

The regular meeting of the Borough Council of the Borough of Sinking Spring was called to order on Thursday, February 5, 2009 at 7:00 p.m., at the Sinking Spring Borough Hall by President Stewart Wenrich. After the Pledge to the Flag, Debra Bohn called the roll reflecting the following Council Members present:

Stewart Wenrich
Bruce Light
Barbara Kutz
Lawrence Schmidt
George Butkus
James Zerr
Elizabeth Sloan

Other officials present were: Mayor Clarence Noecker, Keith Mooney, Borough Solicitor, James Oxenreider, Chief of Police, Robert Ludgate, Sr., Ludgate Engineering, Matthew Zerr, Liberty Fire Company, Michael Hart, Public Works Director, and Debra Bohn, Administrative Assistant, who recorded the minutes of the proceeding.

Mr. Wenrich requested a moment of silence for the people of the Armed Forces and for Fire and Police Departments who keep us safe.

APPROVAL OF MINUTES:

Mr. Light made a motion to accept the meeting minutes from the January 13, 2009 Council meeting; seconded by Mr. Schmidt. AYES – 7, NAYS – 0; motion carried.

MICROPHONES:

Please note there was a problem with the microphone system.

VISITORS:

Mr. John Levandowski of 3992 Penn Avenue addressed Council on the increase in the sewer rates. He stated he was there several months ago and brought to Council's attention that his sewer bill was twice the amount of his water bill. He said that according to the new rates his sewer bill will be over three (3) times more than his water bill is. He said it will be almost as much as his taxes are. He said it is very hard to absorb these costs. He stated it is hard to pass this on to his renters. He wishes that Council would not pass rates that high. He said he has places that are hard to rent but he is still being charged the basic rate even though no one is living there. He said with Wilson raising its taxes, the fire tax this cost is just too hard to absorb. He wants Council to think about it and come up with another solution; perhaps charging something for a group of units not each individual unit. Mr. Butkus stated the operational costs are what they are. He tried to calculate it out himself, four (4) different ways and he couldn't do it. He went on to explain what the upgrades will be handling. He said this isn't going to work for Mr. Levandowski. Mr. Schmidt stated that Mr. Levandowski should have received a letter from the water company stating that the water company was billing him improperly. Mr. Schmidt stated his water bill will be going up.

VISITORS (cont'd):

Mr. Levandowski questioned if they were billing him wrong or everyone. Mr. Schmidt stated just him; it appears they were reading the meter wrong or something was wrong with his meter. Mr. Schmidt stated that we have had very serious discussions on the sewer rates just as Mr. Butkus stated. For years we have been under billing. He continued it caught up with us. He said if we weren't the lowest billing municipality we were one of them in the County. It has caught up with us. Mr. Wenrich stated these upgrades are not something we wanted to do; we are being made to do so by the DEP. Mr. Levandowski stated he is sure when we collect everyone's sewer bills we collect millions of dollars. He can't believe by making amendments to the number of units would hurt the Borough that much; however it would help people like himself out. Mr. Butkus said each housing unit whether it has one (1) person or more than one (1) person it is considered a residential housing unit. He continued these formulas come down from the State. That is where the term EDU comes from. He knows they are going through this is Birdsboro and they have come up with some equations and solutions for apartments. They have given some guys relief because it doesn't really matter that much to them in the overall budget picture. Ms. Sloan questioned how many of the ten units in this building are unoccupied. Mr. Levandowski stated two (2) have been empty for over six (6) months. They are one (1) bedroom apartments. Usually only one (1) or two (2) people live in the apartments. Ms. Sloan questioned if there was anything we can do on empty apartments to which both Mr. Butkus and Mr. Schmidt said no. Mr. Butkus said it is complex; the plant still costs what it costs no matter how many people are actually using the system. That is why we have the base rate. If we start eliminating on empty houses or apartments we end up with a real problem. We aren't getting enough money to run the plant and the second is that money is not holding a spot for someone; we could sell that spot to someone else. Mr. Butkus will touch base with Birdsboro however we have been working on this for over three (3) years now. Mr. Levandowski stated a few years ago we had a rate increase to which Mr. Butkus stated that was to cover the cost of the money the State pulled from us. He stated we are beating up the people who are unable to pay. He then thanked Council.

COMMUNICATIONS:

There were no communications.

