

The regular meeting of the Borough Council of the Borough of Sinking Spring was called to order on Thursday, April 13, 2023, at 7:00 p.m. by Council President Tracy Peterson. After the pledge to the flag, Elizabeth Eagelman called the roll reflecting the following Council Members present:

Tracy Peterson
H. David Miller (Absent)
Denise Stine
Lisa Gantner
Brian Hoffa
Robert Metzgar
Patrick Giambalvo

Other officials present were Mayor Gary Cirulli; Charles Haws, Barley Snyder, Borough Solicitor; Brad Smith, Engineer, ARRO Consulting; Michael Hart, Borough Manager; Police Chief James Oxenreider; and Elizabeth Eagelman, Borough Secretary, who recorded the minutes of the proceeding.

APPROVAL OF MINUTES:

Mrs. Peterson asked for a motion to approve the minutes from the March 9, 2023 Council Meeting. Mr. Hoffa made the motion to approve the minutes; seconded by Mr. Giambalvo. AYES – 6, NAYS – 0, ABSENT - 1. Motion carried.

VISITORS/PUBLIC COMMENT:

There was no public comment.

CORRESPONDENCE:

Mrs. Peterson mentioned that there was a flyer in the email packed concerning Earth Day events that are occurring in Berks County with our MS4 Steering Partners, Berks Nature and the County Conservation District. She stated that Earth Day Berks County is scheduled for April 22, 2023, from 12-6 pm at City Park in Reading.

APPROVAL OF THE BILLS:

Mrs. Peterson asked for a motion to approve the bills for March 2023. Mr. Hoffa made a motion to approve the bills, seconded by Mrs. Stine. AYES – 6, NAYS – 0 ABSENT - 1. Motion carried.

TREASURER'S REPORT:

Mrs. Peterson asked for a motion to approve the Treasures Report for March 2023. Mr. Hoffa made a motion to approve the Treasurer's Report; seconded by Mrs. Stine. AYES – 6, NAYS – 0 ABSENT – 1. Motion carried.

WESTERN BERKS FIRE DEPARTMENT:

Mrs. Peterson mentioned that their March Activity Report is included in the email packet.

WESTERN BERKS AMBULANCE:

Mrs. Peterson mentioned that their March Activity Report is included in the email packet.

REVITALIZATION:

Mr. Hoffa mentioned that they did have a meeting last week on the Design Guidelines that Ms. Tammy Rider is heading up. He stated that they will meet again in the beginning of May and will hopefully have a Design Guideline to give to Borough Council in the fall to review after it goes through the Planning Commission to make sure they are ok with it.

Mr. Hoffa mentioned that they got the files from Derck and Edson for the Form Based Code and that Mr. Hart is going to review them and make some of the changes that the Committee talked about. He stated that it would then be presented to the Planning Commission for approval and then to Borough Council for their blessing.

UNFINISHED BUSINESS/POSSIBLE ACTION ITEMS:

There was no unfinished business to discuss.

NEW BUSINESS/POSSIBLE ACTION ITEMS:

The first item was reaffirming the hiring of Mr. Ray Zwally as of March 20, 2023, for the Public Works Department. Mrs. Stine made the motion to hire Mr. Ray Zwally; seconded by Mrs. Gantner. AYES – 6, NAYS – 0 ABSENT – 1. Motion carried.

The next item was to approve the hiring of the 2023 Summer Playground Leaders. Mrs. Gantner made a motion to hire Zoe Peterson and Brooke Stewart at \$15.00 per hour as head leaders, Andrew McConnell, Mitchell Ostergaard, Julia Weaver, Ben Winkler-Quigley, Jack Foster, Catherine Arentz, Aiden White, Max Wartluft, Bella Mancias, Tatiana Perez, Jacob Rodriguez, Rachel Roberts, Ellie Winkler Quigley and Audrey Miller all at \$12.00 per hour, and Caitlin

NEW BUSINESS/POSSIBLE ACTION ITEMS (Cont.):

Trickett, Cole Lavin and Ali Ozga-Wojno at \$10.00 per hour; seconded by Mr. Metzgar. AYES – 6, NAYS – 0 ABSENT – 1. Motion carried.

The next item was the Traffic Signal Maintenance Agreement and Resolution. Mr. Hart mentioned that PennDOT is looking to make upgrades to the pedestrian signal indications and pushbuttons at the intersections of Penn Avenue and Shillington Road and Penn Avenue and Woodrow Avenue. Mrs. Gantner made a motion to approve the Traffic Signal Maintenance Agreement and Resolution; seconded by Mr. Metzgar. AYES – 6, NAYS – 0 ABSENT – 1. Motion carried.

BRAD SMITH – ARRO CONSULTING – ENGINEER – POSSIBLE ACTION ITEMS:

Mr. Smith mentioned that ARRO has completed the Borough's Delaware River Basin Commission Docket Renewal Application and that it just needs to be signed by the Borough and then ARRO will submit the application to DRBC. Mr. Giambalvo made the motion to authorize the signing and submission of the DRBC Docket Renewal Application; seconded by Mrs. Stine. AYES – 6, NAYS – 0 ABSENT – 1. Motion carried.

