

The regular monthly meeting of the Borough Council of the Borough of Sinking Spring was called to order on Wednesday, July 16, 2008 at 7:05 p.m., at the Sinking Spring Borough Hall by President Stewart Wenrich. After the Pledge to the Flag, Regina Shade 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; Charles Fitzpatrick, Borough Solicitor, Michael Hart, Public Works Director, James Oxenreider, Chief of Police, Peter Eisenbrown, Ludgate Engineering, David Schlott, ARRO Consulting, Jared Schell, Sinking Spring Fire Company, and Regina Shade, Secretary/Treasurer, who recorded the minutes of the proceeding.

A moment of silence was held for our service people.

EXECUTIVE SESSION:

An executive session was held prior to the meeting for personnel issues.

APPROVAL OF MINUTES:

Mr. Light made a motion to accept the meeting minutes from the June 5, 2008 Council meeting; seconded by Mr. Schmidt. AYES – 7, NAYS – 0; motion carried.

BID OPENING:

The bid opening for the pole building was next on the agenda. There were eleven (11) bids received. The first bid is the entire shell of the building plus the ceiling, option number one (1) is the concrete floor, and option two (2) is for insulating walls and then the total. This will be all under prevailing wage. Mr. Mooney explained how it will be awarded. Following are the total of the bids:

Pioneer Pole Builders	\$ 95,157.00
E.F. Martzell	\$152,088.00
W.S.P.	\$ 88,891.00
Spotts Brothers	\$114,000.00
Dueck	\$ 92,580.00
Brecknock Builders	\$108,640.00
Doubletree	\$118,788.00
A&K Pole Buildings	\$ 89,600.00
Kistler Builders	\$130,063.00

BID OPENING (cont'd):

Fedderville Sales	\$124,650.00
McComsey Builders	\$ 98,880.00

There was a discussion that \$75,000.00 was the amount budgeted. The amounts came in over bid and Mr. Mooney explained it was Council’s choice if they wanted to go over the bid amount or if they wanted to limit a specific option, etc. Mrs. Kutz stated if we are going to do this we should do it right. Mr. Zerr questioned if W.S.P. have any references. Mr. Hart stated they have none listed. Mr. Butkus questioned Mr. Hart on what the lifetime guarantee is that was discussed at the last meeting. Mr. Hart stated it is fifty (50) years. The land preparation was done by us in house. After some discussion on the bids, Mrs. Kutz made a motion to accept W.S.P.’s bid amount of \$88,891.00 pending review by our Solicitor and Engineer; seconded by Mr. Light. Mr. Wenrich called for a roll call vote. AYES – 7, NAYS – 0; motion carried.

VISITORS:

There were no visitors.

COMMUNICATIONS:

There were no communications.

APPROVAL OF THE BILLS:

Mr. Light made a motion to pay the bills; seconded by Mrs. Kutz. AYES – 7, NAYS – 0; motion carried.

REVITALIZATION PROJECT:

Mr. James Pachuillo addressed Council. Mr. Wenrich told the audience that the slide presentation that the Historical Society put on was outstanding. The first presentation was done here at the Borough the second was done at the fire company as they had more room to accommodate more people. He thanked the Committee for helping get it organized. Mr. Pachuillo wanted it noted for the record that he publicly thanked Mr. Paul Miller for the great job he did. Mr. Pachuillo stated we were asked to give a written report to the Reading Area Transportation Study. The report was sent 7/13/08. This report could lead to future highway funding. A joint municipal services grant application will be submitted to DCED on 7/17/08. This will provide for municipalities for the Rt. 422 Corridor to document transportation, economic development problems, and purposed solutions. The proposed “Official Map” has had a preliminary review by the Berks County Planning Commission. The historical presentation has been enjoyed by about 150 attendees. The subcommittees are moving ahead. The Promotional Committee is planning a special event on Sunday, September 14th. The highlights are softball games, food; some of the children from the playground are going to be using their talents for logos and their visions of the future. The BOSS20/20 website is up and running. It will be updated as soon as new events or info becomes available. The Design Committee is documenting the architecture of the buildings along Penn Avenue. The Economic Development Committee is planning to go out to the businesses in

