

The regular meeting of the Borough Council of the Borough of Sinking Spring was called to order on Thursday, May 5, 2016 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 (arrived at 7:51)
- George Butkus (absent)
- Denise Stine
- Lisa Gantner
- Tracy Peterson
- Brian Hoffa (absent)

Other officials present were: Mayor Gary Cirulli; Charles Haws, Borough Solicitor; Robert Ludgate Sr., Ludgate Engineering; Brad Smith, ARRO Consulting; Michael Hart, Public Works Director; Bryce Zohner, Sewer Superintendent; 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 April 7, 2016 Council Meeting and the April 27, 2016 Workshop Meeting. Mrs. Peterson made the motion to approve the minutes; seconded by Mrs. Gantner. AYES –4, NAYS – 0, ABSENT – 3. Motion carried.

**VISITORS/PUBLIC COMMENT:**

Mrs. June Duncan of 116 Miller Drive addressed Council concerning the RV issue. She thanked Chief Schweyer and Mr. Hart for doing their jobs and stated that it was undone by the Mayor on Monday. She stated that the Mayor told her neighbor to put the RV back in the driveway. She wanted to know what the Mayor’s responsibilities are and what power he has. Mr. Haws stated that the powers of the Mayor are set out in the Borough Code and there are provisions that set out general powers and another provision that sets out specific powers dealing with policing, abatement of public nuisance and the like and it is a broad power that is given to the Mayor. Mr. Pachuillo stated that Council is working on redoing the Ordinance and are not enforcing the current Ordinance. Discussion ensued.

Mrs. Duncan also asked what the status is with PPL and the high tension wires along Broad Street. Mr. Ludgate stated that he had a meeting with them and that they would work on an idea to make the installation acceptable to the Borough but they have not heard back from them.

Mrs. Rosemary Rothenberger of 216 Elizabeth Drive also addressed Council concerning the RV issue and the zoning in their development.

**VISITORS/PUBLIC COMMENT (Cont.):**

Mr. Anthony Tucci, Deputy Chief of Western Berks Ambulance, addressed Council and gave a status of calls since January 1, 2016.

**CORRESPONDENCE:**

Mr. Pachuiilo mentioned that we received a letter from Judith Shaffer, owner of Shear Experience Styling Salon located at 3868 Penn Avenue requesting relief from half the year of the Business Trash bill. He stated that the letter states that she will be closing the business on June 30, 2016 and the owner will be renting the space to another salon. Mr. Hart stated that he doesn't believe that we have ever done that before. Mr. Pachuiilo suggested sending her a letter stating that she would have to pay the full year and get reimbursement from the new business or from the landlord. Mrs. Eagelman suggested that we just start billing the property owners and let them charge their tenants. Mr. Haws stated that would be cleaner. Mr. Pachuiilo stated that we will look into that for next year. Mrs. Stine made a motion to send Ms. Shaffer a letter; seconded by Mrs. Peterson. AYES -4, NAYS - 0, ABSENT - 3. Motion carried.

**WESTERN BERKS FIRE DEPARTMENT:**

Mr. Pachuiilo stated that Mr. Renshaw was not able to make the meeting but his activities report was distributed to everyone and is on file.

**UNFINISHED BUSINESS:**

Mr. Pachuiilo stated that the first item is the Resolution for the TCC Executive Committee that was discussed at the last meeting. He stated that Mrs. Scull from Lower Heidelberg Township volunteered to be the primary delegate and asked if anyone from Council would like to be the alternate for this. Discussion ensued. Mrs. Stine made a motion to pass the Resolution listing Mrs. Scull as the Primary Delegate and leaving the alternate blank; seconded by Mrs. Peterson. AYES - 4, NAYS - 0, ABSENT - 3. Motion carried.

The second item was a Resolution authorizing signers for the MTF Grant. Mr. Haws stated that we entered into the Agreement for the MTF Grant and authorized signing it at the last meeting. He stated that it also needs a Resolution authorizing the signers. He suggested that Council ratify Mr. Pachuiilo's execution of that Resolution with the effective date of April 27, 2016 when Council authorized signing the Agreement. Mrs. Peterson made a motion to ratify the Resolution authorizing Mr. Pachuiilo's execution of the Agreement; seconded by Mrs. Gantner. AYES -4, NAYS - 0, ABSENT - 3. Motion carried.