MILLER ENVIRONMENTAL:

Mr. Peter Juzyk gave the report for January, 2009. He stated they completed eighteen (18) work orders. They included the snow plow on the utility truck which was repaired and the control was replaced. The TV truck fuel pump was replaced and the annual service to the TV generator happened. They harvested reed beds 1 through 10. There was a rainfall event on January 6th and 7th; the plant was placed in a partial storm mode. There is one (1) third quarter 2008 invoice remaining unpaid. A final late notice with penalty has been issued and received by that company. A letter requesting payment for the China King 2007 4th quarter invoice was sent to the building owner. PA American Water Company notified them of a water leak. The leak is somewhere between the Reedy Road meter and the filter pit just inside the entrance of the plant. The Public

MILLER ENVIRONMENTAL (cont'd):

Works crew has tried to locate the leak, however, as of this point in time no leak has been found. They will continue working with PA American to try to find the leak if there truly is a leak. Ms. Debbie Floyd, of Zurich Insurance, stated a check was issued in the amount of \$3,456.02 for the repair of the damage light pole. The price quotation from Reading Electric was \$3,678.00. The difference lies in the fact that the original light pole was mounted flush in the ground however Reading Electric allowed for a three (3) foot concrete base to put the pole on. A discussion ensued. Mr. Wenrich wanted the check returned and tell Zurich that we are challenging what they are paying us. Mr. Zerr disagreed with that. He said to him the discrepancy seems to be with Reading Electric as they want to put in the three (3) foot base. Mr. Zerr said we should tell Reading Electric to put the pole in the way it originally was; seconded by Mr. Butkus. AYES – 7, NAYS – 0; motion carried. The total rainfall was 2.15 inches. The total monthly flow was 19,979,000 gallons. The average daily flow was 644,000 gallons; the minimum daily flow was 468,000 gallons; and the maximum daily flow was 824,000 gallons. The contribution by each municipality is: Sinking Spring – 72.2%, Lower Heidelberg – 19.6%, and South Heidelberg – 7.7%. He included some summary data for inflow from 2008.

REVITALIZATION PROJECT:

Mr. Ludgate, Sr. stated three (3) members from each of the teams would be addressing Council that evening. Mr. Bernie Campbell from the Economic and Development Team, Ms. Samantha Zerr from the Promotional and Marketing Team, and Mr. Kristopher Carpenter will give a report from the Design Team. Mr. Campbell will also give an overall report also. Mr. Campbell stated it was an exciting time. As far as the Economic committee goes the goals and objectives have been set for the year. They would like to begin identifying the businesses in the central business district. They would like to start identifying the voids in the business mix that is already here. They would like to attract more businesses that will complement the businesses we already have here. They would like to start developing linkage with the Berks Economic Partnership, with different real estate agencies as well as developers, and other businesses to raise the profile of the BOSS2020 effort. They would like to seek a cooperative spirit with existing businesses in the Borough. Some of these efforts have already begun. They are looking at becoming a member of the PA Downtown Center. They have many resources that we need to have, so we can lean on them. They have met with the Berks County Economic Partnership leaders. They have committed to have a representative at their next meeting. They have asked BEP to directly assist by supplying business and promotional materials. BEP has been through this with several other places in the area. They have been making direct contact with some of the businesses in the area already. They have met with two (2) larger businesses in the area and they have met with full support. Everyone knows what the problem is and everyone realizes it has to be fixed. Nobody says this is something that shouldn't be done however everyone just wants them to make sure they are cautious on how they are going about getting it done. Mr. Campbell feels that we are taking our time and going about this properly. Ms. Zerr was next to speak. Ms. Zerr stated the prior Monday; she had the privilege of attending the Wilson School Board meeting. At the meeting, Mr. Jim Pachuillo gave a brief presentation of the BOSS2020 program. They asked the School Board for their support in writing to which they Board stated they would. They (the School Board) also publicly announced their support of this project. They are also working with the school to make our website more user

REVITALIZATION PROJECT cont'd:

friendly. They would like to have one (1) or two (2) students either in web design or marketing work with this committee in helping us promote BOSS2020. Ms. Zerr and Ms. Jessica Klee will be the liaisons with Wilson on these matters. This will help both us and the students. The Promotion Team has discussed making welcome baskets for new residents and to keep costs down they discussed having local businesses sponsor the baskets. In the baskets will be local business coupons, business cards, information on the Borough, and info on the BOSS2020 project. In addition, it was discussed about promoting a brick building pathway sponsored by individuals and families. The pathway would lead up to the spring that we are named after. This will promote community unity. Ms. Zerr stated she is the youngest member of the BOSS2020 committee. She stated she represents the future generation and she feels if we want people to stay in the Borough, something needs to be done. Mr. Wenrich stated we did receive the official letter. Mr. Kristopher Carpenter spoke on behalf of the Design and Rehabilitation Team. He stated currently they have three (3) projects they are working on. The first is working with Mr. Paul Miller to identify historical sites within the Borough. The second is drafting and adopting a letter to be sent to Churches and other organizations within the Borough identifying a contact person who will be the liaison between their organizations and the BOSS2020 committee. The third item was the Team has begun developing guidelines for a building facade grant program for property and business owners in the Penn Avenue area. He explained how it will work. The Committee will be asking Borough Council to authorize Mr. Sam Loth to prepare an application requesting \$30,000.00 in funding from the State. This grant can be renewed again and again as we show progress. Mr. Loth would like to have this grant completed by April 30th. The next meeting will be February 17th. He also had the 2009's goals and objectives. Mr. Bernie Campbell gave an overview. He stated when he got involved with this project it seemed like a "pipe dream." He quickly learned it is not what you know, but who knows you. The exciting thing is that there are a lot of influential people and agencies who we are now on their radar screen. Being on those radar screens can only help us in moving forward with this project. Mr. Campbell stated he was excited to see just how quickly this project was moving, and he hopes that Council is just as excited as he is. The Wilson School Board is behind this project. Dr. Moussaline, School Superintendent, stated they are willing to throw any resources (i.e. students, etc.) to us that we might need. They will be having many meetings with them on how we can get students involved in this project as well. Mr. Campbell stated that he wasn't sure if Council has seen the article that was in the paper from Barta about the possible stop here in Sinking Spring, and it actually mentioned the revitalization committee's efforts. So we are on Barta's radar and it seems like a hub here makes a lot of sense. The Planning Commission and the Berks County Development Department are meeting together to make sure that if there are properties that need to be taken, that the proper procedures are followed, and that we satisfy the needs of the people that may be displaced. He is sure there are going to be trials and tribulations, and wanted everyone here to know that we are working with people who are in the "know" with that type of thing. We are confident that we are headed in the right direction. In connection with the Economic Partnership, assuming there is some assistance in things that we can apply for; again we've got the cooperation of many friends and agencies, the County Planning Commission, Ten Thousand Friends of Pennsylvania, PennDOT, RATS (Reading Area Transportation System), and 50 acronyms of people who are on the radar screen now which is really important. We are starting to get recruitment of new people; one (1) of the new people on the Economic/Finance Committee is Mr. Jim Adams. Mr. Adams is with the Berks County Industrial Development Authority. They basically take a look at all the projects in Berks County and rank them in what they feel is the order

