

Orwigsburg Borough Council
Meeting Minutes
September 8, 2021

The Orwigsburg Borough Council met on Wednesday, September 8, 2021 in Council Chambers. President Bubeck called the meeting to order at 7:00 pm and the Pledge of Allegiance was recited.

In attendance: President Rick Bubeck; Vice President Rod Schaeffer; Councilors: Maddie Bartush and Brock Stein. Mayor Barry Berger; Solicitor Paul Datte; Borough Manager Randy Miller and Borough Secretary Sherry Edwards.

Absent: Kerry Mariano, Katie Bedway, Angie Hoptak-Solga.

Visitors: Sandy Adams of 210 Long Ave, Jim Leymeister of 200 Ronald Ave; Police Chief Vince McDonald, Bryon Killian of Entech Engineering; Bill Knecht of 204 S Warren St; Craig Eichert of 216 Long Ave; Dave Walasavage of ARRO Consulting; Chris Bentz of Alfred Benesch.

Approve the Final Meeting Agenda

Changes to agenda - Add the following:

- Solicitors Report: Intergovernmental Agreement and Ordinance – motion to move ahead and advertise
- Engineers Report – Addendum for Lehigh Ave
- Stormwater Project – Wayne & Mifflin Sts change in scope of project, project is outside ability of Borough workers
- Planning & Zoning Commission – Resignation received and Letter of Interest to serve was received. Resolution to appoint to vacancy.

A motion to approve agenda with changes as stated above was made by Maddie Bartush, second by Brock Stein. Unanimous.

Roll call vote:

Councilor Bartush - Yes Councilor Stein – Yes
Councilor Schaeffer – Yes President Bubeck – Yes
Unanimous.

Public Comment

Craig Eichert 216 Long Ave: addressed his concerns with the flooding on Long Ave. He requested for someone to investigate where all the water is coming from that hits the Connors property at 215 Long Ave. When there is a heavy rain even the Connors get inundated with water.

And complained that the residents were not notified of the road closure.

Craig also asked about the new pipes just put in for sewer on Long Ave and why are they grouting them?

Bryon Killian responded – what is being grouted is the existing pipe under the culvert. That section of pipe could not be replaced because the culvert has no bottom.

Minutes

A motion to approve the Council Minutes from the August 4, 2021 Work Session meeting and August 11, 2021 Council meeting as presented was made by Maddie Bartush, second by Brock Stein.

Roll Call Vote:

Councilor Bartush - Yes Councilor Stein – Yes
Councilor Schaeffer – Yes President Bubeck – Yes
Unanimous.

Treasurer's Report

The July 2021 Treasurer's report has been presented to Council for their review and comment.

The Tax Collector's Report

The Tax Collectors Report for August 2021 has been presented to Council as follows:

Real Estate	\$ 4,245.59
Fire Tax	\$ 400.44
Per Capita	\$ 162.80
Occupation	\$ 55.30

Tax Exoneration List #7

A motion to exonerate the Tax Collector from collecting Occupation Tax on Tax Exonerations List #7 was made by Brock Stein, second by Maddie Bartush.

Roll call vote:

Councilor Bartush – Yes Councilor Stein – Yes
Councilor Schaeffer – Yes President Bubeck – Yes
Unanimous.

Building Permits

0 New Permit issued at \$0 total value
0 Renovation Permits issued at \$0 total value

Police Report

Chief Vince McDonald presented the August Police Report as follows:

Hours Worked:

Regular Hours – 905
Overtime – 28.5 ~ August 2020 - 85
Late Call – 4
Cover Shifts – 11
Court - 6
Administrative – 2.5

Holiday – n/a
Training – 5
Callout – n/a
Vacation – 76
Personal – 12
Holiday (Straight Time) – n/a
Sick – 39
Bereavement – n/a

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3,530 Total Mileage for Police Vehicles

392 Total Vehicle Patrol Hours

37 Total Foot Patrol Hours

192 Traffic Enforcement Hours

30 Traffic Citations issued

44 Warnings issued

9 Parking Tickets issued

Bike Patrol – n/a

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221-Incidents – Handled by 6 Officers

14– Reportable Crimes

2 - Harassment

1 – Forged Documents

1 – DUI

6 – Identity Theft

1 – Aggravated Assault

3 – Theft

Charges Filed:

Criminal Complaints – 2

Non-Traffic Citations – 3
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## **Business**

### **Solicitor's Report – Paul Datte**

Ordinance implementing Small Wireless Facilities Act 50 of 2021- draft will be forwarded next month

**Rettew Consulting** – Working with Rettew to submit RFQ and RFP to non-Act 12 certified firms to provide response we're looking for.

