

The regular meeting of the Borough Council of the Borough of Sinking Spring was called to order on Thursday, August 5, 2010 at 7:00 p.m. at the Sinking Spring Borough Hall by President Stewart Wenrich. After the Pledge to the Flag, Regina Shade called the roll reflecting the following Council Members present:

Stewart Wenrich
Edward Oswald
George Butkus
Elizabeth Sloan
Dennis Leiby
James Pachuillo
Denise Stine

Other officials present were: Mayor Francis Butkus, Keith Mooney, Borough Solicitor, Robert Ludgate, Sr., Ludgate Engineering, David Schlott, Jr., ARRO Consulting, Michael Hart, Public Works Director, Police Chief, James Oxenreider, and Regina Shade who recorded the minutes of the proceeding.

Mr. Wenrich requested a moment of silence for our armed services, police, and fire departments.

APPROVAL OF MINUTES:

Ms. Sloan made a motion to approve the minutes from the 7/1/10 meeting; seconded by Mr. Pachuillo. AYES – 7, NAYS – 0; motion carried.

VISITORS:

Mrs. Rosanna DiBiase of 4326 Penn Avenue was the first visitor. Mr. Mooney has an Ordinance drawn up addressing her concern. Mr. Mooney stated he took Section 617 of our new Zoning Ordinance that we adopted and amended so there was an exception for non conforming buildings which are totally destroyed to be rebuilt. What he has done is put conditions on the rebuilding of non conforming buildings or structures which are totally destroyed. The new addition is actually Subsection C. He read what the requirements were. Mr. Butkus questioned if meeting condition five (5) contradicts the earlier conditions will they still be able to rebuild. Mr. Mooney asked Mr. Butkus how would meeting condition five (5) (Mr. Butkus spoke before Mr. Mooney had ended his response). Mr. Butkus said he was saying about being built with all new current building codes; several of the buildings in the Borough were built before the current building code so if making modifications to the design to meet the new building code... Mr. Mooney questioned Mr. Butkus how would that increase the non conforming. Mr. Butkus said not non conformity but it could change the architecture of the overall building. Mr. Mooney stated that is normally not a building code issue. Building code doesn't involve itself with façade features and those types of things. Most of the building code issues are things like wiring, plumbing, those types of things, HVAC. They are talking single family residential unless the municipalities push to get it changed; they are going to need to be sprinkled come this next building code time around. If you have an older home and it's destroyed, it is going to have to be built back to code. Code would require that sprinklers would need to be installed into house that hadn't needed them before. Mr. Butkus

VISITORS (cont'd):

understood that. He said this would protect any business that was situated in a residential area. Mr. Mooney said he did not just write it for residential. Ms. Sloan stated she had a problem with the word "appreciably" in Section Three (3). She said appreciably is very hard to define and it could be the slightest little change. She thinks substantially is too far but maybe a word in between them. Mr. Mooney said it would be in the hands of our building inspector. Either you give him discretion or you don't. You can't say exactly the same. Mr. Butkus said what about "functionally" the same. A brief discussion ensued. Mr. Mooney said Council will need to give him their consensus. He said Council gave him basically seven (7) days to turn it around. He said there was no time for a turnaround comment period. Mr. Mooney said it has to go to our Planning Commission, and the Berks County Planning Commission for their approvals. It will then need to come back to Council for a public hearing. Mr. Oswald asked Mrs. DiBiasi if this was addressing her concerns. She stated there was a lot of legal language that could be interpreted different ways. She is only requesting a letter that any mortgage company would want stating for mortgage company purposes any residential home can be rebuilt as a residential home. Mrs. DiBiasi asked Mr. Mooney if the building inspector or the engineer could write a letter stating that. Mr. Mooney said they will probably list the five (5) conditions. A brief discussion ensued. Mr. Mooney told Mrs. DiBiasi as well as Council everything has conditions. He explained when you get a loan from a company for a house, they just don't give you the \$250,000 or \$300,000; there is a ten (10) page loan agreement because there are conditions or strings attached to get that money. He doesn't think Council is going to say unconditionally, however he could be wrong, that you can rebuild anything when you want to rebuild it, at any time when it is nonconforming. Mr. Pachulo said the wording can get tweaked between our Planning and County's Planning Commissions. Mr. Pachulo said with the exception of the small tweaking of words, can it not be said that this is a pretty code Ordinance. He questioned if Council would be willing to move forward with that. Mr. Pachulo said we aren't going to argue over wording. Mr. Oswald questioned Mrs. DiBiasi if her big concern is the letter to which she said yes and what she needs in the letter. Mr. Oswald stated if we are going to pass this Ordinance can't we just give her the letter so she can get what she need. Council said no. Mrs. DiBiasi had a suggestion. The main problem is that the residential lenders will not lend money for a residential home if it in C-1. She said why not have someone that deals in the mortgage business like the underwriters have them look at it and see if they would accept because if they don't we are right back to where we started from. Mr. Mooney said when they advertise and the two (2) planning commissions look at it, just come in and ask Mrs. Shade for a copy of it as it is a public document at that time. A further discussion ensued as to what Mrs. DiBiasi wanted to see in the letter. Mrs. DiBiasi doesn't know if that language will be accepted by the lending people. Mr. Butkus questioned if this passes will this allow a letter to be generated for Mrs. DiBiasi. Mr. Mooney thinks so. She again stated what the letter needs to say. Mr. Wenrich said this is our first step. She understood. But she needs the letter. Mr. Butkus questioned if we could give Mrs. DiBiasi a letter stating with the copy of the draft Ordinance attached stating we have begun the process. It doesn't guarantee but. Mr. Wenrich said someone on one (1) of the Planning Commission's has an issue with it; he doesn't want to create more difficulty then we already have. Mrs. DiBiasi thanked Council but that won't help. The only thing that will help is a letter saying a property can be rebuilt. If you are saying that this will okay for a letter to be generated and that is okay. They don't need to see the Ordinance; they don't want it. Mr. Wenrich stated this is the first step. Mr. Oswald made a motion to forward this to the prospective Planning Commissions; seconded by Mr. Butkus. Mr. Butkus questioned if we are going to have a problem with setback to

