

The regular meeting of the Borough Council of the Borough of Sinking Spring was called to order on Thursday, September 8, 2022, at 7:00 p.m. by Council President Tracy Peterson. After the pledge to the flag, Debra Bohn called the roll reflecting the following Council Members present:

Tracy Peterson  
H. David Miller  
Denise Stine  
Lisa Gantner (Absent)  
Brian Hoffa (Absent)  
Robert Metzgar  
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 Debra Bohn, Borough Treasurer, who recorded the minutes of the proceeding.

**EXECUTIVE SESSION:**

Mrs. Peterson stated that Council will be going into an Executive Session for a Police personnel issue and there may be action taken. Council went into Executive Session at 7:01 P.M.

**RECONVENE:**

Council reconvened at 7:12 P.M. and the following action was taken.

Mr. Miller made a motion to deny the grievance submitted by Officer Yatsko and any proposed settlement of the same matter; seconded by Mrs. Stine. AYES – 4, NAYS – 0, ABSENT - 3. Motion carried.

**APPROVAL OF MINUTES:**

Mrs. Peterson asked for a motion to approve the minutes from the August 11, 2022, Council Meeting. Mrs. Stine made the motion to approve the minutes; seconded by Mr. Metzgar. AYES – 4, NAYS – 0, ABSENT - 3. Motion carried.

**VISITORS/PUBLIC COMMENT:**

There was no public comment.

**CORRESPONDENCE:**

Mrs. Peterson mentioned that we received correspondence from Grafika that they are applying for a Department of Environmental Protection General Permit (GP-7) for a new seven color lithographic press Permit to increase their print capacity located at 710 Johnston Street in the Borough. Mr. Hart stated that this is just if Council wants to comment and that there is a period of time that we can send in our comments. Mr. Smith mentioned that since they are changing processes, he would recommend that they submit a new pretreatment application.

**APPROVAL OF THE BILLS:**

Mrs. Peterson asked for a motion to approve the bills for August 2022. Mrs. Stine made a motion to approve the bills, seconded by Mr. Miller. AYES – 4, NAYS – 0 ABSENT - 3. Motion carried.

**TREASURER'S REPORT:**

Mrs. Peterson asked for a motion to approve the Treasures Report for August 2022. Mrs. Stine made a motion to approve the Treasurer's Report; seconded by Mr. Metzgar. AYES – 4, NAYS – 0 ABSENT – 3. Motion carried.

**WESTERN BERKS FIRE DEPARTMENT:**

Mr. Renshaw showed a power point presentation showing what they did on August 3, 2022, at the fire at Reading Alloys in South Heidelberg Township and how they operated. He stated that this fire is one that he will look back on with a lot of pride because it took a lot of work before hand, during and after and that they were extremely successful in how they handled that incident. He mentioned that Mr. Barton White, CEO of Kymera International that owns Reading Alloys was up a few weeks after the fire to survey the damage and told him that thanks to their efforts they will be back up and running in September 2022 instead of September 2023 and that they made a great impact on the global economy. Mr. Renshaw stated that Mr. White wanted to give the department a token of thanks and appreciation so he asked if they would consider giving them something that they can give back to the community with, and they were able to talk them into buying the department a Fire Extinguisher Training Simulator that works off propane and has specialized extinguishers to put it out with. He mentioned that they do a lot of classes at childcare facilities, and they always have to borrow one.

**WESTERN BERKS AMBULANCE:**

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

**REVITALIZATION:**

Mr. Hart mentioned the Phase 4 program and the kick back we got from PennDOT with them wanting to change our overall plan. He stated that a few of them met with Kevin Barnhardt and discussed the issues that we are having and trying to facilitate a meeting with the County Commissioners, Senators, Borough Council and PennDOT Officials to sit down and come up with a compromise on a Smart Street Plan. He mentioned that PennDOT has a special program called CONNECTS that they are supposed to utilize with local government to get their input before they go to any design for highway changes which was never done with Phase 4 and that they took our plan and changed it to make it work for them. He mentioned that this will be a large meeting and that all of Council and the Mayor will be invited along with the property owners along Route 724. He stated that the meeting is tentatively set for Monday, September 19<sup>th</sup> between 1 and 5 in the County Services Center. He stated that this is the time for us to stand up and push for as much as we can. He also mentioned that Barta is still very in tune with still moving forward with putting a transportation center down here and so is Red Rose Transportation.

**UNFINISHED BUSINESS/POSSIBLE ACTION ITEMS:**

Mrs. Peterson stated that we had discussed borrowing funds from the Capital Improvement Fund to purchase 8, 10 & 12 Krick Avenue and that we need a motion for that. Mr. Metzgar made the motion to authorize using the Capital Improvement Fund to purchase those properties; seconded by Mr. Miller. AYES – 4, NAYS – 0 ABSENT – 3. Motion carried.

**NEW BUSINESS/POSSIBLE ACTION ITEMS:**

Mrs. Peterson stated that the first item is to approve the 2023 Police Pension Fund MMO for \$0.00. Mrs. Stine made the motion to approve the 2023 Police Pension MMO; seconded by Mr. Miller. AYES – 4, NAYS – 0 ABSENT – 3. Motion carried.

The next item was to approve the 2023 Non-Uniform Pension MMO for \$48,799.00. Mrs. Stine made the motion to approve the 2023 Non-Uniform Pension MMO; seconded by Mr. Metzgar. AYES – 4, NAYS – 0 ABSENT – 3. Motion carried.

The next item was to approve the loader repair estimate of \$9,346.77. Mr. Metzgar made the motion to approve the loader repair; seconded by Mrs. Stine. AYES – 4, NAYS – 0 ABSENT – 3. Motion carried.

