

**Orwigsburg Borough Council**  
**Meeting Minutes**  
**June 16, 2021**

The Orwigsburg Borough Council met on Wednesday, June 16, 2021, in Council Chambers. President Rick Bubeck called the meeting to order at 7:00 pm and the Pledge of Allegiance was recited.

**Attendance:** President Rick Bubeck, Vice President Rod Schaeffer; Councilors: Kerry Mariano; Katie Bedway; Brock Stein. Mayor Barry Berger; Solicitor Paul Datte; Borough Manager Randy Miller; Borough Secretary Sherry Edwards. Absent: Angie Hoptak-Solga; Maddie Bartush.

**Visitors:** Bill Knecht – 204 S Warren St; Eric Moore – Entech Engineering; Officer in Charge Bobby Bechtel; Dave Walasavage – ARRO Consulting; Chris Bentz – Alfred Benesch; Craig Eichert 216 Long Ave; Ron Geiger – 206 Pine St, Auburn; Sandy Adams – 210 Long Ave; Daniel Cameron – 200 Long Ave; Tim Wilhelm – Ridgeview Dr; Daniela Shellhamer & Eric Lutz – 133 Long Ave.

**Public Comment:**

Craig Eichert, 216 Long Ave requested updates on the following properties:

119 S Liberty St –

- *Bankruptcy was dismissed*
- *Made efforts to contact owner for him to convey property over to the Borough to utilize County funds for demolition of the building. Contact efforts were unsuccessful.*

201/203 Long Ave properties post demolition

*Specifications are being drafted for Councils review and approval. After approval specs will be advertised. Specs will include demolition of current culvert and reconstruction of the creek. Put out for bid to have culvert removed. Three options to consider:*

*Closed precast culvert*

*Open stream with riprap banks*

*Open stream with gabion walls*

Craig Eichert made a suggestion if there is land left over use as a parking area for residents to park when it snows to make it easier for borough to plow.

- *Since the buildings were demolished with County funds, 75% of the money received from the sale of properties needs to be returned to the County. County was contacted regarding what the policy is if the borough would decide to keep the properties and possibly subdivide property with garage and rent out the garage. Waiting to hear back from the County.*

Ron Geiger – 206 Pine St, Auburn,

Ron submitted a satellite imagery video of Long Avenue with an extreme amount of water coming from Industrial Drive. Flooding problem is coming from up stream.

Ron also requested a waiver of overages on the utility bills that will be coming out. His tenants are using a lot of water to clean up after the flooding.

Damage claim forms were available for homeowners to complete and return to the borough for mitigation in the future.

The borough did meet with local emergency management coordinator who has contacted PEMA office which is where the damage claim form came from. Last year FEMA introduced a new grant application called “BRIC” (Building Resilient Infrastructure and Communities) it’s the borough intent to have Alfred Benesch spearhead compiling all information needed in order to come up with an amount for the grant application. This will allow us to deter water upstream and address three know bottlenecks: Long Ave, W Market St and Ridge Rd. Borough looking for grant money to use to handle any storms up to 50-to-100-year storms. There are storms that are impossible to be prepared for.

The borough has made contact with SEDCO, PEMA, County Emergency Mgmt. and Chamber of Commerce to form a public/private partnership to mitigate wetlands in the Industrial Dr area.

Sandy Adams 210 Long Avenue-

Has damaged pool, deck and bridge along with black top sidewalk all need to be replaced. Questioned applying for permits.

- *Any permits issued will be at no cost to the residents*

Bill Knecht 204 S Warren St – questioned 2 agenda items:

9.c Blue Mountain Village Retirement Community – typo?

- *Yes, that is a typo*

Planning Commission has not met on this since December should there be an extension requested?

- *The Preliminary Development Settlement Agreement entered into includes an open-ended extension until either side notifies the other that the 90-day extension period would begin.*

## **Minutes**

A motion to approve minutes from the May 5, 2021, Work Session and May 12, 2021, Council meetings as presented was made by Katie Bedway, second by Brock Stein. Motion carried with no members expressing opposition to the motion.

