

Orwigsburg Borough Council
Meeting Minutes
November 10, 2021

The Orwigsburg Borough Council met on Wednesday, November 10, 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: Kerry Mariano, Brock Stein; Mayor Barry Berger (late). Solicitor Datte via phone; Borough Manager Randy Miller, Borough Secretary Sherry Edwards. Absent Maddie Bartush, Angie Hoptak-Solga, Katie Bedway.

Visitors: Carol Mason of 165 Walters Ave, Police Chief McDonald, Brian Killian of Entech Engineering, Dave Walasavage of ARRO Engineering, Chris Bentz Alfred Benesch, Jim Leymeister of 200 Ronald Ave, Ed Winkelbauer of 304 S. Warren St, Bookkeeper Kathi Mengle; Bill Knecht of 204 S Warren St. Ron Devlin of the Pottsville Republican.

Approve the Final Meeting Agenda

Changes to the agenda:

Additions:

- Engineer's Report: Add 201 & 203 Long Ave balancing change order of \$5,576.00 and payment application for \$79,903.55 from MEI Demo & Excavation
- Boro Manager Report – add Minicibid sales and 2022 Meeting Date for Reorganization.
- COG – add meeting date for November

A motion to approve tonight's agenda with the additions listed above was made by Brock Stein, second by Kerry Mariano.

Roll Call Vote:

Councilor Mariano – Yes

Councilor Stein – Yes

Councilor Schaeffer – Yes

President Bubeck – Yes

Unanimous

Public Comments – None

Minutes

A motion to approve the Council Minutes from the October 6, 2021 Work Session meeting and October 13, 2021 Council meeting and October 20, 2021 Special meeting was made by Brock Stein, second by Kerry Mariano.

Roll Call Vote:

Councilor Mariano – Yes

Councilor Stein – Yes

Councilor Schaeffer – Yes
President Bubeck – Yes
Unanimous

Treasurer's Report

The September 2021 Treasurers report has been presented to Council for their review.

Tax Collector's Report

The October Tax Collector's Report was presented as follows:

| | |
|-------------|-------------|
| Real Estate | \$ 3,911.29 |
| Fire Tax | \$ 368.60 |
| Per Capita | \$ 252.00 |
| Occupation | \$ 72.93 |

Tax Exoneration List

A motion to exonerate the Tax Collector from collecting Occupation Tax on Tax Exoneration List #9 was made by Brock Stein, second by Rod Schaeffer.

Roll Call Vote

Councilor Mariano – Yes
Councilor Stein – Yes
Councilor Schaeffer – Yes
President Bubeck – Yes
Unanimous

Building Permits

Building permits for October as follows:

- 0 New Permit issued at \$0 total value
- 7 Renovation Permits issued at \$65,140.00 total value

Police Report Chief Vince McDonald's Report

Chief Vince McDonald presented the September Police Report as follows:

Hours Worked:

Regular Hours – 1,117
Overtime – 87.5 (85 September 2021)
Late Call – .5
Cover Shifts – 36
Court - 7
Administrative – 0
Holiday – 0
Training – 256
Callout – n/a
Vacation – 24
Personal – 8

Holiday (Straight Time) – 36
Sick – 24
Bereavement – n/a

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3,270 Total Mileage for Police Vehicles

402 Total Vehicle Patrol Hours

36.5 Total Foot Patrol Hours

102 Traffic Enforcement Hours

29 Traffic Citations issued

29 Warnings issued

9 Parking Tickets issued

Bike Patrol – n/a

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183-Incidents – Handled by 6 Officers

7 – Reportable Crimes

1 - Theft

2 – Burglary

1 – Altered/Forged Document

1 – Public Drunkenness

2 – Criminal Mischief

Charges Filed:

Criminal Complaints – 1

Non-Traffic Citations – 1

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Updates:

Officer Noecker and Office Bechtel completed their 2 week DARE training at Fort Indiantown Gap. We will be working with the BM Elementary East to implement DARE in the school starting in January. BM Middle School will implement a DARE program starting next school year.

## **Business**

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

**Rettew Consulting** – No update

**Blue Mountain Village** – No update

**Updates on:**

**119 S. Liberty Street** – Change order for time extension was approved and signed by both the Borough and the Contractor. Demolition started Tuesday. Property is update with utility liens. Once all demolition expenses are received a municipal lien will be filed. Outstanding Real Estate taxes have priority over the borough liens. Borough can put property up for Sheriff Sale.