**Blue Mountain Village** – No updates

### **Updates on:**

**119 S. Liberty Street** – Action was taken last week to award demolition contract – ARRO is working with contractor on the necessary insurances and bonding in place.

**100 E. Market Street** – Sheriff's Sale scheduled for October

**Co-operation agreement with other Municipalities (alone with N. Manheim) –**

Council received a copy of the draft Intergovernmental Agreement and Ordinance. Both municipalities would adopt ordinance which would approve the Intergovernmental Agreement. Documents provide general framework for North Manheim Twp and the Borough can exchange services and equipment with each other.

Provides general framework, can exchange services and equipment with each other.

A motion to authorize Solicitor Datte to move forward with the ordinance and agreement contingent upon North Manheim Township acting on their end was made by Brock Stein, second by Rod Schaeffer.

Roll call vote:

Councilor Bartush – Yes      Councilor Stein – Yes  
Councilor Schaeffer – Yes      President Bubeck – Yes  
Unanimous.

**Conservation easement** – Working Woodlands – Solicitor is reviewing and moving forward depending on the cooperation of surrounding property owners.

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

Shannon Darker reports:

Permitting, Property Code Violations and Code Enforcement spreadsheets have been distributed to Council for review and comment.

**Projects**

Lehigh Avenue Storm Water Improvements by Borough workforce – nearing completion; addendum added to paving project to include paving of Lehigh Avenue.

Industrial Drive – ARC grant approved for \$819,441, awaiting kick-off meeting with PennDOT and ARC. No additional information.

Press event scheduled for tomorrow at 1:30 here at Borough Hall with Congressman Dan Mueser and representative from ARC, NEPA and DCED. Open event to the public.

Long Avenue Culvert – Bid removal of old culvert – Pre-demo meeting with Bertolet Construction on September 10<sup>th</sup>.

**Capital Improvements List**

**Road Projects**

Mill with Haul and Place bids for Douglas, Straub, Mifflin and Erb; included addition of addendum for Lehigh Ave; Bids opened at 10 a.m. this morning – H & K Group Inc was low bid at \$85,757.46 includes base bid \$48,262.56 and add alternate \$37,474.90.

A motion to award Haul and Place bid for Douglas, Straub, Mifflin, Erb/Lee to H & K Group, Inc in the amount of \$85,757.46 includes alternate for Lehigh Ave was made by Maddie Bartush, second by Brock Stein.

Roll call vote:

Councilor Bartush - Yes      Councilor Stein – Yes  
Councilor Schaeffer – Yes      President Bubeck – Yes

Unanimous.

## **Storm Projects**

### **Wayne and Mifflin Intersection**

Exploratory dig by Borough workforce noted the depth is deeper than expected

The work requested would exceed the quote threshold, it would require the project to be bid to perform the entire project from Mifflin to Cherry Or reduce the scope of the project.

## **Others**

**Borough Hall Renovations** – Completed; Recommendation for Payment Application #1 submitted from Houck and Co in the amount of \$68,041.80

A motion to approve Payment Application #1 for Houck and Company in the amount of \$68,041.60 for masonry repairs and repointing at Borough Hall was made by motion by Brock Stein, second by Maddie Bartush.

Roll call vote:

Councilor Bartush - Yes      Councilor Stein – Yes  
Councilor Schaeffer – Yes      President Bubeck – Yes

Unanimous.

**119 S. Liberty Street** - Demolition documents sent to MEI; await pre-demo meeting; also waiting for bonds and insurance to issue Notice to Proceed. Building showing more signs of collapsing

## **Planner – Chris Bentz**

**RACP update for Veterans' Memorial Building** – Pre-final bid documents were sent to Stantec for review that that RACP requirement are met. Pamphlet holders, donors list and veterans list will be posted for public review and comments.