REVITALIZATION PROJECT (cont'd):

the Borough with information regarding the project. Mr. Pachuillo requested the use of the Borough logo until a logo for the project could be designed. Mr. Zerr made the motion to allow the Revitalization Committee to use the Borough logo; seconded by Mr. Schmidt. AYES – 7, NAYS – 0; motion carried. Mr. Light made the motion to appoint Mrs. Shade and Mr. Hart as Co-Chairmen of the Project reporting directly to Borough Council at no extra cost and adopt the flow chart showing the chain of command; seconded by Mr. Schmidt. AYES – 7, NAYS – 0; motion carried.

MILLER ENVIRONMENTAL:

Mr. Peter Juzyk gave the June monthly report. Invoicing of industrial permittees for the first half of 2008 have been completed. Dunkin Donuts and Wonderful Chinese Restaurant remain in non-compliance of the Sewer Use Ordinance. He has not had any communication from the Borough, or the Solicitor on this matter. They had a water quality specialist from PA DEP conduct a plant inspection on 6/16/08. They recommended that the gates on sludge beds 9 through 14 be re-caulked. Miller did a little more than they requested. The staff observed a significant increase in flow from Lower Heidelberg at the Green Valley meter. Elevated flows were verified during meter calibrations performed by W.G. Malden, Inc. The flows increased from an average of approximately 500,000 gallons per week ending 6/19/08 and nearly 900,000 gallons for the week ending 6/26/2008. Mr. Juzyk met with Mr. Carl D'Amico of Lower Heidelberg to inform him of the situation. He also sent written communications but has not heard anything from them as of this time. No explanation was given. The person from Malden did notice that the pipe was running quite full and it seemed to be mostly clean water which would mean an I&I problem. Mr. D'Amico did question Mr. Juzyk where he thought the water might be coming from. The only thing Mr. Juzyk could tell him was that he will need to pop manhole covers and try and trace it back and determine where it starts flowing into that line. There was no significant rainfall, Mr. Zerr stated. There might have been ¼ inch of rain. In the past there have been some false high readings on this meter however that was not the case in this instance, Mr. Juzyk reported. It was around 700,000 or 780,000 gallons the week before Mr. Juzyk stated. Mr. Butkus questioned if this line connects to the locker room at the Green Valley pool. Mr. Juzyk did not know. Mr. Wenrich stated even if it was, that was still a lot of flow. Ms. Sloan made a motion to send a friendly letter going out from Mr. Fitzpatrick putting them on notice that we need a response on where this water is originating from with fourteen (14) business days; seconded by Mr. Butkus. Mr. Juzyk requested that they would like to be kept abreast of their findings. Mr. Mooney questioned how much are they allowed to flow to the plant. Mr. Juzyk doesn't know if there is a set amount. Mr. Mooney stated we better make sure that this is over what they paid for. Ms. Sloan stated that doesn't matter we want to know why it is so high. They are not over their allotted capacity as of yet. There has been a significant increase though. AYES – 7, NAYS – 0; motion carried. Mr. Juzyk stated he received a price quotation from Reading Electric to perform infrared inspections on electrical panel for \$575 plus \$50 per hour labor with a minimum of four (4) hours on site. He continued \$1,000 was budgeted for that item. Mr. Butkus explained what this study would show. Council agreed to have Miller move ahead. Samplings of industrial permittees for the second quarter of 2008 have been completed. In addition commercial permits for the second quarter are completed as well. They have conducted field measurements of the collection system. They noted errors on drawings and submitted corrected drawings to ARRO Consulting to update the collection system drawings. Mr. Wenrich stated the Dunkin Donuts and Wonderful Chinese Restaurant appear on every report.