VISITORS (cont'd):

which Mr. Mooney said no. Mr. Wenrich said as long as the original foundation is there he will be okay. If we pass this and it is totally leveled as long as he rebuilds it within the one (1) year frame exactly how it was, there is not a problem. Ms. Sloan stated it doesn't have to be rebuilt in one (1) year, it just has to be started and then once you start it you must keep going. AYES – 7, NAYS 0; motion carried. Ms. Sloan asked who they should send their questions or comments to. Mr. Mooney suggested our Planning Commission. The time frame is sixty (60) days. Mr. Mooney feels that the hearing might take place the beginning of October. It has a mandatory thirty (30) day review. A brief discussion ensued as to when it can be held. Ms. Sloan said we could push back the September workshop meeting. Mr. Butkus said that wouldn't get us anywhere. Mrs. Shade stated that is assuming everything goes as planned. Mrs. DiBiasi said in the meantime I cleaned up the place, marketed and am showing it and it is doing her no good. Mr. Butkus asked if a letter stating the matter is being dealt would help and she said no, not unless she gets a cash buyer. Mr. Butkus said in that case it is a mute point anyway. Mr. Mooney suggested that she get a sixty (60) day agreement of sale. A discussion ensued. Mrs. DiBiasi questioned that a letter couldn't be sent out unless this all went to the Planning Commissions and all. Mr. Mooney said this was the process. Mr. Wenrich said we are trying to work with her but there is not much that can be done. We must go through the channels. Mrs. DiBiasi said perhaps a letter stating they are going in that direction. Mr. Butkus authorized Mr. Mooney to send a letter showing that it is the Borough's intention to move ahead correcting this legal oversight and the process is started and as far as we know it will be passed as soon as possible; seconded by Mr. Oswald. AYES – 7, NAYS – 0; motion carried.

The next visitor was Mrs. Kathy Miller of the Historical Society. Mrs. Shade stated everyone had a copy of the e-mail from Mr. Ludgate in their binder. Mr. Ludgate stated the Historical Society has applied for a Community Development Block Grant issued by the County for \$15,000.00. That money would come from the Borough's allocation of \$30,000.00. The Borough in past has tried to use this money but it has been thwarted because we couldn't meet eligibility requirements so the money just went back to the County. This would allow the money to actually get used in the Borough. The facility is located in the Borough Park. It is not in the best interest of the Borough to let that facility become run down. The fact that the Historical Society is a valuable asset was certainly noticed when they did their free programs that Mr. Miller had done for the Revitalization Committee. All three (3) reasons are valid. Ms. Sloan said so if we want to get his \$15,000.00 we have to match it to which Council said no. Mr. Butkus made a motion to authorize \$15,000.00 be released from the \$30,000.00 CDBG money; seconded by Mr. Leiby. AYES – 7, NAYS – 0; motion carried. Mrs. Miller thanked Council.

COMMUNICATIONS:

There were no communications.

APPROVAL OF BILLS:

Mr. Pachulo made a motion to pay the bills; seconded by Ms. Sloan. AYES – 7, NAYS – 0; motion carried.

EXECUTIVE SESSION:

Mr. Wenrich requested an executive session for personnel reasons at 7:29 p.m.

RECONVENE:

Council reconvened at 8:00 p.m. Mr. Butkus made a motion to terminate Mr. John Stuck, Sr. from employment at the Borough as per the discussion and the letter; seconded by Mr. Oswald. Mr. Wenrich requested a roll call vote. AYES – 6, NAYS – 0, ABSTAIN – 1 (Mrs. Stine); motion carried.

