

The regular meeting of the Borough Council of the Borough of Sinking Spring was called to order on Thursday, August 11, 2022, at 7:00 p.m. by Council Vice-President H. David Miller. After the pledge to the flag, Elizabeth Eagelman called the roll reflecting the following Council Members present:

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

EXECUTIVE SESSION:

Council went into an Executive Session at 7:02 P.M. for a Loudermill Hearing on a Police personnel issue. Mrs. Peterson was in attendance by phone to participate in the hearing.

RECONVENE:

Council reconvened at 7:47 P.M. and the following action was taken.

Mr. Miller stated that while in Executive Session they considered disciplinary action against a police officer for conduct unbecoming a police officer. Mrs. Stine made a motion to suspend Officer Matthew Yatsko for 30 days without pay; seconded by Mrs. Gantner. AYES – 5, NAYS – 0, ABSENT - 2. Motion carried.

APPROVAL OF MINUTES:

Mr. Miller asked for a motion to approve the minutes from the July 14, 2022, Council Meeting. Mr. Hoffa made the motion to approve the minutes; seconded by Mrs. Stine. AYES – 5, NAYS – 0, ABSENT - 2. Motion carried.

VISITORS/PUBLIC COMMENT:

Mrs. Allyson Jones was in attendance but stated that she did not have any comments at this time but wanted to reserve the right to comment when Council gets to 12 B on the agenda which pertained to her property at 12 Krick Avenue.

CORRESPONDENCE:

Mr. Miller mentioned that Phoenix Physical Therapy is having a Grand Opening and Ribbon Cutting Ceremony at their new office located at 3580 Penn Avenue, Suite 105 on Tuesday, August 30th from 11:30 to 12:30 and that everyone is invited to attend.

APPROVAL OF THE BILLS:

Mr. Miller asked for a motion to approve the bills for July 2022. Mrs. Stine made a motion to approve the bills, seconded by Mrs. Gantner. AYES – 5, NAYS – 0 ABSENT - 2. Motion carried.

TREASURER'S REPORT:

Mr. Miller asked for a motion to approve the Treasures Report for July 2022. Mrs. Stine made a motion to approve the Treasurer's Report; seconded by Mrs. Gantner. AYES – 5, NAYS – 0 ABSENT – 2. Motion carried.

WESTERN BERKS FIRE DEPARTMENT:

Mr. Miller stated that their July Activity Report is included in the email packet. He mentioned that they recently had a very difficult fire at Reading Alloys in South Heidelberg Township. He stated that he wanted to go on record and commend the efforts of the Fire Department and applaud their professionalism and their regard for their team and the public. He stated that they just do an outstanding job.

WESTERN BERKS AMBULANCE:

Mr. Miller stated that their July Activity Report is included in the email packet.

REVITALIZATION:

Mr. Sam Loth mentioned that the BOSS Committee has asked him to come in and give a report tonight about the PennDOT phase 4 redesign. He explained that back in April PennDOT had a teleconference that he was not a part of but some of the people in the room were in attendance for that teleconference. He mentioned that there was a lot of dismay in the conversation that took place at the Revitalization Committee meeting following the teleconference. He stated that the BOSS Committee would like to have a discussion with them to express why the Borough, the Revitalization Committee, the planners, the engineers, the Berks County Planning Commission and many other agencies and stake holders designed that section of the roadway the way that we did. He stated that PennDOT believes that the notion was that we were looking to move traffic. But that's not what we've been trying to do. We've been trying to revitalize the central business district of the borough so that there would be enough generated income from the business enterprise to sustain the borough into the future. He stated that he would like the County Commissioners to host a meeting with PennDOT, the Borough and all affected parties to try to resolve this change. Mr. Hoffa mentioned that he has been in contact with the Project Manager at PennDOT and they are getting close to final design. A lengthy discussion ensued. Mr. Loth stated that he is asking for a motion to move towards requesting a meeting and having the Berks County Commissioners host that meeting. Mr. Miller asked for a motion to have Mr. Loth facilitate a meeting between the appropriate people and stake holders to help resolve this problem, Mrs. Gantner made that motion; seconded by Mr. Giambalvo. AYES – 5, NAYS – 0 ABSENT – 2. Motion carried.

UNFINISHED BUSINESS/POSSIBLE ACTION ITEMS:

Mr. Miller stated that the first item is to approve the Stormwater Ordinance. Mr. Haws stated that he took DEP's model Stormwater Ordinance that meets their requirements, and we advertised it for consideration and adoption tonight. Mrs. Stine made a motion to approve the Stormwater Ordinance; seconded by Mr. Miller. AYES – 5, NAYS – 0 ABSENT – 2. Motion carried.

The next item was the Agreements and Deeds in Lieu of Condemnation for 8, 10 and 12 Krick Avenue. Mr. Haws explained that these agreements just came in late this afternoon and he and Mr. Hart have not had time to review any of the information. He stated that his recommendation, to keep this process moving forward, is for Council to authorize execution of these three agreements subject to review by Council, Mr. Hart, and himself. He stated that the offers for just compensation are \$178,000.00 for 8 Krick Avenue, \$173,000.00 for 10 Krick Avenue and \$181,000.00 for 12 Krick Avenue. Mrs. Gantner made the motion to authorize execution of the three Agreements for Deed in Lieu of Condemnation conditioned upon review by the Solicitor and Mr. Hart; seconded by Mr. Giambalvo. Ms. Allyson Jones, owner of 12 Krick Avenue, asked about a time frame for settlement. Mr. Haws explained that the Redevelopment Authority would schedule that and the steps that need to be taken. AYES – 5, NAYS – 0 ABSENT – 2. Motion carried.

