

The workshop meeting of the Borough Council of the Borough of Sinking Spring was called to order on Wednesday, October 27, 2021 at 7:00 p.m., by Council President James Pachuiilo. After the pledge to the flag, Elizabeth Eagelman called the roll reflecting the following Council Members present:

James Pachuiilo
Tracy Peterson
H. David Miller
Denise Stine
Lisa Gantner
Brian Hoffa (Absent)
Robert Metzgar

Other officials present were: Mayor Gary Cirulli; Charles Haws, Barley Snyder, Borough Solicitor; Brad Smith, Engineer, ARRO Consulting; Michael Hart, Borough Manager; Police Chief James Oxenreider; and Elizabeth Eagelman, Borough Secretary, who recorded the minutes of the proceeding.

PUBLIC HEARING:

Mr. Pachuiilo stated that we need to have a Public Hearing for the request by Lidl US Operations, LLC for approval of the Intermunicipal Transfer of Liquor License No. R-11896 into Sinking Spring Borough. Mr. Haws stated that the hearing was duly advertised and he turned it over to the applicant. Ms. Ellen Freeman, attorney at Flaherty & O'Hara out of Pittsburgh introduced herself to Borough Council along with Ms. Allison Shuker, store manager of the Sinking Spring Lidl store. Ms. Freeman explained that Lidl is looking to get an approval of a Resolution from the Borough Council this evening to permit the transfer of a liquor license that is currently located outside of the Borough and would be transferred into the Borough for Lidl's use only at 3564 Penn Avenue in the Borough of Sinking Spring. She mentioned that this is the first of many steps for Lidl and if they get approved this evening they will have to take this to the Liquor Control Board and apply with them. Mr. Haws stated that Council could entertain a motion to approve the Resolution authorizing the transfer of the Liquor License. Mr. Miller made the motion to pass the Resolution approving the intermunicipal transfer of Restaurant Liquor License No. R-11896 into the Borough of Sinking Spring; seconded by Mr. Metzgar. AYES – 6, NAYS – 0, ABSENT – 1. Motion carried.

VISITORS/PUBLIC COMMENT:

There were no other visitors signed in or in attendance.

BUDGETS:

Mr. Pachuillo stated that we are going to do the Budgets next because Mr. Metzgar needs to leave early for another engagement. He turned it over to Mr. Hart. Mr. Hart stated that he will start with the Emergency Services Fund Budget. Mr. Pachuillo asked if there are any changes from what they received at the Council Meeting on October 7, 2021. Mr. Hart stated that there were a number of changes one being the tax rates proposed for Fire. He stated that he had proposed a tax rate of 1.146 mills for Fire at the last meeting but we will need to raise it to 1.155 mills to balance the Fire budget. He also stated that the Ambulance tax rate would need to be raised to .35 mills. There were no questions. Mrs. Peterson made a motion to advertise the Fire/Emergency Services Budget; seconded by Mr. Metzgar. AYES – 6, NAYS – 0, ABSENT – 1. Motion carried.

Mr. Hart stated that they will go over the Sewer Fund Budget next. He mentioned that we will need to increase the Sewer Rates for 2022 in order to balance the budget. He mentioned that the usage rate will go up 5% and gave an example stating that the Residential 1000 gallon rate will go from \$4.50 per 1000 gallons to \$4.72 per 1000 gallons. Mr. Metzgar asked what was driving that increase. Mr. Hart stated that there are a bunch of reasons, one being that they cost of chemicals is going up and another is ongoing maintenance out there. He also mentioned that the last increase was in 2015. Mr. Pachuillo asked if there were any other questions on the Sewer Fund Budget, hearing none he asked for a motion to authorize advertising. Mrs. Stine made a motion to authorize advertising the Sewer Fund Budget; seconded by Mrs. Gantner. AYES – 6, NAYS – 0, ABSENT – 1. Motion carried.

Mr. Hart stated that the General Fund Budget is next and that he has gone over it many times. He believes that he has a plan on how we can balance the budget without raising the taxes. He mentioned that with the pandemic we got hit quite hard with loss of income, such as recreation fees, pavilion rentals and business privilege taxes. He stated that between 2019 and 2020 we lost about \$325,000.00 in income which set us back moving forward. He mentioned that we should be able to use the ARP funds that we received to help balance the budget but he needs the auditor to certify that we did have these losses. Discussion ensued concerning the ARP funds. Mr. Hart mentioned that we had to open a separate bank account for the ARP funds so it is separated from the General Fund money and that he has to make quarterly reports on it to the Federal Government. He stated that he is waiting to hear back from the auditors certifying that those losses were actual losses. Mrs. Peterson mentioned that they also added a few items to the budget that they should discuss. She mentioned the need to increase the Borough's contribution to the Library and to increase the salaries for the Library personnel to be competitive. She also mentioned that they are only getting \$49,000.00 from the state. She stated that Mr. Hart proposed an increase in the Borough's contribution from \$33,000.00 to \$50,000.00 and they are looking at increases to the salaries. Mr. Metzgar mentioned that they would like to hire someone part-time to do administrative work for recreation stuff that the recreation committee has been doing for many years and also to act as a coordinator to help get communications, marketing, and web stuff together and help with BOSS Forward activities. He stated that the line item is for \$18,000.00 figuring the person would work 20 hours per week at a rate of \$18.00 per hour. Discussion ensued concerning the need and various duties. Mrs. Peterson also mentioned that they had discussed with Mr. Hart about doing a road project. Mr. Hart stated that the road project is not part of the General Fund Budget and if they do it we would be using Liquid Fuels Funds. Mr. Hart mentioned that he thinks that the part time position is a good idea and he sees it geared more towards the rec right now and

