

The workshop meeting of the Borough Council of the Borough of Sinking Spring was called to order on Wednesday, March 26, 2014 at 7:00 p.m. at the Sinking Spring Borough Hall by President James Pachuillo. After the Pledge to the Flag, Elizabeth White called the roll reflecting the following Council Members present:

James Pachuillo
TJ Huckleberry
George Butkus
Denise Stine
Lisa Gantner
Tracy Peterson
Brian Hoffa

Other officials present were: Mayor Gary Cirulli, Charles Haws, Borough Solicitor; Robert Ludgate Sr. , Ludgate Engineering; Brad Smith, ARRO Consulting; Michael Hart, Public Works Director; Police Chief Lee Schweyer, Regina Shade, Borough Manager and Elizabeth White who recorded the minutes of the proceeding.

VISITORS/PUBLIC COMMENT:

There were no visitors.

BUSINESS:

Mr. Pachuillo stated that the first order of business is the Ambulance Agreement for 2014. Mrs. Shade stated that it is the same every year and just needs to be signed, nothing has changed. Mr. Butkus asked if they ever forwarded us a rough break down of how many calls they respond to within the Borough in a year. Mrs. Shade stated that we have asked for that and that a representative from the Ambulance was to attend the monthly meetings. She mentioned that we do receive an end of the year report but we haven't received it yet. Mr. Pachuillo asked if we can add that they need to furnish a quarterly report for the next Agreement. Mr. Haws stated that we could add it as an amendment. Mr. Butkus made the motion to approve the signing of the Agreement with the amendment that they produce a quarterly report; seconded by Mrs. Stine. AYES – 7, NAYS – 0. Motion carried.

The second item under business was to ratify the hiring of Jonathan Duffy as Head Librarian at \$19.00 per hour. Mrs. Stine made the motion to hire Jonathan Duffy as Head Librarian at a rate of \$19.00 per hour, seconded by Mr. Butkus. AYES – 7, NAYS – 0. Motion carried. Mr. Butkus asked how we are dealing with the Affordable Care Act since he will be working around 38 hours per week. Mrs. Shade stated that we don't have fifty employees so we are not bound by that.

The third item was the Solicitor Report. Mr. Haws stated that he had a few things. He stated that at the last meeting he was directed to prepare a Resolution that authorized the Borough Manager, Public Works Director and Chief of Police to make expenditures up to \$5,000.00 without seeking prior approval of Borough Council in order to purchase reasonable and necessary goods and

BUSINESS: (Cont.)

services required for the proper administration of their respective responsibilities. He stated that the expenditures are authorized only up to the amount budgeted by Borough Council for each respective department. Mr. Pachuillo stated that the motion was made and approved at the last meeting and this is just the Resolution for that. Discussion ensued. AYES – 7, NAYS – 0. Motion carried.

Mr. Haws stated that there was a question about whether there was a maximum fine for parking during a Snow Emergency. He stated that the only limit he could find is under the Borough Code 184.41 which states any violation of the ordinance allows a fine of not more than \$300.00 unless the motor vehicle code prescribes a specific amount for violation. He also mentioned that he found a potential problem under 184.32 which identifies four garages that are authorized to tow and impound vehicles that may or may not be in business. Chief Schweyer stated that they are not. Mr. Haws stated that it should be amended. He also mentioned that it states that they are required to post a \$1000.00 bond which may not be the right number anymore. Chief Schweyer stated that we use Spitlers Towing and we do not need a bond because they are bonded. He also mentioned that with the Snow Emergency they don't give tickets anymore they just issue a State Citation which is up to a \$300.00 fine which is up to the District Justice. He mentioned that they do have an option of writing a parking ticket during a Snow Emergency and then it would be \$10.00. Mr. Pachuillo suggested that they check with surrounding municipalities and come back with a number next week. Mr. Haws also mentioned that 184.34 sets a limit of \$35.00 for a tow, \$5.00 for the first day of storage and \$3.00 for each additional day. Chief Schweyer stated that it is \$200.00 for a tow and Spitlers invoices the owner of the vehicle. Mr. Pachuillo stated that it will have to be amended.

Mr. Haws mentioned that the last thing he has is concerning clearing snow from around fire hydrants. He stated that he couldn't find anything in the code about that but there are two provisions that we could amend to address that. The first is 167.31 which imposes an obligation on property owners or occupants to keep and maintain their sidewalks including clearing snow. He stated that we could add a provision that they must clear the snow away from fire hydrants if located on their property. Discussion ensued.

BRAD SMITH – ARRO CONSULTING:

Mr. Smith stated that the contractor for the SCADA Project, MDI, did submit their contract documents; however there were three issues with their insurance. He asked if Council would be able or willing to issue a partial approval of the agreement pending resolution of the three insurance issues. Mr. Butkus asked what the issues were. Mr. Smith stated the first item is that they need a letter from the insurance carrier stating that the limits as shown on the certificate have not been reduced by any claims. They did not list ARRO Consulting as an additional insured. They need to clarify their Workers Compensation which is supposed to be \$1,000,000.00. Mr. Pachuillo stated that they would table that until next meeting so they have time to get the paper work corrected.

Mr. Smith stated that they need approval to advertise for the Reed Bed Cleaning. Mr. Butkus made to motion to approve advertising; seconded by Mr. Huckleberry. AYES – 7, NAYS – 0. Motion carried.