MILLER ENVIRONMENTAL (cont'd):

Mr. Zerr made the motion to authorize our Solicitor to follow up with these businesses with a letter if one (1) hasn't been sent already and if one (1) was sent to follow up with a stronger letter saying if they aren't compliant within five (5) business days (send the letter both regular and certified) they will be shut down until they are in compliance; seconded by Mr. Butkus. AYES – 7, NAYS – 0; motion carried. Ms. Sloan requested that it be handled by the Sherriff. A brief discussion ensued. It was decided to move ahead with the letter. Another discussion ensued as to how many connections are at the strip mall. Mr. Juzyk stated going back earlier this year there was a discussion about DSL connection for their computer at the sewer plant. The cable modem was too expensive. He believed that Council gave him permission to get the DSL however after reading the minutes he can't find anything official giving him the okay to do that. In April a DSL modem was ordered and came. It was a pass through expense. Mrs. Shade brought it to Mr. Juzyk attention that we hadn't done anything official with that. The cost each month will be \$40.00. The thought is Miller will pay half the bill and the Borough will pay half. Mr. Butkus said that was the going rate for DSL. We have Verizon out at the plant. Ms. Sloan thought we should make a call to D&E Communications and see if they have DSL service at the plant. Mr. Wenrich asked Mrs. Shade to call D&E to see if they have provided this service back there. Mr. Zerr made a motion to go with the current contract provided that Mr. Butkus or Mr. Juzyk looks into D&E as a possible carrier; seconded by Mr. Butkus. Mrs. Shade questioned if they do go with D&E is there a penalty for breaking the contract. They will need to look into this as well as they felt that was a very good question. AYES – 7, NAYS – 0; motion carried.

COMMITTEE REPORTS:**SEWER ENGINEER – DAVID SCHLOTT, JR.:**

Mr. Schlott distributed a copy of his report. The first item was the Mt. Home Road Project which was actually an Authority issue. The pump station is now in operation although no connections have been made to date. There will be nine (9) connections. A letter will be sent Mr. Schlott believes along with talking to them. The second item is the pretreatment program. A new permit is going to be issued to Reading Bakery System in South Heidelberg Township. A permit has been sent to Miller Environmental for issuance. It has not been issued as Mr. Juzyk has some questions for them. ARRO reviewed the billing for the pretreatment program. Phipps Label has requested assistance in reducing the discharge of pollutants to the sewer system. Mr. Butkus asked if Mr. Schlott heard anything from DEP on the phosphorous levels. Mr. Schlott had not; he was unable to get a hold of them. At 1,000,000 MGD's the limit should be 2 milligrams per liter. He explained why this happened.

FIRE DEPARTMENT – JARED SCHELL:

There were 31 incidents in June and the number of personnel was 269.

BOROUGH ENGINEER – PETER EISENBROWN:

He had no report.

POLICE DEPARTMENT – CHIEF JAMES OXENREIDER:

Chief Oxenreider stated they had 191 calls for the month of June. They had 64 traffic citations, 13 parking tickets, and 11 warnings were issued. The Dodge Charger is in and we took delivery. It needs to get striped and prepped. We still need to get the light bars, etc. We will be turning over car 44-3 to the Borough and the current admin car will be sold as the retired Borough vehicle. Officer Schweyer went to truck inspection school. He is certified to inspect trucks. We have run Smooth Operator this month and we were successful with it. Chief Oxenreider explained what this is and how it works. The next detail is scheduled for September 7th to the 21st. Mr. Wenrich asked if we have a plan to use Mr. Schweyer's new certification. Chief Oxenreider stated we do. Ms. Sloan questioned if we will be doing anything in the fall with checking out babyseats. Chief Oxenreider stated the State Police do that as they would have to be certified to do that and currently no officers are certified for this in the Borough.

PUBLIC SAFETY – JAMES ZERR:

The Safety Committee had one (1) issue. There was a request for a handicap space for 4318 Penn Avenue, the home of Mr. Butkus' grandparents. The Mayor and the Chief had reviewed the information and they were in agreement. Mr. Zerr made a motion to place the sign at 4318 Penn Avenue according to the regulations; seconded by Mr. Light. AYES -6, NAYS – 0, ABSTAIN – 1 (Mr. Butkus); motion carried.

