

BOROUGH OF WEST READING – BOROUGH COUNCIL

NOVEMBER 18, 2008 – 8:20 P.M.

Immediately prior to the Council meeting, a budget workshop was held from 6:00 p.m. to 8:15 p.m. to allow residents the opportunity to share their concerns and comments regarding the proposed tax increase.

Borough Council held its regular monthly meeting at the Fire Company on Tuesday, November 18, 2008 with the following persons present: Council President Nathalie Kulesa; Council members Kevin Conrad, Michael Geddio, James Gallen Jr., Philip Wert; Mayor Shane Keller; Borough Manager George Tindall; Treasurer Sharon Morgan; Joan London (Kozloff Stoudt); 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; Fiscal/Administrative Clerk Stephanie Burkholder.

VISITORS:

April Hernley – 404 Reading Avenue
Ruth Cardell – 728 Reading Avenue
William Damore – 325 Kline Street
Sandra Messner – 325 Kline Street
Sheila Scott – 332 Chestnut Street
Elizabeth Heckler – 460 Chestnut Street
Ann Scheuring – 408 Penn Avenue
Fred Moser – 408 Penn Avenue
Susan Henry – 727 Wayne Avenue
Sallie Christman – 313 S. Third Avenue
Kurt Christman – 394 Sunset Road
Oswald Herbert – 314 Reading Avenue
Dianne Schonour – 308 Chestnut Street
Gerald Razzano – 222 Kent Way
Lucille Tirdell – 308 Sunset Road
Bev Gilbert – 304 Sunset Road
Ronald Gilbert – 304 Sunset Road
Doug Geiger – 546 Penn Avenue
Darren Youker – Reading Eagle
Audrey Schaeffer – 419 Franklin Street
Dan & Kathy Billings – 522 Barnhardt Way
Chris Ernst – 307 Summit Drive
Elaine Edgecomb – 307 Tulpehocken Avenue
PTL LLP Anne Louise Reinert – 529 Chestnut St.
Barbara Ciervo – 304 Reading Avenue
Sherrid Northeimer – 355 Linden Lane
Kerry Hicks – 230 Chestnut Street
Kristal Hummel – 203 Tulpehocken Avenue
Tim Wrobel – 203 Tulpehocken Avenue
Cynthia Devore – 223 S. Fourth Avenue
Dan Devore – 223 S. Fourth Avenue
Lynda Kline – 210 S. Third Avenue
Harold Kline – 210 S. Third Avenue
Dorothy Yurko – 361 Linden Lane

Rob Mills – 212 Chestnut Street
Jeff Rockett – 713 Penn Avenue
Stan Goerner – 114 Tulpehocken Avenue
Jay Kupiszewski – 228 S. Third Avenue
Angela Kupiszewski – 228 S. Third Avenue
Adam Luchkin – 304 Playground Drive
Amber Rambo – 307 Sunset Road
Judy Gaylor – 205 S. Seventh Avenue
Alan Clouser – 311 Reading Avenue
Frank Ferrandino – 303 Summit Street
Joe Townsend – 107 Kent Way
John & Mary Adams – 232 Sycamore Road
Rina Carhuagano – 725 Penn Avenue
Fiona Planer – 720 Franklin Street
Harry Grill – 422 Oak Terrace
Rita Seghetti Ditsky – 522 Penn Avenue
John Hansbury – 622 Penn Avenue
Jerry Theodossiou – 603 Penn Avenue
Marcy Wilkes – 423 Chestnut Street
Karen Livingood – 211 Sycamore Road
Ronald Heim – 430 Chestnut Street
Kelly Lonaberger – 133 Franklin Street
Don Haines – 156B West Fulton
Rose Kugler – 376 Sunset Road
Robert Miller – 201 Tulpehocken Avenue
Kurt Bertges – 219 Tulpehocken Avenue
Will Gernert – 107 N. Third Avenue
Gina Foltz – 518 Franklin Street
Gregg Braley – 441 Chestnut Street
Ben Grande – 555 Chestnut Street
Albino Grande – 421 Penn Avenue
Cheryl Luce – 388 Sunset Road
Mary Maloy – 404 Sunset Road
Edna Novak – 202 Sycamore Road

Council President Nathalie Kulesa called the meeting to order at 8:20 p.m. which was followed by the Pledge of Allegiance and Roll Call.

