

BOROUGH OF WEST READING – BOROUGH COUNCIL

AUGUST 19, 2008 – 7:00 P.M.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, August 19, 2008 with the following persons present: Council President Nathalie Kulesa; Council Members Michael Doyle, Kevin Conrad, Michael Geddio, James Gallen Jr., Michael Morrill, Philip Wert; Mayor Shane Keller; Borough Manager George Tindall; Borough Solicitor Chad Lubas; 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.

VISITORS: Darrin Youker – Reading Eagle
Rebecca Keller – 395 Oak Terrace
Oswald Herbert – 314 Reading Avenue
David Wagner – 97 Wellington Blvd.
Ruth Cardell – 728 Reading Avenue
Robert Howe – 305 S. Third Avenue
Anne Deiterich – Western Berks Ambulance
William Gernert – 107 N. 3rd Avenue
Rebecca Simmons – 508 Penn Avenue
Deborah Hutcheson – 512 Penn Avenue
Elizabeth Heckler – 460 Chestnut Street
Sheila Scott – 322 Chestnut Street
Amber Rambo – 307 Sunset Road
Karen Livingood – 211 Sycamore Road
Jay Kupiszewski – 228 S. Third Avenue
Don Haines – 156B West Fulton Street
Darryl Jenkins – Great Valley Consultants

Council President Nathalie Kulesa called the meeting to order at 7:00 p.m. Reverend Hellemo of Bethany Lutheran Church gave the invocation which was followed by the Pledge of Allegiance and Roll Call.

PUBLIC COMMENTS:

Jay Kupiszewski – 228 S. Third Avenue

Mr. Kupiszewski stated that there is no stop sign at the intersection of Third and Kline and asked Council to consider having one installed. Chief Fabriziani stated that under Pennsylvania law, a stop sign isn't necessary because Kline is a secondary roadway which automatically requires motorists to stop before entering a primary street. It was noted that before a stop sign could be placed there, an engineering study would have to be completed which would be costly. It was also noted that there are multiple alleys in the Borough that don't have stop signs. Mr. Conrad invited Mr. Kupiszewski to attend the Traffic Committee meeting on the 20th to discuss the matter further.

Oswald Herbert – 314 Reading Avenue

Mr. Herbert referred to Main Street Authority bids which were opened publicly but not awarded because they were incomplete. He criticized the requirements of the bid proposal document, stating that some requirements were too stringent.

Mayor Keller noted that Mr. Herbert was not in attendance for the public bid opening, then gave a brief synopsis of the proceedings of that meeting. The end result had been a motion to accept one of the bids, contingent on the solicitor's review which once reviewed was discarded for being in non-compliance. He stated that it is the Authority's intention to reject all bids and re-advertise. It was noted that any concerns regarding this bid process should be addressed with Main Street and not Council.

As a final note, Mr. Herbert criticized the Borough for being financially irresponsible. Council invited Mr. Herbert to attend the upcoming budget meetings.

Elizabeth Heckler – 460 Chestnut Street

Mrs. Heckler commended Council for all the work that they do.

APPROVAL OF COUNCIL MINUTES:

On motion duly made by Mr. Conrad, seconded by Mr. Gallen and passed, Council approved the Council minutes of July 15th 2008.

Recreation Commission Report – Daphne Klahr reported the following:

- the final 'Movie in the Park' would be happening later in the evening
- the pool closes on September 1st for the year
- the swim team did an outstanding job; several swimmers placed in the top 3 for the entire County
- the Playground program ended on August 1st
- many fall events are scheduled, such 'Tons of Trucks', flea markets and the Halloween Hayride

Ms. Klahr thanked Chief Burkholder and the Fire Company for allowing them to use the facility, and thanked Jim Beane and his crew for the help they provided over the summer. **On motion duly made by Mr. Doyle, seconded by Mr. Conrad and passed, Council approved the Recreation Commission Report.**

BOROUGH MANAGER'S REPORT:

Fall Festival – Request for Beer Tent – Rebecca Simmons told Council that the Fall Festival is scheduled for September 20th, in conjunction with River Fest. She stated that much of the event will be the same as last year which, with Council's approval, will include a beer tent. The beer tent will be at the same location as last year, have the same containment plan, stage etc. Chief Fabriziani noted that there had been only one minor incident last year. **On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the beer tent for the Fall Festival.**

Mileage Reimbursement – After some discussion regarding the current mileage rate which has not been updated in many years, Council agreed to update the mileage reimbursement rate. It was noted that this rate increase would not be retroactive. **On motion duly made by Mr. Conrad, seconded by Mr. Doyle and passed, Council increased the mileage reimbursement rate to 58.5 cents per mile, in keeping with the current IRS rate.**