REVITALIZATION PROJECT cont'd:

of importance and what jobs might have the most economic impact on the area. Our BOSS2020 Project is number 1 on their project list of the six (6) municipality projects that are currently out there now. We don't know what the other six (6) are but we can certainly find out if council is interested, and among all the projects in Berks County we are ranked sixth out of twenty five. So there are other people out there that feel that this is a very important part of the economic development of this area. Something else that is interesting too is there was an e-mail that went around and council is concerned about the cost of what has been happening so far and we really haven't brought in any money so to speak. We haven't brought in any spending money but there have been projects that have been going on that are indirect money. Mr. Campbell asked Mr. Ludgate Sr. if he could explain what indirect money is.

Mr. Ludgate Sr. explains that there are two (2) sources that we got primary assistance from so far. The first is from the Berks County Economic Development or Committee Development Department, their working with our Planning Commission on the Redevelopment Plan, Mr. Ludgate Sr. e-mailed Mr. Ken Pick the director and said you are bringing your work and you are also bringing on a consultant that the county pays for. He asked Mr. Pick how much is all that worth, Mr. Pick e-mailed back and said at the end, when we finish our job it will be a \$25,000.00 infusion into the Borough of Sinking Spring. The second is one of the things that we first met with DCED about back in March 2008 in Harrisburg. They said that we had to have an updated Comprehensive Plan. We have since worked out this Luptap Grant Application which will substitute for that and the Berks County Planning Commission was very instrumental in working that out, that plan that we do on the Luptap Grant will be treated as a supplement to the Comprehensive Plan and we won't have to do a new Comprehensive Plan. Mr. Ludgate Sr. e-mailed Mr. Glenn Knoblauch, the chairman of the Berks County Planning Commission, and asked Mr. Knoblauch what the typical cost of a Comprehensive Plan is and he said about \$30,000.00. So in effect, the help that the County has given us, helping us to get the Luptap Grant done, is going to spare us from spending \$30,000.00 on a new Comprehensive Plan. That is \$55,000.00 in aid that is coming from these two (2) agencies that we are getting right now for this project.

Mr. Schmidt explained that he and Mr. Zerr are followers of this project. Nobody at this council table has been more enthused about this project than Mr. Zerr. I'm glad that you brought up the \$50,000.00 that we are getting in indirect aid. However, I don't know the amount of money that this Borough has spent directly out of our budget and it is close to Mr. Loth's salary, Ludgate's salary, and so on. I'm not objecting to that, we did it. We haven't seen anything come back from that, where are we on this Luptap? Mr. Butkus stated that he was told two (2) months ago that momentarily we are going to hear something. Mr. Ludgate Sr. stated that he believes it is the problem with the 2.5 billion dollar short fall in the state budget. So basically the state is conserving cash to make current expenses. They have not released this money along with other money that they have not released. We fully expect that the stimulus package includes 21.2 billion dollars to Pennsylvania. He stated that 11.2 % of that money is slated to go directly into the state budget to cure the short fall and at that point we expect cash for this project and other projects, including some of the sewer plant issues. So right now, what happened is, the Luptap Grant has passed all of the reviews that are required at DCED and it was approved by the committee that reviews grant applications. It was sent upstairs to the secretary or under secretary and stopped there because they simply are not writing checks at this time. Mr. Wenrich spoke for himself and for all of Council

REVITALIZATION PROJECT cont'd:

here, stating that they are very excited about the project. At the same time, there is a very very large sewer project looming that we have to worry about and at the same time keeping the Borough books balanced. Not saying that we are going to take anything away or any kind of support away from revitalization and I think that came across wrong, that we don't support it. We do and I want you to take that back to your rank and file and say nothing has changed on Council we are still behind it. It is just that at the same time our budgets are getting tight and the state budgets are getting tight, and the federal budgets are getting tight. We just have to be careful where we spend a penny at any particular time. If that means delaying it a month, we might have to delay it a month. If that means delaying it two (2) months, it will get there. Does the rest of the Council feel that I have summed that up?

