



CITY COUNCIL

Meeting Agenda

**REGULAR MEETING
COUNCIL CHAMBERS**

**MONDAY, APRIL 11, 2011
7:00P.M.**

The Regular Meetings of City Council are filmed and can be viewed LIVE while meeting is taking place or at your convenience at any time after the meeting on the City's website at www.ReadingPa.gov, under Info and Downloads/Meetings and Agendas

1. OPENING MATTERS

A. CALL TO ORDER

B. INVOCATION: Pastor Fred Opalinski, Trinity Lutheran Church

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

2. PROCLAMATIONS AND PRESENTATIONS

- Council Commendation recognizing Fair Housing Month, accepted by Kimberly Talbot, Executive Director Reading Human Relations Commission

3. PUBLIC COMMENT – AGENDA MATTERS:

Citizens have the opportunity to address the Council, by registering with the City Clerk before the start of the meeting. All remarks must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Any person making personally offensive or impertinent remarks or any person becoming unruly while addressing Council may be called to order by the Presiding Officer and may be barred from speaking before Council, unless permission to continue speaking is granted by the majority vote of Council.

All comments by the public shall be made from the speaker's podium. Citizens attending the meeting may not cross into the area beyond the podium. Any materials to be

distributed to Council must be given to the City Clerk before the meeting is called to order.

Those commenting on agenda business shall speak at the beginning of the meeting and shall limit their remarks to 5 minutes. Those commenting on general matters shall speak after the legislative business is concluded and shall limit their remarks to 3 minutes. No comments shall be made from any other location except the podium, and anyone making "out of order" comments may be subject to removal. There will be no demonstration at the conclusion of anyone's remarks. Citizens may not ask questions of Council members or other elected or public officials in attendance.

4. APPROVAL OF AGENDA

A. MINUTES: Council meeting of March 28, 2011

B. AGENDA: Council meeting of April 11, 2011

5. Consent Agenda Legislation

A. Resolution - authorizing the Mayor to execute a FFY2010 (36th CD year - January 1, 2010 - December 31, 2010) and FFY2011 (37th CD year - January 1, 2011 - December 31, 2011) action plan amendment to move \$30,000 in CDBG funding from the 2010 Street paving activity to the North 14th Street speed table activity **(CD)**

B. Resolution – authorizing the Mayor of the City of Reading is authorized to file an application for DCED funds in the amount of three hundred thousand dollars (\$300,000.00) for the “Goggle Works Apartments” project at Second & Washington Streets and to execute any and all necessary documents and to carry out all procedures as required by the Commonwealth of Pennsylvania. In addition, the City of Reading will: (1) assume the provision of the full local share of the project costs; and (2) reimburse the Commonwealth for the DCED’s share of any expenditures found by DCED to be ineligible. The City Clerk is directed to execute a certificate attesting to the adoption of this Resolution and to furnish a copy to the DCED **(Law)**

C. Award of Contract – to Lechmanik, Inc., 414 Birmingham Road, West Chester, PA 19382, at a total submitted bid price of \$199,900.00 for various improvements to the Northmont Playground for the Departments of Public Works and Community Development. Lechmanik, Inc. is the low bidder to meet the specifications **(Purchasing)**

D. Award of Contract - to Entech Engineering, 4 South Fourth Street, Reading, PA 19602, for a total submitted price of approximately \$98,100 for the WWTP Flow Meter Design Project for the Public Works Department **(Purchasing)**

6. ADMINISTRATIVE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR

8. REPORT FROM DEPT. DIRECTORS, BOARDS, AUTHORITIES, & COMMISSIONS

9. ORDINANCES FOR FINAL PASSAGE

A. Bill No. 17-2011 - amending the City of Reading Codified Ordinances Chapter 1 Administration and Government, §1-186. Fiscal Provisions, Parts 2 and 3 by replacing the terms Finance Director and Finance Department with Director of Administrative Services and Department of Administrative Services and amending language regarding Fund Transfers and Inter-fund Borrowing **(Council Staff & PFM)**
Introduced at the March 28 regular meeting

B. Bill No. 18-12011 - establishing a four-way stop intersection at North 13th Street and Elm Street in the City of Reading, Pennsylvania **(Law/Public Works)**
Introduced at the Jan 10 regular meeting

10. INTRODUCTION OF NEW ORDINANCES

A. Ordinance – amend 2011 Full Time Position Ordinance by adding a Planner II in the Community Development Department who will focus on the Ricktown Project **(Mayor)**

B. Ordinance – amending Ordinance 3-2011 (Investigation of any Unauthorized Use of Sewer Funds) by deleting the word “independent” in Section 1 Paragraph 1 first sentence and Section 1 Paragraph 2 in its entirety **(Law/Council Staff)**

C. Ordinance – authorizing the Mayor to execute the lease between the City of Reading and the Reading Area Fire Fighters Museum, Inc. for premises located at 501 South 5th Street, Reading, Berks County, PA **(Law/Mayor)**

Pending Legislation

Ordinance - establishing a four-way stop intersection at N. 13th St and Richmond St in the City of Reading, Pennsylvania **(Public Works)** *Introduced at the Jan 10 regular meeting*

Ordinance – changing the topographical map of the City of Reading to reflect the street name change from Avenue A to Senator O’Pake Avenue **(Council Staff/Law)**
Introduced at the Feb 28 regular meeting; Town Meeting scheduled April 7

11. RESOLUTIONS

A. Resolution – reappointing William Gernert to the Plumbing Board (**Admin Oversight**)

B. Resolution – appointing Ricardo Nieves to the Environmental Advisory Council (**Admin Oversight**)

C. Resolution – appointing Timothy Steinrock to the Legislative Aide Committee (**Admin Oversight**)

D. Resolution – appointing Carl McLaughlin to the Water Authority (**Admin Oversight**)

E. Resolution – reappointing Frank Gilyard to the Historical Architectural Review Board (**Admin Oversight**)

12. PUBLIC COMMENT – GENERAL MATTERS

13. COUNCIL BUSINESS / COMMENTS

14. COUNCIL MEETING SCHEDULE

Monday, April 11

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

Monday, April 18

Public Works Committee – Council Office – 5 pm

Finance Committee – Council Office – 5 pm

Work Session – Penn Room – 7 pm

Monday, April 25

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

15. BAC AND COMMUNITY GROUP MEETING SCHEDULE

Monday, April 11

Fire Civil Service Board – Penn Room – 4 pm

6th & Amity Neighborhood & Playground Assn – 6th & Amity Fieldhouse – 6:30 pm

Tuesday, April 12

Airport Authority – Airport Authority Office – 8:15 am

Water Authority Workshop – Penn Room – 4 pm

District 11 Crime Watch – Orthodox Presbyterian Church – 7 pm

Wednesday, April 13

Zoning Hearing Board – Penn Room – 5:30 pm

Center City Community Organization – Holy Cross Church – 6 pm

Thursday, April 14

Police Pension Board – Penn Room – 10 am

Legislative Aide Committee – Penn Room – 7:30 pm

Friday, April 15

Fire Pension Board – Penn Room – 10 am

Monday, April 18

Library Board – 113 S 4th St – 4 pm

Tuesday, April 19

Park and Recreation Advisory Committee – Pendora Fieldhouse – 5 pm

Charter Board – Penn Room – 7 pm

HARB – Planning Conference Room – 7 pm

Wednesday, April 20

Officers and Employees Pension Board – Penn Room – 1:30 pm

Diversity Board – Penn Room – 4:30 pm

Redevelopment Authority – Redevelopment Authority Office – 5:30 pm

Board of Health – Penn Room – 6 pm

Centre Park Historic District – Member's home – 7:30 pm

Thursday, April 21

Dare 2 Care – Bethel AME Church – 5:30 pm

Blighted Property Review Committee – Penn Room – 6 pm

Southeast People's Voice – St. John's UCC – 6 pm

Mulberry & Green Citizens Committee – St. Luke's Lutheran Church – 6:30 pm

Monday, April 25

DID Authority – Reading Eagle 3rd Floor conference room – noon

BARTA – BARTA Office – 3 pm

District 7 Crime Watch – Holy Spirit Church – 7 pm

City of Reading City Council
Regular Business Meeting
Monday, March 28, 2011

Vaughn D. Spencer, President of Council, called the meeting to order.

The invocation was given by a representative of Reverend Efrain Ortiz from the St. Paul's Church of God.

All present pledged to the flag.

ATTENDANCE

Council President Spencer
Councilor Acosta, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Sterner, District 3
Councilor Marmarou, District 4
Councilor Reed, District 5
Councilor Waltman, District 6
Mayor T. McMahon
Managing Director C. Geffken
City Auditor D. Cituk
City Clerk L. Kelleher
City Solicitor C. Younger
Sergeant at Arms Captain R. Schafer

PROCLAMATIONS AND PRESENTATIONS

City Council issued the following commendations:

- Council Commendation recognizing Greek Independence Day

PUBLIC COMMENT

Council President Spencer announced that two (2) citizens were registered to address Council on non-agenda topics. He inquired if any member of Council objected to suspending the rule requiring non-agenda comment at the end of the meeting. As no one objected the rule requiring non-agenda comment at the end of the meeting was suspended. Council President Spencer reminded those registered to speak of the remaining public speaking rules.

