

The regular monthly meeting of the Borough Council of the Borough of Sinking Spring was opened on Thursday, December 7, 2006 at 7:30 p.m., at the Sinking Spring Borough Hall, by President George Butkus. After the Pledge to the Flag, Regina Shade called the roll reflecting the following Council Members present:

George Butkus
James Zerr
Lawrence Schmidt
Bruce Light
Barbara Kutz
Stewart Wenrich
Dennis Leiby

Other officials present were: Mayor Clarence Noecker; Charles Fitzpatrick, Borough Solicitor; Regina Shade, Borough Secretary/Treasurer; who recorded the minutes of the proceedings.

Others present were: Robert Ludgate, Jr., Ludgate Engineering, David Schlott, Jr., ARRO Consulting, Chief William Ulrich, and Public Works Director, Michael Hart.

CHANGE OF PRESIDENT:

Mr. Light made a motion requesting Mr. Butkus to step down as President of Council; seconded by Mr. Wenrich. Mr. Butkus questioned why he should step down. Mr. Light stated there were a number of things that he had done in the past year that was changing the Borough. It just doesn't add up. You were looking to change the office; things have been in place for years. . He feels if we keep letting things go, it will not benefit the Borough. Mr. Butkus feels that everyone that got elected got elected for a reason. Presumably the residents wanted change. Mr. Butkus refused to step down. Mr. Light requested a roll call vote. AYES – 4 (Mr. Light, Mr. Zerr, Mr. Wenrich, Mr. Schmidt), NAYS – 3 (Mr. Butkus, Mrs. Kutz, Mr. Leiby). Mr. Butkus was going to turn over the meeting however Mr. Fitzpatrick stated that the motion was for him to step down and if he doesn't step down, he is still the President of Council.

Mr. Wenrich made a motion to place Mr. Larry Schmidt in as Council President; seconded by Mr. Light. Mrs. Shade questioned if she should do a roll call vote. Mr. Fitzpatrick stated yes. AYES – 4 (Mr. Light, Mr. Zerr, Mr. Wenrich, Mr. Schmidt), NAYS – (Mr. Butkus, Mrs. Kutz, and Mr. Leiby); motion carried.

Mr. Schmidt took over as Council President.

COUNCIL PRESIDENT – LAWRENCE SCHMIDT:

Mr. Schmidt thanked Mr. Butkus for the job that he had done. He feels Mr. Butkus did what he thought was for the betterment of the Borough; however some on Council did not agree with him and majority rules.

APPROVAL OF MEETING MINUTES:

Mr. Light made a motion to approve the minutes from the November, 2, 2006 and November 13, 2006 meetings; seconded by Mr. Butkus. AYES – 7, NAYS – 0; motion carried.

BID OPENING – POLICE VEHICLE:

Mrs. Shade opened the following bids for the sale of the police vehicle:

Ken Gordon.	\$ 457.00
Emergency Remarking.	\$ 661.00
Dennis Moyer.	\$1,599.99
Grace Quality.	\$ 656.00

Mr. Zerr asked Mr. Fitzpatrick if everything was in line to which Mr. Fitzpatrick stated it was. Mr. Zerr made a motion to award the vehicle to Mr. Dennis Moyer for \$1,599.99; seconded by Mr. Butkus. AYES – 7, NAYS – 0; motion carried.

VISITORS:

There were no visitors.

APPROVAL OF BILLS:

Mr. Light moved to approve the bills; seconded by Mr. Wenrich. AYES – 7, NAYS – 0; Motion carried.

COMMUNICATIONS:

Mrs. Shade read a thank you note for the Christmas party and bonus from Mrs. Pat Shoff.

MILLER ENVIRONMENTAL REPORT:

On November 17th the Miller Environmental staff received an award. Mr. Hiilibush passed around the plaque. Our sewer treatment plant received the award. It is a maintenance excellence award.