Mr. Campbell stated that he didn't believe that anybody on the committee took that e-mail to mean that you guys are willing to stop, but as a resident of the Borough I also would expect you to be physically responsible as a Council as well. We absolutely see that side of the table. I guess the economy is a double edged sword now because now is a great time to start the projects. If we can do it, it's a great time to do it. We're hoping the momentum that is gathering with different agencies that are behind this that the funding will start coming in. I think as a committee we are probably further along now than we ever really expected to be at this point, so it is kind of exciting in that way. I don't believe that anybody took it as that you weren't going to be supporting, or at least anybody that I talked to, and again I expect you guys to be physically responsible because I live in the Borough of Sinking Spring and certainly nobody wants open purse strings, but a lot of us believe in the project and we're glad that you are still behind it. So that being the case, I'm now going to ask for some money. Mr. Butkus asked that before Mr. Campbell asked for money, he'd like to make sure that he understands what Mr. Ludgate Sr. was saying about the grants. Are you saying that the grants that have been submitted, they have been reviewed and all that? We haven't been told how much or if we are officially getting anything. Mr. Campbell stated that we have the notes here. From what we understand and Mr. Ludgate Sr. can correct me if I'm wrong, we have been officially approved and approval is sitting on someone's desk just waiting for the signature. It's not just our approval, all the approvals that need to be approved are sitting there, and they are waiting to see what is going to happen with the state budget. Mr. Butkus asked if we have we been told how much we are going to get out of it. We have met all of our criteria and they like our idea but do we know how much we are going to get? Mr. Ludgate Sr. stated that the program that we applied for requires a 50% match. This states that the money that is already being spent already makes your match. It is a \$90,000.00 project and so we asked for \$45,000.00 in DCED funding and we have not heard that they want to cut that amount but there will be a letter which offers a contract. The way these grants work is that you enter into a contract with DCED, you agree that you will complete the scope of work that is called for, then they say you sign, we sign it, and then you finally get a check. I believe this is a direct grant as opposed to PCTI funding that he was talking about for possible highway construction which is reimbursement. Basically what we believe is we have the grant, we will continue working, we met the match, and the important part of this work is that it will cover that need for a Comprehensive Plan. We have to have a Comprehensive Plan before we can get funded by the Community Action Team or the Governor's Action Team. Both of which are major sources for a project such as this. That is what that grant will do and Mr. Ludgate Sr. wishes that we had it now because we need to be doing that work now. If they come through with the highway construction fund, we have to scramble to get work done in order to meet the construction

REVITALIZATION PROJECT cont'd:

schedule that it requires. Every day that they delay this grant is going to be tougher. On the other hand we secured some powerful allies. Mr. Ludgate Sr. said that he does not know if Mr. Dennis Louwse, the executive director of Barta, has a reputation for being the best ranked in the state and he is on board. In fact Mr. Ludgate has talked specifically with him about the possibility of a transfer station in Reading and finding some money to pay into the project for the land that would be a transfer station. Mr. Ludgate stated that he said all along that we would be looking for some money from development and so on. Mr. Hart and Mr. Ludgate Sr. have a meeting coming up and Mr. Ludgate Sr. has high hopes that there will be some development coming into the particular region and coming in a planning way. It is going to be very much contingent upon that plan working out, because if that plan does not work out then that developer does not come. So one (1) of the things that we have to do is to keep showing that we are serious about this project and they will be serious about bringing the kind of development that we are talking about. Berks Economic Partnership is a very powerful ally to have because they have direct contact with the Governor's Action Team and with the Community Action Team. Mr. John Scott asked Mr. Ludgate Sr. for the names and the report from our meeting with DCED last March. Mr. Ludgate Sr. gave Mr. Scott that information, and Mr. Scott e-mailed Mr. Ludgate Sr. back and said that this is just what we need. Mr. Scott or his Chief Deputy has committed to coming to our revitalization meeting on February 19th. Mr. Ludgate Sr. feels this is very important because there is County funding of \$600,000.00 of our county tax money.

Mr. Campbell stated that he thinks the other thing is Smart Transportation, and out of all the projects that are in the works in Pennsylvania, we have been told that our project aligns most closely with this new Smart Transportation. Mr. Campbell believe that Governor Rendell is spear heading that particular project.