Steve Fuhs, of Rose Virginia Road, reminded the City and the candidates running for City offices in the up and coming primary election about the integrity in government local legislation regarding campaign signs. He noted the need for all running for City offices to follow the rules regarding campaign contributions contained in the legislation. He requested that the City Clerk mail a copy of that legislation to all registered to run for City offices in the upcoming primary election

Otis Smith, of South 18th Street, stated that while he supports the Olivet's program and their recreational model, he's concerned with the impact the proposed Rec Center will have on Pandora Park. He expressed the belief that the issue was moved forward without proper public disclosure and public input. He described the nature of the park and its use by residents and non-City residents. He suggested that the City and Olivets consider an alternate location and expressed concerned that the proposed project may limit open use of the park area. He suggested that the City consider instead a partnership with the Olivet's for additional recreation programs in the current Pandora park field house.

APPROVAL OF THE AGENDA & MINUTES

Council President Spencer called Council's attention to the agenda for this meeting, including the legislation listed under the Consent Agenda heading and the minutes from the March 14th Regular Meeting of Council.

Mr. Sterner expressed the need for a correction in the minutes. He stated that in the vote for 3 - 2011 he was listed as voting; however he was not there. He stated that the vote count in the paragraph is correct.

Council President Spencer noted the need to add the Pandora resolution to the resolution portion of the agenda.

Councilor Sterner moved, seconded by Councilor Goodman-Hinnershitz, to approve the minutes from the March 14th Regular meeting of Council as corrected, and the agenda, as amended with legislation listed under the Consent Agenda heading. The motion is approved unanimously.

Consent Agenda Legislation

Resolution 49–2011 - exonerating the 2009 property taxes for 601 Centre Avenue, owned by Iglesia de Dias Penecostal (Council Staff)

Award of Contract - for Furnishing Bituminous Materials and Asphalt Cements for Pick-up to South Reading Blacktop, Division of Reading Materials, 148 Angstadt Lane, Birdsboro, PA 19508 who is the low bidder at the unit prices submitted for an estimated total bid price of \$54,220.00, for the Department of Public Works and the Reading Area Water Authority (**Purchasing**)

ADMINISTRATIVE REPORT

Managing Director Geffken read the report distributed to Council at the meeting covering the following:

- Receipt of an Arbitration Award for the collective bargaining contract with IAFF 1803 which is in conformance with the Act 47
- Announcement of the bond refinancing this spring at an investment grade rating due to the implementation of Act 47 Recovery plan
- Announcing the finalization of negotiations with Exide for the remediation of Bernhart's Park. He thanked the City Clerk for taking the lead in these negotiations.

Mayor McMahan read letters from 16th and Haak Elementary students regarding Pendora Park.

Councilor Goodman-Hinnershitz stated that she is pleased with the results of the IAFF arbitration and the ability of all parties to work together.

AUDITOR'S REPORT

City Auditor Cituk read the report distributed to Council at the meeting covering the following:

- 2011 Admissions Tax Collection
- 2011 Real Estate Transfer Tax Collection
- Preparation of Submission of AG385 Pension Report to the State for Police, Fire, and Non-Uniformed Pension Funds

Councilor Waltman inquired if the projection used in the five (5) year break out of Real Estate Transfer Tax collections shown in the Auditor's Report. He noted that many variables may not be considered.

ORDINANCES FOR FINAL PASSAGE

Bill 15-2011 - amending the City of Reading Codified Ordinances Chapter 1 Administration & Government, Part 11 Initiative and Referendum Section 1-1105 Form

and Content in accordance with the Order from the Charter Board dated February 2011
(Council Staff/Law) Introduced at the March 14 regular meeting

Councilor Acosta moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 15-2011.

Council President Spencer stated that this amendment was suggested by the Charter Board after they wrote a ruling on a Charter complaint issued on this legislation. He stated that all other components of the legislation remain in full effect; however the requirement to list the Ward and Precinct on petitions is removed.

City Clerk Kelleher stated that approximately six (6) to eight (8) petitions for referendum and initiatives were presented to the City Clerk's office between 1996 and the time the legislation was approved. She stated that the process was very difficult due to lack of procedure in the Charter. She explained that after a lengthy research project with the Solicitor's office this legislation was drafted and enacted by Council after it was reviewed by the Charter Board. She explained that the ordinance does not change the Charter but merely provides process around the basics stated in the Charter.

Bill No. 15-2011 was enacted by the following vote:

Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer, President – 7

Nays: None – 0

Bill No. 16-2011 - authorizing the Mayor to execute an access agreement, which includes a memorandum of understanding, between the City of Reading and Exide Technologies, thereby giving Exide Technologies permission to enter onto property known as Bernhart Park located along Spring Valley Road in Muhlenberg Township, Berks County, Pennsylvania, ("the site"), and described more fully below, to perform work to remediate the Park as negotiated by the City of Reading and Exide Technologies as a result of the United States Department of Environmental Protection Agency's (USEPA) administrative order of consent (USEPA docket number rcra-iii-3-2000-002th) as well as to execute the memorandum of understanding which addresses the scope of work items negotiated with the City of Reading regarding the site that were not mandated by the USEPA nor included as part of the revised work plan, as described more fully below **(Council Staff/Law) Introduced at the March 14 regular meeting**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to enact Bill No. 16-2011.

Councilor Goodman-Hinnershitz thanked the City work group and the City Clerk for pulling all parties together and finalizing this matter. She noted that it was a long hard road to a successful end result that will return the park to full use.

Councilor Waltman discussed the 10+ year process to yield this successful result. He thanked Senator Specter, Senator Casey and Representative Santoni for their help in driving this issue home. He stated that the damage and contamination at the park is decades old and congratulated Exide for being a good partner.

Councilor Sterner thanked the City's work group for negotiating a successful resolution.

Mayor McMahon questioned if the park would be open to unrestricted use. City Clerk Kelleher stated that the park would be open for unrestricted use. She explained that the path in the high slope area will be remediated by Exide and Exide will install a natural barrier to deter visitors from leaving the path into contaminated areas.

Council President Spencer also thanked Muhlenberg Township and the County Commissioners for their support in bringing this to a successful resolution.

Bill No. 16-2011 was enacted by the following vote:

Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer, President – 7

Nays: None – 0

INTRODUCTION OF NEW ORDINANCES

Council President Spencer read the following ordinance into the record:

Ordinance - amending the City of Reading Codified Ordinances Chapter 1 Administration and Government, §1-186. Fiscal Provisions, Parts 2 and 3 by replacing the terms Finance Director and Finance Department with Director of Administrative Services and Department of Administrative Services and amending language regarding Fund Transfers and Inter-fund Borrowing (**Council Staff & PFM**)

RESOLUTIONS

Resolution 50–2011 - appointing Gary Wegman to the Citizens Advisory Board

(Admin Oversight)

Councilor Marmarou moved, seconded by Councilor Reed, to adopt Resolution No. 50-2011.

Resolution No. 50-2011 was adopted by the following vote:

Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer, President – 7

Nays: None – 0

Resolution 51-2011 – supporting the construction of the Olivet’s Boys and Girls Club recreation center in Pendorf Park

Councilor Acosta moved, seconded by Councilor Reed, to adopt Resolution No.51-2011.

Councilor Waltman expressed his belief in the focus of the Olivet’s organization and added that the facility will serve the surrounding community well if it is properly located at a perimeter location away from the residential properties. However, he expressed the belief that City should not lose control over the park and that the park should remain open for public access.

Councilor Reed agreed and expressed her belief in the twelve (12) month programming provided by the Olivet’s organization.

Councilor Goodman-Hinnershitz stated that due diligence by the Olivet’s resulted in their desire to locate the facility in Pendorf Park. She noted their need of the ample space to support the facility. She also expressed the belief that the Olivet’s organization will work with the community and the City Recreation Division to properly manage the facility and provide access. She expressed her belief in the good investment the facility will provide for the community.

Councilor Sterner expressed his agreement with the location of the Olivet’s recreation center in Pendorf Park as it will provide an excellent recreation resource for the surrounding community.

Council President Spencer stated that he agrees with supporting the project; however he noted the need for the City to approve the location of the facility in the Park prior to executing any additional documents. He expressed the belief that the City, by

supporting this project, is taking a walk of faith as the plans for the facility have not yet been created or released to the City.

Resolution No. 51-2011 was adopted by the following vote:

Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer, President – 7

Nays: None – 0

COUNCIL COMMENT

Councilor Marmarou noted the importance of the continuation and celebration of the Greek culture and community in the United States.