Mr. Roger Hillibush of Miller Environmental gave the monthly report for November, 2006. The October 2006 DMR was completed and sent to PA DEP during the month. There were no violations. The bio augmentation trial began March 1, 2006. The October 2006 report was sent to the PA DEP along with the DMR. The second 2006 industrial sampling was completed during the month. Data entry and billing will follow. The staff received the bio solids permit from PA DEP during the month. The new permit commences on March 6, 2007 and will expire on March 6, 2012. The staff retrieved the I&I Spy Units during the month. The data was downloaded for evaluation. The following is the wastewater flow data for the month - total monthly flow – 30,314,000 gallons, average daily flow – 1,010,500 gallons, maximum daily flow – 1,432,900 gallons, minimum daily flow – 675,100 gallons. There were no NPDES violations for the month. The following percentages are each municipalities contribution to the total flow – Sinking Spring – 76.6%

MILLER ENVIRONMENTAL REPORT(cont'd):

(includes an un-metered portion of Spring Township), Lower Heidelberg – 14.5%, and South Heidelberg – 8.9%. The total rainfall for the month was six (6) inches. The Miller staff completed the routine operation and maintenance duties, responded to eighteen (18) PA One calls. There were three (3) service calls and one (1) plant alarm. One (1) service call was 147 Elizabeth Avenue for a lateral clog, roots were found. The second service call was at 146 Keller Avenue for a lateral clog, roots were found. The third call was at 158 Broad Street to repair a broken lateral cap. The staff read the collection system flow meters six (6) times during the month. They televised 568' of sanitary sewer main. The Vaughn Chopper Pump in the scum pit number one (1) secondary clarifier has incurred a seal failure. They received three (3) quotes for pick up to include disconnecting the pump from its power source, tear down, and rebuild, delivery installation and testing of the rebuilt pump number one (1) and pump two (2). E. Kuser, Inc. completed installation of the new roof on the grit dumpster building during the month. The staff completed painting of various pieces of equipment at the plant.

Mr. Wenrich questioned if Mr. Hillibush felt our I&I is lower since we have done work on trying to bring it down. Mr. Hillibush responded he felt it had decreased. Mr. Hillibush explained how it works and the few spikes that we have had occurred during heavy rainfall. Mr. Wenrich stated we will just need to keep “plugging away.” A brief discussion ensued.

SEWER ENGINEER REPORT – DAVID SCHLOTT, JR.:

ARRO Consulting is continuing its work with the Sewer Use Ordinance.

At the request of Borough Officials ARRO was looking into major maintenance items. At the treatment plant there are three (3) raw sewage pumps. Two (2) of the pumps have been rebuilt. The third is still the original from the 1995 expansion. They recommend that we have the pump rebuilt. The estimated cost is \$8,000.00. Mr. Schlott stated the Authority is looking at doing some improvements at the plant. We now have two (2) good pumps. At this point in time, Mr. Schlott could not say that those pumps will be around after the improvements are made. He recommended holding off on doing anything for now till we see what is going to happen. The treatment plant has two (2) IMCO ditches. IMCO has one (1) aerator in each ditch. The aerator provides the oxygen that the biological system needs to work to treat the wastewater. If that goes down, we would need to take that ditch out of service. The problem is the cost to purchase a gear box to avoid this is \$65,000.00. The lead time is three (3) to four (4) months to have one (1) delivered. They recommend that we should purchase one (1) and have it on the shelf even though it is a very expensive item. They also recommend that due to the cost of the item, that this be presented to the Authority as a capital item. We currently have two (2) final clarifiers, each of them as a drive assembly also. If we had one (1) go out, the cost is less, it's about \$13,000.00 (does not include installation). The lead time is less than a week. Again, they suggest that if Council would like to have one (1) of these on hand, that they approach the Authority about purchasing this as a capital item. The third thing is the RAS pumps. Only one (1) of those pumps has been rebuilt. The estimated cost is about \$6,000.00. They recommend that we rebuild one (1) of the pumps in 2007. We will then have two (2) rebuilt. The next item was the maintenance building. Moisture has been getting into the system. Apparently some of the mortar needs to be replaced. They contacted E. Kuser on how to get rid of the moisture. They feel this should be looked into. E. Kuser's proposal

SEWER ENGINEER REPORT – DAVID SCHLOTT, JR.(cont'd):

is \$3,260.00. Mr. Hillisbush stated that they did install a dehumidifier in there as well. It appears to be helping. The roof is in good shape.