Western Berks Ambulance Association – Anne Deiterich, Executive Director of the Western Berks Ambulance Association provided Council with an overview of the financial state of the Association. She noted that House Bill 1131 and 1133 were amended in May of 2008 to make Boroughs/Townships responsible for ensuring that Emergency Medical Services are provided within the Borough/Township, including the appropriate financial and administrative assistance for these services. As a result, she is visiting all borough/townships that Western Berks covers to inform them of these changes and propose a solution to their income shortfall. She noted that the Association is able to cover the day-to-day costs, however has no extra funds for the purchase of capital items such as cardiac monitors and vehicles. She stated that current membership rates are \$45 per senior household and \$60 per regular household. The Association is proposing that the Borough collect \$30 from every household in the Borough with 100% participation, and is suggesting that it could be collected as a municipal service. Ms. Deiterich added that the Association has been using space at the Borough's fire company building since 2004 and has provided a free membership to West Reading residents in exchange for this, however it's not financially feasible to do this any longer. For 2009, the Association will be mailing out their membership letters to all Borough

households at a rate of \$50 per senior household and \$65 per regular household. She reviewed call volumes and participation percentages to show the need for more financial support. She asked that Council determine a reasonable lease amount in order to continue using the Fire Company which she can present to the Board of Directors.

Chief Fabriziani asked about total call volume and Ms. Deiterich stated that there were 474 advanced life support and 909 basic life support calls, which were actual emergency calls in the Borough and did not include transportation calls. Chief Fabriziani also noted that if the Association were to cease existence, the Borough would become responsible. It was also noted that if the Borough doesn't agree to bill residents the \$30 per year, the Association will be sending out membership notices to all resident households. If the resident doesn't become a member of the Association and requires their services, primary and secondary insurance will be billed for the service, however the resident must pay all amounts that are not covered.

Issues regarding fund raising and public awareness were discussed and suggestions were made, however no decisions were made.

Replacement of Borough Server - Mr. Tindall stated that after a meeting held on the 18th, it was decided this issue should be put on hold until the September Council meeting.

Graffiti Abatement Coordinator – Mr. Tindall stated that West Reading has been chosen for a pilot program, administered through grants, to assist the Borough with graffiti removal. Chief Fabriziani added that once the graffiti is reported, Officer Marks will document the graffiti, send the information to Steven Harrity, the Abatement Coordinator, who will schedule the removal. Chief Fabriziani noted that the Borough was one of the first municipalities outside of the City to have a Graffiti Ordinance. He added that if the graffiti is on private property, the owner will receive a letter offering the service, however they must sign a "hold harmless" agreement.

510 Franklin Street – Policy re Collection of Delinquent Accounts – Mr. Tindall stated that at the June Council meeting, Mr. Korper of 510 Franklin Street had informed Council about his inability to pay the water/sewer/trash bill and that he is a tenant in the 2 unit building owned by his daughter. At that meeting, Council agreed not to shut off his water until the issue could be investigated further. Since that time, it has been determined that the problem is a civil issue between the father and daughter and that bankruptcy is pending. Mr. Tindall stated that in his opinion, the bill needs to be paid or the water shut off. Council stated that the standard policy for all delinquent accounts is to shut the water off for non payment, therefore this situation should be treated in the same manner. It was noted that a shut off notice was sent to Mr. Korper yesterday. Council stated that he could set up a payment plan if necessary.

Banking Services Proposal – Mr. Tindall stated that a proposal had been received from Commerce Bank for Council's perusal. It was suggested that the Borough use the proposal to obtain better services from the Borough's current bank and/or put the Borough's account out for bid. It was determined that this should be part of the budget process and that Mr. Gallen would review the issue more fully.

Tree Trimming Proposals – Mr. Tindall stated that four companies had been asked for proposals, however only two had submitted bids. Discussion ensued regarding previous tree trimming in the Borough by the low bidder as well as the difference between "thinning" and "topping" of trees. Mr. Tindall noted that he had taken both bidders to the trimming locations and specified the amount of trimming that needs to be done. **On motion duly made by Mr. Conrad, seconded by Mr. Morrill and passed, Council accepted the proposal from Picture Perfect Landscaping in the amount of \$8900.**

On motion duly made by Mr. Conrad, seconded by Mr. Morrill and passed, Council approved the Borough Manager's Report.

ENGINEER'S REPORT:

Mr. Jenkins reported that he has had preliminary discussions with the project manager for Burkholder Paving and they are willing to mill the top of the Parkview Road Bridge as part of their paving project on Museum Road. Once a cost has been determined, Mr. Jenkins will work out the arrangements with the County for the contract change order.

