

BOROUGH OF WEST READING – BOROUGH COUNCIL

January 15, 2013 – 7:00 p.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, January 15, 2013 with the following persons present: Council President Kevin M. Conrad; Vice President James J. Gallen Jr.; Council Members Elizabeth L. Heckler, Nathalie R. Kulesa, Deborah Hutcheson, Amy B. Good, Philip C. Wert; Mayor Shane J. Keller; Borough Manager Richard J. Sichler; Fire Chief Mark D. Burkholder; Borough Solicitor Daniel P. Becker; Chief Code Enforcement Officer Tracey L. Levering; Public Works Director Dean E. Murray; Elm Street Manager Dean L. Rohrbach; Administrative Assistant Cathy L. Hoffman; Borough Engineer Terry Naugle. Sgt. Keith Phillips OIC was unable to attend.

<u>VISITORS:</u>	Ruth Cardell	Temple
	Ed Fabriziani	Fleetwood
	Oswald Herbert	Resident
	Audrey Schaeffer	Resident
	James T. Rogers	Resident
	Jay Kupiszewski	Resident
	Amber Rambo	Resident
	Karen Livingood	Resident
	Tom Kupiszewski	Resident
	Peter Goda	Resident
	Donna Ladd	Shillington
	Becca Gregg	Reading Eagle
	Tina Shenk	Property Owner

1. **CALL TO ORDER:** Council President Kevin M. Conrad called the meeting to order at 7:00 p.m. which was followed by the Pledge of Allegiance and roll call.
2. **PUBLIC COMMENT:**
James T. Rogers asked Mr. Becker about the duties of the Civil Service Commission with regard to the upcoming meeting concerning the termination of the former Police Chief. Mr. Becker said that the Commission has authority under the Civil Service Code to make recommendations for hiring and review decisions made by Council concerning terminations. The upcoming hearing on January 21st for former Chief Fabriziani will be closed to the public because he has requested that it be closed. A hearing for Officer Ladd being held February 12th will be open to the public at his request.
Tom Kupiszewski voiced his support for maintaining a police department in the Borough and against the idea of regionalization as it would not be in the Borough's best interest for the future.
3. **APPROVAL OF COUNCIL MINUTES:**
Moved by Ms. Hutcheson and seconded by Mr. Wert to approve the minutes of December 18, 2012. **Motion carried.** **Moved** by Mrs. Kulesa and seconded by Ms. Hutcheson to approve the minutes of the Public Hearing on December 18, 2012 as amended. **Motion carried.** (Ms. Hutcheson's name was not listed as being present at the Public Hearing when in fact she was in attendance.)
4. **UNFINISHED BUSINESS:**
Handicapped Parking Requests – Mr. Sichler said he completed his review of the requests and that two have been withdrawn because the space would not be located where they wish it to be, and a third person has moved. The following requests were discussed:

- Regarding the 300 and 400 blocks of Sycamore Road, there are two existing spaces and three new requests have been made. Council has agreed to deviate from normal practices and permit spaces in front of 400 and 337 Sycamore because the block is extraordinarily long.
- The resident at 401 Pine has requested a space which will be placed on S. 4th instead of Pine because of the snow route.
- A request was made by the resident at 331 Sunset however there is an existing space directly across the street which is already being used by another resident. Mr. Sichler proposed that the space be located across the street on the triangle at Pine and Sunset. There were concerns about placing the space on the triangle therefore it was decided to deny this request.
- The request for a space at 200 Chestnut can be accommodated as there are no spaces existing on S. 2nd Avenue and the resident uses the rear entrance to access his home. It was noted that there is a space on Kline at S. 2nd.

Moved by Mr. Gallen and seconded by Mr. Wert to advertise the changes to the parking ordinance, as discussed. **Motion carried.** Mr. Sichler will obtain the measurements and submit them to Mr. Becker for the preparation of the ordinance.