WESTERN BERKS FIRE DEPARTMENT:

Mr. Jeffrey Weidner introduced himself. Effective Monday, August 9, 2010, Mr. Weidner will assume the position of Fire Commissioner for the Western Berks Fire Department. Mr. Weidner stated he is a resident of the Borough and has been with the Liberty Fire Company for about twenty (20) years. He worked up the ranks to Asst. Fire Chief. In addition to his fire service background, he currently works for the County of Berks in the Emergency Management Office as an Emergency Planner. He will be leaving that job to work as Commissioner. Mr. Butkus stated Mr. Weidner was very instrumental in obtaining several grants for the fire department over the last number of years. He stated everyone has a copy of his report. In July, we only had nine (9) incidents in the Borough. He thinks that is good. Mr. Wenrich welcomed him aboard.

MILLER ENVIRONMENTAL:

Mr. Peter Juzyk gave the report for July, 2010. The total monthly flow was 15.548 million gallons. The average daily flow was 502,000 gallons; the minimum daily flow was 404,000; and the maximum daily flow was 735,000 gallons. The total rainfall was 4.40 inches. The contribution by the municipalities was: Sinking Spring – 65.1%, Lower Heidelberg – 28.7%, and South Heidelberg – 6.2%. South's reading was a bit lower but he thought that might be due to the fact that they have taken some corrective action. He also presented the influent loading data which was pretty consistent for the year. The chlorine sample pump was replaced by an outside company on July 20, 2010. They assisted Wickersham in draining and cleaning the grit classifier. On July 9th, there was an issue with the pump control system. He responded to that and they worked their way through them. No major problems. They have been reviewing the draft permits. Delivered the first executed, reissued permits to the Liberty Fire Company; they have restarted their kitchen at the fire company. The EPWPCOA held a planning meeting on July 16, 2010 for their upcoming meeting to be held at the Sinking Spring wastewater treatment plant in November. The maintenance expense summary is attached for review. Total maintenance expense year to date is \$26,069.00. The typical annual maintenance budget is \$24,000.00. This includes almost \$6,000 worth of expenses that Mr. Juzyk feels is part of the upgrade. There are a couple of higher expensed items that had to be purchased throughout the year. Some of the big items were: replace conduit at oxidation ditches. Another was for troubleshooting chlorine building HVAC units. They are running a bit higher but he is willing to sit down with them and defer some of the items till next year. Mr. Pachulo questioned where we are in regards to the vent caps at Dunkin Donuts. Mr. Pachulo questioned if there is anything they could do. Mr. Mooney said send them a letter giving them "x" amount of days to do it and if they don't do it they will be charged. Mr. Juzyk said he

MILLER ENVIRONMENTAL (cont'd):

was out the day before in the area and he walked by but it appears there was a new cap on the road right next to where these vent caps are. It appeared it had been run over. It was embedded in the macadam so he thought they might have replaced the caps but wasn't done well enough. It appears to be quite a bit of debris in those vents. Mr. Pachuillo stated that not only could cause a problem for them but for others as well. Mr. Wenrich requested Mr. Juzyk send them a letter giving them seven (7) days to have the caps replaced or you will have them replaced and bill them. Mr. Juzyk agreed. Mr. Butkus wanted this to become a "standard operating procedure" for everyone. Council agreed. There is another one (1) off at Fifty Fifty Tuxedo, Mr. Wenrich said. It is in the driveway. A discussion ensued as to what the caps look like. Mr. Wenrich questioned if we got the permit information back from Wonderful Chinese Restaurant. Mr. Juzyk stated he has not received any correspondence from them. Mr. Wenrich wanted a letter drafted basically telling them we are shutting them off. Mr. Mooney asked who to send the letter to. Mr. Butkus said if they don't file the paperwork we have the ability to shut their water off because they are not meeting our discharge ordinance. Mrs. Stine thought we did vote to fine them; and to shut them down. Ms. Sloan said \$100 a day and Mr. Leiby agreed. A discussion ensued. Mr. Butkus made a motion to have Mr. Juzyk and Mr. Mooney draft a new letter telling them they have seven (7) days to get the paperwork in or they will be fined and if they don't have it in with ten (10) business days we will be shutting them down for illegally dumping into our sewer system; seconded by Mr. Pachuillo. AYES – 7, NAYS - 0; motion carried. Ms. Sloan asked Mr. Juzyk if we got our stuff from Tom Cat Café. Mr. Juzyk said yes.

