

**Orwigsburg Borough Council**  
**Meeting Minutes**  
**May 11, 2022**

The Orwigsburg Borough Council met on Wednesday, May 11, 2022 in Council Chambers. President Bubeck called the meeting to order at 7:00 pm and the Pledge of Allegiance was recited.

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

Visitors: Police Chief McDonald; Tim Wilhelm of 3029 Ridgeview Dr, Joe McGlinchey of 235 N Walborn Ave; Bill Knecht of 204 S Warren St.

**Approve the Final Meeting Agenda**

No amendments to agenda

**Announcement:** Council held Executive Sessions on April 28 and May 4 for Real Estate acquisition

President Bubeck stated our bid was accepted for the purchase of the bank building (Santander Bank) 333 S Liberty St and formed a committee to discuss and bring back recommendations to Council. Members are Brock Stein, Ed Keyworth, Vince McDonald, Scott Rarick in place of Jesse Zimmerman who resigned as Fire Chief. Scott Rarick is the interim Fire Chief.

Paul Datte – No final agreement to acquire building until Council’s approval. There is a 60-day window to approve agreement.

**Public Comments**

Tim Wilhelm of 3029 Ridgeview Dr extended a Thank You and Good Job to the borough street crew, they did an excellent job with the street sweeper; Ridgeview looks very good. Unfortunately, some residents already threw their grass on the street from mowing.

Joe McGlinchey – 235 N Walborn Ave – asked about the street sweeper doing N Walborn Ave; hasn’t been swept in 37 years. Street is really bad has glass all around. N Walborn Ave is totally ignored.

President Bubeck and Randy will make sure the street sweeper sweeps N Walborn Ave tomorrow.

Joe McGlinchey addressed the potholes – only one was filled. Walborn Ave from Market to Tammany has damaging holes.

President Bubeck spoke with Devin Deibert today and they will start patching in June. There are areas that they are not going to just fill with patch; they will need to mill and lay macadam.

Joe asked if someone could take a look at the crumbling storm grate on N Walborn and Church St.

Councilor Mariano responded the Engineer did come out and look at it last week.

Joe showed a two-week-old whole house filter that was very dirty. At last week’s meeting he asked Dave Teter if the hydrant on Tammany was flushed.

Randy responded the hydrant was definitely flushed.

Bill Knecht – 204 S Warren St asked if Council could expand on bid to purchase the old bank (Santander).

Solicitor Datte responded bid was accepted but is subject to approval of Borough Council which hasn't happened yet.

Bill asked what the purpose is for the bid to purchase.

Councilor Mariano responded we are planning on upgrading the police station, moving the police station and possibly the three borough workers in this building to the old bank. Then either rent out this building or sell. This building requires costly upgrades. No upgrades have been made to the current police station in 37 years. For instance, there is no place to detain a prisoner.

Joe McGlinchey addressed his neighbor (237 N Walborn Ave) who abandoned his house about a year ago; Joe did call and ask for someone to come down and take a look. Asked where code enforcement is. Grass is 2ft high and was concerned over the winter with the heat not being on and pipes freezing. Joe also noted Brad Mullen's property is bat infested.

Councilor Mariano did mention we were down there, and that Brad Mullen is fined for his properties. All Council can do is to keep fining him.

Joe asked Rick to come down and take a look; Joe is available from 9am to 2pm.

## **Business**

### **Minutes**

A motion to approve the minutes from the April 6, 2022 Work Session and April 13, 2022 Council meetings was made by Kerry Mariano, seconded by Ed Keyworth. Unanimous.

### **Treasurer's Report**

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

### **Tax Collector's Report**

The April 2022 Tax Collector's report was presented as follows:

Real Estate	\$458,569.04
Fire Tax	\$43,669.34
Per Capita	\$ 6,916.80
Occupation	\$ 1,753.94

## Tax Exoneration List

A motion to exonerate the Tax Collector from collecting Occupation Tax on Tax Exoneration List #2 was made by Kerry Mariano, seconded by Angie Hoptak – Solga. Unanimous.

## Building Permits

Building permits for April were as follows:

- 0 New Permit issued at \$0 total value
- 5 Renovation Permits issued at \$137,523.60 total value

## Police Report

Chief Vince McDonald presented the April Police report as follows:

Hours Worked:

- Regular Hours – 932
- Overtime Hours – 92 (110 ½ April 2021)
  - Court - 18
  - Cover Shifts– 4
  - Training – 6 ½
  - Administrative – ½
  - Holiday – 63
- Holiday – 56
- Training – 26
- Vacation - 20
- Personal – n/a
- Sick - 61

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- 2,920 Total Mileage for Police Vehicles
  - 379 ½ Total Vehicle Patrol Hours
  - 38 ½ Total Foot Patrol Hours
  - 104 Traffic Enforcement Hours
    - 46 Traffic Citations issued
    - 35 Warnings issued
    - 9 Parking Tickets issued
  - Bike Patrol – n/a

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- 165 - Incidents – Handled by 6 Officers
  - 7 – Reportable Crimes

- 2 – Distribution of Sexually Explicit Images by a Minor
- 1 – Weapon on School property
- 2 – DUI
- 1– Burglary
- 3 – Theft
- 1 – Criminal Mischief
- 2 – Terroristic Threats
- 1 – Possession of Drugs

Charges Filed:

- Criminal Complaints – 2

Juvenile Allegations – 1

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Borough Ordinance Violations/Investigations – 3

Updates:

Had a CPR save along with members of the Fire Department and EMS – will be addressed in June further

Police Vehicle Update – vehicle is almost ready to go; slowed down by switching over the weapons and still need graphics on exterior of vehicle – working with Bartush Sign.

