



CITY COUNCIL

Meeting Agenda

**REGULAR MEETING
COUNCIL CHAMBERS**

**MONDAY, JULY 13, 2015
7:00 P.M.**

The Regular Meetings of City Council are filmed and can be viewed LIVE while the 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 Agenda. All electronic recording devices must be located behind the podium area in Council Chambers and located at the entry door in all other meeting rooms and offices, as per Bill No. 27-2012.

RULES FOR PUBLIC PARTICIPATION AT COUNCIL MEETINGS

The Administrative Code, Section § 5-209 defines public participation at Council meetings.

1. Citizens attending Council meetings are expected to conduct themselves in a responsible and respectful manner that does not disrupt the meeting.
2. Those wishing to have conversations should do so in the hall outside Council Chambers in a low speaking voice.
3. Public comment will occur only during the Public Comment period listed on the agenda at the podium and must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Clapping, calling out, and/or cheering when a speaker finishes his comments is not permitted.
4. Citizens may not approach the Council tables at any time during the meeting.
5. Any person making threats of any type, 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, removed from Council Chambers and/or cited.
6. Failure to abide by these regulations could result in your removal from Council Chambers and/or a citation. These regulations are meant to avoid disruptions at the meeting and they are not meant to interfere with public participation.

1. OPENING MATTERS

A. CALL TO ORDER

B. INVOCATION: Lay Pastor Douglas Didyoung, St Marks Lutheran Church

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

The purpose of the Executive Session on Monday, July 13th was related to personnel matters.

2. PROCLAMATIONS AND PRESENTATIONS

- Council commendation recognizing Lori Kaplan for her work to beautify downtown
- Council commendation recognizing the mural in the 900 block of Penn St

3. PUBLIC COMMENT – AGENDA MATTERS:

Citizens have the opportunity to address the Council, by registering with the City Clerk by 5 pm on the day of the scheduled Council meeting or by legibly printing their name, address and the subject matter to be discussed on a sign-up sheet found on the podium in Council Chambers between 5 pm and 7 pm on the day of the scheduled 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, including applause or cheering, 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: Regular meeting of June 22, 2015

B. AGENDA: Regular Meeting of July 13, 2015

5. Consent Agenda Legislation

A. Award of Contract –

B. Resolution – Authorizing the promotion of Officer Jacquelyn M. Flanagan to the rank of Sergeant effective July 13, 2015

C. Resolution – authorizing the Mayor to sign and submit a Commonwealth Financing Authority Multimodal Transportation Fund Program Grant application to request funding (\$910,099.00) of the total project cost (\$1,820,197.00) for improvements to be made at the Schuylkill River Trail

D. Resolution – authorizing the hiring of Candance Drabeck, Christopher Fortin, Richard Grier, Barry Lust, Anthony Schappell, Justin Sneeringer, Tyler Svitak as probationary patrol officers, effective July 13, 2015

E. Resolution – authorizing the submission of a Commonwealth Financing Authority Multimodal Transportation Fund Program Grant application to request funding (\$1,051,500.00) of the total project cost (\$1,500,000.00) for improvements to be made at Skyline Drive.

F. Resolution – authorizing the execution of an agreement with PennDOT entitled Winter Traffic Services Five-Year Contract for the City to perform snow and ice clearance for state highways and bridges.

6. ADMINISTRATIVE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR

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

9. ORDINANCES FOR FINAL PASSAGE

Pending Additional Review Required

Bill No. 31-2015 – Amending Chapter 5 Administrative Code of the City Code Part § 5-303 entitled “Severance” by addressing accrued vacation time for Department Directors
Introduced at the June 8 regular meeting

Bill No. 32-2015 – Amending Chapter 70 Personnel of the City Code by adding a new part § 70-716 entitled “Severance” for career employees and renumbering the section accordingly
Introduced at the June 8 regular meeting

10. INTRODUCTION OF NEW ORDINANCES

A. Ordinance - re-enacting local firearms regulations, in part, located within Chapter 219 and repealed by Bill No. 2-2015

B. Ordinance - authorizing the transfer of \$4,417,085.00 from Fringe Benefits accounts ending in 4900 that include other Post Employment benefits to accounts ending in 4914 to identify both medical and prescription expense benefits associated with retired employees. This transfer has zero effect on All Funds Budgeted Spending

C. Ordinance - amending the City Code, Chapter 5 Administrative Code, Section 5-701 Duties of City Health Officer as attached

D. Ordinance - amending the City of Reading Code of Ordinances, Chapter Street 508 Streets and Sidewalks, Part 7 Street Cut Permits, as attached in Exhibit A.

11. RESOLUTIONS

B. Resolution – increasing the salary of David Ruyak, Operations Division Manager, Public Works Department, by \$6,000.00 per annum, effective retroactively to the date of the discontinuance of Mr. Ruyak’s Acting Salary

12. PUBLIC COMMENT – GENERAL MATTERS

Please see public speaking rules on second page

13. COUNCIL BUSINESS / COMMENTS

14. COUNCIL MEETING SCHEDULE

Monday, July 13

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

Monday, July 20

Nominations & Appointments Committee – Council Office – 4 pm

Standards of Living Committee – Council Office – 5 pm

Finance, Budget, Audit Committee – Council Office – 5 pm

Monday, July 27

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

15. BAC AND COMMUNITY GROUP MEETING SCHEDULE

Monday, July 13

6th & Amity Neighborhood & Playground Assn – 6th & Amity field house – 6:30 pm

Tuesday, July 14

Water Authority Workshop – RAWA Office – 4:30 pm
District 11 Crime Watch – Orthodox Presbyterian Church – 7 pm

Wednesday, July 15

Officers and Employees Pension Board – Penn Room – 1:30 pm
Redevelopment Authority – Redevelopment Authority Office – 5 pm
Stadium Commission – Stadium RBI Room – 7 pm

Thursday, July 16

Diversity Board – Penn Room – 3 pm
Blighted Property Review Committee – Council Chambers – 6 pm

Friday, July 17

Fire Pension Board – Penn Room – 10 am

Monday, July 20

Library Board – 113 S 4th St – 4 pm

Tuesday, July 21

Fire Civil Service Board – Penn Room – 3 pm
HARB – Penn Room – 6:30 pm
Charter Board – Council Chambers – 7 pm

Wednesday, July 22

Main Street Board – 2nd & Penn Sts 5th Floor – 3:30 pm
Parking Authority – Parking Authority Office – 5:30 pm

Thursday, July 23

CRIZ Authority – 3rd Floor Conference Room – 5:30 pm

Monday, July 27

DID Authority – 645 Penn St 5th Floor – noon
District 7 Crime Watch – Holy Spirit Church – 7 pm

City of Reading City Council
Regular Meeting
June 22, 2015

Council President Acosta called the meeting to order.

The invocation was given by Rev. Althea France, Zion City of Truth.

All present pledged to the flag.

Councilor Goodman-Hinnershitz requested a moment of silence for the people in Charlestown who experienced the recent tragedy.

The Committee of the Whole meeting held before the start of this meeting did not include an executive session.

ATTENDANCE

Council President Acosta
Councilor Goodman-Hinnershitz, District 2
Councilor Sterner, District 3
Councilor Marmarou, District 4
Councilor Reed, District 5
Councilor Waltman, District 6
City Auditor D. Cituk
Solicitor C. Younger
City Clerk L. Kelleher
Managing Director C. Snyder
Mayor V. Spencer

Council President Acosta announced that Councilor Daubert was unable to attend this evening's meeting due to a work commitment.

PROCLAMATIONS AND PRESENTATIONS

The following were issued at the meeting:

- Council recognition certificates for the Reading Musical Foundation 2015 scholarship winners
- Council recognition certificates for the RHS Berks Best winner and candidates
- Mayoral recognition certificates for elders in the African American Community

PUBLIC COMMENT

Council President Acosta stated that there are three (3) citizens registered to address Council on non-agenda matters. He asked if any Councilor objected to suspending the rule requiring non-agenda comment at the end of the meeting. As no one objected, the rule was suspended. He reminded those registered of the public speaking rules adopted by Council ordinance.

Nancy Scott, of South 3rd Street, stated that she is a member of the Bingaman Park Association and she expressed concern about the large trucks and trailers that park in the South 2nd and Spruce area. She stated that these trucks create public safety hazards for this neighborhood. She stated that the area is marked "NO PARKING" and she asked the City to enforce the regulations.

Lourdes Torres, of South 5th Street, stated that she is a member of the Bingaman Park Association and she questioned when the new traffic light will be installed at South 5th and Bingaman Streets. She described the many hazards that were created when this signal was removed. She also noted the need for more traffic signs in the school zone area.

Vince Rosato, of North 13th Street, noted that municipal elections yield very low voter turnout. He noted the need for more registered voters to participate in elections. He expressed the belief that the City is in an abyss and should be preparing an Act 47 exit strategy.

APPROVAL OF THE AGENDA & MINUTES

Council President Acosta called Council's attention to the minutes of the June 8th meeting, and to the agenda for this meeting, including the legislation listed under the Consent Agenda heading. He stated that the administration has withdrawn the resolution relating to the salary of Mr. Ruyak listed under the Resolution heading.

