

BOROUGH OF WEST READING – BOROUGH COUNCIL

JUNE 19, 2007 – 7:00 P.M.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, June 19, 2007 with following persons present: Council President Stephanie Murray; Council Vice-President Kevin Conrad; Council Member Amy Good-Ashman;; Council Member Michael Morrill; Mayor Shane Keller; Borough Manager George Tindall; Borough Solicitor Socrates Georgeadis; Police Cpl. Keith Phillips; Fire Chief Mark Burkholder; Assistant Code Enforcement Officer Tracey Levering, Borough Foreman Jim Beane; Recreation Coordinator Daphne Klahr; Main Street Executive Director Sam Loth; Elm Street Manager Dean Rohrbach; Recording Secretary Cathy Hoffman.

VISITORS: Bonnie Lou Batdorf – 384 Oak Terrace
Becca Keller – 395 Oak Terrace
Kelly Lonaberger – 133 Franklin Street
Don Haines – 156B West Fulton Street
Karen Livingood – 211 Sycamore Rd
David & Lori Weidenhammer – 237 Chestnut Street
Elizabeth Heckler – 460 Chestnut Street
Chris Reinert – 158 Penn Avenue
Kevin Hefty – 401 Reading Avenue

Council President Stephanie Murray called the meeting to order at 7:00 p.m. Seminarian Keith Mathers of Sacred Heart Church gave the invocation, which was followed by the Pledge of Allegiance and Roll Call.

PUBLIC COMMENTS:

Elizabeth Heckler of 460 Chestnut Street commended the staff at the pool for doing an excellent job upholding the pool rules and regulations.

Bonnie Batdorf of 384 Oak Terrace thanked Council for getting the grass cut at her neighbor's property. She asked if this would continue and Tracey Levering stated that it would be done when necessary. Mr. Conrad asked if something could be done about this ongoing situation and Mr. Georgeadis stated that the property can be declared a public nuisance. Mayor Keller told Council that in speaking with Chief Fabriziani, there is a charge under title 18 that can be implemented. Mr. Georgeadis said he would thoroughly research the situation and bring a full report of options to the July meeting.

Ms. Batdorf stated that she still didn't have a complete answer regarding her fence, and that Mr. Tindall had visited her property and suggested that she obtain a survey of the property prior to installing the fence, to ensure that the fence is being installed completely on her property in the event that the alley is widened in the future. Mr. Tindall said he made the recommendation as a courtesy to alleviate the possibility of any future problems. It was noted that a permit must be obtained prior to the fence being installed.

APPROVAL OF COUNCIL MINUTES:

On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the Council minutes of May 22nd, 2007.

BOROUGH MANAGER'S REPORT:

Replacement of Leaf Vacuum - Mr. Tindall told Council that the Borough can't wait any longer to purchase the leaf vacuum, which was listed as a budget item. The unit is self contained, can be pulled by

any truck and will replace the 1984 dump truck and the old leaf vac. The unit is being purchased under the PACC contract, and a grant has been applied for to cover the purchase. The Borough will know by June 30th if the grant has been awarded. The purchase will exceed the grant amount by \$880. **On motion duly made by Mr. Conrad, seconded by Ms. Amy Good-Ashman and passed, Council approved the purchase of the leaf vacuum.**

Authorization to advertise for the installation of 30 handicapped ramps – Mr. Tindall stated that there is a grant coming from CDBG for \$50,000 for the installation of 30 handicapped ramps in predominately the south central area of the Borough. It was noted that other areas of the Borough will be considered as well to ensure uniformity at intersections where only one ramp currently exists. **On motion duly made by Mr. Conrad, seconded by Mr. Morrill and passed, Council authorized advertising for the installation of 30 handicapped ramps.**

Proposed changes to Park Regulations – Mr. Tindall asked for approval to advertise the following changes to Chapter 15, in keeping with the Council's prior approval of changes to park signs:

- Section 102 Park Hours – Change park hours to read 'to be open from one half hour before sunrise until one half hour after sunset'.
- Section 106 Pets – Pets are not allowed except seeing eye and helper animals.

On motion duly made by Ms. Good-Ashman, seconded by Mr. Morrill and passed, Council approved the advertising of changes to Chapter 15.