The Borough is currently implementing their Sewer Use Ordinance and requiring permits for industrial users and restaurants. They would like the Borough to consider expanding the program to other commercial business such as garages, car washes, salons, and laundromats due to their potential discharges. Mr. Wenrich made a motion to allow ARRO Consulting to investigate the possibility of expanding the program; seconded by Mr. Butkus. AYES – 7, NAYS – 0; motion carried.

The Authority has hired ADS (formerly known as Severn Trent) to televise the entire system. Before they offer an idea, they would recommend waiting till the entire project is complete. ARRO would evaluate the data and then prioritize the maintenance. Mr. Wenrich questioned if there was a timeline when this would be done. Mr. Schlott was hoping it would have been done already however this type of job cannot have a deadline. He continued that there would be no use to put a camera down the line if there was low flow. They would not get good data. They have been out the last few weeks again.

The last item had to do with a fourth employee from Miller to be added to the plant. Based on the current efforts and anticipated future efforts with regard to the operation and maintenance of the wastewater plant and the collection system, consideration should be given to adding an additional employee. This would have to be negotiated. Mr. Schmidt stated at times when they are out and working on lateral clogs, etc. there is no one at the plant itself. Mr. Hillibush explained why another man might be needed as well.

Mr. Zerr asked on the oxidation ditch what the life of the equipment is. Mr. Schlott stated on the aerator, it could last twenty (20) years or longer with maintenance. A brief discussion ensued. Mr. Zerr asked if there are more distributors of these particular aerators and should we be studying the possibility of putting another name brand in. Mr. Schlott stated they can check into it. Mr. Schlott said we have an IMCO ditch and that is why we contacted IMCO, but they can look into this. We like to use the vendor that has the process.

Mr. Zerr questioned if Pagoda Industries has installed the procedures that ARRO recommended. Mr. Schlott stated they have and ARRO is satisfied. They have issued them a new permit.

Mr. Zerr recommended that we turn this over to the sewer committee to come up with recommendations and timelines on these above mentioned items and talk to the Authority and see if they would be willing to take some of these items as capital projects. Mr. Wenrich backed up these thoughts as well. It appears more than regular maintenance to him. They might be willing to go 75/25. It is not normal maintenance when you are rebuilding something.

NEW COMMITTEES:

Mr. Schmidt stated with this in mind, he needed to do some housekeeping at this point. He established the committees. They were as follows:

NEW COMMITTEES (cont'd):

Administration:

Stewart Wenrich – Chairman
James Zerr
Bruce Light

Park and Recreation:

Barbara Kutz – Chairman
Bruce Light
George Butkus

Library:

Dennis Leiby – Chairman
George Butkus
Barbara Kutz

Public Safety:

James Zerr – Chairman
Stewart Wenrich
Bruce Light

Sewer and Sanitation:

George Butkus – Chairman
Dennis Leiby
Barbara Kutz

Property and Maintenance/Streets

Bruce Light – Chairman
James Zerr
Stewart Wenrich

Mr. Butkus stated he had a problem with serving on the Library committee as he has a prior commitment that evening. Mr. Schmidt stated that he will look at changing him.

REPORTS OF COMMITTEES AND OFFICES:**POLICE CHIEF – WILLIAM ULRICH:**

The Chief had no report. Mr. Butkus asked the Chief to read off the total items they responded to. Chief Ulrich stated that year to date they had 229 reportable offenses. That is not

POLICE CHIEF – WILLIAM ULRICH (cont'd):

necessarily the number of calls they responded to. Last month they responded to 157 calls. He continued that his monthly report is posted on their website.