BUDGETS (Cont.):

mentioned that we just purchased the Butkus property and would like to develop that and we are looking at another property that is going to need management and control and develop some program there so he believes that person is really needed. Mr. Miller asked what property we are acquiring. Mr. Metzgar stated that the Historical Society would like the Borough to take over the Historical Society Buildings and Train Station. Mr. Hart stated that it is an even transfer and that there is no dollar value. Mr. Miller asked if the Fire Company is aware of it. Mr. Hart stated that they were. Mr. Haws mentioned that the Fire Company signed off on the deed restriction and the Borough would be responsible for the maintaining the property. Mr. Metzgar stated that he needed to leave for another engagement. He made a motion to authorize advertising the General Fund Budget; seconded by Mrs. Peterson. AYES – 6, NAYS – 0, ABSENT – 1. Motion carried.

Mr. Metzgar left the meeting at 7:50 p.m.

Mr. Pachulo stated that this is the first he is hearing about this property acquisition and asked when this transpired. Mr. Hart stated that they came to him over a year ago and they have been talking about it ever since. Discussion ensued concerning responsibilities and insurance. Mr. Hart mentioned that they have a meeting scheduled with the Board from the Historical Society and the Admin Committee in two weeks to talk it out and make sure everything is in line before they bring it to Council.

UNFINISHED BUSINESS/POSSIBLE ACTIONABLE ITEMS:

Mr. Pachulo stated that the only item is the Police Contract. Mrs. Stine stated that it is in their hands and that she emailed Mr. Brown and Mr. Skelton today and let them know where we are at with the salaries. She mentioned that they wanted covid money to which she informed them that the covid money would be management and not part of the labor agreement. She stated that we should have something from them soon.

NEW BUSINESS/POSSIBLE ACTIONABLE ITEMS:

Mr. Pachulo stated that the first item is a letter from Alcon requesting additional capacity at the WWTP. Mr. Smith stated that Alcon has requested additional capacity of 25 EDU's but they used the wrong calculation so they are asking for 4,800 GPD but it would actually be 5,400 GPD. He stated that we do have the capacity at the plant but he doesn't know, because the hydraulic model is out of date, is if we can safely convey that sewage to the plant through the line along Columbia Avenue. He suggested that we do some modeling but that takes three (3) months. He stated that he will talk to their modeler and have an answer for next week's meeting. Mr. Miller stated that we could do it in house and put a flow monitor in the line at the manhole in front of Dunkin Donuts. Mr. Smith also mentioned that once you exceed 25,000 GPD you become what the EPA calls a significant industrial user which could force the Borough to go into a sanctioned EPA pretreatment program that would require a new Ordinance and enforcement plan among other things. Mr. Pachulo stated that since we need more information we will table this until we get the data that we need.

NEW BUSINESS/POSSIBLE ACTIONABLE ITEMS (Cont.):

Mr. Pachuillo stated that the next item was the Professional Services Agreement with Constructed Wetland Group. Mr. Smith stated that this is the contract to provide the reeds for the reed beds that we are currently having rebuilt because the planting of the reeds was not part of that contract. He mentioned that the planting of the reeds will not occur until the weather conditions permit for their survival and growth. He stated that the contract does require the Borough, upon signing the contract, to pay an upfront \$5,000.00 fee and then the remainder of the \$28,000.00 at certain parts of the project. Mr. Miller made a motion to sign the PSA with CWG; seconded by Mrs. Peterson. AYES – 5, NAYS – 0, ABSENT – 2. Motion carried.

The next item was the Professional Services Agreement with Traffic Planning & Design for the Phase 2 Intersection at Columbia and Cacoosing. Mr. Smith stated that it is a standard PennDOT contract and that he did forward it to Ms. Laura Montgomery the PennDOT Representative for this project and he has not received any comments from her. He mentioned that the total cost to the Borough is \$232,073.20 and that it covers the inspections of the project. He stated that the Borough doesn't have to enter into this contract now and that Council could just empower Mr. Hart to execute it when the time is right when we send it out to bid. Mr. Pachuillo asked for a motion to that effect. Mrs. Gantner made the motion; seconded by Mrs. Stine. AYES – 5, NAYS – 0, ABSENT – 2. Motion carried.

JAMES PACHUILO – COUNCIL PRESIDENT:

Mr. Pachuillo mentioned that in previous meetings he had asked about our meeting dates moving forward into 2022. He stated that it makes sense to move the Council meetings to the second Wednesday and keep Workshop meetings on the 4th Wednesday as needed. He stated that we don't have to take action on it tonight but wanted Council to think about it and discuss it at a later meeting.

MICHAEL HART – BOROUGH MANAGER:

Mr. Hart mentioned that a little while ago Mr. Loth had talked about Mr. Ken Pick getting us \$300,000.00 from the County Commissioners. He stated that it actually came through and that he has the agreement, signed it and sent it back to them. He stated that it is a grant for our downtown project. Mrs. Peterson asked if there was a time limit on it. Mr. Hart stated that it has to be disbursed by December 31, 2025. Mr. Miller made a motion authorizing Mr. Hart to sign the Subgrantee Agreement with the Redevelopment Authority of the County of Berks; seconded by Mrs. Peterson. AYES – 5, NAYS – 0, ABSENT – 2. Motion carried.

ADJOURNMENT:

Mrs. Peterson made a motion to adjourn the meeting at 8:13 p.m.

Respectfully submitted,


Elizabeth A. Eageman
Borough Secretary