Pool Painting Project – Mr. Naugle said he had two quotes to submit to the bonding company and is waiting for a third.

Committee/Commission/Board Vacancies – Mr. Sichler said that Jeroen Harmsen has expressed an interest in serving on the Zoning Hearing Board, and that Stewart McDonough is not interested in continuing on the Vacancy Board. There are still vacancies on the Planning Commission, Environmental Advisory Council, Shade Tree Commission and Recreation Commission. An ad will be placed in the Reading Eagle and potential volunteers will be asked to submit a letter of interest and will be asked to meet briefly with Council before a decision is made regarding the appointment.

5. **ORDINANCES/RESOLUTIONS:**

- a. Ordinance 1018 – This ordinance amends the Parking Ordinance with regard to Grape Street. Mr. Becker stated that it has been advertised and is ready for enactment.

Moved by Mr. Wert and seconded by Mrs. Heckler to adopt Ordinance 1018. **Motion carried.**

- b. Ordinance 1019 – This ordinance sets the tax rate for 2013 (no change from 2012). **Moved** by Mr. Gallen and seconded by Ms. Good to enact Ordinance 1019. **Motion carried.** Mr. Sichler also presented a document that authorizes the County to collect the taxes. **Moved** by Ms. Good and seconded by Ms. Hutcheson to authorize Mr. Conrad to execute the Municipal Tax document which authorizes the Tax Collector to collect the taxes for the Borough. **Motion carried.**

- c. Resolution 2013-1 – The only changes to the fee schedule for 2013 were made by the Recreation Commission, and it was noted that there will be a 5% reduction in pool memberships for those who pay before May 17, 2013. **Moved** by Mrs. Kulesa and seconded by Ms. Hutcheson to approve Resolution 2013-1, setting the fees for the Borough for 2013.

Motion carried.

6. **CONSULTANTS' REPORTS:**

- a. Solicitor's Report – Mr. Becker reminded Council about previous discussions concerning the Refuse Authority's desire to renew the term for 50 years and reported that one of the municipalities has requested that the term end in 2017 instead. This will give the municipalities involved the opportunity to revisit the term and extend it if necessary. He noted that they only meet once or twice per year, essentially to pay the bills. **Moved** by Mrs. Kulesa and seconded by Ms. Hutcheson to authorize the amendment to the 2017 term as opposed to the 50 year existence. **Motion carried.** It was also noted that there is still a vacancy on the Refuse Authority therefore Mr. Sichler volunteered to be a member of that Board.

Mr. Becker also informed Council about the West Side Emergency Management Agency's request to alter their ordinance that requires members of the Agency to be Council members or Township supervisors. One of the Agency's members is Jay Vaughan, a long term supervisor with Spring Township, who has resigned as a supervisor in order to become the Township Manager. The Agency would like to see Mr. Vaughan remain as a member therefore the ordinance must be amended to permit this. Both Mr. Conrad and Mayor Keller have served with Mr. Vaughan and spoke very highly of him. It was noted that the proposed amendment will allow others to serve in addition to elected officials, but at the discretion of the municipality. **Moved** by Ms. Good and seconded by Mr. Wert to prepare and advertise the amendment to the ordinance. **Motion carried.**

Moved by Ms. Hutcheson and seconded by Mrs. Kulesa to approve the Solicitor's Report. **Motion carried.**

- b. Engineer's Report –In addition to his written report, Mr. Naugle reported that the contractor for the sidewalk project at 5th & Franklin will be working on the punch list as the weather allows.

There was a brief discussion regarding the Belovich property and it was noted that the bank still has not taken title of the property as yet. It was also stated that the Bank did complete the list of work that needed to be done, as itemized by the Borough, therefore the Borough can do nothing more at this time.