SEWER ENGINEER – DAVID SCHLOTT, JR, ARRO CONSULTING:

Mr. Schlott said the contract time began on July 1, 2009. Relative to the final completion, 400 days have been expended and 25 days remain as amended by the time extension. The return activated sludge pump was installed and the start up was completed. The grit classifier unit was replaced and is now on line. From an electrical standpoint the VFD for the RAS pump start up was complete. The electrical connection and heat tracing for the grit classifier was complete. ARRO received notification from the respective contractors that their work is substantially complete. That triggers Mr. Schlott's office to go out and do a walk through. That was done on July 27, 2010. A draft punch list was generated which lists the outstanding items to be completed. They feel the project is substantially complete as of July 16th and that are not asking the Borough to authorize their office to forward substantial completion and closeout documentation. They aren't done/done but they are substantially complete. The substantial date of completion triggers the one (1) year warranty period on all the work. The one (1) year warranty period begins July 16th. Mr. Oswald authorized ARRO to send the completion and closeout documents as they are needed; seconded by Mr. Butkus. AYES – 7, AYES – 0; motion carried. We have application number twelve (12) for Wickersham Construction in the amount of \$59,109.00. This is for work completed as of July 23, 2010. ARRO recommended payment and there was no application for payment from Hirneisen Electric this month. Mr. Butkus made a motion to pay Wickersham in the above mentioned amount; seconded by Mr. Pachuillo. AYES – 7, NAYS – 0; motion carried. Nothing has changed with respect to the change orders. We are still in pretty good shape. He believes there will be a deduct change order but not too much else. Mr. Wenrich stated he knew we had an open house at the sewer plant two (2) years ago. Mr. Butkus stated we had almost no one turn out. Mr. Wenrich stated since we had the upgrades done, perhaps we could try and have another open house. Mr.

SEWER ENGINEER – DAVID SCHLOTT, JR, ARRO CONSULTING (cont'd):

Butkus feels it couldn't hurt. He thinks it is good to show the residents and those connected to the plant what happens to it, and what we are taking out of their wastewater. He would like a separate day for the businesses. Mayor Butkus would like to invite the participating municipalities. Mr. Wenrich would also like to invite whatever County and State Officials helped make this happen as well. Mr. Butkus will try to come up with some dates. The new clarifier was not put into service because the return activated sludge pump was not there basically to pump out bio-solids at the bottom. Now that this has been installed the clarifier went on line today and one (1) of the other clarifiers was taken off line while the flows are relatively low. Ms. Sloan questioned what we were doing with the old one. Mr. Juzyk said we are in the process of removing the water from it. They will do an inspection of it. It has been quite a while since they were able to take it out of service. They will work on maintaining it. A brief discussion ensued as to what the clarifier does and how it works.

REVITALIZATION PROJECT:

Mr. Ludgate stated that on Friday morning at 9:00 there will be a scoping meeting at the Borough Hall with PENNDOT regarding the TIS. This is required. The purpose of the study is to answer exactly how viable the downtown traffic mitigation plan is. This is a question that the County Commissioners have asked. If we can show them it is viable they are willing to help us further. The traffic engineers are STV that were selected through a process. Mr. Leiby, Mr. Hart, and Mr. Ludgate were involved in their selection. They have been doing their job. They had some input from the Executive Director of BARTA, Mr. Dennis Leweres. It was very encouraging for an application he was reviewing with him. For the first time they have actually committed that they would like to build a bus transfer station in downtown Sinking Spring. He explained how this would work and how it is done. Mr. Wenrich asked Mr. Ludgate to show tentatively where they would like this station to be. Mr. Ludgate showed them on the map where it could be placed. It would be behind the carwash. The meeting is required as part of the TIS study. We have a unique situation in Pennsylvania. We are functioning our plans under something called the Smart Transportation Guidebook which is about a year old. All of the projects that are presently in design were proposed ten (10), fifteen (15), twenty (20) years ago; so they aren't Smart Transportation. We have a Smart Transportation project. One (1) of the issues we are struggling with is how to deal with the process that says you have to wait ten (10) – twelve (12) years to get a project that is obsolete funded. We need to get the main street in Sinking Spring to function as a main street, which is Penn Avenue; however PENNDOT feels it should function as a highway. Mr. Ludgate stated there is a difference in thinking here. PENNDOT wants to get traffic through Sinking Spring as fast as they can; however we want people to come and stop in Sinking Spring. Ms. Sloan questioned if we could get stop signs places along the road. Mr. Ludgate said that would be nice but he doesn't think so. Ms. Sloan stated that would slow them down. Mr. Ludgate said there is another mechanism, called a Traffic Calming Manual, which is another PENNDOT manual. He explained about one (1) of the intersections in the Borough and what we could do to calm the traffic down. These types of things would make it calmer and allow pedestrians to get from the north side to the south side of the Borough easier. Mr. Ludgate stated he has asked that "stake holders" be allowed to attend the meeting. Stake holders are those who have a stake in the outcome of this particular process. He explained who was invited. He invited all of Borough Council to attend as well. It is a technical meeting. Spring Market is on track to open as the first piece of the project.