SEWER AND SANITATION COMMITTEE – GEORGE BUTKUS:

Mr. Butkus spoke with Mr. Zerr the week prior and they are getting proper wording together to have Mr. Fitzpatrick put together a tougher trash ordinance. Mr. Butkus does not want sidewalks/streets blocked. His goal is to have this altogether and ready for adoption before school begins.

PARK AND RECREATION – BARBARA KUTZ:

Mrs. Kutz made a motion at appoint four (4) new members to the Recreation Board. Their names are Denise Stine, Samantha Zerr, Emily Emily Menendez and Julie Bohanick; seconded by Mr. Light; AYES – 6, NAYS – 0, ABSTAIN – 1 (Mr. Zerr); motion carried. Our holiday lights have arrived.

STREETS, BUILDINGS, & UTILITIES:

Mr. Light informed Council that Mr. Hart has passed his test for the residential plumbing inspector. This needs to go to Harrisburg and once it is returned it will be official. Mr. Hart stated he got a quick quote on turning the sign in the back to an LED sign. It would cost about \$18,000.00. In addition, he had pictures of a sign for the front of the building. It attaches to the building and lights up. He said there are three (3) options. The range is \$800 to \$3,000 depending on what we would like to do. Mr. Hart passed around pictures. Mr. Wenrich questioned if the sign company made repairs to the sign out back. Mr. Hart stated they did make repairs however it is not the best. Mr. Hart explained how the sign works in the back and the problems we are having with it. This item was deferred till the next meeting. Mr. Wenrich would like to see some other pricing.

STREETS, BUILDINGS, & UTILITIES (cont'd):

Mr. Schmidt questioned Mr. Hart where we were regarding the locks. Mr. Hart stated we are waiting for some hardware to arrive. Mr. Wenrich would like a time table on when this will begin.

UNFINISHED BUSINESS:

The flu clinic is listed for Wednesday, October 15th from 11:00 a.m. to 3:00 p.m. here at the Borough Hall.

The next item was authorization to prepare the official map of Sinking Spring. Mr. Zerr made the above motion; seconded by Mr. Light. Mr. Ludgate explained how the map will work and when it needs to be updated. The main purpose of the map is that we can use this to go after funding. We have a starting point. AYES – 7, NAYS – 0; motion carried.

The Friends of the Library would like to hold a bake sale in the Borough Hall on Election Day. The Borough Hall has become a new polling place this year. A discussion ensued on this issue. The Borough Hall is going to be a very busy place that day, Mr. Wenrich stated. The Library has approached both Mr. Schmidt and Mrs. Shade about being closed that day. Mr. Wenrich asked Council if the Library can close on that day. It is also Mr. Wenrich's recommendation that the Borough Hall be closed as well. There will be enough going on here as is and parking will be a premium. Mrs. Kutz questioned if this means the street department is closed as well. Mrs. Shade stated that would be just three (3) other people. Someone questioned about the police department to which Mr. Wenrich stated they are never closed. The police secretary will fall under this as well as she is a non uniformed employee. Mr. Schmidt feels if the offices are closed the street crew should be off as well. A brief discussion ensued as to whether they should be paid or unpaid. Mr. Schmidt made a motion to give all non uniformed employees off on Election Day and pay them as well; seconded by Mr. Light. AYES – 5, NAYS – 2 (Mr. Butkus and Ms. Sloan); motion carried. The Mayor questioned about the police and if they should be paid for the holiday. Mr. Mooney stated they are under contract. Their contract sets forth what days they get paid for. Mrs. Kutz feels the employees should forego the day after Thanksgiving. It is another day in the same month. Mr. Wenrich stated this is just for this year's Election. Mr. Schmidt feels just General Elections. Mrs. Shade stated the other issue is can the Friends have their bake sale. Mr. Zerr asked if the Election Board has given them their okay. Mrs. Shade explained where the voting booths will go and where the Friends will be putting their tables. Mr. Zerr made the motion to allow the Friends of the Library to have their bake sale pending the rules and regulations of the County Election Board; seconded by Mr. Butkus. AYES – 7, NAYS – 0; motion carried. Ms. Brenda Messina questioned who will let the people in and secure the building. Mrs. Shade stated this will all be taken care of. She said that this will be done through the County. Mr. Schmidt questioned if we could take a few spaces out in the front and put a time limit on them for parking for voting purposes only on that day. Mr. Hart can do that. The Mayor under his powers can authorize the parking spaces and he will do that.

