

BOROUGH OF WEST READING – BOROUGH COUNCIL

October 17, 2017 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Wednesday, October 17, 2017 with the following persons present: Council President Carl G. Garman; Council Vice President Nathalie Kulesa; Council Members Christopher C. Lincoln, Philip Wert, Grace M. Craze, Suzanne Thompson, Nicholas Imbesi; Solicitor Charles Haws; Police Chief Stephen D. Powell; Treasurer Jeanette Rentschler; Public Works Director Dean Murray; Recreation Director Helen Moyer; Engineer Tom Unger; Main Street Manager Mark Ratcliffe; Elm Street Manager Dean Rohrbach; Fire Chief Mark Burkholder; Mayor Valentin Rodriguez, Jr.; Borough Manager Cathy L. Hoffman and Assistant to the Manager Cynthia Madeira.

VISITORS:	Karen Livingood	Resident
	James T. Rogers	Resident
	Oswald Herbert	Resident
	Amber Rambo	Resident
	Andrew Kearney	Resident
	Terry Siggins	Resident
	Andrew Kearney	Resident
	William Damore	Resident
	David Amato	Resident
	Tina Shenk	Property/Business Owner
	Robin Horman	Property/Business Owner
	Mark Boyer	Wyomissing School District
	Robert Scoboria	Wyomissing School District
	Daphne Khlar	City of Reading Recreation Director

1. **CALL TO ORDER:** Council President Carl G. Garman called the meeting to order at 7:03 p.m., which was followed by the Pledge of Allegiance and Roll Call.

Mr. Garman stated that a conditional use hearing convened at 6:30 p.m. for Mobilitie whom requested a time extension. A continuance was granted to November 21, 2017 at 6:30 p.m. Council members then met for an executive session to discuss personnel. There will be an action item later in the evening.

2. **WYOMISSING AREA SCHOOL DISTRICT:**

Mr. Boyer explained the school districts consideration to adopt a supplemental Business Privilege Tax and Mercantile Tax Resolution, which has been triggered by UGI Energy Services decision to move their headquarters to 801 Hill Avenue, Wyomissing. The current resolution adopted by the school district, Borough of West Reading and Wyomissing in 1982 lacks regulations concerning how the shared 1.5 mil tax collected by Berks Earned Income Tax is calculated for an organization that is spread over a wide geographic area. A draft Business Privilege and Mercantile Tax Regulation was provided for the Borough's consideration, this draft will also be provided to Wyomissing Borough and Berks EIT.

Mr. Garman reported the Borough's Solicitor is currently reviewing the resolution and should have comments in time for the November 21, 2017 Council meeting.

3. **2018 TWILIGHT CRITERIUM:**

Ms. Khlar thanked West Reading for hosting the criterium event and looks forward to promoting additional cycling activities. Potential dates for a 2018 event have begun, however in order to avoid conflicts with other activities in the area she requested consideration of a date between July 12 – 30, 2018. A wrap up meeting has been scheduled on November 1, 2017 at 4:00 PM at the Reading Eagle Board Room to discuss concerns from this year's event and potential dates for next year.

Mr. Garman requested a member of Recreation, WRCRF, Police Department and Borough Manager attend this meeting.

4. **PUBLIC COMMENT:**

Ms. Rambo expressed her frustration and disappointment with recent actions of appointed officials and candidates running in the upcoming election.

Mr. Rogers inquired as to payments being received from the Reading Hospital for the 'PILOT' and handicap ramp installation along Sixth Avenue. Mrs. Rentschler reported both payments have been received.

5. **APPROVAL OF COUNCIL MINUTES:**

Motion to approve the Council minutes of September 19, 2017, September 26, 2017 and September 30, 2017. **Moved** by Mr. Lincoln and seconded by Mr. Imbesi. **Motion carried 7-0.**

6. **ORDINANCES/RESOLUTIONS:**

Ordinance 1074 – Snow & Ice Removal from Sidewalks – There were no comments.