REVITALIZATION PROJECT (cont'd):

Mr. Ludgate stated it was very influential to JDH, the plan that Sinking Spring has in place. JDH has made a private investment into Sinking Spring at a time when there is no other significant private investment being done in Berks County in the first half of 2010. That speaks volumes about the viability of the Borough as a commercial area. The premarket PENNDOT permit has been issued. That is a very important step. They will be able to complete the project and that provides a \$50,000 fund that the Borough can use for other congestion mitigation efforts. That is usually defined. Mr. Leiby asked if Council has privy to that agreement to which Mr. Ludgate said yes. It was part of what was presented to Council. Council had a special attorney. Ms. Sloan asked if she had a copy of that. Mr. Mooney said they should have a copy of all of that stuff. Mr. Mooney said it should be in the office. Ms. Sloan questioned if it would be possible to get copies of them. Mrs. Shade said yes. Mr. Leiby said he wasn't on Council last year. Ms. Sloan stated we hear that agreement being referenced a lot but he she has no idea what ended up in that agreement. She has never seen or read it. Mr. Ludgate gave a brief synopsis. The Queen Street contract was awarded as of July 28th and notification has been sent to the contractor. There will be a preconstruction meeting the following week so physical work can start shortly after that. Mr. Ludgate said the plan will allow local people to walk to the project and walk within that project. The businesses are laid out on a street not a public street but a private street; it will be owned by the developer but it will function as a street. It will be open to the public. You can walk there or drive there; there will be sidewalks. It is the start of a walkable downtown and we hope this will continue. Another item is that an application has been submitted to the Alcon Foundation. The committee was encouraged to submit an application for funding from people connected to the Foundation. With this money the committee was hoping to hire an architectural consultant who would be able to draw plans that would show how the downtown could evolve. This would incorporate how to save the Spring and how to get adequate parking and those types of things. The Borough is not being asked to fund the architect; they are actually seeking a grant from this Foundation. Mr. Leiby questioned if Council would get involved with approving or disapproving. Mr. Ludgate said nothing can be done officially without Council. Mr. Ludgate did say the Revitalization Committee is a formal committee that was appointed by Council. They were appointed in 2008 he believed by Resolution. Mr. Pachulo was the first chairman. There are several possible sources to fund the project that recently has come along. He named some of the sources and how they can be used. Also, he explained how the funds could be use to our own benefit. Mr. Ludgate is looking into how we can fund an economic impact study which is a more sophisticated benefit cost analysis. He explained how that will work also. This study would go beyond the immediate effects. It would look at broader effects, i.e. what happens to the local grocery store or barber shop when money starts to happen for a downtown reconstruction project. In our case it will go even further than that. Our project sits at a crossroad. What happens is that the crossroad traffic is an opportunity because all that traffic comes through the Borough becomes available to a business like Spring Markets that is building here for just that reason. The economic impact study if we could ever find a way to afford it would show to the region the benefits. There are three (3) comprehensive plans for groups of municipalities and each of those plans state that the problem in the downtown Sinking Spring area is a problem for everyone in the region. This involves eleven (11) different municipalities and contains roughly 60,000 people according to the 2000 census. We have a problem that affects 4,000 people here in Sinking Spring but it actually impacts 60,000 people in the area. That is where the economic impact analysis would show how these people would benefit. That is why this shouldn't fall on Sinking Spring people to solve it. Mr. Oswald said the more data you have that proves this

REVITALIZATION PROJECT (cont'd):