PUBLIC COMMENTS:

Kimberly Rivera – 600 Penn Avenue

Ms. Rivera stated that she sold her home on S. Seventh Avenue last April and that taxes were paid by her mortgage company as well as the settlement company. She and her mortgage company have tried to get Mr. Stiber to refund the excess funds (\$966.67) however he has not responded to any communications. Ms. Rivera provided written documentation showing the duplicate payment.

Ms. London explained that the Tax Collector is an independent official and does not fall under Council's jurisdiction. She suggested that a directive be sent from Council to Mr. Stiber. **On motion duly made by Mr. Gallen, seconded by Mr. Conrad and passed, Council approved a letter being sent to Mr. Stiber regarding the refunding of the duplicate tax payment to Ms. Rivera.**

Ms. London stated that a copy of the letter will be sent to Ms. Rivera and that it will state that Mr. Stiber will have 10 days to respond. This will provide a paper trail for the District Justice if it becomes necessary.

Jay Kupiszewski – 228 S. Third Avenue

Mr. Kupiszewski thanked Council for doing what they do, knowing that it is unappreciated by most residents.

Audrey Schaeffer – 419 Franklin Street

Mrs. Schaeffer told Council that she is not satisfied with the job that the garbage/recycling people are doing – they leave garbage on the street as well as recyclables. Mr. Tindall said he would inform the contractor. He also announced that there will be new recycling collectors beginning in January as well as a new trash removal contract, however residents will be required to place their trash in cans, not just in plastic bags.

Jeff Cullen asked if the Borough could purchase trash cans on behalf of the residents who in turn could buy them from the Borough. Mr. Tindall said he could look into it, but there may not be time to implement it before the new contract begins.

APPROVAL OF COUNCIL MINUTES:

On motion duly made by Mr. Morrill, seconded by Mr. Gallen and passed, Council approved the Council minutes of October 21st 2008.

BOROUGH MANAGER'S REPORT:

Trash and Recycling Contract – Mr. Tindall stated that 5 bids had been received on November 12th for the trash and recycling contract. Low bid for the trash portion was HR Guard at \$187,929.00 for 2009 and \$188,100.00 for 2110 for a total of \$376,029.00. Mr. Tindall noted that he opened the bids along with Jane Meeks of the Berks County Solid Waste Authority. The bids were then given to the Borough Solicitor to ensure that they met all of the requirements of the contract (bonding insurance etc), which they did. Eagle Disposal was low bid for the recycling portion of the contract at \$35,568.00 per year. Mr. Tindall noted that they are a single stream recycler which means the recycling will not have to be separated by the residents. It was also noted that trash pick-up will remain on Tuesdays and Fridays, as it currently is, and recycling will now accept #1-#7 plastics.

On motion duly made by Mr. Morrill, seconded by Mr. Wert and passed, Council approved the Trash Contract for HR Guard at \$187,929. for 2009, and \$188,100. for 2110, as well as the Recycling Contract to Eagle Disposal for two years at \$35,568. per year.

2009 Budget – Mr. Tindall asked Council how they wish to proceed with the budget for 2009.

There was some discussion regarding insurance carriers and the possibility of changing carriers to reduce cost. Mr. Tindall stated that he was very pleased EHD, particularly with the extra service they provide, including safety training for staff. **On motion duly made by Mr. Conrad, seconded by Mr. Morrill, Council did not pass a motion to remain with EHD. The vote was as follows: Mr. Gallen – No; Mr. Geddio – No; Mr. Wert – No; Mr. Morrill – No; Mr. Conrad – Yes; Mrs. Kulesa – Yes.** Mr. Tindall was directed to look at acquiring other insurance quotes for the best possible rate. It was decided that the line item should remain the same for the 2009 budget, with the intent that a lower cost for insurance will be sought.