Motion to advertise Ordinance 1074 Snow & Ice Removal from Sidewalks. **Moved** by Ms. Craze and seconded by Mr. Imbesi. **Motion carried 7-0.**

7. **UNFINISHED BUSINESS:**

- a. **Land Acquisition from RDC Realco, LLC:** Mr. Haws noted an issue obtaining title insurance for one of the two lots. However, due to the expense in obtaining title insurance for this parcel and the intended use of this land title insurance would not be required.
- b. **Parkview Road Bridge** – Mr. Unger reported additional time is needed to research environmental impacts for demolition.
- c. **2018 ARL Agreement** – Mrs. Hoffman stated contact has been made with a representative of the ARL and they have identified approximately 15 feral cats in the area of Sunset Road. Efforts are currently under way to trap these animals and a representative plans to attend the November Council meeting to answer questions.

8. **CONSULTANTS' REPORTS:**

- a. **Solicitor's Report** – Mr. Haws referred to the written report provided to Council this evening and noted research of an ordinance to prohibit sidewalk protests in proximity to a school. It was suggested to create a content neutral ordinance to designate a school zone surrounding the school during particular time frames, therefore removing the public space in order to impose restrictions within the vicinity of student's arrival and departure from school.

Mr. Imbesi inquired as to benefits of a demonstration permit allowing advance notification of these events. Mr. Haws will review regulations again with regards to demonstration permitting.

Motion to approve the Solicitor's report. **Moved** by Ms. Thompson and seconded by Ms. Craze. **Motion carried 7-0.**

b. **Engineer/Code Enforcement Report** – Mr. Unger referred to his report and noted the following:

- The Sixth Avenue Sidewalk Enhancement Project has been completed satisfactorily and recommends Council approve Application for Payment No. 3 – Final in the amount of \$8,847.36.

Motion to approve Application for Payment No. 3 – Final to Bertolet Construction in the amount of \$8,847.36. **Moved** by Ms. Craze and seconded by Mr. Lincoln. **Motion carried 7-0.**

Mr. Garman expressed his frustration and disappointment with UGI cutting into this new sidewalk to install a gas meter. Mr. Unger stated UGI was contacted 2 years ago when the project was initiated as well as recent contact for further plans in the area. UGI was unsure of future plans and stated that they are replacing meters as needed. The sidewalk cut permit stipulates specifications for replacement of the sidewalk.

- The Sewer Line Cleaning & Televising bid opening occurred earlier today and bid tabulation results were distributed to Council. Sewer Specialty Service was the low bidder at \$14,112.50. The scope of work is to be completed within the Southeast portion of the Borough covering Fifth Avenue to Linden Lane and Spruce Street to Playground Drive. The anticipated time to complete this project is two weeks.

Motion to accept the Sewer Line Cleaning & Televising bids. **Moved** by Ms. Craze and seconded by Ms. Thompson. **Motion carried 7-0.**

Motion to award the Sewer Line Cleaning & Televising to Sewer Specialty Service Company, Inc. in the amount not to exceed \$14,112.50. **Moved** by Ms. Craze and seconded by Mr. Imbesi.

Motion carried 7-0.

- Contract A - sanitary sewer line replacement for the Sunset/Sycamore Road alley was completed today. Contract B - Kent Way/Sixth Avenue alley-repaving project began today. Upon completion of Contract B the contractor will proceed to Contract A paving. A.H. Moyer has requested a Substantial Time Extension and Scope of Work Substitution Change Order No. 1. There is no cost associated with this change order and the request for a 14-day time extension is due to site conditions. Approval was recommended for this change order. Also Payment Application No. 2 in the amount of \$29,505.60 has been received for Contract A. Work has been performed in accordance with contract documents and approval of payment is recommended.