## **Treasurer’s Report**

The April 2021 Treasurers Report has been presented to Council for their review and comment.

## **Tax Collector’s Report**

The Tax Collector’s Report for May 2021 has been presented to Council as follows:

Real Estate	\$ 5,802.12
Fire Tax	\$ 548.68
Per Capita	\$ 379.00
Occupation	\$ 105.14

### **Tax Exoneration List #4**

A motion to exonerate the Tax Collector from collecting Occupation Tax on Tax Exoneration List #4 was made by Katie Bedway, second by Rod Schaeffer. Motion carried with no members expressing opposition to the motion.

### **Building Permits**

The May Permit report was as follows:

- 0 New Permit issued at \$0 total value
- 7 Renovation Permits issued at \$44,621.00 total value

### **Police Report**

Officer In Charge Bobby Bechtel presented the May Police Report:

731 Regular hours  
102.5 Overtime Hours (110.5 OT hours last month, 24.5 OT hours in April 2020)  
    3.5 Hours Late calls  
    40 Hours to Cover Shifts  
    6 Hours for Court Appearances  
    12.5 Hours Administrative  
    31.5 Hours Holiday  
    14 Training hours  
    12.5 Hours - Memorial Day Parade  
    1 Call out  
    4 Hours Vacation  
48 Hours Personal  
67.5 Holiday  
72 Sick  
~~~~~  
2,660 Total Mileage for Police Vehicles  
    362.5 Total Vehicle Patrol Hours  
    6.5 Total Foot Patrol Hours  
    -0- Bike Patrol Hours  
131.5 Traffic Enforcement Hours  
    16 Traffic Citations issued  
    27 Warnings issued  
    3 Parking Tickets issued  
.....  
205 Incidents – Handled by 5 Officers  
    9 – Reportable Crimes  
        1 - Suicide

- 1 – Simple Assault
- 1 – Fleeing and Eluding
- 2 – Theft
- 1 - Public Drunkenness
- 1 – Driving Under the Influence of Drugs/Alcohol
- 1 – Endangering the welfare of a child
- 1 – PFA Violation

Charges Filed:

Criminal Complaints – 3

Update:

Welcome our new Chief – Vince McDonald to Orwigsburg. The Department is excited to start working with him.

Congratulate Officer McBreen on the birth of his first child, a daughter named Mylah. She was born on May 30<sup>th</sup>. Both mother and baby are doing well,

Officer Bryce Lewis will be leaving the Department on June 20<sup>th</sup> to begin a new chapter as he enters the Pennsylvania State Police Academy to become a State Trooper. Officer Lewis was always a dedicated officer who was here for the town and its people. No matter who works here in the future, the Police Department will be a little less fun and a little more boring without him. His coworkers and I wish him all the best!

OIC Bechtel thanked Council for placing their trust in him as OIC.  
Council thanked him on doing a great job!

**Business**

**Solicitor's Report – Paul Datte**

Ordinance 448 – this ordinance limits the existing loading zone times on S Warren St to the hours of 7:30 am to 4:00 pm. Ordinance has been advertised and posted and is in position for adoption.

A motion to adopt Ordinance #448 limiting time on the existing loading zone on S Warren St and Market St to the hours of 7:30 am to 4:00 pm was made by Rod Schaeffer, second by Katie Bedway. Motion carried with no members expressing opposition to the motion.

Rettew Associates – Proposal from Rettew Consulting to develop a Request for Proposal (RFP) for valuation and potential options with respect to the borough's water and wastewater systems. This proposal would assist the borough in preparing the RFP and valuating proposals that would be submitted pursuant to the RFP. The scope of service is consistent with what the borough was looking for and the pricing is reasonable.

A motion to proceed with the proposal from Rettew Associates, Inc to prepare RFP was made by Rod Schaeffer, second by Katie Bedway. Motion carried with no members expressing opposition to the motion.

## **Blue Mountain Village – no updates**

Updates on:

**119 S. Liberty Street** – no success in contacting owner; take necessary steps to acquire title to the property and utilize State grant funds administered through the County for demolition.

**100 E. Market Street** – Sheriff Sale scheduled for August 13<sup>th</sup> of 2021- every effort will be made to satisfy liens and outstanding delinquent charges from the borough,

**200 W. Market Street** – new owner has been in touch with ARRO regarding grease trap compliance. Will be included in future renovations.

Potential Co-operation Agreement with other Municipalities – Randy has not been contacted to date by North Manheim Township. Suggestion was made to broaden to include West Brunswick Township who has similar arrangements with South Manheim Township and Wayne Township.

