

The workshop meeting of the Borough Council of the Borough of Sinking Spring was called to order on Wednesday, July 23, 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; Regina Shade, Borough Manager and Elizabeth White who recorded the minutes of the proceeding.

VISITORS/PUBLIC COMMENT:

Mr. Thomas Bausher of the Westside Emergency Management Agency was there to explain about the agency and Council's position if a disaster should arise. Each municipality has a Deputy. As of August 1, 2014, Jeffrey Weidner will be the Borough's new Deputy Coordinator. Mr. Paul Roth will be stepping down as of July 31st. He continued that Mrs. Denise Stine is the Borough's representative on their Board. The law requires there are certain requirements or credentials that Council members have. NIMS are the most important. Council is the ultimate people if something happens. The NIMS system is an organizing system to approach and manage an incident with everyone, rather than just letting the police or the fire department handle it. He explained about NIMS and what they are responsible for. Mr. Butkus questioned if they expire to which Mr. Bausher stated no. However it is good to do a refresher course. They have updated some of them. You will get a certificate and please see that Mrs. Shade gets a copy to keep here on file. Westside Emergency Management Agency is comprised of the Borough of Sinking Spring, Spring Township, Borough of Wyomissing, and the Borough of West Reading. He invited and encouraged Council to stop down and visit the facility. There will be an open house of the sorts on Thursday, August 25th.

BUSINESS:

The first item on the agenda was to ratify the Capital Blue Cross (eye and dental) for the period beginning October 1, 2014 to September 30, 2015. The premium is actually dropping by 20%. The deductible will begin 1/1/15. Mrs. Stine made the motion to accept the health care as presented for 2015; seconded by Mr. Huckleberry. AYES – 7, NAYS – 0; motion carried.

The next item was the draft ordinance for limiting yard sales to four (4) times a year with a cost of \$10.00 per sale. Mrs. Shade explained that we have been receiving some complaints about residents that buy items from storage sheds, then come home and sell those items via a yard sale on

BUSINESS (cont'd):

a weekly basis. Some of the complaints we have been receiving are in regards to these people not paying business taxes on their earnings; hauling the items that don't sell to other neighbor's homes for trash pickup. She called other municipalities and asked for copies of their Ordinance if they had one. We received a huge amount of them which were turned over to Mr. Haws. We are proposing four (4) times a year per residence; one day a week; and the cost of the permit will be \$10.00. It won't generate a huge amount of income, but hopefully it will cover the administrative costs. A permit will be issued and will need to be displayed while the sale is going on. It appears that probably the police will be the one needing to enforce this as most of these types of events occur on weekends. Mr. Hoffa questioned if there is a community yard sale who will pay for the permit, each household or one group permit? Mr. Haws stated this ordinance addressed what Mrs. Shade and Mr. Hart wanted to see it, Council can change anything in it if they so choose. A brief discussion ensued as to what we want to charge and how we will handle this. It was decided that there will be no fee for the first yard sale but you need to still get a permit. They will still need to start paying for the permits after the first and they are only allowed up to four a year. Mr. Butkus questioned if it would be easier to just reclassify these types of people who have frequent yard sales as businesses and make them adhere to what businesses have to do. Mrs. Shade again stated that we are not just doing this without research; mostly every municipality in the area has permits for these types of events. Mr. Butkus again said he thinks the simpler way to go instead of creating a new ordinance would be to classify them as a business. Mrs. Shade questioned how are we going to do that? Mr. Hoffa also said it will be debatable if they are a business or not. If we don't have anything that says what a business is, they can say they are just a yard sale. Mr. Huckleberry thinks the ordinance is fair especially if they get the first one free and just make people aware of it. Mrs. Gantner does not feel we should specify what days yard sales can be held on. A discussion ensued. Mr. Haws stated the Ordinance does not specify what days they must be held on. Another discussion ensued as to how many days they can have their yard sale. Mr. Pachuillo stated in reading the ordinance he does not see that this discriminates against any one person in the Borough. He went on to say that when a nuisance type thing comes up, Council must act on it. It was decided you must obtain a two consecutive (2) day permit with a maximum of four (4) occurrences a year; the first one is free and after that the cost is \$10.00. The penalty is if you go over the 4 limit or don't get a permit the fine is \$1,000.00. Mrs. Gantner thought that was high. Mr. Haws stated you want to make the penalty high that is the reason for it. Mr. Butkus stated that has been an issue without a severe penalty people will just ignore the ordinance. Mr. Butkus was fine with not charging them, just getting the permit to which Mr. Pachuillo stated there are costs involved in this; we should at least recoup our costs. It was decided to charge only \$5.00 for the permit. The permit will need to be displayed during the length of the sale. Mr. Hoffa made a motion to advertise the ordinance with the changes proposed; seconded by Mrs. Peterson. AYES – 7, NAYS – 0; motion carried.

The next item was the 1978 ordinance which put into effect solicitation permits. The new ordinance will set the new amounts to be charged and then to change that from this day forward any changes to the fees can be addressed via a resolution instead of an ordinance. A discussion ensued as to what solicitation needs a permit. Mrs. Peterson made a motion to accept the changes and advertise; seconded by Mr. Butkus. AYES – 7, NAYS – 0; motion carried.

BUSINESS (cont'd):

Mr. Haws stated some time ago we agreed to go into a façade agreement with the BOSS2020 committee. There was a requirement for matching and administrative program. Instead of having the Borough staff due it the Revitalization Committee will be handling it. DCED requires a cooperation agreement in which the Borough appoints BOSS 2020 as the administrator of the grant. Mr. Hoffa made the motion to sign the agreement; seconded by Mrs. Peterson. AYES – 7, NAYS – 0; motion carried.