Motion to approve Change Order No. 1 – Substantial Time Extension and Scope of Work Substitution. **Moved** by Mr. Imbesi and seconded by Mrs. Kulesa. **Motion carried 7-0.**

Motion to approve Contract A Payment Application No. 2 in the amount of \$29,505.60. **Moved** by Mr. Imbesi and seconded by Mr. Lincoln. **Motion carried.**

- The Spruce Street Water Main Replacement project has begun.
- DEP's Water Allocation Permit has been approved and is valid for a period of 25 years. This permit grants the right to purchase 1 million gallons per day, which is based on a 30-day average use.

- Ordinance section numbers will be included on future property maintenance notices of violation.

Motion to approve the Engineer/Code Enforcement report. **Moved** by Ms. Thompson and seconded by Mr. Imbesi. **Motion carried 7-0.**

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

- a. **Zoning Hearing Board Resignation** – Mrs. Hoffman reported Theresa Vogel has submitted a letter of resignation from her duties as an Alternate Member of the Zoning Hearing Board. Importance was stressed in having additional alternate members, up to 3 as allowed by ordinance, on this board as recently demonstrated during a hearing that had to be continued due to a lack of members able to attend. Mrs. Hoffman requested a motion to accept the resignation and advertise the vacancy.

Motion to accept Teresa Vogel's letter of resignation as an Alternate Member of the Zoning Hearing Board. **Moved** by Ms. Thompson and seconded by Ms. Craze. **Motion carried 7-0.**

Motion to authorize advertisement of Zoning Hearing Board Vacancy. **Moved** by Mr. Imbesi and seconded by Ms. Craze. **Motion carried 7-0.**

- b. **Full-Time Police/Borough Administrative Aide** – Mrs. Hoffman reported 27 applications have been received for this position and the process of reviewing applications to schedule interviews has begun.

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

10. **MAYOR'S REPORT:**

Mayor Rodriguez provided a verbal report of his attendance to the Economic Development Committee, Traffic & Infrastructure, WRCRF and October 14th budget meetings.

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

11. **DEPARTMENT REPORTS:**

- a. **Police Department** – Chief Powell referred to his written report and noted the following:
- K-9 Officer Fox has officially retired. Donations totaling \$14,500 have been received from King's Auto, Superior Oxygen, Kyle Pagerly Memorial Fund and District Attorney John Adams to fund the purchase and training of a new K-9 Officer named Falco. Falco is doing well in training and should be fully trained by mid-November. Officer Fox will attend next month's Council Meeting to be awarded a retirement plaque and Officer Holben will be recognized as a K-9 handler. Chief Powell requested recognition for donations received.

Motion to approve the Police Department report. **Moved** by Mr. Lincoln and seconded by Ms. Craze. **Motion carried 7-0.**

- b. **Public Works** – Mr. Murray referred to the written report and discussed the following:
- The Street Sweeper auction ended with a bid of \$39,600.

Motion to accept the auction bid of \$39,600 for the Street Sweeper. **Moved** by Mrs. Kulesa and seconded by Mr. Imbesi. **Motion carried 7-0.**

- Mr. Murray requested acceptance of Todd Strickler's resignation and permission to advertise for Maintenance Worker I applications.

Motion to accept Todd Strickler's resignation from the Public Works Department. **Moved** by Mr. Imbesi seconded by Ms. Thompson. **Motion carried 7-0.**

Motion to advertise for the open position in the Public Works Department. **Moved** by Mr. Imbesi and seconded by Mr. Lincoln. **Motion carried 7-0.**

Motion to approve the Public Works Department report. **Moved** by Mr. Imbesi and seconded by Ms. Craze. **Motion carried 7-0.**

- c. **Fire Department** – Chief Burkholder referred to the written report. There were no comments.

