

REGULAR MEETING OF KENHORST BOROUGH COUNCIL
November 1, 2012

President David Roche called the Regular Meeting of the Kenhorst Borough Council to order at 7:02 PM. Present: Mayor Hatzas, Councilmen Correnti, Fritz, Ibach, Holland, Mohn and Smith, Fire Chief Roger Weidenheimer, Reading Police Chief William Heim, Solicitor Nagy, Borough Manager Jeri Diesinger. Absent: Tax Collector Joanna Roche. Eileen Becker, Borough Secretary/Treasurer recorded minutes of the meeting.

PLEDGE ALLEGIANCE TO THE FLAG

ROLL CALL

EXECUTIVE SESSION – President Roche reported that Council held a short executive session prior to the meeting. Solicitor Nagy stated the executive session concerned personnel matters and multiple litigation matters. No decisions were made.

RESIDENTS/PUBLIC – No residents asked to be heard.

Mr. Jaime Pena, 1300 Block Broadway Blvd. (not in attendance)

President Roche explained the driveway situation Mr. Pena asked Council to review at last month's meeting. The Codes Committee's recommendation is that Mr. Pena must remove the additional percentage of the paved area needed to comply with the Borough's zoning ordinance. If he chooses not to, he will need to proceed with a Zoning Variance Application to the Zoning Hearing Board. Mr. Smith commented that ultimately it was Mr. Pena's responsibility as the homeowner to make sure a permit was pulled when the driveway was installed. Mr. Smith made a motion to proceed with the Codes Committee's recommendation. The motion was seconded by Mr. Ibach. The roll call vote was unanimous. Mrs. Diesinger will send Mr. Pena a formal written response.

MEETING MINUTES, PRESIDENT ROCHE – Mr. Fritz made a motion to approve the October 2012 Meeting Minutes. Motion seconded by Mr. Ibach and the roll call vote was unanimous.

MAYOR HATZAS

- Mayor Hatzas announced a total of \$769.01 was collected in fines during October.
- He asked that all Council members review their copy of the Borough's Snow Emergency Plan in preparation for the winter season. Additional copies will be provided to all of Council. Mrs. Diesinger will include an article about the Snow Emergency Plan in the next newsletter.
- Mayor Hatzas commented that last month's Neighborhood Crime Watch meeting on October 25th went fairly well. Officer Hutchinson did a good job responding to questions. Mayor Hatzas asked if anyone knew from whom the reaction/perception that crimes increased so much in Kenhorst came from.
- Mr. Smith asked that crime prevention information be included in the next newsletter i.e. advising residents not to leave Christmas gifts in cars, etc. Mrs. Diesinger confirmed a crime prevention article was already being planned.

POLICE CHIEF HEIM

- Submitted the October police report. While burglaries are up a bit, Chief Heim said they are not out of control. There is not a need for real concern, but this is a good time to remind residents to use common sense as far as crime prevention is concerned. No community is immune from thefts and burglaries. Residents should lock doors, windows and vehicles. The most prevalent crimes in Kenhorst are vandalism and retail theft. Mayor Hatzas commented that more than one-half of the burglaries in October were not forced entry – the perpetrators entered through open doors and windows.

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FIRE CHIEF WEIDENHEIMER

- Submitted October report of fire call activity – there was no loss to the Borough.
- Reminded Council about the annual Christmas Parade and Children’s Party. The parade will begin at approximately 1PM leaving from the Kenhorst Shopping Plaza. The party for the Borough’s children and grandchildren will begin immediately after the parade at approximately 2PM.

FINANCE, COUNCILMAN FRITZ – Mr. Fritz provided the revenue and expenditure report for October. Mr. Fritz made a motion to approve the October expenses. Motion seconded by Mr. Ibach and the roll call vote was unanimous.

CODES AND EMERGENCY SERVICES, PRESIDENT ROCHE

- President Roche reviewed the permit, rental inspection and property maintenance activities for October. Kraft’s permit report will be posted as soon possible on the bulletin board.
- Council should keep an eye out for homes that may have been damaged from this week’s storm. Most repairs shouldn’t need permits, but if roofs/fences need to be replaced, permits should be pulled.

PARKS & RECREATION, COUNCILMAN HOLLAND – nothing to report.

TAX COLLECTOR JOANNA ROCHE - absent

PERSONNEL, PRESIDENT ROCHE

- The final Employee Manual draft is ready. Solicitor Nagy will review it so that Council can approve at December’s meeting.
- The Personnel Committee met recently and has several recommendations for Council:
 1. Cap medical premium costs to \$12,000/year/employee. Effective in 2013, employees will have to pay for any premium cost exceeding the \$12,000 cap. Mr. Correnti made a motion to approve this change as recommended by the Personnel Committee. Mr. Smith seconded the motion and the roll call vote was unanimous.
 2. Mr. Correnti made a motion to approve increases as recommended by the Personnel Committee. Mr. Holland seconded the motion and the roll call vote was unanimous.
 3. The Borough Manager’s employment contract is due for renewal. The Committee recommends extending the current contract for two years. It includes a salary increase now and three additional days of vacation to be added in 2013 and two more added in 2014. Mr. Correnti made a motion to approve this change as recommended by the Personnel Committee. Mr. Smith seconded the motion and the roll call vote was unanimous.

PROPERTY, COUNCILMAN CORRENTI – Mr. Correnti reported that overall, the Borough properties fared well and suffered little damage as a result of this week’s storm. Other Property items are covered later in the agenda.

REFUSE AND RECYCLING, COUNCILMAN MOHN – Nothing to report. Refuse Contract to be addressed later in the agenda.