Councilor Reed stated that she is having a town meeting regarding honoring the late Senator O’Pake on April 7th at 6pm at Christ Lutheran Church.

Councilor Waltman thanked the Reading Fire Department and also the surrounding municipalities for their work to contain the fire at the Argo facility located 2nd and Buttonwood Streets.

Councilor Sterner congratulated the Greek community and thanked tonight’s speakers. He reminded all of the upcoming April carnival at Hillside playground.

Council President Spencer announced the Council meeting schedule.

Councilor Acosta moved, seconded by Councilor Marmarou, to adjourn the regular meeting of Council.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk

AGENDA MEMO

COMMUNITY DEVELOPMENT

TO: CITY COUNCIL
FROM: DANIEL ROBINSON, DIRECTOR
MEETING DATE: April 11, 2011
AGENDA MEMO DATE: March 7, 2011
REQUESTED ACTION: TO APPROVE AN AMENDMENT TO THE FFY2010 (36TH YEAR - JANUARY 1, 2010 TO DECEMBER 31, 2010) CDBG ACTION PLAN AND THE FFY2011 (37TH YEAR - JANUARY 1, 2011 TO DECEMBER 31, 2011) CDBG ACTION PLAN

CD is asking City Council to pass the resolution at the **April 11, 2011** City Council meeting.

BACKGROUND: City Council has requested that the Department of Public Works install two speed tables on North 14th Street between Elm Street and Greenwich Street for control of speeding.

BUDGETARY IMPACT: None.

PREVIOUS ACTION: None.

SUBSEQUENT ACTION: None

RECOMMENDED BY: Public Works Director, Managing Director and Mayor.

RECOMMENDED MOTION: To approve/deny a Council Resolution authorizing the Mayor to execute a FFY2010 (36th CD year - January 1, 2010 to December 31, 2010) and a FFY2011 (37th CD year - January 1, 2011 to December 31, 2011) Action Plan Amendment to move \$30,000 in CDBG funding from the 2010 Street Paving activity to the North 14th Street Speed Table activity.

Cc: Carl Geffken
Charles Jones
Dan Wright
Neil Nemeth
Alex Palacios

RESOLUTION No. _____

RESOLUTION OF THE COUNCIL OF THE CITY OF READING AUTHORIZING THE MAYOR TO EXECUTE A FFY2010 (36TH CD YEAR - JANUARY 1, 2010 - DECEMBER 31, 2010) AND FFY2011 (37TH CD YEAR - JANUARY1, 2011 - DECEMBER 31, 2011) ACTION PLAN AMENDMENT TO MOVE \$30,000 IN CDBG FUNDING FROM THE 2010 STREET PAVING ACTIVITY TO THE NORTH 14TH STREET SPEED TABLE ACTIVITY.

WHEREAS, under 24 CFR Part 91, the U.S. Department of Housing and Urban Development (HUD) outlines the consolidated submissions for Community Planning and Development programs which will serve as (1) a planning document for the City that builds on a participatory process at the grass roots level; (2) an application for federal funds under HUD's formula grant program; (3) a strategy to be followed in carrying out HUD programs; and (4) an Action Plan that provides a basis for assessing performance;

WHEREAS, the FFY2009 to FFY2013 five year Consolidated Plan (35th to 39th years - January 1, 2009 to December 31, 2013) specifies activities the City will undertake to address priority needs and local objectives using formula grant funds and program income the City expects to receive during a five year period;

WHEREAS, the FFY2010 (36th year - January 1, 2010 to December 31, 2010) and FFY2011 (37th year - January 1, 2011 to December 31, 2011) Action Plans specify activities the City will undertake to address priority needs and local objectives using formula grant funds and program income the City expects to receive during the program year;

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF READING THAT:

The FFY2010 (36th CD year - January 1, 2010 – December 31, 2010) and FFY2011 (37th CD year - January 1, 2011 – December 31, 2011) Action Plans are amended to move \$30,000 in CDBG funding from the 2010 Street Paving activity to the North 14th Street Speed Table activity. The activity eligibility / fundability determination is public facilities and improvements 24CFR570.201(c) / low mod area 24CFR570.208(a)(1). The service area contains 64% low mod persons.

The Mayor, on behalf of the City of Reading, is authorized and directed to execute the amendment to the satisfaction of HUD.

PASSED COUNCIL _____, 20_____

PRESIDENT OF COUNCIL

ATTEST:

CITY CLERK

RESOLUTION NO. _____

WHEREAS, the City of Reading is desirous of obtaining funds from the Department of Community and Economic Development (DCED) in the amount of three hundred thousand dollars (\$300,000.00) for prevention and elimination of blight under Section 4 (c) of the Housing and Redevelopment Assistance Law, as amended; and

WHEREAS, the City of Reading has identified the “Goggle Works Apartments” project at Second & Washington Streets, Reading, Berks County, PA, as a project for prevention and elimination of blight.

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

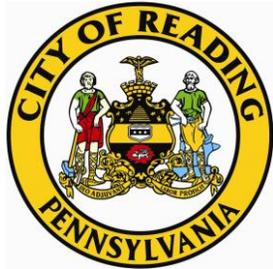
That the Mayor of the City of Reading is authorized to file an application for DCED funds in the amount of three hundred thousand dollars (\$300,000.00) for the “Goggle Works Apartments” project at Second & Washington Streets and to execute any and all necessary documents and to carry out all procedures as required by the Commonwealth of Pennsylvania. In addition, the City of Reading will: (1) assume the provision of the full local share of the project costs; and (2) reimburse the Commonwealth for the DCED’s share of any expenditures found by DCED to be ineligible. The City Clerk is directed to execute a certificate attesting to the adoption of this Resolution and to furnish a copy to the DCED.

Adopted by Council _____, 2011

President of Council

Attest:

City Clerk



AGENDA MEMO

DEPARTMENT of ADMINISTRATIVE SERVICES

TO: City Council
FROM: Tammi Reinhart, Purchasing Coordinator
PREPARED BY: Tammi Reinhart, Purchasing Coordinator
MEETING DATE: April 11, 2011
AGENDA MEMO DATE: April 6, 2011
RECOMMENDED ACTION: Awarding of Contract for improvements to the Northmont Playground for the Departments of Public Works and Community Development.

RECOMMENDATION

The recommendation is to award the contract to Lechmanik, Inc., 414 Birmingham Road, West Chester, PA 19382, at a total submitted bid price of \$199,900.00 for various improvements to the Northmont Playground for the Departments of Public Works and Community Development. Lechmanik, Inc. is the low bidder to meet the specifications.

BACKGROUND

Bids for improvements at the Northmont Playground for the Departments of Public Works and Community Development were received on March 10, 2011. The bid award is based on various items which include renovations to the site, safety surface installation and playground equipment installation.

A copy of the Schedule of Bids is attached for your review.

BUDGETARY IMPACT

The Department of Community Development and Accounting have confirmed that funds sufficient for \$199,000.00 of this contract. The funding will be out of DCNR and CDBG monies.

PREVIOUS ACTION

None

SUBSEQUENT ACTION

Formal action by Council is needed to award the contract at the April 11, 2011 meeting.

RECOMMENDED BY

Mayor, Managing Director, CD Director, Directors of Administrative Services and Public Works and Purchasing Coordinator.

RECOMMENDED MOTION

Approve/Deny the recommendation for the purchase of the improvements to the Northmont Playground in order that the contract may be awarded to Lechmanik, Inc.

cc: File

March 29, 2011

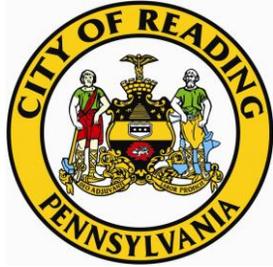
To the Mayor
City Hall
Reading, PA

The following bids were opened and scheduled, with a Contract to be awarded or the bids rejected.

**BID NO. 2001-11 FOR THE NORTHMONT PLAYGROUND PROJECT FOR THE
DEPARTMENT OF PUBLIC WORKS, CITY OF READING, PENNSYLVANIA.**

<u>BIDDER</u>	<u>TOTAL BID PRICE</u>
Lechmanik, Inc. 414 Birmingham Road West Chester, PA 19382	\$199,900.00
Empire Wrecking Co. 1420 Clarion Street Reading, PA 19601	\$218,995.00
Land-Tech Enterprises, Inc. 3084B Bristol Road Warrington, PA 18976	\$227,899.00
Dan Malloy Paving, Inc. 1060 Boot Road Downingtown, PA 19335	\$231,000.00
Bertolet Construction Corp. 100 South Church Road Wernersville, PA 19565	\$235,236.00
Accell, Inc. P.O. Box 550 Birdsboro, PA 19508	\$237,353.00
Doug Lamb Construction 1180 Zeager Road Elizabethtown, PA 17022	\$257,328.00

TAMMI REINHART



AGENDA MEMO

DEPARTMENT of ADMINISTRATIVE SERVICES

TO: City Council
FROM: Tammi Reinhart, Purchasing Coordinator
PREPARED BY: Tammi Reinhart, Purchasing Coordinator
MEETING DATE: April 11, 2011
AGENDA MEMO DATE: April 6, 2011
RECOMMENDED ACTION: Awarding of Contract for the WWTP Flow Meter Design Project for the Public Works Department.