Council decided not to move forward with approving the 2009 budget at this time.

JMA Rate Increase – Mr. Tindall asked to table the issue because he had not received the rate increase as yet from the JMA, but would have it available for the December meeting.

Mrs. Kulesa reminded everyone that there remains a vacancy on the JMA board and asked for interested residents to submit letters of intent to Mr. Tindall. There were two interested persons at the meeting, and it was suggested that once a letter of intent is submitted, a tour of the facility would be prudent to ensure that they understand what is required as a member of the Board.

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

ENGINEER'S REPORT:

Mr. Jenkins referenced his written report and highlighted the following:

- The majority of pipe for the Shillington Interceptor project has been installed and the park land is in the process of being restored, however some of the restoration will have to be completed in the spring.
- A pre-construction meeting was held regarding the 2008 Sanitary Sewer Rehabilitation project.
- Regarding the 2008 streets project, a request for payment has been received from Burkholder Paving in the amount of \$49,088.55. **On motion duly made by Mr. Conrad, seconded by Mr. Geddio and passed, Council approved payment to Burkholder Paving in the amount of \$49,088.55.**
- The paving of the walking trail through the park is 85% complete and will be completed in the spring.
- At the Borough pool, the installation of the steps has been completed.

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

CODE ENFORCEMENT OFFICER'S REPORT:

On motion duly made by Mr. Conrad, seconded by Mr. Wert and passed, Council approved the Code Enforcement Officer's Report.

SOLICITOR'S REPORT:

Amendment to the Traffic and Parking Ordinance

Ms. London introduced an amendment to the Traffic and Parking Ordinance. It amends Section 310 of Part 2 which will remove a limitation on parking for a portion of S. 4th Ave. She added that it has been advertised for adoption. Chief Fabriziani noted that this is essentially a housekeeping item that rescinds a conflict in the ordinance. **On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the ordinance.**

Resolution regarding the Non-Uniform Pension Plan

Ms. London also brought forward a resolution that deals with the Non-Uniform Pension Plan with regard to the IRS Code Section 415. The changes are of a housekeeping nature per the IRS. Because Council had not had the opportunity to review the document, the item was tabled. The documents will be sent to Council for their review at the December Council meeting.

Filing of liens on behalf of the Redevelopment Authority

Ken Pick was in attendance from the Berks County Redevelopment Authority and Ms. London stated that the Authority has requested that Borough Council authorize the filing of several liens against the railroad property to ensure that code violations are the responsibility of any possible owners, including The Reading Company, American Premier Underwriters Inc. and Norfolk Southern Corporation.

To provide some background, Ken Pick explained that there is a parcel of land along the Schuylkill River for which no one will claim ownership. As a result, the title for the property can't be obtained which is why the Authority is requesting that the Borough of West Reading file liens against all three entities, then foreclose to gain title for the property. He said that the Redevelopment Authority will pay all associated costs. Once this is completed the land will be turned over to RiverPlace. (They currently own the adjacent property along the river.) **On motion duly made by Mr. Morrill, seconded by Mr. Gallen and passed, Council approved the execution of the liens.**

Belovich Townhouses

Ms. London stated that Chad Lubas had contacted the attorney for the bank who have indicated that they will be taking the low bid for street lights and are still waiting for an answer on snow removal and fencing.

Resolution 2008-11; Elm Street Program

This resolution authorizes the filing of a proposal for funds with the Department of Community and Economic Development for the Elm Street Program, Year 4 and Year 5. **On motion duly made by Mr. Conrad, seconded by Mr. Wert and passed, Council approved Elm Street Resolution 2008 – 11.**

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

COMMITTEE/COMMISSION REPORTS:

Recreation Commission – Ms. Klahr requested authorization to purchase a new ADA compliant ramp for the pool. Low bid was \$5113.90 and she noted that funds were budgeted for this purchase. **On motion duly made by Mr. Conrad, seconded by Mr. Morrill and passed, Council approved the purchase of the ramp.**

Ms. Klahr noted the following:

- the Christmas Tree lighting will be held on December 5th
- the Mother-Son Dance was a resounding success
- thanks to the US Marine Corps for providing toys for the Fire Company Christmas Party

On motion duly made by Mr. Geddio, seconded by Mr. Wert and passed, Council approved the Recreation Commission report.

