

BOROUGH OF WEST READING – BOROUGH COUNCIL

December 15, 2009 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, November 17, 2009 with the following persons present: Council President Nathalie Kulesa; Council Vice-President Michael Doyle; Council Members Kevin Conrad, James Gallen, .Michael Geddio, Michael Morrill, Philip Wert; Mayor Shane Keller; Borough Manager George Tindall; Borough Solicitor Socrates Georgeadis; 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: Elm Street Manager Dean Rohrbach

<u>VISITORS:</u>	Elizabeth Heckler	Resident
	Audrey Schaeffer	Resident
	Karen Livingood	Resident
	Jim Livingood	Resident
	Ruth Cardell	Resident
	Rose Kugler	Resident
	Amber Rambo	Resident
	Tess Miller	Property Owner
	Don Haines	Ephrata
	Darrin Youcker	Reading Eagle
	Darryl Jenkins	Great Valley Consultants

Council President Nathalie Kulesa called the meeting to order at 7:00 p.m. which was followed with the Pledge of Allegiance and Roll Call.

PUBLIC COMMENTS:

Elizabeth Heckler told Council that the Christmas Tree Lighting which was held on December 4th was a tremendous success and that the Avenue looked beautiful.

Audrey Schaeffer asked Council about vehicles parked illegally by a fire hydrant. Chief Fabriziani suggested that she contact the police department if it happens again.

Rose Kugler provided Council with information concerning the addition that is being constructed adjacent to her home. Mr. Tindall and Mr. Trate stated that they have both reviewed the situation and that the neighbor is not in violation of any Borough or construction codes. After much discussion, Mr. Georgeadis recommended that she contact a lawyer or take her complaint to the District Justice because it is a neighbor dispute and trespassing issue, not a code violation.

APPROVAL OF COUNCIL MINUTES:

Moved by Mr. Conrad and seconded by Mr. Geddio to approve the minutes of November 17/18, 2009.
Motion carried.

SOLICITOR'S REPORT:

Mr. Georgeadis told Council that he and Mr. Tindall had met with Ruth Cardell, the newly elected Tax Collector, and have since met with Nelson Long, the County's Treasurer concerning collecting taxes in the Borough. Mr. Georgeadis noted that they do not have any specific information to bring to Council at this point, however a decision must be made by February 10th, which is when the tax bills will be printed.

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

ENGINEER'S REPORT:

Mr. Jenkins referred to his written report and requested approval for the following payment applications:

Moved by Mr. Morrill and seconded by Mr. Conrad to approve Payment Application No. 2, to B & R Construction in the amount of \$81,185.85 for work completed to date for the water main replacement project on Sunset Road and Yarnell/Grape Streets. **Motion carried.** (Mr. Jenkins noted that the transfer of services has been completed with only minor cleanup remaining.)

Moved by Mr. Conrad and seconded by Mr. Morrill to approve Payment Application No. 2 to B. P. Paterson, Inc. in the amount of \$59,214.62 for the Cherry Street Sewer Main Replacement project. **Motion carried.**

Moved by Mr. Conrad and seconded by Mr. Morrill to release the retainage to B. P. Paterson, Inc. once the punch list has been completed, in an amount not to exceed \$1,524.38 **Motion carried.**

Moved by Mr. Morrill and seconded by Mr. Wert to release the retainage to Burkholder Paving for the 2008 Streets project, in the amount of \$8,560.37. **Motion carried.** (The drainage issue has been resolved.)

Mr. Jenkins updated Council concerning the Parkview Road bridge by stating that they had met with PennDOT and completed the necessary paperwork so that the Borough can be reimbursed from Berks County Engineering for the work that was completed on the bridge. This amount is approximately \$55,000.00 which covers all costs for the project including engineering and construction.

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

BOROUGH MANAGER'S REPORT:

Accept Bid for 1993 GMC Truck – Mr. Tindall reported that the dump truck was auctioned at "municipalbid.com" for \$12,000.00. **Moved** by Mr. Morrill and seconded by Mr. Geddio to approve the sale of the 1993 GMC Truck to George Keller of Leesport for \$12,000. **Motion carried.** (Mayor Keller noted for the record that he is not related to the purchaser.)

Complaint Letter re Penn Avenue Parking – Mr. Tindall stated that he had received a letter of complaint from a non-resident concerning parking on Penn Avenue.

2010 Budget – Mr. Tindall stated that the 2010 Budget had been duly advertised and is ready for adoption by Council. He noted that there was a small change – page 13 states that the fund balance is \$311,000. however \$79,000 was reserved for the Sunset/Yarnell project – the bottom line stays the same, but denotes where the funds are actually allocated. Also on page 14, the fund balance has been changed due to the retainage being held for the Olive/Cherry project.

It was noted that if the budget is approved as presented, the fire tax will be increased ¼ mill (specifically set aside for the fire truck), but the real estate tax will remain the same.