SANITARY SEWERS, PRESIDENT ROCHE – the Sewer Committee offers the following recommendations:

- **Sewer Rate Increase** - In order to help bridge the gap of anticipated expenses related to the City’s new sewer treatment plant, the Committee recommends increasing the minimum sewer charge from \$80 to \$90/quarter to be effective in the April 2013 billing (1st Quarter 2013 usage). The sewer treatment charges from the City are expected to increase significantly in 2015. Mr. Ibach made a motion to approve the increase as recommended by the Sewer Committee. The motion was seconded by Mr. Holland and the roll call vote was unanimous.

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- Flow Meters – Because of the inter-municipal sewer agreements, the Committee recommends moving forward with purchasing flow meters so that the Borough’s sewage can be accurately measured. The estimate cost is \$130,000-\$135,000 to purchase the meters, however; it is anticipated that this could save the Borough funds in the future. Solicitor Nagy advised Council that this would be a good time to proceed with the flow meter purchase and installation due to the new sewer treatment agreement(s) pending with the City of Reading and neighboring municipalities. Mr. Ibach made a motion to approve the flow meter purchase. The motion was seconded by Mr. Fritz and the roll call vote was unanimous.

STORMWATER/STREETS, COUNCILMAN IBACH – nothing to report. Items to be discussed in unfinished and new business.

SOLICITOR NAGY – items to be discussed in unfinished and new business.

BOROUGH MANAGER DIESINGER –

- Total arrears recovered in October – approximately \$6,600.00
- 2012 Street Paving Project was completed.
- 69 Property Maintenance/Code Violation Notices were sent in October.

UNFINISHED BUSINESS

- Open Burning Ordinance – this is a work in progress; President Roche reported that the Codes Committee and Fire Chief Weidenheimer will bring a draft ordinance to Council in the near future.
- No Peddling and Solicitation Draft Ordinance – Solicitor Nagy advised Council that in 2004 the Supreme Court ruled that municipalities cannot totally prohibit all solicitation, regardless of whether it is for the purpose of selling, asking for donations or distribution of information. However; it is permissible to limit soliciting to certain hours and days of the week. Council could also charge a higher fee for the permit as long as it would be considered “reasonable” i.e. increasing it to \$100.00 is acceptable, but a \$500.00 permit fee would not be considered reasonable. Council can also reserve the right to waive the fee for non-profit solicitation. After discussion, it was decided that the Codes Committee would meet and work on a draft Ordinance for review in January 2013.
- Storm Water Mitigation Items –
 1. Woodcrest Drive (fallen tree and piping – will move forward to remove tree after obtaining permission from owner to enter adjacent property)
 2. High at Commonwealth (flooding – no action)

NEW BUSINESS FOR CONSIDERATION:

- Approved Resolution #616 – Declaration of Disaster Emergency for Hurricane Sandy - Mr. Ibach made a motion to approve Resolution #616. The motion was seconded by Mr. Smith and the roll call vote was unanimous.
- Authorized Borough shop roof repair – Mr. Holland made a motion to approve the roof repair not to exceed a cost of \$3,500.00. The motion was seconded by Mr. Smith and the roll call vote was unanimous.
- Authorized payment for the completed 2012 Road Work - Mr. Ibach made a motion to approve the \$62,700.08 payment to Landis Deck for the completed 2012 roadwork project. The majority of the expense will be taken out of the Liquid Fuels fund (\$57,501.61) and the \$5,198.47 balance will be taken from the general fund. The motion was seconded by Mr. Smith and the roll call vote was unanimous.
- Authorized advertisement of Road Vacation Draft Ordinance – As recommended by the Streets Committee, Mr. Ibach made a motion to approve advertising the draft ordinance to vacate the “paper roads” on the Ken-Grill/Alvernia parcels. The motion was seconded by Mr. Holland and the roll call vote was unanimous.

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- Authorize advertisement of Road Vacation Draft Ordinance – As recommended by the Streets Committee, Mr. Ibach made a motion to approve advertising the draft ordinance to vacate Commonwealth Boulevard from High Blvd. to New Holland Road. It was confirmed that this stretch of road can be considered an alley in the future and still can be driven on. The motion was seconded by Mr. Holland and the roll call vote was unanimous.
- Authorized Execution of 2013-2015 Refuse/Recycling Contract – After discussion, Solicitor Nagy recommended that Council move forward in awarding the refuse contract to Eagle Disposal to complete the contract process. Mr. Holland made a motion to approve signing the new refuse contract. The motion was seconded by Mr. Ibach and the roll call vote was unanimous.
- Authorized Advertisement of 2013 Draft Budget - Mr. Smith made a motion to approve advertising the draft budget for 2013. The motion was seconded by Mr. Fritz and the roll call vote was unanimous.
- Authorize Advertisement of Intent to adopt Tax (EMS) Resolution – Mr. Correnti made a motion to advertise the Borough's intent to adopt an Emergency Services Tax Resolution. The new EMS Tax will be 1.286 mils. It will provide revenue to cover Fire and Ambulance Services, as well as a portion of police services. Solicitor Nagy confirmed that the required Public Hearing for a new Tax Resolution could be held at 6:30 PM on the same night as the 7PM Regular Council Meeting on Thursday, December 6, 2012. The motion was seconded by Mr. Ibach and the roll call vote was unanimous.

There being no further business, a motion was made by Councilman Ibach, seconded by Councilman Smith, to adjourn the meeting at 7:55 p.m.

Respectfully Submitted, Eileen D. Becker, Secretary/Treasurer