

BOROUGH OF WEST READING – BOROUGH COUNCIL

January 19, 2016 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, January 19, 2016 with the following persons present: Council President Carl G. Garman; Vice President Nathalie Kulesa; Mayor Valentin Rodriguez, Jr.; Council Members Grace M. Craze, Kristin L. Kramer, Christopher C. Lincoln, Suzanne Thompson, Philip C. Wert; Borough Manager Richard J. Sichler; Police Chief Stephen D. Powell; Deputy Fire Chief Chad Moyer; Recreation Director Helen Moyer; Public Works Director Dean E. Murray; Main Street Manager Christin Kelley; Elm Street Manager Dean L. Rohrbach; Engineer Tom Unger; Administrative Assistant Cathy L. Hoffman.

VISITORS:	Jim & Karen Livingood	Residents
	Tina Shenk	Property Owner
	James T. Rogers	Resident
	Oswald Herbert	Resident
	Terry Siggins	Resident
	Amber Rambo	Resident
	John D. Turner	Business Owner
	Becca Gregg	Reading Eagle
	Elizabeth Heckler	Resident
	Ammon Heckler	Resident
	Pat & Robin Reedy	Residents
	Mark Ratcliffe	Visitor
	Tim Daly	Habitat for Humanity
	Matthew Byrne	Scranton Running Company
	Rea Gehret	McCarthy Engineering
	Jennifer Brown	Resident

1. **CALL TO ORDER:** Council President Carl G. Garman called the meeting to order at 7:00 p.m. which was followed by the Pledge of Allegiance and Roll Call. He then welcomed the newly elected Council members.

2. **PUBLIC COMMENT:**

Tim Daly, Executive Director of Habitat for Humanity spoke about a half marathon that is being planned for May as a fundraiser for the organization. Matt Byrne then spoke about the half marathon race and provided the course map and proposed running times. Mark Ratcliffe explained that the race will start and finish at Wilson High School and will be streamlined to cause as little disruption as possible. They would require the closing of the 600 and 700 blocks of Penn Avenue beginning at 8:00 a.m. on Sunday, May 29th and indicated that they will cover the overtime costs for police and public works. A permit from PennDOT will be obtained as well. After some discussion, Mr. Garman indicated that Council would take action concerning the race at the January 26th meeting.

Jen Brown and Janell Wolf (Laney's Legacy of Hope) asked for Council's permission to hold the Fashionista 5K on Sunday, May 15th at 9:00 a.m. She noted that the route as well as all other details would remain the same as last year's event which was a huge success with 670 runners participating. The race was finished by 11:30 a.m. Chief Powell added that there were no problems with the 2015 race. **Moved** by Mrs. Kulesa and seconded by Ms. Craze to approve the Fashionista 5K for Sunday, May 15th. **Motion carried 7-0.**

James T. Rogers asked who will be enforcing the regulations of the proposed 'pets in the park' ordinance and Mr. Garman said that the Codes Enforcement would be responsible. There was a question as to whether the Police Department could enforce it as well. Discussion ensued regarding the difference between enforcement on public and private property and Mr. Rogers asked if Police can enforce pet regulations on private property when Codes is closed. He referred specifically to the property at 113 S. 5th Avenue and Mayor Rodriguez said he would check to see if a notice of violation had been sent for that property.

Tina Shenk spoke about two new businesses coming into the Borough in February as well as one business relocating. She also asked about the gas meters that are being relocated to the front of properties and Mr. Sichler explained that they are regulated by the Public Utility Commission. He explained that the gas company is notifying the Borough of the digging, they do get permits and do restore the digging site however the Borough can't regulate what they install and where they install it.

Amber Rambo spoke about the lack of information available to residents during race events when streets are shut down. She asked that at the very least the website should include that information. She also complained about the bags of trash that are not in trash cans as stipulated in Borough regulations. Mayor Rodriguez said that the Codes Department will be monitoring the trash situation more thoroughly but the focus will be the use of cans more so than the lids being used at this point. Mr. Garman also asked that the trash collectors be reminded to be more careful with the cans and lids so that they are not damaged or lost. It was also noted that trash cans aren't being emptied completely.