Moved by Mr. Geddio and seconded by Mr. Conrad to approve the 2010 Budget. **The Motion was carried with a 4-3 vote. Voting No were Mr. Morrill, Mr. Gallen and Mr. Doyle; Voting yes were Mr. Geddio, Mr. Wert, Mr. Conrad, and Mrs. Kulesa.**

Handicapped Parking Requests – This item was tabled to the Reorganization Meeting.

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

CODE ENFORCEMENT OFFICER'S REPORT:

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

COMMITTEE/COMMISSION REPORTS:

Safety Committee – **Moved** by Mr. Conrad and seconded by Mr. Morrill to approve the Safety Committee report. **Motion carried.**

Recreation Commission – Ms. Klahr reported the following:

- the Christmas Tree Lighting went extremely well, with a large number of people in attendance, due primarily to the very warm weather. She thanked everyone who assisted with the event..
- the fee schedule for 2010 has once small change - the swim team fee will increase to \$15.00 to cover the cost of a t-shirt as well as registration.
- winners of the Christmas display decorating contest were announced, as well as winners of the employee decorating competition.
- ball field maintenance will now be completed by a contractor, under a maintenance program which is being covered by a \$4000 donation from the Reading Hospital.

Moved by Mr. Gallen and seconded by Mr. Conrad to approve the Recreation Commission report.
Motion carried.

Planning Commission – Due to the lack of a quorum, there were no minutes to approve.

Shade Tree Commission – Mr. Tindall reported:

- a tree will be planted in memory of Mrs. Wunsch, in front of her family's home.
- 40 trees have been planted around the borough, and 17 others will be planted by a contractor, in the park, at a cost of \$4000.

Moved by Mr. Morrill and seconded by Mr. Conrad to approve the Shade Tree Commission report.
Motion carried..

POLICE CHIEF'S REPORT:

Chief Fabrizioani reported that a disposition has been received for the 2007 homicide by vehicle case that took long-time resident Polly Rassow's life. He noted that it was a difficult case and gave praise to everyone involved for their excellent work. Sentencing is scheduled for February 2nd, 2010.

Chief Fabrizioani also reported that a resolution has been prepared to allow some changes to the Civil Service Regulations. Chairman Jim Livingood was in attendance and Chief Fabrizioani asked for Council's approval of the proposed changes.

Moved by Mr. Morrill and seconded by Mr. Gallen to approve the changes to the Civil Service Regulations. **Motion carried.** Chief Fabrizioani added that the Civil Service Commission will meet sometime in January to prepare for Civil Service testing.

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

MAYOR'S REPORT:

Mayor Keller spoke about:

- the DUI checkpoint that was held on November 26th in the 300 block of Penn Avenue resulting in 10 DUI arrests, 2 felony warrants, 32 traffic citations, and 23 warning notices issued.
- Funds have been received from the State for the 2004-2005 Façade Improvement Program, so checks have been issued to many property owners on Penn Avenue.

Mayor Keller thanked Mr. Morrill, Mr. Geddio and Mr. Doyle for their commitment while working on Council, and wished them all the best.

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

BOROUGH FOREMAN'S REPORT:

In response to a question Mr. Beane reported that the crew has been doing leaf pick-up in the alleys and will continue to run the sweeper when necessary, however at the moment the sweeper requires repair. Parts are expected this week.

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

FIRE CHIEF'S REPORT:

Chief Burkholder reminded everyone about the Fire Company Children's Christmas party on December 19th. **Moved** by Mr. Morrill and seconded by Mr. Geddio to accept the Fire Chief's Report. **Motion carried.**

ELM STREET MANAGER'S REPORT:

Council wished Mr. Rohrbach well as he recovers from surgery. **Moved** by Mr. Morrill and seconded by Mr. Conrad to approve the Elm Street Manager's written report. **Motion carried.**

REVENUE WITH COMPARISON TO BUDGET – 11 MONTHS ENDING 11/30/09:

Moved by Mr. Morrill and seconded by Mr. Wert to approve the Revenue Report for the eleven months ending 11/30/09. **Motion carried.**

PAYMENT APPROVAL REPORT – 11/18/09 to 12/10/09 and 12/11/09 to 12/15/09:

Moved by Mr. Morrill and seconded by Mr. Conrad to approve the Payment Approval Report for 11/18/09 to 12/10/09. **Motion carried.**

Moved by Mr. Gallen and seconded by Mr. Wert to approve the Payment Approval Report for 12/11/09 to 12/15/09. **Motion carried.**

EXECUTIVE SESSION:

Council recessed to Executive Session at 8:20 p.m. to discuss Collective Bargaining and a police matter. Council reconvened at 8:38 p.m.

Mrs. Kulesa thanked Mr. Doyle, Mr. Morrill and Mr. Geddio for their service as Council Members.

ADJOURNMENT:

Moved by Mr. Conrad and seconded by Mr. Morrill that the meeting be adjourned. **Motion carried.**

Respectfully submitted,

Cathy Hoffman
Administrative Assistant

Approved by,

George I. Tindall
Borough Manager/Secretary