Councilor Sterner moved, seconded by Councilor Marmarou, to approve the agenda, as amended, including the legislation listed under the Consent Agenda heading and the minutes as listed. The motion was approved unanimously.

Consent Agenda

A. Resolution 61-2015 – Authorizing the promotion of Criminal Investigator Eric Driesbach to the rank of Sergeant effective July 6, 2015

ADMINISTRATIVE REPORT

The mayor read the report distributed to Council at the meeting. In summary:

- The need to fill seats on the Human Relations Commission
- The establishment of a transition team to assist mayoral candidates who request information
- The upcoming Duryea Hill Climb

Council President Acosta stated that the traffic light at 5th and Bingaman will be installed during the next 30 day pre-construction work scheduled prior to the closure of the Buttonwood Street Bridge.

Councilor Waltman noted that the closure of the bridge will impact many inter City neighborhoods. He inquired about how the community was educated about the closure.

Councilor Reed explained that meetings were held in West Reading and Reading with residents and the business community. Flyers and brochures were created.

Council President Acosta stated that the meeting at St. Mark’s UCC was well attended and the flyers were prepared in English and Spanish. He also described the work of the Reading Bridges committee composed of representatives from every aspect of the community.

AUDITOR’S REPORT

City Auditor Cituk read the report distributed to Council at the meeting, in summary:

- 2015 Admissions Tax collection
- 2015 Transfer Tax collection

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

There were no reports issued at this meeting.

ORDINANCES FOR FINAL PASSAGE

A. Bill No. 29-2015 – amending the City Code Chapter 295, Historical and Conservation Districts by reducing the size of the HARB Board

Councilor Reed moved, seconded by Councilor Marmarou, to enact Bill No. 29-2015.

Council President Acosta stated that this ordinance reduces the size of the HARB Board to nine (9) members.

Bill No. 29-2015 was enacted by the following vote:

**Yeas: Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 6
Nays: – None - 0**

B. Bill No. 30-2015 – amending the Charter Board Ordinance to provide an informal resolution of a complaint [as provided by the Rules of Administration and Procedure implemented by the Board]

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to enact Bill No. 30-2015.

Councilor Goodman-Hinnershitz noted the importance of this amendment to provide an informal settlement process that attempts to reduce the need for costly litigation expenses and more quickly resolve complaints. She thanked the Charter Board, the City Clerk and Legal Specialist Coleman for their work to prepare the mediation policy for the Charter Board’s use.

Bill No. 30-2015 was enacted by the following vote:

**Yeas: Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 6
Nays: – None - 0**

Pending for Further Review

C. Bill No. 33-2015 – Amending Chapter 5 Administrative Code of the City Code Part § 5-303 entitled “Severance” by addressing accrued vacation time for Department Directors

D. Bill No. 34-2015 – Amending Chapter 70 Personnel of the City Code by adding a new part § 70-716 entitled “Severance” for career employees and renumbering the section accordingly.

E. Bill No. 35-2015 – authorize the refunding of the Redevelopment Authority’s 2006 Lease Revenue Note and the execution by the City of a Guaranty of a new 2015 Lease Revenue Note. *(The final principal amount of the 2015 Note will be established upon receipt of the proposals from local banks for the purchase of the 2015 Note. Exhibit A to the Ordinance will be created and circulated at that time)*

Councilor Marmarou moved, seconded by Councilor Reed, to enact Bill No. 35-2015.

Council President Acosta stated that this transaction is required by the Act 47 Recovery

Plan and that the transaction will yield over \$600K in savings.

Bill No. 35-2015 was enacted by the following vote:

**Yeas: Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 6
Nays: – None - 0**

F. Bill No. 36-2015 – amending the City Code Chapter 70 Personnel Part 701 G Salary Administration by modifying the approval process for salary increases

Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 36-2015.

The Managing Director explained that this amendment will allow the mayor and Managing Director to consider salary increases above 3% if the employee’s supervisor and Department Director disagree on the increase.

Bill No. 36-2015 was enacted by the following vote:

**Yeas: Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 6
Nays: – None - 0**

Pending Additional Review Required

C. Bill No. 31-2015 – Amending Chapter 5 Administrative Code of the City Code Part § 5-303 entitled “Severance” by addressing accrued vacation time for Department Directors
Introduced at the June 8 regular meeting

D. Bill No. 32-2015 – Amending Chapter 70 Personnel of the City Code by adding a new part § 70-716 entitled “Severance” for career employees and renumbering the section accordingly
Introduced at the June 8 regular meeting

INTRODUCTION OF NEW ORDINANCES

No ordinances were enacted at this meeting.

RESOLUTIONS

A. Resolution 62-2015 – reappointing Joseph Amprey to the Board of Ethics

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to adopt

Resolution No. 62-2015.

Councilors Marmarou and Goodman-Hinnershitz described the attributes that Mr. Amprey brings to the Board of Ethics. Council President Acosta noted the broad expanse of Mr. Amprey's public service.

Resolution No. 62-2015 was adopted by the following vote:

**Yeas: Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 6**

Nays: None - 0

COUNCIL COMMENT

Councilor Waltman noted the success of the Centre Park Garden tour, held over the past weekend.

Councilor Goodman-Hinnershitz noted the upcoming Duryea Hill Climb and its positive impact on our community.

Councilor Reed noted the success of the Flag Day dedication for the new flag at the Pagoda. She thanked everyone who contributed to the event and the project, especially former Mayor Tom McMahan.

Councilor Reed thanked Lori Kaplan for her tireless work to beautify the medians on Penn Street. She stressed the need for a permanent solution that will improve all public areas in the downtown. She noted the need for the downtown to shine.

Councilor Sterner congratulated those honored with certificates this evening.

Council President Acosta noted the need to pay attention to the plaza behind the Outside Inn building.

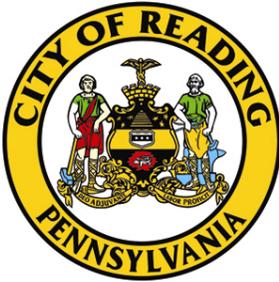
Councilor Goodman-Hinnershitz agreed with the need to develop a permanent solution for the care of the downtown public areas. She noted the need for the public, including those sitting at this table, to provide volunteer labor to improve public areas.

Council President Acosta noted the importance of City Council's work and their celebration of the community.

Councilor Marmarou moved, seconded by Councilor Reed, to adjourn the meeting.

Clerk

Respectfully submitted by Linda A. Kelleher CMC, City



AGENDA MEMO

POLICE DEPARTMENT

TO: City Council

FROM: Chief

William Heim

Chief William M. Heim

PREPARED BY:

Chief William M. Heim

MEETING DATE:

July 13, 2015

AGENDA MEMO DATE:

June 19, 2015

REQUESTED ACTION:

Authorize the Promotion of one Patrol Officer to Sergeant

RECOMMENDATION

The Mayor and Police Chief recommend the promotion of the following officer:

Officer Jacquelyn M. Flanagan, date of employment January 16, 2001, to the rank of Sergeant

BACKGROUND

There is currently a vacancy for Officer Jacquelyn M. Flanagan took the written and oral examinations for this position and is among the top three candidates on the current certified list. The Police Chief has reviewed her performance, dependability, and conduct and the Mayor and Police Chief recommend her for promotion.

BUDGETARY IMPACT

None. The funded position has a vacancy due to the retirement of a Sergeant on June 30, 2015.

PREVIOUS ACTIONS

None

SUBSEQUENT ACTION

Council to take action to approve a resolution authorizing the promotion of Officer Jacquelyn M. Flanagan to the rank of Sergeant.

RECOMMENDED BY

The Mayor and Police Chief recommend approval.

RECOMMENDED MOTION

Approve/deny the resolution authorizing the promotion of Officer Jacquelyn M. Flanagan

to the rank of Sergeant effective July 13, 2015.

Drafted by	City Clerk
Sponsored by/Referred by	Police Chief
Introduced on	N/A
Advertised on	N/A

RESOLUTION NO. ____ 2015

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

Authorizing the promotion of Officer Jacquelyn M. Flanagan to the rank of Sergeant effective July 13, 2015.

Adopted by Council _____, 2015

Francis G. Acosta
President of Council

Attest:

Linda A. Kelleher
City Clerk

RESOLUTION NO. _____ 2015

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

Authorizing the hiring of the following Police Academy Trainees as probationary patrol officers
effective July 13, 2015:

1. Candance Drabeck
2. Christopher Fortin
3. Richard Grier
4. Barry Lust
5. Anthony Schappell
6. Justin Sneeringer
7. Tyler Svitak

Adopted by Council _____, 2015

Francis G. Acosta
President of Council

Attest:

Linda A. Kelleher
City Clerk

TO: City Council
FROM: Ralph E. Johnson, Director of Public Works
PREPARED BY: Ralph E. Johnson, Director of Public Works
MEETING DATE: July 13, 2015
AGENDA MEMO DATE: July 8, 2015
REQUESTED ACTION: Council approve a resolution to authorize the Mayor to sign and submit a Commonwealth Financing Authority Multimodal Transportation Fund Program Grant application for the Skyline Drive Improvements Project

RECOMMENDATION

The Administration recommends Council approve a resolution authorizing the Mayor to sign and submit a Commonwealth Financing Authority Multimodal Transportation Fund Program Grant application to request funding (\$1,051,500.00) of the total project cost (\$1,500,000.00) for improvements to be made at Skyline Drive.

