

The regular meeting of the Borough Council of the Borough of Sinking Spring was called to order on Thursday, March 4, 2021 at 7:00 p.m., live and via Zoom, by Council President James Pachuillo. After the pledge to the flag, Elizabeth Eagelman called the roll reflecting the following Council Members present:

James Pachuillo
Tracy Peterson
H. David Miller
Denise Stine
Lisa Gantner
Brian Hoffa
Robert Metzgar

Other officials present were: Charles Haws, Borough Solicitor; Brad Smith, Engineer, ARRO Consulting; Michael Hart, Borough Manager; Police Officer Jennifer Rightmyer; Bryce Zohner, WWTP Superintendent (Via Zoom); and Elizabeth Eagelman, Borough Secretary, who recorded the minutes of the proceeding.

APPROVAL OF MINUTES:

Mr. Pachuillo asked for a motion to approve the minutes from the February 4, 2021 Council Meeting. Mrs. Peterson made the motion to approve the minutes; seconded by Mr. Hoffa. AYES – 7, NAYS – 0, ABSENT – 0. Motion carried.

VISITORS/PUBLIC COMMENT:

Mr. John Bondarchuk of 301 Broad Street addressed Council concerning ground water levels. He stated that he has been monitoring the levels at his sump in his basement for most of the winter and that it appears that the ground water level has risen a lot and that it is about four to six inches below his slab level. He stated that he is concerned that the recent construction may have caused the increase in the level. Mr. Pachuillo mentioned that he also has a sump pump as does Mr. Hoffa and other neighbors and that we have no control over the ground water levels. Mr. Bondarchuk questioned the construction for the sewer line replacement and if it altered drainage flows to adjacent properties. Mr. Hart stated that it should not have because the new line was laid in a stone bed to filter water away and that we also installed under drains along the whole trench so the water should be going back that directions. He also mentioned that the Spring has been running full so the ground water table is extremely high. Mr. Bondarchuk stated that he will continue to monitor the levels.

CORRESPONDENCE:

Mr. Pachuillo stated that we received correspondence from the Berks County Solid Waste Authority looking for sponsorships to help with costs of the spring and fall household hazardous waste collections and the recycling center in Leesport. Discussion ensued and it was decided to table this item until the Finance Committee can discuss it. Mr. Metzgar made a motion to table the Berks County Solid Waste Authority donation request until the Finance Committee has a chance to discuss it; seconded by Mr. Miller. AYES – 7, NAYS – 0, ABSENT – 0. Motion carried.

APPROVAL OF THE BILLS:

Mr. Pachuillo asked for a motion to approve the bills for February 2021. Mrs. Peterson made a motion to approve the bills, seconded by Mr. Hoffa. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried.

TREASURER'S REPORT:

Mr. Pachuillo asked for a motion to accept the Treasures Report for February 2021 as written. Mrs. Stine made a motion to accept the Treasurer's Report as written; seconded by Mrs. Peterson. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried.

WESTERN BERKS FIRE DEPARTMENT:

Mr. Renshaw mentioned that his February Activity Report is in everyone's packet. He stated that they were finally able to complete the Ice Rescue portion of their Water Rescue class. He stated that they had 13 people go through the first three classes and now they are going after a 2A state certification licensing. He also mentioned that on February 18th Western Berks EMS had a significant fire at their station and within 24 hours on February 19th the Western Berks FD became landlords as Western Berks EMS moved into the WBFD station on Brownsville Road.

WESTERN BERKS AMBULANCE:

Mr. Pachuillo stated that their February Activity Report is included in everyone's packet. Mr. Miller thanked Mr. Renshaw and the Western Berks Fire Department for stepping up and offering the assistance for the Ambulance service.

UNFINISHED BUSINESS:

Mr. Pachuillo stated that the first item is the Tapping Fee Ordinance. Mr. Haws stated that the Ordinance has been advertised and is ready for adoption if Council so chooses. Mr. Miller made a motion to adopt the Tapping fee Ordinance; seconded by Mrs. Stine. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried.

UNFINISHED BUSINESS (Cont.):

Mr. Hart mentioned that he received the signed Reservation Agreement and fee for the sewer capacity for the apartment buildings for Village Greens and that they have reserved capacity in our system as of February 17, 2021.