RECOMMENDATION

The recommendation is to award the contract to Entech Engineering, 4 South Fourth Street, Reading, PA 19602, for a total submitted price of approximately \$\$98,100.

BACKGROUND

Proposals for the WWTP flow meter design project were received on March 25, 2011 for the Public Works Department. The intent of this project is to install a new flow meter to measure wastewater flow from the existing 6th and Canal Street Pump Station to the existing WWTP. Flow measurement will be accomplished via the installation of a new magnetic flow meter in a vault installed adjacent to the existing venture meter pit near Primary Settling Tank No. 1. The City employed a six-member evaluation team that considered criteria including, but not limited to, experience of the firm, experience of the staff, references, responsiveness and price. The responses to the requests for proposals were evaluated independently by the members of the RFP selection review committee. All six evaluators of the proposals recommend Entech's appointment.

BUDGETARY IMPACT

This project will be funded by the sewer funding and the STAG grant.

PREVIOUS ACTIONS

None.

SUBSEQUENT ACTION

Formal action by Council is needed to award the contract at the April 11, 2011 meeting.

RECOMMENDATION

The recommendation is that City Council approves the recommendation of the Administration to employ Entech Engineering for the WWTP Flow Meter Design Project for the Public Works Department.

RECOMMENDED BY

Mayor, Managing Director, Director of Administrative Services, Public Works Director and Purchasing Coordinator.

RECOMMENDED MOTION

To approve/deny Administration's recommendation that Entech Engineering be retained for the WWTP Flow Meter Design Project on behalf of the City of Reading.

cc: File

April 6, 2011

To the Mayor
City Hall
Reading, PA

**RFP FOR THE FLOW METER DESIGN PROJECT, FOR THE DEPARTMENT OF
PUBLIC WORKS, CITY OF READING, PENNSYLVANIA**

Proposals were received from the following firms:

Entech Engineering
4 South Fourth Street
Reading, PA 19602

Arro Engineering
50 Berkshire Court
Suite 209
Wyomissing, PA 19610

TAMMI REINHART
Purchasing Coordinator

BILL NO. _____ 2011

AN ORDINANCE AMENDING THE CITY OF READING CODIFIED ORDINANCES CHAPTER 1 ADMINISTRATION AND GOVERNMENT, §1-186. FISCAL PROVISIONS, PARTS 2 AND 3 BY REPLACING THE TERMS FINANCE DIRECTOR AND FINANCE DEPARTMENT WITH DIRECTOR OF ADMINISTRATIVE SERVICES AND DEPARTMENT OF ADMINISTRATIVE SERVICES AND AMENDING LANGUAGE REGARDING FUND TRANSFERS AND INTERFUND BORROWING.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Amending the Codified Ordinances Chapter 1 Administration and Government, §1-186 Fiscal Provisions, Parts 2 and 3 by changing language referring to the Finance Director and Finance Department with Director of Administrative Services and Department of Administrative Services detailed in the attached Exhibit "A".

SECTION 2. This Ordinance shall become effective ten (10) days after its approval, in accordance with Section 221 of the City of Reading Home Rule Charter.

Adopted by Council on _____, 2011

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

EXHIBIT "A"

§1-186. Fiscal Provisions.

1. Fiscal Year.

Section 901. Fiscal Year. The fiscal year of the City shall be the calendar year. If not prohibited by law, the Council may, by ordinance, adopt a different fiscal year, specifying an orderly procedure for financial and budgetary controls in making such transition.

2. Director of ~~Finance~~ Administrative Services

A. **Bonding.** The Director of ~~Finance~~ Administrative Services shall be bonded in such amount as determined by the Administrative Code. He/She shall assist the managing director in determining which personnel in the Department of the ~~Finance~~ Administrative Services shall be bonded.

B. **Policies and Procedures.** The Director of ~~Finance~~ Administrative Services shall be responsible for preparing policies and procedures as required by the Administrative Code. These policies and procedures shall be available to the public for inspection. Copies may be made for the public at a reasonable cost *set by the PA Right to Know Statute*.

C. **Securities.** The Department of ~~Finance~~ Administrative Services is authorized and empowered on behalf of the City to establish and maintain accounts with those banks and brokers as are necessary and convenient for the purchase and sale of any and all forms of securities which are in accordance with the City's investment policy.

3. Regulations Concerning Appropriations and Transfers.

A. The authorization and expenditure of all funds and preparation of department budgets shall be in accordance with a policy adopted by the Council and a procedures manual to be prepared and periodically reviewed and updated by the Department of ~~Finance~~ Administrative Services. Expenditures shall be executed in a uniform manner for every City Department.

B. The Director of Finance Administrative Services shall prepare and submit a monthly report to the Mayor, the managing director, and Council. This monthly report shall include all revenues and expenditures for each City Department, and status reports comparing those expenditures with the adopted budget, including an estimate of the fiscal year-end projections for both revenues and expenditures. as well as any Department justification of transfer of funds within departments and between departments. All reports shall also include the receipt or forecast of nonrecurring revenues. For the purpose of this policy, non-recurring revenues shall include land or asset sales, use of fund balance, transfers from other funds that exceed ongoing and sustainable levels, and transfers from other funds that exceed legal limits. Non-recurring revenues also include any revenue that is anticipated to be received for only one year.

In addition to these monthly reports, the Managing Director shall also submit quarterly financial reports as outlined in initiative FI04 of the City's Act 47 Recovery Plan dated June 11, 2010.

C. In order to allow flexibility in the administration of the City's business, departments may transfer money between line items within the department. A majority of Council, in response to any monthly report, may place a limit on the amount of additional excess expenditure allowed for any program or line item. This is not intended to restrict unduly the Mayor's ability to manage and administer the budget.

D. Justification for transferring money between departments must be presented to and approved by Council. The procedures manual will stipulate the following:

- (1) Expenditure procedures.
- (2) Justification procedures for transferring money between line items.
- (3) Justification procedures for transferring money between departments.
- (4) Administration of petty cash funds.

~~E. Requiring an amendment to the City's annual Budget Ordinance authorizing the transfer of all monies including, but not limited to, transfers between departments, and transfers in and out of any City fund, account or line item either attached in part or unattached to a departmental budget. The request for a budget amendment must be submitted to City Council with an agenda memorandum explaining the justification for transfer and the proposed use for the funds transferred. [Ord. 36-2000]~~

E. Fund Transfers & Subsidies: The City may make permanent, annual transfers from other City funds into the General Fund under the following conditions:

- (1) Use a cost allocation method to allocate administrative and overhead costs to other funds or programs receiving administrative services from the City. The cost allocation method must be applied consistently across funds and years. The cost allocated to each fund must be sustainable by those other funds. A summary of the cost allocation method for each allocated cost shall be maintained in writing.
- (2) There shall be an adopted schedule for transfers included in the annual budget. Transfers that are not annual shall occur at least quarterly. The City may also make transfers from enterprise funds according to the following conditions:
 - (a) The transfer complies with all applicable federal and/or state requirements and agreements.
 - (b) The transfer is based on an adopted calculation methodology applied each year. This methodology may be based on percentage of revenues, return on investment, percentage of net revenues, or other calculation adopted by the City Council. The methodology should be adopted consistently each year.

F. Interfund Borrowing: The City will limit its use of interfund fund borrowing to obtain cash from one fund type or reserve to fund activities of another fund type or reserve, and will apply the following conditions to limit such borrowings:

- (1) The borrowing is deemed a lawful use of such funds;
- (2) The Director of Administrative Services has determined that the funds to be borrowed will not be needed by the lending fund during the lending period;
- (3) The borrowing is for a temporary period with repayment scheduled during the same fiscal year;
- (4) Any borrowing activity that cannot be repaid by the end of the fiscal year, other than temporary lags in reimbursements, will be disclosed along with a plan for replenishment within ten (10) calendar days of the transaction;

- (5) No such borrowing shall cause the City to be in noncompliance with its policy on structurally balanced budgets;
- (6) No such borrowing shall cause the City to be in noncompliance with applicable federal and/or state requirements or agreements; and
- (7) For existing borrowings that are not in compliance with this policy, the City shall adopt budgets and a plan to come into compliance by end of 2011.