project is necessary the better chance for more and more money. Everyone sits here and says it's our tax dollars so we might as well go after it and get what is due to us. We should get our tax dollars back and invest it in Sinking Spring or it is going to go to someone else. He thinks something needs to be done and this project will not just benefit us, the entire region will. Mr. Ludgate encouraged everyone to look at Spring Markets because it is a tangible result of a lot of effort by many people from this Borough. He hopes it is just the beginning. Ms. Sloan questioned what the impact of DCNR and being part of the Cacoosing Creek reservoir because there is a lot of Growing Greener money. She also heard there was Growing Greener II. Ms. Sloan stated we have the sinking spring and there is a lot of DCNR money available. That creek and spring goes right through our town and that is another big bucket of money. She asked Mr. Ludgate his thoughts on that. Mr. Ludgate said they have money for like watershed protection and wellhead protection but they also have money for recreation development funds. One (1) of the things that have been included in the official map is a designation of an area that does involve the "sinking spring." The thought of the committee at that time was as we evolve our plan we would be able to turn to DCNR and say part of our plan does involve preservation and restoration of this important and historic water source. He believes it could use some DCNR funds. Ms. Sloan said she talked to some people there prior to being elected and they said there was money to restock that completely with fish and they would pay for the trees to keep the fish cool. They really get into all that stuff. It might be something to look into. Mr. Ludgate feels she is right; there are many avenues to look at. BOSS 2020 interviewed two (2) different architectural firms. One (1) of the things both firms found interesting was the "sinking spring". They feel that could be developed into a good public space. Ms. Sloan said on a County level the Cacoosing Creek corridor is really laid out and there is some County and State money earmarked for that. We need to piggyback on that. She feels we are missing some monies there. Mr. Ludgate stated the County Planning Commission is doing an entire walking trail - pedestrian and bicycle plan access plan. We are in the middle of some of that planning. We are not active participants as it is the County doing it. Mr. Wenrich stated when you are talking about putting fish in the creek, one (1) week there will be water in there and for the next three (3) months there won't be. Mr. Butkus said you don't want fish in there. Mr. Leiby said she is talking about the Cacoosing. Ms. Sloan stated she was talking about the Cacoosing. Mr. Oswald and Mr. Pachulo both said that isn't in the Borough. Ms. Sloan said even if it is only temporary water in there they would still plant trees. Mr. Leiby questioned if Queen Street will be theirs. Mr. Ludgate said no, just the street in front of their businesses. We will be taking care of Queen Street, Mr. Hart said.

UNFINISHED BUSINESS:

The flu clinic will be held October 13, 2010 from 11:00 a.m. till 2:00 p.m. at the Borough Hall providing the availability of the vaccine.

Bulk trash day will be October 12, 2010 as well. Mr. Butkus explained what can be placed out. No florescent bulbs. The County website has some locales listed where some of the products can be taken. They also have some dates for oil based paint disposal.

The next item was the COG. They met in July. All the records, printers, etc. was turned over to the President. The money is in the bank and there is nothing missing. Mr. Leiby stated just

UNFINISHED BUSINESS (cont'd):

like Mr. Ludgate said, if it is a combined thing we can all benefit. The money is there. There were no opt outs; everyone is in it. Ms. Sloan questioned how much money was there to which Mr. Leiby stated about \$27,000.00. Mr. Pachuillo asked how the fund can be increased. Mr. Leiby stated they received a grant at one time. Mr. Pachuillo questioned if more grants can be written to boost the funds as they dwindle. Mr. Leiby thought so. Mr. Ludgate stated there are a few grants out there that COGS would be eligible for under HUD. Mr. Pachuillo was just wondering if the funds run low what we can do to help them stay afloat. Mr. Mooney stated you must come up with projects and apply for grants. Either that or municipalities can make contributions. He knows they are going for grants for police radios. Mr. Leiby stated it is kind of odd with the Westside Emergency Agency because they are talking about what kind of fire equipment they want to buy and our fire department isn't even involved with them. We are sort of like the outsider there. Mr. Butkus thought with the radios that Commissioner Leinbach felt it would be prudent for everyone to get together and get a bid out Countywide. Mr. Leiby stated we can use this money to help what the grant doesn't cover. We can't give it to Spring because they aren't in it. Mr. Leiby stated at the last meeting they were talking about the stormsewer caps. They don't know if we are going to get grants for that or not. Mr. Leiby will notify Council when the next meeting date is set. Mr. Butkus stated as we are getting ready to think about the budget if there is something we can all use we forward that through Mr. Leiby. We can come up with a tentative list. Mr. Leiby will take that to the COG.

NEW BUSINESS:

The next item was the County regionalization of water and sewer plants. Mr. Schlott stated the Borough received a letter from the County basically stating they are interesting in obtaining some data for regionalization. If Council so desires, ARRO could help in the completion of that information. Mr. Butkus questioned how much this would cost. Mr. Schlott said it is just a questionnaire. This is a study that was done by the County in the 1990's. Mr. Butkus made a motion to have Mr. Schlott and his office answer the questionnaire which will be covered under the retainer; seconded by Mr. Pachuillo. AYES – 7, NAYS – 0; motion carried.

BOROUGH ENGINEER – ROBERT LUDGATE, SR.:

Mr. Ludgate said we are doing a regional study of the Rt. 422 west region in conjunction with the Downtown Mitigation Plan. The study deals with the "what ifs". They have about 50% of the draft report complete. If Council would like to see a copy just let him know and he could have it e-mailed to them. He would welcome any feedback. Sunoco is planning to expand on Columbia Avenue and they are meeting that evening with Spring Township's Planning Commission. Mr. Eisenbrown of Ludgate is concerned about some truck traffic and some stormwater impact. They have told them that the Borough requires a land development plan for review by the Planning Commission and Council. He feels they will do that. Mr. Leiby inquired what they want to do in the Borough. Mr. Ludgate stated they wanted to build a driveway onto Columbia and there will be some piping. Mr. Ludgate said they might need a zoning variance to build what they want to build.