BACKGROUND

The Multimodal Transportation Fund Program provides grants to municipalities to encourage economic development and ensure that a safe and reliable system of transportation is available to Pennsylvania residents. The Skyline Drive Improvements Project is an eligible project for this funding source. The City is partnering with Lower Alsace Township and Alsace Township. Lower Alsace Township will serve as the grant applicant with the intension of making needed improvements to about 2.55 miles of Skyline Drive in Lower Alsace Township, Alsace Township and the City of Reading. The improvements will include roadway repairs, resurfacing and line painting with the complete streets concept in mind. The need for the improvements to be made is identified as an integral part of the City's road system and a desired location for applying the complete streets concept. The City's required (\$120,000.00) local match of the total project cost (\$1,500,000.00) is being requested in the 2016 capital budget.

BUDGETARY IMPACT

The City's match to the grant is a 2016 Capital Improvements request of \$120,000.00.

PREVIOUS ACTION

None

SUBSEQUENT ACTION

None

REVIEWED BY

Director of Public Works, Managing Director and Mayor

RECOMMENDED MOTION

Approve/Deny the resolution to authorize the Mayor to sign and submit a Commonwealth Financing Authority Multimodal Transportation Fund Program Grant application for the Skyline Drive Improvements Project.

Resolution No. _____

RESOLUTION AUTHORIZING THE MAYOR TO SIGN AND SUBMIT AN APPLICATION IN COOPERATION WITH LOWER ALSACE TOWNSHIP AND ALSACE TOWNSHIP FOR A PA CFA MULTIMODAL TRANSPORTATION FUND PROGRAM GRANT FOR AN IMPROVEMENT PROJECT AT SKYLINE DRIVE.

WHEREAS, The Multimodal Transportation Fund Program provides grants to municipalities to encourage economic development and ensure that a safe and reliable system of transportation is available to Pennsylvania residents; and

WHEREAS, Lower Alsace Township, Alsace Township and the City of Reading desire to make improvements to Skyline Drive. The need for the improvements to be made is identified as an integral part of the City's road system and a desired location for applying the complete streets concept.

WHEREAS, Lower Alsace Township, Alsace Township and the City of Reading are requesting \$1,051,500.00 of the estimated total project cost of \$1,500,000.00 through the CFA Multimodal Transportation Fund Program Grant funds; and

WHEREAS, the City of Reading's required local share of funding, \$120,000.00 is being requested in the 2016 capital budget; and

WHEREAS, the City of Reading acknowledges the responsibility to annually budget funds for maintenance and operation of the project facilities.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF READING that it agrees to comply with the requirements of the Commonwealth Financing Authority Multimodal Transportation Fund Program for the purpose of obtaining grant funds to make improvements to Skyline Drive.

ADOPTED BY COUNCIL _____, 2015

PRESIDENT OF COUNCIL

ATTEST:

CITY CLERK

AGENDA MEMO

Vaughn Spencer, MAYOR

Carole Snyder, MANAGING DIRECTOR

TO: City Council
FROM: Ralph E. Johnson, P.E., Director of Public Works
MEETING DATE: July 13, 2015
AGENDA MEMO DATE: July 7, 2015
REQUESTED ACTION: Council approve a resolution to authorize the Mayor to sign and submit the Winter Services Contract for the contract for the years of 2015/2016, 2016/2017, 2017/2018, 2018/2019 and 2019/2020 with PennDOT

RECOMMENDATION

The administration recommends Council approve a resolution authorizing the Mayor to sign and submit the Winter Services Contract for the City to perform snow and ice clearance together with the application of anti-skid and/or de-icing materials for certain State highways, including bridges and their approaches. The Commonwealth shall reimburse the City for the services described in this agreement for the total amount of \$196,599.44 over the five-year period.

BACKGROUND

Certain public highways, bridges and their approaches within the City are part of the State Highway System. These streets are therefore the responsibility of the Pennsylvania Department of Transportation (PennDOT) to be constructed, improved and maintained. Every five years, the City has entered into an agreement with PennDOT for the snow and ice clearance operations to be performed by our Streets personnel as part of their normal winter traffic services. The State reimburses the City for the personnel and materials based on a formula¹ utilizing lane miles and a standard rate per lane mile. Winter traffic services for the streets and bridges that are listed in Exhibit "A" of the contract will continue to be performed by our Streets personnel upon approval of the contract.

BUDGETARY IMPACT

Reimbursement (revenue) from PennDOT in the amount of \$60,500 over the five-year agreement with annual payments on or before November 15th of each winter season.

PREVIOUS ACTION

None

SUBSEQUENT ACTION

None

REVIEWED BY

Public Works Director

RECOMMENDED MOTION

Approve/Deny the resolution authorizing the Mayor to sign and submit the Winter Services Contract for the City to perform snow and ice clearance together with the application of anti-skid and/or de-icing materials for certain State highways, including bridges and their approaches.

RESOLUTION NO. _____

AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY, TO SIGN AND ENTER INTO AN AGREEMENT TITLED WINTER TRAFFIC SERVICES FIVE-YEAR CONTRACT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR THE CITY TO PERFORM SNOW AND ICE CLEARANCE FOR STATE HIGHWAYS AND BRIDGES.

WHEREAS, the Pennsylvania Department of Transportation contracts with municipalities to perform snow and ice clearance for State Highways and bridges and reimburse the municipality for labor and materials for these activities; and

WHEREAS, the City has the equipment, materials and personnel available and ready to perform snow and ice clearance together with the application of anti-skid and/or de-icing materials for State Highways and bridges; and

WHEREAS, the City of Reading desires to contract with the Pennsylvania Department of Transportation so that the City may provide these services for State Highways and bridges located within the City; and

WHEREAS, the City of Reading acknowledges the responsibility to perform the snow and ice clearance shall be in a manner satisfactory to the Commonwealth in order to facilitate the safe and unimpeded flow of vehicular traffic over said State Highways.

NOW THEREFORE, BE OT RESOLVED BY THE COUNCIL OF THE CITY OF READING, Berks County, and it is hereby resolved by authority of the same, that the Mayor of the City of Reading be authorized and directed to sign the Winter Traffic Services Five-Year Contract on its behalf.

ADOPTED BY COUNCIL _____ 2015

COUNCIL PRESIDENT

ATTEST:

CITY CLERK

Public Works

Drafted by	City Clerk/Legal Specialist
Sponsored by/Referred by	Council President Acosta
Introduced on	June 8, 2015

**BILL NO. _____ 2015
AN ORDINANCE**

AN ORDINANCE AMENDING CHAPTER 5 ADMINISTRATIVE CODE OF THE CITY CODE PART § 5-303. ENTITLED “SEVERANCE” AND RENUMBERING THE SECTION ACCORDINGLY.

THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Amending Chapter 5 Administrative Code of the City Code Part § 5-303 entitled “Severance” as follows:

§ 5-303. Severance. [Added 12-27-1999 by Ord. No. 42-1999]

- A. Definitions. As used in this section, the following terms shall have the meanings indicated:

DEPARTMENT DIRECTOR — Any person employed by the City of Reading as the Administrative Services Director, Managing Director, Public Works Director, Chief of Police, Chief of the Department of Fire and Rescue Services, Director of Community Development or City Solicitor. A department director shall also include any such person who is employed by the City of Reading as the acting director of any of the aforementioned departments for a period of more than six months.

CITY COUNCIL—The elected or appointed City Council persons of the City of Reading.

MAYOR — The chief executive officer of the City of Reading.

TERMINATION — Action taken by the Mayor or the City Council which ends the employment of one or more of the aforementioned department directors.

TERMINATION FOR **DOCUMENTED JUST CAUSE**—An act of the Mayor or the City Council which ends the employment of any of the aforementioned department director as per § 70-714

B. Severance package. [Amended 10-23-2006 by Ord. No. 70-2006]

- (1) Termination for reasons other than **documented** just cause. Any department director terminated for reasons other than **documented** just cause shall receive a payment for three months of salary payments the department director would have received, plus the department director shall earn one month of severance for every year above three years **and payment for any accrued vacation time or compensatory time which had been earned prior to termination.** ~~Any department director receiving a payment equal to six months' worth of pay at the rate he was receiving on the day prior to his/her termination shall not receive any other monetary compensation from the City of Reading at the time of his/her termination including, but not limited to, payment for any accrued vacation time or compensatory time which had been earned prior to termination.~~
- (2) Termination without **documented** just cause. Any department director terminated without **documented** just cause shall receive a payment equal to any accrued and unused vacation days as tabulated by the Administrative Services Department on the day prior to the date of termination.
- (3) ~~Compensatory time. Upon termination for any reason, no employee of the City of Reading shall receive a payment for any unused or accrued compensatory time.~~
- (4) Health benefits. Any department director terminated for a reason other than **documented** just cause shall receive medical benefits provided for by the City of Reading at the same level he/she was receiving on the date prior to his/her termination for a period not to exceed 180 days. Local benefits provided by the City of Reading shall cease on the 180th day following the termination of the department director or when the department director secures health and medical insurance through attainment of other employment, etc., whichever comes first. Any department director terminated without **documented** just cause shall only receive the medical benefits which the City of Reading is required to provide any employee at the time of his/her termination.

