on Buttonwood Street. Smooth Operator funds were used to pay for officers' wages.
- The new vehicle will be ready for service by the end of the week; the vehicle it replaces is being sent to the Fire Company.
- The trial for vehicular homicide that took Polly Rassow's life is scheduled to begin within the next two weeks; as a result, many of our officers will be required to attend.
- Funding for officer training through MOPEC will be reduced from \$10 million to \$2 million if the State budget is approved as proposed. Chief Fabrizio asked that a letter be sent to the State concerning these funding cuts. The net result for the Borough will be an increase of \$1500 for training in 2010. **Moved** by Mr. Morrill and seconded by Mr. Wert to send a letter to the four Caucus leaders and the Governor expressing Council's displeasure with the passing of budget cuts to municipalities. **The motion was carried with a 4-3 vote. Voting 'yes' were Mr. Wert, Mr. Morrill, Mrs. Kulesa and Mayor Keller. Voting 'no' were Mr. Gallen, Mr. Doyle and Mr. Conrad.**

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

**MAYOR'S REPORT:**

Mayor Keller provided a progress report regarding the ongoing work at the Chestnut and South Fifth playground and remarked about the wonderful job that has been done so far. He also provided information regarding the upcoming weekend Main Street Sidewalk Sale, and the Fall Festival which will be held on September 19<sup>th</sup>.

Mayor Keller also provided the Elm Street Manager's Report on behalf of Mr. Rohrbach by stating that Elm Street had its first annual assessment on August 3<sup>rd</sup>. Mr. Brace from the Pennsylvania Downtown Center met with members of the NAC as well as the Main Street Authority for progress updates. His written report has not yet been received however there should be no surprises because West Reading's Elm Street Program continues to be a leader. Mayor Keller also mentioned the Elm Street block party which will be held on August 22<sup>nd</sup>.

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

**BOROUGH FOREMAN'S REPORT:**

Jim Beane reported that there was an incident with the Western Berks Water Authority water plant which resulted in too much potassium permanganate (which treats manganese and iron in the water) being fed into the water system. He noted that although the overfeed into the system caused the water to turn pink, there was no health hazard to residents. Mr. Beane noted that the water in West Reading was tested throughout the day and was not effected. As well, the piece of equipment that caused the overfeed is being replaced.

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

**FIRE CHIEF'S REPORT:**

There were no questions, therefore it was **Moved** by Mr. Conrad and seconded by Mr. Morrill to accept the Fire Chief's Report. **Motion carried.**

**REVENUE WITH COMPARISON TO BUDGET – ENDING 7/31/09:**

**Moved** by Mr. Morrill and seconded by Mr. Conrad to approve the Revenue Report for the seven months ending 7/31/09. **Motion carried.**

**PAYMENT APPROVAL REPORT - 7/18/09 TO 8/18/09:**

**Moved** by Mr. Conrad and seconded by Mr. Morrill to approve the Payment Approval Report for 7/18/09 to 8/18/09. **Motion carried.**

**ADJOURNMENT:**

**Moved** by Mr. Conrad and seconded by Mr. Wert to adjourn the meeting at 9:15 p.m.

Respectfully submitted,

Cathy Hoffman  
Administrative Assistant

Approved by,

George I. Tindall  
Borough Manager/Secretary