**100 E. Market Street** – Property has been removed from Sheriff Sale.

ARRO to report if there are any known code violations to be pursued. The borough can pursue liens through Sheriff Sale.

**Co-operation agreement** with North Manheim Twp – Ordinance #450 - The Ordinance has been prepared and advertised. Ordinance is in position to be adopted tonight. Ordinance authorizing the Borough to enter into an agreement with North Manheim Township to allow sharing of equipment and personnel for road construction and repair work in both municipalities.

A motion to adopt Ordinance 450 entering into an agreement with North Manheim Township was made by Kerry Mariano, second by Brock Stein.

Roll Call Vote

Councilor Mariano – Yes

Councilor Stein – Yes

Councilor Schaeffer – Yes

President Bubeck – Yes

Unanimous

**Conservation easement** – Further decision needs to be made as to whether Council wants to pursue the conservation easement with or without the carbon credits. Including carbon credits will be more restrictive and the return may not be with it at this time. The conservation easement could be drafted in a way to accommodate carbon credits in the future. Suggestion was made to have Kevin Yoder attend a meeting to address Council's concerns and to answer any questions. Three issues to discuss: Rights for water, timbering and future carbon credits availability.

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

Review Reports – Shannon Darker

Council received copies for their review and comments.

- i. Permit Reports
- ii. Notice of Violations
- iii. Rental Properties

## **Projects**

119 South Liberty Street - A time extension to November 30, 2021, was issued under Change Order #1, Contractor to begin work this week – back portion was demolished yesterday and the peak today. Tomorrow start hauling debris away.

Industrial Drive - ARC Grant approved for \$819,441; awaiting kick-off meeting with PennDOT and ARC. A Kick-off meeting with Penn Dot will be scheduled once limits of and budget of the storm, sanitary, water, curb etc. placement is finalized with the Borough and the property owners.

201 & 203 Long Avenue – Construction completed; A balancing change order for quantity adjustments will be needed with a net reduction of \$5,576.00 due to less paving and fence install.

A motion to approve Bertolet Construction Change order for a net reduction of \$5,576.00 was made by Kerry Mariano, Rod Schaeffer.

Roll Call Vote

Councilor Mariano – Yes

Councilor Stein – Yes

Councilor Schaeffer – Yes

President Bubeck – Yes

Unanimous

A motion to approve Payment Application #1 to Bertolet Construction for the Long Ave Culvert Demolition in the amount of \$79,903.55 was made by Kerry Mariano, second by Rod Schaeffer.

Roll Call Vote

Councilor Mariano – Yes

Councilor Stein – Yes

Councilor Schaeffer – Yes

President Bubeck – Yes

Unanimous

## **Capital Improvements List**

### **Road Projects**

Paving for Douglas Avenue, Mifflin, Straub, Lehigh Avenue, Erb Street and Lee Court has been completed. Awaiting an application for payment from the contractor (H & K Group) – item on agenda for next month

### **Storm Projects**

Wayne and Mifflin - Borough forces performed exploratory dig and determined to be 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. Consider project bid out next spring. Dave will contact our top three contractors the borough typically uses to see if they can get some inlet boxes for the intersection of Wayne and Mifflin.

### **Planner – Chris Bentz**

### **RACP update for Veterans' Memorial Building**

Received bids November 10, 2021 – 2 Bidders:

Miller Bros Construction - Base Bid \$856,882.75 – Alternate \$137,076.00

Heim Construction – Base Bid \$879,497.80 – Alternate \$133,460.00

Grant received was \$750,000. Possibly eliminate certain items. The alternate was for a detached pole building for storage. Alfred Benesch will review items and make recommendations for next meeting.

A motion to receive bids submitted from Miller Bros Construction – Base bid \$856,882.75; alternate \$137,076.00 and from Heim Construction – Base bid \$879,497.80; alternate bid \$133,460.00 and to have engineers review for recommendations was made by Brock Stein, second by Kerry Mariano.

Roll call vote

Councilor Mariano – Yes

Councilor Stein – Yes

Councilor Schaeffer – Yes

President Bubeck - Yes

Unanimous

**Blue Mountain Village** – no update

**Decatur St. Stormwater** design work – Met with most residents and they appear to be in favor of the project. Benesch will provide a draft letter and easement agreement to the borough and Solicitor to obtain the necessary temporary and permanent easements. Chris suggests to bid out project by end of January or February.