The next item was a Resolution to designate signers for the Local Share Grant. Mr. Hart stated that he has been looking to see what we could use this for and that we can't use it for anything that has already been started. He stated that we could use a brush chipper for our yard waste site. Mr. Miller made a motion to approve the Resolution designating Mr. Hart and Mrs. Peterson as signers for the Local Share Grant; seconded by Mr. Metzgar. Mrs. Peterson asked for a motion to move forward with bids for the brush chipper. Mr. Metzgar made the motion; seconded by Mrs. Stine. AYES – 4, NAYS – 0 ABSENT – 3. Motion carried.

**NEW BUSINESS/POSSIBLE ACTION ITEMS (Cont.):**

The next item was to move Officer Jennifer Rightmyer to Patrol Person 1<sup>st</sup> Class at a rate of \$37.32 per hour. Mrs. Stine made a motion to approve moving Officer Rightmyer to Patrol Person 1<sup>st</sup> Class at a rate of \$37.32 per hour; seconded by Mr. Metzgar. AYES – 4, NAYS – 0 ABSENT – 3. Motion carried.

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

Mr. Smith gave an update on the Phase 2 Project. He stated that ARRO submitted the supplement to PennDOT on August 22, 2022, and PennDOT approved the supplement on September 7, 2022. He stated that PennDOT advised that we are not allowed to core bore into their structures, so we are having a meeting with Mr. Hart tomorrow to work out the details of the structures that we are going to have to replace since we are not allowed to cut into them. He mentioned that they had a progress meeting today and that PPL is mobilizing and should start on Monday and the contractor gave us a tentative date to return of October 3<sup>rd</sup>.

Mr. Smith mentioned that Village Greens has started their construction and a detour has been set up for the work on Reedy Road. He stated that construction of the sanitary sewer connection has started. Mrs. Peterson stated that we need to do a much better job on the way that the detour was handled and that she is getting slammed with questions from residents and she has no information to give them. She stated that we need a way to notify residents of issues like this. Mayor Cirulli mentioned using the Code Red system. Mr. Metzgar backed Mrs. Peterson and stated that as an Admin Committee they need to start budgeting for an appropriate messaging system and services. Mr. Metzgar also commented that he is concerned about Cacoosing Avenue with all this extra traffic and parking on both sides of the street. Mr. Haws suggested considering an Occupancy permit be required for work anybody is doing in the right-of-way with stipulations that they must contact fire, police, submit a traffic plan and a schedule, put door hangers on affected properties and have this all approved. Mrs. Stine mentioned that during the Brookfield Manor development construction they removed parking from her side (odd side) of Cacoosing Avenue. Mr. Hart stated that we should seriously think about doing that now for the Village Greens construction. Discussion ensued. Mrs. Peterson stated that we just need to do a better job of communicating with the residents and it has got to be fixed now because we are just coming into a time where there is going to be a lot of street closures and it is a pain for everyone, but we can do better, and we need to do better. She stated that we can pull the permit application, send it to Mr. Haws, he can make changes, then we can look at how we are going to do temporary no parking on Cacoosing to alleviate some of the traffic issues.

Mr. Smith mentioned that Alcon has submitted a Stormwater Plan and that they are building a patio for their employees. He stated that they are requesting a waiver from Stormwater Ordinance Section 307, which requires that the 1-year SCS storm must be detained for 24 hours. He stated that it is such a small improvement that changes to the basin would be insignificant and very difficult to do. He stated that he does support the waiver, but wants to keep track of this so that when they do something else there we can include this small project to it.

**BRAD SMITH – ARRO CONSULTING – POSSIBLE ACTION ITEMS (Cont.):**

Mr. Metzgar made a motion to approve the waiver with the understanding that the impervious from this project will be considered in the next project for this requirement; seconded by Mrs. Stine. AYES – 4, NAYS – 0 ABSENT – 3. Motion carried.

Mr. Smith mentioned that he spoke with Empire Services, and they plan to come out this week to address the lawn issue.

**CHARLES HAWS – SOLICITOR:**

Mr. Haws mentioned that they submitted for Title Insurance for the Krick Avenue properties, and they are waiting for a closing date and getting the Title reports back. He stated that Edge Abstract will be handling the closings.

**MIKE HART – BOROUGH MANAGER:**

Mr. Hart mentioned that we are running up against a deadline for a grant for the Phase 2 project. He stated that he has been having meeting with Laura Montgomery and a few other people trying to get the state to extend the time frame again for another year.

Mr. Hart stated that he is going to start working on the Budgets for 2023.

Mr. Hart mentioned that he was approached by a group of friends that would like to plant a tree at the playground in memory of Donna Venning. Mr. Miller made a motion to approve the planting of a tree at the playground; seconded by Mrs. Stine. AYES – 4, NAYS – 0 ABSENT – 3. Motion carried.

**TRACY PETERSON – LIBRARY:**

Mrs. Peterson made a motion to hire Margaret D’Amico at \$11.00 per hour as a Library Assistant and Passport Agent; Seconded by Mr. Miller. AYES – 4, NAYS – 0 ABSENT – 3. Motion carried.

**ROBERT METZGAR – ADMIN COMMITTEE:**

Mr. Metzgar mentioned that they need to have an Admin Committee meeting to go over the Website proposals. Mr. Miller mentioned that PSAB is now doing web services.

**ADJOURNMENT:**

Mr. Miller made a motion to adjourn the meeting at 8:52 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Elizabeth A. Egelman", is written over a horizontal line.

Elizabeth A. Egelman  
Borough Secretary