DENNIS LEIBY:

Mr. Leiby stated he talked with his committee regarding the basketball net item from last month. He would like this to be referred to the committee that handles resolutions and ordinances. Mr. Zerr stated the safety committee will look at it and make a recommendation to the street's committee as well. The safety committee will be meeting on Thursday, December 14th at 1:00 p.m. They will be working on this. Mr. Schmidt stated that people were stating basketball nets were not mentioned in the ordinance so they can't be cited since they were not specifically talked about. Mr. Schmidt stated when some of these ordinances were established some things were not even around so they could not be mentioned. The intent is there though. Mr. Ludgate stated and he said Mr. Fitzpatrick knows better than he, but the ordinance states that the Borough has the right to remove anything that is in their right of way. Mr. Fitzpatrick agreed. The safety committee will be looking solely as a safety factor issue.

PUBLIC WORKS DIRECTOR – MICHAEL HART:

Mr. Hart stated that Friday, December 8th will be the last day they will be picking leaves up at the curb. After that they must be bagged and taken to our yard waste site.

He met with PA American Water Company and American Asphalt Company regarding Cacoosing Avenue. That is scheduled to have full trench restoration and they hope to have it done very shortly due to the weather restrictions.

The Penn Avenue Bridge clean out was completed. They removed a lot of debris.

The Borough Hall sign is complete. Our portion is done; however we still need to have PPL come and flip the electric on. The sign is wired and as been inspected. He was in contact with PPL that day. Mr. Butkus stated it will be wired the way we originally had planned.

The next item is the fuel tanks. He has done a lot of research. There are two (2) types of tanks out there. There is a fire guard tank which is rated better for placement near a building. In addition, the fire guard tanks are better for gasoline storage. Both the tanks we were looking at were not fire guard tanks so that rules out gasoline. The other problem is since they are not fire guard the placement of them will be a problem as they need certain distances. We do not have enough area at the Borough garage to place the tanks. Mr. Hart explained that type of tank needs 50 feet clearance. Mr. Wenrich questioned that on diesel fuel. Mr. Hart stated yes that is what Hafer Petroleum said. Mr. Wenrich requested that Mr. Paul Roth, our Fire Marshal, check into this. He did not agree with this and he explained why. A brief discussion ensued. He will check with Mr. Roth.

On Tuesday, December 12, 2006, Mr. Hart is scheduled to attend a seminar on codes enforcement. He was requesting that on Monday evening (12/11/06) he be allowed to take the Borough vehicle home with him and leave directly from home on Tuesday as opposed to coming

PUBLIC WORKS DIRECTOR – MICHAEL HART (cont’d):

here to pick it up. It is about an hour and forty five minute drive. Mr. Zerr made a motion to allow Mr. Hart to take the Borough vehicle home with him on Monday, December 11, 2006 for use the following day at the seminar; seconded by Mr. Light. AYES – 7, NAYS – 0; motion carried.

The last item was the carpet for the library. He was wondering if Council wanted to start the process of putting specs together. Mr. Schmidt stated this became a discussion after the Borough Holiday Lighting. He thinks we should come up with exactly what we want to do. Mr. Light was at the library meeting, they feel the square blocks are a good way to go. The Library Board does what the specs put together so we can go out to bid. Mr. Wenrich stated the price to do all of this would be about \$17,000.00. Mr. Wenrich stated in that amount the cost of removing and replacing the books was also calculated. The storage of the books, etc was also in there. Mr. Wenrich stated the carpet that was placed in there was not graded to hold up to the kind of traffic we have having through there. Mr. Wenrich stated lower grade carpeting was put in and that is what we got. Out of the County Library System we are in the top category. Our Library gets used hard. It’s a show piece of our Borough. We do need to get better grade carpeting. He is hearing that we are spending \$17,000 on carpeting. That is not true this is for the carpeting, installation, removal and replacing the books and the storage while the carpeting is being laid. Mr. Schmidt questioned if we knew what kind of carpeting we want. A brief discussion ensued as to how we will do this. Mr. Schmidt suggested that the committee gets together with Mr. Ludgate and decided on the best way to correct the carpeting problem at the library.

