

The regular meeting of the Borough Council of the Borough of Sinking Spring was called to order on Thursday, October 1, 2015 at 7:00 p.m. at the Sinking Spring Borough Hall by President James Pachuillo. After the Pledge to the Flag, Elizabeth Eagelman called the roll reflecting the following Council Members present:

James Pachuillo  
T.J. Huckleberry (Absent)  
George Butkus  
Denise Stine  
Lisa Gantner  
Tracy Peterson  
Brian Hoffa

Other officials present were: Charles Haws, Borough Solicitor; Robert Ludgate Sr., Ludgate Engineering; Brad Smith, ARRO Consulting; Police Chief Lee Schweyer, Regina Shade, Borough Manager and Elizabeth Eagelman who recorded the minutes of the proceeding.

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

#### **APPROVAL OF MINUTES:**

Mr. Pachuillo asked for a motion to approve the minutes from the September 3, 2015 Council Meeting and the September 23, 2015 Workshop Meeting. Mrs. Peterson made the motion to approve the minutes; seconded by Mrs. Gantner. AYES – 6, NAYS – 0, ABSENT - 1. Motion carried.

#### **VISITORS/PUBLIC COMMENT:**

Mrs. Virgil Coldren who resides at 3460 Penn Avenue addressed Council concerning her neighbor at 3458 Penn Avenue. She stated that the drainage system is not connected to the street and the pipe is facing her house and runs across her sidewalk which is a real issue in the winter. Mr. Pachuillo stated that they would that Mr. Hart take a look at it and check the Ordinances.

#### **CORRESPONDENCE:**

There was no correspondence.

#### **APPROVAL OF THE BILLS:**

Mr. Pachuillo asked for a motion to approve the bills for September 2015. Mrs. Stine made a motion to pay the bills, seconded by Mrs. Gantner. AYES – 6, NAYS – 0, ABSENT - 1. Motion carried.

**WESTERN BERKS FIRE DEPARTMENT:**

Fire Commissioner Jared Renshall addressed Council and gave the report for September 2015. He mentioned that the run cards have been submitted to the County and that he got authorizations from all four (4) municipalities. He also mentioned that they will have an Open House on October 12 at the Fire Station on Stitzer Avenue. He stated that the Budget is complete and that there will not be a millage increase for this year. He asked for feedback from Council as to what information they would like to see in the report because what they are receiving now actually violates the HIPA laws because there are EMS calls listed with the addresses. Discussion ensued. Mr. Renshall stated that he will condense it down in a better format that will be easier to understand.

**UNFINISHED BUSINESS:**

There was no Unfinished Business.

**NEW BUSINESS:**

Mr. Pachuillo stated that the first item is establishing the meeting dates for 2016. Mrs. Shade stated that it has to be advertised and that they will be the first Thursday of every month with the exception on January which will be the First Monday at 6:30 for Reorganization and the Regular meeting immediately following. Mrs. Stine made a motion to accept the meeting dates and advertise them; seconded by Mr. Butkus. AYES – 6, NAYS – 0, ABSENT - 1. Motion carried.

Mr. Pachuillo stated that the next item is the Shred Event. Mr. Pachuillo stated that it will be held on Saturday, October 24<sup>th</sup> from 10 a.m. to 2 p.m. at the National Penn Bank in Robesonia. He mentioned that it is for Borough residents and that businesses are not included.

Mr. Pachuillo stated that the next item is our Fall Festival that will be held on October 24<sup>th</sup> at 6:00 p.m. Mrs. Gantner stated that they have confirmed that they will be showing Cinderella around 7:30 p.m. She also stated that starting at 6:00 p.m. they will have refreshments and a costume contest and parade for kids and adults.

**TREASURER'S REPORT:**

Mr. Pachuillo asked for a motion to approve the Treasures Report. Mrs. Stine made a motion to accept the Treasurer's Report; seconded by Mrs. Peterson. AYES – 6, NAYS – 0, ABSENT - 1. Motion carried.

**CHIEF SCHWEYER:**

Chief Schweyer mentioned that they had a home invasion robbery last Friday night in the 4200 block of Penn Avenue and there were no injuries.

**ROBERT LUDGATE SR. – BOROUGH ENGINEER:**

Mr. Ludgate stated that the bids went out and will be opened this coming month for the western end of Penn Avenue for the Pedestrian Safety Project. He mentioned the PennDOT Betterment contract on 422 and that the bids are delayed and are now scheduled for January 2016. He also mentioned that October 6<sup>th</sup> is the Market Study kickoff. Mrs. Shade asked if she needed to advertise the meeting. Discussion ensued. Mr. Haws stated that it would be best to advertise it, that way if anything comes up we are covered. Mr. Hoffa stated that Mr. Loth has arranged for a luncheon at 12 p.m., after the luncheon they want to sit down with the BOSS 2020 and Redevelopment Group and then sit down with Borough Council at 6:00 p.m. He stated that they also want to take a tour of the area in between the sit downs. Mr. Butkus made a motion to advertise the meeting; seconded by Mrs. Stine. AYES – 6, NAYS – 0, ABSENT - 1. Motion carried.

Mr. Ludgate mentioned the Phase II construction plans and that STV has the final right-of-way line which has been communicated to Mr. Pick to deal with the last two properties that need to be acquired. He stated that there is an issue with a garage at Krick Avenue that has been in discussion. He mentioned that the garage is in three parts and the property line goes through the garage, two parts are on one property and the third part is on the other property. He stated that the question is if the garage that is not being taken will stand adequately if the other two bays are torn down. He stated that it will require a structural engineer to look at. He also mentioned that the property line will have to be verified by surveying the property. He stated that he has a proposal for Ludgate Engineering to do the structural engineering evaluation of the garage and to do the surveying that is necessary. He stated that their proposal is not to exceed \$1,000.00 to do both. Mr. Butkus made a motion to authorize Ludgate Engineering to do the surveying and structural engineering to determine the integrity and location of the walls of this structure not to exceed \$1,000.00; seconded by Mr. Hoffa. AYES – 6, NAYS – 0, ABSENT - 1. Motion carried.