**Committee Reports**

**Finance & Budget** – Brock Stein – No update

**Personnel** – Rick Bubeck

No updates that are not covered elsewhere

**Action Items**

Hiring Part-time Seasonal worker Luke Sottolano for a maximum of 28 hours per week at \$16.45 per hour. Duties include tree trimming, picking up branches, mowing borough property, weed whacking.

A motion to approve hiring of Seasonal Worker Luke Sottolano for 28 hours per week at \$16.45 was made by Brock Stein, seconded by Ed Keyworth. Unanimous.

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

Phone system updates:

1. Frazier – has better performance and \$5,500 annual savings
2. Comcast will be kept for Internet access and lines associated with SCADA and Alarms

A motion to approve new phone system borough-wide from Frazer Business Systems was made by Ed Winkelbauer, seconded by Brock Stein. Unanimous.

**Economic Development/Revitalization** – Ed Keyworth

Industrial Drive ARC grant –

Engineers working on permitting and Right-of-Way;

PPL will relocate poles at the Industrial and Long Avenue intersection.

Environmental Services to perform the soft-dig.

**Easements update:** temporary construction easement documentation for adjoining property owners was sent to PennDOT, PennDOT is requiring a preliminary ROW plan submission for review and thinks the waivers of rights may be able to be used to avoid the appraisal process.

Environmental update: Scoping field evaluation for wetlands and environmental clearances (due to there have been sandblasting in the area).

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

Report of Water / Sewer Operations; Miller Environmental

Sewer Inflow Committee placed meters in two locations in sewer to measure I & I; no results available as of yet.

Subsurface repairs update – await reply from contractor for start date

Schuylkill Haven Interconnect – Submitted LSA Grant package; have been in conversation with them about additional questions

Permitting for water dispensing station on Long Avenue

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

**Water / sewer**

Phase 1: Payment application #3 submitted by Allen Myers for WWTP Upgrade Project in the amount of \$138,150.00. Entech recommends approval for payment.

A motion to approve Allen Myers Payment Application #3 for Phase 1 of the WWTP Upgrade Project in the amount of \$138,150.00 made by Rick Bubeck, second by Ed Keyworth. Unanimous

Phase 2: Payment application #3 submitted by Allen Myers for WWTP Upgrade Project in the amount of \$125,999.10. Entech recommends approval for payment.

A motion to approve Allen Myers Payment Application #3 for Phase 2 of the WWTP Upgrade Project in the amount of \$125,999.10 was made by Rick Bubeck, second by Kerry Mariano. Unanimous.

Phase 2: Change Order #1 submitted by Allen Myer represents piping extensions for 3 sludge hauler breather port connections for the WWTP Upgrade Project – Phase 2. Change Order #1 increase costs \$2,474.00.

A motion to approve Allen Myers Change Order #1 increase in the amount of \$2,474.00 for the WWTP Upgrade Project – Phase 2 was made by Ed Keyworth, second by Kerry Mariano. Unanimous.

**Streets & Lights** – Rick Bubeck

Capital Improvements List (ARRO) of work for 2022

Borough Maintenance work for 2022:

- Borough workforce to install storm improvements before overlay on Margaret Ave in June
- Borough workforce may be able to install storm improvements on North Street – previously the depth was out of our workforce range but modifications were made to the catch basin not to be as deep. Will start on the upper side of the soccer fields and go under North St then discharge into a catch area on Decatur St.

- Stormwater catch basin repairs in sections of Creswell
- Stormwater catch basins at Marshall and Halsey

Street Sweeping will take place this week – finish up tomorrow

Ritchie Logging & Sawmill for \$204,118; no signed contract to date; options are available if not able to obtain a signed contract.

Woods & Wildlife – working on Orwigsburg Land survey

Siding replacement at 123 S. Liberty St.; property owner has filed a claim with their insurance. Borough insurance will pay their deductible for \$1,000.

201 South Warren Street light pole: Deed was pulled, and the property goes all the way out to the street. ADA ramp that the borough installed is causing a sink hole on sidewalk and undermining the lamp post although the borough cannot be in the business of repairing private property, but the borough caused the damage.

Solicitor Datte suggests notifying Mrs. Jones the borough will not go onto her private property to repair pole; advise her to obtain estimates for repair and address Council.