Moved by Ms. Hutcheson and seconded by Mrs. Heckler to approve the Engineer's Report. **Motion carried.**

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

- a. Committee/Commission /Board Reappointments – Mr. Sichler reviewed the list of reappointments, as follows:

Business Privilege Tax Collector	Catherine Weist	1/01/2013-12/31/2013
Planning Commission	Terry Siggins	1/01/2013-12/31/2016
	Christopher Lincoln	1/01/2013-12/31/2016
	Elizabeth Heckler	1/01/2013-12/31/2014
Recreation Commission	Pat Westwood	1/01/2013-12/31/2014
	Amber Elsasser	1/01/2013-12/31/2014
	Kevin Conrad	1/01/2013-12/31/2013
Emergency Management Board	Jim Gallen	1/01/2013-12/31/2013
	Thomas Bausher	1/01/2013-12/31/2013
Emergency Management Coordinator		
Deputy Emergency Management Coordinator (subject to EMA's approval)	Mike Fesh	1/01/2013-12/31/2013

Joint Municipal Authority	Fred Geiger	1/01/2013-12/31/2017
Western Berks Water Authority	James Beane	1/01/2013-12/31/2017
Housing Review Board	Michael Geddio	1/01/2013-12/31/2015
Auditor	Reinsel Kuntz Leshner	1/01/2013-12/31/2013
Fire Chief and Hazardous Materials Incident Commander		
	Mark D. Burkholder	1/01/2013-12/31/2013
Deputy Fire Chief	James Beane	1/01/2013-12/31/2013
Assistant Fire Chief	Chad Moyer	1/01/2013-12/31/2013
Captain	Jeffrey Reinert	1/01/2013-12/31/2013
Lieutenants	Jason Witman	1/01/2013-12/31/2013
	Nicholas Lesagonicz	1/01/2013-12/31/2013
Chief Engineer	Dan Macrina	1/01/2013-12/31/2013
Fire Marshall	Jason S. Ganster	1/01/2013-12/31/2013
Deputy Fire Marshall	Chad Marks	1/01/2013-12/31/2013
Fire Police Captain	Tom Kupiszewski	1/01/2013-12/31/2013
Fire Police Lieutenant	Peter Goda	1/01/2013-12/31/2013

Moved by Mr. Gallen and seconded by Ms. Good to approve the appointments and reappointments for 2013, subject to the approval of Mike Fesh (Deputy Emergency Management Coordinator) by the West Side EMA. **Motion carried.**

Jeroen Harmsen has volunteered to be a member of the Zoning Hearing Board, however he will have to submit a letter of intent before the appointment can be made.

- b. 2013 Meeting Schedule – Mr. Sichler said that the schedule had been previously reviewed however there was a conflict with the Traffic Committee therefore those meetings will be held on the first Thursday of every other month, beginning in February, at the BiCentennial House. **Moved** by Ms. Good and seconded by Ms. Hutcheson to approve the 2013 Meeting Schedule and advertise it accordingly. **Motion carried.**

- c. Uncollected Taxes for 2012 – Mr. Sichler said that there are 52 properties that are delinquent in a total amount for Borough taxes of \$33,733.04 and Fire tax of 9,224.83. **Moved** by Mr. Gallen and seconded by Mrs. Heckler to authorize Mr. Conrad to execute the Berks County Tax Claim Bureau Uncollected Taxes for 2012. **Motion carried.**

Moved by Mr. Wert and seconded by Ms. Hutcheson to approve the Borough Manager's Report. **Motion carried.**

8. **MAYOR'S REPORT & WEST READING COMMUNITY REVITALIZATION FOUNDATION REPORT:**

Mayor Keller said that there were no Community Revitalization Foundation minutes in the Council packets because the meetings have been moved to the third Thursday of the month for 2013.

He also had a request to begin the process for purchasing cameras, as discussed during the budgeting process. He noted that there have been some grant funds that have been allocated for this purchase however the cameras would have to be installed by February 28th in order to receive the funds. He said that Mr. Sichler has been working on this project.

