

REGULAR MEETING OF KENHORST BOROUGH COUNCIL
December 5, 2013

President Roche called the Regular Meeting of the Kenhorst Borough Council to order at 7:01 PM. Present: Mayor Hatzas, Councilmen Correnti, DePasquale, Fritz, Ibach, Holland and Mohn, Fire Chief Roger Weidenheimer, Police Chief William Heim, Solicitor Jill 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

RESIDENTS/PUBLIC – no residents asked to be heard.

EXECUTIVE SESSION – Council met in an Executive Session from approximately 7:04 to 7:12 PM. Ms. Nagy reported that the executive session concerned potential litigation.

COUNCIL MEETING MINUTES, PRESIDENT ROCHE

- Mr. Fritz made a motion to approve the November Meeting Minutes. The motion was seconded by Mr. Ibach and the roll call vote was unanimous.

MAYOR HATZAS

- Mayor Hatzas reported a total of \$1,248.76 collected in fines during the month of November.

POLICE CHIEF HEIM

- Chief Heim reviewed the November Crime Report statistics. The Chief shared that a possible rape case was under investigation.
- Officer Zacchey is moving to a different shift position and will be replaced on or about January 1st by Officer Eric Goudy. The Chief commented that Officer Zacchey did a very good job during her time with Kenhorst including providing updates to the Neighborhood Watch Group. President Roche said she bonded well with the group members and he offered thanks for Officer Zacchey's service to the Borough. Mr. Ibach noted that he did see her in the borough often.

FIRE CHIEF WEIDENHEIMER

- Chief Weidenheimer reviewed the November month end fire call activity report - there were 27 calls and there was no loss to the Borough.
- The annual Christmas Parade and Children's Party will be held on Saturday, December 21, 2013. As usual, the parade will begin at approximately 1PM leaving from the Kenhorst Shopping Plaza. The party will begin immediately after the parade at approximately 2PM in the Social Quarters' ballroom.
- On behalf of the board, President Roche thanked the Chief for his dedication and many years of service to the Fire Company and the Borough. Chief Weidenheimer has been Fire Chief for 21 years and is now retiring from that position. Chief Weidenheimer offered his thanks to the present and past boards and said it has been a pleasure to work with them.

TAX COLLECTOR JOANNA ROCHE - absent

FINANCE, COUNCILMAN FRITZ

- Mr. Fritz provided the revenue and expenditure report and made a motion to approve the November expenses. The motion was seconded by Mr. Holland and the roll call vote was unanimous.

CODES AND EMERGENCY SERVICES, PRESIDENT ROCHE

- President Roche summarized the November codes and permitting report from Kraft Code Services. The open permit report will be posted on the bulletin board for Council's review.
- As follow up to the Fire Company discussion at the Workshop Meeting, each Councilman has been given a copy of the fire call hours for 2012 and year-to-date 2013. The Personnel Committee will meet to draft fire call guidelines and will bring to February's meeting for Council review.

PARKS & RECREATION, COUNCILMAN HOLLAND – no report

PERSONNEL, PRESIDENT ROCHE – as previously noted, the Committee will arrange to meet during the month of January.

PROPERTY, VICE PRESIDENT CORRENTI

- The new leaf picker is working well; Mrs. Diesinger reported that leaf pickup will most likely continue through December 13th.
- Mr. Correnti commented that the High Boulevard storm water project went very well and everyone from the five municipalities involved did one heck of a job. He said Mrs. Diesinger should get all of the credit for a job well done.

REFUSE AND RECYCLING, COUNCILMAN MOHN – no report.

- On November 12th, Mrs. Diesinger sent a letter to the President of Eagle Disposal regarding collection vehicle traffic violations and yard waste collection issues. Since the Borough did not receive any response, nor have the safety issues improved, President Roche asked that Ms. Nagy draft a letter to Eagle Disposal to inform them that further infractions will jeopardize the current contract.

SANITARY SEWERS, PRESIDENT ROCHE – will be covered later in agenda.

STORM WATER/STREETS, COUNCILMAN IBACH

- Several complaints have been received regarding traffic/parking at the intersection of Harding and New Holland Road. Mr. Ibach will schedule a Streets Committee meeting to review possible solutions.

SOLICITOR NAGY

- A hearing was held Monday, December 2nd regarding the citations issued against Install America. Install America representatives did not attend the appeal hearing in the Court of Common Pleas so they were found guilty. The court awarded a total of \$600 in fines per citation so they will owe \$1,200.00 plus costs. Ms. Nagy confirmed that Install America knew about the hearing date. Ms. Nagy advised that the Mrs. Diesinger should continue to cite them if they persist in soliciting without a permit. They were observed in the Borough again this week. Ms. Nagy commented that

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each citation would be viewed as a separate case so new citations shouldn't be issued until this first case's appeal period ends.

- Mr. Fritz asked for an update on the Dale Weyandt rental inspection program violations. Ms. Nagy said Mr. Weyandt was found guilty of four violations with a fine of \$1,000.00 for each property. Court administration told Ms. Nagy that his fine payments should start trickling in. Mrs. Diesinger confirmed that Kraft Code Services will be mailing the 2014 rental permit packets shortly and inspections will be scheduled for February/April timeframe. President Roche asked if there is any recourse if Mr. Weyandt does not pay the \$4,000.00 fines. Ms. Nagy said he could be found in contempt of court and face further legal action and additional fines, etc. There was further discussion about whether Council has the right to challenge Mr. Weyandt being able to move tenants into additional "rent-to-own" properties in the Borough. Ms. Nagy will research and report back to Council.