Any actions taken to borrow money under these conditions must be separately disclosed in the City's periodic financial reports to City Council with an anticipated repayment date. If the cumulative amount that one fund borrows from any other fund(s) during the calendar year is more than \$500,000, any amount in excess of \$500,000 must be approved by Council. Similarly, if the cumulative amount borrowed from one fund by any other fund(s) during the calendar year is more than \$500,000, any amount in excess of \$500,000 must be approved by City Council.

F. G. Requiring an amendment to the City's annual Budget Ordinance to authorize any cumulative modification to any departmental overall budget or line item exceeds \$10,000. The request for a budget amendment must be submitted to City Council with an agenda memorandum explaining the justification for transfer and the proposed use for the funds transferred at least 2 weeks before the transfer is required. [Ord.54-2009]

~~G.~~ H. Requiring City Council approval, via ordinance, for the following:

- (1) Salary increases that were not approved in or included in the budget for the fiscal year and fall outside the labor contract for union employees.
- (2) All expenditures not approved and listed in the operating or capital budgets for the fiscal year.
- (3) All expenditures and allocations of \$50,000 or more from and to ~~any and all agency funds and~~ any and all line-items falling in the Departmental: Non Departmental area of the General Fund. [Ord. 4-2009]

I. Report on Policy Compliance: The elected City Auditor will report ~~annually~~ quarterly to City Council on the City's compliance with these policies. This report shall be made publicly available.

4. Structurally Balanced Budget: The City's objective is to achieve and maintain a structurally-balanced budget in all funds such that recurring revenues fund recurring expenditures. Non-recurring revenues and budget surpluses should replenish reserve levels, support outstanding liabilities and pay for non-recurring expenditures, including capital projects, in that order.

To that end, the Director of Administrative Services shall report to the Managing Director and City Council on the inclusion of any non-recurring revenues in each budget, forecast or actual report of financial results. That report should include the amount and use of any non-recurring revenues. For the purpose of this policy, non-recurring revenues shall include land or asset sales, use of fund balance, transfers from other funds that exceed ongoing and sustainable levels, and transfers from other funds that exceed legal limits. Non-recurring revenues also include any revenue that is anticipated to be received for only one year.

ORDINANCE NO ____-2011

**AN ORDINANCE ESTABLISHING A FOUR-WAY STOP INTERSECTION
AT NORTH 13TH STREET AND ELM STREET IN
THE CITY OF READING, PENNSYLVANIA**

**THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS
FOLLOWS:**

SECTION ONE: The intersection of North 13th Street and Elm Street in the City of Reading, Berks County, Pennsylvania is hereby established as a four-way stop intersection.

SECTION TWO: Drivers of all vehicles approaching the intersection of North 13th Street and Elm Street shall come to a complete stop and not proceed into said intersection until it can be done safely, as provided in the Pennsylvania Motor Vehicle Code, 75 Pa.C.S. § 101 et seq.

SECTION THREE: This Ordinance shall become effective ten (10) days after its adoption in accordance with Sections 219 and 221 of the City of Reading Home Rule Charter.

Enacted by Council _____,

2011

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

BILL NO. ____-2011

AN ORDINANCE

AN ORDINANCE AMENDING THE 2011 CITY OF READING FULL TIME POSITION ORDINANCE BY CREATING COMMUNITY DEVELOPMENT PLANNER II.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

Section 1. Amending the City of Reading 2011 Full-time Position Ordinance as follows:

- 1) Adding one (1) Planner II position in the Community Development Department.

Section 2. This ordinance shall become effective ten (10) days after its adoption, in accordance with Section 221 of the City of Reading Home Rule Charter.

Enacted _____, 2011

President of Council

Attest:

City Clerk

(Business Analyst)

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

**City of Reading
Listing of Positions
For the 2011 Operating Budget**

<i>Division</i>	<i>Position Title</i>	<i>2010 # of Employees</i>	<i>2011 # of Employees</i>	<i>Difference</i>
Mayor				
	Administrative Assistant To The Mayor	1	1	-
	Executive Assistant To The Mayor	1	1	-
	MAIG Regional Coordinator	1	1	-
	Mayor	1	1	-
		<hr/> 4	<hr/> 4	<hr/> -
Managing Director				
	Managing Director	1	1	-
	Business Analyst	1	1	-
	Executive Secretary/Admin Aide	1	1	-
		<hr/> 3	<hr/> 3	<hr/> -
Call Center				
	Call Center Manager	1	0 (1)	
	Customer Service Representatives	2	0 (2)	
		<hr/> 3	<hr/> 0 (3)	
Human Relations Commission				

	HRC Executive Director	1	1	-
	HRC Investigator	1	1	-
	HRC Clerk	2	2	-
		<hr/>	<hr/>	
		4	4	-
City Auditor				
	City Auditor	1	1	-
	Auditing Coordinator	1	1	-
		<hr/>	<hr/>	
		2	2	-
City Council				
	Council President	1	1	-
	Council Member	6	6	-
	Deputy City Clerk	1	1	-
	Administrative Assistant	1	1	-
	City Clerk	1	1	-
		<hr/>	<hr/>	
		10	10	-
Treasurer				
	Clerk Typist II	3	0 (3)	
	Chief Clerk	1	0 (1)	
		<hr/>	<hr/>	
		4	0 (4)	
Director of Administrative Services				
	Confidential Secretary	1	1	-
	Director of Administrative Services	1	1	-
	Grant Writer	1	1	-
	Controller	0	1 1	
		<hr/>	<hr/>	
		3	4	

			1	
Purchasing				
	Purchasing Coordinator	1	1	-
		1	1	-
Accounting				
	Accounting & Treasury Manager	1	1	-
	Accountant	1	1	-
	Pension Administrator	1	1	-
	Revenue Accountant	1	1	-
	Accounting Clerk	1	1	-
		5	5	-
Tax Administration				
	Tax Manager	1	0 (1)	
	Tax Supervisor	1	0 (1)	
	Tax Examiner	1	0 (1)	
	EIT Analyst	1	0 (1)	
	Tax Specialist	1	0 (1)	
	Accounts Coordinator	1	0 (1)	
	Secretary	1	0 (1)	
	Delinquent Tax Collector	1	0 (1)	
	Tax Clerk I	2	0 (2)	

	Tax Clerk II	2	0	(2)	
	Clerk Typist II	1	0	(1)	
		<hr/>			
		13	0	(13)	
Information Technology					
	GIS Coordinator	1	1		-
	Public Safety Support	1	1		-
	Network Administrator	1	1		-
	Developer	1	1		-
	Web Developer	1	1		-
	Trainer	1	1		-
	System Support Analyst	1	1		-
	IT Manager	1	1		-
	Lead Developer	1	1		-
		<hr/>			
		9	9		-
Citizens Service Center					
	Citizens Service Center Manager	0	1	1	
	Billing Coordinator	0	1	1	
	Treasury Coordinator	0	1	1	
	Municipal Professional	0	2	2	
	Municipal Aide II	0	7	7	
		<hr/>			
		0	12	12	

Human Resources

Payroll Clerk	1	0	(1)	
HR Floater	1	0	(1)	
Clerks	0	2	2	
Diversity and Information Officer	1	1		-
Human Resources Director	1	0	(1)	
Human Resources Supervisor	1	1		-
Human Resources Coordinator - Benefits	1	1		-

6 5 (1)

Mailroom

Mailroom Clerk	1	1		-
----------------	---	---	--	---

1 1 -

Solicitor

Solicitor	1	1		-
Confidential Secretary	1	1		-
Executive Secretary/ Admin Aide/Paralegal	1	1		-
Legal Specialist	2	3	1	

5 6 1

Public Works

Confidential Secretary	1	1		-
Public Works Director	1	1		-

1 1 -

		2	2	-
Garage				
	Maintenance Mechanic	6	6	-
	Maintenance Worker I/Parts Person	1	1	-
	Secretary	1	1	-
	Small Engine Repairperson	1	1	-
	Foreman	1	1	-
		<hr/>	<hr/>	
		10	10	-
Engineering				
	Engineering Aide III	1	1	-
	Engineering Aide IV	1	1	-
		<hr/>	<hr/>	
		2	2	-
Traffic Engineering				
	Equipment Operator I	0	0	-
	Equipment Operator II	0	0	-
	Traffic Engineering Technician	0	0	-
	Maintenance Worker I/Signmaker	0	0	-
		<hr/>	<hr/>	
		0	0	-
Highways				
	Equipment Operator II	16	16	-
	Maintenance Worker I/Signmaker	1	1	-
	Foreman	1	1	-
		<hr/>	<hr/>	
		18	18	-
Parks				
	Custodian II	0	0	-
	Equipment Operator II	3	3	-
	Equipment Operator III	2	2	-
	Foreman	2	2	-
	Maintenance Worker I	1	1	-

