

The regular meeting of the Borough Council of the Borough of Sinking Spring was called to order on Thursday, November 5, 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
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; Michael Hart, Public Works Director; Police Chief Lee Schweyer, 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 October 1, 2015 Council Meeting and the October 28, 2015 Workshop Meeting. Mr. Huckleberry made the motion to approve the minutes; seconded by Mr. Hoffa. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried.

VISITORS/PUBLIC COMMENT:

The first visitor was Mr. Stine who owns Leshner's Service Center located at 3901 Penn Avenue. He addressed Council concerning his business being forced out by the Revitalization. He stated that the County cannot find him anywhere to move to close by and their guidelines for what they are offering him he believes is not enough. He stated that he is here to appeal to Council to see if they can go better than what the County has offered him. He mentioned that he has wanted to buy the building for the past nineteen years but couldn't because the ground was contaminated from when it was a gas station. He stated that it was deemed clean at the end of last year and now the Borough is going through with realigning the streets and he is being forced out of business. Mr. Pachuillo stated that they will look into it and thanked Mr. Stine for coming.

The next visitor was Mrs. June Duncan of 16 Miller Drive. Mrs. Duncan addressed Council concerning the Ordinance that is in place for RV's. She mentioned that Mr. Hart got the neighbor to remove the Motorhome from the driveway but now they are parking it on the street in front of her house. She stated that the Borough Ordinance allows them to park it on the street where ever they want for as long as they want. Mr. Pachuillo mentioned that he has seen other Ordinances that limit the amount of time that an RV can be parked on the street. He stated that they will look at the Borough's Ordinance and take it under advisement to see if they can come up with something.

VISITORS/PUBLIC COMMENT (Cont.):

The next visitor was Mrs. Rose Rothenberger. She also addressed Council concerning the Ordinance that is currently in place for RV's and Motorhomes. She asked that the Zoning Board consider changing the Ordinance. She mentioned that South Heidelberg's Ordinance states that it is unlawful to park or leave standing any motor vehicle having a gross vehicle weight in excess of 13,000 pounds. She stated that it also limits it to 48 hours maximum for loading and unloading. Mr. Hart stated that they can look into it and see if Council wishes to change the Ordinances.

The next visitor was Mr. Kirk Barnett from Grande Land LP and their attorney Mr. Fred Reigle. Mr. Barnett mentioned that their one project in Lower Heidelberg Township is being held up because they are waiting for Sinking Spring to decide on where the capacity is at for the Sewer Plant. He stated that they are just looking for information on where the Borough stands with their Revitalization project. Mr. Butkus stated that at this point it is the recommendation of the Sewer Committee that we do not feel that the Borough has enough excess capacity to sell given the densities of development we are looking at for both Downtown and potentially for the Golf Course. He stated that if municipalities need extra capacity they need to go in with us to build the additional capacity they need and plan for the development. Mr. Barnett asked if Lower Heidelberg is at their capacity. Mr. Smith stated that according to the Chapter 94 report they are not using all of their allocated capacity but that doesn't mean it is not already sold only that we are not getting it yet. Discussion ensued.

CORRESPONDENCE:

Mrs. Egelman mentioned that the Borough received a letter from Kriegman & Smith concerning the Spring Valley Apts. on James Street. The letter states that they mailed their check to cover the Borough taxes in the amount of \$32,554.24 on March 30, 2015 and that it is still outstanding. They are asking to have the penalty and interest waived. Mr. Huckleberry made a motion to waive the penalty; seconded by Mrs. Peterson. Discussion ensued. Mr. Pachuillo asked if we could do some checking and talk to Mrs. Beck concerning this. Mr. Huckleberry rescinded his motion and Mr. Butkus made a motion to table it until we get further information from the Tax Collector; seconded by Mr. Huckleberry. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried.

APPROVAL OF THE BILLS:

Mr. Pachuillo asked for a motion to approve the bills for October 2015. Mrs. Stine made a motion to pay the bills, seconded by Mrs. Gantner. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried.

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 7:36 p.m.

RECONVENE:

Council reconvened at 8:05 p.m.

Mr. Pachuillo stated that they do have action to take but will do it as we get into the Committee reports.

WESTERN BERKS FIRE DEPARTMENT:

Mr. Pachuillo stated that Fire Commissioner Jared Renshall informed him previously that he had a prior engagement and would not be able to attend tonight's meeting. He stated that the report and budget are in everyone's binders. He also mentioned that the Budget will be passed this month and that there are no increases to any of the municipalities.