The next item was to approve the purchase of the used dump truck. Mr. Hart explained that he did put it out for bid and he only received one bid from Bobby Gerhart's Truck World for \$48,995.00. Mr. Giambalvo made the motion to accept the bid from Bobby Gerhart's Truck World; seconded by Mrs. Gantner. AYES – 5, NAYS – 0 ABSENT – 2. Motion carried.

NEW BUSINESS/POSSIBLE ACTION ITEMS:

Mr. Miller stated that the first item is the approval to put surplus equipment on municibid. Mr. Hart explained that we have some equipment that we no longer use, and he would like Council's approval to put it up for sale on municibid. He mentioned that there are two old police vehicles, the old sewer televising van, old leaf vacuum, and an old mower. Mr. Hoffa made a motion authorizing Mr. Hart to advertise the old equipment on municibid for sale, seconded by Mrs. Stine. AYES – 5, NAYS – 0 ABSENT - 2. Motion carried.

BRAD SMITH – ARRO CONSULTING – ENGINEER - ACTION ITEMS:

Mr. Smith mentioned that he has the contract documents for the roofing project at the borough hall and the control building at the wastewater treatment plant. He stated that at the last meeting Council had approved going with the alternate bid for \$273,626.00 for the fully adhered reinforced roof for the control building. He stated that he and Mr. Haws have both gone over the documents and everything seems to be in order, so the contracts can be signed, and the box checked for the alternative bid. Mrs. Gantner made a motion to approve signing the contract; seconded by Mrs. Stine. AYES – 5, NAYS – 0 ABSENT - 2. Motion carried.

Mr. Smith stated that the PennDOT has stopped the work on the Phase 2 HOP due to elevation and stormwater conveyance issues that were discovered in the original approved design plan prepared by the previous engineers. He mentioned that PennDOT's construction unit has reviewed the revisions that ARRO prepared and asked that they be redone in CAD and submitted for a permit supplement from the HOP group. ARRO is working on the request to be submitted by August 19, 2022. He also mentioned that Verizon did a soft dig to get the depths of the duct banks for the stormwater crossing of SR 422 and that ARRO is verifying the clear dept before finalizing the stormwater design. He stated that after several discussions regarding the undercut along Columbia Avenue, PennDOT, TPD, ARRO and the Borough are in agreement that the 18" of #1 stone will be wrapped with geotextile fabric and 6" of 2A will be placed on top. He mentioned that the next progress meeting will be held on August 23, 2022.

Mr. Smith mentioned that he reached out to Empire Services about repairing the lawn and they have been unresponsive. He stated that ARRO recommends that the Borough continue to hold the final payment.

Mr. Hart mentioned the Phase 2 HOP issue with the stormwater design. Discussion ensued. Mr. Hart mentioned that the contractor has moved their equipment off site until we get the green light from PennDOT to move forward with the revised stormwater design.

DENISE STINE – PUBLIC SAFETY:

Mrs. Stine mentioned that there is a lot of mud in the alley from the Golf Course project. Mr. Hart mentioned that they are shut down right now because of rock and that they will have to do blasting and that all of the residents have been notified. Mr. Hart stated that he will reach out to the contractor about the mud issue.

LISA GANTNER – RECREATION:

Mrs. Gantner reported that they just completed their ninth week of playground. She mentioned that there will be one significant change for next year for our registrations. She stated that for us to be compliant with the state a child must have completed kindergarten to participate in our playground program

ELIZABETH EAGELMAN – BOROUGH SECRETARY:

Mrs. Eagelman reported that the County has notified us that they will no longer host our website as of December 31,2022. She mentioned that she contacted a few companies that to web design and hosting and will send the proposals to the Admin Committee.

MIKE HART – BOROUGH MANAGER:

Mr. Hart mentioned that he was contacted by the railroad and that their safety crew wants to do line maintenance on the South Hull Street crossing and shut it down on September 22nd. He stated that he advised them that it would be a major issue with our project going on and that South Hull Street will be one of our detour routes and it is a major school bus route. He stated that he also advised them that he would need to speak to someone else from the railroad. He mentioned that he has not heard anything back from them.

POLICE CHIEF JAMES OXENREIDER:

Chief Oxenreider reported that they had a good turnout for the National Night Out that was held in South Heidelberg Township. He mentioned that they would like to host it in the Borough next year and use the playground if possible. He also mentioned that the Fire Company is having a Corn Hole event for charity this Saturday beginning at 12:00 p.m. and there will be food vendors, prizes, drawings, dunk tank and they will have alcohol outside.

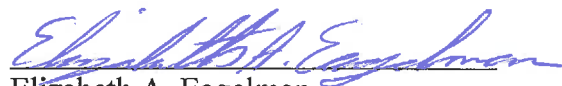
CHARLES HAWS – SOLICITOR:

Mr. Haws mentioned that Barley Snyder is having a Night Out at the Ball Game on September 9th with food and drink at the Reading Phillies. He stated that he will send out an email.

ADJOURNMENT:

Mr. Hoffa made a motion to adjourn the meeting at 8:59 p.m.; seconded by Mr. Miller.

Respectfully submitted,



Elizabeth A. Eagelman
Borough Secretary