The regular meeting of the Borough Council of the Borough of Sinking Spring was called to order on Thursday, March 14, 2024 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 (Absent)
Robert Metzgar
Michael Caron

Other officials present: Mayor Gary Cirulli, Charles Haws, Barley Snyder, Borough Solicitor; Brad Smith, 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 8, 2024 Council Meeting. Mr. Metzgar made the motion to approve the minutes; seconded by Mrs. Stine. AYES – 5, NAYS – 0, ABSENT – 2. Motion carried.

VISITORS/PUBLIC COMMENT:

There were no visitors in attendance.

CORRESPONDENCE:

Mrs. Peterson mentioned that Council received a Letter of Appeal from Mr. Harry Speidel concerning a Notice of Violation that he received from Mr. Todd Miller for unregistered and inoperable vehicles on his property at 3429 Penn Avenue. Mr. Speidel was not in attendance. Mr. Hart stated that per Borough Ordinance and the Property Maintenance Code the only way you are allowed to have a vehicle on your property is if it is legal. Discussion ensued. Mr. Hart stated that it is up to Council if they would like to grant him relief or stand by the violation and move forward with the citation. Mr. Haws stated that Mr. Speidel can fight the Citation through the District Justice if he wishes. Mrs. Stine made a motion to deny Mr. Speidel's appeal request and move forward with issuing the citation; seconded by Mrs. Gantner. AYES – 5, NAYS – 0, ABSENT – 2. Motion carried.

CORRESPONDENCE (Cont.):

Mrs. Peterson mentioned that the second letter was from Melissa A. Dean who is the Mayor for Wernersville Borough. The letter proposes a Berks Borough Pickleball Battle to promote Public Health Initiatives and promote local business and community involvement. Mrs. Gantner stated that she would follow up with them.

APPROVAL OF THE BILLS:

Mrs. Peterson asked for a motion to approve the bills for February 2024. Mrs. Stine made a motion to approve the bills, seconded by Mr. Metzgar. AYES – 5, NAYS – 0, ABSENT – 2. Motion carried.

TREASURER'S REPORT:

Mrs. Peterson asked for a motion to approve the Treasures Report for February 2024. 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:

Mrs. Peterson stated that their February Activity Report is in the email packet and if anyone has any questions they can reach out to Mr. Renshaw.

WESTERN BERKS AMBULANCE:

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

REVITALIZATION:

Mrs. Gantner mentioned that they reorganized at their last meeting, and it mostly stayed the same. Mr. Metzgar mentioned that they are still working towards bridging the gap left by Mr. Loth's departure and they are following up on a couple of potential avenues to help meet some of the immediate needs. He also mentioned that they talked about meeting structure and doing what we do for the Workshop meeting where we decide closer to the meeting date as to whether it is necessary or not. He stated that they will continue to keep everyone informed. Mrs. Eagelman mentioned that she had received a call from a Borough resident asking about the BOSS Forward meeting minutes and when they would be posted to the website. Mr. Metzgar stated that he would look into it as he thought everything was up to date.

UNFINISHED BUSINESS/POSSIBLE ACTION ITEMS:

Mrs. Peterson mentioned that there was a letter from the Wilson School District dated February 14, 2024 that was included in the packet and deferred to Mr. Hart. Mr. Hart stated that the Borough was approached a while back by the Wilson School District regarding the Business Privilege Tax and Mercantile Taxes for the tank farm in the Borough. He stated that the owners of the tank farm believed that they did not have to pay the taxes to the Borough and School District. The School District asked the Borough to join them in a lawsuit against the tank farm for this. He stated that according to the letter from the School District, the legal proceedings began in 2018 and in January 2024 they entered into a global settlement with the Taxpayers to resolve the issues and pay the taxes from 2012 to 2023. He stated that the Borough's portion of the settlement was $2,347,825.55 and that we put the funds in the Invest Account, so it earns more interest.

NEW BUSINESS/POSSIBLE ACTION ITEMS:

Mrs. Peterson stated that the first item is to approve Resolution No. 2024-01 for the Master Fee Schedule. She stated that it was looked over by Mr. Haws, the Admin Committee and Mr. Hart made updates to it. Mr. Metzgar stated that Mr. Hart has been working on it for a while and he thanked Mr. Hart for his time and effort on this. Mr. Hart briefly went over what was new in the schedule. Mr. Metzgar made a motion to approve Resolution No. 2024-01; seconded by Mrs. Stine. AYES – 5, NAYS – 0, ABSENT – 2. Motion carried.

The next item was the quote for the gate and reader system for the yard waste site. Mr. Hart mentioned that he had placed in the budget to install an electronic gate at the yard waste site. He stated that we are having a lot of trouble with contractors and people that do not live in the Borough dumping there. He mentioned that it would be a gate with a card reader and a card would be issued to each resident that wishes to use the site and that the initial card would be free, but we may charge for replacement cards. He stated that he put $25,000.00 in the budget and the quote from ProMax Fence Systems, which is through the Co-Stars program, came in at $18,795.00. He mentioned that he could also apply for another recycling grant and get reimbursed for these costs. Discussion ensued concerning notifying residents and costs. Mrs. Gantner made a motion to accept the bid; seconded by Mr. Metzgar. AYES – 5, NAYS – 0, ABSENT – 2. Motion carried.

The next item was to hire a new Library Assistant. Mrs. Peterson made a motion to approve hiring Andrea Christian for 8 to 20 hours per week at a rate of $12.00 per hour; seconded by Mrs. Gantner. AYES – 5, NAYS – 0, ABSENT – 2. Motion carried.