C. Information hearing following termination for **documented just cause.**

- (1) Notice of termination without **documented** just cause. Any department director terminated without **documented** just cause shall be provided with a written notice of proposed termination which contains the reasons and factual basis for such action.
- (2) **Hearing.** Within seven days of receiving notice of termination, the department director may request an opportunity to respond to the reasons provided by the Mayor **and Managing Director** for his/her termination. If a request for such a hearing is made, the Mayor **and Managing Director** shall conduct a ~~meeting~~ **hearing**, which may be in form or nature, that which the department director may respond to the reasons given for his proposed termination. At such ~~meeting~~ **hearing**, the department director may be represented by an attorney of his choosing and present evidence or information relevant to the reasons and factual basis set forth in the notice of proposed termination. After such hearing, the Mayor and **Managing Director** may do one of three things: rescind the notice of proposed termination which was served upon the department director, convert the department director's termination into a termination for reasons other than just cause or maintain the termination without **documented** just cause.

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

Enacted by Council _____, 2015

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: _____

Drafted by	City Clerk/Legal Specialist
Sponsored by/Referred by	Council President Acosta
Introduced on	June 8, 2015

**BILL NO. _____ 2015
AN ORDINANCE**

AN ORDINANCE AMENDING CHAPTER 70 PERSONNEL OF THE CITY CODE BY ADDING A NEW PART § 70-716. ENTITLED “SEVERANCE” AND RENUMBERING THE SECTION ACCORDINGLY.

THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Amending Chapter 70 Personnel of the City Code by adding a new part § 70-716 entitled “Severance” as follows and renumbering the section accordingly.

§ 70-716. Severance.

A. Definitions. *As used in this section, the following terms shall have the meanings indicated:*

CAREER EMPLOYEE – *any unrepresented management employee who has been a City employee for a minimum of four (4) years.*

CITY COUNCIL—*The elected or appointed City Council persons of the City of Reading.*

MAYOR — *The chief executive officer of the City of Reading.*

TERMINATION — *Action taken by the Mayor or the City Council which ends the employment of one or more of the aforementioned career employees.*

TERMINATION FOR DOCUMENTED JUST CAUSE—*An act of the Mayor or the City Council which ends the employment of any of the aforementioned career employees as per § 70-714*

B. Severance package.

(1) Termination for reasons other than documented just cause. Any career employee terminated for reasons other than documented just cause shall receive a payment for three months of salary payments the career employee would have received, plus the career employee shall earn one month of severance for every year above three years and payment for any accrued vacation time which had been earned prior to termination.

(2) Termination without documented just cause. Any career employee terminated without documented just cause shall receive a payment equal to any accrued and unused vacation days as tabulated by the Administrative Services Department on the day prior to the date of termination.

(3) Health benefits. Any career employee terminated for a reason other than documented just cause shall receive medical benefits provided for by the City of Reading at the same level he/she was receiving on the date prior to his/her termination for a period not to exceed 180 days. Local benefits provided by the City of Reading shall cease on the 180th day following the termination of the career employee or when the career employee secures health and medical insurance through attainment of other employment, etc., whichever comes first. Any career employee terminated without documented just cause shall only receive the medical benefits which the City of Reading is required to provide any employee at the time of his/her termination.

C. Information hearing following termination without documented just cause.

(3) Notice of termination without documented just cause. Any career employee terminated without documented just cause shall be provided with a written notice of proposed termination which contains the reasons and factual basis for such action.

(4) Hearing. Within seven days of receiving notice of termination, the career employee may request an opportunity to respond to the reasons provided by the Mayor and Managing Director for his/her termination. If a request for such a hearing is made, the Mayor and Managing Director shall conduct a hearing which may be in form or nature, that which the career employee may respond to the reasons given for his proposed termination. At such hearing, the career employee may be represented by an attorney of his choosing and present evidence or information relevant to the reasons and factual basis set forth in the notice of proposed termination. After such hearing, the Mayor and Managing Director may do one of three things: rescind the notice of proposed termination which was served upon the career employee, convert the career employee's termination into a termination for reasons other than documented just cause or maintain the termination without documented just cause.

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

Enacted by Council _____, 2015

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

TO: City Council
FROM: Ralph Johnson, Director of Public Works
PREPARED BY: Cindy DeGroot, Grants Coordinator
MEETING DATE: July 13, 2015
AGENDA MEMO DATE: July 8, 2015
REQUESTED ACTION: Council approve a resolution to authorize the Mayor to sign and submit a Commonwealth Financing Authority Multimodal Transportation Fund Program Grant application for the Schuylkill River Trail Improvements Project

RECOMMENDATION

The Administration recommends Council approve a resolution authorizing the Mayor to sign and submit a Commonwealth Financing Authority Multimodal Transportation Fund Program Grant application to request funding (\$910,099.00) of the total project cost (\$1,820,197.00) for improvements to be made at the Schuylkill River Trail.

BACKGROUND

The Multimodal Transportation Fund Program provides grants to municipalities to encourage economic development and ensure that a safe and reliable system of transportation is available to Pennsylvania residents. The Schuylkill River Trail Improvements Project is an eligible project for this funding source. The City is partnering with the Berks County Conservancy. The City will serve as the grant applicant with the intension of making needed improvements to the Schuylkill River Trail located from Franklin Street to the Penn Street Bridge to the Buttonwood Street Bridge. The improvements will include construction of raised landscape buffers, street restriping, crosswalk construction, trail construction to connect with the existing trail, and retaining design services for the site work. The need for the rehabilitation of this site has been identified as a priority in the current City's Ten Year Park, Recreation and Open Space Plan and Comprehensive Plan. The required (\$910,098.00) local match of the total project cost (\$1,820,197.00) has been applied to through the PA Department of Conservation and Natural Resources Community Conservation Partnerships Program's April 2015 grant round.

BUDGETARY IMPACT

None

PREVIOUS ACTION

None

SUBSEQUENT ACTION

None

REVIEWED BY

Director of Public Works, Managing Director and Mayor

RECOMMENDED MOTION

Approve/Deny the resolution to authorize the Mayor to sign and submit a Commonwealth Financing Authority Multimodal Transportation Fund Program Grant application for the Schuylkill River Trail Improvements Project.

Drafted by	Business Analyst
Sponsored by/Referred by	Council Mayor
Introduced on	N/A
Advertised on	

Resolution No. _____

RESOLUTION AUTHORIZING THE MAYOR TO SIGN AND SUBMIT AN APPLICATION FOR A PA CFA MULTIMODAL TRANSPORTATION FUND PROGRAM GRANT FOR AN IMPROVEMENT PROJECT AT THE SCHUYLKILL RIVER TRAIL.

WHEREAS, The Multimodal Transportation Fund Program provides grants to municipalities to encourage economic development and ensure that a safe and reliable system of transportation is available to Pennsylvania residents; and

WHEREAS, the City of Reading desires to make improvements to the Schuylkill River Trail. The need for the improvements to be made at the site is identified as a priority in the City's Ten Year Park, Recreation and Open Space Plan.

WHEREAS, THE City of Reading is requesting \$910,099.00 of the total project cost of \$1,820,197.00 through the CFA Multimodal Transportation Fund Program Grant funds; and

WHEREAS, the required local share of funding, \$910,098.00, has been be applied to through the 2015 round of the PA Department of Conservation and Natural Resources Community Conservation Partnerships Program funding; and

WHEREAS, the City of Reading acknowledges the responsibility to annually budget funds for maintenance and operation of the project facilities.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF READING that it agrees to comply with the requirements of the Commonwealth Financing Authority Multimodal Transportation Fund Program for the purpose of obtaining grant funds to make improvements to the Schuylkill River Trail.

PASSED COUNCIL _____, 2015

PRESIDENT OF COUNCIL

ATTEST:

CITY CLERK

Drafted by	City Clerk
Sponsored by/Referred by	Council President & Police Chief
Introduced on	July 13, 2015
Advertised on	July 20, 2015

**BILL NO. _____ 2015
AN ORDINANCE**

**AN ORDINANCE RE-ENACTING LOCAL FIREARMS REGULATIONS, IN PART,
LOCATED WITHIN CHAPTER 219 AND REPEALED BY BILL NO. 2-2015**

THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Re-enacting local firearms regulations, in part, located within Chapter 219 repealed by Bill No. 2-2015, as follows:

§ 219-101. Definitions.

As used in this Part, the following words shall have the meanings indicated:

DISCHARGE — The expulsion of a projectile from a firearm or the operation of a firearm in such a manner so as to lead one to reasonably conclude, by sight or sound, that a projectile was expelled from a firearm. If the firearm used is capable of the expulsion of a projectile, its firing alone shall be sufficient to constitute a discharge and no further proof of the expulsion of a projectile shall be necessary.

FIREARM — Any device which is designed and intended to expel a projectile by action of gun powder, any other explosive, compressed air, compressed gas or mechanical device, including any device which, when discharged, would by sound or otherwise: lead another to reasonably conclude by sight or sound that the device expelled a projectile; or give the appearance of the expulsion of a projectile even though no expulsion of a projectile occurred. By way of example and not limitation, items that are to be considered firearms under this Part include guns, pistols, rifles and shotguns. The definition of "firearm" shall not be deemed to include items that are traditionally considered to be children's toys when used in the manner for which they were designed. The definition of "firearm" shall not include starter pistols when used in the manner in which they were intended; i.e., to signify the start of a race or other similar event.

§ 219-102. ~~Failure to report lost or stolen firearms. [Added 12-22-2008 by Ord. No. 63-2008] Repealed and Reserved~~

§ 219-103. Discharge of firearms. [Amended 12-22-2008 by Ord. No. 63-2008]

A. Except in necessary defense of person or property, or as provided in the exceptions set forth in Subsection B of this section, it shall be unlawful for any person to use, fire, or discharge any gun or other firearm within the City.

B. The following acts shall not constitute a violation as set forth in this section:

(1) The discharge of a firearm by a law enforcement officer or military personnel acting within the line of duty including, but not limited to, active operations, training exercises and ceremonies.

(2) The discharge of a firearm for purposes of hunting or other activities regulated by and conducted in accordance with the Game and Wildlife Code of Pennsylvania, 34 Pa.C.S.A. § 101 et seq.

(3) The discharge of a firearm within a properly constructed and legally permitted firing range duly established within the City of Reading.

(4) The discharge of a firearm at an event, for which the party organizing or promoting such event has obtained a special permit issued by the Chief of Police of the City of Reading.

§ 219-104. Use of air rifles, bow and arrows or similar devices restricted. [Amended Ord. No. 63-2008]

A. Except as provided in Subsection B of this section, it shall be unlawful for any person to discharge any air rifle, air pistol, spring gun, spring pistol, BB gun, bow and arrow, or similar device, or any implement that is not a firearm but which impels a pellet of any kind with a force that can reasonably be expected to cause bodily harm, at any place within the City, except as provided in this section, and except on a target range which is properly constructed to trap or stop the projectile as ascertained by the Chief of Police.

B. The following acts shall not constitute a violation as set forth in this section:

(1) The discharge of a firearm by a law enforcement officer or military personnel acting within the line of duty including, but not limited to, active operations, training exercises and ceremonies.

(2) The discharge of a firearm for purposes of hunting or other activities regulated by and conducted in accordance with the Game and Wildlife Code of Pennsylvania, 34 Pa.C.S.A. § 101 et seq.

(3) The discharge of a firearm within a properly constructed and legally permitted firing range duly established within the City of Reading.

(4) The discharge of a firearm at an event, for which the party organizing or promoting such event has obtained a special permit issued by the Chief of Police of the City of Reading.

§ 219-105. Permits for limited discharge of firearms. [Amended 12-22-2008 by Ord. No. 63-2008]

The Chief of Police of the City of Reading may issue a permit to allow the limited discharge of firearms for events or activities within the City of Reading, upon application of the party responsible for the organization or promotion of such event or activity. The Chief of Police shall only issue a permit once he/she has determined in his/her judgment that adequate safety measures have been or will be taken such that the discharge of firearms during the event or activity will not pose a significant risk to the health and safety of the residents of the City, or the participants and spectators during the event or activity. The issuance of a permit under this section shall not be unreasonably withheld or delayed. By way of example and not limitation, the

events or activities for which permits may be issued include target shooting competitions or demonstrations, fireworks demonstrations and block shoots.

§ 219-106. Violations and penalties. [Amended 12-22-2008 by Ord. No. 63-20082]

Any person who shall violate any provision of this chapter shall, upon conviction thereof, be fined \$1,000 for each offense and the cost of prosecution and shall be ordered to pay restitution, in an amount determined by the court, for damages to person or properties suffered by a victim as a result of the violation of this ~~Part~~ **Chapter** and shall serve a term of imprisonment of *not to exceed* 90 days *for each offense*. Each discharge as defined herein shall constitute a separate and distinct offense, and sentences therefore shall be imposed for each offense. ~~and may not run concurrently but must run consecutively to each other.~~ The fines collected by the Magisterial District Judge for a violation of provisions of this chapter shall be paid over to the City of Reading.

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

Enacted by Council _____, 2015

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: _____

Drafted by	Controller
Sponsored by/Referred by	Managing Director
Introduced on	June 27, 2015

BILL NO. _____ - 2015

AN ORDINANCE

AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS FROM FRINGE BENEFITS ACCOUNTS ENDING IN 4900 THAT INCLUDE OTHER POST EMPLOYMENT BENEFITS TO ACCOUNT 4914 TO IDENTIFY BOTH MEDICAL AND PRESCRIPTION EXPENSE BENEFITS ASSOCIATED WITH RETIRED EMPLOYEES.

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Authorizing the transfer of \$4,417,085.00 from Fringe Benefits accounts ending in 4900 that include other Post Employment benefits to account 4914 to identify both medical and prescription expense benefits associated with retired employees. This transfer has zero effect on All Funds Budgeted Spending.

SECTION 2. This ordinance shall become effective ten (10) days after its adoption, in accordance with Sections 219 & 221 of the City of Reading Home Rule Charter.

Enacted _____, 2015

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Drafted by	Deputy City Clerk
Sponsored by/Referred by	Admin Manual Work Group/Board of Health
Introduced on	July 13, 2015
Advertised on	

**BILL NO. ____-2015
AN ORDINANCE**

**AMENDING THE CITY OF READING CODE OF ORDINANCES, CHAPTER 5
ADMINISTRATIVE CODE, SECTION 5-701 DUTIES OF CITY HEALTH OFFICER
AS ATTACHED**

Whereas the Council of the City of Reading hereby ordains as follows:

Section 1. Amending the City of Reading Code of Ordinances, Chapter 5 Administrative Code, Section 5-701 Duties of City Health Officer as attached.

Section 2. This ordinance shall become effective ten (10) days after it adoption, in accordance with Sections 219 & 221 of the City of Reading Home Rule Charter.

Enacted: _____, 2015

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: _____

City Health Officer

§ 5-701. Duties of City Health Officer. [Amended 8-10-2009 by Ord. No. 44-2009]

The City Health Officer is appointed by the Mayor and reports to the ~~Administrator of the Property Maintenance Division~~ **Community Development Director or his/her designee** where the office and budget is located. Qualifications for this position are experience and training in public health. This person must be certified by the Pennsylvania Department of Health. He/she shall have the following duties and responsibilities as prescribed by the law, Charter and ordinance, and include but not be limited to the following:

- A. Perform the obligations and functions of the City Health Administrator.
- B. Perform and/or assign responsibility for restaurant inspections, review inspections, issue citations, and close if necessary.
- C. ***Perform and/or assign responsibility for tattoo parlor inspections, review inspections, issue citations, and close if necessary.***
- D. Evaluate and issue handicap parking privilege.
- ~~E.~~ Provide inoculations as required.
- ~~F.~~ Collaborate with Administrative Services Director in workers' compensation, sick leave, family leave, and/or any other health-related issues.
- ~~F.~~ ~~Perform and/or assign responsibility for health inspections of trash trucks.~~
- ~~G.~~ ~~Provide professional expertise to the lead abatement program.~~
- ~~H.~~ ~~Administer the animal bite program.~~
- ~~I.~~ Provide required reports to the state/federal governments.
- H. Provide monthly reports to the Board of Health and attend meetings as requested by the Board.***
- I. Assess the health implications in hoarding situations as requested.***

Drafted by	Legal Specialist
Sponsored by/Referred by	Council President and Vice President
Introduced on	July 13, 2015
Advertised on	

AN ORDINANCE

AMENDING THE CITY OF READING CODE OF ORDINANCES, CHAPTER STREET 508 STREETS AND SIDEWALKS, PART 7 STREET CUT PERMITS, AS ATTACHED IN EXHIBIT A.

Whereas the Council of the City of Reading hereby ordains as follows:

Section 1. Amending the City of Reading Code of Ordinances, Chapter Street 508 Streets and Sidewalks, Part 7 Street Cut Permits, as attached in Exhibit A.

Section 2. This ordinance shall become effective ten (10) days after it adoption, in accordance with Sections 219 & 221 of the City of Reading Home Rule Charter.

Enacted: _____, 2015

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

**Chapter Street 508 Streets and Sidewalks
Part 7 Street Cut Permits**

§ 508-701. Purpose.²⁰

No person, firm or corporation shall break the pavement or surface of any legally open street, between the curblines thereof, until a Street Cut Permit (Permit) is obtained from the Department of Public Works. It shall be the responsibility of the person receiving the Permit (the Permittee) to promptly restore the permitted street cut and any other affected facility in proper order and repair in accordance with this

ordinance and associated guidance documents. When the street cut involves the use of a utility the Permittee shall be the owner of the utility or the owner's legal agent.

§ 508-702. Application.

Applications for a Permit to break the pavement or surface of any legally open streets shall be submitted on the form provided by the Department of Public Works, shall include all information and applicable fees, and shall be signed by the applicant. The application information and fees shall include the following:

- A. **Permit Fee.** Each application shall be accompanied by a permit fee as provided in Chapter 212, Fees.
- B. **Inspection Fee.** An inspection fee will be assessed for each separate street cut as provided in Chapter 212, Fees.
- C. **Pavement Restoration Fee.** *It shall be the duty of the party applying for the permit to restore to good order and repair the pavement in accordance with the City of Reading's specifications.* The Permittee shall pay a permanent pavement restoration fee for those cuts where the permanent pavement restoration is provided by the City of Reading, in accordance with Chapter 212, Fees, unless otherwise stipulated. ~~Refer to Section 508-706 Pavement cuts on recently paved streets for additional charges that may apply to recently paved streets.~~ Permittee's who prefer to have their contractor perform the permanent pavement restoration work must have completed a Letter of Agreement with the City to that effect and will not be assessed the permanent pavement restoration fee *except as noted in Section 508-706 and Section 508-709(C). Refer to Section 508-706 Pavement cuts on recently paved streets for premature degradation charges that will apply to cuts made on recently paved streets, and Section 508-709(C) for permanent pavement restoration made Ahead of Paving in coordination with the City.*
- D. **Detailed Plan of the work.** *The applicant shall furnish a* A scaled plan ~~with shall accompany~~ the application showing the extent and nature of the planned work at each street cut location within the right-of-way. *The plan shall set forth, but is not limited to:*
 - 1) *The purpose for which the excavation is to be made;*
 - 2) ~~The Permittee shall include~~ *The dimensions and location of the proposed excavation including the nearest cross streets where the excavation or street opening is considered;*
 - 3) *The full scope of work to be included in the project;*
 - 4) *The date or dates during which the requested excavation is to be permitted;*
 - 5) *The date such excavation is to be refilled and resurfaced in the manner hereinafter provided;*
 - 6) *A Traffic Impact Plan (TIP). As specified in §508-709, a TIP shall be submitted with any permit application for all proposed work that is to be conducted on a City roadway.*

~~all other important details on the plan that the Permittee is aware of and other information as required by this section and as directed by the City Engineer **Public Works Director** or his/her designee (City Engineer).~~

- E. **Letter of Agreement.** A properly executed Letter of Agreement will be required for all Permits with the exception of a single Permit application for one street cut by a non-utility applicant.

- F. **Bond Guaranty of Work.** *The Permittee shall guarantee and maintain the street cut, excavation, and any related work for twenty-four (24) months from the completion of the City approved final restoration. Within this twenty-four (24) month period, the Permittee shall correct or cause to be corrected all restoration work in the manner determined necessary by the Public Works Director within five (5) calendar days of receipt of the notification. Failure to perform within the five calendar days may be completed by the City and invoiced to the Permittee for all costs incurred in performance of the work. Payment not made within thirty (30) days of the invoice date will be enforceable against the posted bond, including any fees and costs involved in the collection of the associated costs.*

Each street cut will require a bond *signed* or other acceptable form of surety before a Permit is issued. The bond shall be signed by the applicant in the amount as specified in Chapter 212, Fees. The bond shall accompany the Permit application and shall remain in effect for a period of *twenty-four months (24) ~~two years~~* from the date of the acceptance of the final pavement restoration. Public utility companies shall provide a bond as specified in Chapter 212, Fees that will warrant all street cut work performed in that calendar year. Bonds for utility companies shall be renewable on an annual basis. If the condition is such that the Permittee fails to comply with this ordinance by not promptly completing the permitted work, including trench restorations and restoration of other affected facilities or fails to maintain such restorations in proper order and repair following construction, the ~~City Engineer~~ **Director of Public Works** shall have cause to remedy that condition by calling on the Permittee's bonding company to perform the work necessary to restore the street and other affected facilities to proper order.

- G. **Additional fees and information.** The size and type of street cut(s) may require payment of additional fees and submission of additional information as prescribed in this ordinance. All fees, plan information, bonding, application and Letter of Agreement must be provided and approved before the City will issue a Permit. Permits are issued subject to all other applicable ordinances of the City of Reading, and all applicable state and federal laws.
- H. **Display of permits and signage at work site.** *Unless otherwise authorized, permit(s) shall be kept at the work site for the duration of the project and made available for inspection upon request of any duly authorized City official. Such permits cannot be affixed to any temporary structure including fences, containers, or construction equipment.*
- I. **Revocation of Permit.** *All street cut or excavation permits are subject to revocation at any time by the Department of Public Works upon written notice served to whom the permit was granted, their agent, or employee . Such notice shall contain a brief statement detailing the revocation and be issued for failure to cure within three (3) days:*
1. *A violation of any condition of the permit*
 2. *A violation of this section or any other applicable City of Reading ordinance relating to the work.*
 3. *The creation or failure to eliminate a condition or action that constitutes a nuisance or endangers the lives, property, or welfare of City residents.*

§ 508-703. Rejection of application

Street Cut Permits shall not be issued to any person, firm or corporation indebted to the City due to a previously issued permit.

The ~~City Engineer~~ **Director of Public Works** may deny or delay issuance of a Permit if existing or anticipated conditions for the use of the street indicate that the street cut work will interfere with the safety and judicious use of the street and the Right-of-Way.

§ 508-704. Permit issuance and schedule for construction of street cuts

Permit applications shall be submitted ~~a minimum of two weeks~~ **not less than thirty (30) days** prior to the start of the proposed street cut work. The Permittee shall notify the City at least three days in advance of breaking the street. Each Permit shall be valid for a period of ~~six~~ **four** months. If deemed necessary, Permit time extensions may be granted as specified in Section 508-709 ~~Other related permits and fees.~~

§ 508-705. Charged surface

In computing the surface area of the permanent pavement restoration surface to be charged, ***for small single cuts, twelve inches shall be added to all sides of the proposed cut. For Large Street Cuts (per 508-707(A), the charged surface shall include the combined area of each trench, plus, as a separate fee, the area of milling and overlay required to restore the overlying surface. For applicants where the Large Cuts are coordinated with the City for Ahead of Paving Permits, see Section 508-709(C).*** If the Permittee or City inspector determines that the Permittee removed, disturbed or damaged a pavement area greater than what is stated on the Permit, the Permittee shall pay a proportionate amount to be fixed by the Department of Public Works.

§ 508-706. Pavement cuts on recently paved streets

~~Final pavement restorations for s~~ ***Street*** cuts on recently paved streets ~~will be provided by the City, and are subject to additional charges to recover the premature degradation caused by the work. The restoration fee for pavement cuts on streets paved more than 10 years before the date of the application shall be calculated at the permanent pavement restoration rate specified in Chapter 212, Fees. The restoration~~ ***premature degradation*** fee for pavement cuts on streets paved within ten years from the date of the application shall be ~~issued~~ ***based*** on the permanent pavement restoration rate specified in Chapter 212, Fees ***as follows*** ~~following additional fees ; 100% additional for~~ ***of the restoration fee for*** the current year through the fifth year, and ~~80% additional~~ ***of the restoration fee*** for years six through ten. ***The premature degradation fee applies to all Permittees under these conditions whether they provide the pavement restoration or the City provides the restoration.***

§ 508-707. Special site conditions

Where, in the opinion of the ~~City Engineer~~ **Director of Public Works** and at his/her sole discretion, site conditions are determined to involve construction work beyond that required for a small single utility service connection, the Permittee shall provide additional information, and may be required to perform additional work and pay additional fees. Where additional work is required to restore the pavement and other features within the Rights-of-Way, those terms shall be included in the Letter of Agreement before issuance of the Permit.

Special site conditions include, but are not limited to, permanent restoration of the street surface by the applicant, permanent restoration of the street beyond the area of the trench cut opening, construction of features within the Rights-of-Way other than trench restoration, and other special site construction work determined during the application. Examples of special site conditions are described below:

- A. **Large cuts.** Additional restoration of the pavement wearing surface will be required for cuts larger than those made for small single utility service connections. Large street cuts include, but are not limited to, the following conditions:
1. Where two or more transverse or longitudinal cuts are made within a 100 foot long section of street **and the total area of the cuts is equal to or greater than 40.0 square feet.** (Transverse cuts are typically made for laterals that run across the street, and longitudinal cuts are typically made for mains running with the street.)
 2. **Where the area of a single cut is equal to or greater than 40.0 square feet**
 3. ~~Where a single longitudinal cut exceeds 100 feet.~~

The additional restoration for these cuts shall comply with the City's drawing and specifications for Large Street Cut Restoration which shall include milling and overlaying of the wearing surface of the entire travel lane(s) between the curb and the street centerline within the area bounded by the cut(s).

