

The regular meeting of the Borough Council of the Borough of Sinking Spring was called to order on Thursday, March 6, 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, Interim Borough Manager and Elizabeth White who recorded the minutes of the proceeding.

Mr. Pachuillo requested a moment of silence to honor those who serve us on a daily basis at home and abroad in the Armed Forces and our first responders.

EXECUTIVE SESSION:

Council went into an executive session at 7:03 pm for personnel issues.

RECONVENE:

Council reconvened at 7:21 pm.

Mr. Huckleberry made to motion to appoint Mrs. Shade as Borough Manager until the next Reorganization Meeting in January 2016; seconded by Mrs. Peterson. AYES – 6, NAYS – 1 (George Butkus). Motion carried.

Mrs. Stine made a motion to give all the Department Heads up to \$5,000.00 to spend without coming to Council for approval; seconded by Mr. Butkus. AYES – 7, NAYS – 0. Motion carried.

APPROVAL OF MINUTES:

Mr. Pachuillo asked for a motion to approve the minutes from the February 6, 2014 Council Meeting. Mrs. Stine made the motion to approve the minutes; seconded by Mr. Huckleberry. AYES – 7, NAYS – 0. Motion carried.

VISITORS/PUBLIC COMMENT:

Cristina Osorio of the Gilmore/Henne Community Fund addressed Council. She stated that they would like permission to do the Gilmore/Henne Railroad Run once again for 2014. She stated that 2013 went really well and that they had about 175 runners and walkers. She stated that it would be on Labor Day. Mr. Butkus made a motion to authorize the Run seconded by Mrs. Stine. AYES – 7, NAYS – 0. Motion carried. Mr. Schweyer asked that they give him detail, like last year, of how it is going to be run and if they will require Fire Police. Ms. Osorio stated that they will need the Fire Police again and that it will be the same as last year and that they won't be taking up any major roads. She handed out some flyers and Mr. Pachuiilo stated that we could put it in the newsletter and on the Web Site.

COMMUNICATIONS:

Ms. White stated that she received correspondence from Mr. Lawrence Schmidt, Mr. Brian Marshall and Mrs. Susan Marshall stating that they are interested in serving on the Planning Commission. Mr. Pachuiilo stated that we are in need of three members for the Planning Commission and that the requirement is only that you are a resident. Mrs. Stine made a motion to appoint Mr. Schmidt, Mr. Marshall and Mrs. Marshall to the Planning Commission, seconded by Mr. Huckleberry. AYES – 7, NAYS – 0. Motion carried.

APPROVAL OF THE BILLS:

Mr. Pachuiilo asked for a motion to approve the bills for February 2014. Mrs. Stine made a motion to pay the bills; seconded by Mr. Butkus. AYES – 7, NAYS – 0. Motion carried.

WESTERN BERKS FIRE DEPARTMENT:

Mr. Weidner gave the Fire Report for February 2014. He stated that they had a total of 85 calls, and of those 85, 20 of them were in the Borough. He also mentioned that they had a total number of responding personnel of 589. He stated that they did have a very significant fire loss in Lower Heidelberg Township, The Legacy of Paper Mill; the final damage estimate was \$2,150,000.00. He stated that it was ruled arson. He mentioned that all of the departments that responded did an impressive job in stopping the fire from spreading to the occupied apartment building.

Mr. Pachuiilo asked who is responsible to clean around the Fire Hydrants after a snow storm. He stated that he always does his and was asked by some of the Firemen if the Borough has an Ordinance. Mr. Butkus stated that we do and it is spelled out in the Snow Emergency Ordinance and the Ordinance that references how wide the path must be for the sidewalk. Mr. Butkus stated that it is the property owner's responsibility to clear the area around the hydrants and recommended that they take it back to the committee and by Resolution increase the fees associated with not clearing the area around the hydrants. Mr. Pachuiilo suggested mailing a flyer with the information and putting it in the newsletter.

REVITALIZATION PROJECT:

Mr. Ludgate mentioned that he got a report from STV Engineers stating that they are making progress on the design and another report from Larson Engineers that deals with coordinating efforts for the 422 Betterment Project with the enhancement of the Columbia Avenue intersection and other issues. Mr. Hoffa mentioned that they have been meeting with the BOSS2020 committee. He stated that he got a list from Mr. Loth of all the merchants that are part of the Business Community Alliance and he wants to contact them about getting involved in things.