Berks County Hazard Vulnerability Assessment and Mitigation Plan – Mr. Tindall presented the finished manual of information to Council, stating that many people from County EMS put their efforts into it. The manual identifies measures to reduce the County's overall vulnerability to natural hazards. It was noted that Tom Bausher of Westside EMA has sent a letter to all participating municipalities that he endorses the document. **On motion duly made by Mr. Conrad, seconded by Mr. Morrill and passed, Council approved the acceptance of the Berks County Hazard Vulnerability Assessment and Mitigation Plan.**

Street Light Upgrade at 221 S. Third Avenue – **On motion duly made by Mr. Conrad, seconded by Ms. Good-Ashman and passed, Council approved the resolution to upgrade the street light.**

Staff Request – **On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the request from David Rodriguez for sick leave and vacation time.**

BiCi roof, soffit and gutter replacement – Drawings and specifications are complete and Mr. Tindall noted that everything is within the specifications he had recommended. **On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council authorized the advertising of the work at the BiCentennial House, with a bid acceptance date of July 16th 2007 at 10 a.m.**

Resignation of Council Member Mike Ferenchick – Council President Murray read the letter of resignation from Mr. Ferenchick. **On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council reluctantly accepted the resignation of Mr. Ferenchick.**

It was noted that Council has 30 days to interview potential candidates and will do so prior to the next Council meeting. **On motion duly made by Ms. Good-Ashman, seconded by Mr. Conrad and passed, Council approved the advertising of the vacant Council position.** It was agreed that the deadline would be July 10th.

Resolution re: PACC (in conjunction with the purchase of the leaf vacuum) – Mr. Tindall asked for permission to advertise the resolution regarding the PA Capital City Vehicle and Equipment Contract.

On motion duly made by Mr. Conrad, seconded by Mr. Morrill and passed, Council approved the resolution.

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

ENGINEER'S REPORT:

Candlewood Suites: Darryl Jenkins referred to the Engineer's Report dated June 14, 2007 as well as the one page addendum. Mr. Georgeadis asked about Mr. Jenkins' recommendation to extend the review period for the Candlewood Suites project until September 19, 2007. It was noted that if the extension is not given, then action would have to be taken by Council at the regular July meeting. Mr. Jenkins noted that this came as a result of discussions with the Planning Commission. **On motion duly made by Ms. Good-Ashman, seconded by Mr. Conrad and passed, Council granted the extension of the review period to September 19, 2007.**

Mr. Jenkins stated that there were two other recommendations made by the Planning Commission regarding the Candlewood Suites project. The first dealt with a waiver regarding storm water detention on site, which Great Valley Consultants also recommends.

Mr. Conrad stated that he did not feel that Council should make any decisions regarding the project until everyone has had an opportunity to review all of the information. (Information packages were distributed to Council at this meeting.) Mr. Morrill added that he would like to hear from the company before anything is changed. Mr. Tindall responded that Dan Henretty of IHP (Candlewood parent company) has accepted an invitation to attend the July Council meeting to discuss any questions that Council may have.

Sanitary Sewer Projects: Mr. Jenkins told Council that he had been working with the Infrastructure Committee regarding the scope of work for upcoming sanitary sewer projects. He noted that \$150,000 had been budgeted for the work, but that they would advertise slightly more than that amount because they have the ability to remove sections of work from the project, in the event that pricing comes back at a reasonable rate. Mr. Conrad commented that the funds are in the budget and that the committee has been working diligently on the project. **On motion duly made by Mr. Conrad, seconded by Mr. Morrill and passed, Council approved the advertising of the project.** It was noted that the JMA will reimburse the Borough \$68,878.00 for the project.

Mr. Jenkins also briefly noted that final plans have been submitted to PennDot for 5th Avenue; they hope to be able to advertise the project this year.

