

Borough of West Reading Borough Council

November 19, 2013 – 7:00 p.m. and
November 23, 2013 – 9:30 a.m.

West Reading Borough Council held its regular monthly meeting at Borough Hall on Tuesday, November 19, 2013 with the following persons present: Council President Kevin M. Conrad; Vice President James J. Gallen Jr., Council Members, Elizabeth L. Heckler, Deborah Hutcheson, Amy B. Good, Nathalie R. Kulesa, Philip C. Wert; Mayor Shane J. Keller; Borough Manager Richard J. Sichler; Borough Solicitor Daniel P. Becker; Fire Chief Mark D. Burkholder; Police Chief Stephen D. Powell; Public Works Director Dean E. Murray; Chief Code Enforcement Officer Tracey L. Levering; Recreation Coordinator Helen Moyer; Elm Street Manager Dean L. Rohrbach; Borough Engineer Tom Unger; Administrative Assistant Cathy L. Hoffman.

VISITORS:	Ruth Cardell	Temple
	James T. Rogers	Resident
	Carl Garman	Resident
	Audrey Schaeffer	Resident
	Karen Livingood	Resident
	Jim Livingood	Resident
	Oswald Herbert	Resident
	Grace Craze	Resident
	John Roland	Solicitor, Reading Health System
	Valentin Rodriguez, Jr.	Resident
	Tina Shenk	Property Owner
	Kathy Frymoyer	Resident
	Mike Leagans	Resident
	David Johnson	Reading Eagle

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:**
There was no public comment.

Paul Janssen (Director for the Center for Excellence in Local Government at Albright College), Fred Levering (Board of Directors for the Center for Excellence in Local Government), and Brian Kelly (SSM Group) made a presentation to Kevin Conrad, in thanks for his years of service with the Community Advisory Board. Mr. Janssen read the wording from the plaque that was presented. "In recognition of your outstanding service to the Community Advisory Board for the Albright College Center for Excellence in Local Government 2011 – 2013".

Mr. Janssen also asked that Council participate in the process that will bring the Boroughs Association back to life. He noted that letters had been sent to Mr. Conrad and Mr. Keller containing information about items that must be completed by December 10th. He added that West Reading is a very important Borough in Berks County and that it is important that West Reading is involved in the resurgence of the Association.

3. **APPROVAL OF COUNCIL MINUTES:**

Moved by Mr. Gallen and seconded by Mrs. Heckler to approve the minutes of October 15, 2013.
Motion carried.

4. **UNFINISHED BUSINESS:**

Reading Hospital – Mr. Becker stated that all of the documents for the 7th Avenue construction project are complete, the letter of credit has been received, the escrow checks have been delivered and the documents have all been signed. One remaining item, the recently discovered deed restriction, needs to be resolved. In order for the Borough to be protected, the Reading Hospital has agreed to indemnify the Borough against all costs and expenses if anything were to arise as a result of the deed restriction. The document is ready to be executed therefore it was **Moved** by Mr. Gallen and seconded by Mr. Wert to approve and execute the indemnification agreement. **Motion carried.** Mr. Conrad abstained because of he works for SSM Group who is involved in the project. Because of this, Mr. Gallen will be executing the agreement.

Street Lights Buy Back - Mr. Sichler reported that Suburban Lighting Consultants has asked to delay the presentation (as discussed at the October meeting) until he has had the opportunity to complete a project with First Energy. Therefore the presentation will now occur in either December or January.

Waste Disposal Contract – Mr. Sichler said that in October Council approved the 10 year contract with Pioneer Crossing however since that time they have offered a 5 year contract under the same terms. He noted that Pioneer Crossing offers the same contract to all municipalities in Berks County that dispose of waste there and they guarantee that the cost will be the lowest of any municipality that dumps there. It was also noted that the contract was reviewed in July by the solicitor and that there were no concerns.

Moved by Ms. Good and seconded by Mr. Gallen to authorize the Borough Manager to move forward with the preparation and execution of documents with Pioneer Crossing Landfill for the five year contract. **Motion carried.**

5. **CONSULTANTS' REPORTS:**

- a. Solicitor's Report – Mr. Becker said he had nothing further to report.
- b. Engineer's Report – Mr. Unger stated that he had prepared a brief written report however it was noted that the report had not been distributed in the Council packets, therefore it will be included in next months' report.