**NEW BUSINESS:**

There was no new business.

**CHIEF SCHWEYER:**

Chief Schweyer mentioned that he got the price for getting AED's for the Playground and the office. He stated that through Heart Safe Berks County we are not eligible to get free ones like the Police Department was but they would give us a 35% discount. He stated that with the discount the cost would be \$1,556.75 per AED and a cabinet to mount it in would be an additional \$240.00. Mrs. Peterson stated that she believes that it would be dangerous to have one at the Playground. Discussion ensued. It was decided to table it and look at it for the budget for next year. Mr. Tucci offered to check his supplier and see if they could get them cheaper.

Chief Schweyer stated that all of the officers, except for the injured ones that are out, have received their training for the Narcan and each car is equipped with one.

Chief Schweyer mentioned that he received a call from Mr. Pat Konopelski today. He stated that Mr. Konopelski would like to have a special Shocktoberfest Event on May 13<sup>th</sup> for a Make A Wish boy. He stated that he spoke with Mr. Hart and they don't see a problem with it on the Borough's end.

**ROBERG LUDGATE SR. – BOROUGH ENGINEER**

Mr. Ludgate mentioned Mt. Home Road and that he addressed a complaint about storm water there last month. He mentioned that there are a couple people with minor projects on Mt. Home Road now and that he has had discussions about storm water with the engineer.

Mr. Ludgate mentioned the Demolition Bids and deferred to Mr. Hart about it. Mr. Hart stated that before they start looking at the demolition portion of it we have to do an assessment of the interior and the exterior for asbestos. He stated that Mr. Ludgate contacted a group to come out and take a quick look on the exterior to assess the properties as to what it would cost to do the proper assessment on the interior of these properties. He stated that the cost, just to do the assessment on the five (5) properties, is \$6,765.00. Discussion ensued. Mr. Hart stated that we should have the assessment done so we know what is there before we go out for bid for the demo. Mrs. Gantner made a motion to have Liberty Environmental do the assessment at a cost of \$6,765.00; seconded by Mrs. Peterson. Mrs. Gantner. AYES –4, NAYS – 0, ABSENT – 3. Motion carried. Mr. Haws mentioned that if they go with the five (5) day turn around on the lab results instead of the two (2) day turn around the Borough can save \$600.00. Mr. Hart stated that we will just go with the five (5) day turn around.

Mr. Ludgate stated that we could be ready in 2-3 weeks to advertise for bids for the demolition. Mrs. Peterson made a motion to advertise for bids; seconded by Mrs. Gantner. AYES –4, NAYS – 0, ABSENT – 3. Motion carried.

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

Mr. Smith mentioned that at the Sewer Committee meeting they discussed the fact that DEP has raised some pointed questions in regards to the Interceptor we are proposing. He stated that one of the questions may require the Borough to revisit the ACT 537 Plan to update our planning for the interceptor. He stated that the other thing that DEP might lean towards is ruling that if we are building a new interceptor then we must have a hydraulic overload so we should build the whole thing. He stated that ARRO is proceeding assuming that the ACT 537 Plan will be sufficient with DEP. He stated that they will schedule a meeting with them when the permit application is complete and argue their case before DEP when we submit it.

Mr. Smith mentioned that Lower Heidelberg Township has requested an additional 6,636 gallons per day of capacity for a 28 townhome development on Gaul Road. He stated that the Sewer Committee recommends not selling any capacity at this time as it is reserved for BOSS 2020. He stated that with Council's approval, ARRO will send a letter denying their request. Mrs. Stine made a motion to send a letter to Lower Heidelberg Township denying their request for additional capacity; seconded by Mrs. Peterson. AYES –4, NAYS – 0, ABSENT – 3. Motion carried.

Mr. Huckleberry arrived at 7:51 after a prior commitment.

**CHARLES HAWS – BOROUGH SOLICITOR:**

Mr. Haws stated that he would need a short Executive Session at the end of the meeting.

**MICHAEL HART – INTERIM BOROUGH MANAGER:**

Mr. Hart reminded Council that the BCERT demonstration will be on Saturday, May 14<sup>th</sup> and if anyone else would like to go they need to let him know by May 11<sup>th</sup>.

Mr. Hart mentioned that he was contacted by Mr. Ron Seaman from South Heidelberg Township. He stated that Mr. Seaman has been talking with Lower Heidelberg Township and Wernersville Borough about the Fire Marshall position and joining forces and having one Fire Marshall for the four municipalities. He stated that Mr. Seaman wants to set up a meeting between the four municipalities to discuss it.

