

The regular meeting of the Borough Council of the Borough of Sinking Spring was called to order on Thursday, May 7, 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 (Absent)
Denise Stine
Lisa Gantner
Tracy Peterson
Brian Hoffa

Other officials present were: Mayor Gary Cirulli, Charles Haws, Borough Solicitor; Tom Ludgate, Ludgate Engineering; Brad Smith, ARRO Consulting; Police Chief Lee Schweyer, Regina Shade, Borough Manager and Elizabeth Eagelman who recorded the minutes of the proceeding.

Mr. Pachuillo requested a moment of silence to honor 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 2, 2015 Council Meeting and the April 22, 2015 Workshop Meeting. Mr. Huckleberry made the motion to approve the minutes; seconded by Mr. Hoffa. AYES – 6, NAYS – 0, ABSENT - 1. Motion carried.

VISITORS/PUBLIC COMMENT:

Mrs. Bonnie Page of Western Berks Ambulance addressed Council. She gave the quarterly report and stated that she will be getting together with Mrs. Shade sometime this month to go over the financials for the Borough.

The next visitor was Mr. Gerry Lutz from 55 Woodrow Avenue. Mr. Garipoli who is a detective with the Wyomissing Police Department addressed Council on Mr. Lutz's behalf. He stated that he is friends with Mr. Lutz and that he has a medical condition and has had procedures done. He stated that parking is a premium at Mr. Lutz's residence and that he instructed him on how to get a Handicapped Placard which he did through his doctor. He mentioned that he also instructed him to call the Borough about possibly getting a handicapped parking space. He stated that the request was denied and he would like to know if it could be looked into further. Mr. Haws mentioned that the Borough is looking at a draft of an Ordinance that will have an application process and require renewal every year so the Borough can keep better track of the handicapped space and remove ones that are no longer needed. Mr. Garipoli stated that as long as it is not dead in the water and they can follow up in the future he is ok with that. Mrs. Shade mentioned that Mr. Hart has already gone out and did an inventory of the handicapped spaces.

APPROVAL OF THE BILLS:

Mr. Pachuillo asked for a motion to approve the bills for April 2015. Mr. Huckleberry made a motion to pay the bills, seconded by Mr. Hoffa. AYES – 6, NAYS – 0, ABSENT - 1. Motion carried.

WESTERN BERKS FIRE DEPARTMENT:

Mr. Zerman gave the report for April 2015.

Mr. Zerman also updated Council on the Ladder Truck. He stated that the Board of Trustees has approved an agreement with Pierce Manufacturing and have committed to a new Ladder Truck. He mentioned that the anticipated delivery date is Spring of 2016. He stated that the Ladder Truck they are purchasing is the exact same spec as the current one only a 2016 version. He also mentioned the resale of the current Ladder Truck and that he doesn't have anything definitive on paper and that they have asked Glick Manufacturing for an honest estimate and right now they are just anticipating between \$150,000.00 and \$250,000.00. He also mentioned that it goes out Monday to have another Transmission put in it. He stated that he has been working back and forth with Allison and Penn Detroit and they are going to put in a completely different manufacture certified rebuilt transmission at 50% of the cost and it will have a 2 year warranty which will be carried over to who every buys the truck.

Mr. Zerman stated that the search for a new Fire Commissioner is moving along. Mr. Pachuillo stated that next Saturday and Sunday are the in person interviews with the candidates.

UNFINISHED BUSINESS:

Mr. Pachuillo stated that the first item is the Resolution to execute Sale Agreements for the Penn Avenue Columbia/Cacoosing Intersection project. Mr. Haws stated that he amended the Resolution to include all actions necessary to effect the relocation of occupants of the properties to be condemned. Mrs. Gantner made a motion to adopt the Resolution allowing Mrs. Shade to execute the Sale Agreements based on the Redevelopment Authority recommendations; seconded by Mrs. Peterson. AYES – 6, NAYS – 0, ABSENT - 1. Motion carried. Mr. Huckleberry asked if anyone else would be signing off on them. Mr. Haws stated that the County is our agent and will be countersigning everything. Discussion ensued.

Mr. Pachuillo stated that the next item is the Trash/Recycling. He stated that since Mr. Butkus is not here and the committee did not have a meeting they will table this for now. Mrs. Shade mentioned that Mr. Butkus wanted to get the bids out but we can't do that until we have the Ordinance with the mandated recycling done. Discussion ensued and the issue was tabled until the Workshop Meeting.