Motion to approve the Fire Department report. **Moved** by Ms. Thompson and seconded by Ms. Craze. **Motion carried 7-0.**

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

- **Elm Street** – Mr. Rohrbach reported the recent purchase and planting of 30 trees. Also notation of a total investment in the 6th Avenue Sidewalk Enhancement project of \$235,000; roughly \$35,000 for the Let's Paint the Town project, bringing the total number of homes painted during this six-year program to 74; and façade improvements totaling approximately \$60,000. Mr. Rohrbach provided a handout to Council illustrating a total of \$94,000 in funds currently available for the proposed Streetscape project on the North side of the 400 block of Chestnut Street. There are two options to explore for this project to enable the planting of trees: 1 – Sidewalk replacement (no curbing) with curvilinear brick line and grass median; 2 – Curvilinear brick line with grass median. In order to modify the existing application with the state a cost estimate is required from an engineer. The cost for an engineer estimate of both aspects total \$900, these funds would not be reimbursed to the Borough.

Motion to authorize the engineer to prepare two cost estimates for the 400 block of Chestnut Streetscape project. **Moved** by Ms. Thompson and seconded by Mr. Imbesi. **Motion carried 7-0.**

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

- **Main Street** – Mr. Ratcliffe referred to his report and noted on October 19 there will be a scarecrow contest as an initial effort to tie in to a current Reading Main Street event that will hopefully spread through Wyomissing. Costumes on the corridor have been cancelled due to a lack of interest and safety issues. This will be replaced with a trunk or treat event in the park, which coordinates with the haunted house as well as other activities. The Recreation Department will be assisting with carriage rides this year, which would tie into the tree lighting ceremony. Main Street is currently researching options to provide a valet parking service on Friday and Saturday evenings on Penn Avenue.

Motion to approve Main Street Manager's report. **Moved** by Mr. Imbesi and seconded by Ms. Thompson. **Motion carried 7-0.**

12. **COMMITTEE/COMMISSION REPORTS:**

a. **Recreation Commission** – Mrs. Moyer referred to her written report and noted the following:

- Mrs. Moyer thanked the Environmental Advisory Council for their participation during the Harvest Festival by providing residents trees to plant through a grant received from the Arbor Day Foundation.
- The Chili cook-off was successful, however minimal funds were raised for this event.
- Decisions will be needed and funds budgeted for pool repairs. Cost estimates for the installation of a splash pad have been included with the report.

Motion to approve the Recreation Director's report. **Moved** by Ms. Thompson and seconded by Ms. Craze. **Motion carried 7-0.**

b. **Planning Commission** – Mr. Wert referred to the minutes of October 4, 2017 and noted the following:

- The Mobilitie Conditional Use Hearing was continued in order to allow time to satisfy the Planning Commissions request to modify plans to install a wireless communication facility at 6th and Spruce Street. Met-Ed is now requiring a ground mounted 5' equipment cabinet to be placed at the base of the pole and Planning has requested to place this cabinet behind the sidewalk with landscape screening.
- The Suburban Berks West Municipalities are in the process of updating the 2003 joint comprehensive plan and is requesting feedback through a survey. The form can be found on our website as well as at Borough Hall.

Motion to approve the Planning Commission's report. **Moved** by Mr. Imbesi and seconded by Mr. Lincoln. **Motion carried 7-0.**

c. **Economic Development Committee** – Mr. Wert referred to the minutes of October 9, 2017 with an updated list of foreclosed or vacant properties and asked anyone to alert the Committee with regards to properties that may not be included on this list. Mr. Wert also noted a 4th business that originated at the Farmer's Market has opened a brick and mortar store in West Reading.

Motion to approve the Economic Development Report. **Moved** by Mr. Imbesi and seconded by Ms. Thompson. **Motion carried 7-0.**

d. **Environmental Advisory Council** – Mr. Wert noted a workshop meeting was held on September 25, 2017 in preparation for the tree give-away event.

e. **Traffic and Infrastructure Committees** – Mr. Lincoln referred to the Traffic and Infrastructure Committee minutes of October 11, 2017 and noted their request to adjacent business/property owners of the 7th & Walnut intersection to attend next month's meeting to discuss reconfiguration of this intersection. Mr. Imbesi also noted Mr. Reiff's visit to the meeting to discuss an alley adjacent to the Municipal parking lot on Franklin Street. Mr. Imbesi researched deeds for all adjacent properties dating back to 1910 and found no indication of an alley. Mr. Lincoln stated this information would complete the Borough's involvement on this subject. Mr.