Mr. Jenkins stated that bids had been received for the 2008 Sanitary Sewer Rehabilitation project and that the low bidder was Reynolds Inliner, LLC. **On motion duly made by Mr. Doyle, seconded by Mr. Gallen and passed, Council awarded the 2008 Sanitary Sewer project to Reynolds Inliner LLC in the amount of \$123,221.50.**

Other items of note:

- As of now, none of the work that Council requested has been completed by the Belovich Group.
- The traffic study at Third and Penn has been completed and there is enough data to prohibit left turns and through traffic. It was noted that signs will be installed at that intersection, both northbound and southbound, and will include notification at the intersection prior to Penn Avenue that only right turns are permitted (at Franklin on the south side and Reading on the north side). **On motion duly made by Mr. Conrad, seconded by Mr. Doyle and passed, Council approved the advertisement of an ordinance which will permit right turns only at Third and Penn Avenues, northbound and southbound.**

On motion duly made by Mr. Conrad, seconded by Mr. Gallen and passed, Council approved the Engineer's Report.

MAIN STREET EXECUTIVE DIRECTOR'S REPORT:

Nevin Hollinger stated he had nothing to add to his written report. **On motion duly made by Mr. Conrad, seconded by Mr. Morrill and passed, Council approved the Main Street Executive Director's Report.**

CODE ENFORCEMENT OFFICER'S REPORT:

Mr. Trate had nothing to add to the written report and there were no questions, therefore **on motion duly made by Mr. Morrill, seconded by Mr. Doyle and passed, Council approved the Code Enforcement Officer's Report.**

JOINT MUNICIPAL AUTHORITY REPORT:

Mr. William Gernert told Council that at the July meeting, the Authority approved the employee handbook as well as an open records resolution. Five members of the Board met with DEP regarding bypass and overflow issues. A permit compliance inspection was also completed with recommendations being made to operating procedures. DEP also recently met at the plant regarding bypass, overflow, inflow and infiltration which is something that the Authority is looking at to find ways to manage and correct the problems. Mr. Gernert also noted that a construction project is nearing completion and the startup date for the dryer and centrifuge should be soon.

Mr. Conrad commented that the Borough's Infrastructure Committee has also been looking at inflow (stormwater getting into the system) and infiltration (groundwater entering the sewer system) to reduce the amount of inflow and infiltration that has been getting into the plant. The JMA had been giving out grants to local municipalities which is where the Borough has been getting the funds to televise the sewer lines. The repairs that have been completed, including the project just awarded to Reynolds Inliner have been as a result of the televising.

Mrs. Kulesa reported that at the last Council meeting, Mr. DiSands had been recommended for appointment to the JMA however he is no longer interested. She asked for recommendations of interested residents.

On motion duly made by Mr. Gallen, seconded by Mr. Geddio and passed, Council approved the JMA Report.

SOLICITOR'S REPORT:

Mr. Lubas stated that the ordinance to restrict parking on South Fourth Avenue between Penn Avenue and Cherry Street has been advertised and is ready for Council's vote. **On motion duly made by Mr. Morrill, seconded by Mr. Geddio and passed, Council approved the ordinance.**

On motion duly made by Mr. Morrill, seconded by Mr. Geddio and passed, Council approved the Solicitor's Report.

COMMITTEE/COMMISSION REPORTS:

Traffic Committee – Mr. Conrad stated that the only item of business from the meeting that required action was a request to remove a handicapped parking space at 730 Reading Avenue. He asked Council to table this request until the next meeting because further discussion will occur at the Traffic meeting on August 20th regarding handicapped parking in general.

On motion duly made by Mr. Doyle, seconded by Mr. Morrill and passed, Council approved the Traffic Committee report.

Safety Committee – Mr. Tindall stated that a safety inspection for electrical overloads had been completed at Borough hall. The inspector found breakers that were warm, however once checked by the electrician it was determined that everything is operating within normal parameters.

On motion duly made by Mr. Doyle, seconded by Mr. Conrad and passed, Council approved the Safety Committee report.

POLICE CHIEF'S REPORT:

In addition to his written report, Chief Fabriziani updated Council regarding the following:

- the Polly Rassow vehicular homicide case is progressing; the preliminary hearing was held with District Justice Dougherty and all charges including homicide by vehicle were bound over for court;
- a stabbing that involved two patients occurred in the psychiatric ward at the Hospital approximately three weeks ago; charges have been filed.
- several thefts from vehicles occurred recently; of the 14, only one was a break-in, 13 were from vehicles that were left unlocked. Chief Fabriziani urged everyone to lock their vehicles. Based on the forensic work that evidence technicians took from the first group of vehicles, the evidence has led them to a suspect and hopefully will be resolved in the near future.
- a college party occurred at the Villas where some uninvited guests attended and an assault occurred. Detective Beighley has been working on the case and a suspect has been developed. Chief Fabriziani stated that it is important that street lighting is installed in the Villas development as soon as possible. He added that the lack of lighting was a problem for officers as they tried to deal with the assault that took place.
- the Berks County Emergency Response Team has met and will be meeting again to go over policy and procedures. The target date to have the County team ready for full deployment is March 2009.

