

BOROUGH OF WEST READING – BOROUGH COUNCIL

NOVEMBER 20, 2007 – 7:00 P.M.

West Reading Borough Council held its regular monthly meeting at West Reading Borough Hall on Tuesday, November 20, 2007 with the following persons present: Council President Stephanie Murray; Council Vice-President Kevin Conrad; Council Members Michael Doyle, Kevin Hefty, Nathalie Kulesa, Michael Morrill; Mayor Shane Keller; Borough Manager George Tindall; Borough Solicitor Socrates Georgeadis; Police Chief Ed Fabriziani; Fire Chief Mark Burkholder; Code Enforcement Officer Gerald Trate, Borough Foreman Jim Beane; Recreation Coordinator Daphne Klahr; Main Street Executive Director Sam Loth; Elm Street Manager Dean Rohrbach; Recording Secretary Cathy Hoffman.

VISITORS: Jim Gallen – 500 Sunset Road
Kurt Bertges – 450 Penn Avenue
Jim McNabb – 700 Penn Avenue
Sherry McNabb – 536 Penn Avenue
Jule Cleaver – 700 Penn Avenue
Rita Ditsky – 522 Penn Avenue
Deborah Hutcheson – 512 Penn Avenue
David & Lori Weidenhammer – 237 Chestnut Street
Amber Rambo – 307 Sunset Road
Phil Wert – 214 Olive Street
Nancy Fayerman – 623 Penn Avenue
Marsha Adelman – 518 Penn Avenue
Elizabeth Heckler – 460 Chestnut Street
Don Haines – 156B West Fulton Street

Council President Stephanie Murray called the meeting to order at 7:00 p.m. The Pledge of Allegiance and Roll Call then followed.

PUBLIC COMMENTS:

Kurt Bertges – 450 Penn Avenue told Council that there was a letter in their packets regarding Main Street and stated that the Main Street businesses appreciated Council including two merchants as part of the search committee for the new executive director of Main Street. He also provided Council with a list of 50 signatures as a show of interest on Main Street's part, as a whole, to ensure that the program remains strong, despite the coming changes.

Amber Rambo – 307 Sunset Road told Council about issues she has had over the past two years regarding the trees in front of her home and her repeated attempts to find out what would be done. She stated that she recently came home from a weekend away and the trees had been cut down, with no prior notice to them. She said she was upset because there was no communication about what would happen.

Mr. Tindall apologized for the lack of communication and stated that even he wasn't aware that the trees would be taken down on that weekend, and that the timeframe had been a decision of the tree removal company. He said he would address the issues regarding the stumps, as well as damage to the curb and grass. He added that new trees would be planted next year.

Sherry McNabb – 536 Penn Avenue told Council that she has had a business in the borough since 1995 and that she has seen the transformation of Penn Avenue; that it has become a unique area with unique stores and that it is important to maintain Penn Avenue as it is currently. She stated that the Main Street businesses need the support of Council to ensure the future of Main Street.

Rol Sugg – 614 Penn Avenue – stated that there is a concern among the merchants on Penn Avenue about the future of Main Street. He noted that Sam Loth is experienced, dedicated, connected, and gets things done. He stated that Main Street can't be run without a leader with experience and said he doesn't understand why Mr. Loth's contract isn't being renewed. Mrs. Murray noted that this issue is one to be discussed with the Main Street Foundation and Authority and that the search committee that has been put together has nothing to do with Borough Council at this time. It was noted that the next meetings for Main Street will be held on December 3rd at 7:00 pm for the Authority and 6:00 pm for the Foundation.

Mayor Keller stated that the search committee is comprised of mostly Main Street merchants with the exception of Borough Council Member Kevin Conrad.

Mr. Morrill added that Council has the ability to create the Authority and that funding for Main Street comes from several sources, including the Borough. He noted that the upcoming proposed budget has funds allocated for Main Street, and that Council is fully committed to ensuring that Main Street succeeds.

APPROVAL OF COUNCIL MINUTES:

On motion duly made by Mr. Conrad, seconded by Mr. Morrill and passed, Council approved the Council minutes of October 16th, 2007.

BOROUGH MANAGER'S REPORT:

Emergency Management Services - Mr. Tindall stated that there had been some discussion at the last budget meeting regarding the financial requirements for emergency management services. He said that as a result of a meeting with Tom Bausher, it was determined that the Borough would be involved in a reverse 911 system out of the Wyomissing dispatch center. The funds allocated for the 2008 budget would be for software and training for this system. He added that there was a miscommunication regarding this budget item, and that in future, Mr. Bausher will provide the information between July and September.