	Maintenance Worker II	0	0	-
	Maintenance Worker III	1	1	-
	Operations Division Manager	1	1	-
	Secretary	1	1	-
		<hr/>	<hr/>	
		11	11	-
Recreation				
	Superintendent of Recreation	0	0	-
	Recreation Supervisor	2	2	-
		<hr/>	<hr/>	
		2	2	-
Public Property				
	Foreman	2	2	-
	Tradesman	4	4	-
		<hr/>	<hr/>	
		6	6	-
Police - Criminal Investigations				
	Captain 3-3	1	1	-
	Criminal Investigator	19	20	1
	Lieutenant	1	1	-
	Police Officer	4	4	-
	Sergeant	7	7	-
		<hr/>	<hr/>	
		32	33	1
Police - Special Services				
	Lead Clerk/Trainer	1	1	-
	Police Officer	0	0	-
	Police Officer/FTO	1	1	-
	Telecommunicator Supervisor	0	1	1
	Telecommunicator I	1	3	

			2	
	Telecommunicator II	12	11	(1)
	Records Clerk	4	4	-
	Records Office Supervisor	1	1	-
	TAC Officer	1	1	-
	Lieutenant	2	2	-
	Secretary - Police Academy	1	1	-
	Sergeant	2	2	-
	CCTV System Monitor	1	1	-
	Systems Administrator Supervisor	1	1	-
		28	30	2
Police - Patrol				
	Captain	2	2	-
	Clerk Typist I	0	0	-
	Lieutenant	4	4	-
	Police Officer	107	107	-
	Police Officer/FTO	5	5	-
	Sergeant	19	19	-
		137	137	-
Police PMI (moved to CD in 2011)				
	PMI Administrator	1	0	(1)
	Chief Clerk	1	0	(1)
	PMI Supervisor	3	0	(3)
	Health and Safety Clerks	3	0	(3)

	Property Maint Inspector Aide	3	0 (3)	
	Property Maintenance Inspector	14	0 (14)	
		25	0 (25)	
Police - Administration				
	Chief of Police	1	1	-
	Deputy Chief of Police	1	1	-
	Confidential Secretary	1	1	-
	Lieutenant	1	1	-
	Sergeant	1	1	-
	Inspector	1	0 (1)	
		6	5 (1)	
Fire Administration				
	Clerk Typist II	1	1	-
	Administrative Officer	1	1	-
	Fire Chief	1	1	-
	First Deputy Chief	4	3 (1)	
		7	6 (1)	
Fire Special Services				
	LT Fire Prevention Officer	2	2	-
	Fire Marshal	1	1	-
	Lt Fire Training Officer	1	1	-
		4	4	-
Fire Suppression				

	Second Deputy Chief	4	3	(1)	
	Firefighter IV	86	81	(5)	
	Firefighter III	0	0		-
	Firefighter II	10	0	(10)	
	Firefighter I	0	0		-
	LT Fire Suppression Officer	4	3	(1)	
		<hr/>			
		104	87	(17)	
Fire EMS					
	Deputy Chief/EMS Mgr	1	1		-
	EMS Lieutenant	4	4		-
	Paramedic	20	20		-
	Transport Coordinator	1	1		-
	Wheelchair Van Driver	3	3		-
		<hr/>			
		29	29		-
CD Planning					
	Planner II	0	1		
	Planner III	1	1		-
		<hr/>			
		1	2		-
CD- Property Maintenance					
	Codes Manager	0	1	1	
	Chief Clerk	0	1	1	
	PMI Supervisor	0	3		

					3
	Development & Inspection Clerks	0	2	2	
	Property Maint Aide	0	3	3	
	Property Maint Inspector	0	13	13	
					<hr/>
		0	23	23	
CD - Zoning					
	Zoning Technician	1	1		-
	Zoning Inspector	1	1		-
					<hr/>
		2	2		-
CD - Trades					
	Secretary	1	1		-
	Plumbing Inspector	1	1		-
	Building Inspector	1	1		-
	Electrical Inspector	1	1		-
	HVAC Inspector	1	1		-
					<hr/>
		5	5		-
CD - Administration					
	Deputy CD Director	0	1	1	
	PMI Specialist	0	1	1	
	CD/Hist Preserv Specialist	1	1		-
	Zoning Administrator	1	1		-
	Building Official	1	1		-
					<hr/>
		3	5	2	

CD - HUD

CD Specialist	1	1	-
CD Specialist Manager	1	1	-
CD Specialist III	1	1	-
Community Development Director	1	1	-
Confidential Secretary	1	1	-
Fiscal Officer	1	1	-
Rehab Specialist	1	1	-
	<hr/>	<hr/>	
	7	7	-

Library Administration

Director of Libraries	1	1	-
Assistant Director of Libraries	2	2	-
	<hr/>	<hr/>	
	3	3	-

Library - Circulation

Librarian I	1	1	-
Librarian II	1	1	-
Librarian III	1	1	-
	<hr/>	<hr/>	
	3	3	-

Library - Reference

Librarian II	4	4	-
Librarian III	1	1	-
	<hr/>	<hr/>	
	5	5	-

Water Administration

Foreman	1	1	-
Customer Service Rep.	2	2	-
GIS/CAD Technician	1	1	-
Engineering Aide III	1	1	-
Distribution Engineer	1	1	-
	<hr/>	<hr/>	
	6	6	-

Water Collection

Equipment Operator I	1	1	-
Equipment Operator II	1	1	-
Equipment Operator III	1	1	-
Foreman	1	1	-
Maintenance Worker II	6	6	-
Watershed Manager	1	1	-
	<hr/>	<hr/>	
	11	11	-

Water Purification

Centrifuge Operator I	0	0	-
Dewatering Technician	1	1	-
Lab Technician	1	1	-
Chief Operator	1	1	-
Clerk Typist II	1	1	-
Foreman	1	1	-
Lab Supervisor/Bact.	1	1	-
Maintenance Worker II	5	5	-
Tradesman	1	1	-
Water Plant Oper. I	1	1	-
Water Plant Oper. II	3	3	-
	<hr/>	<hr/>	
	16	16	-

Water Distribution

Equipment Operator II	3	3	-
Field Investigator	3	3	-
Foreman	1	2	1
Foreman - Meter	1	1	-
Foreman - Mechanic	1	1	-
Foreman - Main Crew	3	3	-

	Foreman - Service Crew	2	2	-
	Maintenance Mechanic II	1	1	-
	Maintenance Worker II	8	8	-
	Maintenance Worker III	6	6	-
	Superintendent	1	1	-
		<hr/>		
		30	31	1
Self - Insurance				
	Risk and Safety Coordinator	1	1	-
	OCIP Coordinator	1	1	-
		<hr/>		
		2	2	-
Sewers				
	System Superintendent	1	1	-
	Utilities Div Manager/Environ	0	1	1
	Utility Engineer	0	1	1
	Environmental Prog Coordinator	0	1	1
	Foreman	2	2	-
	Equip Op II	10	10	-
	Maint Worker III	1	1	-
		<hr/>		
		14	17	3
WWTP				
	Maint Supv	1	1	-
	Belt Press Op I	2	2	-
	Cert Oper/Shift Sup	6	6	-
	Operations Supv	1	1	-

Elec/Elect Field Eng	1	1	-
Elec/Inst Tech	1	1	-
Utilities Div Manager/Environ	1	0 (1)	
Utility Engineer	1	0 (1)	
Utility Clerk Typist	1	1	-
Env Prog Coord	1	0 (1)	
Equip Op II	1	1	-
Lab Supv	1	1	-
Lab Tech	5	5	-
Maint Worker II (Mech)	3	3	-
Maint Worker III	4	4	-
Pump Tender	4	4	-
Secretary	1	1	-
Serv Utility Person	7	7	-
Sew Plant Op I (6th St.)	4	4	-
Sew Plant Op I (Fritz Is)	1	1	-
Sew Plant Op II (Fritz Is)	3	3	-
Superintendent	1	1	-
Tradesman (Elec)	2	2	-

53 50 (3)

Recycling

Solid Waste Supervisor	1	0 (1)	
Clerk Typist II	1	0 (1)	
Solid Waste	1	1	-

Coordinator/Environmentalist

3

1 (2)

Number of Full Time Employees

660

637

-23

BILL NO. _____

AN ORDINANCE

AMENDING ORDINANCE 3-2011 (INVESTIGATION OF ANY UNAUTHORIZED USE OF SEWER FUNDS) BY DELETING THE WORD “INDEPENDENT” IN SECTION 1 PARAGRAPH 1 FIRST SENTENCE AND SECTION 1 PARAGRAPH 2 IN ITS ENTIRETY

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Ordinance 3-2011, enacted March 14, 2011, shall be and is hereby amended and shall hereafter read as set forth in Exhibit A attached hereto and made a part hereof.

SECTION 2. All other items, parts, sections, etc. of Ordinance 3-2011 shall remain in effect unchanged and likewise are ratified.

SECTION 3. This ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, or re-passage by City Council over the Mayor’s veto, in accordance with Section 219 of the City of Reading Home Rule Charter, or as set forth in Section 221 of the City of Reading Home Rule Charter.