Mr. Ludgate Sr. said that he has been told by PennDOT personnel that Mrs. Judy Swank has written a letter to the secretary of PennDOT expressing that very thought, that our project is the best example of smart transportation in her experience. So we are there, the problem we have is the shuttle ready business. They are looking for projects to start construction in 2010. We have worked with a highway consultant, I prevailed upon them to give us some freebies and I said give us a reasonable schedule that shows how we can meet that construction date, they did that, and I submitted that to PennDOT. So right now we have provided information to PennDOT, all we can do in terms of applying for this five million dollar highway construction job that makes phase 1 of the project. Frankly we do not know where that is going to go. I would be delighted and mildly surprised if we actually get that, that first round but I'm actually convinced that we are on the radar, and everyone is aware of it. Having submitted our applications and getting all this notice will mean we will get some funding in the second round. This first grant they are doing is sixty million dollars across the state. When they come up with 1.2 billion dollars in stimulus package that is committed to highway construction of Pennsylvania, if they take just a small percentage of that, just 10% of that would be double the money that they are putting into smart transportation. I am convinced that we will see some funding for this project and some others but we have to keep the pressure up. If we look like we are losing momentum, it would not be good, the agencies will back off from us, the developers will back off of us, and so we have to maintain momentum.

REVITALIZATION PROJECT cont'd:

Mr. Campbell stated that instead of asking for ten million tonight, I'm only going to ask for five million. What we would really like to do is the committee provided the 2009 budget allocation of \$2,000.00 for us and we would like your authorization to spend up to \$600.00 from that allocation to pay for the membership of the Pennsylvania Downtown Association. I have a list of the benefits that I can leave, copy, and have somebody put them in your mailbox. Again they have a lot of the resources that we're going to need already in template form and we think that they would be a very big help in moving the process and the progress forward. Also it would help in cutting down expenses because they have a lot of the stuff already done. Mr. Butkus asked up to \$600.00, and Mr. Campbell replied up to \$600.00, it is a yearly fee and we think that since we are into the year already that they might pro rate it but we are not sure, but would be up to \$600.00. Mr. Schmidt made a motion to approve the Revitalization Committee to use \$600.00 of the allocation to pay for membership to the Pennsylvania Downtown Association; seconded by Mr. Light. AYES-7, NAYS-0; motion carried.

Mr. Schmidt wanted to go on the record to say that we are not going to be an endless pit. The money is getting tight. It has not been the easiest winter so far. The heating system in the Borough Hall failed, and the sink hole on Maria and Diane opened again. We just have to keep some things in perspective. Mr. Campbell stated that they do not disagree, as a resident we would expect you to be physically responsible, and we certainly understand that with what the times are bringing. I will tell you that we will be aggressive and we will try to push forward. Mr. Campbell expressed to Council that any of the Revitalization meetings are open and Council is encouraged to come. Mr. Campbell stated that the job that the Public Works Department is doing has been incredible. He thanked Mr. Hart and his crew for such an excellent job.

REPORTS OF COMMITTEES AND OFFICES:**POLICE CHIEF – JAMES OXENREIDER:**

Chief Oxenreider gave his monthly report. There were 158 calls. They issued 130 citations, 4 parking tickets and 28 warnings were issued. They are also running the Smooth Operator to stop aggressive driving.

LIBRARY – ELIZABETH SLOAN:

Ms. Sloan stated that there was a Berks Task Force meeting on Tuesday night. She gave Council the bi-laws and will be forwarding those comments to Mr. Mike Mixell our director and than she will talk to Mr. Fitzpatrick about the bi-laws.

RECREATION – BARBARA KUTZ:

Mrs. Kutz stated that once again no one showed up to the meeting except for Mrs. Schmidt and herself. She reported that they don't have anyone to approve the Recreation bills. There was \$2,800.00 for something that was inaudible and \$1,000.00 for the Reading Phillies again this year.

RECREATION – BARBARA KUTZ cont'd:

Mrs. Kutz did not recall approving this year's picnic at the Reading Phillies Stadium. Mr. Wenrich suggested that the Reading Phillies Picnic bills be put on the agenda for next month. Ms. Sloan asked about there being 23 hours on the library report but then 3 hours were deducted; it appears someone put 23 hours down but only worked 20 hours. The approval of the bills is pending review.

Mr. Wenrich stated that we have a definite issue with the Recreation Board. We have the Memorial Day Parade coming up, and sooner than that we have the Easter Egg Hunt, and no one showed up for the Recreation Board meeting other than two (2) people. We are committed for this year's Easter Egg Hunt, and it is our year to have the Memorial Day Parade. Mr. Wenrich asked council if they would like to have the office staff coordinate the Easter Egg Hunt and the Memorial Day Parade. Secondly, what are we going to do about the Recreation Board. Mr. Wenrich told Mrs. Shade that if the office staff helps the Recreation Board with the Easter Egg Hunt and the Memorial Day Parade that they can have the extra hours because an hour or two over time is about all it would take per day, it would be cheaper than hiring for a new position. Mr. Zerr made a motion to turn all Recreation Board activities over to the administrative staff of the Borough, until such time that the issue with the Recreation Board is rectified either by ordinance or otherwise; seconded by Mr. Butkus. AYES-7, NAYS-0; motion carried. Mr. Zerr made a motion that Mrs. Kutz will coordinate the recreation activities with the help of the administrative staff; seconded by Mr. Schmidt. AYES-7, NAYS-0; motion carried.