PUBLIC WORKS DIRECTOR – MICHAEL HART:

Mr. Hart stated he received a phone call from a resident on Evans Avenue regarding a handicap parking space which was installed some time ago. It is no longer needed. It is on the left hand side at the alley. The person has moved away. Mr. Butkus made a motion to amend the resolution authorizing Mr. Hart to remove that handicap space; seconded by Ms. Sloan. AYES – 7, NAYS – 0; motion carried.

COUNCILMAN GEORGE BUTKUS:

Mr. Butkus said we should probably review the handicap spaces every so often and appeal the ones that are no longer needed.

BOROUGH SECRETARY/TREASURER – REGINA M. SHADE:

Mrs. Shade stated the insurance for the non uniformed as well as the police will be coming due October 1st. The preliminary numbers indicated it is going up. Mrs. Shade asked Council if the non uniformed will be asked to pay a portion of their deductible. She feels we should let them know as soon as possible for their personal budgets. Mr. Butkus questioned if we were considering going out to bid again for our health care insurance. Mrs. Shade stated she didn't know as she doesn't really have any hard figures as of now. Mr. Mooney said they always do shop it. Ms. Sloan stated we should be shopping it now and shopping it hard. Mr. Wenrich said that is what VIST is doing. Ms. Sloan said she knows that but last year it was kinda too late then. Mrs. Shade stated that was not true. It was shopped last year. All the employees had Capital Blue Cross but the rates went high so the non uniformed were switched to Health America and the police remained with Capital. Mrs. Shade stated that was something Mr. Zimmerman of VIST requested. He asked Mrs. Shade to ask if the police would consider changing. Mr. Butkus said for at least for the police we are bound to that because it is a contract. Mrs. Shade said that is what Mr. Zimmerman wanted to know. Would Council consider going to the police and asking them if they would consider changing health care providers? Mr. Butkus had no problems asking but we can't enforce it. Mr. Mooney said we will need to see what the alternative is and then ask them. Mr. Butkus said everybody should be paying into the deductible and in the near future they will need to be paying toward their health care cost like most other industries. Prices are going up there is no way to get around it. Mr. Oswald stated if we are going to talk about them paying their deductible or more then we need to talk about the raise we are giving them. If we start making them pay for their deductible you are technically giving them a pay cut. Mr. Butkus stated that is unfortunately true with a lot of employers. It is the state of the economy. Ms. Sloan said it's the times. Mr. Oswald said then that means we need to ask everybody and not just our non uniformed people. We will start to have to lay people off. He thinks it is 700,000 State and municipal employees are going to be laid off according to CNBC. We have to start forcing the issue. Mr. Butkus doesn't disagree but a contract is a contract. Mr. Oswald said I know that but that doesn't prevent layoffs. Mr. Leiby asked for that information. Mrs. Shade said she will forward all the information to Council as soon as she receives it from Mr. Zimmerman.

POLICE CHIEF – JAMES OXENREIDER:

Chief Oxeneider stated they had 185 calls for service in July; 26 traffic citations, 11 warning notices, and 5 parking tickets.

COUNCILWOMAN – ELIZABETH SLOAN:

Ms. Sloan stated she is reaching out to our Senator and our Congressman to reach out to them to make sure they are supporting Library funding going forward.

MAYOR BUTKUS:

Mayor Butkus said the Zoning and Saldo should have been presented to him for signing. Mr. Ludgate stated the actual Ordinances are there that night for signing along with the map.

PUBLIC COMMENT:

No public comment.

TREASURER REPORT:

General Account

Opening Balance – June 30, 2010		\$231,161.44
PLGIT		9,103.57
Invest	Recreation	49,549.11
	General	354,460.27
Deposits as of July 31, 2010		102,367.39
Checks Written		88,197.87
Payroll		76,109.57
PENNVEST Auto Debit		2,576.47
To Be Paid		<u>43,684.42</u>
Balance as of July 31, 2010		\$536,073.45

Sewer Account

Opening Balance – June 30, 2010		\$ 70,930.96
PLGIT		61,324.95
Invest		421,915.71
Deposits as of July 31, 2010		349,439.19
Checks Written		377,126.52
To Be Paid		<u>1,255.34</u>
Balance as of July 31, 2010		\$525,228.95

Mr. Oswald made a motion to approve the Treasurer’s Report; seconded by Mrs. Stine. Mr. Oswald asked Mrs. Shade if she had any preliminary things to report on the budget. Mrs. Shade stated that Mr. Oswald had asked her to do some projects. Mrs. Shade said she believes we will be about \$100,000.00 short in the income portion. She is working with the expenses but that is more difficult to project. She said at this point in time we don’t know some of the bigger items, like the health care costs. She feels we will be over in the expenses and she believes it will be a rough winter till the tax money comes in next year. Mr. Butkus said why are we going to be short in the income portion?