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

Mr. Smith stated that the Planning Commission did their first review of the Sunrise Apartments which are located at 4564 Penn Avenue at the corner of Penn and Park Avenues. He stated that the plan proposes the construction of one (1) 12-unit apartment building and a parking lot and access will be on Sunset Road. He stated that several waivers are recommended for approval by the Planning Commission. The first is to waive the Preliminary Plan Application and allow the plan to go right to Final Plan. The second waiver is to allow them to use a storm sewer that is

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

12 inches in diameter instead of the required 18 inches in diameter, the third and fourth are to waive the required planting of Shade Trees and Street Trees as the lot is already wooded. Mr. Smith stated that Council can take action if they wish or table it. Mrs. Peterson recommended that they table this so Council can have more time to review and discuss it. Discussion ensured concerning the number of apartments in the Borough (will be 50% rentals once Village Greens is built), when they can discuss issues with more than three council members present (only in public meetings) and working with developer concerning cleaning up the frontage for that property and a possible easement for Borough signage.

Mr. Smith mentioned that he provided their Professional Services Agreement to prepare a bid specification for the Reed Bed Refurbishment for Council's approval. He stated that ARRO's cost for design, bidding and construction administration is $29,317.00 which is less than the estimate used for the engineering and construction inspection on the grant application. Mrs. Stine made a motion to approve ARRO's PSA for the Reed Bed Refurbishment; seconded by Mrs. Gantner. AYES – 5, NAYS – 0, ABSENT – 2. Motion carried.

CHIEF OXENREIDER:

Chief Oxenreider went over his February 2024 Activity Report. He also mentioned that they are having a Citizens Police Academy with South Heidelberg Township Police Department which starts March 27th and goes to April 24th. He stated that it is every Wednesday from 6:30 P.M. to 8:30 P.M.

BRAD SMITH – ARRO CONSULTING – ENGINEER:

Mr. Smith reported on the Municipal Engineering portion of his report. He stated that CMS is going to mobilize on April 1st to complete the Phase 2 HOP project and that the subcontractor is currently installing permanent road signs. He mentioned that CMS is working with the utilities to relocate lines to complete the installation of the traffic signals.

ELIZABETH EAGELMAN – BOROUGH SECRETARY:

Mrs. Eagelman mentioned that a couple people have asked if the Borough would cover the cost for the PMPEI Course in Community Planning that was sent out from CELG. She stated that the cost is $110.00 and it for three (3) days, April 25, May 2 and May 9. Mrs. Gantner made a motion to approve paying for the course as long as they show proof that they attended and paid; seconded by Mr. Metzgar. AYES – 5, NAYS – 0, ABSENT – 2. Motion carried.

ROBERT METZGAR – FINANCE:

Mr. Metzgar stated that their next meeting will be March 19th at 3:00 P.M.

LISA GANTNER - RECREATION:

Mrs. Gantner reminded Council that the Easter Egg Hunt will be Saturday, March 23rd at 10 a.m. and that they are in need of volunteers. She mentioned that she would like to use the $75,000.00 grant that we received to work on the Pickleball Court and that she attended a grant workshop to try to get more information. She also mentioned that she found a software company that will set up things so that we can do online payments for pavilion rentals, summer playground registrations and fieldtrips.

DENISE STINE – PUBLIC SAFETY:

Mrs. Stine mentioned that she attended the meeting last night at the Robesonia Borough Hall for Western Berks Ambulance and that they are in desperate need of funding. She stated that they would like us to get on our legislators to change the funding for EMS. She also mentioned that she had a tour of the communication center which she found very interesting.

MICHAEL CARON – PUBLIC WORKS:

Mr. Caron mentioned that they've already had two (2) meetings and that their next meeting will be on March 26th. He stated that that they are spending a lot of time trying to figure out what exactly the Public Works Committee is responsible for versus other committees. He mentioned that one of the other things they discussed was a sanitary sewer overflow valve. Mr. Hart explained that there is a property in the Borough that causes a lot of our overflow when we have flooding rains. He stated that he is looking to see if we can put a valve in to shut their service off during the flooding rain events. Discussion ensured. Mr. Caron mentioned that they thought this may help the resident from Reedy Road that was in with the flooding issues. Mr. Hart mentioned that they did check her side of the line and there is a break right at her foundation where ground water is just pouring into the line.

Mr. Metzgar left at 8:15 for another engagement.

Mr. Caron asked if they could have people volunteer on the committee who are not on Council and may not live in the Borough. Mr. Haws stated yes that they could have other people on the committee as volunteers.

TRACY PETERSON – COUNCIL PRESIDENT:

Mrs. Peterson mentioned that Michael Trainer handed in his resignation from the Public Works Department today and his last day will be March 29th. Mrs. Peterson made a motion to accept Mr. Trainer's resignation; seconded by Mrs. Gantner. AYES – 4, NAYS – 0, ABSENT – 3. Motion carried.

Mrs. Peterson stated that she would like to have a Workshop meeting this month to discuss committees and to clarify what each committee is over. She asked if everyone could come with what they think they should oversee in their committee, that way we can discuss and have something on file.

ADJOURNMENT:

Mrs. Gantner made a motion to adjourn the meeting at 8:30 p.m.; seconded by Mrs. Stine.

Respectfully submitted,

Elizabeth A. Eagelman
Borough Secretary