BRYCE ZOHNER- SEWER PLANT SUPERINTENDENT

Mr. Zohner reported that all three secondary digesters have been cleaned out and were inspected by ARRO. He mentioned that the primary digester was emptied today.

SEWER COMMITTEE – GEORGE BUTKUS:

Mr. Butkus mentioned that the committee will be meeting on the first Monday of every month in the evening.

COUNCIL PRESIDENT – JIM PACHUILO:

Mr. Pachuillo mentioned that he will not be at the regular Council meeting on April 3rd and that Mr. Huckleberry will lead the meeting. He mentioned that they had a meeting with the non-uniformed union this evening and that negotiations are ongoing. He stated that they will be meeting again next week and that they agreed that if the contract is not passed by the end of the month it will be retroactive back to April 1st.

ECONOMIC & COMMUNITY DEVELOPMENT (BOSS2020) – BRIAN HOFFA:

Mr. Hoffa mentioned that he attended the BOSS2020 meeting last week. He stated that he mentioned to them about putting together a presentation for Council at a Workshop Meeting. Mr. Ludgate stated that our Borough Manager has been leading us in that direction. Mrs. Shade stated that they were going to set up a joint meeting for the April Workshop meeting which would include the Planning Commission as well.

Mr. Hoffa also mentioned that he is looking into starting some type of Shade Tree Commission to look at the trees and the overall landscaping of the community. He also mentioned that planters that are on Penn Avenue and that the Rec. Board is going to take care of the two that are in front of the Borough Hall. Discussion ensued concerning the planters and street trees. Mr. Hoffa suggested that they do something for Arbor Day.

RECREATION – LISA GANTNER:

Mrs. Gantner stated that she gave all of Council tickets to sell for the Community Breakfast. She mentioned that they are getting a set of the plans that Mrs. Hollenbach is printing out and that Mrs. Hollenbach and Mr. Loth are coming to the Breakfast and Egg Hunt to have the plans out there and so everyone can see them and they can talk about them.

Mr. Ludgate mentioned that the Borough's Traffic Improvement Project has finally made the list of the Reading Transportation Study of traffic improvement projects. He stated that it doesn't mean that we are in line to get funding immediately but we are higher on the list than we used to be.

PUBLIC SAFETY – DENISE STINE:

Mrs. Stine mentioned that she spoke with Mrs. Wentzel and they are going to do the Memorial for Mr. Wentzel on June 14th. She stated that she spoke with Chief Kulp and they are willing to do whatever is needed to help.

POLICE CHIEF LEE SCHWEYER:

Chief Schweyer mentioned that as of March 12, 2014 Officer David Church has surpassed two years here with our Police Department and as part of the current collective bargaining he should be elevated to First Class Patrolman at a rate of \$28.76. He asked that Council approve his elevation to First Class Patrolman at that rate. Mrs. Stine made the motion; seconded by Mr. Butkus. AYES – 7, NAYS – 0. Motion carried.

Chief Schweyer also mentioned that Officer Church has expressed an interest in the County Drug Task Force. He mentioned that any overtime that is incurred would be picked up by the County and that it is on an as needed basis. Mrs. Stine made the motion to allow Officer Church to join the County Drug Task Force; seconded by Mr. Butkus. AYES – 7, NAYS – 0. Motion carried.

Chief Schweyer mentioned that he received an e-mail from Ms. Kauffman of the Liberty Youth Baseball League. They are having their Opening Day at the Liberty Fire Co. on April 12, 2014. He stated that they are asking for permission and also if we would be able to provide traffic control by barricades which we did last year. Mr. Pachuillo was concerned about the Egg Hunt. Mrs. Gantner stated that she spoke with them and they are moving their stuff back and will be on the Baseball fields. She mentioned that they do a big parade down Ruth Street. Mr. Huckleberry made the motion to approve providing barricades for the Liberty Youth Baseball League; seconded by Mrs. Stine. AYES – 7, NAYS – 0. Motion carried.

Chief Schweyer mentioned that they received the new portable radios but they won't work until August when the new system goes into effect.

EXECUTIVE SESSION:

Council went into an executive session at 7:52 pm for personnel issues.

RECONVENE:

Council reconvened at 8:44 pm.

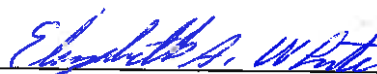
Mr. Butkus made a motion, based on discussion in executive session, to terminate Ivan Rodriguez during his probationary period and that we advertise immediately for a replacement at the Sewer Plant; seconded by Mr. Hoffa. AYES – 7, NAYS – 0. Motion carried.

Mr. Haws mentioned that we got notice from Mr. John Muir, who is the solicitor for the Civil Service Commission, stating that he is switching firms. He stated that Mr. Muir prepared a letter that would go to his old firm, Roland Stock, authorizing them to transfer all open matters for work he is doing for the Borough to his new firm, Kozlof Stoudt. Mr. Butkus made a motion to authorize the signing of the letter; seconded by Mrs. Peterson. AYES – 7, NAYS – 0. Motion carried.

ADJOURNMENT:

Mr. Butkus made a motion to adjourn the meeting at 8:45 p.m.

Respectfully submitted,



Elizabeth A. White
Asst. Borough Secretary