STREETS, BUILDINGS, AND UTILITIES:

Mr. Light stated that the sink hole at Maria Drive and Diane Drive has been filled in and will hopefully not reopen. Mr. Wenrich asked Mr. Hart if there are plans to have the sewer line televised. Mr. Hart stated that as soon as Miller Environmental has time to fit it in, the sewer lines will be televised. Mr. Hart also stated that he has plans to call PA American Water to listen to the water main to make sure that there is no leak there. The opening is about five (5) feet in diameter and sank about a foot and a half. That whole area is actually sinking. Mr. Light stated that there is a possible sink hole between the garage and the new pole building, that the Public Works Department is keeping an eye on. Ms. Sloan made a motion for Mr. Hart to go up to Cabella's for a course on Residential Essentials and Emergencies on March 24, 2009 and March 25, 2009, the course cost \$95.00; seconded by Mrs. Kutz. AYES-7, NAYS-0; motion carried. Mr. Light thanked Mr. Hart and his crew for a great job with the snow and ice removal.

MAYOR – CLARENCE J. NOECKER:

Mayor Noecker asked about the Corporal position. Mr. Light explained that it was renegotiated to have a Corporal in place. Mr. Zerr requested to table the Corporal position until next month.

ADMINISTRATION – JAMES ZERR:

Mr. Zerr stated that the Administrative Committee had a meeting last month, where a few things were discussed such as billing. It all comes back to the sewer rates. In that meeting the Administrative Committee gave charge to Ms. White and the Administrative staff to look into

ADMINISTRATION – JAMES ZERR cont'd.:

obtaining a credit card machine and point of sale information. The cost for the terminal and pin pad is \$649.00. If the library wants to go in with us, it will be an extra \$559.00 for their FD100 terminal and pin pad. The police feel that they don't need one due to only receiving parking ticket payments back there. Ms. Zerbe from the police department felt that it would be better for the police to just use our credit card terminal if needed. Transaction fees are .20 per transaction. Mr. Butkus made a motion that council authorizes the administrative staff to go ahead with purchasing the credit card terminal for \$649.00; seconded by Ms. Sloan. AYES-7, NAYS-0; motion carried.

Mr. Zerr stated that he would also like to provide to residents of the borough the option to do electronic transfer. However we ran into a couple of snags. The administrative team is looking into that. Mr. Zerr has a goal of trying to have something ready for that by June.

SEWER COMMITTEE – GEORGE BUTKUS:

Mr. Butkus stated that Mr. Schlott was not at the meeting tonight because he is meeting with Mr. Mike Fuller about the H20 grants and information on the grants, so we can get some money toward the sewer project. Mr. Butkus asked Mr. Moonie about the \$250,000.00 we are borrowing out of the sewer revenue account for the general account and if there should be a separate motion. Mr. Moonie replied yes. Mr. Schmidt made a motion to borrow \$250,000.00 from the sewer fund to be used in the general fund to be repaid at tax time; seconded by Mr. Light. AYES-7, NAYS-0; motion carried.

Mr. Butkus stated that the sewer committee has set reoccurring meeting dates tentatively the second Thursday of each month at 1:00 PM to keep up with various things that are going on and to address them accordingly. Mr. Wenrich asked Mr. Butkus how close we are to a conclusion of what we need to have done at the plant for the upgrade. Mr. Butkus stated that Mr. Schlott told him that we are right on track and should be ok to still go out for bids this year. Mr. Moonie explained that the first round of H20 grants means that the sewer project will be shovel ready by the time the grants get issued. If they don't deem your project is shovel ready, they move you to the second round of H20 grants.

SEWER ENGINEER – DAVID SCHLOTT, JR.

Mr. Schlott was not present but did submit a paper report.

PUBLIC WORKS DIRECTOR – MICHAEL HART:

Mr. Hart mentioned the video security system and that he was instructed to get a couple other quotes on it. The lowest quote received was for \$4,842.00. Since the system has gone down, we have made changes as to how we handle money and records. The locks on the desks have been repaired, and replaced. With our finances the way that they are, it might be better to just hold off for a little bit longer. Mr. Wenrich recommended that the video security system be tabled; seconded by Mr. Butkus. Motion carried. Council will review the video security system at the June meeting. Conversation became inaudible.

PUBLIC WORKS DIRECTOR – MICHAEL HART cont'd:

Mr. Zerr stated that on Monday the doors to the office were going to be locked and the only way anyone is getting in is to be buzzed in.

