

The regular meeting of the Borough Council of the Borough of Sinking Spring was called to order on Thursday, October 12, 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  
Brian Hoffa (absent)  
Robert Metzgar (absent)  
Patrick Giambalvo (absent)

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 September 14, 2023 Council Meeting. Mrs. Stine made the motion to approve the minutes; seconded by Mrs. Gantner. AYES – 4, NAYS – 0, ABSENT - 3. Motion carried.

**VISITORS/PUBLIC COMMENT:**

There were no visitors in attendance.

**CORRESPONDENCE:**

There was no correspondence.

**APPROVAL OF THE BILLS:**

Mrs. Peterson asked for a motion to approve the bills for September 2023. Mrs. Stine made a motion to approve the bills, seconded by Mrs. Gantner. AYES – 4, NAYS – 0 ABSENT - 3. Motion carried.

**TREASURER'S REPORT:**

Mrs. Peterson asked for a motion to approve the Treasures Report for September 2023. Mrs. Gantner made a motion to approve the Treasurer's Report; seconded by Mrs. Stine. AYES – 4, NAYS – 0 ABSENT – 3. Motion carried.

**WESTERN BERKS FIRE DEPARTMENT:**

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

**WESTERN BERKS AMBULANCE:**

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

**REVITALIZATION:**

Mrs. Peterson stated that the BOSS Forward Report to Borough Council from Mr. Loth is included in the email packet. Mr. Hart mentioned that there is a public meeting on Tuesday, November 21<sup>st</sup> at 12:00 Noon in the Council Chambers. He stated that they invited U.S Senate and Congressional, PA State, Berks County, and local representatives to present the “SSB Revitalization Project” to date and to offer strategies for the delegation to fund, support and assist the project.

**UNFINISHED BUSINESS/POSSIBLE ACTION ITEMS:**

The first item was the D-1 Downtown District Zoning Ordinance/Form Based Code – BCPC Review Letter. Mr. Hart stated that we received a review letter back from the Berks County Planning Commission on October 10, 2023 and a copy was emailed to all of Council for their review. He stated that the County did have a couple comments and he needs to see if we need to make changes or if we can advertise to adopt next month.

The next item was the Traffic Planning and Design, Inc. Professional Services Agreement – Supplement No. 001. Mr. Hart explained that TPD is our state mandated inspection service for our project and since the project has been drug out for a long period of time their services are being used up and they need to extend their contract which would be an additional \$53,230.48. He stated that he is looking for approval to extend their contract. Mr. Miller made a motion to approve executing the extension; seconded by Mrs. Gantner. AYES – 4, NAYS – 0 ABSENT – 3. Motion carried.

The next item was ARRO’s Additional Phase 2 Project Cost Breakdown. Mr. Hart explained that this too is additional work that ARRO had to do because of some of the issues that we ran into, and additional time needed to complete the project. He stated that their estimated additional cost is \$49,300.00. Mr. Miller made a motion to approve the additional expenses; seconded by Mrs. Stine. AYES – 4, NAYS – 0 ABSENT – 3. Motion carried.

The next item was to approve moving forward with purchasing the chipper. Mr. Hart stated that he applied for a cat 4 grant for the chipper, and we were awarded just shy of \$100,000.00 and the chipper is around \$103,000.00. He mentioned that he would like to move forward with the purchase before the grant expires. Mrs. Gantner made the motion to approve moving forward with purchasing the chipper; seconded by Mr. Miller. AYES – 4, NAYS – 0 ABSENT – 3. Motion carried.

**NEW BUSINESS/POSSIBLE ACTION ITEMS:**

The first item was to approve Resolution No. 2023-09 setting the 2024 Council Meeting dates. Mrs. Peterson stated that the meetings will be the second Thursday of the month, except for January, which will be Tuesday, January 2<sup>nd</sup> for the Reorganization Meeting, and the regular Council Meeting. Mr. Miller made the motion to approve Resolution No. 2023-09; seconded by Mrs. Gantner. AYES – 4, NAYS – 0 ABSENT – 3. Motion carried.

The next item was to approve the Village Greens Escrow Release. Mr. Smith explained that Village Greens has posted a Letter of Credit in the amount of \$4,946,282.94 to cover the cost of improvements over at Village Greens. He stated that they are allowed to reduce that letter of credit for items that they have completed so they are not paying interest on the whole thing. He mentioned that Mr. Robitzer requested the release of \$2,785,947.85 of which ARRO recommends the release of \$2,429,356.35. Mrs. Gantner made a motion to approve the escrow release of \$2,429,356.35; seconded by Mr. Miller. AYES – 4, NAYS – 0 ABSENT – 3. Motion carried.

The next item was the proposed 2024 Budgets. Mr. Hart mentioned that the way he has it laid out, there is no need for an increase in taxes or fees to cover any of the budget expenses. He briefly went over the 2024 Proposed Budgets for the General Fund, Emergency Services Fund, and the Sewer Fund. Mrs. Peterson thanked Mr. Hart for all his hard work and stated that they will review the budgets and take action to advertise next month.

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

Mr. Smith went over the highlights of his report. He mentioned the Phase 2 Project and that they are paving on Columbia Avenue and should finish that up shortly and then they will head over to finish Cacoosing Avenue and hopefully everything should be blacktopped by the end of the paving season which is November 15<sup>th</sup> and then they will finish in the Spring. He mentioned that they are working on the MS4 and Pollution Reduction Plan, the DRBC Docket Renewal and the NPDES Permit Renewal for the WWTP.

**CHIEF OXENREIDER:**

Chief Oxenreider went over his September 2023 Activity Report.

**MIKE HART – BOROUGH MANAGER:**

Mr. Hart mentioned that we received a check for almost \$13,000.00 from our workers comp. provider KMIT because of our safety efforts.

**TRACY PETERSON – LIBRARY AND ADMINISTRATION:**

Mrs. Peterson mentioned that the library is doing good right now and that they just moved things around and it looks good.

Mrs. Peterson mentioned that the Admin Committee is going to be working on the new fee schedule for admin and recreation. She also mentioned that we should start thinking about changing out the Surface Pros.

Mrs. Peterson asked Mr. Hart about the fence situation at Village Greens. Mr. Hart stated that the plan shows a fence, but it does not say what kind and we do not have anything zoning wise that restricts any type of fence that goes up there only a height limit of 8 feet. Mr. Smith stated that the SALDO requires a fence around any detention ponds that can hold over 3 feet of water. He mentioned that according to the plan it is a split rail fence with a vinyl mesh backing. Discussion ensued.

**LISA GANTNER – RECREATION:**

Mrs. Gantner confirmed that Halloween Trick-or-Treating will be on October 31<sup>st</sup> from 6 pm to 9 pm. She stated that the Holiday Open House will be Wednesday, December 6<sup>th</sup> from 6:30 pm to 8:30 pm with the library. She also stated that they are going to have the Staff Holiday Luncheon on Friday, December 15<sup>th</sup>

**DENISE STINE – PUBLIC SAFETY:**

Mrs. Stine mentioned that the Western Berks Fire Department will be having their Open House this Saturday from 10 am to 2 pm. at the Wernersville station.

**ADJOURNMENT:**

Mr. Miller made a motion to adjourn the meeting at 7:29 p.m.

Respectfully submitted,



Elizabeth A. Eagelman  
Borough Secretary