

The regular meeting of the Borough Council of the Borough of Sinking Spring was called to order on Thursday, March 10, 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 (Arrived at 7:44)  
Denise Stine  
Lisa Gantner  
Brian Hoffa  
Robert Metzgar  
Patrick Giambalvo

Other officials present were: Mayor Gary Cirulli; Keith Mooney, 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 February 10, 2022 Council Meeting. Mr. Hoffa made the motion to approve the minutes; seconded by Mrs. Gantner. AYES – 6, NAYS – 0, ABSENT - 1. Motion carried.

#### **VISITORS/PUBLIC COMMENT:**

Mrs. Eagelman stated that we have two visitors, Troy Kantner, owner of Solve IT Solutions and Kristen Ciabattoni, Account Executive at Solve IT Solutions. Mr. Kantner addressed Council and Ms. Ciabattoni handed out copies of their proposal for IT services to Council. Mr. Kantner stated that they came on board and did a security and network assessment and found that there were quite a few issues with the Borough's network and security that they addressed with Mr. Hart. Mr. Kantner briefly went over their "Level Up" Managed Services Statement of Work, service levels, and fees. Mrs. Peterson thanked them for coming and stated that they would turn this over to the Admin Committee to go over and discuss and get back to them.

#### **CORRESPONDENCE:**

There two pieces of correspondence. The first was a flyer for the Annual Shredding Event at Lower Heidelberg Township on June 4<sup>th</sup> from 10 am to 2 pm that is open to Borough residents. The second was the March 2022 Newsletter from Berks EIT.

**APPROVAL OF THE BILLS:**

Mrs. Peterson asked for a motion to approve the bills for February 2022. Mrs. Stine made a motion to approve the bills, seconded by Mr. Hoffa. AYES – 6, NAYS – 0 ABSENT - 1. Motion carried.

**TREASURER'S REPORT:**

Mrs. Peterson asked for a motion to approve the Treasures Report for February 2022. Mrs. Stine made a motion to approve the Treasurer's Report; seconded by Mr. Hoffa. AYES – 6, NAYS – 0 ABSENT - 1. Motion carried.

**WESTERN BERKS FIRE DEPARTMENT:**

Mr. Renshaw went over his activity report for February 2022. He mentioned that they are looking to do a remodel of the Fire Station in Wernersville to bring it up to a 21<sup>st</sup> century fire house to match their current operations. He mentioned that the County has an ARP Grant that opened up in January and closes at the end of March. He stated that they are going to be submitting an application for that grant and he asked if the Borough would send over a letter of support to him to include with the application. He also mentioned that they can get a loan from the USDA with a 2.125% interest rate with a drawn out amortization schedule. Mrs. Peterson stated that Council will submit a letter of support for the grant.

**WESTERN BERKS AMBULANCE:**

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

**UNFINISHED BUSINESS/POSSIBLE ACTION ITEMS:**

Mrs. Peterson stated that the first item is the Wireless/Small Cell Ordinance Update. Mr. Hart asked if everyone had a chance to review the revised Ordinance and if there were any questions. Mr. Mooney mentioned that the biggest change by the state was that the small cell wireless facilities, that you see going up on telephone poles, you must make a use by right in every zoning district in the municipality. Mrs. Gantner asked about the developments that have the underground electric where there are no poles. Mr. Mooney stated that they would be the exception because there are no existing poles. Mr. Loth mentioned that he has been following this issue and that the BOSS committee is not in favor of these small wireless facilities and that they are a blighting influence on the community. Discussion ensued. Mrs. Stine made a motion to advertise the Small Cell Ordinance; seconded by Mr. Hoffa. AYES – 6, NAYS – 0 ABSENT - 1. Motion carried.

The next item was to approve advertising for Bids for Sludge Hauling. Mrs. Stine made a motion to approve advertising for bids for the Sludge Hauling; seconded by Mrs. Gantner. AYES – 6, NAYS – 0 ABSENT - 1. Motion carried.

**NEW BUSINESS/POSSIBLE ACTION ITEMS:**

Mrs. Peterson stated that the first item is the Recreation Director Job Description. Mr. Hart mentioned that we are trying to create a part-time position that would mostly handle all of the scheduling for the summer playground program, the pavilion rentals, newsletters, and anything else rec board related. Mr. Metzgar stated that it has been through Admin and the Parks and Rec Committees. Mr. Metzgar made a motion to authorize advertising for the new Recreation Director; seconded by Mrs. Gantner. AYES – 6, NAYS – 0, ABSENT - 1. Motion carried.

Mr. Miller arrived at 7:44 p.m.

The next item was the Proposal for Codification Services from General Code. Mr. Hart stated that we have not had any updates to our Code Book for quite some time and that we really need to get the Code Book up to date and incorporate the new Ordinance into it so we have a working document that is up to date. He mentioned that he included the cost in this year's budget and would like Council's approval to move forward with it. He stated that the cost of the Codification Project is \$14,400 and includes an online Code housed on their innovative eCode360 platform. He stated that there is a yearly maintenance fee of \$1,195.00 for the Premium eCode360 that covers annual licensing, web hosting, posting of new legislation between regular Code supplements and the PubDocs Module. Mr. Miller made a motion to authorize Mr. Hart to move forward with the Codification Services from General Code; seconded by Mr. Metzgar. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried.