Mr. Hart explained that everyone was aware that the heating system has failed and he had gotten quotes on a new system. He called the service people out to look at the system that we presently have; it appears that it would cost us a lot of money to rebuild it, and with no guarantees. We decided to look into a new system that would get everything off of the roof, it would be a split system so that the police department would have their own heating/cooling system and the front office would have their own heating/cooling system. We received a quote and got the ok to move forward with it. Mr. Hart signed the contract and they are scheduled to start Monday to install the new system.

Mr. Wenrich stated that the response time to the fire at the Borough Hall was 3 minute. There was a very severe smoke condition in the building. We checked with Mr. Fitzpatrick's office and it was deemed an emergency repair and Mr. Wenrich made the decision to purchase a new system because there was no guarantee that repairing the system would make the system work. Conversation ensued.

Mr. Hart stated that a few months ago, he heard about Columbia Avenue getting paved. He had received a phone call very late this afternoon from the state questioning why he had sent notices out to the residents on Columbia Avenue about their curbing. The state had decided to change their plan; they are now paving Columbia Avenue from Mountain Home Road South. They are not doing the rest of Columbia Avenue. As per their reasoning why, they stated their biggest hang up is handy capped ramps.

Mr. Hart stated that Berks County Conservation District is having an equipment operator's workshop on Tuesday March 10, 2009 and he would like to have the street department attend that. It is on safety, PA One Call System, and a couple of other things. Mrs. Kutz made a motion to allow Mr. Hart and the Street Crew to go to the workshop conditioned on a snow event; seconded by Mr. Butkus. AYES-7, NAYS-0; motion carried.

Mr. Hart stated that he sent out notices to Mountain Home Road residents for the sewer connections. So far they have one (1) finished and he was approached by three (3) other property owners with the intent to stop moving forward until the weather breaks. One (1) other resident has asked if Mr. Hart could waive the tapping fee because he had given up so much of his land for the pump station, the storm water line, and everything else on his property. Mr. Hart said that he wasn't sure and searched through sewer records and could not find anything pertaining to that. The resident insisted that he had a verbal agreement. He asked Mr. Hart to bring it before council to see if they would approve it. Mr. Wenrich asked that Mr. Butkus review the possible agreement and come up with an answer by the next general meeting, which will be the March meeting. Mr. Schmidt stated that he had discussed this possible agreement with Mr. Schlott and it is possible that the agreement was made but not definite at this point. Mrs. Sloan feels that if we prove that an agreement was made, that Council should honor it. Mr. Butkus said he will deploy his resources to see if he can find anything on that, however he did say that in reference to a different property that didn't want to sign the right of way paperwork for the longest time. They assumed that they would

PUBLIC WORKS DIRECTOR – MICHAEL HART cont'd:

have to pay for the footage of the right of way, which that don't. They also question whether they would have to pay a tapping fee, which they did. Mr. Wenrich told Mr. Hart to tell the Resident that it is under research and we'll have an answer at the March meeting. That is just for the tapping fees not the permit fees.

APPROVAL OF BILLS:

Mr. Light made a motion to approve the bills with the exception of the Reading Phillies invoice and a library invoice; seconded by Mr. Schmidt. AYES-7, NAYS-0; motion carried.

EXECUTIVE SESSION:

Council went into executive session at 8:13 pm to discuss personnel issues.

Council reconvened at 8:31 pm.

UNFINISHED BUSINESS:

The Ordinance of Public Records – Mr. Moonie stated that the States new Right to Know Act went into effect on January 1, 2009. We prepared an ordinance to comply with the act. In the ordinance we put all the exceptions in so that staff and personnel don't have to go through the statue to find the different exceptions and decide whether or not a request should be permitted or not. Mr. Zerr made the motion to approve the Ordinance of Public Records; seconded by Mr. Schmidt. AYES-7, NAYS-0; motion carried.

Resolution for Application for the H20 Grant – Mr. Butkus explains that it states that we authorize Mr. Schlott to file the paperwork and it is our intent to give him power to apply for it. Mr. Zerr made a motion to approve the resolution for the application for the H20 Grant; seconded by Mr. Butkus. AYES-7, NAYS-0; motion carried.

Resolution for PENNVEST Grant – Mr. Butkus made a motion to approve the resolution for the PENNVEST Grant; seconded by Mr. Zerr. AYES-7, NAYS-0; motion carried.

Resolution for Changing Billing Periods and Sewer Rates – Mr. Schmidt made the motion to approve the resolution for the Changing Billing Periods and Sewer Rates; seconded by Mr. Zerr. AYES-7, NAYS-0; motion carried.

Resolution for New Fee Schedule for Tax Collector Effective 2010 – Mr. Zerr made a motion to approve the resolution for the New Fee Schedule for Tax Collector Effective 2010; seconded by Mr. Light. AYES-7, NAYS-0; motion carried.

Resolution for Sale of Land to Alcon – Mr. Zerr made the motion to approve the resolution for the Sale of Land to Alcon; seconded by Mr. Schmidt. AYES-7, NAYS-0; motion carried.