## **Engineer – Bill McMullen, Dave Walasavage, Shannon Darker**

Council received May's Permit report and Property Code Violations for review.

Major extent of damage to 510/512 W Market St was flooding caused sink holes in their yards. Structural issues were from preexisting conditions.

512 W Market had an independent structural engineer to evaluate situation – homeowner corrected issues  
510 W Market is still be evaluated by their insurance co.

## **Projects**

**Industrial Drive** – ARC grant has been awarded for \$819,441; Awaiting kick-off meeting with PennDOT – Working with Solicitor on drainage easements before project begins. Paving/curbing could help alleviate water onto Long Ave.

201 & 203 Long Avenue demolition completed by use of County funds

1. Removal of old culvert from obstructing the stream
2. 3 Options to consider
  - Closed precast culvert
  - Open stream with riprap banks
  - Open stream with gabion walls
3. Design specs on culvert removal and stone swale

A motion for ARRO to develop bid specs on removal of culvert and implement stone swale and authorize advertisement of bid was made by Katie Bedway, second by Rod Schaeffer. Motion carried with no members expressing opposition to the motion.

## **Capital Improvements List**

### **Road Projects**

Lehigh Street Storm Water Improvements performed by borough workforce; install inlets and drainage. Paving will be contracted out.

Margaret Ave Storm Improvements performed by borough workforce. Put in inlets and drains prior to contractor coming in for paving repairs. Put on hold until after Lehigh is complete.

Wayne St and Mifflin St – Stormwater improvement project

Replace deteriorated borough storm pipe, inlet & manhole. Large clog exists that does not allow water to pass from the catch basin into the stormwater system. Project requires trenching and trench support in place which our workforce does not have the ability to perform. Dave Walasavage will seek quotes.

Mill with Haul and Place bid – compiling a list of areas

**Borough Hall Renovations** – Pre-construction meeting was held; Contractor will be setting up next week to begin renovations.

**Planner** – Chris Bentz

**RACP update for Veterans' Memorial Building** – We did get formal agreement and received clearance to move forward. Met with John Levkolic for kitchen interior upgrade improvements. Met with Taskforce and TMT Group who is doing the case work on the interior design of the building. Should have something for the July meeting to advertise and receive bids.

**BLQ request** – Still working on the financing hopes to have finalized next month. Extension last thru next month.

**Blue Mountain Village** – A meeting is scheduled in house with their team and will get us a schedule.

**CFA Grant Application** – Application for Fanelli Park has been completed and submitted by the deadline May 28, 2021.

**Decatur St. Stormwater design** – Plan drafted and given to borough – Schedule another site visit to determine how to phase and review budget concerns. Have adjacent property owners sign an easement agreement.

Council is OK to proceed

**Sketch Plan** – received plan but no fee to date.

**Comprehensive Plan** – nothing to offer at this time

**Flood Mitigation** - (BRIC) Building Resilient Infrastructure and Communities grant through FEMA; grant opens in September based on last year. Issues up to \$600,000 run through the State. 75/25 program, borough will need to fund 25%. One page form to say you are interested along with description of project, problem to be solved and estimated costs. Chris suggests doing a field walk through for clear scope of work in order to put a cost to the project. Could require hydraulic modeling. Will also need to gather information from Entech and ARRO.

**Water/Sewer – Eric Moore**

**Sewer Main Upgrades**

Long Ave to Warren St. - Grouting and Lining

One section of piping remains that needs to be repaired under the old culvert; based on the condition of the culvert it is not feasible to replace pipe; most cost-effective option is to grout and line pipe. Need dry conditions before repair can be done.