LIBERTY FIRE COMPANY – MATTHEW ZERR:

Mr. Matthew Zerr presented the report for the month of November, 2006. There were 34 incidents. Mr. Zerr stated they went to:

AFA.....	16
Structure.....	7
MVA.....	6
Odors.....	3
Brush.....	1
Assist PD.....	1

The following is the breakdown by municipality:

Sinking Spring.....	5
Spring Twp.....	10
Lower Heidelberg.....	7
South Heidelberg.....	5
Wernersville.....	7

LIBERTY FIRE COMPANY – MATTHEW ZERR (cont'd):

The On-Scene Explorer computer system is now in service on both the truck and the engine. They received a State grant for the system. Mr. Zerr stated if anyone wanted to see how it works they would be more than happy to demonstrate it for them. Mr. James Zerr stated that Santa Claus will be going around the Borough on Saturday, December 16th at 11:00 a.m. on the fire truck. Mr. Zerr thanked the fire company for bringing Santa Claus to the Borough Hall the night before. Mr. Zerr made a motion to have the Borough Secretary send a thank you letter to the fire department; seconded by Mr. Butkus. AYES – 7, NAYS – 0; motion carried. Mr. Matthew Zerr stated that as of this day they are up to 327 calls for the year.

JAMES ZERR - PUBLIC SAFETY:

During the month of November, Officers Oxenreider and Skelton attended the Evidence Technician Refresher Course.

We took the 1995 Chevy Caprice out of service.

The next item was the Rt. 422 Corridor Project. We have received a report from South Heidelberg Township on the expenses. In addition, the Corridor Committee will be going through the next phase which is to look into and/or awarding the contract to install the transponders. They are the little white lights that will control the traffic lights. They will be on 53 pieces of apparatus. These pieces are in various municipalities. They are not all in the Borough. Western Berks Ambulance and Spring Township Police are already equipped with the transponders.

Mr. Wenrich questioned if he heard anything about the doors at the old Borough Hall. At the prior month meeting it was discussed that the glass needed to be replaced. Mrs. Shade stated she had sent a letter and the prior evening at the Tree Lighting Ceremony, Mr. Will Ogle told her the glass has been ordered. It should be fixed soon. Mr. Wenrich just wanted the public to know that we are working on it.

BRUCE LIGHT :

Mr. Light wanted to thank Council, all the volunteers, the rec committee, the road crew, and the office staff for their help in the Tree Lighting Ceremony. He thanked Mrs. Karli and her committee for their outstanding efforts throughout the year. Months of planning goes into this and it shows. Mrs. Karli spoke about the upcoming Memorial Day Parade as we will be hosting it next year. They are looking for volunteers. They will be getting together with the VFW after the Holidays. Mr. Light also thanked the committee for our wonderful Christmas Party. Mr. Schmidt also thanked them for a job well done.

BARBARA KUTZ:

Mrs. Kutz stated that Mrs. Shade and Ms. White did a lot of straightening up in the Borough Hall. She had a concern regarding the cleaning of the Borough Hall which will be discussed at another time, Mr. Schmidt stated.

GEORGE BUTKUS:

Mr. Butkus agreed with Mrs. Kutz and feels the issue should go to committee also.

STEWART WENRICH:

Mr. Wenrich stated the sign is up. He stated it was a “co-operative” project. Mr. Wenrich thanked Mrs. Shade for all the “behind the scene” work she did on getting the sign. She worked with the Library and the sign company as well.

Mr. Wenrich stated that we will not spend money needlessly on the carpet; however it does need to be fixed.

Mr. Schmidt thanked Mr. Hart for all the work he did on the sign also. He carted that sign back and forth more times than he would care to mention. Mr. Hart is working on some type of piston action doors as they are extremely heavy and cumbersome for the Librarians to use. He will be talking to Bright Sign.

Mr. Wenrich turned over the floor to Mr. Light who was able to attend the Library meeting. Mr. Light stated that if one (1) bulb goes out, you will need to take the sign apart to replace it.

The Library Budget was passed by the Library Board.

They had special Saturday passports. This was done for the high school. They will be taking their trips with the Spanish and French classes. This was just done for them.

The next issue that was discussed was library fines. They are planning on making up notices stating that all fines must be paid by December 31, 2007. After 12/31/07 if the fines are not paid, they will not be able to use their library cards. This gives them one (1) year to catch up on their fines. A brief discussion ensued on this.

