

**Orwigsburg Borough Council**  
**Meeting Minutes**  
**December 14, 2022**

The Orwigsburg Borough Council met on Wednesday, December 14, 2022 in Council Chambers. President Rick Bubeck called the meeting to order at 7:00 pm and the Pledge of Allegiance was recited.

In attendance: President Rick Bubeck; Councilors: Ed Winkelbauer, Ed Keyworth, Kerry Mariano, Angie Hoptak-Solga. Mayor Barry Berger. Solicitor Paul Datte; Borough Manager Randy Miller; Borough Secretary Sherry Edwards.

Visitors: Jared Stark and wife of 18 Oakdale Estates; King Remsburg of 212 Long Ave; Chief Vince McDonald.

**Public Comment**

Jared Stark addressed Council regarding speeding on Market St. He and his wife almost got hit by Cadillac Escalade at the Post Office. Suggests dropping speed limit to 15. He proposes putting in a light for pedestrians to press before you cross the street. Jared offered his services for a fundraiser to purchase pedestrian lights/signs.

President Bubeck responded we have been working on speeding on Market St – we do have pedestrians signs on Market St and inquired about the flashing speed limit signs.

King Remsburg of 212 Long Ave – King got information on the flashing speed radar signs and will forward to the Chief.

**Minutes**

A motion to approve the minutes from November 2, 2022 Work Session and November 9, 2022 Council meetings as presented was made by Ed Winkelbauer, seconded by Ed Keyworth. Unanimous.

**Treasurer's Report**

The October 2022 Treasurers Report has been presented to Council for their review.

**Tax Collector's Report**

The November 2022 Tax Collectors Report was presented as follows:

Real Estate	\$ 5,303.55
Fire Tax	\$ 396.03
Per Capita	\$ 142.00
Occupation	\$ 42.90

## **Tax Exoneration List**

A motion to exonerate the Tax Collector from collecting Occupation Tax on Tax Exoneration List #9 was made by Angie Hoptak-Solga, seconded by Ed Winkelbauer. Unanimous.

## **Building Permits**

The November 2022 permits were as follows:

- 0 - New Permit issued at \$0 total value
- 2 - Renovation Permits issued at \$9,337.00 total value

## **Police Report**

Chief McDonald presented the November 2022 report:

Hours Worked:

- Regular Hours – 1,073
- Overtime Hours – 141 ½ (higher due to holiday hours per contract)
- Holiday – 72
- Cover Shift – 36
- Court – 11
- DUI Checkpoint – 4 (reimbursable)
- Late call – 3 ½
- Training – 14
- Daylight Saving Time – 1
- Holiday (straight time) – 88
- Training – 74 ½
- Vacation – 44
- Personal – 8
- Sick – 36

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- 2,400 Total Mileage for Police Vehicles
  - 332 ½ Total Vehicle Patrol Hours
  - 23 ½ Total Foot Patrol Hours
  - 103 Traffic Enforcement Hours
  - 23 Traffic Citations issued
  - 15 Warnings issued
  - 5 Parking Tickets issued
  - Bike Patrol – n/a

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132 - Incidents – Handled by 6 Officers

- 9 – Reportable Crimes:
  - 1 – Terroristic Threats
  - 1 DUI
  - 1 – Identity Theft
  - 1 – Disorderly conduct
  - 2 – Death Investigations
  - 1 – PFA Violation

Charges Filed:

- Criminal Complaints – 2

Non-Traffic Citations – 1

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Borough Ordinance Violations/Investigations – n/a

Update:

Reached an agreement with BMMS and BMES – DARE program for 6<sup>th</sup> grade and 2<sup>nd</sup> grade.

Raised over \$1500 through No Shave November and the \$1,000 from the borough donation we were able to provide for Toys for Tots and provided presents to the Big Impact Group for 30 kids.

**Committee Reports**

**Finance & Budget** – Brock Stein

**End of Year Resolutions:**

A motion to adopt Resolution #2022-38 enacting the 511 Taxes for 2023- same as 2022 was made by Ed Winkelbauer, seconded by Angie Hoptak-Solga. Unanimous.

A motion to adopt Resolution #2022-39 maintaining the 2023 Real Estate Taxes at 10.5 mils for General Fund and 1.0 mil for Fire Fund – same as 2022 was made by Rick Bubeck, seconded by Ed Keyworth. Unanimous.

**2023 Budgets**

Resolution #2022-40a Adopting the 2023 Budgets

|                  | <u>Receipts</u> | <u>Expenditures</u> |
|------------------|-----------------|---------------------|
| General Fund:    | \$1,874,333     | \$1,874,333         |
| Fire Fund:       | \$97,650        | \$97,650            |
| Water Fund:      | \$787,550       | \$787,550           |
| Sewer Fund:      | \$925,145       | \$925,145           |
| Sanitation Fund: | \$414,220       | \$414,220           |

A motion to adopt Resolution #2022-40a adopting the 2023 Budget was made by Angie Hoptak-Solga, seconded by Ed Keyworth. Unanimous.