UNFINISHED BUSINESS (Cont.):

The next item was to Authorize HOP submission by Ludgate Engineering. Mr. Ludgate stated that the HOP is ready to go but the Borough has to authorize Ludgate to upload it electronically. Mr. Hoffa made the motion to authorize Ludgate Engineering to electronically submit the HOP application; seconded by Mrs. Peterson. AYES – 6, NAYS – 0, ABSENT - 1.

The next item was the H&H Construction Plan Signatures. Mrs. Shade mentioned that we have plans that need to be signed for a building that is going to be changed on Columbia Avenue. Mr. Ludgate stated that it is a house that is going to be converted into a business for H&H Construction offices with a pole barn. He stated that they have been through the process and the Planning Commission conditionally approved it so it is ready for conditional approval by Council. He stated that they need to post the escrow and various agreements and that the plans cannot be released until all conditions are met. Mr. Huckleberry made the motion to conditionally approve the plan based upon Ludgate Engineers latest review letter and the solicitors review and approval of various agreements and the posting of the escrow; seconded by Mrs. Peterson. AYES – 6, NAYS – 0, ABSENT - 1. Mr. Pachuillo stated that Council will sign the plans after the meeting and Mr. Hart will hold them until all conditions are met.

The next item was the Memorial Day Parade. Mrs. Gantner stated that they are getting a lot of responses and they are ready to go. Mr. Cirulli asked if they heard from the Fire Police. Chief Schweyer stated that they have contacted him and that he will also have plenty of Officers from our department that will be there.

NEW BUSINESS:

There was no new business.

CHIEF SCHWEYER:

Chief Schweyer mentioned that within the last three weeks they have executed search warrants at two residences in the Borough, one on Columbia and one on Penn. He stated that they seized drugs, made two arrests and seized a stolen gun. Mr. Pachuillo asked about the body cameras. Chief Schweyer stated that they are in use full time but they can't use them in a residence yet. He mentioned that other departments that they assist have asked for copies of video if there is a problem with their officers' conduct. Mrs. Shade mentioned that there will be an article in the Reading Eagle about our department and the cameras.

TOM LUDGATE – BOROUGH ENGINEER:

Mr. Ludgate mentioned that the permit application will be posted on a drop box if anyone wants to see it. He also mentioned that the Phase 3 cost estimate is prepared and a copy was sent to Mrs. Shade if anyone wants to start looking at it. Mr. Pachuillo stated that it would be discussed at the Workshop Meeting.

SEWER ENGINEER – ARRO CONSULTING – BRAD SMITH:

Mr. Smith mentioned that the Reed Beds are cleaned and everything went well. He stated that the grass was replanted and now we just have to wait for it to grow back in.

CHARLES HAWS – BOROUGH SOLICITOR:

Mr. Haws mentioned that the Zoning Hearing Board granted the Variance for the Verizon Cell Tower. He stated that he received a form of a Lease Agreement and he believes the financial terms are what were described previously. He stated that there are some things that he needs to go over with Mr. Hart

Mr. Haws mentioned that we received a request from the Borough's Business Privilege Tax Collector, Wilson School District. He stated that Wilson was contacted by the Solicitor for Lower Marion Township, which has had a couple other municipalities join in, concerning an adverse decision out of Commonwealth Court, and they are filing a brief with the Supreme Court and they are trying to get other municipalities to sign on, at no cost, to their amicus brief. He stated that basically it is an issue where Commonwealth Court made a decision that you can't charge Business Privilege Tax on the revenues generated from leases. He stated that the Borough can opt to join in an amicus brief that is to be filed in this manner, Fish vs Township of Lower Marion, along with other municipalities seeking to have the Supreme Court change the decision and basically increase the Business Privilege Tax that the Borough might get by allowing a tax on all lease payments. Mr. Huckleberry made a motion to have the Borough added to the amicus brief; seconded by Mrs. Stine. AYES – 6, NAYS – 0, ABSENT - 1.

REGINA SHADE – BOROUGH MANAGER:

Mrs. Shade mentioned that everyone received a copy of the Audit. She stated that it was a very good audit this year. She also mentioned that she circulated the two Ordinances and was hoping that we could take some action in June if everything goes well. She mentioned that she is working on the Resolution for the financial that will go along with the Handicapped Parking requests. She also mentioned that they have been working on the Snow Emergency one.