Suggests transfer work from Pact One and apply as change order to Standard Pipe contractor under the collection system repair bid.

CCTV and Subsurface repairs – NOA issued / Await executed contract.

Marshall Drive Sewer Replacement – Awaiting survey – Surveyor under contract; will do work week of June 28<sup>th</sup>. Will also survey the additional areas that will need repair in the future.

**Sewer Plant Upgrades**

Phase 1 – Notice to proceed has been issued

Phase 2 – Bids received on Tuesday, June 8, 2021 – bid results

Alen Myers \$805,555 - mechanical work

Hirneisen Electric Inc \$151,600 - electrical work

Entech recommends the borough issue the Notice of Award to the bidders listed above.

A motion to award Phase 2 Contract #1 to Alan Myers, LP for mechanical work in the amount of \$805,555.00 and Phase 2 Contract #2 to Hirneisen Electric Inc for electrical work in the amount of \$151,600.00 was made by Rod Schaeffer, second by Brock Stein. Motion carried with no members expressing opposition to the motion.

**Borough Manager – Randy Miller**

Council received Randy's report for review and comment:

**Parking restrictions at Fisher's Dam (firetruck)** – will be painted in the near future

**Ridgeview Fence incursion** - no update

**Orwigsburg to receive ~ \$308k in American Rescue Act Plan:** grant application has been submitted through DCED; we did receive verbal approval; now waiting for monies to be transferred into our account. Will receive 50% of the \$308,000 this year.

**Municibid results** – received bids totaling \$7,550.00

Motor 30HP (brand new-never used) – Winning Bid \$500

Ingersoll-Rand mobile Air Compressor – Winning Bid \$2,050

Worthington Pump – Winning Bid \$100.00  
Seal Master Crack Pro SM-100 – Winning Bid \$3,100.00  
2005 Ford Crown Vic Police Car – Winning Bid \$1,000.00  
2003 Ford Crown Vic Police Car – Winning Bid \$700.00  
Flink under tailgate, 8’ spreader – Winning Bid \$100.00

A motion to ratify the sale of the Municibid items listed above for \$7550.00 was made by Katie Bedway, second by Brock Stein. Motion carried with no members expressing opposition to the motion.

## **Committee Reports**

### **Finance & Budget – Brock Stein – no report**

### **Personnel – Rick Bubeck**

Time Clock - discussed previously to be installed at borough garage. Being discussed in union negotiations and feels it is time to install one. Suggestion was made to contact our payroll company and obtain a proposal.

Personnel - nothing

Memorial Day Over-time – \$1484.69 Total overtime paid  
\$192.61 Water / Sewer  
\$725.68 Holiday pay and overtime 566.40  
\$566.40 Overtime to cover parade

### **Communication & Technology – Angie Hoptak-Solga**

Comcast Contract due in 2023 – after a further review of the contract, the due date is 2023. New FCC regulations leaves little room to negotiate.

### **Economic Development/Revitalization – Maddie Bartush**

Industrial Drive ARC grant -working with SEDCO to market available lots for sale ability

### **Water, Sewer & Sanitation – Rod Schaeffer**

Report of Water / Sewer Operations

Miller Environmental Inc. Reports – Dean has spent time on site for chemical dosing for iron and manganese.

MUA Meeting - Monday, June 14, 2021 @ 1:00 p.m.

Dave Hannum credit request –

Owner of 212 N Warren St (rental unit) is requesting a credit on his future utility bills for his properties. Roto Rooter has been at this address three times since February along with a visit from Daniels & Schneck.



Determined to be clogged with a root ball and debris in line is coming from 210 N Warren St. His property has been vacant for months and was undergoing renovations. Mr. Hannum is requesting a \$985.00 credit, total of two Roto Rooter bills.

Past practice of the borough was from the trap to the main we took responsibility when a “borough employee is present”. In this case Dave Teter was only present when he himself called Roto Rooter for service to that line.

Solicitor Datte noted typically it is the homeowners responsibly from the house to the property line, and boroughs responsibility from the property line or trap to the main.