UNFINISHED BUSINESS:

Mr. Pachuillo stated that the first item is the SCADA Bid Award. Mr. Smith stated that six companies picked up specification and we received bids from five. He stated that the lowest bidder was AI Control Systems, Inc. with a bid of \$89,900.00 but they have requested that their bid be withdrawn. He stated that the second lowest bidder was Multi-Dimensional Integration with a bid of \$106,919.00 which is still well below their estimate of \$160,000.00. He also mentioned that ARRO provided a PSA as requested which needs to be executed by the Borough so that ARRO is authorized to continue with the construction engineering and inspection of this project. He stated that the cost is \$21,500.00.

Mr. Butkus made a motion to accept the bid from Multi-Dimensional Integration for \$106,919.00; seconded by Ms. Peterson. AYES – 7, NAYS – 0. Motion carried.

Mr. Butkus made a motion to accept ARRO PSA at a cost not to exceed \$22,000.00; seconded by Mr. Huckleberry. AYES – 7, NAYS – 0. Motion carried..

Mr. Butkus made a motion to accept AI Control Systems' withdraw; seconded by Mrs. Gantner. AYES – 7, NAYS – 0. Motion carried..

Mayor Cirulli asked why AI Control Systems withdrew their bid. Mr. Smith stated that they withdrew their bid due to the unintentional omission to the quantity of the work.

Mr. Pachuillo stated that the next item was to reaffirm the advertising for the Head Librarian. Mr. Butkus made the motion to authorize the advertising for a Head Librarian; seconded by Mrs. Stine. AYES – 7, NAYS – 0. Motion carried..

Mr. Pachuillo stated that they also needed to reaffirm the rental of the Loader that was used for snow removal. Mrs. Shade mentioned that it did come through at the \$4,000.00 figure for two weeks of rental. Mr. Butkus made the motion to authorize the rental of the Loader due to the severe weather; seconded by Mrs. Stine. AYES – 7, NAYS – 0. Motion carried..

Mrs. Gantner mentioned that they should also reaffirm the advertisement for the Playground Leaders. Mrs. Gantner made the motion to authorize the advertising for Playground Leaders; seconded by Mr. Butkus. AYES – 7, NAYS – 0. Motion carried..

NEW BUSINESS:

Mr. Pachuillo stated that the first item is to re-appoint Mr. Wilmont Binkley to the Civil Service Commission. Mr. Butkus made the motion to re-appoint Mr. Binkley to the Civil Service Commission for another six year term; seconded by Mr. Huckleberry. AYES – 7, NAYS – 0. Motion carried.

Mr. Pachuillo stated that the next item is the Reed Bed cleaning. Mr. Hart stated that he would like to get Councils approval to advertise and go out for bids. He stated that he would like to clean out beds six through twelve which are some of the older ones and they are full. He mentioned that it is not deemed an emergency because we do still have room but we do need to go out for bid for it and also give ARRO authorization to put a Bid Packet together for that work. Mr. Butkus made a motion to authorize ARRO and Mr. Hart to make the bid packs and get that process rolling; seconded by Mr. Huckleberry. AYES – 7, NAYS – 0. Motion carried.

Mr. Pachuillo stated that the next item is to execute the Polling Place Agreement from the County. Mrs. Stine made a motion to authorize the signing of the Polling Place Agreement; seconded by Mr. Butkus. AYES – 7, NAYS – 0. Motion carried.

PUBLIC WORKS DIRECTOR – MICHAEL HART:

Mr. Hart stated that he had some sewer related issues. He mentioned that Mr. Zohner's report is in the binders. He stated that the new sludge pump was installed is as far as they can tell it is working fine. He stated that we have an excessive amount of sludge and the problem is worse than we thought. He stated that the old sludge pump probably still worked but the sludge is so thick in the digesters that nothing can move it. He stated that they started to reintroduce the sludge in the primary digester back into the system to get more water into it and soften it up. He stated that it is an emergency situation and they need to clean out the secondary digesters as soon as possible. He stated that the usable space is down to 54% in the primary digester and 27% in the secondary digesters. He stated that Mr. Zohner is getting two prices, one was confirmed this afternoon, and we are looking at about \$25,000.00 to have someone come in and vacuum out all of the debris that is in the three secondary digesters. Mr. Huckleberry asked if this was anticipated budget wise. Mr. Hart stated no. Mr. Butkus mentioned that we don't have a reserve fund in the sewer but we do have reserve capital in the sewer. He also mentioned that it would be part of the shared operating costs. Mr. Hart stated that part of the problem is that the contractor that was operating the plant did not do this for over twelve years so we are left with a mess. Mr. Butkus mentioned that in addition it is becoming apparent that they were not stirring the digesters at least twice a year as recommended by the bio augmentation people. He stated that it is apparent that they may have been doing it possibly once a year or maybe once every eight or so months which allowed all of this sludge like mud to solidify. Mr. Huckleberry asked if that would be considered some kind of negligence. Mr. Hart stated that they were operating the plant which is what they were hired to do. Mr. Butkus stated that they were not operating the plant as designed nor under the terms of the license. He stated that they will be discussing it at their committee meeting. Mr. Butkus made a motion to approve cleaning of the three secondary digesters at a cost not to exceed \$30,000.00; seconded by Mr. Huckleberry. AYES – 7, NAYS – 0. Motion carried.

PUBLIC WORKS DIRECTOR – MICHAEL HART: (Cont.)

Mr. Hart mentioned that the previous contractor did submit some invoices for product and services which will have to be discussed at some point. Mr. Butkus made a motion to defer that till at least next month; seconded by Mr. Huckleberry. AYES – 7, NAYS – 0. Motion carried.

Mrs. Peterson asked how many people we had signed up to have their sewer/refuse bills e-mailed. Ms. White stated that she had received about 10 requests. Mrs. Gantner stated that she is putting it in the newsletter. Mrs. Peterson asked if there was a way we can incentives this for our residents. She suggested maybe a one percent discount. Mrs. Shade stated that it would have to be done through Resolution. Mr. Pachuillo suggested that they discuss it at a committee meeting.

SEWER ENGINEER – ARRO CONSULTING – BRAD SMITH:

Mr. Smith mentioned that the NPDES Permit still has not come in so no action needs to be taken on that. He mentioned that they received a letter today from the engineer for Lower Heidelberg Township requesting additional capacity. He stated that they are requesting to purchase additional capacity for a development along Gaul Road in the Township and consisting of 54 townhouses using 12,852 gpd. Mr. Smith stated that they will work on a response.

BOROUGH ENGINEER – LUDGATE ENGINEERING – ROBERG LUDGATE SR:

Mr. Ludgate asked that any Council members that are interested in what's happening with the issues with PennDOT and the highway plans are welcome to attend the BOSS2020 meetings. He stated that it is a good place to come and get educated about what is going on and the costs that are associated. Mr. Haws mentioned that we got an agreement from STV. He stated that Council had given approval to engage them and then they sent us an engagement letter and there was an issue that Mrs. Shade identified. He stated that there was an approval to enter into that contract for \$39,000.00 conditional upon the county coming through with the funding on the engineering side which hasn't happened. He stated that we will need some kind of formal action by Council to authorize entering into an agreement with STV for the engineering at Cacoosing, Columbia and Penn understanding that the prior approval that was given was conditioned and that condition wasn't met and then if there are questions about how that particular project comes together now would be the time to ask those questions. Mr. Ludgate gave a history on the CDBG funds. He stated that in 2014 we have to do the engineering and we have to show PennDOT that we have the engineering to match the new intersection at Columbia. In 2015 we have to show that we have the right-of-way for these streets that will connect. This is where the CDBG money comes in and the Berks County Redevelopment Authority. They are working with us and they are committed to provide the remainder of the \$750,000.00 to provide the right-of-way. He stated that at the end of 2015 if we are able to show PennDOT that we have the engineering done and the right-of-way then when they go to bids they will include in the bidding our relocated Columbia Avenue intersection. Mr. Ludgate stated that he spoke with Mr. Pick who said that we missed the CDBG fiscal year and he also stated that the County Commissioners would rather spend the money on construction and right-or way than they would on engineering. Mr. Ludgate stated that Council would have to amend their motion to authorize other funding to cover the STV fee. Mrs. Gantner asked if we have

BOROUGH ENGINEER – LUDGATE ENGINEERING – ROBERG LUDGATE SR: (Cont.)

other funding. Mr. Pachuillo stated that they will have to discuss that. Mr. Ludgate stated that STV has not presented a bill yet and they are very cooperative and good to work with so if we can work out an alternative they will be happy. Mr. Pachuillo stated he would like to defer this and get a combined meeting together with someone from finance and economic development and Mrs. Shade to discuss the funding for this. Mr. Ludgate mentioned that he has been going to these meeting and would like to have a representative with firsthand knowledge of what is going on from Council to attend these meeting and negotiations with him because he is very uncomfortable with speaking for the Borough and making commitments for the Borough when he doesn't have any status other than being the engineer. Mr. Pachuillo stated that the Borough Manager is handy during the day and very knowledgeable of our funding so she could attend these meetings with him.

Mrs. Shade mentioned that Mr. Ludgate had a good idea about doing a joint meeting with Council, Planning Commission and the Revitalization Committee. She suggested doing something for the April Workshop meeting. She said it would be nice to have everyone on the same page and hear everyone's ideas.

SOLICITOR – CHARLES HAWS:

Mr. Haws stated that they had to cancel the Arbitration Meeting due to the weather and he is waiting for the new date.

INTERIM BOROUGH MANAGER – REGINA SHADE:

Mrs. Shade mentioned that the LST Tax has taken on a new form and becoming very complicated. She stated that a lot of municipalities are now letting the Berks EIT collect the money and then they send it to the municipalities. She stated that it is too late to do for this year but would like to look into it for 2015.

Mrs. Shade thanked Mr. Hart and his Street Department for the fantastic job they did during this snow storm. She also mentioned that Mrs. Bohn and Ms. White did an outstanding job fielding the phone calls.

Mrs. Shade mentioned that on the Budget under ice and snow removal we had \$24,000.00 budgeted. She wanted to caution everyone that this line item only covers the anti-skid and salt. It doesn't cover any equipment, maintenance, man hours or gas and diesel. She stated that in total including wages up to February 23rd is \$40,502.25. She stated that the overtime wages for the Street Department was \$5,545.28 as of the 23rd.

Mrs. Shade also thanked Chief Schweyer for supplying part-time Police Officers to come in. She stated that there was no overtime because we used part-timers. Their total wages were \$357.01.

MAYOR - GARY CIRULLI:

Mayor Cirulli mentioned that he spent some time at the garage with Mr. Hart during one of the big snow storms. He stated that Mr. Hart showed him around. He suggested that all of Council should meet with Mr. Hart sometime and get a tour of the shop and equipment so he can show you what needs to be replaced. Mr. Hart stated that what he would like to do is have an open house where Council could go to the garage and the plant so everybody can see everything. Mr. Cirulli also mentioned the salt shed and that Mr. Hart would like to get a bigger one. Mr. Hart stated that the one that we have is falling apart and the whole back wall is bowing out.

TJ HUCKLEBERRY – FINANCE COMMITTEE:

Mr. Huckleberry asked if we could print out extra Treasurers Reports to put out with the Agendas for the audience. Mrs. Shade stated that we would start doing that for the next meeting.

TRACY PETERSON – LIBRIARY:

Mrs. Peterson mentioned that the Library would like to hire Belinda Davidson to fill the part-time Tuesday and Saturdays shift. She stated that she works at the school and probably already has the clearances. Mrs. Peterson made the motion to hire Belinda Davidson; seconded by Mr. Butkus. AYES – 7, NAYS – 0. Motion carried. Mrs. Peterson mentioned that they have one more part-time position open and tomorrow they will start interviewing for the Library Director position.

Mrs. Peterson also mentioned the sign out front and the light fixture and asked if Mr. Hart would have time to work on it. Mr. Hart stated that he should be able to get to it next week.

Mrs. Shade asked Mrs. Peterson if she could have Mrs. Westbrook get her letter of resignation in. She stated that she needs to have that before we hire someone and so that Council can accept her resignation.

BRIAN HOFFA – ECONOMIC AND COMMUNITY DEVELOPMENT:

Mr. Hoffa mentioned that they continue to work with BOSS2020 and that he is going to reach out to the business community and see if they can get some programs started.

LISA GANTNER – RECREATION COMMITTEE:

Mrs. Gantner stated that she is working on the Newsletter and thanked everyone for the information they sent in. She stated that they are revamping it and that someone at Keystone Printing is going to put it all together for us. She also mentioned that they are going to black and white with the outside cover being colored paper to save some money. She also mentioned that she found a new way to mail it so we will be saving money there also and they took out the Playground

LISA GANTNER – RECREATION COMMITTEE: (Cont.)

Registration Form which cost an additional \$300.00. She is hoping that it will be out by the end of the month.

She stated that the Easter Egg Hunt is scheduled for Saturday, April 12th at 10 am at the Sinking Spring Fire Co. She also mentioned that the Community Breakfast will also be Saturday, April 12th at the Fire Co. from 8 am to 1 pm She asked that all Council members help sell tickets. The cost is \$6 for adults and \$3.00 for children or \$7 at the door.

She stated that all the parade letters and e-mails have gone out and they are getting responses already. She mentioned that Mrs. Wentzel and her son are going to be our Grand Marshalls this year.

She mentioned that Playground will officially be June 17th through August 8th and we will start with the movie night on Friday, June 13th. Registration forms will be available at Movie Night. She is trying to get sponsors for Movie Night to help pay for the license. Playground Leader interviews will start tomorrow morning.

Mr. Butkus mentioned that there will be a rabbit to raffle off at the Egg Hunt.

DENISE STINE – PUBLIC SAFETY COMMITTEE:

Mrs. Stine mentioned that she talked to Mrs. Wentzel are they are looking at June sometime to do the Memorial Dedication.

POLICE CHIEF – LEE SCHWEYER:

Chief Schweyer mentioned that he was in contact with Cumru Township regarding the sale of one of their new radios that they want to get rid of. He stated that the cost is \$5,090.60 and that he had budgeted \$5,500.00 for it. He mentioned that it will need to be reprogrammed with our frequencies. Mr. Butkus made a motion to purchase the radio from Cumru Township; seconded by Mrs. Stine. AYES – 7, NAYS – 0. Motion carried.

Chief Schweyer mentioned that Petals on Penn, which is located on the corner of Penn and Woodrow, called the office and requested a Handicapped space. He stated that he spoke to Mr. Hart and he said it shouldn't be a problem putting in on Woodrow. Mrs. Stine made the motion to approve the handicapped space; seconded by Mr. Butkus. AYES – 7, NAYS – 0. Motion carried.

Chief Schweyer mentioned that they did heavily enforce the alternate side parking for plowing. In discussions with the Mayor and Mrs. Shade they felt that the fine of \$10.00 is way too low. Mrs. Shade suggested discussing it at a Safety Committee meeting and contacting other municipalities to see what they charge.

TREASURER'S REPORT:**General Account**

| | | |
|------------------------------------|------------|------------------|
| Opening Balance – January 31, 2014 | | \$248,309.22 |
| PLGIT | | 9,120.97 |
| Invest | Recreation | 40,200.65 |
| | General | 64,318.22 |
| McDonald's Escrow | | 4,005.75 |
| Fleetwood Bank Acct. | | 4,246.15 |
| Susquehanna Bank Acct. | | 100.00 |
| Deposits as of February 28, 2014 | | 177,730.85 |
| Checks Written | | 120,288.17 |
| Payroll | | 90,137.00 |
| PENNVEST auto debit | | 2,785.50 |
| To be Paid | | <u>28,196.06</u> |
| Balance as of March 6, 2014 | | \$306,625.08 |

Sewer Account

| | | |
|------------------------------------|--|------------------|
| Opening Balance – January 31, 2014 | | \$ 1,083,427.68 |
| PLGIT | | 61,446.92 |
| Invest | | 322,836.73 |
| Deposits as of February 28, 2014 | | 65,644.57 |
| Checks Written | | 268,019.55 |
| Returned ACH | | 44.89 |
| PENNVEST auto debit | | 15,243.07 |
| To be Paid | | <u>41,317.40</u> |
| Balance as of March 6, 2014 | | \$ 952,178.98 |

Liquid Fuels Account

| | | |
|------------------------------------|--|------------------|
| Opening Balance – January 31, 2014 | | \$264,651.95 |
| Invest | | <u>30,767.50</u> |
| Balance as of March 6, 2014 | | \$295,441.93 |

Mrs. Stine made a motion to accept the Treasurer's Report; seconded by Mrs. Peterson.
 AYES – 7, NAYS – 0. Motion carried.

ADJOURNMENT:

Mr. Butkus made a motion to adjourn the meeting at 9:03 p.m.

Respectfully submitted,



Elizabeth A. White
 Assistant Borough Secretary