John D. Turner offered his support to the new Council members and the Recreation Commission as well as any advice he could provide to help with the skateboard park. Mr. Garman said that the Borough had previously designated a space for the proposed park and are now waiting on Mr. Turner to take care of the funding aspect. Mr. Turner indicated that they are in the process of obtaining 501(c)(3) status however they need to have the land designated first before the funding can be obtained. Mr. Garman reiterated that the land was allocated by the Recreation Commission with Council's approval and that this is the only space that is available. Mr. Turner asked if the area at Parkview Road and Old Wyomissing Road could be used for a skateboard park as well as being used for the proposed dog park. Mrs. Moyer said that private funding for the dog park has already been obtained however if he would like to speak with the Commission again, he is welcome to do so. Much discussion ensued and it was noted that there is a perception that Mr. Turner has rejected the site that was proposed by Council however the word on the street is that Council is not being cooperative with regard to Mr. Turner's request for a park. Mr. Turner said he would meet with the Recreation Commission again.

Terry Siggins asked about the geese by the pool and Mr. Sichler indicated that the Borough still has a contract with the Department of Agriculture to prevent geese from nesting in the area however that program doesn't begin until the spring of each year.

Mr. Garman acknowledged former Council member Elizabeth Heckler who was in attendance.

3. **APPROVAL OF COUNCIL MINUTES:**

There were no changes or additions noted for the four sets of minutes to be approved. **Moved** by Mrs. Kulesa and seconded by Mr. Lincoln to approve the minutes as distributed for the meetings of December 15 (regular), December 22 (2nd regular), January 4 (reorganization) and January 14 (special). **Motion carried 7-0.**

4. **ORDINANCES/RESOLUTIONS TO BE ADOPTED:**

- a. **Ordinance 1053 (Tax Rate)** – The ordinance has been advertised and is ready for enactment. **Moved** by Ms. Craze and seconded by Ms. Kramer to approve Ordinance 1053. **Motion carried 7-0.**
- b. **Parking Amendments Ordinance 1052** – Mrs. Hoffman stated that the ordinance has been advertised but will not be ready for adoption until the January 26th meeting.
- c. **Pets in the Park Ordinance** – Council had requested a wording change concerning the disposal of dog waste which was done. **Moved** by Mr. Lincoln and seconded by Ms. Craze to authorize the advertising of the proposed ordinance. **Motion carried 7-0.**
- d. **Disruptive Conduct Ordinance** – This draft ordinance requires direction from a solicitor therefore it was tabled.
- e. **Fee Schedule** – There is a question concerning the language change from Codes therefore direction is also required from a solicitor. This was tabled.

5. **UNFINISHED BUSINESS:**

- a. **Belovich Development** – Mr. Sichler stated that a public meeting had been held with the residents of The Villas to discuss the work that remains to be completed as well as some deed amendments prior to the Borough taking dedication of the property.
- b. **Abandoned Properties** – Mr. Sichler said there is nothing new to report due.
- c. **Board Vacancies/Reappointments** – Mr. Wert stated that he had received an email from a resident who is interested in being appointed to the Zoning Hearing Board. Council decided to move forward with her appointment although she was not in attendance. **Moved** by Ms. Craze and seconded by Ms. Thompson to appoint Denise Drobnick to the Zoning Hearing Board. **Motion carried 7-0.**

Mr. Wert also reported that long time member of the Planning Commission Maxine Goodwin had resigned due to her work schedule and read the wording from the Certificate of Appreciation that will be presented to her at the next Planning Commission meeting. The vacancy will be placed on the Borough website. Council expressed their gratitude to Ms. Goodwin as well.

CONSULTANTS' REPORTS:

- a. **Engineer/Code Enforcement Report** – Mr. Unger reported the following:
 - The County is requesting the execution of form MS-339 (Application for County Aid) in order to open a new project number and reallocate the remaining funds for future Parkview Road Bridge work. **Moved** by Mr. Lincoln and seconded by Ms. Kramer to authorize the execution of MS-339. **Motion carried 7-0.**
 - The hail damage repair is scheduled to begin on January 25th at the Fire Company.
 - The Olive Street Pump Station sidewalk project has been designed to prevent the infiltration of storm water into the pumping station. Two bids were received with the low bid being from Bertolet Construction in the amount of \$16,950.00. The flow meters that were installed (as required by the State) will not begin running until this work is completed. Mr. Sichler explained that as part of the rehabilitation of the pumping station, it became apparent that electronics could not be placed at that location without mitigating the storm water runoff. **Moved** by Ms. Craze and seconded by Ms. Thompson to award

the project to Bertolet Construction, in an amount not to exceed \$16,950.00. **Motion carried 7-0.** Construction will not begin before March.