President Bubeck thanked the committee for their time involved on the 2023 budget and not having to raise taxes.

**Personnel** – Rick Bubeck

Updates

**Borough Boards and Commissions**

A motion to adopt Resolution #2022-42 appointing John Boyer – Municipal Authority; Darin Brensinger – P & Z Commission; Paul Bedway – P & Z Commission; Jeff Fanelli – Zoning Hearing Board was made by Ed Winkelbauer, seconded by Angie Hoptak-Solga. Unanimous.

Randy sent out an email to all Planning Commission members requesting a response if not interested in serving on the Commission.

### Borough Manager's Contract

Randy's contract has been reviewed and discussed in previous Executive Session.

A motion to approve the Borough Manager's Contract for 2023/2024 was made by Ed Winkelbauer, seconded by Ed Keyworth. Unanimous.

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

- Community Essentials (Board Software) ordered
- Tablets ordered
- Installation to happen in late December; training thereafter; Possibly operational by January meeting

### Economic Development/Revitalization – Ed Keyworth Updates

- Industrial Drive ARC grant – Engineers working on permitting and ROW;
- Utilities update: ARRO submitted information to PennDOT through the URMS system and are awaiting further direction or comments.
- Easements update: PennDOT reviewed the preliminary ROW plans for temporary construction easement and is requiring drainage easements along Long Avenue where vegetated swales are proposed on the Borough property and where there is existing riprap on adjoining properties at the pipe crossing under Industrial Drive. PennDOT to confirm if drainage easements are necessary. PennDOT cannot perform appraisals and finalize easements until environmental clearance. Met with PennDot regarding crossing small flood plain area that would require a joint permit with DEP and Army Corps of Engineers it was agreed that we do not continue pursuing crossing the wetlands at this time; therefore we would shorten the scope for the extension of Long Ave so it ends before we get to the wetlands are located. This will speed up the project process. In addition, Randy had a conversation with an interested party looking at purchasing land in the area. There may be an opportunity in the future for us to have a private/public partnership that would allow us to further look at offsetting the wetland issue.
- Environmental update: PennDOT District 5 environment unit has indicated that a Phase I Environmental Site Assessment (ESA) will be required. United Environmental is working on phase 1 corridor study.
- ARRO and the Borough met with the DEP and they are requiring a joint permit for the wetland crossing for the Industrial Drive extension. Which will no longer be applicable
- PennDOT is researching if a dead end on the Industrial Drive extension before the wetland crossing will be acceptable to avoid joint permit and environmental clearance delay

**Water, Sewer & Sanitation** – Ed Winkelbauer  
Updates

Report of Water / Sewer Operations; Miller Environmental

New Copper limit mandated on 6/2024. Sampling plan initiated for source in the water system and current levels at the Sewer Plant. Samples collected week of December 5<sup>th</sup>.

Sewer Inflow is being monitored by placing meters in various locations in sewer system to measure I&I; Downloaded data that detailed flow increases at MH24C (Marshall Dr.). Will move meters accordingly to narrow in on unwanted flows. Rain gauge purchased for WWTP.

**Water**

Lead and Copper service line replacement initiative – August 2024 deadline; continue to work on determinations; changed out 265 meters to date. Continue to focus on house/businesses built before 1950.

Schuylkill Haven Interconnect – Submitted LSA Grant package on 3/18/22. Grant award announcement delayed until January, at the earliest. Entech forwarded the Action Plan to Water/Sewer Committee on Nov. 30<sup>th</sup> for review and questions.

DRBC (Delaware River Basin Commission) Docket for ground water allocation amounts submitted on 11/18/22.

SCADA Study Report is underway. Phase 1 report is nearly complete. Awaiting information from Keystone Engineering.

Representative from Cla-Val on-site on September 29<sup>th</sup> to inspect numerous PRV's (pressure reducing valves) for rebuilds as well as to upgrade (2) flow meters at the water plant. Awaiting service to be scheduled shortly.

Early discussions and mapping completed for a potential water system looping project in the Red Dale area. Entech Engineering Work Order cost proposal for (5) Phases totaled \$92,700.

**Action Items**

A motion to adopt Resolution #2022-37 for authorized signatories for DCED H2O Grant application for the Marshall Drive, North Warren Street and Station Road Sewer Replacement Project was made by Ed Keyworth, seconded by Angie Hoptak-Solga. Unanimous.