The next item was the Summer Playground Fees. Mrs. Gantner mentioned the Recreation Board met along with Mr. Pachulo because he is now on the Board and that they would like to raise the pay rates for the Playground Leaders to \$10.00 for new Leaders, \$12.00 for returning Leaders and \$15.00 for Head Leaders. She also mentioned that they would like to raise the rates for attending the Playground Program to \$100.00 for Borough residents with a \$250.00 max per family and \$140.00 for non-residents with a \$350.00 max for a family. She stated that the Summer Program will run from June 6<sup>th</sup> to August 5<sup>th</sup> which is nine weeks and they may offer an extra week for \$20.00 and combine the Playgrounds. Mrs. Gantner made a motion to approve the new pay rates and playground fees; seconded by Mr. Metzgar. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried. Mrs. Gantner made a motion to authorize advertising for Playground Leaders; seconded by Mr. Miller. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried.

The next item was the Berks County Conservation District Memorandum of Understanding. Mr. Smith explained that this is an agreement between the Borough and the Conservation District that they will enforce erosion control on construction sites to prevent sediment pollution to the waters of the commonwealth. He stated that it is a requirement of the MS4 Report. Mr. Miller made a motion to approve the Memorandum of Understanding with the Berks County Conservation District; seconded by Mr. Hoffa. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried.

**REVITALIZATION:**

Mr. Hoffa mentioned that they did not have a meeting last month and that the planning for the Ground Breaking is moving along for April 8<sup>th</sup>. He also mentioned that they are working with someone that is going to build two billboards for us to put down at the corner. He stated that they will be meeting at the Borough Hall at 1:00 p.m. and walking down to the corner, make the dedication, have some speakers, and then come back to the Borough Hall for a light lunch.

Mr. Loth stated that last year the federal government opened up Community Project Funding for the first time in twelve (12) years which means that local representatives like Chrissy Houlahan and Senator Casey are able to advance projects that they think are worthy in their districts. He stated that we took a shot and applied for 100% of the deficit between the Phase 2 swing and the phase 2 full project and the federal government has awarded us \$1,865,624.00. He mentioned that Representative Houlahan was the chief person that got this moving forward and Senator Casey backed her up. He thanked Borough Council, the Mayor, and all of the staff for all of the things they do for the BOSS Committee and supporting the BOSS Committee. Council thanked Mr. Loth for all of his hard work on the grant. Mr. Metzgar stated that he is ecstatic about this news but mentioned that we came up with these numbers a few years ago and asked Mr. Hart what our general expectation is for our ability to get bids in a similar amount. Mr. Hart stated that with the fuel costs and the asphalt costs the way they are it is going to go through the roof.

**BRAD SMITH – ARRO CONSULTING – ENGINEER:**

Mr. Smith mentioned that the Phase 2 HOP is out to bid and that the bids will be received on Monday, March 21, 2022. He requested a Workshop Meeting on March 23, 2022 to review the bids so we can keep this thing moving. Mrs. Peterson stated that everyone should put it on their calendars that we will have a Workshop Meeting this month.

Mr. Smith mentioned that Village Green project is being delayed due to the death of Mr. Brown which is holding up an easement.

Mr. Smith mentioned the Reed Bed Refurbishment project and that he sent a deduction change order in the amount of \$4,043.54 to the contractor and he rejected a pay application from the contractor but they have not been returned.

**POLICE CHIEF JAMES OXENREIDER:**

Chief Oxenreider mentioned that they got the new car in on Monday and the striping should be here next week. He went over his report for February 2022. There were no questions.

**MICHAEL HART – BOROUGH MANAGER:**

Mr. Hart mentioned that the Demo Bids are out and that they are due back by March 30<sup>th</sup>.

**ROBERT METZGAR – FINANCE:**

Mr. Metzgar mentioned that they had a meeting and that he sent out the minutes. He stated that their next meeting is scheduled for April 4<sup>th</sup> at 2:30 P.M.

**BRIAN HOFFA – ECONOMIC AND COMMUNITY DEVELOPMENT:**

Mr. Hoffa mentioned that he is assuming that they will be having a Planning Commission meeting on March 22<sup>nd</sup> and that they will possibly have a review with them about the Form Based Code. He stated that they are getting close to bringing this to Council for final approval so if anyone has any comments they should let him know.

**LISA GANTNER - RECREATION:**

Mrs. Gantner mentioned that they are doing a movie night with Koinos Community Church on March 25<sup>th</sup> at 7 P.M. at their church and they will be showing Toy Story 4. She also mentioned that the Egg Hunt will be April 9<sup>th</sup> at 10 A.M. at the Fire Company and that they got permission from the Fire Company to let the busses use their lot for field trip pick up and for the leaders to park.

**EXECUTIVE SESSION:**

Council went into executive session at 8:13 p.m. to discuss a litigation issue.

**RECONVENE:**

Council reconvened at 8:36 p.m. The following action was taken.

Mr. Miller made a motion, reluctantly, to approve the settlement agreement and release between the Borough and Dibiase/Bilco Safety Products in the storm water related matter; seconded by Mrs. Stine. AYES – 7, NAYS – 0, ABSENT - 0. Motion carried.

**ADJOURNMENT:**

Mr. Hoffa made a motion to adjourn the meeting at 8:37 p.m.

Respectfully submitted,



Elizabeth A. Eagelman  
Borough Secretary