- The Code Enforcement Department report is attached.

Moved by Mrs. Kulesa and seconded by Mr. Lincoln to accept the Engineer's Report. **Motion carried 7-0.**

7. **BOROUGH MANAGER'S REPORT:**

- a. **Certification of Uncollected Real Estate Taxes** – Mr. Sichler reported that this report delineates the taxes that were not collected for 2015, a total of \$19,519.23. The execution of the certification is required by the County. **Moved** by Ms. Thompson and seconded by Ms. Craze to authorize the execution of the certificate. **Motion carried 7-0.**
- b. **Insurance Renewal** – Tompkins Insurance is the Borough's agent that searches for best pricing. Eight percent was budgeted for this year, however the increase is only \$101.00 which brings the total amount for the renewal to \$110,134.00. Mr. Wert asked about the 'agreed value' stated on page 5 of the policy and discussion ensued regarding this as well as depreciation. Mr. Sichler will look into this further. It was decided to table this until the January 26th meeting.
- c. **Olive Street Pump Station Contract** – This was previously discussed.
- d. **Parkview Road Bridge** – This was previously discussed.
- e. **2016 -2017 PA Costars Salt Bid** – Mr. Sichler stated that indicated that Costars requires that the Borough agrees to bid on the 2017 contract to receive the agreed upon pricing. He added that past practice has been to enter into a contract with Costars for 250 tons of salt as well as 250 tons from the Berks County Cooperative Purchasing Council which gives the Borough more flexibility. **Moved** by Ms. Craze and seconded by Ms. Thompson to authorize the Borough Manager to sign the Costars salt contract for 2017. **Motion carried 7-0.**
- f. **Barley Mow Request** – The owners have requested the extension of their licensed area onto the street for the Fall Festival and Art on the Avenue events in 2016. Mr. Sichler noted that this was done last year and Chief Powell noted that there were no problems. **Moved** by Mr. Lincoln and seconded by Ms. Kramer to authorize Mr. Sichler to write the required letter.
Voting yes – Mr. Wert, Ms. Kramer, Ms. Thompson, Ms. Craze, Mr. Lincoln, Mr. Garman
Voting no – Mrs. Kulesa (she felt it should not be extended for Art of the Avenue)
Motion carried 6-1.

Moved by Mr. Lincoln and seconded by Ms. Craze to approve the Borough Manager's report. **Motion carried 7-0.**

8. **MAYOR'S REPORT:**

Mayor Rodriguez referred to his written report and updated Council concerning the Wyomissing Area School District court case by stating that on January 13th, the District's Motion for Reconsideration was denied.

Mrs. Kulesa asked about trash violations as noted in the Code's report and stated her concern that notices will not be given for trash cans without lids. Mayor Rodriguez stated that their main focus at this time is to ensure that everyone is using trash cans and not just bags. He said that they recognize that

residents do make good faith efforts and should not be penalized at this point in time. Discussion ensued regarding missing trash lids and the trash company not being careful with the cans and lids. It was suggested that lids should be connected to the can in some manner. Council did not authorize Codes to send notices regarding lids.

Moved by Ms. Thompson and seconded by Ms. Craze to approve the Mayor's Report.

Motion carried 7-0.

9. **DEPARTMENT REPORTS:**

- a. **Police Department** – Chief Powell referred to his written report and noted that he had included a year-end review as well. He also noted that the new parking enforcement equipment has been ordered and training is scheduled for February 2nd.

Moved by Mr. Lincoln and seconded by Ms. Thompson to approve the Police Department Report.

Motion carried 7-0.

- b. **Public Works** – Mr. Murray referred to his written report and noted that they are preparing for the upcoming storm.

Moved by Ms. Craze and seconded by Ms. Kramer to approve the Public Works Director's Report.

Motion carried 7-0.

- c. **Fire Department** – Deputy Chief Chad Moyer referred to Chief Burkholder's report. There were no questions.

Moved by Mrs. Kulesa and seconded by Mr. Lincoln to approve the Fire Department Report.

Motion carried 7-0.

- d. **West Reading Community Revitalization Foundation**

Elm Street and Main Street Manager' Report – Mr. Rohrbach referred to their written report and Ms. Kelley noted one action item. She asked for Council's approval to close Penn Avenue for the following events in 2016:

- Art on the Avenue – June 18 – 8 a.m. to 7 p.m.
- Car Cruise – September 3 – 8 a.m. to 3 p.m.
- Fall Festival – September 17 – 9 a.m. to 10 p.m.
- Run Santa Run – December 10 – 8 a.m. to 2 p.m.
- Pumpkin Palooza – October 29 – 9 a.m. to 9 p.m.