A motion to adopt Resolution #2022-43 for authorized signatories for DCED Small Water Grant Application for Water Meters and Software Upgrades was made by Ed Winkelbauer, seconded by Ed Keyworth. Unanimous.

EWO (Engineering Work Order) for water system looping project in the Red Dale/Kimmels Road area for \$92,700.00. Total project is \$720,000.00. Information used to help calculate tapping fees. Once design is in place, we can seek grants. Motion withdrawn. Item has been tabled.  
This project will eliminate dead ends in the borough.

EWO (Engineering Work Order) for DCED (Department of Community and Economic Development) Small Water grant application to be applied for the Water Meter and software upgrade for Water Loss Reduction Project.

A motion to approve Entech's Engineering Work Order for grant assistance for a DCED Small Water grant application for Water Meter and Software upgrades for \$4,500.00 was made by Rick Bubeck, seconded by Ed Keyworth. Unanimous.

### **Sewer**

CCTV and Subsurface repairs update

- Standard Pipe Services continues with rehab work to remove and reduce I&I (Inflow and Infiltration) throughout the Borough. The majority of the contract work is completed. Contractor will need to return and finish the lateral lining work on Long Ave when the high ground water flows subside.

Marshall Drive, North Warren Street, and Station Road Sewer Replacement

- Received E&S and HOP Approval.
- Most easements are completed. Still need the recorded plan for Lee Development.
- Along with possible PENNVEST funding, a DCED (Department of Community and Economic Development) H2O grant will be applied for. Grant will be a 50% match but can use PENNVEST monies for match.

### **Streets & Lights** – Rick Bubeck Updates

Borough Maintenance work for 2022:

Sinkhole at the inlet at the Market Street and Washington Street intersection has been repaired by the Borough Street Crew. Emergency HOP was submitted to PennDOT by ARRO.

Ritchie Logging & Sawmill contract; work continues.

Land survey progressing

### **Truck for Maintenance**

Randy forwarded and email to council regarding the New Ford truck will not be available until 2024/2025.

- Mack dump truck is available for \$97,183.40 – chassis only
- Not 4 wheel drive – set of chains and shouldn't have a problem
- Air brakes
- Automatic
- Under CDL requirement
- Approximately \$153,000 total cost – not including v-plow
- Suggestion made to payoff Hidden River loan for S Warren St sidewalks and use proceeds to pay for truck.
- Obtain quote for dump body – spreader and plow
- Purchase extended warranty \$5,000

A motion to purchase new Mack dump truck, aluminum body and plow not to exceed \$175,000 was made by Rick Bubeck, seconded by Ed Winkelbauer. Unanimous.

**Parks & Recreation** – Tim Wilhelm  
Updates

**Redevelopment Assistance Capital Program (RACP)** update for Veterans' Memorial Building:

- Original scope of work complete; exterior Site work complete; excluding potential Change Orders.
- Audio/Visual Contractor – Moyer Electronic. Work progressing. Work is functional and operational.
- Orwigsburg Masons Clock – Delayed until 2023. Coordination ongoing. Meeting next week with carpenter for the Masons.
- All kitchen equipment including range has been delivered and installed.

**Ridge Road Park** – Grant Agreement received.

- Payment Request submitted to DCNR for 50% of Grant Award - \$57,000.
- Draft Plan for Phase 1 provided.
- Quote is locked in if purchase made by the end of December.
- Coordination is ongoing with DCNR Representative.

**Community Organization** requests - OBPA Event Dates

June Jamboree – Thursday, June 8, 2023 – Orwigsburg Square/M&T Lot

Farm to Square – Thursday, August 10, 2023 -Orwigsburg Square/M&T Lot

Heritage Day – Saturday, September 9, 2023

Festival of Lights – Saturday, December 2, 2023 - Orwigsburg Square

**Blue Mountain Rec Annual Budget**

Council received BM Recreation 2023 Budget for review.

**Action Items**

A motion to approve Miller Brothers Application for Payment #10 for \$2,409.20 for the Memorial Project was made by Ed Keyworth, seconded by Angie Hoptak-Solga. Unanimous.

A motion to approve Miller Brothers Change Order #11 for contract extension: substantial completion April 15, 2023 / Final completion April 30, 2023 was made by Rick Bubeck, seconded by Ed Keyworth. Unanimous.

A motion to acknowledge receipt of the 2023 OBPA Tentative Event schedule was made by Angie Hoptak-Solga, seconded by Ed Winkelbauer. Unanimous.

A motion to acknowledge receipt and review of the Blue Mountain Recreation 2023 Budget was made by Ed Winkelbauer, seconded by Ed Keyworth. Unanimous.