Enacted _____, 2011

President of Council

Attest:

City Clerk

EXHIBIT A

BILL NO. 3-2011 AN ORDINANCE

IN ACCORDANCE WITH THE CITY OF READING HOME RULE CHARTER SECTION 210 - INVESTIGATIONS, CITY COUNCIL AUTHORIZES AN INVESTIGATION, AUDIT, AND STUDY OF THE UNAUTHORIZED USE OF SEWER FUNDS BY THE CITY ADMINISTRATION.

THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

Section 1. In accordance the City of Reading Home Rule Charter Section 210 – Investigations, City Council hereby authorizes an investigation as follows:

1. That an ~~independent~~ investigation of the City of Reading Mayor’s Office, Managing Director’s office, the Finance Department, and all other city and non-city entities or persons who may have used, or collaborated on the use, of the City of Reading sewer funds, the planning on the use of those funds, and the longer term strategies regarding explanation and/or payment options to the City of Reading residents and City Council. The scope should include but not be limited to determining the following:
 - a. Who(m) ultimately directed the use of the sewer funds outside of the governing laws of the City of Reading?
 - b. Who(m) decided and collaborated not to include City Council in the financial decision making process?
 - c. What criteria were used to determine the funds should be taken?
 - d. What budget amendments were suggested to address the related financial concerns?
 - e. Why no efforts were made to meet with City Council to discuss more appropriate actions?
 - f. What entities or organizations (internal and external) were utilized for guidance in the decisions?
 - g. What controls existed in the spending of those dollars?
 - h. What analysis was done to identify the original revenue weaknesses?

- i. Who, if anyone, provided any legal guidance to those involved?
 - j. What financial trail exists to determine the dollars were appropriately spent?
 - k. Was there in any way a deliberate and conspiring effort to not inform City Council of the actions that were being taken?
 - l. What was the complete financial impact/exposure to the City of Reading due to loss revenue, lack of budget adjustments, legal and financial costs, interest payments on replacement costs, and any and all other related costs to this matter.
 - m. What, if any, actions could be taken to remedy any losses, liabilities and costs that were a result of any inappropriate, illegal, or malfeasant behavior(s) that may be determined.
 - n. What systemic changes could be taken to assure the general public any inappropriate, illegal, or malfeasant behaviors that may be found could be implemented.
- ~~2. That City Council agrees to retain an independent individual and/or investigative organization to conduct the investigation of the use of the City of Reading sewer funds and to determine any and all City of Reading Charter violations or violations of law.~~
- 3. That all powers provided by Section 210 of the City of Reading Home Rule Charter be utilized as necessary to obtain a sufficient investigation.
 - 4. That all City of Reading employees cooperate with the investigation.

SECTION 2: Also in accordance with the City of Reading Home Rule Charter Section 210 – Investigations, City Council authorizes the expenditure of City funds to undertake the investigation of the use of Sewer Funds as set forth herein.

SECTION 3: This Ordinance shall become effective in ten (10) days, in accordance with Charter Section 219.

Enacted March 14, 2011

Vaughn D. Spencer
President of Council

Attest:

Linda Kelleher
City Clerk

(Members of Council)

BILL NO. _____-2011

A N O R D I N A N C E

AUTHORIZING THE MAYOR TO EXECUTE THE LEASE BETWEEN THE CITY OF READING AND THE READING AREA FIRE FIGHTERS MUSEUM, INC. FOR PREMISES LOCATED AT 501 SOUTH 5TH STREET, READING, BERKS COUNTY, PA.

WHEREAS, the City of Reading has acquired certain property situate at 501 South 5th Street, Reading, Berks County, PA; and

WHEREAS, the Reading Area Fire Fighters Museum, Inc., desires to lease premises situate at 501 South 5th Street, Reading, Berks County, PA and intends to enter into a certain lease containing the terms set forth in attached Exhibit A;

NOW, THEREFORE THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The Mayor is authorized to execute any and all documents to facilitate and effectuate the lease between the City of Reading and the Reading Area Fire Fighters Museum, Inc., for premises situate at 501 S. 5th Street, Reading, Berks County, PA in accordance with terms set forth in the attached Exhibit A.

SECTION 2. This Ordinance shall be effective ten (10) days after passage.

Enacted _____, 2011

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

Reading Area Fire Fighters Museum, Inc. Lease

This lease is made and concluded this _____ day of _____ in the year two thousand and eleven, by and between the CITY OF READING, a municipal corporation of the Commonwealth of Pennsylvania, located in the County of Berks, said Commonwealth, referred to in this Lease as “Lessor”, and the READING AREA FIRE FIGHTERS MUSEUM, INC., a Pennsylvania Nonprofit Corporation, referred to in this Lease as ‘Lessee”.

In consideration of the mutual covenants and agreements set forth in this Lease, and other good and valuable consideration, Lessor leases to Lessee, and Lessee leases from the Lessor, the entire building, situate in the firehouse located at 501 South 5th Street in the City of Reading, Berks County, Pennsylvania. The aforesaid leased premises are referred to in this lease as the ‘Premises”.

ARTICLE 1. TERM

1.01 **Term of Lease.** The initial term of this lease shall be ten years commencing on _____, _____, and ending on _____, _____, unless terminated sooner as provided in this Lease.

1.02 **Option to Extend Term.** Lessee has the right to extend this Lease beyond the expiration date provided in Paragraph 1.01 on the following terms and conditions:

(a) Should Lessee fully perform all the terms and conditions of this Lease, lessee may extend the term of this Lease for an additional period of _____ years, with the extended term to begin on the date following the expiration date of the

Lease terms specified in Paragraph 1.01, and thereafter Lessee may extend the term of this Lease for one additional period of _____years, each to commence on the day following expiration date of the immediately proceeding term. All the terms, covenants, and provisions of this Lease shall apply to all extended Lease terms.

(b) Lessee may exercise each option to extend this Lease by giving to Lessor notice of its intention to do so not later than ninety days prior to the expiration of the lease term in effect at this time. To constitute effective notice of an intention to exercise an option under this Lease, the notice must be delivered personally or be sent by certified or registered mail to the Lessor at the address provided in Paragraph, 12.03 of this Lease and must be postmarked no later than the latest date provided in this section for Lessee's exercise of the option.

1.03 **Holdover.** If Lessee holds over and continues in possession of the leased Premises after expiration of the term of this Lease or any extension of that term, other than as provided in Paragraph 1.02, Lessee will be deemed at Lessor's option to be occupying the Premises on the basis of a month-to-month tenancy, subject to all of terms and conditions of this Lease at the rent in effect during the last month of the term.

1.04 **Modification of Lease Terms.** The terms and conditions of this Lease may be renegotiated as conditions may necessitate but only upon the mutual consent of both Lessor and Lessee.

ARTICLE 2. RENT

2.01 **Rent.** Lessee agrees to pay to Lessor annual rent in the sum of One Dollar (\$1.00) payable on before _____of each year of the Lease term commencing _____, _____.

2.02 **Location.** Lessee agrees to pay rent as provided in Paragraph 2.01 to Lessor at Lessor's office, located at 815 Washington Street, Reading, Pennsylvania, or at such other location as Lessor shall from time to time designate by written notice to Lessee.

ARTICLE 3. USE OF PREMISES

3.01 **Permitted Use.** Lessee shall utilize the leased Premises during the term of this Lease solely for the purpose of creating, operating and maintaining a fire service historical museum, along with all related accessory uses consistent with this purpose.

3.02 **Waste, Nuisance, or Illegal uses.** Lessee shall not use the Premises, or permit it to be used, in any manner that results in waste of the premises or that constitutes a nuisance. Lessee shall not use the Premises, or permit it to be used, for any illegal purpose. Lessee will comply, and will cause its officers, employees, agents, and invitees to comply with all applicable laws and ordinances and with all applicable rules and regulations of governmental agencies concerning the use of Premises.

3.03 **Joint Use of Lessor.** The Reading Fire Department Volunteer Scuba Team is permitted to use the easternmost one-story garage including the toilet facilities and utilize the interior stairs to the basement.

3.04 **Display Items.** Lessor, its agents or invitees, shall not disturb, move modify or damage items in the leased Premises which are owned or which are being displayed on loan to Lessee, except those items which may be owned by Lessor.

3.05 **Quiet Enjoyment.** Lessor warrants that Lessee shall peaceably and quietly hold and enjoy leased Premises for the term hereby stated without hindrance or interruption by Lessor or any other person or persons lawfully or equitably claiming by,

through or under Lessor, subject, nevertheless, to the terms and conditions of this Lease,

3.06 **Entrance.** Lessee, its agents and invitees, shall have the right to principally use the 5th Street entrance and/or the Laurel Street entrance to the building in order to access the leased Premises.