Safety Committee – **On motion duly made by Mr. Wert, seconded by Mr. Gallen and passed, Council approved the Safety Committee minutes.**

POLICE CHIEF’S REPORT:

Chief Fabrizio read a letter of resignation/retirement from Harry Reeser Jr., Parking Enforcement Officer which will take effect on February 19th 2009. **On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council accepted the retirement of Mr. Reeser.**

Chief Fabrizio then asked approval to advertise for possible part-time applicants to ensure that personnel are in place by Mr. Reeser’s retirement date. Ms. London said that if applicants are advised that the position has not been created, there will be no commitment for the Borough to hire anyone. **On motion duly made by Mr. Morrill, seconded by Mr. Geddio and passed, Council approved the advertising for applicants.**

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

MAYOR’S REPORT:

Mayor Keller said he has been asked to attend a meeting regarding the possibility of taking the Armed Forces Day Parade from Wyomissing, through West Reading and into Reading. He asked for Council’s authority to give approval at that meeting, contingent upon receiving PennDot’s approval. This has the potential for being the first large scale corridor-wide event which would be opening the door for greater things.

Mayor Keller also reported that the Main Street Authority had met and discussed the second round of bids for the Business Improvement District maintenance contract. The apparent low bid was Travis’ Lawn Care in the amount of \$17,600 for year one; \$19,200 for year two, \$19,900 for year 3; \$20,600 for year four; \$21,300 for year five. It was noted that the contract was not awarded last night and will not be until certain items are resolved with the solicitor. If the Authority decided to award all five years to the one bidder, the grand total will be \$98,600. The other bidders, Threshold Rehab Services and Picture Perfect Landscaping, were both substantially higher. Mayor Keller noted that if the bid is accepted, year one will be less than what is currently being paid. Based on that, the recommended steps for millage for properties located in the Business Improvement District are as follows:

>> 2009 – 2 mils; 2010 – 2 mils; 2011 – 2.25 mils; 2012 – 2.5 mils; 2013 – 2.75 mils <<

After much discussion it was determined that Council would take no action at this meeting, but would try to have figures ready for Thursday’s budget workshop that would give an accurate look at the dollar amount each mil will generate.

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

BOROUGH FOREMAN'S REPORT:

There were no items for discussion, therefore **on motion duly made by Mr. Morrill, seconded by Mr. Wert and passed, Council approved the Borough Foreman's Report.**

FIRE CHIEF'S REPORT:

There were no items for discussion, therefore **on motion duly made by Mr. Conrad, seconded by Mr. Geddio and passed, Council approved the Fire Chief's Report.**

MAIN STREET EXECUTIVE DIRECTOR'S REPORT:

Main Street Executive Director Nevin Hollinger referenced his report and added that there was a very complimentary report in Saturday's "Allentown Morning Call" regarding Main Street. **On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the Main Street Executive Director's Report.**

ELM STREET MANAGER'S REPORT:

Elm Street Manager Dean Rohrbach highlighted several items in his written report. **On motion duly made by Mr. Conrad, seconded by Mr. Gallen and passed, Council approved the Elm Street Manager's Report.**

REVENUES WITH COMPARISON TO BUDGET – ENDING 10/31/08:

On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the Revenues Report for the ten months ending 10/31/08.

PAYMENT APPROVAL REPORT - 10/20/08 TO 11/14/08:

On motion duly made by Mr. Conrad, seconded by Mr. Gallen and passed, Council approved the Payment Approval Report for 10/20/08 to 11/14/08.

EXECUTIVE SESSION

Council adjourned to Executive Session at 10:05 p.m. to discuss personnel. The meeting reconvened at 10:55 p.m.

ADJOURNMENT:

Council was adjourned at 11:00 p.m.

Respectfully submitted,
Cathy Hoffman
Administrative Assistant

Approved by George I. Tindall
Borough Manager/Secretary