On motion duly made by Mr. Doyle, seconded by Mr. Conrad and passed, Council approved the Police Chief's Report.

MAYOR'S REPORT:

Mayor Keller reported that the mural on Kline Street was hit by graffiti, however after it was photographed and catalogued, Dean Rohrbach was able to remove the graffiti with no damage to the mural. He also reported that National Night Out wasn't well attended because of the weather but those who did attend had a very good time. He commended Cpl. Keith Phillips and Daphne Klahr for their hard work in organizing the event. He also thanked Mrs. Kulesa for stepping in to help Daphne after she had injured her foot during preparations for the event.

On motion duly made by Mr. Conrad, seconded by Mr. Morrill and passed, Council approved the Mayor's Report.

BOROUGH FOREMAN'S REPORT:

Borough Foreman Jim Beane stated that he only had one item to discuss which was regarding the Belovich Townhouse development. He said that he had received a couple of letters anonymously from residents of the area regarding the parking spaces that had to be removed in order to maintain PennDot's sight triangle distance regulations at the new intersections – Walnut and Tulpehocken, Barnhardt and Tulpehocken, and Elm and Tulpehocken.

Chief Fabrizio stated that complaints had been received about speeding in the area of the new townhouses so the speed detection box was placed along one of the streets for a seven day period. He said the results showed that the highest speed recorded was 44 mph, (2 cars at that speed) and the average speed for all other vehicles was 19.2 mph. He noted that according to PA law, unmarked urban streets have a speed limit of 35 mph, therefore only 2 of the vehicles were exceeding the limit.

On motion duly made by Mr. Conrad, seconded by Mr. Doyle and passed, Council approved the Borough Foreman's Report.

FIRE CHIEF'S REPORT:

Chief Burkholder had nothing to add to his written report, therefore **on motion duly made by Mr. Doyle, seconded by Mr. Gallen and passed, Council approved the Fire Chief's Report.**

ELM STREET MANAGER'S REPORT:

Dean Rohrbach highlighted the following:

- Elm Street has eight months of operating funds left. Mr. Rohrbach will be applying for more grants in the fall.
- The façade improvement program has approved six applications, with remaining funds for a total of 20.
- Mr. Rohrbach invited everyone to attend the Summer Block Party and Water Fight on August 23rd.
- Mr. Rohrbach briefly reviewed Page 2 of the Elm Street Report which provided a thorough summary of events, funding, volunteerism, loans, etc. for the 2nd quarter of 2008, with a comparison to year-to-date data and 2007 year end.
- A "Day of Caring" is scheduled for September 19th at Bertolet Dock in conjunction with RiverPlace.
- A photograph that was submitted to RiverPlace for their annual poster contest was chosen as a winner.
- Elm Street's funds have been placed in interest bearing accounts.

On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the Elm Street Manager's Report.

BOROUGH MANAGER'S REPORT (continued):

Mr. Tindall stated that insurance had been discussed last March and it had been decided to look at obtaining quotes from other companies. He stated that a list was compiled of the various types of insurance the Borough currently carries. This list will be sent to insurance companies that provide municipal insurance coverage with a request for quotes.

REVENUES WITH COMPARISON TO BUDGET – ENDING 7/31/08:

Mr. Morrill asked about dollar amounts under fire taxes that didn't look correct. Mr. Tindall stated that there was a change in the way in which it is being shown that was requested by Reinsel. He said he has requested clarification from Mr. Shaub but has not received it as yet. Mr. Tindall stated that as soon as he has an explanation, he would email Mr. Morrill.

On motion duly made by Mr. Doyle, seconded by Mr. Geddio and passed, Council approved the Revenues Report for the six months ending 7/31/08.

PAYMENT APPROVAL REPORT - 7/15/08 TO 8/18/08:

On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the Payment Approval Report for 7/15/08 to 8/19/08.

EXECUTIVE SESSION

Council adjourned to Executive Session at 9:25 p.m. When the meeting reconvened no action was taken.

ADJOURNMENT:

Council was adjourned at 10:15 p.m.

Respectfully submitted,

Cathy Hoffman
Administrative Assistant

Approved by George I. Tindall
Borough Manager/Secretary