- B. **Curb ramps.** For conditions where the Permittee proposes a ~~street cut~~ **an alteration to** within a street intersection, or along, or through a pedestrian walkway **crosswalk or other crosswalk** within the City's Rights-of-Way and where the existing curb ramps at that intersection **crosswalk** do not meet the current requirements of the Americans with Disabilities Act (ADA), the Permittee will be required to ~~install ADA compliant~~ **upgrade the crosswalk to meet current ADA standards including curb ramps at all corners within** for that intersection **crosswalk. Crosswalk and pedestrian access route alterations, as defined by the ADA and Penn DOT, shall include any project that will affect or could affect the accessibility or use of the accessible route. Alterations include any extensive resurfacing or overlaying of the pavement within the crosswalk.** The area within a street intersection is the area delineated by the curb radii and the lines drawn across the streets that connect the termini of the curb radii, or the lines drawn parallel to the outside edge of the pedestrian walkways, whichever generates the larger area. This condition also applies where the work will disturb any street corner beyond the curbline. **City crosswalks are located at all street intersections whether or not crosswalk markings are present. Crosswalks are also located along sidewalks where the sidewalks cross alleys and driveways. For crosswalks that are not marked, the crosswalk area within a street intersection is the area delineated by the outside curb radii and the lines drawn across the streets that connect the termini of the curb radii, excluding the area of the interior rectangle. The interior rectangle is formed by projecting the curblines into the intersection and the rectangle is defined by the corners of the intersecting projected curblines. Unmarked crosswalks include the area that is defined by the projection of the sidewalk across the street, alley or driveway.** For street cuts proposed under these conditions the Permittee will be required to construct, or reconstruct curb ramps at ~~the crosswalk~~ **each and every corner of the intersection or alley** to meet

the current ADA and Penn DOT requirements. To facilitate the proper construction of the ramps, the Permittee shall include with their Permit application the following additional provisions:

1. An existing conditions survey that includes all of the curb ramps within the intersection, alley or other accessible route where the cut is proposed to determine compliance and/or non-compliance with ADA.
2. Curb ramp designs for construction of each new and non-compliant curb ramp. The curb ramp designs must comply with the most current applicable Penn DOT standard for curb ramps. The existing condition survey and the ramp designs must be sealed by a qualified engineer or surveyor registered in the Commonwealth of Pennsylvania.
3. An amendment to the Letter of Agreement that states that the Permittee will construct or replace curb ramps within the intersection or alley that does not currently meet ADA and Penn DOT requirements.
4. A bond, letter of credit or other form of appropriate surety that includes an amount equal to cost to construct the ramps per the approved design. The form of surety other than a bond must be approved by the City Solicitor. The amount of the surety must be approved by the ~~City Engineer~~ **Director of Public Works**.

Ramp designs will be reviewed by the ~~City Engineer~~ **Director of Public Works** for approval prior to issuance of the Permit. For projects that involve state and/or federal funding, additional Penn DOT approval shall be required.

Following construction of the curb ramps, The Permittee shall submit to Public Works completed as-built (record) drawings of the work indicating that the ramps were properly inspected and were found to comply with the approved design.

- C. ***Steel Plates. When a temporary surface is required the temporary installation and maintenance thereof shall be the responsibility of the Permittee until the permanent surface is completed and accepted.***
 1. ***Steel Plates shall only be used to secure open excavations when the Permittee is unable to backfill the same day excavation occurs and may be utilized for a period not to exceed four (4) business days, unless otherwise permitted by the City. In the event steel plates must be left unattended for a period exceeding 4 business days without prior approval, the Permittee is required to notify the City of Reading Public Works Department the reason(s) and necessity of the plate(s), as well as the estimated time before resuming their work.***
 2. ***All steel plates shall be properly marked with the utility and contractor name, and a twenty-four (24) hour contact phone number in the event of a disturbance. Additionally, the steel plates shall be of sufficient thickness to resist bending and vibration under traffic loads and shall be anchored securely to prevent movement. If these conditions are not met, the Permittee shall be required to backfill, pave the excavation, or use alternative methods sufficient to remedy the disruption.***
 3. ***Skid-resistant plates are required: from November and through April and in high-traffic locations including, but not limited to crosswalks near schools, hospitals or elderly housing, stop bars, handicapped ramps, on bridges and major intersections. The City does reserve the right to require skid-resistant plates when deemed necessary.***
 4. ***All plated locations must have "Caution: Steel Plates Ahead" signs constructed with Retro Reflective Florescent Orange material (Type 4) bracketed 6 feet in height or greater on unobstructed poles or posts placed at approximately 100 feet in advance of the steel plate location, unless otherwise approved by the City of Reading Public Works Department.***

“Steel Plates Ahead” signs must be taken down when plates have been removed from the work site.

5. *The plates shall be secured to prevent any lateral movement. If movement occurs, the Permittee will be notified to re-secure plating immediately; otherwise the Permittee shall be charged 115% of the cost incurred by the City of Reading to secure the Permittee’s plates.*

§ 508-708. Inspection ²²

If the City of Reading determines that the permitted work is of sufficient magnitude or importance to warrant additional inspection beyond routine spot-inspection or due to noncompliance with the Permit conditions, the Permittee shall be charged for all expenses incurred by the City of Reading for the additional inspection(s).

§ 508-709. Other related permits and fees.

A separate Permit shall be issued for each individual street cut. In addition to the streets cut previously described, Street Cut Permits will be issued for the following:

A. **Bore holes.** Bore holes are small auger drilled excavations, up to 8 inches in diameter and no deeper than 18”, made in the pavement section for the purpose of investigating pavement conditions, or to open the pavement for investigations below the pavement section. Bore holes made below the pavement section must utilize non-destructive excavation methods. Non-destructive excavation shall be limited to methods that use pressurized air and vacuum systems to excavate borings, up to 4 square feet in area, for visual examination of underground utilities and other subsurface conditions. Non-destructive methods other than air-vacuum systems must be approved in writing by the ~~City Engineer~~ **Director of Public Works** prior to issuance of the Permit. Bore holes are street cuts and a bore hole fee will be charged for each bore hole made, as specified in Chapter 212, Fees. A Permit will be required for each bore hole grouping. The Permittee shall restore the bore holes in the same manner as a standard street cut. The work shall be completed within 30 days of boring. If the applicant does not restore the bore holes within that time period, the City of Reading reserves the right to take any steps deemed necessary to repair the street and the associated costs shall then be paid by the Permittee.

B. **Emergency cuts.** Emergency street cuts and excavation required to access leaking utility mains or other installations that pose a potential hazard, or bore holes required to search out threatening conditions, may be made in advance of a Permit at the discretion of the utility company conducting the investigation and repairs. ***Within two hours of*** commencing an emergency cut ***or excavation***, the City's Police Department shall be notified ~~immediately~~ at (610) 655-6111, as well as other potentially affected utilities and the PA One Call System. An authorized representative of the responsible party(ies) shall notify the Department of Public Works the next business day, and a proper Permit application accompanied by appropriate fees and other required documents shall be submitted to the City within seven business days of the commencement of the work.²³

- 1) *A Permittee shall perform emergency work until the emergency is eliminated, unless otherwise directed by the City.*
- 2) *Once obtained, the emergency permit shall be kept on site and presented upon the request of any City official authorized to enforce this part.*

C. **Ahead of Paving Permit.** Applicants proposing street cuts at locations that are scheduled for street improvements by the City of Reading will be charged at the Ahead of Paving Permit fee rate as specified in Chapter 212, Fees. A detailed construction plan must accompany each application for an Ahead of Paving Permit. ~~Excavation, backfilling and~~ ***Temporary and*** ~~street cut~~ ***permanent trench*** restoration will be performed by the Permittee at his/her cost and in accordance with the schedule as directed by the ~~City Engineer~~ **Director of Public Works**. ***The Permanent pavement surface restoration***

will be coordinated with the Director of Public Works. The fee charged for this restoration shall be determined by applying typical construction costs for this construction work applied to the charged surface per Section 508-705.

D. A Traffic Impact Plan (TIP). The TIP shall detail the method by which vehicular and pedestrian traffic will be affected and controlled during a permitted project. The TIP shall also include any barricades, signs, lights or other approved safety devices necessary to facilitate a closure and where the work results in closing or diverting traffic into another lane, a Flag person shall at all times be posted while the work is actively being performed. For street closures within the City that also require PennDOT permits, the application must include a copy of the state issued permit and comply with all traffic control standards. In residential districts zoned R1, the Public Works Director may waive the requirement for a TIP however, all other traffic control regulations are enforced.