NEW BUSINESS:

Mr. Pachuillo stated that the first item is the new Municipal Sewer Shut off Agreement from Pennsylvania American Water. Mr. Haws stated that he has reviewed the Agreement. He mentioned that we just want to make sure that the Borough's procedure jives with what their requirement is. Mrs. Eagelman mentioned that they changed the procedure for the landlord tenant accounts. She stated that in the new Agreement Pennsylvania American Water would do the postings and notices for rental properties where the landlord is the rate payer per the Utility Service Tenants Rights Act (USTRA). Mr. Pachuillo asked for a motion to approve the new Sewer Shut off Agreement. Mrs. Stine made the motion; seconded by Mrs. Peterson. Mr. Miller stated that this is the first he is hearing about this and that a heads up to the Sewer Committee would help. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried.

Mr. Pachuillo stated that the next item is the Audits. He stated that Mrs. Eagelman has copies of the audits if anyone wanted to look at them. Mr. Metzgar questioned the comments concerning the insurance. Mr. Hart stated that there were a couple issues that will be cleared up as soon as he has his meeting with the insurance agent. He mentioned that there was a mix up with the PIRMA insurance and that we never received our invoice in 2020 for our 2021 coverage until we called them about it. He also mentioned that there was an issue with the workers comp insurance and that the part time employees were not included previously but will be from now on. Mr. Hart mentioned the Pension Audits for Police and Non-Uniformed. He stated that there was a finding for the Police Pension concerning a report that PMRS does but due to COVID issues it was not done. He mentioned that there was a problem with the Non-Uniformed pension in that we provided incorrect information on a report that led to us receiving additional State funds that we were not entitled to and now we will have to pay back those funds which total \$24,815.00 plus interest. He also mentioned that we should be able to recover \$3,352.00 from PMRS that was sent as excess funds in 2019. Mr. Hart also mentioned that he is looking for another firm to assist us with the pension since Perfetto doesn't do it for us anymore. Mrs. Peterson made a motion to approve paying \$24,815.00 back to the state for the excess state aid received; seconded by Mrs. Gantner. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried.

DENISE STINE – PUBLIC SAFETY:

Mrs. Stine stated that she watched the Water Rescue over at Shillington Park. She stated that it was very interesting and that they had to go in the water with all of their gear on and then get themselves out.

LISA GANTNER – RECREATION:

Mrs. Gantner mentioned that it is Wernersville's turn for the Memorial Day Parade this year and that she contacted them and they are cancelling it due to COVID. She also mentioned that we are not going to be able to do the Breakfast this year but we are going to do the Easter Egg Hunt with some modifications on Saturday, March 27th. She stated that they are still working on some of the details and have to check with Lynn at the Fire Company. She stated that they are planning on having the Summer Playground Program but are not sure about the Bulldog Blast yet. She stated that Playground would run from June 14th to August 13th. She asked if we have a guidance if the minimum wage is going to change on July 1st or not or if it includes seasonal workers because that would change everything. She stated that we will have to increase the fees to cover the increased salaries.

REVITALIZATION:

Mr. Hoffa mentioned that they had a meeting with Senator Argall and that they are trying to get the grant money extended for Phase 2 & 3 and they are trying to shift the grant money from phase 3.1 and 3.2 into phase 2. Mr. Hart stated that he has been working on that for about a week and a half rewriting letters and doing a lot of work on that behalf. He stated that it looks like they are going to extend the grants because he got the applications to sign but he is not sure how long they are extending them. Mr. Hoffa also mentioned that they have been working with Derck and Edson and the survey. He mentioned that they are making changes to the BOSS Forward board to get it organized. Mr. Metzgar mentioned that they have had 297 completed responses to the survey. He also mentioned the restructuring and that the Borough may be at a disadvantage in terms of control of voting. He stated that he doesn't know how comfortable he feels about being there and paying for everything and not having majority. Mr. Hoffa stated that it is going to come up again at their meeting on March 18th. Mr. Pachuilo mentioned that nothing happens without Councils approval anyway. Discussion ensued.

ROBERT METZGAR – FINANCE/ADMINISTRATION:

Mr. Metzgar stated that they had their Admin meeting on Monday and that it went well. He stated that he does have one item for executive session.

TRACY PETERSON – LIBRARY:

Mrs. Peterson mentioned that after several interviews they have picked a candidate for the new Library Director position and that Mr. Hart was involved in all of the interviews. She stated that her name is Kim Cowell and she will be working 40 hours per week at \$39,000.00 per year and could potentially start March 10th. Mrs. Gantner made the motion to approve hiring Kim Cowell as the new Library Director at a rate of \$39,000.00 per year; seconded by Mrs. Stine. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried. Mrs. Peterson also mentioned that they are losing one of their Library Assistants so they will be interviewing for that position next. She stated that they are working on getting a Cares Act reimbursement for the Plexiglas and also to get some money towards some hot spots that they can rent out or take out with your Library card. She also mentioned that they just received a grant for 2 lap tops and 2 iPads.

