

The regular meeting of the Borough Council of the Borough of Sinking Spring was called to order on Thursday, July 14, 2022, 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
Denise Stine
Lisa Gantner
Brian Hoffa
Robert Metzgar (Absent)
Patrick Giambalvo (Arrived at 7:18)

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.

PUBLIC HEARING – POSSIBLE ACTION ITEM:

Mrs. Peterson stated that the first item on the agenda is the Public Hearing to consider the adoption of the proposed Ordinance adopting the International Property Maintenance Code 2018. Mr. Haws mentioned that this Ordinance will adopt an updated code and that he filled in the blanks of the model code to include the municipality name, fines amount, and the maximum height for weeds and grass. Mrs. Peterson asked if the fees are set or if we need to work with that as well. Mr. Haws stated that the Borough can set a fee schedule by resolution, but he is not sure what fees there are and that the fine amount is set at a minimum of \$300.00 and not more than the maximum allowed under the Borough Code. Mr. Hart stated that we don't have a fee schedule for this and that it was just listed per violation. Mr. Haws stated that if you decide later that you want to have fees for something under the property maintenance, we can do it. Mr. Hart stated that it would be a good idea. Mrs. Stine made the motion to authorize adopting the Ordinance adopting the International Property Maintenance Code 2018; seconded by Mr. Miller. Mr. Miller asked if we could take them to the DJ for nonpayment instead of putting a lien on the property. Mr. Hart stated that in the past we would issue a bill to the property owner for the work that was completed by Borough staff and then a second notice if it is not paid and after that we just place a lien on the property. AYES – 5, NAYS – 0, ABSENT - 2. Motion carried.

APPROVAL OF MINUTES:

Mrs. Peterson asked for a motion to approve the minutes from the June 9, 2022, Council Meeting. Mr. Hoffa made the motion to approve the minutes; seconded by Mrs. Gantner. AYES – 5, NAYS – 0, ABSENT - 2. Motion carried.

VISITORS/PUBLIC COMMENT:

There were a few residents from Krick Avenue that were in attendance, but they stated that they did not have any comments at this time.

CORRESPONDENCE:

There was no correspondence to be discussed.

APPROVAL OF THE BILLS:

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

TREASURER’S REPORT:

Mrs. Peterson asked for a motion to approve the Treasures Report for June 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. Renshaw pointed out that he changed his report by removing the property values involved in incidents at the bottom of the page and replace it with the average turnout time, average response time and average time on scene. He mentioned that he never really got any questions on the values but did receive questions on time frames. Mr. Renshaw also mentioned that they used their drone to assist the police department with locating a fugitive and they also assisted with trying to locate a missing juvenile from Green Valley Estates. He advised Council that they are working with the project manager at Village Greens and that they would like to use the club house for training once the asbestos removal is complete. Mr. Miller asked if they would be able to use the houses on Krick Avenue for forced entry drills. Mr. Hart stated that we don’t own any of them yet but once we get to that point, we can let them know.

WESTERN BERKS AMBULANCE:

Mrs. Peterson stated that their June Activity Report is included in the email packet.

REVITALIZATION:

Mr. Hoffa mentioned that they had to cancel the festival in September and that the Revitalization meeting is next week so he should have more to report at the next meeting. Mrs. Peterson asked if there was just no interest in the festival. Mr. Hoffa stated that they put out flyers and were advertising on websites to try to get people to sign up, but they are not getting any phone calls and they there is also a lack of volunteers. He mentioned that they had two Blue Grass Bands scheduled to play so they are going to have them at the Fire Company Social Quarters and open it up to the public. He stated that they will try again next year and see if they get better results.

UNFINISHED BUSINESS/POSSIBLE ACTION ITEMS:

Mrs. Peterson stated that the first item is the Stormwater Ordinance. Mr. Haws explained that the Borough currently has the Tulpehocken Creek Watershed Stormwater Management Ordinance that was adopted in July 2002, and that DEP came out with this model ordinance and set a September deadline to adopt a new Stormwater Ordinance that conforms to their model form. He mentioned that there was one issue numerous times in there where they would allow the municipality to require a low impact development as an option that was a different type of stormwater management, but the state is not mandating that people utilize these low impact development BMPs, so it was an option. He stated that after speaking with Mr. Hart, to make it less restrictive we struck out optional language that would have required these additional BMPs. He stated that the new Ordinance must be sent in with the MS4 report in September so we could adopt this at the August meeting. Mr. Miller made a motion to authorize advertising the ordinance; seconded by Mrs. Stine. AYES – 5, NAYS – 0 ABSENT – 2. Motion carried.

Mr. Giambalvo arrived at 7:18.

The next item was the Approval to advertise for bids for a used truck. Mr. Hart mentioned that he found a truck locally from a dealer that we can attempt to buy, and it would fall under state grant which we have about \$63,000.00 and the truck will be just under \$50,000.00. He stated that since it is at a private dealer, we must advertise to receive bids for a used vehicle. Mr. Peterson asked for a motion to advertise for bids for a used truck. Mrs. Gantner made a motion to authorize Mr. Hart to place an ad requesting bidders for a used truck; seconded by Mr. Hoffa. AYES – 6, NAYS – 0 ABSENT – 1. Motion carried.

NEW BUSINESS/POSSIBLE ACTION ITEMS:

Mrs. Peterson stated that the first item is a Resolution stating the Borough's intent to follow the schedules and procedures for disposition of records as set forth in the municipal Records Manual approved on December 16, 2008, as amended March 28, 2019. Mrs. Stine made a motion to approve the Resolution; seconded by Mr. Miller. AYES – 6, NAYS – 0 ABSENT - 1. Motion carried.

NEW BUSINESS/POSSIBLE ACTION ITEMS (Cont.):

The next item was a Resolution authorizing the disposition of certain records. Mrs. Stine made a motion to approve the Resolution authorizing the disposition of listed records; seconded by Mrs. Gantner. AYES – 6, NAYS – 0 ABSENT - 1. Motion carried.

The next item was to change Brook Stewart, Playground Leader, to Head Leader effective July 18, 2022, at a rate of \$15.00 per hour. Mrs. Gantner explained that the Head Leader at the Brookfield Playground is leaving for the rest of the summer, and they have been training Brook to take over for her. Mrs. Gantner made the motion to approve the change as listed; seconded by Mr. Miller. AYES – 6, NAYS – 0 ABSENT - 1. Motion carried.

The next item a Proposal from Alarm Tech for video surveillance at 152 R Woodrow Avenue for the yard waste site. Mr. Hart explained that we have had some illegal dumping at the site and that this was in the budget for this year. He mentioned that he had budgeted \$12,000.00 and it is actually going to be \$12,804.00. Mrs. Gantner asked if the cameras will be facing the back of the playground. Mr. Hart stated that to a certain degree they will. Mrs. Peterson asked if we could put a sign on the side door of the playground building, where the supplies are kept, stating that this property is under video surveillance because they are having a lot of issues with people trying to break in. Mr. Hoffa made the motion to approve the Proposal from Alarm Tech; seconded by Mr. Giambalvo. AYES – 6, NAYS – 0 ABSENT - 1. Motion carried.

BRAD SMITH – ARRO CONSULTING – ENGINEER - ACTION ITEMS:

Mr. Smith mentioned that there are two change orders tonight for the Phase 2 project. He stated that Change Order #1 is because the state is requiring the Borough to install a Class 4A Geotextile under Columbia Avenue. He mentioned that this was not brought up under the permit process and that it is a relatively new requirement that they are forcing on us. He stated that the cost of the change order is \$16,429.70. Discussion ensued. Mr. Hoffa made a motion to approve Change Order #1 in the amount of \$16,429.70; seconded by Mrs. Gantner. AYES – 5, NAYS – 1 ABSENT - 1. Motion carried. Mr. Smith mentioned the contractor encountered soft, yielding soils within the Columbia Avenue realignment that is unsuitable to build a road on. He stated that they had discussions with PennDOT, TPD and Construction Masters on how to provide a suitable base for the road. He stated that options were designed, and Construction Masters Services had provided pricing to the Borough for a change order. ARRO recommends option #1, Class 4A Fabric Only Option for \$62,800.00 because it has been used successfully in the past and does not delay the project. Mr. Hart added that the ground is horrible and that when you walk on it, it is like walking on a sponge. Mr. Hoffa made the motion to approve going with option #1 for Change Order #2 at a cost of \$62,800.00; seconded by Mr. Miller. AYES – 6, NAYS – 0 ABSENT - 1. Motion carried.

The next item was the Municipal Roof Replacements. Mr. Smith mentioned that bids were received on July 12, 2022, by three companies and the lowest bid was from the Warko Group, Inc. in the amount of \$268,026.00 for the base bid or \$273,626.00 if the Borough chooses the alternate bid for a fully adhered, reinforced roof for the Control Building at the Sewer Plant. Mr. Hart mentioned that he did have money in the budget for this project but not this much. He stated that some of the additional cost is the supply chain and one of the big things with the Borough building

BRAD SMITH – ARRO CONSULTING – ENGINEER - ACTION ITEMS (Cont.):

is the rental of the crane and the removal of the old heating and air conditioning roof top unit. He stated that the bid is about \$160,000.00 over what was budgeted. Discussion ensued. Mr. Hoffa made a motion to approve awarding the bid to Warko Group, Inc. for the alternate bid of \$273,626.00 for the fully adhered, reinforced roof for the Control Building; seconded by Mrs. Gantner. AYES – 6, NAYS – 0 ABSENT - 1. Motion carried.

The next item was the Pay Application, Change Order and Close Out Docs for the Reed Bed Refurbishment Project. Mr. Smith stated that Empire has finished the project however the staff is not satisfied with the finish on the lawn. He stated that he contacted Empire and advised them that final payment would be held until the lawn is fixed. He mentioned that he has the Pay Application #2 in the amount of \$14,028.56 for approval tonight and that it can be approved conditioned upon Empire finishing the repairs to the lawn to the satisfaction of the staff. He stated that this is their final payment to close out the project. Mr. Hoffa made the motion to approve the Pay Application conditioned upon the lawn being repaired to the satisfaction of the staff; seconded by Mr. Miller. AYES – 6, NAYS – 0 ABSENT - 1. Motion carried. Mr. Smith stated that he also has Change Order #3 which does not involve any money but extends the time contract for them to get the Close Out Documents to us. Mr. Miller made a motion to approve Change Order #3 for the time extension; seconded by Mrs. Stine. AYES – 6, NAYS – 0 ABSENT - 1. Motion carried. Mr. Smith stated that he has their Certificate of Substantial Completion given that they completed the work on the Reed Beds on June 1, 2022, which will start the warranty time. HE mentioned that he just needs the Borough to sign them.

POLICE CHIEF JAMES OXENREIDER:

Chief Oxenreider mentioned that they are going to have a National Night Out which is a first for them and it will be in cooperation with South Heidelberg Township Police Department, Western Berks Fire Department and Lower Heidelberg Township Police Department. He stated that it will be at Heidelberg Run West on August 2nd from 6 pm to 9 pm. He also went over his report for June 2022. A brief discussion ensued concerning recent car break ins. Mrs. Peterson suggested putting something on the Facebook page reminding residents to keep their cars locked. Chief Oxenreider also mentioned that they have increased their patrols at the Playground and advised that they be notified of any new issues so they can document it.

MIKE HART – BOROUGH MANAGER:

Mr. Hart mentioned that we advertised for RFPs for Auditors, and we received no response at all. He stated that he picked five (5) firms and sent them formal letters requesting proposals and is hoping to get some response soon.

H. DAVID MILLER – SEWER AND SANITATION:

Mr. Miller questioned if the lane between Woodrow Avenue and the dump site could be added to the Liquid Fuels map. Mr. Hart stated that it has to be an improved street with residence on it to be added and that he would look into it. Mr. Miller also questioned if the driveway back to the sewer plant could be added. Mr. Hart stated that he believed that would get credited to Spring Township since it is in their municipality.

Mr. Miller mentioned the Local Share Account that is made up of gambling proceeds. He stated that we will have the opportunity to apply for those funds between July 1st and September 30th annually now and it appears that the sweet spot for putting an application in is anywhere from \$50,000.00 and \$150,000.00. He stated that they focus on things like improving the quality of life so park and rec would fit that.

BRIAN HOFFA – ECONOMIC & COMMUNITY DEVELOPMENT:

Mr. Hoffa mentioned that he went to the Pennsylvania Downtown Center Convention with Mark Evans of Derck and Edson and gave a presentation on building facades and form-based code. He stated that while he was there, he really got to meet some of the people that were presenting and made a lot of contacts. He mentioned that he spoke with Karen Arnold, who is with the Pennsylvania Historical Museum commission, about the Train Station and he is going to reach out to her to see if there is anything they can do for us in the way of grants and maybe get an official designation as a Historical Site. He stated that he also spoke with a woman about our playground, and they would like her to come in and talk to us to see what they can offer us with designing a whole new playground.

LISA GANTNER – RECREATION:

Mrs. Gantner mentioned that they are on week six of nine at the playground and they are averaging about 100 kids at each playground every day. She stated that they just did two pool fieldtrips to the Wyomissing Hills Pool and that she received the nicest letter from the lady at the pool saying how our staff was excellent and kids were polite. Mrs. Gantner also mentioned that they are trying to decide if it is going to be worth it to do an extra week of playground. They are going to have another movie night in August on a Thursday and do a little carnival also that night. She stated that they did not have a very big turn out for the last movie night.

ADJOURNMENT:

Mr. Hoffa made a motion to adjourn the meeting at 8:11 p.m.; seconded by Mr. Miller.

After the meeting was adjourned Ms. Allyson Jones, owner of 12 Krick Avenue asked about the taking of their properties. She stated that she signed an agreement with the Redevelopment Authority accepting their offer. Mr. Hart stated that the Borough has not heard anything concerning that. Ms. Jones and Mr. Hart will both reach out to the Redevelopment Authority. Mr. & Mrs. Norris from 14 Krick Avenue were also in attendance and asked about the time frame of the Phase 2 project.

Respectfully submitted,



Elizabeth A. Egelman
Borough Secretary