BOROUGH ENGINEER – ROBERT LUDGATE, JR.:

Mr. Zerr asked Mr. Ludgate to attend the safety committee meeting. He will attend.

Mr. Butkus asked Mr. Ludgate to give a brief update on where we stand on the GPR study on the sinkholes back at Maria and Diane. Mr. Ludgate stated that the work is completed. They are compiling the data and we should be in possession of their findings by the following week.

UNFINISHED BUSINESS:

Mr. Schmidt changed the agenda to allow Mr. Tony Maras of Traditions to speak first. Mr. Maras stated they have been in front of the planning commissions many times in regards to the rezoning of the track. With a lot of recommendations from everyone they have incorporated their requests. They would like to start the scheduling of hearings on this and then enactment of the changes. Mr. Fitzpatrick stated he attended the planning commission meeting and this was discussed in detail. They ultimately, by a vote of 4-0-1 (abstention), recommended that Council

UNFINISHED BUSINESS (cont'd):

consider the ordinance in the form that was presented to them. Mr. Fitzpatrick stated we will need to hold a hearing to decide on how we want to adopt the ordinance. He suggested that a hearing not be held till at least mid January. We have not heard from the Berks County Planning Commission and we can't advertise for a hearing till we hear back from them. There is a workshop meeting on Wednesday, January 24, 2007. The meetings are going back to the 4th Wednesday of each month. Mr. Ludgate stated the Berks County Planning Commission will be meeting on the 13th of December. Mr. Fitzpatrick will be forwarding it to the Berks County Planning Commission for their review. The meeting will be held at 7:00 p.m. Mr. Coldren was concerned about Broad Street being only a half street. Mr. Maras explained that will be discussed at another point in the project. That is not what the hearing would be for. A brief discussion ensued. Mr. Zerr made a motion to advertise for the hearing on Wednesday, January 24, 2007 at 7:00 p.m. for Traditions; seconded by Mr. Wenrich. AYES – 7, NAYS – 0; motion carried.

MAYOR NOECKER:

No report

UNFINISHED BUSINESS:

The next item is the Police Pension Plan and the new amount that we will be paying which is \$48,685.00. Mr. Fitzpatrick said that the State based on monies collected from taxes on premiums of foreign insurance companies reimburses municipalities on both their police and non uniformed pension plans. There is a set formula. For a number of years (since 1995) our police pension plan has been with PMRS. An ordinance was enacted as well as an agreement with PMRS that the police will be required to contribute 5% of their salaries into their pension plans. Since 1995 we have not required the police to contribute as there was significant money. However, that is not actually the case. The money that was reimbursed by the State (non-uniform employees) was used for the police. That was a misunderstanding for a number of years. This is not the requirement coupled with the fact that there as been an increase in the amount that is needed to be funded due to overtime obligations and the fact that the investment income was not as well at PMRS. The Chief questioned who said that the police overtime is higher than it has been. Mr. Fitzpatrick stated that was a contributing factor. He is not saying it is higher or not. He explained how we calculate the amount. If overtime is paid, it increases the average salary. Chief Ulrich stated that the overtime as decreased over the last three (3) years. The Chief stated that last year PMRS was \$40,000,000 over funded so to say that the pension plan did not do well is not correct. He wondered who said that. Mr. Fitzpatrick stated Chester Perfetto said that. Chief Ulrich stated this is the same Chester Perfetto that tries to sell pension plans. Mr. Fitzpatrick stated Mr. Perfetto has no involvement with PMRS. Chief Ulrich stated that he said in the letter that was sent that he could look into other pension plans. Mr. Fitzpatrick stated he did say he could look into others, but nothing was done in that regards. Mr. Fitzpatrick and Mr. Mooney, another attorney with Barley/Snyder had several conversations with PMRS which verified what was in the written letter they received. For years, (11 years) no monies were required even though it was in the agreement, and in an ordinance, and it stated such in the contract. They were bond by that 5%. Now after 11 years Council is stating they need to contribute the 5%. The calculations (ball park figures) when done originally was about \$62,000.00 that the Borough would need to contribute. The State contributed about \$30,000.00. That is based on the five (5) police officers receiving two (2) units at