**Flood mitigation efforts –**

- Submitted Letter of Interest for BRIC and FMA – received receipt
- Submit application for BRIC and FMA by November 19, 2021 – 75/25 match grants.
- Planning grant for the BRIC grant. BRIC grant is for an isolated area; planning grant would be from Market St to Long Ave.
- FMA grant is intended for community wide. Planning grant would be for basically the whole drainage area in the borough.
- Submit Letter of Interest for HMGP grant (based on hurricane Ida) if eligible – grant can be used for acquisition or funding for construction may not have any match

Zoning Ordinance Changes – Discussion at October 20, 2021, PC meeting; update the Planning Commission in December – review overdraft of ordinance for December meeting

**Water/Sewer – Bryon Killian**

**Lead and Copper** service line replacement initiative – August 2024 deadline

- Creating LSL Inventory Database
- Working with Borough staff on inventory, home age, and parcel numbers
- Grant money available for lead service lines if found – Approximately 1100 services in borough; 600 services are homes from 1950 and older. Already investigating the 600 services.
- Developed on-line database to track inventory
- Meeting set for Wednesday 11/3/21 to review progress
- Grant money available

**CCTV and Subsurface repairs update**

- CCTV work – Majority of CCTV completed; Interceptor work still needs to be completed
- Week of 11/22/21 – Discuss recommended repairs with Borough based on CCTV
- Awaiting 1<sup>st</sup> payment application

**Marshall Dr. Sewer Replacement**

- Field survey and base drawings completed
- Week of 11/8/21 – Meeting with Borough on 2 draft alignments
- Submit for permitting upon agreeing on alignment

**Sewer Plant**

**Phase 1**

- Review of submittals – coordination meeting with contractors. Allen Myers will be back on site on 11/17 with Aquionics a UV manufacturer.
- Awaiting construction schedule; possibly this week
- Payment Application #1 from PSI for \$21,600.00 has been submitted for submittals, engineering review, insurance and bond.

A motion to approve Payment Application #1 for Pumping Solutions Inc (PSI) for WWTP Upgrade – electrical in the amount of \$21,600.00 was made by Rod Schaeffer, second by Brock Stein.

Roll Call Vote  
Councilor Mariano – Yes  
Councilor Stein – Yes  
Councilor Schaeffer – Yes  
President Bubeck – Yes  
Unanimous.

## **Phase 2**

- Entech continues to review submittals
- Awaiting 1<sup>st</sup> Payment Application

## **Borough Manager – Randy Miller**

Council received Randy's report for review and comment:

### **Donation (ARPA) Fund** of \$10,000 to the Orwigsburg Food Bank

A motion to approve donation of \$10,000 from the ARPA funds to the Orwigsburg Food Bank was made by Rod Schaeffer, second Brock Stein.

Roll Call Vote  
Councilor Mariano – Yes  
Councilor Stein – Yes  
Councilor Schaeffer – Yes  
President Bubeck – Yes  
Unanimous

Remainder of ARPA funds will be for Borough infrastructure projects.

## **Tree Harvesting**

Ritchie Logging & Sawmill for \$204,118; awaiting signed contract – Borough did sign contract and returned; other negotiations are on going with one of the property owners.

RFP (Requests for Proposals) for auditing services – Randy asked council to forward any recommendations.

A motion to send out RFPs for auditing services for next year was made by Brock Stein second by Kerry Mariano.

Roll Call Vote  
Councilor Mariano – Yes  
Councilor Stein – Yes  
Councilor Schaeffer – Yes  
President Bubeck – Yes  
Unanimous

## **Mac Truck Purchase –**

- Total price for truck: \$77,058.00
- Dumb Body - \$37,763.00
- Add: under bed vibrator - \$1,850.00

- Western 10' snowplow - \$9,347
- Tail gate spreader- \$7,218
- Total price all inclusive: \$133,236.50
- Budgeted item for 2022
- 133,236.50 – is budgeted
- Financing: Five years with \$1.00 buyout / \$28,512 per year
- Truck will not be available until spring

After a brief discussion on what the truck would be used for; road projects; snow; haul equipment trailer. Councilor suggested using the NMT intermunicipal agreement for vehicle use. Truck purchase has been tabled until next month.

Municipal sales as follows:

- |                 |         |
|-----------------|---------|
| • 2010 Explorer | \$1,650 |
| • Cub Cadet     | \$ 683  |
| • 4 Tires       | \$ 110  |

Sales closed yesterday

A motion to finish out the sales was made by Kerry Mariano, second by Rod Schaeffer.