A motion to amend the Agenda, Section a. under the Planner report, to provide for consideration of action to authorize Alfred Benesch to advertise and receive bids for the RACP-funded Veterans' Memorial Building project based on Council having been informed by Chris Bentz during the meeting that bid documents have been approved under the RACP grant program was made by Maddie Bartush, second by Rod Schaeffer.

Roll call vote:

Councilor Bartush – Yes      Councilor Stein – Yes  
Councilor Schaeffer – Yes      President Bubeck – Yes

Unanimous.

A motion to authorize Alfred Benesch to advertise and receive bids for the RACP-funded Veterans' Memorial Building project was made by Rod Schaeffer, second by Maddie Bartush.

Roll call vote

Councilor Bartush - Yes      Councilor Stein – Yes  
Councilor Schaeffer – Yes      President Bubeck – Yes

Unanimous.

**Blue Mountain Village** – No updates, developer has been contacted and is still working on HOP and NPDES permitting

**BLQ request** – No action required. Developer was notified on the denial of the plan.

**Decatur St. Stormwater** design work – Ready for consideration from the borough. Notifications have been sent to the adjoining property owners. Only one phone call was received from a property owner with no objections.

**Flood Mitigation efforts** – not great luck –contacted PennDOT for any information on both culverts – PennDOT had no information. Also contacted PennDOT about trimming around bridge, but no return call yet. Contacted FEMA for hydraulic study, FEMA doesn't have the study. Will need to survey 50ft up and down the stream.

**Sketch Plan Review** – did meet with applicant; no action required as part of the sketch plan review. After concerns were raised regarding residents and adjoining properties the applicant will revise plan. Parking and water supply were major concerns.

**Zoning Ordinance Changes** – list for changes to ordinance so far:

- Historical buildings
- In-law quarters
- Adaptive re-use
- Rain gardens
- Solar
- Accessory structure – allowing more than on a property
- Solar system
- B & Bs
- Food trucks
- Parking requirements

**Water/Sewer – Bryon Killian**

**Lead and Copper** service line replacement initiative – Deadline moved from August 2024 to October 2024. Started working on it with borough personnel. Meeting scheduled for Sept 22<sup>nd</sup> to start inventory for lead / copper – possible grant money will become available.

**Sewer line refurbishment updates**

**Long Ave to Warren St.** – Grouting and Lining completed; Bryon waiting confirm the final CCTV report before recommending payment application submitted.

Final balancing change order to adjust for as-built quantities will be an item for next month

**CCTV and Subsurface repairs update**

Repairs are ongoing

Change Order \$9,460 increase– some parts of the system are larger diameter than shown on the original mapping, resulting in additional costs to clean and televise.

Await payment application – Engineer received draft application

**Marshall Dr. Sewer Replacement** – Survey completed last week – hoping to have case drawings for next month

**Sewer Plant**

Phase 1 – Review of submittals - contacted Alan Myers today to move project forward but contractor waiting on suppliers.

Phase 2 – Review of submittals

Await payment application

**PA DEP NOV's** Letter response to 2<sup>nd</sup> NOV notification – responded to additional SSO and has been cleared.

**Borough Manager – Randy Miller**

Council received a copy of Randy's report:

2022 MMO's

Police Pension Plan - \$0

Non uniform Pension Plan – \$155,130.00

A motion to approve the 2022 MMO for Police was made by Rod Schaeffer, second by Brock Stein.

Roll call vote:

Councilor Bartush - Yes

Councilor Stein – Yes

Councilor Schaeffer – Yes

President Bubeck – Yes

Unanimous.

A motion to approve the 2022 MMO for nonuniform \$155,130 was made by Brock Stein, second by Rod Schaeffer.

Roll call vote

Councilor Bartush - Yes

Councilor Stein – Yes

Councilor Schaeffer – Yes

President Bubeck – Yes

Unanimous.

Orwigsburg received \$154,491.76 in ARPA funds through DCED

- Awaiting responses from local agencies for distribution
- Remainder for Borough infrastructure projects

**Tree Harvesting update** – awaiting bid specification is being worked on; forester needs to tally up each tree and give approximation of size.

**Committee Reports**

**Finance & Budget – Brock Stein**

Budgeting time – Schedule committee meetings to discuss 2022 Budget

**Personnel – Rick Bubeck** – Nothing to report

**Communication & Technology – Angie Hoptak-Solga** – Nothing to report

**Economic Development/Revitalization – Maddie Bartush**

Industrial Drive ARC grant – Engineers updated; A Press event with Congressman Meuser will be held tomorrow at 1:30 pm at Borough Hall.