Mr. Morrill stated that there are now 2 line items, funds not only for the reverse 911, but also the doubling of the per capita assessment, which is the other concern. Mayor Keller stated that the per capita assessment will help defray the initial upfront costs of the reverse 911. He added that once the initial outlay is done, the ongoing expense will be \$1500 per year and that the doubling has the potential for being a one time only occurrence and the following year it will probably return to \$1 per person. Mr. Tindall noted that this was the same information given to all the other municipalities and that unfortunately Mr. Bausher could not attend the Council meeting to explain it himself.

Mr. Morrill said that it was his recommendation to put the \$4049 under emergency management communications plus the \$1500 that is already in that line item and keep the assessment at the current rate. In that way, Council has not committed to anything beyond this year for the additional \$4049.

Elm Street – Matching Funds \$5000 – Account #01-400-611 – Mr. Tindall stated that the Borough had applied for a \$50,000 grant for the Elm Street Manager and that \$45,000 has been received, however it was contingent upon a ten percent match from the Borough. Mr. Tindall indicated that due to an oversight, this information had not previously been acknowledged.

On motion duly made by Mr. Morrill, seconded by Mr. Doyle and passed, Council approved the allocation of \$5000 from Account #01-400-611 for the Elm Street match.

Adoption of 2008 Budget – Mr. Tindall stated that a final draft of the budget had been delivered to Council on the 19th, and that in its current form, it was a balanced budget.

Mrs. Kulesa said that at the last budget meeting, there had been some outstanding police issues. Chief Fabriziani responded that he had not been present at that executive session and therefore wasn't completely aware of the issues that Council had. Chief Fabriziani distributed information to Council delineating the number of officers broken down by rank, per the restructuring that was approved last year and that is being requested for 2008, which includes contractual issues. He noted that the restructuring didn't occur last year due to two officers being overseas and not being available to test under civil service regulations required by Borough code. As a result, those officers continue to be paid as patrolmen/officers, which is why the estimated cost to the end of the year is \$670,000. This amounts to \$20,000 under budget for those two ranks because \$11,000 of that amount would be the rank increases. The other \$8,000 was as a result of the two officers being in Iraq for four additional months. The end result of the restructuring is that no new personnel will be added, however job duties based on rank will be moved around to more effectively serve the residents. Therefore the amount required for 2008 for the restructuring is approximately \$11,000.

Mr. Doyle said that his understanding is that the lieutenants would not be in the field, and that they would essentially be managers of the patrol officers. Chief Fabriziani stated that once the lieutenants are up and running, 33-35% of their time would be basically clerical/administrative and the remainder would be on patrol – they would be the day shift patrol supervisors, taking calls and providing supervision to the patrol officers. They would also have non-patrol responsibilities such as reviewing witness lists, evidence monitoring, and other internal activities. Corporals would become sergeants, which would be at the same salary rate as in the contract and they would be the night supervisors (12 hour shifts).

Mr. Morrill requested clarification of salaries per the 2007 budget which Chief Fabriziani explained was confusing because of the restructuring that didn't occur. Much discussion ensued about the number of police officers on patrol and the shifts they cover, with respect to overtime and potential restructuring to better cover the patrol shifts.

Ms. Murray stated that a committee is in place to deal with the restructuring of the police department or personnel issues, and all that is of concern at this point is the \$11,000 in the budget for the restructuring.

Mr. Morrill noted that there were some changes to the budget that Council had discussed, however they were not reflected in the current draft of the budget, particularly with regard to salary raises, and verbiage on page 18 which should say 30 hours flex time. It was decided to table any further budget discussion to an Executive Session at the end of the meeting, with any action to be taken when the Council meeting reconvenes.

Resolution No. 2007-17 – Mr. Tindall stated that the Borough has been contributing \$4500 per year from the general fund to the Police Pension Plan. Treasurer Sharon Morgan stated that \$139,077. had been budgeted for 2007, however the actual amount paid out was \$129,557. \$200,000 had been budgeted for 2008, however Council had requested an audit to determine the actual amount necessary.

On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the adoption of Resolution 2007-17.

