

A workshop meeting of the Borough Council of the Borough of Sinking Spring was opened on Wednesday, April 25, 2007 at 7:00 p.m., at the Sinking Spring Borough Hall, by President Lawrence S. Schmidt. After the Pledge to the Flag, Regina M. Shade called the roll reflecting the following Council Members present:

Lawrence S. Schmidt  
James Zerr  
Dennis Leiby (absent)  
Bruce Light  
Stewart Wenrich (absent)  
George Butkus  
Barbara Kutz

Other officials present were: Clarence Noecker, Mayor; Michael Hart, Public Works Director; Robert Ludgate, Jr., Borough Engineer; Charles Fitzpatrick, Borough Solicitor; and Regina M Shade who recorded the minutes of the proceedings.

**JAMES ZERR:**

Mr. Zerr introduced Ms. Holly Guldin. Ms. Guldin is the new office assistant.

**VISITORS:**

There were no visitors.

**BUSINESS:**

There will be no workshop meeting in May due to the Memorial Day Parade.

The next item was the rescue squad for the fire department. Mr. Zerr wanted to resquest the Solicitor to prepare an Ordinance to secure funds for the purchase of the new squad. Mr. Fitzpatrick stated the request would be to solicit bids from various financial institutions for the funding. Once we got a bid or bids in and they are awarded we would then have to adopt an Ordinance and then get approval from the DCED. Mr. Fitzpatrick reviewed this again. Currently on the old loan there is a balance of \$105,675.00. The thought is to refinance this loan and package it with the new loan. If this is done that way there is a bit of a problem. The problem is that the fire company owns the present truck. The new truck would be in the Borough's name. We will need to find out if they want to convey the existing truck to the Borough. Mr. Zerr said yes. This will make the situation much easier. We will be able to provide collateral. Mr. Zerr made a motion to solicit bids for funding for the existing truck and the new rescue squad; seconded by Mr. Light. AYES – 5, NAYS – 0, ABSENT -2; motion carried. Mr. Butkus questioned if we were looking at both options...applying for both loans together and separately. Mr. Fitzpatrick said we should solicit both ways.

The next item was the bids for the used lawn equipment. Mrs. Shade read the following:

Gerald Grega – Cub Cadet Model Series 350.....\$156.00

**BUSINESS (cont'd):**

- Gravely Walk Behind Tractor.....\$ 56.00
- Gravely Functional Duel Unit Walk Behind .....\$76.00
- Murray Lawn Tractor.....\$36.00

James Balthasar – Cub Cadet.....\$410.00

Rodney Homan.....2 Mowers.....\$ 60.00  
   2 Gravelys.....\$300.00  
   2 Tractors..... \$300.00

There was some discussion on how the bids were made. Mr. Ludgate stated he will sit down with Mr. Hart to review the bids. Mr. Butkus made a motion to table this till the Council meeting the following week so that Mr. Hart and Mr. Ludgate could review the bids; seconded by Mr. Light. AYES – 5, NAYS – 0, ABSENT – 2; motion carried.

Mr. Schmidt stated that Council has been given some Ordinances that will need to be approved at the Council meeting the following week. It was decided that not all the Ordinances were there for all of Council. Mr. Fitzpatrick will be sending them to Mrs. Shade and she will see that Council does receive them. One (1) of the Ordinances was changing the zoning in an R-1 district to allow age restricted housing (R5). Another is the Police Mutual Aid Agreement. There is one for the Emergency Management Agency changing their by-laws. The Zoning Ordinance everyone has.

The Memorial Day Parade was next on the agenda. The parade will be Monday, May 28, 2007. It will be similar to the last parade we hosted. It will step off at 10:00 a.m. at Broad Street and finish up at the VFW. There will be a memorial service. After the service there will be food, games, and prizes for the children. Mrs. Karli was looking for volunteers not only for the parade and the festivities but for the Rec Board as well. Mrs. Karli believes if the weather is bad the Mayor will decide whether the parade will go on. There will be a float. The Rec Board is looking for any Iraq Veterans. They are honoring all Vets; however they are looking to get as many Iraq Veterans to the parade as possible. A discussion ensued as to how the float will be decorated. There will be a total of ten (10) games. The Library will be hosting their own game and will be giving our certificates for free books. They will supply some bake goods also. The Rec Board is looking for more bake goods as well.