**JAMES PACHUILO - COUNCIL PRESIDENT:**

Mr. Pachuiilo mentioned that the banners that have been up since 2013 for the 100 Anniversary are getting very faded and asked if we could look into getting new banners. He suggested getting a new logo or talking with BOSS 2020. Mrs. Gantner stated that they would talk about it and get prices.

**MAYOR GARY CIRULLI:**

Mayor Cirulli asked Council for their permission to advertise for a Full Time Police Officer to replace Officer Church. Mrs. Stine made a motion to advertise for the Full Time Police Officer; seconded by Mr. Huckleberry. AYES –5, NAYS – 0, ABSENT – 2. Motion carried. Mayor Cirulli asked if we could get that advertised in the Reading Eagle for this Sunday. Mrs. Egelman stated that she wasn't sure when the deadline is but would call them in the morning to check. Mayor Cirulli suggested that the Ad run for two weeks.

**TRACY PETERSON – LIBRARY:**

Mrs. Peterson mentioned that the Library had a successful Book Sale and brought in quite a bit of money.

**LISA GANTNER – RECREATION:**

Mrs. Gantner mentioned that they are ready to give the names for the Playground Leaders for the summer. She stated that we have four (4) returning and three (3) new. She stated that Samuel Peiffer and Tonya Laura will be the Head Leaders at a rate of \$9.50 per hour, Emily Nelson and Alison Boeckle are returning at a rate of \$8.50 per hour and the three new ones are Luz Rodriguez, Paige Pachuillo and Erin Franey at a rate of \$7.55 per hour. She mentioned that she might have one more person that would be returning but they are waiting on results of an interview. Mrs. Gantner made the motion to hire the above listed people as Playground Leaders at the listed rates; seconded by Mrs. Peterson. AYES –5, NAYS – 0, ABSENT – 2

Mrs. Gantner also mentioned that we might have a hot summer and the leaders may have down time. She was wondering if we could train the Playground Leaders on the Smart Search so they could help with the scanning. Mr. Hart stated that it was a good idea because we are having trouble finding time. Mrs. Gantner also mentioned that they have decided that they are not going to offer the extra week until they can assess if people want to do it.

**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. Gantner. AYES – 5, NAYS – 0, ABSENT – 2. Motion carried.

**APPROVAL OF THE BILLS:**

Mr. Pachuillo asked for a motion to approve the bills for April 2016. Mrs. Peterson made a motion to approve the bills, seconded by Mr. Huckleberry. AYES – 5, NAYS – 0, ABSENT – 2. Motion carried.

**EXECUTIVE SESSION:**

Mr. Pachuillo stated that they needed to go into Executive Session to discuss a personnel issue. Council went into Executive Session at 8:03 p.m.

**RECONVENE:**

Council reconvened at 8:23 p.m. The following action was taken.

Mr. Huckleberry made a motion to accept the new/amended job descriptions for Director of Public Works, Borough Manager, Borough Secretary and Borough Treasurer; seconded by Mrs. Peterson. AYES – 5, NAYS – 0, ABSENT – 2. Motion carried.

Mr. Huckleberry made a motion to formally appoint Mr. Hart as the Full Time Borough Manager; seconded by Mrs. Peterson. AYES – 5, NAYS – 0, ABSENT – 2. Motion carried.

Mr. Huckleberry made a motion to appoint Mr. Zohner as Director of Public Works; seconded by Mrs. Peterson. AYES – 5, NAYS – 0, ABSENT – 2. Motion carried.

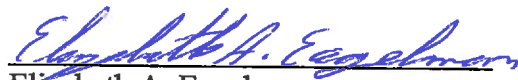
Mr. Huckleberry made a motion to increase Mr. Hart's salary to match the salary for the Borough Manager position salary; seconded by Mrs. Gantner. AYES – 5, NAYS – 0, ABSENT – 2. Motion carried.

Mr. Haws suggested that the new job descriptions for Mrs. Eagelman and Mrs. Bohn be sent to the Union Hall.

**ADJOURNMENT:**

Mr. Huckleberry made a motion to adjourn the meeting at 8:27 p.m.

Respectfully submitted,

  
Elizabeth A. Eagelman  
Borough Secretary