Lincoln also noted a discussion on potential grants to create a pedestrian bridge for Parkview Road and an upcoming seminar that would be beneficial to attend to determine if the Borough's plans align with the program.

Motion to approve the Traffic Committee report. **Moved** by Ms. Craze and seconded by Ms. Thompson. **Motion carried 7-0.**

Motion to approve the Infrastructure Committee report. **Moved** by Mr. Imbesi and seconded by Ms. Craze. **Motion carried 7-0.**

- f. **Shade Tree Commission** – Mr. Murray referred to the minutes of the October 10, 2017 meeting and noted tree trimming of lower branches is currently underway by the Public Works Department. Approval has been granted to a contractor's bid to remove overgrown trees and trim higher branches. Also, Mr. Murray is awaiting an additional bid for removal of the Buttonwood Street trees to allow planting of trees in the Spring.

Motion to approve the Shade Tree Commission report. **Moved** by Mr. Lincoln and seconded by Ms. Craze. **Motion carried 7-0.**

- g. **Finance Committee** – Ms. Thompson referred to the minutes of the October 16, 2017 meeting that were provided this evening with a number of questions regarding payment approvals. Answers were provided to the following questions:

- Overhead door repair expenditure of \$257.50 was due to spring repair to allow proper closure of the garage door.
- Golden Equipment purchase of six items totaling \$1,046.52 was to replace brushes/brooms on the street sweeper and have replacements in stock.
- Real estate transfer tax revenue history has been reviewed and should exceed the amount projected in the budget.
- Public Works Department request for assistance of \$3,402.50 pertained to the criterium event, which has been reimbursed.
- The miscellaneous cost line item has exceeded the budget, clarification of expenses assessed pertained to an annual dinner attendance at Albright College, network wiring by Linktech, IT expense to Imageze and General Code expenses.
- Water budget was higher due to the raising of rates.

Motion to approve the Finance Committee report. **Moved** by Mr. Imbesi and seconded by Mr. Lincoln. **Motion carried 7-0.**

- h. **Safety Committee** – Mr. Murray referred to the minutes of the September 26, 2017 meeting. There were no questions.

Motion to approve the Safety Committee report. **Moved** by Ms. Craze and seconded by Mr. Lincoln. **Motion carried 7-0.**

13. **TREASURER'S REPORT:**

- a. **Revenues with Comparison to Budget** – Mrs. Rentschler referred to the report. There were no comments.

Motion to approve the Revenues with Comparison to Budget report of 9/30/17. **Moved** by Ms. Craze and seconded by Mr. Imbesi. **Motion carried 7-0.**

- b. **Payment Approval Report 9/20/17 to 10/14/17 & 10/15/17 to 10/16/17 & 10/17/17** - Mrs. Rentschler referred to the reports. There were no comments.

Motion to approve the Payment Approval reports of 9/20/17 to 10/14/17 & 10/15/17 to 10/16/17 & 10/17/17. **Moved** by Ms. Craze and seconded by Mr. Imbesi. **Motion carried 7-0.**

14. **PUBLIC COMMENT:**

Mr. Rogers inquired as to December 2016 Council minute reference of resolution approval to increase taxes by .5 mil, however it does not clarify the division of this tax. Clarification was provided to designate funds to infrastructure and fire department. Mrs. Rentschler confirmed proceeds have been divided to date for both items in the amount of \$40,678.38.

15. **ADJOURNMENT:**

Motion to adjourn the meeting at 9:43 p.m. **Moved** by Mr. Imbesi and seconded by Mr. Lincoln. **Motion carried 7-0.**

Respectfully submitted,
Cynthia Madeira
Assistant to the Manager