TREASURER REPORT (cont'd):

Mrs. Shade stated we did need a tax increase last year. There was money we were counting on coming in and we are short. Mr. Oswald said so we are going to be more in a hole than the \$100,000.00. Mrs. Shade said probably but she did have some good news. She believes we will be coming in under on the traffic signal electric. Those numbers appear to be on the lower side as compared to what we budgeted for. Mrs. Shade said once we head into fall when the health insurance issue is worked out, and the pension numbers are all in she will have a better idea. Mr. Oswald thanked Mrs. Shade for what she had done. Ms. Sloan said all the cutting we did last year helped us otherwise we would be further in the hole. Mrs. Shade said we can cut all we want but the problem is we have to be realistic. Mrs. Shade stated originally we had \$12,000 in rec salaries. We cut it back to \$10,000.00; however if the leaders actually earned \$12,000 for whatever reason we were over budget. Mrs. Shade stated you don't want to sell yourself short either. Mrs. Shade stated originally we had a police car in the budget. We cut the car out however if the Chief needed a car we would have had to buy one anyway. The budget is a budget. Mr. Pachuiilo said you need to support that by the revenues coming in which we are having a shortfall on because we didn't take an increase last year like we should have. Mr. Wenrich said who would have expected to have two (2) major blizzards on top of each other with overtime and salt. Mr. Oswald stated we basically cut ourselves short by no increase. Mr. Butkus said by the same token when we cut the rec budget would it have not been practical to cut the expenses. Mrs. Shade said yes; however if they need supplies and you cut the budget what were they to do since we were so close. In addition, we opened a whole new playground that had nothing this year when we opened Brookfield Manor. We are shortchanging the residents. We can cut all we want but it has to be "do able". Mr. Hart said by scaling back we are forgetting about our infrastructure. Our roads are falling apart. Mr. Hart planned on doing a lot of street paving this year in house but we didn't have the money to do it. Mr. Hart went on to say Ms. Sloan brought up about Kirkwood at the last meeting; that was one (1) of the spots we were looking at doing. Ms. Sloan said filling in the hole. Mr. Hart stated by prolonging that all of our streets are getting worse. We are falling well behind. Mr. Pachuiilo said as we come to budget time we must remember the services that are supplied by the Borough are paid for by the residents and as costs go up that stuff goes up also. Mr. Hart said we are sitting on over ten (10) miles of roadway. Mr. Pachuiilo said the way we are going we are going to go back to the horse buggy if that is what they want and dirt roads. Mr. Hart said last year we paved Ashley. That was a block and a half long which cost about \$200,000 because it got to the point where you could no longer do repairs because we prolonged it. We had to excavate it and replace it. We can't afford to do that to all these streets. We need to get aggressive; Mr. Hart said that was his opinion. We need to maintain these roads. Mayor Butkus said he had to speak up. We have a lot of older people, a third or more in the Borough are on fixed incomes. Mr. Butkus said what Mrs. Shade said has a lot of merit and doesn't have a lot of merit. As a person on fixed income when I have \$20,000 to live on that is all I have; I must make it on that. He is told now that his health insurance is going up 34%. What is he going to cut out of his \$20,000 to make it? His school taxes went up. In George Butkus' case, he is in the donut hole, how do you make this up. There are places we have to scale back at some time. Mr. Oswald just wants to know where we are going to cut. Mr. Wenrich said we can sit here all night and beat a dead horse. He said next month bring your ideas. Mr. Wenrich understands where the Mayor is coming from but are you telling him if we set aside \$50,000 for snow removal and we blow that in the first blizzard what are we suppose to do? Mayor Butkus said the same thing Spring Township did. West Lawn couldn't make it on their own; they went to Spring Township. The streets didn't get plowed like we plow them. Mayor Butkus said we

TREASURER REPORT (cont'd):

have to give something up at some point. Ms. Stine said that affects our residents. Mayor Butkus said West Lawn doesn't get the service they use to get. Mr. Pachulo said not the personal service but they still get their streets plowed. Mayor Butkus said we had our streets open in a day and a half. A friend of his lives down there and he didn't get it opened for 4 1/2 days. Mr. Wenrich said if his street isn't plowed and his house burns down the Borough will be sued. Mrs. Stine said that is affecting the safety. Mr. Wenrich said this is all over a reluctance to pay a minor tax increase. He isn't saying we have to plow it out of the water but c'mon. We should of but we didn't. We have to have a budget that works that is passed by December 31st. Mr. Wenrich asked for all those in favor of the motion. AYES – 7, NAYS – 0; motion carried.

ADJOURNMENT:

Mrs. Stine made a motion to adjourn the meeting at 9:25 p.m.

Respectfully submitted,

Regina M. Shade
Borough Secretary/Treasurer