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

- a. Pension Audit Findings – Mr. Sichler reported that an audit of both pension funds had been completed, with a finding and two verbal observations:
 - Incorrect data on certification form AG385 resulted in an over payment of State aid. Mr. Sichler said this had been noted in the last audit and although it was thought to be corrected, the State has pointed out that it is due to a 'uniqueness' in the pension ordinance which should be revised. The auditor has recommended a course of action to make the ordinance consistent with State regulations thereby allowing the Borough more State aid.
 - An incorrect amortization schedule was used in the 2011 MMO calculation which resulted in a contribution excess of \$3203.

- An overstatement of what is required for the pension fund was due to a typographical error which caused a miscalculation.

Mr. Becker was asked to review the ordinance and ensure that the language is consistent with State requirements.

- b. Western Berks Water Authority Re-Appointment – Mr. Sichler told Council that the WBWA currently has two former West Reading Public Works employees representing the Borough on the Authority's Board and recommended that this be changed. Mike Hart's term expires at the end of 2013 and Mr. Sichler requested that he be appointed instead. He added that this will give the Borough good continuity with what is going on at their monthly evenings and fits well with his area of expertise. It was noted that Mr. Hart has done a fantastic job for the Borough however having Mr. Sichler on the Board would be more hands-on. **Moved** by Mr. Gallen and seconded by Ms. Good to appoint Rich Sichler to the WBWA Board. **Motion carried.** Mr. Conrad abstained because of his company's work with the Authority.

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

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

Mayor Keller noted that the minutes from the September 19th meeting were in the packet and highlighted the following:

- The November issue of Berks County Living had an excellent article about the P.A.R.R. project work on the 7th Avenue house.
- The November 24th Farmers' Market is the last one for the year. The Manager of the market is considering ending the season earlier in 2014.

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

8. **DEPARTMENT REPORTS:**

- a. Code Enforcement –Mrs. Levering referred to her written report and apologized for not having it available prior to the meeting.

Moved by Mr. Wert and seconded by Mr. Gallen to approve the Code Enforcement report. **Motion carried.**

- b. Police Department – Chief Powell noted that a written report had been submitted but that there was additional information distributed per Mr. Gallen's request which deals with the number of calls for service requested by the Reading Hospital in 2011, 2012 and 2013. He also reported the following:

- The Citizens Police Academy has just completed its most recent graduation and one of the attendees has donated \$1500 to the Police Department. It was noted that Sgt. Phillips did an excellent job putting together the West Reading portion of the program.
- Berks County Sherriff's Department and WRPD will be conducting a child ID program on Saturday, November 23rd from 10:00 to 2:00 at Café Harmony.
- A Memorandum of Understanding has been received from the Wyomissing Area School District concerning police duties and procedures for both police departments and the School District. Mr. Becker noted that he had reviewed the document per Chief Powell's request and that there are no substantive changes from previous years.

Moved by Mr. Gallen and seconded by Ms. Good to authorize the execution of the Memorandum of Understanding agreement. **Motion carried.**

Mrs. Heckler asked about the status of the surveillance cameras for Penn Avenue and Chief Powell said that they will be revising the specifications and putting it out for bid in early 2014.

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

- c. Public Works – Mr. Murray had nothing to add to his written report. Mayor Keller commended Mr. Murray and his department for the excellent work done during the recent water main break. He noted that having the water rerouted so quickly prevented residents from being without water for a prolonged period of time while repairs were made.

Moved by Ms. Good and seconded by Mrs. Heckler to approve the Public Works Report. **Motion carried.**

- d. Fire Department – Chief Burkholder referred to his written report. Mrs. Kulesa thanked Chief Burkholder for the use of the Fire Company for the Mother/Son Dance.

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

- e. Elm Street – Mr. Rohrbach said he had taken some vacation and therefore did not have a written report. He added that he would provide it at the next Council meeting.

9. **COMMITTEE/COMMISSION REPORTS:**

- a. Recreation Commission – Recreation Coordinator Helen Moyer said that as part of her written report there is one action item – the appointment of Jen Witman to the Recreation Commission. **Moved** by Ms. Good and seconded by Mrs. Heckler to appoint Jen Witman to the Recreation Commission for the 2014 and 2015 term. **Motion carried.** Ms. Moyer hoped to have the other vacant positions filled before the end of the year. She also reminded everyone about the Christmas Tree Lighting which will be held on Friday, November 29th at 6:00 p.m.

Moved by Mrs. Kulesa and seconded by Mrs. Heckler to approve the Recreation Commission report. **Motion carried.**

- b. Planning Commission – Mr. Wert reported that the Commission met on November 6th to continue the proposed revisions to the Zoning Ordinance.

Moved by Ms. Hutcheson and seconded by Mrs. Heckler to approve the Planning Commission report. **Motion carried.**

- c. Environmental Advisory Council – Minutes for the October 28th meeting were distributed just prior to the Council meeting and it was noted that there are no action items.

Moved by Mr. Wert and seconded by Ms. Hutcheson to approve the Environmental Advisory Council report. **Motion carried.**

- d. Safety Committee – There were no questions concerning the October 22nd meeting.

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

10. **TREASURER'S REPORT:**

- a. **Moved** by Ms. Hutcheson and seconded by Mrs. Kulesa to approve the Revenues with Comparison to Budget Report for the 10 months ending 10/31/2013. **Motion carried.**

- b. **Moved** by Mr. Gallen and seconded by Ms. Hutcheson to approve Payment Approval Report for 10/16/2013 - 11/14/2013 and 11/15/2013 – 11/19/2013. **Motion carried.**

11. **PUBLIC COMMENT:**

Tina Shenk asked who is doing the various types of inspections and Mr. Conrad stated that all inspections are coordinated through Mrs. Levering. She also asked if rental apartments could be inspected every two years instead of every year. Mr. Conrad said that this has been discussed in the past and Mayor Keller added that a recommendation will be brought forward next month from the Codes Department concerning these inspections.

12. **EXECUTIVE SESSION:**

Council recessed to Executive Session at 7:42 p.m. to discuss personnel and contractual issues. When the meeting reconvened at 8:37 p.m., the following actions were taken:

- **Moved** by Ms. Hutcheson and seconded by Mrs. Kulesa to advertise the part-time police officer position. **Motion carried.**
- **Moved** by Ms. Hutcheson and seconded by Mr. Gallen to authorize the Police Civil Service Commission to begin the process for promotional testing for the rank of Sergeant. **Motion carried.**
- **Moved** by Mr. Gallen and seconded by Mrs. Heckler to extend the Eagle Disposal contract for one year as per the existing contract. **Motion carried.**

13. **RECESS OF MEETING:**

The meeting was recessed at 8:42 p.m., and it was announced that it was continued until Saturday, November 23rd at 9:30 a.m.

14. **BUDGET SESSION – NOVEMBER 23, 2013:**

The meeting was reconvened at 9:30 a.m. by Mr. Conrad with the following persons present: Mr. Conrad, Mr. Gallen, Mrs. Heckler, Ms. Hutcheson, Mr. Wert, Mayor Keller, Rich Sichler, Jeanette Rentschler, Dean Murray, Chad Moyer, Helen Moyer, Tracey Levering, Chief Powell, Carl Garman, Valentin Rodriguez, Jr. and Grace Craze.

Mr. Sichler spoke about the discussions with the Reading Hospital and about the negative impact they have had on the Borough's tax base because of Business Privilege Tax reductions (several practices that have gone from 'for profit' to 'non profit' status). He noted that the \$600,000 figure on line item 01-359-100 is conservative and reflects the current CPI index of eight tenths.

Mr. Conrad said all department heads had been asked to cut their budgets by 20% during the past week and they have worked diligently to do so. He said that the largest proposed project is the paving project which was initially shown under the Reserve Build-Up Transfer (line item 30-354-351) as \$460,657. The projects included under line item 30-430-000 (Highways Capital Expenditure) are:

\$150,000 – alleys (south side of Sycamore from Linden to the Pavilion)

\$ 96,000 – 700 block of Franklin

\$160,000 – Chestnut/Wayne (from 5th to Lakeview). This paving is required to repair the street that was excavated for a water/sewer project many years ago.

After much consideration it was decided to fund the Chestnut/Wayne project from the water and sewer fund balances, \$50,000 will be allocated from refuse (because of the trash trucks damaging the street) to cover the alley work, and Franklin Street will only be repaired as needed.

Discussion then turned to the potential hires for 2014. Chad Moyer spoke about the need for a full time fire chief/driver to help with coverage during the day which would be a management position and therefore not eligible to be unionized. Other duties of this position were detailed in a report prepared by Chief Burkholder which was distributed.

Chief Powell spoke about his request for two hires – a full time secretary and an entry level officer who would be replacing an officer retiring in 2015. It was suggested that the new officer would only have to be brought in later in the year in order to be trained for 2015. This would reduce that line item significantly. Chief Powell also spoke about his request to promote two officers to sergeant and the costs involved with that promotion. It was also noted that the promotion to sergeant process is about six months therefore the amount budgeted for 2014 is higher than necessary.

Public Works is requesting the hiring of one person to get their numbers back to where they were three years ago. This would free up more time for the Public Works Director. It was also noted that according to the current contract, a part time employee would not be permitted year round.

Mrs. Levering has asked for one full time and one part time enforcement person to bring the Codes Department back to where it was. She stated that both are needed to efficiently run the department and that cutting the rental inspections to every two years will still require 3 inspections to be completed every work day. She also noted that she is also the Zoning Officer which takes a great deal of time.

Council recessed to Executive Session to discuss personnel. When the meeting reconvened, the following changes to the budget are going to be made:

- 01-413-131 Wage Asst CEO Part time is reduced by \$14,500
- 01-413-196 Health and Accident Insurance is changed to \$41,160
- Full time crew member is reduced by \$86,190
- Career Fire Chief is reduced by \$79,147

Further reductions to the budget were as follows:

Public Works - Under equipment, Mr. Murray said he reduced his major equipment purchases by \$22,500 by eliminating the stump grinder and the drag box. He also reduced his minor equipment line item by \$750. Mr. Conrad recommended funds be set aside each year in a capital reserve for the major equipment purchases such as the drag box. Under vehicle purchases, it was decided to leave the purchase of the ¾ ton pickup in the budget, however delay the purchase until later in the year when it is determined that the funds are available to do so.

Codes - It was decided that funds for the zoning amendments need to remain, however the Subdivision and Land Development Ordinance review could be removed from the budget. There were no other reductions to be made.

Recreation - Mrs. Moyer said that the only item she could really cut was the fireworks expense at \$6000. The cost last year was \$8500 and it was felt that this amount could be raised through corporate donations.

Police - Chief Powell said the purchase of two new vehicles could be delayed. Line item 01-410-336 Vehicle Replacement could be reduced to \$17,942 to cover the payment of existing vehicle leases for the year. However because of this, the vehicle maintenance line item will have to be increased by \$2500 to cover the repairs that will be necessary to the older vehicles that are remaining in

service. There is also the issue of a vehicle for parking enforcement. Various options were discussed and Chief Powell said there may be some funds available from the County.

As well, Chief Powell said that the Ammo and Weapon Supplies line item needs to be increased by \$2000 because this year the BCERT membership was subsidized however it will not be in 2014. The fee in part covers the ammunition for the Borough's tactical operator who is a member of BCERT. A line item for this expense will be created for this expense, going forward.

Discussion ensued regarding the ongoing contract negotiations and the impact they could have on the bottom line.

Administration – With the exception of the server and computer upgrades, all other costs are essentially fixed. Mr. Sichler said that he has spoken with the IT people regarding ways to decrease costs however it will not be cheaper to do the project piecemeal.

At the end of the reductions, the bottom line for the budget was recalculated and an overage of \$266,407.00 was estimated.

Moved by Ms. Hutcheson and seconded by Mr. Gallen to advertise the budget with the changes as discussed this morning, showing an approximate \$250,000.00 overage in the budget with no tax increase. **Motion carried.**

15. **ADJOURNMENT:**

Moved by Ms. Hutcheson and seconded by Mrs. Heckler to adjourn the meeting at 12:30 p.m.
Motion carried.

Respectfully submitted,

Cathy Hoffman
Administrative Assistant