**SEWER ENGINEER – ARRO CONSULTING – BRAD SMITH:**

Mr. Smith stated that they received a Planning Module for Green Valley Estates. He stated that he has spoken to Mr. Haws and Mrs. Shade concerning this. He mentioned that we do have the capacity but it will require us to redo the agreement with Lower Heidelberg Township. He recommended holding off on the planning since the agreement hasn't been started yet. He also mentioned that they are asking for 10,234 gallons per day. Mr. Pachuiilo stated that we would table the Planning Module.

**SEWER ENGINEER – ARRO CONSULTING – BRAD SMITH (Cont.):**

Mr. Smith mentioned that last month he handed out an estimate for the Broad Street Sewer Interceptor. He stated that he was able to confirm that PennDOT will be paving the intersection at Broad Street so if Council would like to do the small portion to get across Penn Avenue prior to that then we should get working on that for the spring when the other utilities are planning on doing their work. He stated that they are hoping to be able to bore under Penn Avenue. He stated that for a project this size he will work up a proposal so that they have a defined scope. Mr. Butkus made a motion to authorize the Sewer Committee to review the fine points of the proposal for running the sewer line under Penn Avenue and capping both ends and approve the bid to go out; seconded by Mrs. Gantner. AYES – 6, NAYS – 0, ABSENT - 1. Motion carried.

Mr. Butkus mentioned that there will be a Sewer Committee Meeting on Monday at the plant.

**CHARLES HAWS – BOROUGH SOLICITOR:**

Mr. Haws mentioned that he received the Lease from Verizon for the Cell Tower. He stated that he would like to review it with Mr. Hart because there are some terms in it that he does not like. He stated that he will have an outline of the issues for the Workshop Meeting.

Mr. Haws stated that he and Mrs. Shade are working with Ms. Cala and Mr. Pick to make sure that they understand exactly what is going on with various acquisitions and closings.

**JAMES PACHUILO – COUNCIL PRESIDENT:**

Mr. Pachuillo asked if we have heard anything on the Junior Council Person. Mrs. Shade stated that she has talked to the school and they are interviewing students. She stated that she doesn't think that there is really anybody from the Borough.

**TRACY PETERSON – LIBRARY:**

Mrs. Peterson stated that she needs to make a motion to hire Bonnie Kundart for a part-time position at the Library. She stated that Ms. Kundart will be working about fifteen (15) hours per week in the evening and the salary will be \$9.00 per hour and she will be doing Passports. Mrs. Gantner seconded the motion. AYES – 6, NAYS – 0, ABSENT - 1. Motion carried.

Mrs. Peterson mentioned that they have changed how they pay the employees for doing the passports. She stated that the employee would get \$10.00 per passport and they did not receive a salary. She stated that they voted and now they are going to receive \$2.50 per passport plus their salary.

**BRIAN HOFFA – ECONOMIC AND COMMUNITY DEVELOPMENT:**

Mr. Hoffa mentioned the Municipal Grant Application and that Council needs to pass a Resolution to allow Mr. Loth to complete an application to DCED for the Municipal Assistance Program. He stated that the program will pay up to 50% of the total cost of the Market Study. He stated that they are still going to apply to private foundations and other places to try to get the money to pay for this. Mr. Hoffa made a motion to accept the Resolution and authorize Mr. Pachuillo and Mrs. Shade sign it; seconded by Mrs. Peterson. AYES – 6, NAYS – 0, ABSENT - 1. Motion carried.

Mr. Hoffa stated that we have the Agreement from Fourth Economy to do the Market Study and made a motion to approve Mrs. Shade signing the Agreement so they can move forward; seconded by Mrs. Peterson. Discussion ensued. AYES – 5, NAYS – 1 (Mrs. Stine), ABSENT - 1. Motion carried.

**DENISE STINE – PUBLIC SAFETY:**

Mrs. Stine stated that they will have a police meeting as soon as Mr. Keller comes back from France.

**GEORGE BUTKUS – SEWER AND SANITATION:**

Mr. Butkus stated that they will be meeting on Monday at the Plant. He mentioned that in the next year or two they are going to have to do something about the Sewer Garage because the cinderblock walls are crumbling. He also mentioned that they are going to have to replace the front gate next year. Mrs. Shade mentioned that some of that stuff is already in the Budget for next year. Mr. Butkus mentioned that some of it will be shared costs with the other municipalities. He also mentioned that later this year they will be making a recommendation on amending the Building Code to require all future houses (new construction) to have a trap and vent at the curb.

**EXECUTIVE SESSION:**

Mr. Pachuillo stated that they needed to go into Executive Session for a personnel issue and a property acquisition issue. Council went into Executive Session at 7:50 p.m.

**RECONVENE:**

Council reconvened at 8:50 p.m.

Mr. Hoffa made a motion to authorize STV to proceed with firm estimates for Phase 3 and Phase 4 at a cost not to exceed \$9,200.00; seconded by Mrs. Gantner. AYES – 6, NAYS – 0, ABSENT - 1. Motion carried.

**ADJOURNMENT:**

Mr. Butkus made a motion to adjourn the meeting at 8:51 p.m.

Respectfully submitted,



Elizabeth A. Egelman  
Asst. Borough Secretary