Roll Call Vote

Councilor Mariano – Yes

Councilor Stein – Yes

Councilor Schaeffer – Yes

President Bubeck – Yes

Unanimous

Reorganization will need to be done on Monday January 3<sup>rd</sup>. Council was asked should the Work Session follow reorganization. Consensus of Council is to have both meetings on January 3, 2022.

Carol Mason of 165 Walters Ave– Darrel Alley

Randy me with Excavation Tech at Darrel Alley and will be proving a quote on the street in front of Carol Mason driveway. Once quote is received it will be forwarded to Carol. Quote will be broken up into a few parts: one part will be for in front of Carol's driveway, second part will be for half the width of the alley for your property and if there is a neighbor willing to share the cost; third part is to bring the entire street up to specifications for dedication to the borough.

Councilor Mariano told Carol it will be at your cost.

Carol asked if there would be any other options.

President Bubeck stated the borough does not own Darrel Alley.

## **Committee Reports**

### **Finance & Budget – Brock Stein**

Budgeting –

- Budget committee met 2 or 3 times
- 2021 will end on budget and in the black
- 2022 there are no Real Estate tax increase



A motion to advertise the proposed 2022 Budget:

|                 | <u>Receipts</u> | <u>Expenditures</u> |
|-----------------|-----------------|---------------------|
| General Fund    | \$ 1,806,673.00 | \$ 1,806,673.00     |
| Water Fund      | \$ 824,475.00   | \$ 824,475.00       |
| Sewer Fund      | \$ 916,813.00   | \$ 916,813.00       |
| Sanitation Fund | \$ 328,000.00   | \$ 328,000.00       |
| Fire Fund       | \$ 95,750.00    | \$ 95,750.00        |

Motion was made by Kerry Mariano, second by Rod Schaeffer.

Roll Call Vote

Councilor Mariano – Yes

Councilor Stein – Yes

Councilor Schaeffer – Yes

President Bubeck – Yes

Unanimous

November - 30-day Public Review/Comment Period

December - Budget Vote 12/8; effective January 1, 2022

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

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

**Economic Development/Revitalization** – Maddie Bartush - absent

- Industrial Drive ARC grant – ARRO gave update

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

Report of Water / Sewer Operations – Miller Environmental – Reporting and getting files for both water and sewer sent to government

Sanitation Bids – advertised bids to be opened in December

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

List of work

Woods & Wildlife – Working on Forest Mgmt. Plan and Easement – Contact Kevin Yoder to give update to Council after the 1<sup>st</sup> of the year.

**Recreation & Health** – Katie Bedway - absent

Blue Mountain Rec – No update

Albright's Woods Bathrooms' Remodel – Cost analysis was distributed to Council for approval. Remodel will take place during the winter months. Contact Lions Club for volunteer assistance. Remodel includes new toilets, stalls, sinks, epoxy floor and accessories.

A motion to proceed with the Albright's Woods bathroom remodel was made by Kerry Mariano, second by Rod Schaeffer

Roll Call Vote

Councilor Mariano – Yes

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

**Planning & Zoning – Katie Bedway - absent**

Planning & Zoning will meet in December to the Borough Zoning Ordinance on October 20, 2021, for: “historical structure” Special Exemptions; “in-law quarters” uses; “adaptive re-use”; other new zoning developments.

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

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

**Police Department – Mayor Berger – No update**

**COG – Sue Murphy** – Meeting scheduled for November 18<sup>th</sup> @ 7:00 pm here in Council Chamber

**Correspondences**

Randy announced the Borough’s newsletter was submitted to PSAB and won 1<sup>st</sup> Place Recognition Award.

Randy and Council thanked Bill Knecht for his hard work and time put into the newsletter

**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 Kerry Mariano, second by Rod Schaeffer.

Roll Call Vote

Councilor Mariano – Yes

Councilor Stein – Yes

Councilor Schaeffer – Yes

President Bubeck – Yes

Unanimous

**Community Activities/Events**

Veterans’ Day Salute at Bicentennial Park, 11:00 a.m.

Veterans’ Day Dance Saturday Nov. 20, 7:00 p.m. at Veterans’ Memorial

Festival of Lights Saturday, December 4, 5:00 p.m.

followed by the Library Holly Trail

Work Session meeting, December 1, 2021, 7:00 p.m.

A motion to adjourn the meeting at 8:15 pm was made by Kerry Mariano, second Brock Stein.  
Unanimous.

Respectfully submitted,

Sherry M. Edwards  
Borough Secretary