

The regular meeting of the Borough Council of the Borough of Sinking Spring was called to order on Thursday, November 9, 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  
Denise Stine  
Lisa Gantner (Absent)  
Brian Hoffa  
Robert Metzgar  
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.

#### **APPROVAL OF MINUTES:**

Mrs. Peterson asked for a motion to approve the minutes from the October 12, 2023 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:**

There were no visitors in attendance.

#### **CORRESPONDENCE:**

Mrs. Peterson mentioned that Council was invited to the Municipal Officials Breakfast on November 17, 2023 at the Geigertown Fire Hall in Birdsboro.

#### **APPROVAL OF THE BILLS:**

Mrs. Peterson asked for a motion to approve the bills for October 2023. Mr. Hoffa made a motion to approve the bills, seconded by Mrs. Stine. AYES – 5, NAYS – 0 ABSENT - 2. Motion carried.

#### **TREASURER'S REPORT:**

Mrs. Peterson asked for a motion to approve the Treasures Report for October 2023. Mr. Hoffa made a motion to approve the Treasurer's Report; seconded by Mrs. Stine. AYES – 5, NAYS – 0 ABSENT – 2. Motion carried.

**WESTERN BERKS FIRE DEPARTMENT:**

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

**WESTERN BERKS AMBULANCE:**

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

**REVITALIZATION:**

Mr. Hoffa mentioned that Mr. Loth's Report to Borough Council is in the packet. He informed Council that they expect 30 + elected leaders and/or key staff members to attend the BOSS Assembly on November 21<sup>st</sup> at Noon. He mentioned that they will focus on what the Borough and BOSS need to accomplish our revitalization goals. He also mentioned that they will probably be applying for a Blueprint Community with the Pennsylvania Downtown Center and if we are picked, we will receive assistance with a 5-year plan, funding sources, and there will be training that we will need to attend.

**UNFINISHED BUSINESS/POSSIBLE ACTION ITEMS:**

The first item was to approve advertising the D-1 Downtown District Zoning Ordinance. Mr. Hart mentioned that the County had come back with a few comments, so they met, and he made a few changes. Mr. Haws stated that if anything was changed then it had to go back to the Borough and County Planning Commissions for another thirty-day review. Mrs. Egelman stated that she will email the revised document to both the Borough and County Planning Commissions tomorrow.

The next item was to approve advertising the Notice of Introduction of Proposed Code Adoption Ordinance. Mr. Haws stated that we do not have to use their form and we can do our own notice. He stated that if Council approves the adoption, he will shorten up the notice and have it advertised for adoption at the December 14<sup>th</sup> Council meeting. Mr. Miller made the motion to approve the adoption of the Code Ordinance; seconded by Mr. Metzgar. AYES – 5, NAYS – 0 ABSENT – 2. Motion carried.

Mr. Haws went back to the first item. He stated that Council can approve advertising the Zoning Ordinance if they choose because there are more than thirty days until the next meeting, so if it gets emailed to the Planning Commissions on November 10<sup>th</sup> they have until December 10<sup>th</sup> to make comments and the meeting to adopt would be December 14<sup>th</sup>. Mr. Metzgar made a motion to approve advertising the D-1 Downtown District Zoning Ordinance; seconded by Mr. Hoffa. AYES – 5, NAYS – 0 ABSENT – 2. Motion carried.

The next item was the approval to advertise the 2024 Proposed Budgets. Mr. Metzgar asked if there had been any changes since last month. Mr. Hart stated that there were no changes or comments. Mr. Metzgar made a motion to approve advertising the 2024 Proposed Budgets; seconded by Mr. Miller. AYES – 5, NAYS – 0 ABSENT – 2. Motion carried.

**NEW BUSINESS/POSSIBLE ACTION ITEMS:**

Patrick Giambalvo arrived at 7:18 p.m.