E. Time extension. For conditions where the permitted work may not be completed, or has not been completed, on or before the Permit expiration date, the ~~City Engineer~~ **Director of Public Works** may, if he/she deems it advisable, take steps to backfill the trench and replace a permanent pavement over the opening. If an extension of time beyond the Permit expiration date is necessary for the Permittee to complete the work, then a written application must be submitted and signed by the Permittee at least two weeks prior to the expiration date. Permit time extensions will only be granted upon the timely submission of the Permit extension application and the payment of the time extension fee, as specified in Chapter 212, Fees. **Any Permittee that fails to request and receive an extension for permitted work and continues to work shall be in violation of this section.**

§ 508-710. Construction Standards

A. Plan and subsurface drawings and record drawings. All applicants shall include with their application scale drawings that clearly and accurately shows the location of the proposed work with respect to existing facilities within the vicinity of the proposed work that will be, or could be, affected by the work. The scope of the drawings shall include as a minimum: all adjacent underground utilities, curb lines, sidewalks, traffic control loops, and similar features in both plan and cross section view. Upon completion of work, the Permittee shall furnish to the Director of Public Works record drawing(s) that indicates the as-constructed location, size and type of utility or feature installed or altered and its location with reference to the street surface and the adjacent curb lines. The standard of accuracy for the drawings shall be:

1. For standard single utility service connections: the same as those submitted for Final Plan under Chapter 515 Subdivision and Land Development Ordinance.
2. For large street cuts and cuts required for work other than a single service connection: as specified on the City of Reading's Street Cut Restoration drawing.

B. Excavation notice. Pennsylvania law (Act No. 187, as amended)²⁴ requires those who intend to excavate or demolish to file certain notices (PA One Call) before commencing work. Applicants for Permits to break the pavement or surface of any legally open street shall comply with all the requirements of this Act and the City of Reading permits issued where this obligation has not been met shall be deemed null and void.

The Permittee shall deliver a construction schedule in writing to the City indicating the date which the street cut will begin, the estimated date when the restoration of the trench will begin, and any other milestones that may be critical to the inspection of the work.

C. Pavement edges. The paved surface shall be cut to a neat edge using an asphalt/concrete saw or jackhammer. The Permittee shall take the necessary precautions to protect the neat edge, and is responsible to restore any edges that become broken.

D. Barricades, trench covers and lighting. All street openings *and excavated material* shall *either be removed from the site, stockpiled at a designated curb, or* properly barricaded *to keep gutters clear, unobstructed* and protected by the Permittee. Excavations shall not be left open at the end of the work shift or when left unattended. Permittees are responsible for the protection of the public within the construction areas and all work zones shall be marked in accordance with PennDOT's work zone traffic control regulations until the permitted street cut is restored and approved. Nothing contained in this Part or other legislation of the City of Reading shall release the person or persons opening the street from any liability associated with claims for injury or damage resulting therefrom.

E. Backfilling. Materials excavated in conjunction with street cuts should be promptly hauled away and shall be removed before nightfall. The Permittee shall arrange for the immediate repair of the affected utility and backfill the trench without delay. Backfill material shall consist of crushed stone placed and properly compacted in accordance with the details and specifications issued by the ~~City Engineer~~ **Director of Public Works**.

F. Paving restoration. Immediately following backfilling and compaction, the Permittee shall apply a temporary pavement restoration in accordance with the City of Reading's Street Cut Restoration drawing and specifications. For those permits where the Permittee performs the permanent pavement restoration, this work shall be completed not less than 3 months or more than 6 months following the temporary pavement restoration. The surface material shall be compacted with a gravity roller or vibrating compactor subject to the approval of the ~~City Engineer~~ **Director of Public Works**. The Permittee shall maintain the restoration by re-excavating and/or applying additional surface material in order to provide a smooth-riding surface for a period of one year after restoration, or where applicable, until the City provides a permanent surface repair. Repairs shall be made by the Permittee within 24 hours' notice by the City. The Permittee is responsible for the continual protection and maintenance of the cut whether or not he/she is notified by the City to perform additional work.

G. Notices to begin and end work. ~~Once the permit is received, the Permittee shall notify the~~ Department of Public Works ~~shall be notified~~ at least three work days prior to the start of the pavement cut, and ~~again shall be notified~~ at least three (3) work days prior to when the trench is to be backfilled and the restoration completed.²⁵ **Permittee shall also notify the Chief of Police, or his/her designee, of construction and street closures at least twenty-four (24) hours in advance of the commencement of non-emergency work.**

H. Work to conform to the City of Reading standards. The work shall be done at such time and in such manner as shall be consistent with the safety of the public and shall conform to all requirements and standards of the City of Reading. If the City of Reading discovers that the work has been discontinued or has not been properly performed, the Permittee, upon being notified thereof in writing by the City of Reading, shall immediately take all necessary steps, at Permittee's own expense, to place the work in such condition, as to conform to the City's requirements or standards. If a dispute arises between the Permittee and the City of Reading's inspector, the City of Reading's inspector shall have the authority to suspend work until the matter can be referred to the ~~City Engineer~~ **Director of Public Works** for resolution.

§ 508-711 Comprehensive General Liability and Indemnification. *The applicant for a street cut or excavation permit shall provide a certificate of insurance with general liability coverage, including any liability normally covered by a General Liability policy with limits of not less than \$1,000,000 per*

occurrence and \$2,000,000 in the annual aggregate. Prior to commencement of the performance of the excavation, Contractor shall furnish to the City a certificate of insurance evidencing required coverage in at least the limits required herein, naming the City of Reading, its elected officials, agents, and employees as Additional Insured for “ongoing operations” and “products and completed operations”. Moreover, the applicant agrees, as a condition governing the issuance of permit that they shall hold harmless the City of Reading, its elected officials, agents, and employees from any and all claims and actions whatsoever arising under the execution of said permit.

§ 508-712 Violations and penalties.

Any person, firm or corporation who breaks or cuts in any manner the surface of any street of the City without first having obtained the proper permit and paid the application fee and charges hereinbefore set forth, including any time extension fee, or violates any of the other provisions of this section shall, upon conviction before Magisterial District Judge, be sentenced to pay a fine not exceeding \$300 for each offense, plus costs; and in default of the payment of such fine and costs, said person and/or the responsible agents or officers of firms or corporations, violating the provisions of this section, shall be imprisoned in the Berks County Prison for a period not exceeding 90 days.

AGENDA MEMO

CAROLE SNYDER, MANAGING DIRECTOR

TO: City Council

FROM: Carole Snyder, Managing Director

PREPARED BY: Carole Snyder, Managing Director

MEETING DATE: July 13, 2015

AGENDA MEMO DATE: July 8, 2015

REQUESTED ACTION: Salary Adjustment

RECOMMENDATION

That Council approve a salary action to adjust Mr. Ruyak's pay retroactively to reinstate the

\$6,000 per year he should have been receiving for his increased duties. I am requesting Council approval for this salary action. This \$6,000 is in excess of the 3% threshold that can be processed without Council approval.

BACKGROUND:

In 2014, following Mr. Murin's departure, Frank Denbowski was reassigned, in part, to the Mayor's office, although Frank continued to handle Solid Waste non-collection crew issues. Concurrent with that assignment, Dave Ruyak, Operations Division Manager, who already had responsibility for Parks, Building and Grounds, Traffic Sign program, Shade Tree Commission, Streets and Fleet, took on the added responsibility supervising trash and recycling collection.

At the time he received additional responsibilities, Mr. Ruyak received an increase in his pay on an acting basis of \$6,000 per year. When the decision was made to permanently assign the Solid Waste Collection Operations to Mr. Ruyak at the end of 2014, the intention was to permanently adjust Mr. Ruyak's base pay in the budget to incorporate the acting pay he had been receiving. At the direction of Mr. Bembenick, then Administration Services Director, and without the knowledge of either Ralph Johnson, Director of Public Works and Mr. Ruyak's supervisor, or myself, HR processed the elimination of the Acting Pay but failed to process the permanent increase for Mr. Ruyak.

As of 2016, Mr. Denbowski will take on additional responsibility of recycling commercial and education coordination while maintaining Solid Waste Division Manager status. Duties include public education, DEP grant applications, Reading School District liaison, and commercial recycling compliance. The current position of Recycling Commercial and Education Coordinator will be eliminated through attrition.

REVIEWED BY

Director of the Public Works and Mayor.

Drafted by	City Clerk/Managing Director
Sponsored by/Referred by	Managing Director
Introduced on	N/A

RESOLUTION NO. _____ - 2015

INCREASING THE SALARY OF DAVID RUYAK, PUBLIC WORKS OPERATIONS DIVISION MANAGER BY \$6,000 FOR TAKING ON THE DUTIES AND FUNCTIONS OF THE CURBSIDE WASTE MANAGER

WHEREAS, David Ruyak is currently the Operations Divisions Manager in the Public Works Department; and

WHEREAS, since 2014 Mr. Ruyak has taken on the duties and functions of the Recycling Collection Duties; and

WHEREAS, as those responsibilities have become a permanent part of his duties the City of Reading wants to compensate Mr. Ruyak taking on these additional duties.

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

That the salary of David Ruyak, Operations Division Manager, Public Works Department, shall be increased by SIX THOUSAND DOLLARS (\$6,000.00) per annum, effective retroactively to the date of the discontinuance of Mr. Ruyak's Acting Salary.

Adopted by Council _____, 2015

President of Council

Attest:

City Clerk