The next item was the sewer gate. Mr. Hart stated the reed bed cleanup is complete and went well. Most of the pits are concrete with the exception of the gates they are wood. Since it was cleaned up, now would be a good time to upgrade them with concrete to 10 foot span. He got prices. The lowest price is with Bertolet Construction at \$7,650.00 to close off six (6) of them. This is the last of them. We have room in the budget. A brief discussion occurred as to what might happen if we don't move to the concrete. Mrs. Stine made a motion to install the concrete gates; seconded by Mr. Butkus. AYES- 7, NAYS – 0; motion carried.

Movie night will be August 8th and it is the Lego Movie. It will be the last movie night of the seasons and also the last day of playground. They are hoping to add some additional items for fun that evening. The Rec Board is working on this.

The annual Shred Event will be October 18, 2014. No businesses will be allowed. It is at the National Penn Bank located in Robesonia.

There was a change order (#2) for the SCADA project. It is an annunciator panel. We are adding a junction box. Mrs. Stine approved the change order; seconded by Mr. Butkus. AYES – 7, NAYS – 0; absent – 0; motion carried.

Mr. Hart stated we have a “hole” appearing at the corner of Michigan Avenue and Columbia Avenue. It is along the sidewalk on top of our catch basin line which goes toward the retention basin. We televised it and the pipe is fully blocked. We don't know why and there is no way to clean it out short of excavating it, removing the pipe and see what is going on. The only way a contractor will look at it, will be by paying time and material. It is not a big area about 10 feet of pipe and not deep. If there is an opening under the pipe then we are going to get into more money. It is a concrete pipe. It is the stormsewer. We don't have the personnel to do it ourselves. A brief discussion ensued. Mr. Butkus made a motion to repair at a cost not to exceed \$5,000.00; seconded by Mr. Hoffa. AYES – 7, NAYS – 0; motion carried. If we do this and we get to the limit and there needs to be more work, Mr. Hoffa requested that Mrs. Shade send out an e-mail informing Council of the situation.

There is another one at the southwest corner of South Hull and Columbia. It is a catch basin/stormsewer/grate. It is sitting on top of a modified catch basin box that is attached to a two (2) foot concrete culvert. It caved in. He got a “quick” price from a contractor which is \$7,800 to excavate, build a concrete box and set a new grate on it. A discussion ensued as to what needs to be done. He would like a steel plate to put over it. Mr. Butkus wanted Mr. Hart to get prices for a steel plate. Council requested Mr. Hart to get two more bids. Mr. Butkus made a motion not to exceed \$8,000.00 and to get two (2) more bids and to get prices for a steel plate to keep on hand to

BUSINESS (cont'd):

use as necessary; seconded by Mr. Huckleberry. AYES – 7, NAYS – 0; motion carried.

Mr. Hart said he got information from the Berks County Solid Waste Authority that their grant cycle is coming around. We can apply for a grant for any type of recycling equipment we might need. He completed the application process. They said our application looks great however he needs Council's permission to move forward with it. He would like to replace our leaf vac which would cost about \$35,000.00. We would need to pay \$3,500.00. There are also some monies in there to purchase recycling containers for the residents. We would install a few recycling containers at the playground so we can separate the trash. There might be money available to reimburse us for the last big truck we bought as well as the new one we are buying under this grant. It is a healthy amount of money. There is money set aside for training of the public. If we made recycling mandatory it would make the money easier to obtain. We would have a set of rules. It would be done by Ordinance. Mr. Butkus asked how do we enforce it. Mr. Hart said we would routinely look and see. The grant would also cover the legal cost to create the ordinance. Mr. Butkus made the motion to have Mr. Hart move forward with this and to move forward to making recycling mandatory for the Borough; seconded by Mrs. Peterson. AYES – 7, NAYS – 0; motion carried. It would still be co-mingled. A discussion ensued as to the recycling procedures.

Mr. Ludgate stated the Planning Commission has made a recommendation for the conditional approval of a plan. There are a number of conditions and he feels it should be discussed at the next meeting. It is for Spring Market. The second item is the Sonoco project. There was a letter circulated from Spring Township. They are looking to add an additional twenty (20) trucks a day to the traffic. He replied he had concerns about this. He feels PENNDOT should look at this as well. The trucks are handling flammable or explosive materials. He stated he received a letter from Spring Township stating the Emergency Management Coordinator is aware of this. Sunoco is willing to supply safety materials to the community to help deal with that issue. A letter came to us from DEP regarding 3848 Penn Avenue which we call the Joe Dell property. They have applied for relief from having to bring the property up to standard. They have asked for site specific standards. The Borough can participate in review. However, we must apply by August 7th. The only cost at this point is to send the letter. Mr. Butkus made a motion to send a letter; seconded by Mr. Huckleberry. AYES – 7, NAYS – 0; motion carried.

Mrs. Shade was in receipt of the STV bill for \$15,970.00. Mr. Ludgate said this was actually in preparation of the plans for the Cacoosing crossing. This is to be paid out of Liquid Fuels. Mr. Hoffa made the motion to pay the bill out of Liquid Fuels; seconded by Mrs. Stine. AYES – 6, NAYS – 1 (Mr. Butkus); motion carried.

EXECUTIVE SESSION:

Council went into executive session for real estate matters at 8:18 p.m.

RECONVENE:

Council reconvened at 9:42 p.m. Mr. Hoffa made a motion to authorize the appraisals for the pending grant applications; seconded by Mrs. Peterson. AYES – 7, NAYS – 0; motion carried.

ADJOURNMENT:

Mr. Butkus made a motion to adjourn the meeting at 9:45 p.m.

Respectfully submitted,



Elizabeth A. White
Asst. Secretary