JAMES PACHUILO – COUNCIL PRESIDENT:

Mr. Pachuillo asked if they had gotten in contact with the Police Union. Mrs. Stine stated yes and that they have not met yet because there is a paper that needs to be signed. She stated that the paper is a joint request for certification and it is something new. She stated that we need to sign it and that it allows the FOP to negotiate on the Police Officers behalf. Mrs. Stine made a motion to sign the agreement; seconded by Mrs. Peterson. AYES – 6, NAYS – 0, ABSENT - 1.

MAYOR CIRULLI:

Mayor Cirulli stated that he asked Chief Schweyer to get some estimates on bullet proof glass for the window back in the Police Department because it is a safety issue. He mentioned that they have already replaced the door back there with a heavier door. He stated that he asked the Chief to get three prices on level 3 bullet resistant transaction window. He stated that the first one was from B&G Glass in the amount of \$3,050.00, the second was from Goods Glass in Mohnton in the amount of \$1,639.50, and the third was from Wyomissing Glass in the amount of \$1,577.77. He also mentioned that the windows upfront in the Borough Office are an issue and should be changed too. Mrs. Shade mentioned that there are a couple things that she and Mr. Hart talked about. She mentioned that the entire front of the building is glass so if someone wanted to get in they could just break them. She also mentioned that the Bullet Proof Glass for the Police Department would have to come out of the Police Budget because nothing was budget for this year. Mayor Cirulli stated that it is not a rush and could be budgeted for next year. Mr. Pachuillo stated that we will table it for now.

TRACY PETERSON – LIBRARY:

Mrs. Peterson stated that they have a candidate that they need to hire at the Library, her name is Andrea Haas. She stated that Ms. Haas has Library experience and that she worked in Chester County and Berks County. She stated that Ms. Haas will be working thirty (30) hours per week at a rate of \$9.00 per hour. Mrs. Peterson made a motion to hire Andrea Haas and \$9.00 per hour; seconded by Mr. Hoffa. AYES – 6, NAYS – 0, ABSENT - 1.

BRIAN HOFFA – ECONOMIC AND COMMUNITY DEVELOPMENT:

Mr. Hoffa mentioned that they've been talking about getting an Economic and Marketing Plan and that Mr. Loth has been in contact with Mr. Chris Gulotta. He stated that Mr. Gulotta is very interested and wants to come do a 'walk through' through the area and get a feeling for what the area is like. He stated that Mr. Gulotta is very interested in the project so we will be moving forward over the next couple months and start to develop a plan that we are looking for. He mentioned that Mr. Gulotta was recommended by the Pennsylvania Downtown Commission and he is going to put a proposal together to give to Council.

Mayor Cirulli asked if we heard any back from the State Reps. Mr. Ludgate stated that the letters went out to everybody but we haven't heard anything back yet.

LISA GANTNER – RECREATION:

Mrs. Gantner mentioned that they are already getting application in for the Summer Playground program and that Mrs. Eageman put the application on the Borough Web Site and updated the information. She also mentioned that they have decided on the three movies; Big Hero 6; Alexander and the Terrible, Horrible, No Good, Very Bad Day; and Cinderella.

LISA GANTNER – RECREATION (Cont.):

Chief Schweyer mentioned that the Playground Leaders will need to have their Background Checks done again so he will need their information. Mrs. Gantner stated that they are just starting to get back into town and have to do their Child Abuse checks on their own so she will have them stop in and give them the information. He also stated that he will need the Library people too. Chief Schweyer also mentioned the FBI Fingerprint Base. Mrs. Gantner stated that they haven't done that one before. Mr. Haws stated that it is a requirement and probably should have been done last year. Mrs. Gantner stated that many of them are teachers and already have it done so how long is it good for. Mr. Haws stated that if they already have their clearances then they don't have to do it again but it has to be current. Mr. Pachuillo suggested that Mr. Haws forward Mr. Mooney's e-mail and Mrs. Gantner can stay in contact with Mrs. Shade and we will get done what needs to get done. Mrs. Gantner asked if the Borough was going to cover the fees again this year. Mr. Pachuillo stated that we can discuss that at Workshop once we know who has what.

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 Mr. Hoffa. AYES – 6, NAYS – 0 ABSENT - 1. Motion carried.

ADJOURNMENT:

Mr. Hoffa made a motion to adjourn the meeting at 8:10 p.m.

Respectfully submitted,



Elizabeth A. Egelman
Asst. Borough Secretary