Mr. Light made a motion to disband the sewer authority; seconded by Mr. Schmidt. Mr. Zerr questioned if the motion should be to have the Solicitor draw up the Ordinance. Mr. Mooney stated that Mr. Zerr was correct. Mr. Light amended his motion. Mr. Light amended the motion

UNFINISHED BUSINESS (cont'd):

to authorize the Solicitor to draw up the Ordinance to disband the Municipal Authority; seconded by Mr. Schmidt. Mr. Wenrich asked for a roll call vote. AYES – 4, NAYS – 3 (Mr. Butkus, Mrs. Kutz, and Ms. Sloan); motion carried.

Mr. Wenrich stated earlier that day he gave a lot of thought to which way we should be going in relationship to the Authority. The vote does not reflect on the Authority itself. In the joint meeting there were a lot of things discussed in order to make in a working Authority; we would have needed a business plan. This plan is not ready as of yet. Looking forward we need to move ahead. He said our citizens are hanging in the lurch till something happens. The expansion has to happen. His thought is with the Borough assuming the Authority we will need people like Mr. Francis Butkus. He continued we will be adding a “sewer advisory committee” or perhaps an “infrastructure committee”. He wants to keep our rates reasonable and to have the plant operating at its best. He again thanked the Authority for the job they did and they worked best with the information they had. He hopes to make it a better plant and thanked them again.

NEW BUSINESS:

Bulk trash day will be Wednesday, October 15th. Mr. Butkus stated what can and can't be placed at the curb. A discussion ensued as to when the bulk trash can be placed out for collection.

PUBLIC COMMENT:

Mr. Zerr made a motion to authorize the Borough Secretary to send a letter of thanks to Mr. Paul Miller for his presentation; seconded by Mr. Butkus. AYES – 7, NAYS – 0; motion carried.

Mayor Noecker stated within the last few weeks Ms. Emily Heister turned 100. The Borough Council will send her flowers.

Mrs. Kutz questioned if we have mandatory recycling. Mrs. Shade stated we don't. Our population is not great enough. She feels after the next census it will be mandatory.

Mrs. Kutz questioned if we reach out to new residents. Mrs. Shade explained how things are done. The people usually come in to register and we give them the information they will need. They must let us know as people come and go so fast.

Mr. James Pachuillo questioned if Borough Council has thought about doing something for the 100th Anniversary of the Borough. He also stated that perhaps the Revitalization Committee could do something. Mr. Wenrich stated the Historical Society along with the Revitalization Committee should begin looking into this. He can't speak for the Council five (5) years from now.

Mr. Wenrich made changes on Committee Chairs. Mr. Schmidt is now Chairman of Public Safety. Ms. Sloan is now Chairperson of the Library which makes her President of the Library Board and Mr. Zerr is now head of Administration.

TREASURER’S REPORT:

General Account

Opening Balance – June 30, 2008		\$166,063.72
PLGIT		8,933.60
Invest	Recreation	48,611.48
	General Invest	401,490.92
	To be Paid	<u>12,617.85</u>
	Total Acct Funds	\$612,481.87

Sewer Account

Opening Balance – June 30, 2008		\$ 77,707.23
PLGIT		60,164.79
Invest	Sewer Revenue	440,276.52
	To be Paid	<u>246.00</u>
	Total Acct Funds	\$577,902.54

Mr. Light made a motion to accept the Treasurer’s Report; seconded by Mrs. Kutz.
 AYES – 7, NAYS – 0; motion carried.

ADJOURNMENT:

The meeting was adjourned at 9:14 p.m.

Respectfully submitted,

 Regina M. Shade, Borough Secretary/Treasurer