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

SOLICITOR'S REPORT:

Realty Transfer Tax Ordinance – Mr. Georgeadis stated that if passed, this change to the ordinance would simplify the process by allowing the state to enforce the Borough's real estate transfer tax ordinance. The state would then be able to collect their 1% as well as the Borough's 1% and reimburse the Borough. **On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the adoption of the ordinance.**

Ordinance regarding parking on the north side of Chestnut Street – **On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the adoption of the ordinance.**

Adoption of 2006 International Property Maintenance Code – **On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the adoption of the ordinance.**

430 Oak Terrace – Mr. Georgeadis updated Council regarding the personal care facility at 430 Oak Terrace and stated that he had received a fax from Laura Schmidt's attorney, which stated that Ms. Schmidt has decided to withdraw her zoning application for the operation of the personal care facility. The fax also indicated that Ms. Schmidt will be renting a room on a month by month basis to the person who continues to reside there. Mr. Georgeadis then read the permitted uses for R-2 properties per the Zoning Ordinance and it was noted that the current use of the property is still not permitted. Mr. Georgeadis will keep Council apprised of the situation as information is provided to him.

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

COMMITTEE/COMMISSION REPORTS:

Shade Tree Commission – **On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the Shade Tree Commission minutes of May 17, 2007.**

Safety Committee – Regarding the "Confined Spaces" training that was noted in the minutes, Mr. Conrad asked what, if any, action will be taken. Mr. Tindall indicated that there are 4 requirements detailed in a letter from Ms. Davis and that he has responded to her that pricing is being obtained for certain pieces of equipment, which will be budgeted for 2008. **On motion duly made by Mr. Conrad, seconded by Mr. Morrill and passed, Council approved the Safety Committee minutes of June 1, 2007.**

Recreation Commission - Ms. Good-Ashman told Council that two people have fallen at the bath house because there are no mats on the floors and Mr. Tindall indicated that mats have already been purchased and that the contractor who had installed the new floor product will be reviewing the situation.

Ms. Good-Ashman noted that Commission members had concerns about the wording for the criminal background policy. Mr. Tindall stated that he had spoken with solicitor Chad Lubas and it was determined that if a parent is volunteering on a one-time basis (such as a driver) it would not be necessary to do the background check, but they would have to sign the waiver. For someone who volunteers on an ongoing basis, they would be required to submit to a complete background check. Although there were concerns about volunteers not being required to have the background check, it was noted that it is difficult to get people to volunteer, especially if it is for a one time event. Mr. Conrad stated that he has the necessary clearances and would be willing to volunteer. It was noted that Mayor Keller, Dean Murray, and Jim Beane also have clearance and would be willing to volunteer.

Ms. Good-Ashman stated that it was necessary to hire extra personnel for the concession stand and presented a list of three people with a recommendation that they be hired. **On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the hiring of additional staff for the concession stand.**

On motion duly made by Mr. Conrad, seconded by Mr. Morrill and passed, Council approved the Recreation Commission minutes of June 5th.

Planning Commission – Ms. Good-Ashman reminded Council that the Planning Commission has been working diligently on the proposed Candlewood Suites development, thoroughly reviewing and discussing all aspects of the project, and have met with the developer to thoroughly examine the

information provided. She noted that any recommendations that have come from the Commission regarding this project have been a result of long hours of discussion and deliberation. She added that once Council has had an opportunity to speak with the developer, she is certain that although Council may not be happy with the outcome, they will be satisfied with the developer's answers.

On motion duly made by Mr. Conrad, seconded by Mr. Morrill and passed, Council approved the Planning Commission minutes of June 6th.

FIRE CHIEF'S REPORT:

Chief Burkholder stated that Council had a copy of the written report for their perusal. Ms. Good-Ashman stated that she appreciated the thorough job he did on the letter regarding the Candlewood Suites project. Chief Burkholder noted that he had met with the developer to discuss the project and they have indicated they are willing to make changes that will alleviate some of Chief Burkholder's concerns. He added that although the situation is not ideal, it is doable.

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

Chief Burkholder informed Council that Lieutenant Ganster has resigned from the West Reading Fire Company, effective June 30th, 2007. They are now in the process of picking a new lieutenant.

POLICE CHIEF'S REPORT:

Chief Fabriziani was not in attendance, therefore Corporal Phillips presented the Police Chief's Report. He provided the following information:

- The bar coding equipment for evidence is now operational.
- Officer DeCamillo will be back on duty on July 4th.
- The 2 new police vehicles will be on the street by the end of the month.
- Car 5 needs to have the engine replaced, and \$4000 has already been spent so far this year. Council was contacted earlier by phone to approve an emergency purchase (ie the lease purchase of a new vehicle). **On motion duly made by Ms. Good-Ashman, seconded by Mr. Conrad and passed, Council ratified the phone pole for the lease purchase of a new vehicle.**
- A bicycle has been donated by 'Vegas' (a Wyomissing bar/restaurant) and Officer Nguyen is currently attending bicycle patrol school.