ARTICLE 4. MAINTENANCE AND SURRENDER

4.01 **Maintenance and Surrender.** Lessor shall maintain and repair the building in which the leased Premises are located and Lessor shall be responsible to repair any damage to the leased Premises caused by the deterioration of the building in which the Premises is located. Otherwise, in general, Lessee shall be responsible for the routine cleaning and maintenance of the leased Premises as required to maintain that portion in condition suitable for public display, and keep it free from waste or nuisance throughout the Lease term and any extension of that term, provided, however, in the event that such maintenance and repairs are the result of action or conduct of Lessor or Lessor's agents or invitees, Lessor shall be solely responsible for the same.

Maintenance of the shared areas shall be shared by the Reading Fire Department Volunteer Scuba Team and Lessee commensurate with the use of the facilities by each. At the termination of the Lease, Lessee shall surrender and deliver the leased Premises to Lessor as delivered with the exception of reasonable wear and tear.

4.02 **Remedy for Failure to Maintain.** In the event Lessor or Lessee should fail to perform their respective obligations to repair or maintain as set forth in Paragraph 4.01, above, after notice of the need for such repair or maintenance and the passage of

a reasonable amount of time for performance after such notice, the notifying party may make the repairs or perform the maintenance at its own expense. In such an event, the notifying party shall be reimbursed for the reasonable expense of the repair or maintenance within thirty days (30) or at the termination of the Lease, whichever occurs first.

ARTICLE 5. UTILITIES AND GARBAGE REMOVAL

5.01 **Real Property Taxes.** Lessor shall pay and fully discharge any and all real property taxes imposed on the lease Premises during the term of this Lease.

5.02 **Utility Charges.** Lessor shall pay all utility charges for water, electricity, heat and gas used in and about the leased Premise during the term of the Lease; provided, however, if there should be significant increase in the utilities usage of the building which is related to the use of the Premise by Lessee, then lessee shall pay the utility company charge for any such increase.

5.03 **Garbage Removal.** Lessor shall pay and be responsible for the removal of all normal garbage and rubbish from the lease Premises during the term of the Lease.

5.04 **HVAC.** Lessor shall be responsible to supply adequate heating and electricity to the leased Premise, and it is Lessor's responsibility to maintain and repair, at Lessor's cost, the heating, electrical and plumbing systems servicing the building and leased Premises. When installed and made operational, central air conditioning or elevator maintenance and operating costs are the responsibility of Lessee

ARTICLE 6. ALTERATION, ADDITIONS, AND IMPROVEMENTS

6.01 **Improvements.** Lessee may, with consent of Lessor, which consent shall not be unreasonably withheld, undertake repairs or modifications to the leased Premises or to the interior or exterior of the building in which the leased Premises is located.

6.02 **Alterations Property of Lessor.** All permanent alterations, additions, or improvements made by Lessee and affixed to the building shall become the property of Lessor at the termination of this Lease, with no reimbursement to Lessee for the cost or value thereof.

ARTICLE 7. INSURANCE

7.01 **Property Insurance.** Lessor shall be responsible to maintain adequate insurance to cover any loss or damage to any items or personal property placed on the Premises by Lessee minus the deductible amount. Lessee shall be responsible for the deductible amount. Lessor is also responsible for maintaining adequate insurance coverage on the building itself.

7.02 **Liability Insurance.** Lessor, at its own expense, shall provide and maintain in force during the term of this Lease liability insurance covering Lessor with one or more insurance companies who are licensed to do business in Pennsylvania.

7.03 **Indemnity:** Lessee shall indemnify and hold harmless Lessor, City Council, its employees, and agents from all suits, actions or claims from any character, including costs and attorney fees, brought because of injuries or damages received or sustained by any person, persons, or property; on account of the performance of this agreement; or on account of or in consequence of any neglect, negligence or because of any act or omission or misconduct of Lessee or agents from any claims or amounts

arising or recovered under the Worker's Compensation Act, or any other law, ordinance, order or decree.

ARTICLE 8. DAMAGE OR DESTRUCTION OF PREMISES

8.01 **Notice to Lessor.** If the leased Premise or any improvements on the leased Premise should be damaged or destroyed by fire, flood, or other casualty, Lessee shall give immediate written notice of the damage or destruction to Lessor, including a description of the damage and, as far as known to Lessee, the cause of the damage.

ARTICLE 9. INSPECTION BY LESSOR

9.01 **Inspection by Lessor.** Lessee shall permit Lessor and Lessor's agents, representatives, and employees to enter onto the Leased Premises at all reasonable times for the purpose of inspection, maintenance, making necessary repairs or alterations to the Premises, or any other purpose necessary to protect Lessor's interest in the leased Premises.

ARTICLE 10. ASSIGNMENT AND SUBLEASE

10.01 **Assignment and Subletting by Lessee.** Lessee may not sublet, assign, encumber, or otherwise transfer this Lease, any right or interest in this lease, the leased Premises, or the improvements on the leased Premises, without the written consent of Lessor. If Lessee sublets, assigns, encumbers, or otherwise transfers its rights or interest in this Lease or the leased Premises or the improvements on the leased Premises without the written consent of the Lessor, Lessor may, at its option, declare

this Lease terminated. In the event Lessor consents in writing to an assignment, sublease, or other transfer of all or any of the Lessee's rights under this Lease, the assignee or sublessee must assume all of the Lessee's obligations under this lease.

10.02 **Assignment by Lessor.** Lessor may assign or transfer any or all of its interests under the terms of this Lease.

ARTICLE 11. MISCELLANEOUS

11.01 **Right of First Refusal.** If Lessor decides in the future not to maintain the Premises as a museum, the Liberty Steam Fire Company shall have first buy back rights to the property for One Dollar (\$1.00), in as good, or better condition, as was originally conveyed from the Liberty Steam Fire Company. Should Liberty Steam Fire Company not wish to accept said property, Lessor will offer said property to Lessee for One Dollar (\$1.00). If neither the Liberty Steam Fire Company nor Lessee choose to accept said property, Lessor shall list the property for sale for marketable value.

11.02 **Memorandum of Lease.** Lessee shall have the right to record with the Berks County Recorder of Deeds, a memorandum of terms of this Lease, and Lessor agrees to sign and acknowledge the same at Lessee's request.

11.03 **Notices and Addresses.** All notices required under this Lease must be given either personally or by certified mail, addressed to the proper party, at the following address:

Lessor:

Frank Denbowski, Chief of Staff
City Hall
815 Washington Street
Reading, PA 19601

Lessee:

William Rehr
The Reading Area Fire Fighter Museum, Inc.
501 South 5th Street
Reading, PA 19601

Either party may change the names and/or address to which notices are sent by giving the other party notice of the new address in the manner provided in this Paragraph.

11.04 **Parties Bound.** This Lease shall be binding on, and inure to the benefit of, the parties to the Lease and their representatives heirs, executors, administrators, legal representatives, successors and assigns when permitted by this Lease.

11.05 **Pennsylvania Law to Apply.** This Lease shall be governed by and construed in accordance with the laws of the Commonwealth of Pennsylvania. All obligations of the parties created by this Lease are performable in Berks County, Pennsylvania.

11.06 **Legal Construction.** In the event any one or more of the provisions contained in this Lease shall for any reason be held by a court of competent jurisdiction to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision of the Lease, and this Lease shall be construed as invalid, illegal, or unenforceable provision had never been included.

11.07 **Prior Agreements Suspended.** This lease constitutes the only agreement between the Lessor and Lessee and supersedes any prior understandings or written or oral agreements between the parties respecting the subject matter of this lease.

11.08 **Amendment.** No amendment, modification, or alteration of the terms of this Lease shall be binding unless it is in writing, dated subsequent of the date of this lease, and duly executed by the Lessor and Lessee.

11.09 **Time of Essence.** Time is of the essence of this Lease. The undersigned Lessor and Lessee have executed this Lease as of _____, 2011.

CITY OF READING, PA

Attest:

By : _____(SEAL)

THE READING AREA FIRE
FIGHTERS MUSEUM, INC.

Attest:

By : _____(SEAL)

RESOLUTION NO. _____

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

That William Gernert is reappointed to the Plumbing Board with a term ending December 31, 2016.

Adopted by Council _____, 2011

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk

RESOLUTION NO. _____

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

That Ricardo Nieves is appointed to the Environmental Advisory Council with a term ending April 11, 2014.

Adopted by Council _____, 2011

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk

RESOLUTION NO. _____

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

That Timothy Steinrock is appointed to the Legislative Aide Committee with a term ending April 11, 2015.

Adopted by Council _____, 2011

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk

RESOLUTION NO. _____

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

That Carl McLaughlin is appointed to the Water Authority, to fill an unexpired term, with a term ending January 1, 2013.

Adopted by Council _____, 2011

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk

RESOLUTION NO. _____

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

That Frank Gilyard is reappointed to the Historical Architectural Review Board with a term ending April 11, 2016.

Adopted by Council _____, 2011

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk