

BIRDSBORO BOROUGH COUNCIL MEETING
JANUARY 11, 2010, 7:00 P.M. – BOROUGH HALL

MINUTES

PRESENT: Aaron J. Durso, President
Steve Lusky, Vice-President
Thomas Kanuck, Member
Kenneth J. Templin, Member
Nancy Kauffman, Member
Angelene McKinney, Member
Robert M. Myers, Mayor
Karen T. Willman, Borough Manager
Theodore R. Roth, Chief of Police
Terry D. Weiler, Esq., Solicitor
Thomas J. Yuhas, P.E., Horizon Engineers

ABSENT: Neil McCauley, Member

CALL TO ORDER: Mr. Durso called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance to the Flag.

PUBLIC COMMENT ON AGENDA ITEMS

Jim Arms, Chestnut Street, asked if the money for the E. First Street Bridge, which was promised by the County CDBG Program, has been received yet.

MINUTES:

- a. December 7, 2009: **Upon motion made** by Ms. Kauffman and seconded by Mr. Kanuck, the 12/7/09 meeting minutes were approved. **It is noted that Mr. Templin and Ms. McKinney abstained from voting.** Motion passed 4-0-2.
- b. December 14, 2009: **Upon motion made** by Ms. Kauffman and seconded by Mr. Kanuck, the 12/7/09 meeting minutes were approved. **It is noted that Mr. Templin and Ms. McKinney abstained from voting.** Motion passed 4-0-2.
- c. January 4, 2010 Reorganization Meeting: **Upon motion made** by Mr. Templin and seconded by Ms. Kauffman, the 1/4/2010 Reorganization meeting minutes were unanimously approved.
- d. January 4, 2010 Regular Meeting: **Upon motion made** by Ms. McKinney and seconded by Mr. Templin, the 1/4/10 regular meeting minutes were unanimously approved.

ENGINEER'S REPORT: Thomas Yuhas, Engineer of Record, was present and gave an overview monthly report which is on file at Borough Hall.

Mr. Yuhas advised that J.D. Eckman was able to locate a supplier of new railing, but could not locate a source for the new brackets. A lengthy discussion regarding the new vs. the existing brackets and new vs. used railing ensued. Mr. Yuhas advised that he would obtain estimates for replacing only the damaged sections of pipe railing with used pipe and, if substantially less expensive, will proceed with this approach.

Road Paving Project: Mr. Yuhas advised Council that due to the requirement for upgrading handicap ramps, the cost of which was not included in the paving estimate for the Maple Springs development, total repaving costs will exceed that previously approved by Council. He suggested that a road or roads which are not critical be dropped from the project. To that end, Mr. Yuhas conferred with Keith Karlson who suggested that Cocalico Road, Union Street and Walnut Street be removed from the project.

Ms. Kauffman said that several years ago, SSM recommended that Cocalico Road be replaced as soon as possible. Council requested that Mr. Yuhas check back with Mr. Karlson to discuss this further and that he provide a breakdown of costs, by road, for paving, curbing, sidewalks, handicap ramps, etc.

Huddy Property on Spruce Street: Mr. Yuhas followed up on a Council discussion at the last Council meeting. A resident of Walnut Street complained about the condition and disrepair of a house across the street from her which is owned by Mr. Huddy. Mr. Yuhas advised that citations were previously issued and there is a warrant outstanding for Mr. Huddy's arrest for failure to respond; Mr. Huddy lives in New Jersey. Since that time, some minimal repairs have been made. Council expressed some concern with regard to the structural integrity of the building, but Mr. Yuhas stated that from everything he has seen, the house is not in danger of structural failure. Mr. Weiler indicated that to go after the owner in another state can be cumbersome and expensive.

Consensus is for the Code Officer to send a letter requesting access to the building to see if additional items warrant the owner's attention and if additional items on the property warrant additional citations.

BILLS LIST: **Upon motion made** by Mr. Kanuck and seconded by Ms. Kauffman, the bills list, as presented to Council, was approved for payment. **It is noted that Mr. Lusky was out of the room during the vote on this motion.** Motion passed 5-0-1.

TREASURER'S REPORT: **Upon motion made** by Ms. Kauffman and seconded by Mr. Kanuck, the Treasurer's Report was approved. **It is noted that Mr. Lusky was out of the room during the vote on this motion.** Motion passed 5-0-1.

MAYOR/POLICE REPORTS: Mayor Myers acknowledged the presence of Christopher Rothhapt and commented that his father Robert had served the borough for a number of years and his presence in the community will be dearly missed.

Chief Roth presented an overview of his monthly report which is on file at Borough Hall. Chief Roth advised that at the Council President's request, he presented Council with a breakdown of the costs for a new police vehicle. A lengthy discussion ensued.

Upon motion made by Ms. Kauffman and seconded by Mr. Templin, authorization was unanimously granted to purchase a new police vehicle under state contract the total cost of which is not to exceed \$35,000 and to be funded from the general fund, department 410.

EMERGENCY MANAGEMENT: Mr. Imes advised that he has been asked to provide DEP with Emergency Response Plans for the waste water treatment plant and the water treatment plant.

FIRE COMPANY: President Jon Barnes and Chief Scott Kulp were present and presented an overview of their monthly report which is on file at Borough Hall. Chief Kulp requested the address of the Huddy properties on Spruce Street which were discussed earlier under the Engineer's report.

Chief Kulp advised that Council is required to pass a resolution appointing the Birdsboro-Union Fire Department as its fire company.

Upon motion made by Mr. Templin and seconded by Mr. Lusky, the Borough Solicitor was unanimously authorized to prepare a resolution appointing the Birdsboro-Union Fire Department as its office fire company; or in the alternative, should the original ordinance not allow amendment by resolution, authorization to advertise an amendment to Ordinance #358 appointing Birdsboro-Union Fire Department as the borough's official fire company.

Chief Kulp advised Council that the Birdsboro-Union Fire Department would again be receiving a State grant in the amount of \$10,500. The fire department plans to pay off its utility truck and begin divesting itself of older and unnecessary equipment.

Chief Kulp also advised that the fire company has decided to use the insurance proceeds it receives as a result of a recent vehicle accident between a fire truck and the chief's vehicle to purchase a new vehicle rather than purchasing the Explorer from the borough. He advised that if Council authorizes the fire company to do so, they can purchase a new vehicle by piggybacking onto the borough and purchasing through state contract.

Upon motion made by Ms. Kauffman and seconded by Mr. Templin, authorization was unanimously granted for the Birdsboro-Union Fire Department to purchase a new vehicle under State Contract by piggybacking onto the Borough.

MUNICIPAL SERVICES / DEPARTMENT REPORTS

Water Department

The usual monthly sampling and charting was done, along with routine maintenance work. PA One calls were marked throughout the month. Water department personnel assisted the Streets department with installing storm drain on E. 1st street. Assistance with snow removal and ice control was provided to the Streets department. Personnel installed a new 8" valve on the water line on the west side of E. 1st Street. New water service was installed from the main to the meter at 318 W. 2nd Street. Both sediment tanks were drained and cleaned.

Wastewater Treatment Plant

During the month of December, routine maintenance and repair work was performed. Painting of the walls in the Digester Building by sewer department personnel was completed throughout. PA One calls were marked throughout the month. Issues were apparent throughout the month with the digester blowers. Vietri and GE will be coming out to address the problems. Siemens was called to inspect the problem with the transducers. A sewer blockage was found at manhole #14 to the inside of the steel mill complex; the flush truck was used to correct the blockage.

Streets Department

In addition to the performance of normal maintenance duties, the streets department assisted the electrician & AJ Veruni with the installation of the Christmas lights. The last of the leaves were collected on December 4th. Crews took equipment to Main Bird Park for the Christmas in Birdsboro festivities. The mechanic completed basic repairs of the road equipment. The drain pipe on E. 1st street was installed with the assistance of the water department. Trucks were prepared for the winter season and snow plowing was done on the roads following several snowfalls. Mailboxes that were damaged during snow plowing activities were replaced. Streets were cindered periodically due to ice formation.

MANAGER'S REPORT

a. Resolution #2010-06, Disposition of Records

Motion was made by Ms. Kauffman to adopt Resolution #2016-06, authorizing the disposition of records in accordance with the Municipal Records Manual approved on December 16, 2008. Motion was seconded by Mr. Kanuck. Motion passed unanimously.

b. J. D. Eckman Invoice:

Motion was made by Ms. Kauffman to approve Invoice #01 from J.D. Eckman dated 12/14/09, revised 12/17/09, in the amount of \$204,768.39 to be paid from the Line of Credit and authorizing the Council President to affix his signature thereto prior to forwarding to the Berks County Community Development Office. Mr. Kanuck seconded the motion. Motion passed unanimously.

c. Resolution #2010-07, Drawdown on Line of Credit:

Motion was made by Ms. Kauffman to adopt Resolution #2010-07, authorizing the drawdown on the borough's Line of Credit in the amount of \$278,223.68 to reimburse the General Fund for special projects expenses paid to date as well as J.D. Eckman's Invoice #1. Ms. McKinney seconded the motion. Motion passed unanimously.

- d. Employee Manual: Ms. Willman advised that she met with Solicitor Weiler with respect to revisions to the current Office Policy Manual on 1/7/10. She suggested that revisions to make the manual more general in nature be considered so that it applies to all employees. Council designated Mr. Kanuck to work with the Borough Manager and Solicitor on suggested revisions.
- e. Life, AD&D and Short Term Disability Insurance: Ms. Willman advised that, in an effort to identify possible additional cost savings with regard to life, AD&D and Short-term Disability Insurance, she has requested competitive price quotes from Brown & Brown and will make a recommendation to Council when the quotes are received.

COUNCIL/COMMITTEE REPORTS: Ms. McKinney requested that Council once again participate in the Community Meal at the library in March of 2010.

Mr. Lusky advised that L.A. Verruni will begin dismantling the Christmas lights on 1/13/10 and has agreed to store the lights for the Borough at their facility.

SOLICITOR'S REPORT

Mr. Weiler advised that issues with regard to the police pension have been resolved. Beyer Barber will make the necessary pension ordinance revisions which will then be presented to Council.

Mr. Weiler stated that Jamie Passon of the Berks County Planning Commission advised him that a formal review of the zoning amendment would be required; the one that was previously done was an informal review. He suggested that the amendment as it is be reviewed; the alternative energy sources, which were not included in the final draft, could be adopted at a later date.

Upon motion made by Ms. Kauffman and seconded by Ms. McKinney, authorization was unanimously granted to omit alternative energy sources provisions and forward to the Berks County Planning Commission with a request for a formal 247 review.

EXECUTIVE SESSION: Mr. Durso advised that an Executive Session is required to discuss a potential claim which is under investigation. Council recessed from its regular session at 8:35 p.m. and resumed its regular session at 8:45 p.m. with no action taken.

BIRDSBORO MUNICIPAL AUTHORITY: The next meeting is scheduled for 1/18/10.

PLANNING COMMISSION: The next meeting is scheduled for 1/26/10.

PUBLIC COMMENT: None

ADJOURNMENT: **Upon motion made** by Mr. Lusky and seconded by Mr. Kanuck, the meeting was unanimously adjourned at 8:47 p.m.

Respectfully submitted,

Karen T. Willman
Borough Manager/Secretary