Councilor Bartush inquired about the progress on borough employees being on site when there is a sewer main issues and determine who is responsible for costs.

Bryon Killian has prepared a draft on this issue; Council will be receiving a copy in the near future. Document will be entered into the Water and Sewer Regulations.

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

Report of Water / Sewer Operations

Miller Environmental Inc. Report 8/31 to 9/10 – SSOs at manholes 1A, 14A, 109X and 65 during rain event on 8/31/2021 and 9/01/2021. Contacted PADEP within 1hour of known events. Dave Teter was present during the event and was able to save the biomass.

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

List of work

Borough workforce did a really good job with the inlets on Lehigh Ave.

Woods & Wildlife has been out to inventory trees on the 400 acres at the watershed.

Carol Mason has been here several times about the condition of Darrel Alley which her driveway empties on to. Over the years the borough denied maintenance due to Darrel Alley being a paper alley, not an ordained street. The borough does plow the alley. Solicitor Datte suggests investigating ownership.

Dennis Moore of 420 N Warren St garage is on Roseberry St –In winter water runs down street into Dennis Moore's garage and freezes.

Neighbor located at 406 Roseberry St (undedicated St) is getting pipe installed and would like to empty the pipe into storm box but needs the box on Erb St relocated 5 to 8 feet. This will alleviate water going into the Moore garage. Property owner of Roseberry St maintains the street.

**Recreation & Health – Katie Bedway – no update**

Blue Mountain Rec

**Planning & Zoning – Katie Bedway**

Planning & Zoning will not meet on Wednesday September 15, 2021. Currently gathering information for Zoning Ordinance amendments.

Resignation – Jonathon Kukta of 345 Ridge Road, Orwigsburg has submitted a letter of interest to fill the vacancy on the Planning Commission.



A motion to adopt Resolution 2021-23 appointing Jonathon Kukta to the Planning and Zoning Commission with a term ending on January 1, 2024, was made by Maddie Bartush, second by Brock Stein.

Roll call vote:

Councilor Bartush - Yes      Councilor Stein – Yes

Councilor Schaeffer – Yes      President Bubeck – Yes

Unanimous.

**Safety & Policy** – **Kerry Mariano** – No updates

**Bargaining & Negotiations** – **Mayor Berger** – No updates

**Police Department** – **Mayor Berger**

Speak about the range policy – did forwarded to Council and Insurance Co for review. Insurance Co is good with policy. Policy does include active and retired police officers. Place on agenda for next month to finalize.

**COG** – **Sue Murphy** – Next meeting September 9, 2021 @ 7:00 p.m.

**Correspondences from Jim and Linda Orwig**

Dear Randy,

We wanted to thank you so much for your time and warm welcome during our visit to Orwigsburg. We so appreciated meeting Mayor Berger and President Bubeck too. The opportunity to tour the borough's official building and hearing of the town's history was wonderful.

The community is charming. We were able to drive and see the Red Church and stopped at the old cemetery on our way out of town.

It is our hope that our whole family will be able to come and see the town for themselves in the future.

Thanks for all you did to make a very special day for us.

Sincerely, Jim & Linda Orwig

**Bills**

A motion to approve and ratify the Accounts Payable for General, Fire, Water, Sewer, Sanitation, State, Grant, Credit Union, and Capital Improvement accounts was made by Rod Schaeffer, second my Maddie Bartush.

Roll call vote

Councilor Bartush - Yes      Councilor Stein – Yes

Councilor Schaeffer – Yes      President Bubeck – Yes

Unanimous.

**Community Activities/Events**

Heritage Days – Saturday, September 11<sup>th</sup>, 10 a.m. (set-up @ 9 a.m.)

Municipal Authority – Monday, September 13, 2021 @ 1:00 p.m.

Schuylkill Chamber – Walk-for-progress, October 5, 2021, 10:00 a.m.

Next Council Workshop meeting is October 6, 2021 @ 7:00 pm.

A motion to adjourn at 8:23 pm was made by Brock Stein, second by Maddie Bartush. Unanimous.

Respectfully submitted,

Sherry M. Edwards  
Borough Secretary