Lifeline of Berks County Inc. – 612 Reading Avenue – Mr. Tindall referred to correspondence in the Council packages referencing property in the Borough that had problems with the filing of tax exempt status. The documents were mailed to the wrong location which is why they are asking for forgiveness of taxes in the amount of \$364.32 including interest. **On motion duly made by Mr. Morrill, seconded by Mr. Hefty and passed, Council approved the request.**

Tree Pruning – Mr. Tindall stated that trees at the 5th Avenue circle and along Reading Avenue are in bad shape and require pruning. He has received three written quotes, and funds are available in Account #01-455-376. It was noted that the contractor for the Sunset Road situation should not be used. Also Mrs. Kulesa requested that nearby homes be notified of the work. **On motion duly made by Mr. Doyle, seconded by Mr. Hefty and passed, Council awarded the bid to Morgan Brothers in the amount of \$3000.**

As a final note, Mr. Tindall told Council that due to recent high winds, the cables between the banner poles on Penn Avenue were damaged, however Mr. Beane is working on repairing them.

He also noted that last spring Council had approved Mr. Tindall attending classes for commercial building inspection, however at that time the classes were canceled. Another session will begin on February 5th and he has registered to attend those classes, which run from 9 a.m. to 4 p.m. for 10 weeks (2 days per week).

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

ENGINEER'S REPORT:

Mr. Jenkins provided Council with a summary of project bids and recommended actions, as follows:

Sewer Lining Project: **On motion duly made by Mr. Morrill, seconded by Mr. Hefty and passed, Council approved payment of Application for Payment No. 1, submitted by New Hope Pipe Liners in the amount of \$125,130.05.** Mr. Jenkins noted that 50% of this amount will be reimbursed through by the Joint Municipal Authority of Wyomissing Valley.

Traffic Signal: Mr. Jenkins recommended payment for the installation of the traffic signal at the intersection of Seventh and Reading Avenues. He stated that the amount to be paid would be \$58,400.10 which is the project amount of \$64,889.00 less a 10% holdback.

It was noted that that traffic signal was not working and Mr. Beane explained that the signal had been vandalized over the weekend and that the meter had been ripped out of the meter base. He said that when the signal stopped working, Telco responded to check the unit and contacted Met Ed because the unit did not have electric service. Met Ed responded, but would not hook the signal back up because the meter base had been damaged. Telco then replaced the meter base and Met Ed was able to restore power.

On motion duly made by Mr. Conrad, seconded by Mr. Morrill and passed, Council approved the payment of Application for Payment No. 1 to Telco Inc. in the amount of \$58,400.10.

Second Avenue Project: Mr. Jenkins recommended payment of Application for Payment No. 1 to Grace Industries in the amount of \$121,961.86, for the work on Second Avenue. **On motion duly made by Mr. Doyle, seconded by Mr. Conrad and passed, Council approved the payment to Grace Industries in the amount of \$121,961.86.** Mr. Jenkins added that \$51,000 would be reimbursed through Berks County Redevelopment and the remaining funds will be paid through Elm Street grants.

2007 Streets Project: Mr. Jenkins referred to the recently paved alley across from Borough hall. **On motion duly made by Mrs. Kulesa, seconded by Mr. Hefty and passed, Council approved payment to Burkholder Paving in the amount of \$34,265.46.**

2007 ADA Ramps: Mr. Jenkins recommended payment for the installation of 8 ADA ramps throughout the Borough. **On motion duly made by Mr. Doyle, seconded by Mr. Conrad and passed, Council approved payment to Diversified Construction in the amount of \$3,228.75.**

Belovich Group Town Homes – Escrow Release No.12 – Mr. Jenkins recommended that Council approve Escrow Release No. 12, contingent upon the Developer paying any outstanding invoices to the Borough. Mr. Tindall stated that the invoices had been paid, therefore **on motion duly made by Mr. Conrad, seconded by Mr. Doyle, and passed, Council approved the payment of Escrow Release No. 12 in the amount of \$20,740.74 to The Belovich Group.**

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

CODE ENFORCEMENT OFFICER’S REPORT:

Mr. Trate informed Council of the following:

- He and the Assistant Code Enforcement Officer had attended zoning classes at Albright College.
- Mrs. Levering had applied for a recycling grant in the amount of \$11,759. which was approved.
- Mr. Trate has passed the Building Inspector’s Certification exam.

Council expressed their congratulations on Mr. Trate’s certification.

With regard to the recycling grant, Mrs. Murray asked if there was a recycling education program in place for the Borough. Mr. Tindall responded that the education program is provided through the Borough’s newsletter, which is an approved means to do so. It was noted that commercial recycling was mentioned in the grant and Mr. Tindall stated that they would be providing information about that in the next newsletter.

On motion duly made by Mr. Hefty, seconded by Mrs. Kulesa and passed, Council approved the Code Enforcement Officer’s Report.