BRYCE ZOHNER – WWTP SUPERINTENDENT:

Mr. Zohner mentioned that it has been a rough winter and that the reed beds have remained saturated all winter long and the snow has prevented proper sludge application. He mentioned that he e-mailed the Sewer Committee explaining where we are at and that Mr. Miller suggested that he reach out to Scott Davis of Constructed Wetlands Group, the company that built our reed beds and supply our reeds. He stated that Mr. Davis feels that we are, and have been, operating the reed beds property and the fact that we have not had to haul out sludge for 6 ½ years is fantastic. He stated that Mr. Davis also agreed that hauling out sludge for 5 weeks is what is best for the reed beds and will pay us back on the back end in a better quality bio solids that are removed by giving all the reed beds a 5-week rest period to dewater. Mr. Zohner stated that he is requesting that Council grant him the authority to haul out 40,000 gallons of sludge per week for 5 weeks, totaling approximately 200,000 gallons and costing approximately \$22,000.00. He mentioned that he reached out to three different companies, Kline's, which is part of a larger organization called Wind River and came in at .11 cents per gallon, McGovern Environmental came in at .15 cents per gallon and Elk Environmental which does not have a sludge division but they were willing to haul out for us. Mr. Miller made a motion that to engage Wind River/Kline to haul the necessary liquid sludge from the Treatment Plant; seconded by Mrs. Stine. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried.

MICHAEL HART – BOROUGH MANAGER:

Mr. Hart mentioned that they are still working on the Tax Collectors request for the fee increases. He stated that everything that he is asking for does fall in line with the state guidelines. He stated that we will have to create a new Resolution for the fee structure and get it to Council to review at the next meeting. Mr. Haws stated that there are currently two Resolutions that cover all but two of the items that Mr. Glantz has requested.

Mr. Hart mentioned that the Governor is looking at proposing a bill that would charge every municipality for the cost of State Police even if you have your own department. He stated that the e-mail was forwarded to all of Council when it was received on March 1, 2021.

Mr. Hart mentioned that he is still working on a call system and that he has been searching around but has not had a lot of time to really investigate it. He stated that he will keep looking and bring it to Council as soon as he finds something.

BRAD SMITH – ARRO CONSULTING – ENGINEER:

Mr. Smith went over his Engineer's report and gave an update on Phase 2. He stated that there has been movement by both Verizon and PPL in relocating their poles. He stated that they are in the process of getting their permits. He mentioned that they are still battling with UGI to get them to do anything and a meeting with PennDOT's representatives is scheduled for March 8, 2021. He mentioned that the right-of-way documents were finalized and submitted to PennDOT via their computer system. He stated that once we hear back from them we should be able to record those right-of-way plans with the County.

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

Mr. Smith mentioned that the contractor on Broad Street, Barrasso Excavation, Inc., has requested substantial completion of the project. He stated that all of the pipe work is done and that he and Mr. Zohner did a preliminary punch list item for that. He stated that they will be coming back this week and next week to do a couple items that they haven't done yet and maybe do final paving.

Mr. Smith mentioned that he has a change order for the shared televising that we did with Spring Township. He stated that Spring Township finally agreed to their quantities so there is a change order for \$34,803.22 of which \$31,177.88 is Spring Townships. He stated that they had to do a lot of heavy cleaning to get all of the debris out of the pipe. Mrs. Stine made a motion to approve the changed order; seconded by Mr. Miller. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried.

Mr. Smith mentioned that they got a response from PaDEP today about what they need to submit for the influent metering at the plant so they are going to get to work on that and get it in.

Mr. Hoffa asked about the paving on Broad Street and what the plan is. Mr. Smith stated that the contractor is required to cut back one foot outside their trench area. Mr. Hart stated that they are going out tomorrow to look at it to see where it needs to be taken to. He stated that he knows the condition of the street is really bad but he doesn't want to rebuild the street with Village Greens coming on board. Mr. Bondarchuk voiced his concern about drainage issues with the projected construction of Village Greens and the already high ground water levels.

EXECUTIVE SESSION:

Council went into Executive Session at 8:17 p.m. for a personnel issue.

RECONVENE:

Council reconvened at 9:00 p.m. No action was taken.

ADJOURNMENT:

Mr. Hoffa made a motion to adjourn the meeting at 9:00 P. M.

Respectfully submitted,


Elizabeth A. Eageman
Borough Secretary