REVITALIZATION:

Mr. Ludgate stated that the Market Study is in progress and we are expecting results for January. He also mentioned that they have had some meetings with County Officials and there is reason to be optimistic about this project. He stated that he would like to be able to get Council's approval to tell the MPO (Metropolitan Planning Organization) that the Borough is prepared to provide right-of-way on condition that the state would provide the construction dollars to replace the intersection at 724 and 422. Mr. Hoffa made the motion to approve an estimated amount of \$5,000,000.00 to acquire the right-of-way needed with the provision that we be accepted onto the TIP with the Reading Area Transportation Committee and that we also get approval from the School District and the County for TIP Financing; seconded by Mr. Huckleberry. AYES – 5, NAYS – 2 (Mrs. Stine and Mr. Butkus), ABSENT - 0. Motion carried. Mr. Butkus asked Mr. Ludgate if he could get some closer to realistic ball park numbers on the sewer capacity we are going to need for the project. Mr. Ludgate stated that he could come up with some scenarios.

BUDGETS:

Mr. Pachuillo stated that everyone received the Budgets by e-mail previously and that they are also in front of them. He stated that there are no increases, millage wise, in the General Fund Budget, the Sewer rates are not going to rise, and the Fire Tax is going to stay the same. He mentioned that per Mrs. Shade's e-mail the auditors are requiring us to raise the Ambulance tax by .5 mils. He stated that this is because the County is now breaking out the communications costs and the ambulance portion must be paid from the Ambulance Tax, previously it was all paid from the Fire Tax. Mrs. Gantner stated that she didn't understand why it had to be raised if it was all covered previously. Mr. Butkus asked if there was a way that we could rebalance how we are splitting them. Mr. Huckleberry asked if we could not make any decisions on this until the next meeting. Mr. Haws stated that at a point we have to advertise the Budget and let it sit for ten (10) days for comment and then take action. Discussion ensued. Mr. Pachuillo asked what the current millage is for Fire and Ambulance. Mrs. Eagelman stated that the Ambulance Tax is .26 mils and the Fire Tax is .87 mils. Mr. Hoffa asked why we cannot reapportion them and basically lower the Fire Tax and

BUDGETS (Cont.):

raise the Ambulance Tax. Mr. Butkus asked if the increase is .5 or .05 because if you are raising it a half mill you are more than doubling it. Mr. Pachuillo stated that it must be .05. Mr. Hoffa stated that even so it is going to over fund the Fire portion because if you were taking away from Fire to pay for Ambulance and now you are going to raise the Ambulance to pay that portion then you are still leaving that money to cover that bill in Fire. Mr. Huckleberry asked if we could get concrete facts or figures on this and try to figure it out and work the numbers. Discussion ensued as to when to advertise. Mr. Haws stated that we should only advertise once in the Notice section and it states that the Budgets are available for review and that we don't publish the Budgets line by line. Mr. Huckleberry made a motion to advertise; seconded by Mrs. Peterson. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried.

UNFINISHED BUSINESS:

The first item was the Trash Contract with Eagle Disposal. Mr. Pachuillo stated that we accepted their bid at the last meeting contingent upon the Solicitor's review. Mr. Haws stated that the Contract was fine and that he sent it to them but has not received it back yet.

The next item was the Shillington Road Delineators. Mr. Pachuillo mentioned that a new plan was brought in by PennDOT to sign that was signed and sent back. Mr. Hart stated that he has the plan here if anyone wants to see it. Mr. Pachuillo mentioned that this is still a trial and error period and that we can take them down if it's not working.

NEW BUSINESS:

Mr. Pachuillo stated that the only item is the November Workshop Meeting. He stated that there will not be a Workshop Meeting in November because it is the night before Thanksgiving.

CHIEF SCHWEYER:

Chief Schweyer mentioned the donation request for the Animal Rescue League. He stated that he has not heard back from any other similar municipalities as to what they are donating.

ROBERT LUDGATE SR. – BOROUGH ENGINEER:

Mr. Ludgate stated that he received a request to release payment for H & H but there are issues where they still owe an administrative bill and a couple of other things that they have to take care of. Mr. Ludgate stated that they are not recommending a release for them at this time.

Mr. Ludgate also mentioned that they received a payment request from Landis C. Deck & Sons for the South Hull Street Reconstruction Project in the amount of \$184,567.42. He stated that Ludgate Engineering recommends that this payment be released. Mrs. Peterson made the motion to

ROBERT LUDGATE SR. – BOROUGH ENGINEER (Cont.):

release payment to Landis C. Deck & Sons in the amount of \$184,567.42; seconded by Mr. Hoffa. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried.