**Property Code Safety** – Kerry Mariano

Updates

- Inspection reports
- Permit Reports
- Notice of Violation
- Rental Properties

Inspections of Rental Properties is continuing; several properties have not responded.

Michael & Nancy Postic building at 615 West Market Street; received notice they will be making repairs. Materials are on site; how long do we give them to start the repairs – give them a time frame to comply with the notice of violation or take owners back to the Magistrate.

Solicitor Datte noted key is communication between homeowner and Shannon, Code Enforcement Officer. Hard to establish policy, need to look at violations on a case-by-case basis.

**Planning & Zoning** – Ed Winkelbauer

Updates

Planning & Zoning last met in August with a quorum

- Borough Zoning Ordinance updates
- Comprehensive Plan updates

Blue Mountain Village – Developer requested Borough to authorize submittal of Highway Occupancy Permit for the required sewer and water lines to be owned and maintained by the Borough. Borough requires full plan review prior to granting authorization.

Benesch is continuing to investigate funding for shovel ready projects. – no update.

Flood mitigation efforts – Four (4) grant applications have been submitted to PEMA for consideration. Awaiting award period:

Building Resilient Infrastructure and Communities (BRIC) Grant

Hazard Mitigation Grant Program (HMGP) – Looks as if it will be awarded to the Borough.

Benesch will assist with updates to the Comprehensive Plan.

**Safety & Policy** – Kerry Mariano

No Updates

**Teamsters' Bargaining** – Ed Keyworth

Updates

Solicitors for both parties have met and negotiations continue; next bargaining session to be scheduled.

**SCMA Coordinating Committee** – Ed Winkelbauer

No Updates

**Police Department – Mayor Berger**

No Updates

**COG – Sue Murphy**

**Solicitor – Paul Datte**

**Fire Department parking lot lease**

Solicitor Datte put together a lease agreement for the borough owned vacant lot across from the Fire Company. Lease would run month to month for \$1.00; either side could terminate lease at any time. Any improvements made would need boroughs consent. Under borough code property can be leased to a non-profit without obtaining appraisal. Fire Department has not reviewed the agreement yet.

A motion to approve the Lease Agreement between the Orwigsburg Friendship Hose Co #1 and the Borough with such revisions as Council President and Borough Manager may approve with final execution being evidence of approval for the vacant lot across the street from the Fire Company for \$1.00 was made by Ed Winkelbauer, seconded by Ed Keyworth. Unanimous.

Blue Mountain Village – Solicitor was contacted by their council; joint status report was filed with the Commonwealth Court.

Conservation easement – Survey of the Borough lands continues

Survey of Water Lands – In progress

**Borough Manager – Randy Miller**

Council received Randy's report for review

Tree Harvesting continues

Orwigsburg Grants CDBG Grant awarded by the County for \$61,020 for new ADA Ramps at North Wayne at East Mifflin and East Cherry Street. ARRO will proceed with survey and design for the ramp grant project and incorporate the necessary storm improvements.

Resolution #2022-41 Disposal of Records

FMA (Flood Mitigation Assistance) Grant paperwork; it appears the Borough will be receiving this grant; Resolution #2022-44 Authorized Signer for FMA grant

**Action Items**

A motion to approve Resolution #2022-41 for Disposal of Records based on list included was made by Rick Bubeck, seconded by Ed Winkelbauer. Unanimous.

A motion to approve Resolution #2022-44 designating agent authorized to execute forms for the HMGP (Hazard Mitigation Grant Program) or the PDM Pre-Disaster Mitigation) program was made by Ed Keyworth, seconded by Angie Hoptak-Solga. Unanimous.

## **2023 Meeting Dates**

Change in quarterly Authority meetings from 1:00 to 4:00.

A motion to adopt and advertise the 2023 Meeting Dates was made by Ed Keyworth, second by Ed Winkelbauer. Unanimous.

Repairs to new Borough Hall –

- Ceiling 90% completed
- Touched up
- Floor installation next week
- Move in in January after the quarterly utility billing is completed

## **New Business**

### **Common Items**

**Correspondence** - None

### **Bills**

A motion to approve and ratify the accounts payable for General, Fire, Water, Sewer, Sanitation, State, Grant, Credit Union, and Capital Improvement accounts; and granting permission to pay interim bills was made by Rick Bubeck, seconded Angie Hoptak-Solga. Unanimous.

**Payroll** – For Council’s review

### **Community Activities/Events**

Council Workshop Meeting, January 4, 2023, at 7:00 p.m.

At 8:22 President Bubeck called an Executive Session to discuss personnel issue, no action will be taken after the meeting. A motion made by Ed Winkelbauer to adjourn at 8:22 pm.

Respectfully submitted,

Sherry M. Edwards  
Borough Secretary