The next item was the rock wall by GameTime. Mr. Hart stated that the total cost of the rock wall was \$11,999.00. This is under the State contract. The Ladies Auxiliary of the VFW wanted to buy a piece of equipment for the playground. Ms. Pearl Greath of the VFW stated they wanted to donate \$500. Mrs. Karli explained that there is no equipment for that price, but the Rec Board would be more than happy to accept any donation. They will put the donation toward the total cost of the rock wall. Mrs. Kutz stated that the VFW itself would like to donate some money to the playground. In prior years the VFW donated money to the police department. A brief discussion ensued. Mrs. Kutz will check with the VFW to see if they would like to donate. Mrs. Shade stated that we are also looking at purchasing two (2) benches for the Brookfield Manor playground. She thought that

**BUSINESS (cont'd):**

perhaps the VFW would like to donate for the two (2) benches. She also stated we might be able to get a plaque with their name on it stating they donated for the benches. There is a delivery date of 30 to 45 days. Mr. Butkus questioned the height. It will be eight (8) foot. Mr. Light made a motion to purchase the rock wall. There was no second. Mr. Butkus wanted to hold off until we get confirmations on how much the VFW is willing to contribute. Mrs. Shade stated that might be okay however the playground is due to open the beginning of June and she was concerned for the safety of the children if the road crew was installing the rock wall while the playground season was in progress. Mr. Schmidt questioned if there was an objection to this. Mrs. Kutz stated that she wanted to see what the outcome was from the VFW and their donation. Mr. Zerr stated we could always put the money back into the account once the donation was made. Mr. Light made the motion to purchase the rock wall at a cost not to exceed \$12,000.00; seconded by Mr. Zerr. Mr. Schmidt called for a roll call vote. AYES – 5, NAYS – 0, ABSENT -2; motion carried.

**BRUCE LIGHT:**

He had nothing. His was a personnel issue.

**BARBARA KUTZ:**

She had nothing as this time.

**JAMES ZERR:**

His issue was for executive session.

**GEORGE BUTKUS:**

Mr. Butkus stated we made one (1) line item when we created the budget for this year. That was for painting and surface prep of the catwalk in the one (1) sludge digester. Mr. Hillibush would like an approval to start purchasing items for the secondary clarifier. It is included in the budget.

**CHARLES FITZPATRICK:**

Mr. Fitzpatrick spoke with Mr. James Lillis, Township of Spring Solicitor, earlier in the day. There is an area of the Borough, Sinking Spring Terrace, which lies off Fritztown Road. Spring Township needs an agreement with the Borough. Spring will be extending its sewer line back in that area. Mr. Ast already has a home back there and Mr. Drew Lugiard is looking to build a home there. His home will be in the Borough however his sewer will run through Spring Township lines. A number of other questions and concerns were raised in regards to sewer agreements. Mr. Fitzpatrick and Mr. Lillis both feel that it is very important that these agreements be reviewed and updated. Another issue would be the treatment of South Heidelberg sewage. Another item will be the "Taj Mahal" pumping station. The next is the diversion. All of these items need to be looked at and discussed. Mr. Fitzpatrick did call Mr. John Hoffert, Solicitor for the Authority. He will call Mr.

**CHARLES FITZPATRICK (cont'd):**

Francis Butkus. Mr. Fitzpatrick feels that a meeting of all parties should be held. We might be able to eliminate some of these agreements. No formal plan has been submitted by Mr. Luigard however he has spoken to Mr. Ludgate. Mr. Ludgate stated Mr. Luigard would like to see an intermunicipal agreement between the Borough and the Township. He can't have an on lot septic system. Mr. Joseph Orlando of Columbia Avenue spoke with Mr. Francis Butkus and he stated that you need an acre or so for an on lot system, according to Mr. Schmidt. A brief discussion ensued. Mr. Fitzpatrick feels the Friday after the Council meeting will be a good time to meet. They will try to put the meeting together.

Mr. Schmidt stated that we received a call from the County stating we have some severe viruses on our computer again. We did call Lynx. They were just here in February and fixed the problem and gave us an anti virus update. However we are once again, having problems. Lynx stated that it will cost us a lot of money to clean them up. They would need to clean them completely. They made a recommendation that it might be cheaper to buy four (4) new computers with flat screens then what it would cost to clean them up. A discussion ensued as to how we might have gotten the viruses. The price of the computers is \$5,374.00. Mr. Zerr stated what comes with the computers. We have added a professional service package of fifty hours (50) at \$90.00 per hour. Mrs. Shade stated the tech service we can carry over from year to year. It will not run out. Another discussion ensued as to fire walls. The computers will be wiped out and then we will try to put them up for sale. Mr. Zerr made a motion to purchase the computers and the service package; seconded by Mr. Light. Mr. Schmidt asked for a roll call vote. AYES -5, NAYS - 0, ABSENT - 2; motion carried. Mr. Butkus requested that Lynx come back in on a more regular basis to check on the computers. That was agreed upon.

**PUBLIC COMMENT:**

There were no public comments.

**EXECUTIVE SESSION:**

Council went into an executive session for personal matters at 7:50 p.m.

**RECONVENE:**

Council reconvened at 8:45 p.m. No action was taken.

**MICHAEL HART:**

Mr. Hart stated the curb restoration on Vester Place is going well. There is one (1) holdout; however they do have till the 30<sup>th</sup>. It is about 50 feet of curbing. There was a preconstruction meeting on Monday. We don't know when the construction will be beginning. We won't know that till it is awarded. Mr. Hart wanted to discuss the stormwater issue along with the catch basin. He was putting together prices for doing this in house. The price for materials alone will be about \$6,000.00. There is another issue though. After doing some research on the alley and looking at the

**MICHAEL HART (con't):**

map it appears that no home actually owns the alley behind them. It appears to be an open alley. Mr. Fitzpatrick stated if it comes directly off the tax map, you can't be sure that it is totally accurate. Mr. Fitzpatrick stated it might be true. If that is the case, it is not owned by the homeowner or the Borough, it is owned by the original developer of that area. The property owner's probably have deeds that say they can go across the alley and whenever you acquire property that has an alley, even if it is not opened you have private rights to use it. Mr. Fitzpatrick stated we still need to get the individual home owner's approval to across the alley. This is as much as he feels we can do. Mr. Hart wanted Council's feedback on whether we should move ahead or not. Mr. Butkus questioned who is on the hook for maintaining the alleys now. Mr. Fitzpatrick stated at this time no one. It is being maintained by the property owner's because they use the alleys. Mr. Butkus raised the question if we start working in one alley would we open ourselves up to have to repair other alleys. Mr. Fitzpatrick stated we are fixing a stormwater problem not fixing the alley. Mr. Butkus agreed however we will be doing both. Mr. Hart agreed we would be doing both. A discussion ensued as to where the drainage goes. Other people have been complaining about stormwater issues. Mr. Schmidt agrees with Mr. Butkus on the issue. Mr. Butkus stated in Hummelstown the Borough owns the alleys. Each one (1) is one (1) way going in the opposite direction. He explained how they would work. He feels that is something we should maybe think about some time down the road. Mr. Schmidt questioned who does the snowplowing. Mr. Butkus stated the Borough not only does the snowplowing it also paves them. It was the last thing plowed. There is a cost involved. The Mayor feels we shouldn't touch the alleys. Mr. Schmidt told the Mayor that is what the discussion is in regards to, taking over the alleys. The Mayor stated it would be a big expense to take over the alleys. Mr. Fitzpatrick was not sure if they are covered under liquid fuels. Both Mr. Hart and Mrs. Shade stated they weren't covered. It would then be entirely on the Borough to take care of them. Mr. Schmidt stated the first question is do we want to put a stormwater line in at the top of Vester. Mr. Hart stated it will clean up that area. We don't have to do it for our paving project. Mr. Schmidt questioned how much water is collecting up there. Mr. Hart stated it goes down to the railroad tracks. Mr. Schmidt questioned if it is a problem. Mr. Hart stated no, we would just be taking from above ground and running through pipes under ground. We would just be increasing our infrastructure. Mr. Schmidt feels maybe we shouldn't do anything with the alley. Mr. Butkus agreed.

Mr. Hart stated we have been ordering no parking signs. They cost us \$1.45 a piece. We give them to residents to either post themselves or we post the property when they are moving out. Mr. Hart made a sign on the computer and questioned Council if they would be in agreement to use these signs instead of the \$1.45 a piece sign. We could charge them .25 for a sign to try to recoup some of our costs. When they were finished with the signs, they could just be thrown away. We would give the information to the police. Mr. Butkus liked the idea. A discussion ensued. Mrs. Kutz stated maybe we could make them give us a deposit. When they return the signs then they get their deposit back. Mr. Hart stated they must give the residents 24 hours notice before the signs go into effect. A discussion ensued. It was decided to use the paper and charge .50 for the labor and the paper involved.

**ADJOURNMENT:**

Mr. Zerr made a motion to adjourn at 9:00 p.m.

Respectfully submitted,

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Regina M. Shade, Borough Secretary/Treasurer