SEWER ENGINEER – ARRO CONSULTING – BRAD SMITH:

Mr. Smith stated that they started work on the Penn Avenue Interceptor Crossing. He also mentioned that the Reed Beds have been cleaned and they are closing out the project. He stated that they are assisting the staff in optimizing operations of the Mt. Home Road Pump Station and assisting the Borough with determining available capacity.

MAYOR GARY CIRULLI:

Mayor Cirulli stated that he just signed a letter that Chief Schweyer wrote to Rev. Nicholas Camacho thanking him for doing the Carwash and getting the Borough a new Police Bicycle. He also mentioned that they did interviews for Part-Time Officers and made a recommendation to hire Jeb D. Cooper at \$19.45 per hour. Mrs. Stine made the motion to hire Mr. Cooper at as Part-Time Police Officer at a rate of \$19.45 per hour; seconded by Mr. Huckleberry. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried. He mentioned that they didn't have very many applicants because the ad was only run for one week and should have been run for a month. Mr. Pachuillo stated that we will have to check the bill to see if we were charged for the whole month. Mayor Cirulli also mentioned that he has received complaints on leaves not being picked up. Mr. Hart stated that they have been out and are doing everything possible.

BRIAN HOFFA – ECONOMIC AND COMMUNITY DEVELOPMENT:

Mr. Hoffa stated that he wanted to congratulate Mrs. Stine, Mr. Butkus and Mrs. Peterson on their reelection.

LISA GANTNER – RECREATION:

Mrs. Gantner reported on the Fall Movie Night. She stated that they didn't have a great attendance like they do in the summer. She also mentioned that the Holiday Open House is going to be Wednesday, December 2nd at 7:00 p.m. She stated that the Newsletters should be going out the week before Thanksgiving. Mr. Pachuillo stated that he is going to talk to Mr. Renshall because of what happened last year with the way the Fire Truck came in and hopefully they will have some Fire Company Personnel available to help keep people back from the curb.

DENISE STINE – PUBLIC SAFETY:

Mrs. Stine made a motion to accept the new Police Contract for the next three years starting January 1, 2016; seconded by Mrs. Peterson. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried.

GEORGE BUTKUS – SEWER AND SANITATION:

Mr. Butkus mentioned that the new gate is fully operational back at the Sewer Plant and that it is a great safety improvement. Mr. Hart stated that it meets our legal obligation to secure the facility. Mr. Butkus also mentioned that they are discussing a way to do part or at least the engineering for the new garage for the Sewer Plant because the walls are getting worse. Mr. Huckleberry asked what we are looking at budget wise. Mr. Hart stated that they are going to do it in stages. The first concept was to just build the exterior walls and get it under roof to get it functional which will be about \$350,000.00 which does not include building the interior components for the office space and everything else. He stated that we will have to engineer the whole thing because when we go to lay it out we are going to have to put in the in ground plumbing and everything in place. He stated that it will be about \$8,000.00 for the engineering.

CHARLES HAWS – BOROUGH SOLICITOR:

Mr. Haws recommended that Council authorize Mrs. Egelman in addition to Mrs. Shade as the Borough Representative to sign off on paperwork recommended for the Redevelopment Project. He stated that we received a request for rental assistance payment in the amount of \$10,248.00 and was recommended by the Redevelopment Authority and Mrs. Kathy Miller. He stated that the motion we had before was for Mrs. Shade to be able to authorize them based on recommendations and this one is for 3916 Penn Avenue. Mr. Hoffa made a motion to authorize Mrs. Egelman to sign those documents; seconded by Mrs. Peterson. Mr. Butkus asked if we are including checks in that or not because at current we have one Borough employee cleared and three (3) Council members and each check requires two (2) signatures. He stated that in the past we had been encouraged to avoid having two simultaneous employees as signors on checks. Mr. Hoffa stated that there are only two Council Members that are signers. Mr. Butkus stated that he thought Mr. Pachuillo was authorized. Mr. Pachuillo stated that he never signed the signature card at the bank. He stated that the motion is just for authorization to sign revitalization documents not checks. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried.

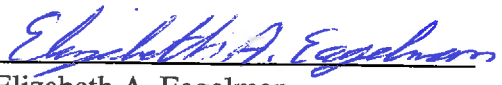
TREASURER'S REPORT:

Mr. Pachuillo asked for a motion to approve the Treasures Report. Mr. Huckleberry made a motion to accept the Treasurer's Report; seconded by Mrs. Stine. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried.

ADJOURNMENT:

Mr. Huckleberry made a motion to adjourn the meeting at 8:56 p.m.

Respectfully submitted,


Elizabeth A. Egelman
Asst. Borough Secretary