BOROUGH MANAGER DIESINGER – The Manager's November report was previously submitted to Council – of special note:

- Third Quarter arrears letters were mailed and approximately \$13,000.00 has been collected to date.
- Cost proposals were received for the tree removal project at Woodcrest stub – Council received a memo detailing specifics.
- The winter newsletter was prepared for a December mailing.
- The reimbursement request for the leaf vacuum was submitted to DEP.

Unfinished Business

- Response to Recent Sewer System Offer – After much discussion, Mr. Ibach made a motion for Council to respectfully decline Cumru Township's recent offer to purchase the Borough's Sanitary Sewer System. The motion was seconded by Mr. DePasquale and the roll call vote was unanimous. President Roche asked Mrs. Diesinger to draft a response letter to Cumru Township for his and Ms. Nagy's review.
- Authorized Solicitor to Respond to Alvernia/Ken Grill Field Plan Change Request - After discussion, Mr. Holland made a motion to authorize Ms. Nagy to draft a response to Alvernia regarding their Field Plan Design indicating that Council cannot override the Zoning Hearing Board; therefore, requiring Alvernia to go before the ZHB to get approval of the field plan revision. The motion was seconded by Mr. Ibach and the roll call vote was unanimous.
- Approved Keller Tree Services Cost Proposal – Mr. DePasquale made a motion to accept Keller Tree Services proposal of \$3,800.00 for the tree removal project at the Woodcrest stub. Mr. Correnti seconded the motion and the roll call vote was unanimous.

New Business –

- Adopted 2014 Final Budget - Mr. Ibach made a motion to approve the 2014 final budget of \$1,995,700. Mr. Holland seconded the motion and the roll call vote was unanimous.
- Adopted Ordinance #557 - 2014 Tax Levied - Mr. Holland made a motion to adopt Ordinance #557 which increases the total property tax rate by 1 mill to 5.6 mills. Mr. Fritz seconded the motion and the roll call vote was unanimous.
- Adopted Ordinance #558 - Amends Sanitary Sewer Rate - Mr. DePasquale made a motion to adopt Ordinance #558 which amends the sanitary sewer rate from \$90 to \$100 effective 4/1/14. The

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change will be in the 2nd Quarter billing mailed in July. Mr. Fritz seconded the motion and the roll call vote was unanimous.

- Approved Resolution #628 for the 2014 General and Sewer Fund Expenditures - Mr. Holland made a motion to adopt Ordinance #557 to approve the 2014 budgeted expenditures. Mr. Ibach seconded the motion and the roll call vote was unanimous. Mrs. Diesinger commented that this is the first year in the last several years where the Borough did not have to use our reserves to balance the budget.
- Approved Resolution #629 - 2014 Workshop, Regular Council and Planning Commission Meeting - Mr. DePasquale made a motion to approve Resolution #629 which sets the 2014 Workshop, Regular Council and Planning Commission Meeting schedules. Mr. Mohn seconded the motion and the roll call vote was unanimous. It was agreed that the Borough office should post a sign to inform the public if the monthly Planning Commission meeting is cancelled.
- Adopted Ordinance #559 – Blight Ordinance #2 - Fire Insurance Escrow - Mr. Mohn made a motion to adopt Ordinance #559. Mr. Ibach seconded the motion and the roll call vote was unanimous.
- Adopted Ordinance #560 – Blight Ordinance #3 – Blighted Properties Property Maintenance Violations - Mr. DePasquale made a motion to adopt Ordinance #560. Mr. Ibach seconded the motion and the roll call vote was unanimous.
- Approved 2014 Berks Conservancy Donation – After discussion about the Berks Conservancy’s activities and services, Mr. Fritz made a motion to approve donating \$150.00 to the Berks Conservancy in 2014. Mr. Ibach seconded the motion and the roll call vote was unanimous.
- Authorized Renewal of the Southern Berks Regional Emergency Medical Services (SBREMS) Agreement – After much discussion, Mr. Fritz made a motion to renew the services agreement with SBREMS for one year. Mr. Correnti seconded the motion and the roll call vote was unanimous.
- Authorized Up to \$14,000 for Recodification of Ordinances in 2014 – Mr. Ibach made a motion to approve the recodification of the Borough ordinances not to exceed \$14,000. Mr. DePasquale seconded the motion and the roll call vote was unanimous.
- Census Ordinance – Ms. Nagy will do further research and will a draft version of the ordinance for Council’s review at the February meeting.
- Animal Rescue League Services Contract Renewal – Before renewing the ARL contract, each Councilman will review the contract document and Mrs. Diesinger will invite an ARL representative to attend the January or February meeting. Chief Heim will also confirm what the Police Department’s current procedures are with regards to ARL’s services.

Reminders –

- Holiday Parade and Party - Saturday, December 21, 2013
- Borough Hall Closed – from noon on Tues, 12/24 and 12/31 to 8 a.m. Thurs, 12/26 and 1/2/2014
- Reorganization Meeting – Monday, January 6, 2014, 7:00 p.m.
- Borough Council & Staff Open House – Friday, December 20th, 11:30-1:30 PM

REMARKS – there being no further remarks or business, Mr. DePasquale made a motion to adjourn the meeting; motion was seconded by Mr. Ibach. Meeting adjourned at 8:16 PM.

ATTEST: _____

Eileen D. Becker – Secretary/Treasurer