UNFINISHED BUSINESS (cont'd):

\$3,000.00 per unit for each police officer. That leaves a balance of \$32,000.00. If the police contribute the 5% of their salary, that would be about \$13,000.00. There would still be a shortfall of about \$19,000.00 that the Borough would need to contribute. The Borough is still contributing to their plan; they are just asking for a defer of about \$13,000.00 of that obligation. The \$48,685.00 that is showing is made up of the \$30,000.00 the State contributes plus the extra \$19,000.00 (approximately) that the Borough would need to contribute. Mr. Butkus understood that the non uniformed pension plan is also funded by the State; his question was can we ask the non uniformed to contribute as well as the police. Mr. Fitzpatrick stated the ordinance that was passed in 1978 for the non uniformed employee's state that they do not have to contribute. He has seen no other ordinance created since 1978. That means it is still that way. It can be amended if Council so chooses. Mrs. Shade explained that the police pension is covered under Act 205, the non uniformed is under Act 600. Act 205 allows tax deferred benefits for their members; however Act 600 does not allow for that. This means that if non uniformed members are made to contribute to their pension plan, it would have to be after taxes were taken off. Then when the employee wants to withdraw from his or her pension plan, they will be paying taxes on it again. Mrs. Shade does not know how one plan is covered under Act 205 and the other is Act 600. Mr. Schmidt asked the Chief if he had anything else and the Chief responded "Nope." The Chief continued that this is about a \$2,500 to \$3,000 bill per officer. The officers will be getting a ½ percent less next year than they got this year net. There will be a labor action. Mrs. Shade stated that when the calculation is made for the police, it is based on their regular salary plus overtime. The non uniformed is based only on their base pay no overtime is calculated into it. Mr. Zerr made a motion to reaffirm the amount of \$48,685.00 to the police pension plan; seconded by Mr. Light. Mr. Schmidt called for a roll call vote. AYES – 3 (Mr. Schmidt, Mr. Light and Mr. Zerr), NAYS – 4 (Mr. Leiby, Mr. Butkus, Mrs. Kutz, and Mr. Wenrich); motion did not carry. Mr. Schmidt stated we are just trying to follow our ordinance that we have not been following for eleven (11) years. We are in essence breaking our own law, Mr. Schmidt said. Mr. Schmidt questioned if we could change the plan. Mr. Fitzpatrick did not think we could. We can waive them paying. That is Council's choice, Mr. Fitzpatrick said. It will go back to the \$62,000 figure that was originally calculated. Mr. Fitzpatrick stated he was following Council's wishes when he recalculated the amount to the \$48,000.00 figure. Mr. Wenrich feels we need to look into this for next year. Mr. Schmidt feels that everyone has to pay their fair share. Mrs. Kutz stated we are only targeting the police department. Mr. Zerr stated that is what the law states. This is about following the law, and the ordinance stated the police must contribute 5%. He does not want to "ding" the police department; he is just following our law. Ms. Brenda Messina questioned if we could somehow compensate the police department. Mr. Zerr stated we have a contract with the police. We are in the middle of their contract. That would mean we would have to reopen it. This is not a personal issue with the police; this is a budget/ordinance issue, said Mr. Zerr. Mr. Zerr stated somewhere along the road things are going to become harsh. Chief Ulrich stated that the letter Mr. Fitzpatrick wrote did not mention this was a budget issue; it was an overtime and a poor performance pension issue. Mr. Schmidt stated it all three (3). If the Borough must pay, it becomes a budget issue Mr. Fitzpatrick said. Mr. Schmidt stated we are moving on.