The first item was to approve Resolution No. 2023-10 adopting the Hazard Plan Update. Mr. Hart explained that this happens every other year and we must pass a resolution adopting the new regulations. Mr. Miller made a motion to approve Resolution No. 2023-10 Adopting the Hazard Plan Update; seconded by Mrs. Stine. AYES – 6, NAYS – 0 ABSENT – 1. Motion carried.

The next item was to approve the 7 Brew Escrow Release. Mr. Smith stated that based on ARRO's field observations of the construction as of November 6, 2023, they recommend the release of \$58,309.00 from the Escrow Account. Mrs. Stine made the motion to approve the escrow release; seconded by Mr. Hoffa. AYES – 6, NAYS – 0 ABSENT – 1. Motion carried.

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

Mr. Smith mentioned the Phase 2 Project and that they had a big meeting today to discuss the differential in elevation between design and the field. He stated that they were able to find the cause and are now moving forward to get this resolved and get the road done.

Mr. Smith stated that they are still waiting for the Reed Bed Refurbishment. He mentioned that they have been told that there may be an approval meeting for the grant later this month.

Mr. Metzgar asked if there is a new schedule for the Phase 2 Project with this new challenge. Mr. Smith stated that once they have a solution, they will get a new schedule from the contractor and that they are still hoping to have the road open for winter.

**CHIEF OXENREIDER:**

Chief Oxenreider went over his October 2023 Activity Report.

Mr. Hoffa mentioned that his wife was almost hit head on when she turned right on to Penn Avenue from Broad Street. He stated that someone going the opposite direction on Penn Avenue came over the double yellow line to avoid traffic and almost hit her. Chief Oxenreider mentioned that it happens all of the time and that they will keep an eye on it.

Mrs. Peterson mentioned that no one stops at the stop sign on North Hull Street at Cacoosing since Cacoosing Avenue is closed. She stated that Borough employees are also doing it. Mr. Hart stated that it will be addressed. Mr. Giambalvo also complained about the Fire Company Volunteers flying down Ruth Street to get to the Fire House for a call. Mr. Miller stated that we will have Mr. Renshaw remind his volunteers not to speed to get to a call. Chief Oxenreider stated that he will get the speed enforcement sign back out soon on Ruth Street and have an officer sit on Cacoosing to watch the stop sign.

**MIKE HART – BOROUGH MANAGER:**

Mr. Hart mentioned that Mr. Norris was here to ask about his property on Krick Avenue. He stated that the Borough has received reimbursement from the grant for the funds spent to purchase the other three properties on Krick Avenue. He asked Council for permission to talk to Mr. and Mrs. Norris about moving forward with purchasing their property. Council approved Mr. Hart's request.

**TRACY PETERSON – LIBRARY AND RECREATION:**

Mrs. Peterson mentioned that everything is good with the library right now and that they are going to be helping with the Holiday Open House on December 6<sup>th</sup>. She also mentioned the Staff Luncheon will be on Friday, December 15<sup>th</sup> at P J Whelihan's starting at noon.

**ROBERT METZGAR – FINANCE:**

Mr. Metzgar mentioned that they had a meeting on October 9<sup>th</sup> and most items were taken care of at the last Council meeting.

Mr. Hoffa mentioned that he is part of the Southeast Republican Committee and they have lost their meeting place. He questioned if it would be possible for them to use the Council room for their meetings once a month for about an hour and a half. Mr. Hart stated that they would have to schedule it. Council agreed that it would be ok for Mr. Hoffa to make that suggestion to them.

**DENISE STINE – PUBLIC SAFETY:**

Mrs. Stine mentioned that her husband was driving the ladder truck down Penn Avenue the other night, and someone pulled out of North Hull Street right in front of him and he had nowhere to go because of the Pedestrian Crossing signs that are in the middle of the road. She stated that her husband wanted her to ask if they could be removed. Discussion ensued. Mrs. Peterson stated that if the sign gets hit so a car does not, we would be ok with that. She really did not want the sign removed.

**ADJOURNMENT:**

Mr. Hoffa made a motion to adjourn the meeting at 7:53 p.m.

Respectfully submitted,

  
Elizabeth A. Egelman  
Borough Secretary