SOLICITOR’S REPORT:

Mr. Georgeadis told Council that the Emergency Municipal Services Tax is being changed in accordance with a state statute and will be called the Local Services Tax. The other significant change is that the Borough must collect \$1 per week for 52 weeks, instead of collecting \$52 all at once. This change has been advertised and is ready to be adopted in its entirety.

On motion duly made by Mr. Morrill, seconded by Mr. Doyle and passed, Council adopted Ordinance No. 962.

Mr. Georgeadis stated that a new business has been proposed at 622 Penn Avenue – “The Winedown Café and Wine Bar”. The owner of the property has applied to the Liquor Control Board to transfer a liquor license into the Borough from the Far East Restaurant in Shillington. Under state statutes, a hearing must be held by the Borough for the proposed transfer. He asked Council to set a time for the hearing.

On motion duly made by Mr. Doyle, seconded by Mr. Hefty and passed, Council approved the advertising for the proposed liquor license transfer and set the time for the hearing as December 18th at 6:30 p.m.

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

Mr. Doyle asked Mr. Trate about the steps that are followed when a rental inspection is scheduled by letter and the owner doesn't show up for the inspection; he asked if the owner is charged a fee for not showing up. Mr. Trate responded that when initial letters are sent out, a time is arbitrarily set. If the owner doesn't show up for the meeting, a second letter is sent out to let them know that they missed the initial inspection. Penalty fees are not stipulated in the ordinance however it was noted that the City fines \$50 for missing the inspection, and if the matter goes before the District Justice, the penalty is \$300. **On motion duly made by Mr. Doyle, seconded by Mr. Conrad and passed, Council authorized Mr. Georgeadis to prepare an ordinance or resolution to establish penalty fees.**

COMMITTEE/COMMISSION REPORTS:

Traffic Committee – Mr. Conrad stated that the Committee has met twice since the last Council meeting and had several items to bring to Council. Chief Fabriziani presented these requests:

- A handicapped parking space for Mr. Gernert at 311 Chestnut Street – the parking space would be on the north side of Chestnut at South Third Avenue.
- A handicapped parking space for Deborah Katzman, 802 Wayne Avenue, Wyomissing. Chief Fabriziani explained that although Mrs. Katzman lives in Wyomissing there is no parking in front of her home, but there is at the side of her property on Lakeview, which is in West Reading.

On motion duly made by Mr. Doyle, seconded by Mr. Conrad and passed, Council approved the advertising of the handicapped parking space requests.

Chief Fabriziani also requested the repealing of handicapped parking spaces as listed below. He noted that they are being repealed as a result of someone moving, or the resident being deceased.

- 100 block of South Second Avenue (west side of the street, on this side of Franklin);
- 100 block of Chestnut Street (just east of South Second);
- 100 block of Olive Street (2 spaces on that block);
- 100 block of South Sixth Avenue (south of Franklin).

Chief Fabriziani stated that the posts have been left in the ground in case other requests are made in future at those locations, however the signs have been removed.

On motion duly made by Mr. Conrad, seconded by Mr. Doyle and passed, Council approved the repealing of the above noted handicapped parking space requests.

Mr. Conrad stated that he had recently met with the Wyomissing School District regarding the location of bus stops in the Borough. He stated that nine of the stops are located at street intersections, and there have been concerns regarding safety. As a result the bus stops will be moved back 100 feet from the original location, beginning next week.

On motion duly made by Mr. Doyle, seconded by Mr. Hefty and passed, Council approved the Traffic Committee minutes of October 18, 2007.

Infrastructure Committee – **On motion duly made by Mr. Morrill, seconded by Mrs. Kulesa and passed, Council approved the Infrastructure Committee minutes of October 18, 2007.**

Safety Committee – **On motion duly made by Mr. Conrad, seconded by Mr. Doyle and passed, Council approved the Safety Committee minutes of October 19, 2007.**

Shade Tree Committee – **On motion duly made by Mrs. Kulesa, seconded by Mr. Morrill and passed, Council approved the Shade Tree Committee minutes of November 15, 2007.**

POLICE CHIEF’S REPORT:

Chief Fabriziani requested Council’s permission for Officer Ladd to take 5 sick days instead of vacation days to travel out-of-state to care for a sick parent. **On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved Officer Ladd’s request.**

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

MAYOR’S REPORT:

Mayor Keller reported that the Police Department has scheduled a DUI checkpoint, to be held in the near future.