The next item was the .00065 mils fire tax. Mr. Schmidt turned the floor over to Mr. Zerr. Mr. Zerr stated that unfortunately some things have been overlooked in the budget for years and they need to be addressed. The fire department needs to fix these issues. Many of the items that needed to be changed have been donated over time. These items are no longer being donated. A

UNFINISHED BUSINESS (cont'd):

gas meter is needed. Fire hydrants need to be updated so that all different types of connections can be made. Mr. Zerr explained how the adaptors work. Maintenance issues on the trucks need to be addressed. Mr. Zerr thanked his committee including Mr. Schmidt and Mr. Light for their work along with the Chiefs on their tireless effort on the budget. The ½ mil did not meet the monetary requirements needed so we need to look at the .00065 mil. There will be a budget meeting on Monday, December 11th at 7:00 p.m. The full budget will be presented at that time.

There will be a union negotiation meeting on Thursday, December 14, 2006 at 8:00 a.m. Mr. Leiby questioned if there will be a change to the negotiation team. Mr. Schmidt said that the only change will be that Mr. Michael Hart will not serve on the committee. Mr. Keller will be here Monday, December 11th at 8:00 a.m. Mr. Schmidt stated this meeting just came about. It should be a short meeting on the 14th as Mr. Gombos must leave for another appointment.

The next item was the trash ordinance rough draft for Council to allow for enforcement of violations. Mr. Schmidt was unsure of this issue as Mr. Butkus placed this item on the agenda. Mr. Butkus stated this was to put some “teeth” in enforcing the placement of the trash out at the sidewalk before noon on Tuesday. However with the change in committees this item will need to go back to committee, Mr. Butkus felt. Mr. Fitzpatrick did have some examples of these types of things. He gave them to Mr. Butkus.

NEW BUISNESS:

The Borough Hall and all functions will be closing at noon on December 22nd. Mrs. Kutz wondered why we do this. Mr. Zerr stated it is part of their contract. It would normally be December 24th. Mr. Leiby asked if this included the Library. They might be closed all day, no one was sure on this.

The last meeting date for the Borough Council will be Wednesday, December 27, 2006 at 7:00 p.m. We will pay all the bills and pass the final budget.

The next item was e-mail archive and backups based on new rules. Mr. Butkus explained what was met by this. Mr. Wenrich stated this is only for public traded companies. Mrs. Shade stated that we do archive our e-mails and we do backups.

PUBLIC COMMENT PERIOD:

Mr. William Falter wanted the residents to receive a copy of the Sinking Spring Borough's Fire Company budget as they were looking for the millage increase. Mr. Zerr stated it was public knowledge. Mr. Falter did not want to see the Borough's budget. Mr. Schmidt stated he wanted to view the social quarter's budget then. Mr. Schmidt stated we can't go in and ask a club to see their books. That would be like going to the VFW and asking to see their books...we can't do that. However, any member of the fire company can go in and ask to see the books. Mr. Falter asked if the Chief or any fire official submitted to Council their budget. Mr. Schmidt stated yes. That is what he would like to see. He wants to see the fire suppression budget from the Chief. Mr. Schmidt stated he can have it.

PUBLIC COMMENT PERIOD (cont'd):

Mr. Harting was wondering about the trash for next year in the amount of \$200. Mr. Schmidt stated that will be discussed at the budget meeting Monday night; however he stated that they are leaning that way. Another discussion ensued as to the cost and the same concerns. Mrs. Shade went over the amount and how it is collected again and what is included in the contract.

TREASURER'S REPORT:

Mrs. Shade gave the Treasurer's Report as follows:

General Account

Opening Balance – November 30, 2006	\$	383,469.19
PLGIT		8,272.40
Invest Recreation		44,305.27
General Invest		12,854.53
To Be Paid	\$	<u>46,497.14</u>
	\$	402,404.25

Sewer Account

Opening Balance – November 30, 2006	\$	364,449.28
PLGIT		55,673.32
Invest Sewer Revenue		106,700.47
To Be Paid	\$	<u>4,810.28</u>
	\$	522,012.79

Motion made by Mr. Wenrich to accept the Treasurer's Report; seconded by Mr. Butkus; AYES -7, NAYS – 0; motion carried.

ADJOURNMENT:

Mr. Zerr made a motion to adjourn at 9:50 p.m.

Respectfully submitted,

Regina M. Shade
Borough Secretary/Treasurer