Mr. Smith stated that Construction Master Services has restarted construction of Phase 2 and that ARRO is working on completing the design of the next intersection for the Phase 2 Final and anticipates making a submission to PennDOT in June.

Mr. Smith mentioned that we have two (2) Land Development Plans for the Planning Commission to review at their next meeting later this month. He stated that the one plan is for Hoffman Industries and the other is the second submission for 7 Brew. He also mentioned that Village Greens has submitted a revised lighting plan and that will also be reviewed by the Planning Commission later this month.

POLICE CHIEF JAMES OXENREIDER:

Chief Oxenreider went over his activity report for March 2023.

Chief Oxenreider stated that Officer Planer is here at his request. He presented Officer Planer with a plaque expressing the Boroughs appreciation for his 25 years of service to the Borough and its residents. Officer Planer thanked the Chief, Mayor and all of Council for the recognition and stated that it was a pleasure to work for the Borough all those years and that he will miss everyone.

Mrs. Peterson mentioned that a neighbor asked her about a situation in their neighborhood where teenagers parked their car outside a neighbor's house at 10 PM and were messing around in their driveway and a neighbor's driveway. She stated that the neighbor went out and asked them what they were doing and right away they got out their camera and started filming saying that they

POLICE CHIEF JAMES OXENREIDER (Cont.):

were fine and could do whatever they wanted, that they weren't hurting anyone, and they weren't on private property. She stated that the neighbor got scared and went inside. The neighbor asked what they should do in that type of situation. Chief Oxenreider stated that they should just notify the Police Department. Discussion ensued concerning this type of situation happening all over where they are trying to get a reaction out of people and try to draw police officers into a situation where they record them and put it out on social media.

CHARLES HAWS – SOLICITOR:

Mr. Haws mentioned that we received a Cable Franchise Agreement form for Service Electric from the Cohen Law Group and that he has looked over it and it looks fine for whenever Council wants to move forward with that. He also mentioned that he looked over the agreement for the Bus Patrol that was brought up at a previous meeting and that form of Agreement also looks fine to him. Mayor Cirulli mentioned that they are not ready to move forward with the Bus Patrol Agreement at this time and that there are a lot of unanswered questions.

MIKE HART – BOROUGH MANAGER:

Mr. Hart mentioned that we had one permit violation in March at the WWTP for exceeding our permit average limit of 1.6 mg/L Total Phosphorus. He stated that we tested at 1.62 mg/L at one point during the month so we will be getting a violation for that. Mr. Smith mentioned that it was due to the extreme temperature fluctuations in March.

Mrs. Peterson asked whose responsibility it is to fix the potholes on Reedy Road. Mr. Hart stated that it is the contractor's responsibility and they have been advised to keep up with it until the road is paved after the construction is complete. Mr. Metzgar mentioned a pothole at Reedy and Weidman. Mr. Hart stated that it is in the Township.

Mrs. Gantner asked when the Fast Bridge Fiber Optics will finish up. Mr. Hart stated the street cut permits have been issued for the Borough. Mr. Hoffa mentioned that they are waiting for a street cut permit from PennDOT to cut under Van Reed Road in the Township.

TRACY PETERSON – LIBRARY:

Mrs. Peterson mentioned that they are going to have a meeting with the Friends of the Library and the Library Board together to see if come together a little bit.

MAYOR GARY CIRULLI:

Mayor Cirulli mentioned that we will have to, at some point, put another police vehicle in the budget. He mentioned some recent major fixes needed to two of the current cars.

ROBERT METZGAR – FINANCE:

Mr. Metzgar mentioned that they will discuss the need for a police vehicle at the Admin Committee meeting.

LISA GANTNER – RECREATION:

Mrs. Gantner mentioned that the DCNR grant was submitted and that HRG did a really good job. She mentioned that the County Planning Commission wrote a really great letter of support, and we also received a really nice letter of support from Representative Cepeda-Freytiz. She stated that we still have the other grant to apply for from the CFA Greenways, Trails and Recreation Program. She mentioned that the CFA grant application is due by May 31, 2023. She mentioned that she spoke to Mr. Loth about it and he stated that it would make more sense to have HRG do it since they already have all of the information on it. She also mentioned that this grant has a match of only 15%. Mrs. Gantner made a motion to approve HRG to apply for the CFA grant at a cost not to exceed \$3,500.00; seconded by Mrs. Stine. AYES – 6, NAYS – 0 ABSENT – 1. Motion carried.

Mrs. Gantner mentioned that we have 201 kids registered for the Summer Playground Program so far. She also mentioned that we had to change our youngest age allowed because of a letter that we received at the end of last years program stating that if we offer programming to kids who have not completed kindergarten that we are operating an unlicensed daycare. She stated that we changed everything for this year and now she has received so many complaints about the age change. She stated that she is looking into options. Discussion ensued.

ADJOURNMENT:

Mr. Hoffa made a motion to adjourn the meeting at 7:55 p.m.

Respectfully submitted,



Elizabeth A. Eageman
Borough Secretary