Mayor Keller also stated that he, along with Mr. Morrill & Mr. Doyle had been named to the Citizen’s Facilities Council for the school district. He stated that they had recently met with the entire Council of about 30 people (7 total from West Reading) to discuss options for the elementary school. He stated that the group is committed to keeping the elementary school in West Reading. The options include the taking of property, therefore they have met with the residents who would be directly affected and outlined all of the options as well as the process. He noted that the next meeting will be on November 28th. He encouraged anyone interested to attend these meetings. Mr. Rohrbach, the Elm Street Manager, has been asked to prepare some documentation regarding properties that may be for sale in the Elm Street District and information regarding the Elm Street program.

Regarding the Centennial account, Mayor Keller said that there are a couple of outstanding checks that he will require to finalize the books for the Centennial Committee.

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

BOROUGH FOREMAN’S REPORT:

Mr. Doyle asked why the leaf vacuum wasn’t being used to pick up leaves and Mr. Beane stated that so far the sweeper has been able to keep up with the amount of leaves that are down. When it becomes necessary, they will use the leaf vac.

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 was congratulated on receiving his grant.

On motion duly made by Mrs. Kulesa, seconded by Mr. Hefty, and passed, Council approved the Fire Chief’s Report.

MAIN STREET EXECUTIVE DIRECTOR’S REPORT:

Mr. Loth reported the following:

- The Pennsylvania Downtown Center is proposing to work with the Main Street Authority and Main Street Foundation boards as a joint effort to better oversee both the Main Street and Elm Street programs. As a result, they would like to meet with Council in the new year to discuss the future of those organizations.
- “A Taste of West Reading” was quite a success with about 200 people in attendance, which grossed approximately \$24,000 which will (after expenses) help to fund special events in 2008.
- Holiday Glow begins on Friday; more information can be found on the Main Street website.
- The events portion of the Penn Corridor Committee has determined that events will begin on April 3rd, 2008 and will continue on the first Thursday of the month, just as has been developed here in West Reading.
- DCED has request some further documentation regarding the \$30,000 façade grant, which is virtually done.
- The Department of Agriculture has contacted Main Street regarding the \$10,000 Farmers’ Market grant to inform them that they have allocated funds to the Bureau of Food Distribution which is where the funding will come from. Out of 35 applications, only 2 have been chosen to go forward - West Reading is one of them.
- Five new businesses have opened up on Penn Avenue since September.
- An economic development meeting has been scheduled for Tuesday, November 27th at 7:30 a.m.

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:

Mr. Rohrbach told Council the following:

- There was a write-up in the Westside Weekly regarding the Halloween party that was held.
- The response rate for the recent survey that was sent out to Elm Street residents was 16%. Of those respondents, 65% said the number 1 reason they live in the 10 Points District is the friendly neighbors. 80% said that even if given the choice, they would continue to live there. 75% said they were very satisfied with the police presence and law enforcement..
- Mr. Rohrbach has attended 3 benefits days at the Reading Hospital.
- He will be applying for several grants before the end of the year.

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

REVENUES WITH COMPARISON TO BUDGET – ENDING 10/31/07:

On motion duly made by Mr. Doyle, seconded by Mr. Conrad and passed, Council approved the Revenues Report for the period ending 10/31/07.

PAYMENT APPROVAL REPORT - 10/16/07 TO 11/15/07:

On motion duly made by Mr. Doyle, seconded by Mr. Conrad and passed, Council approved the Payment Approval Report for 10/16/07 to 11/15/07.

EXECUTIVE SESSION:

Council adjourned to Executive Session at 8:30 p.m. to discuss possible litigation and personnel issues. The meeting reconvened at 10:29 p.m.

Mrs. Kulesa asked Council to add two items back into the Recreation budget; the Saturday Flea Markets and the discount theme park ticket sales – both of which are minimal in income, however they are provided as a service to the residents. Council agreed to add these items back into the budget.

On motion duly made by Mr. Morrill, seconded by Mr. Conrad and passed, Council approved the 2008 budget, contingent upon the following changes:

1. The Borough Forman position will reflect the same increase as the Crew, which is \$.92 per hour.
2. The Non-Bargaining Unit, Non-Uniform Employees, with the exception of Codes will receive a 3% raise;
3. The Codes Department will receive their 3% raises after six months, which will be July 1st, contingent upon performance reviews.

The motion passed with a 4-2 vote. Mr. Hefty – Yes; Mrs. Kulesa – No; Mr. Doyle – No; Mr. Morrill – Yes; Mr. Conrad – Yes; Ms. Murray – Yes.

ADJOURNMENT:

On motion duly made by Mr. Conrad, seconded by Mr. Hefty and passed, Council adjourned the meeting at 10:35 p.m.

Respectfully submitted,

Cathy Hoffman
Recording Secretary

Approved by George I. Tindall
Borough Manager/Secretary