NEW BUSINESS:

Mr. Butkus made a motion to approve a time extension for Sunset Apartments to May 8, 2009; seconded by Mr. Zerr. AYES-7, NAYS-0; motion carried.

Mr. Light made a motion to approve a 90 day time extension for the Terrace at Sinking Spring; seconded by Mr. Sloan. AYES-7, NAYS-0; motion carried.

South Hull Street-Conditional Final Plan - Craig Bonenberger of McCarthy Engineering explains the location of the plan in question. It was originally 4 houses on 4 lots, what they are doing is reconfiguring those lots to build more modern style twin houses. There is also an existing parking lot that is going to remain on 1 of those lots. Mr. Grande at this point is going to retain ownership over this lot, so he has control over this parking for the Mill Work across the street. Mr. Schmidt asked Mr. Ludgate Sr. how does this fit into our redevelopment plan. Mr. Ludgate Sr. explained that we do not show that property being affected at all. Mr. Zerr explained that the developer is going to help us by putting in some other storm sewer. Mr. Hart explained that the developer is going to give us the easement along the fence line; the developer will dig the trench and do all that for us but we have to buy the pipe and lay it. We get the easement when the plan is recorded.

Mr. Ludgate Sr. explains the conditions. 1) The appropriate signatures and certifications are affixed. 2) The Public Works Director will confirm that after serving markers be set, that the required encroachments are removed. 3) Improvements that consist of signage and some sanitary sewer work have been installed or alternatively posted. 4) The plan shall not be released for recording until these conditions are satisfied. Mr. Zerr made a motion to approve the Conditional Final Plan; seconded by Mr. Butkus. AYES-7, NAYS-0; motion carried.

New Zoning Ordinance and SALDO – Mr. Ludgate Sr. explains that our existing ordinance has been on the books for quite a while to get updated. Mr. Hart has a number of corrections that he has run across, problems that have made it difficult to improve some existing properties in the borough and we all need to have zoning that is not pick able to downtown. Our current zoning is not exactly what we are looking for in downtown. I think that is especially important that we move forward on this because we are anticipating some developers coming in here who will want to know what they can do in terms of development on this property. In fact we are anticipating one coming as soon as next week. I have committed to have a draft of some zoning proposals for the planning commission to view at their meeting coming up on the 24th of February. I have gone through the existing comprehensive plan for the borough, and the planning commission did get a full report on how the comprehensive plan that presently exists effects this very issue and there are several things that do apply to this issue. Discussion ensued.

Bulk Trash Day – The bulk trash day is going to be Wednesday, April 15, 2009.

Sewer Authority Bills – The sewer bills came up to \$10,848.75. Mrs. Sloan made a motion to approve the sewer authority bills; seconded by Mr. Butkus. AYES-7, NAYS-0; motion carried.

PUBLIC COMMENT:

Ken Harding stated that he had been at 2 second alarm fires with his team, the Red Cross. He referred to an article in yesterday's paper about a fire in Hamburg. His fire call was from 4:30 to 12:20 which is part of his volunteer status. I realize at the same time that Troy Hatt and the 2 alarm responding companies were there under adverse conditions using the worse scenario that we could have second alarm fire here in Sinking Spring. What the people did up there, they took the fire men into their homes. FYI is that Spring Township was there and I think I know why they were there. When he got to George Jones's fire they have a heating tent, where the fire men can go and get warm. Where I am going with this is that I have talked to him a little bit about it. This would be an idea that if we have a fire here in Sinking Spring that we're going to have a 2 alarm in the winter. It would be good to have a warming place. My recommendation for your thoughts is right here. The fire men could go into the parking lot here and get themselves in physical shape to go back out. That is the suggestion and recommendation, act of it as you can because those men were out there after 3:00 and I think the alarm came at 3:25 or something like that. I was in the Red Cross vehicle. I had to go out and talk to these clients, I had 6 clients. I had serviced 15 clients last night, they told him that nobody needs a place to go; some people were taken in by the neighbors when we ended up putting them in a hotel. Mr. Wenrich said that we will address public safety on this issue. We can make the Borough Hall available for a triage, basically your heat tent is a triage.

Treasures Report – Debra Bohn stated that in the
 General account we have \$136,859.70
 Pligit account \$9,036.98
 Recreation invest account \$49,463.86
 General invest \$4,190.17
 To be paid \$117,744.07
 Total acct funds \$81,806.64
 Sewer account open account \$168,987.53
 Plight \$60,866.34
 Sewer Revenue invest \$195,336.73
 To be paid \$23,288.51
 Total acct funds \$401,902.09

Mr. Zerr made a motion to approve the treasures report; seconded by Mr. Light.
 AYES-7, NAYS-0; motion carried.

Mr. Butkus wanted to remind everyone that this is a municipal election year.

ADJOURNMENT:

The meeting was adjourned at 9:53 p.m.

Respectfully submitted,

Regina M. Shade, Borough Secretary/Treasurer