Eric Moore noted there is a definition in our Rules & Regulations that says the borough is responsible from the main to the property line for maintenance. Homeowner is responsible from the property line to the house. Since roots were the issue, the line should be repaired because roots destroy the pipe and should be replaced. He suggests having the line televised to find where broken line occurs.

The video will be viewed to see if a determination can be made which side of the line the broken pipe is.

### **Streets, Lights & Buildings – Rick Bubeck**

List of milling projects:

- Eisenhower Dr
- Ridge Rd shoulder
- Clark Dr & Ridge Rd
- Liberty St
- Hoy and S Warren St
- Independence
- Tammany & N Liberty St – Storm basin
- Walborn @ playground
- N Walborn & Cherry Intersection
- Merle Terrace – rolled curb
- Lehigh @ upper side
- 650 Ridge Rd – front of driveway
- N Warren, Mifflin – Tammany
- Cherry & Franklin
- E Church St
- S Franklin & Market – has been completed

### **Salt shed - ~\$50,000**

Other proposals were reviewed, and the Log Cabin Estimate was the least costly. Salt shed will be located at the of Industrial and Long at the Borough Garage. DEP has been telling the borough to relocate the shed away from the water treatment plant. Concerns from some councilors: Cost, new location could still contaminate water supply; wait for Industrial Dr reconstruction project to be complete.

A motion to purchase on new salt shed to be located at the Borough Garage was made by Rick Bubeck, second by Rod Schaeffer. Roll Call Vote taken:

|                           |                        |
|---------------------------|------------------------|
| Councilor Mariano – No    | Councilor Stein – Yes  |
| Councilor Schaeffer – Yes | Councilor Bedway – Yes |

President Bubeck – Yes  
Motion carried.

**Woods & Wildlife select harvest of trees –**

The borough has an opportunity to timber 400 acres at the watershed. A forestry Consultant came in to meet with Rick and Randy, the borough could potentially get \$300,000 for a select harvest. The borough would have easy access on the west side and east side of the watershed. At this time Council would be committing to having the forester come in to do an inventory and mark trees for harvest. Then the borough would receive quotes from reputable harvesters and council would make the final decision. Only cost to borough would be 15% consulting fee at the time the down payment fee is made from the harvester.

A motion to move forward with Woods & Wildlife Forestry Consulting Agreement was made by Brock Stein, second by Rod Schaeffer. Motion carried with no members expressing opposition to the motion.

**Recreation & Health – Katie Bedway**

Blue Mountain Rec – No update

Allstar games begin on Monday at the Little League field

**Planning & Zoning – Katie Bedway**

Planning & Zoning will not meet on Wednesday June 16, 2021

Zoning amendment ideas – Randy is accepting ideas for any changes or recommendations to zoning.

**Safety & Policy – Kerry Mariano – Nothing to report**

**Bargaining & Negotiations – Mayor Berger – Nothing to report**

**Police Department – Mayor Berger**

Mayor Berger is requesting approval for John Koury to be appointed as an unpaid consultant to OPD to assist the new Chief. The borough also appointed Chief Stan Brozana when John Koury became Chief.

A motion to appoint John Koury as an unpaid consultant to the Orwigsburg Police Department was made by Brock Stein, second by Rod Schaeffer. Motion carried with no members expressing opposition to the motion.

Policy updates – There is policy in place and is being researched.

**COG – Sue Murphy – Next meeting September 9<sup>th</sup> @ 7:00 pm in Council Chambers**

**Correspondences- none**

**Bills** –

A motion to approve and ratify the accounts payable for General, Fire, Water, Sewer, Sanitation, State, Grant, Credit Union, and Capitol Improvement accounts was made by Brock Stein, second by Katie Bedway. Motion carried with no members expressing opposition to the motion.

**Community Activities/Events**

Farm to Square – August 12<sup>th</sup> 5 to 8 M & T Lot

**Next Council Meeting is July 14, 2021, 7:00 p.m.**

At 9:00 pm President Bubeck called an Executive Session to discuss personnel issues and pending litigation. Since there will be no action taken after the Executive Session the regular meeting was adjourned.

Respectfully submitted,

Sherry M. Edwards  
Borough Secretary