Moved by Mr. Lincoln and seconded by Ms. Kramer to approve the closure of Penn Avenue for those events. **Motion carried.**

Moved by Ms. Craze and seconded by Ms. Thompson to approve the Elm Street and Main Street Managers' Reports and the West Reading Community Revitalization Foundation Minutes. **Motion carried 7-0.**

10. **COMMITTEE/COMMISSION REPORTS:**

- a. **Recreation Commission** – Mrs. Moyer referred to her written report and noted one action item – to accept the letter from Council Member Suzanne Thompson requesting her appointment to the

Recreation Commission. **Moved** by Ms. Craze and seconded by Mrs. Kulesa to appoint Ms. Thompson to the Recreation Commission. **Motion carried 7-0.**

Moved by Ms. Craze and seconded by Ms. Thompson to approve the Recreation Commission Report. **Motion carried 7-0.**

- b. **Planning Commission** – Mr. Wert referred to the minutes of the January 6th meeting and noted that there was a second meeting on January 14th but those minutes will be ready for the next meeting. There were no questions.

Moved by Ms. Kramer and seconded by Ms. Thompson to approve the Planning Commission report. **Motion carried.**

- c. **Economic Development Committee** – Mr. Wert referred to the minutes of December 14th and January 11th. There were no questions.

Moved by Mr. Lincoln and seconded by Ms. Kramer to approve the Economic Development Committee minutes. **Motion carried.**

- d. **Safety Committee** – Mr. Sichler stated that the meeting was brief but productive. Ms. Craze questioned an injury and asked if the liftgate was being used for trash pickup. Mr. Murray indicated that it is being used. It was also noted that there was a typo in the minutes, and that CPR training is being offered at \$75 for non-employees.

Moved by Ms. Craze and seconded by Mr. Lincoln to approve the Safety Committee report with the noted change. **Motion carried.**

- e. **Traffic and Infrastructure Committees** – Mr. Lincoln referred to the minutes that were distributed earlier. He noted that with the shift to monthly meetings, Council will see good progress as the Committees start to move forward and develop a five year plan for infrastructure in particular. The minutes will be approved at the meeting on the 26th.

11. **TREASURER'S REPORT:**

a. **Revenues with Comparison to Budget:**

- Mr. Wert noted that in looking at the final numbers for 2015, \$4.6 million was budgeted and \$5.2 million was collected. He commended everyone for watching the bottom line.
- Ms. Craze asked about the Engineering Services line item and Mr. Sichler stated that there were specifications prepared for the hail damage, design work for the Olive Street Pump Station as well as the permit submission to DEP.
- Ms. Craze also asked about equipment and repairs for codes in the amount of \$4,480. Mayor Rodriguez said he would look into it.
- Mr. Sichler also noted that after the 12th month of the budget, there is a 13th period in which adjustments are made in conjunction with the audit. Any misplaced line items will be corrected as part of this process.

Moved by Ms. Craze and seconded by Ms. Thompson to approve the Revenues with Comparison to Budget Report for the twelve months ending 12/31/2015. **Motion carried 7-0.**

b. **Payment Approval Report:**

Moved by Ms. Craze and seconded by Mr. Lincoln to approve the Payment Approval Report for 12/11/2015 – 1/15/2016 and 1/16/2016 – 1/19/2016. **Motion carried 7-0.**

12. **EXECUTIVE SESSION:**

Council recessed to Executive Session at 8:48 p.m. to discuss personnel. When the meeting reconvened at 9:23 p.m., the following action was taken:

Mr. Garman indicated that Mr. Sichler has relinquished the title of Borough Secretary. **Moved** by Ms. Thompson and seconded by Mrs. Kulesa to appoint Cathy Hoffman as Borough Secretary. **Motion carried 7-0.**

13. **PUBLIC COMMENT:**

James T. Rogers asked about action being taken concerning Officer Brown and Mr. Garman stated that Council is following the order of the Labor Board.

14. **ADJOURNMENT:**

Moved by Ms. Craze and seconded by Ms. Thompson to adjourn the meeting at 9:25 p.m. **Motion carried.**

Respectfully submitted,

Cathy Hoffman
Borough Secretary