Mr. Sichler explained that Sgt. Phillips found the almost \$15,000 grant that was originally allocated for wearable cameras for our police officers. Since it was decided not to go forward with the wearable cameras, it was determined that the funds could be used for other types of surveillance cameras. Pricing has been received from five vendors and it has been recommended that the

cameras be installed at 5th and Penn, 4th and Penn, 6th and Penn, and at the traffic circle. PennDOT has agreed to allow the wireless units to be installed on the crossarms at those intersections.

Mr. Conrad said that any purchase over \$18,500 must be put out for bid and said that it would be very difficult to complete everything by the February 28th deadline.

Ms. Good wondered what the plan was for the installation of cameras – how many, where will they be located, who has access, what are they seeing, etc. She felt strongly that privacy is a big issue and it needs to be discussed further.

After much discussion, it was decided to contact someone who has experience with these cameras so Council can learn more and make an informed decision.

Moved by Ms. Good and seconded by Ms. Hutcheson to approve the Mayor's Report. **Motion carried.**

9. **DEPARTMENT REPORTS:**

- a. Code Enforcement – Mrs. Kulesa asked about how Codes is handling trash in bags instead of cans and Mrs. Levering said that they are sending warnings and citations when they see the violations.

Moved by Mrs. Heckler and seconded by Ms. Good to approve the Chief Code Enforcement Officer's Report. **Motion carried.**

- b. Police Department – Sgt. Phillips was unable to attend the meeting, however a year end report had been previously submitted. Mrs. Heckler gave the Mayor a check for the canine officer, from the West Side Seniors.

Moved by Mr. Wert and seconded by Ms. Hutcheson to approve the Police Department Report. **Motion carried.**

- c. Public Works – There were no questions.

Moved by Mr. Wert and seconded by Ms. Hutcheson to approve the Public Works Director's Report. **Motion carried.**

- d.. Fire Department – Chief Burkholder distributed his report to Council. Mrs. Heckler gave Chief Burkholder a check from the West Side Seniors for the Fire Department.

Moved by Mrs. Kulesa and seconded by Mr. Wert to approve the Fire Chief's Report. **Motion carried.**

- e. Elm Street – Mr. Rohrbach stated that there were no NAC minutes as they did not meet in December. He also noted that the NAC will now meet on the first Monday of the month and that the Community Revitalization Foundation will meet on the third Thursday of each month.

Moved by Ms. Hutcheson and seconded by Mrs. Heckler to approve the Elm Street Manager's Report. **Motion carried.**

10. **COMMITTEE/COMMISSION REPORTS:**

- a. Recreation Commission – Mrs. Kulesa noted the following:

- Two changes need to be made to the minutes – the pool opens for the season on the 8th of June and the first day of playground will be the 10th of June 2013.
- A new scoreboard is arriving thanks to the donations from Alvernia University, Bill Koch, and Ed Kuhn. It will be installed by our Public Works Department.

- There are two vacancies on the Recreation Commission.
- The ad for summer employment has been placed in the Reading Eagle.

Mr. Conrad added that Scott Jones, President of the Wyomissing Area Youth Football Association has donated \$100 to the Borough and \$100 to the Fire Company as thanks for use of the fields during the first weekend of September 2012.

Moved by Ms. Hutcheson and seconded by Mr. Wert to approve the Recreation Commission Minutes of January 8, 2013. **Motion carried.**

- b. Shade Tree Commission – Mr. Sichler said that the Commission is setting up the work for the coming year which incorporates the removal of trees that were scheduled for 2012 but were unable to be done because of some hazardous trees that took precedence. Trimming has also been reviewed and the following streets have been identified for 2013 - Linden Lane, the 300 block of Franklin Street, Kent Way and Olive Street. The list will be put out for bid and a final decision will be made depending on pricing.

Moved by Mrs. Heckler and seconded by Ms. Hutcheson to approve the Shade Tree Commission Report. **Motion carried.**

- c. Environmental Advisory Council – There were no action items.