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

MAYOR'S REPORT:

Mayor Keller asked permission to hire an individual for the part-time police clerical position, at the rate of \$10.67 per hour, with an increase to \$11.64 per hour after the completion of a six month probation. He added that this would be contingent upon a background clearance of the individual. **On motion duly made by Mr. Morrill, seconded by Ms. Good-Ashman and passed, Council approved the hiring of the part-time police clerk.**

Mayor Keller told Council he had concerns about the possible ramifications of the Hospital becoming a smoke-free campus, specifically regarding potential littering on Borough streets, and debris in the storm

sewers. Mrs. Murray suggested that perhaps it could be something an ad-hoc committee could discuss with Mr. Mabel of the Reading Hospital.

Mayor Keller stated that he had nothing new to report on the matter of the school, and is unsure of the current status.

Regarding the float for the 4th of July parade, Mayor Keller stated that is progressing nicely, and asked for volunteers to join them any Wednesday evening at the Fire Company to assist with the project.

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 questions regarding the Borough Foreman's Report. **On motion duly made by Ms. Good-Ashman, seconded by Mr. Conrad and passed, Council approved the Borough Foreman's Report.**

MAIN STREET EXECUTIVE DIRECTOR'S REPORT:

Mr. Loth presented the 'e-update' to Council along with the following information:

- Arts on the Avenue was a tremendous success again this year and thanked everyone for their help.
- Berkshire Bank is the new bank in the borough, replacing Fleetwood Bank, but have retained existing staff. They also donated \$5000 to the Arts on the Avenue event.
- Community Outreach Day will take place on the 'First Thursday' of July, which will showcase non-profit organizations.
- Dean Rohrbach has been welcomed as the new Elm Street manager.

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

ELM STREET MANAGER'S REPORT:

Dean Rohrbach stated that he has been working in the Borough for one week and therefore provided Council with some background information. He said he has begun a work plan, reviewed files, and met with the Borough Manager, Police personnel, the Codes Department, as well as the Berks County Development office. He added that he will soon be meeting with the Neighborhood Advisory Committee members.

Mr. Rohrbach noted that the mural project will not be completed this year, however they will be dealing with the landscaping errors on the three hillsides, that happened last year.

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

CODE ENFORCEMENT OFFICER'S REPORT:

Mr. Conrad asked about the notation in the report about the means of notification used to inform residents of violations. Discussion ensued about the importance of written documentation, and the issue of

deciding who gets verbal notification versus written notification. It was noted that the Borough ordinance stipulates that written notification must be given, and it was recommended that this process be followed. Mr. Tindall stated that he had instructed the Code Enforcement Officer to talk to people first in an attempt to resolve the situation, before it becomes necessary to formally enforce the situation with a letter. Mr. Tindall stated that if it was Council's wish to use only written notification, then he would instruct Mr. Trate to do so from now on.

On motion duly made by Ms. Good-Ashman, seconded by Mr. Morrill and passed, Council approved the Code Enforcement Officer's Report.

REVENUES WITH COMPARISON TO BUDGET – ENDING 5/31/07:

On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the Revenues Report for the period ending 5/31/07.

PAYMENT APPROVAL REPORT - 5/23/07 TO 6/18/07:

On motion duly made by Mr. Conrad, seconded by Mr. Morrill and passed, Council approved the Payment Approval Report for 5/23/07 to 6/18/07.

EXECUTIVE SESSION:

Council then adjourned to Executive Session to discuss personnel and possible litigation. Council then reconvened at 9:14 p.m.

ADJOURNMENT:

On motion duly made by Ms. Good-Ashman, seconded by Mr. Conrad and passed, Council adjourned the meeting at 9:15 p.m.

Respectfully submitted,

Cathy Hoffman
Recording Secretary

Approved by George I. Tindall
Borough Manager/Secretary