Moved by Ms. Hutcheson and seconded by Ms. Good to approve the Environmental Advisory Council minutes of December 26, 2012. **Motion carried.**

- f. Safety Committee – There were no questions however it was noted that CPR classes will be opened to Council and volunteers.

Moved by Ms. Hutcheson and seconded by Mrs. Kulesa to approve the Safety Committee Minutes of December 19, 2012. **Motion carried.**

11. **TREASURER'S REPORT:**

- a. **Moved** by Ms. Hutcheson and seconded by Mr. Wert to approve the Revenues with Comparison to Budget Report for the 12 months ending 12/31/2012. **Motion carried.**
- b. **Moved** by Ms. Hutcheson and seconded by Mr. Wert to approve Payment Approval Report for 12/18/2012 - 1/11/2013 and 1/12/2013 – 1/14/2013. **Motion carried.**

12. **PUBLIC COMMENT:**

Tina Shenk asked what was decided concerning the installation of cameras because she could not hear what was discussed earlier. Mr. Conrad explained the discussions and the decision that was made to have a presentation at the next Council meeting.

Oswald Herbert suggested that the grant funds be used to put cameras in the police cars however Mr. Conrad said that it would be almost impossible to get the work done by the deadline and Mayor Keller also noted that another deterrent would be obtaining consent from the police bargaining unit.

James T. Rogers indicated that he had difficulty hearing the proceedings and suggested that the microphones weren't working properly. He asked about the Belovich development and Mr. Conrad explained what had transpired in 2012 and that the bank had completed the work that was demanded by the Borough. The Borough has done all that it can at this point and until the property is sold and the final work is completed, the roads will not be dedicated to the Borough.

Mr. Rogers also asked about the procedures for public comment at Council meetings and Mr. Conrad explained that the policy was put in place in 2012 that public comment would be allowed at the end of the meeting in addition to the public comment period that has always been in place at the beginning of the meeting. Mr. Rogers wondered what happened to the old policy of speaking at any point during the meeting and it was explained that rules of decorum do not permit it and that it is disruptive to the business that they are trying to conduct. Mr. Conrad offered to provide a copy of the policy to Mr. Rogers for his perusal.

13. **EXECUTIVE SESSION:**

Council recessed to Executive Session at 8:30 p.m. to discuss personnel issues and contractual issues. When the meeting reconvened at 9:47 p.m., and Mr. Conrad explained that the contractual issues were not discussed during Executive Session as it is not an Executive Session item. Therefore the item concerning Thompson Insurance was added to the agenda.

Mr. Sichler explained that the Borough's broker came back with recommendations for insurance coverage:

- Maintain the current carriers for property, liability, inland marine, crime, automobile, umbrella, pesticide/herbicide, public officials and police professional. This an increase of just over 9% which reflects the current market and is a little above what was budgeted.

Mr. Gallen felt that the increases shown are not in keeping with what is currently happening in the industry and felt that better pricing could be obtained. Mr. Sichler noted that Tompkins had shopped for the best pricing, however when another agency was asked to quote, they declined unless the Borough named them as 'agent of record'.

It was noted that the insurance needs to be in place by January 25th, therefore after some discussion it was decided that Mr. Gallen would work with Mr. Sichler to attempt to obtain better pricing from Tompkins Insurance. Because of the time constraint it was **moved** by Mr. Wert and seconded by Mrs. Heckler to approve the Tompkins Insurance package at a fee not to exceed \$128,900 contingent upon Mr. Gallen and Mr. Sichler meeting with them and attempting to negotiate a lower rate. **Motion carried.**

As a final piece of business, it was **moved** by Mr. Wert and seconded by Mr. Gallen to appoint Richard Sichler to the Western Berks Refuse Authority Board. **Motion carried.**

14. **ADJOURNMENT:**

Moved by Mr. Wert and seconded by Ms. Hutcheson to adjourn the meeting at 9:57 p.m. **Motion carried.**

Respectfully submitted,

Cathy Hoffman,
Administrative Assistant