Randy will forward a letter to Mrs. Jones regarding outcome of Councils discussion.

Streets Projects – Liquid Fuels Bidding –

- Gerald Ave – Leveling Course, Double Seal Coat & Quick Set Polymer Modified FOG Seal for \$37,468.75
- Margert Avenue – Leveling Course, Double Seal Coat, Quick Set Polymer Modified FOG Seal for \$44,598.00

A motion to bid out Gerald Ave for \$37,468.75 and Margaret Ave for \$44,598.00 was made by Ed Winkelbauer, seconded by Brock Stein. Unanimous

Resolution 2022-29 – Escalator Clause

A motion to approve Resolution 2022-20 was made by Kerry Mariano, seconded by Angie Hoptak – Solga. Unanimous.

A motion to authorize Survey to provide a boundary of Borough owned parcels for \$34,100.00 to Brinkash & Associates, Inc. was made by Ed Keyworth, seconded by Ed Winkelbauer. Unanimous.

### **Parks & Recreation – Maddie Bartush**

Bathroom upgrades at Albright's Woods completed, new driveway

Construction at the Veterans' Memorial:

- Rough electric completed
- Rough plumbing completed
- Ceiling painted

- Drywalling underway

Fishing Rodeo at Fisher's Dam on May 21<sup>st</sup> and 22<sup>nd</sup> from 8 am to 2 pm

Ridge Road Park – Grant Agreement received. Currently coordinating with DCNR

Miller Brothers submitted Payment Application #2 in the amount of \$63,252.75 for the Veterans Memorial construction.

A motion to approve Miller Brother Payment Application #2 for \$63,252.75 was made by Brock Stein, seconded by Kerry Mariano. Unanimous.

Miller Brothers Change Order request for \$2,460.00 was approved at the May 4, 2022 Work Session meeting.

Ridge Road Park approval of the administration contract for \$23,000.00 for Alfred Benesch to complete Survey, Design, and Contract/Construction Administration.

A motion to approve Alfred Benesch Ridge Road Park administration contract for \$23,000.00 was made by Brock Stein, seconded by Ed Keyworth. Unanimous.

Ridge Road Park approval of the Phase 1 Environmental contract for \$2,400.00 to complete Phase 1 Environmental Evaluation for United Environmental Services, Inc.

A motion to approve Ridge Road Park Phase 1 Environmental contract in the amount of \$2,400 for United Environmental Services Inc was made by Brock Stein, seconded by Kerry Mariano. Unanimous.

**Building Development** – Jesse Zimmerman – No updates

- ii. Reports
- iii. Grant

**Property Code Safety** – Kerry Mariano

Inspections of Rental Properties are continuing

Inspection reports

- 1. Permit Reports
- 2. Notice of Violation
- 3. Rental Properties

Police are involved with notifying us of properties with potential violations

As of last weeks meeting three property owners have been notified about the condition of their properties

**Planning & Zoning** – Ed Winkelbauer

Planning & Zoning will meet June 15<sup>th</sup> to review Zoning Ordinance amendments Borough Zoning Ordinance

- Council decision on whether to move to amend the Ordinance now, or wait for the changes on Adaptive Re-use are recommended by P & Z.

The Planning Commission has forwarded one recommendation to Council with regards to changes to Accessory use on properties: adding additional structures, lot coverage for all districts in the borough.

Question now is do we want to pass these amendments as piece meal, or do we wait until we get to the next section and try to have one public hearing and one advertisement.

Randy recommends waiting until we agree on the additional amendments and approve all amendments at the one time.

Consensus of Council is to wait and approval all amendments at one time.

Blue Mountain Village – No update

Villas of Orwigsburg – No update

Clearly Clean LDP – No update

ZHB Decision: Heckman ZHB decision – Tues May 17<sup>th</sup> @ 7pm in Council Chambers

**Safety & Policy** – Kerry Mariano

Councilor Mariano asked if we ever had the Chlorine Safety Class

Randy responded we did, and he attended as well; there is a procedure in place given to us by the trainer. MSDS sheets are on file.

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

Mayor Berger asked to combine this step (Bargaining & Negotiations) under the Police report since the police contract is negotiated every so many years.

**Teamsters' Bargaining** – Ed Keyworth

Bargaining Session on May 11, 2022; negotiations continue – Randy apologized for the lack of communication – he assumed Mike Miller's office sent out notifications to everyone but was not.

Bargaining Session today was a response to previous the Session in which we had stated our position on several of the non-monetary items in the contract. Items were returned for language review.

Solicitor Datte noted there was no agreement made on anything that was returned for review.

**SCMA Coordinating Committee** – Ed Winkelbauer – No update

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

**COG** – Sue Murphy

Next meeting is May 19 at 7:00 p.m. at Borough Hall

**Correspondences** - None

**Solicitor** – Paul Datte

Blue Mountain Village – No update



Conservation easement – Survey of the Borough lands in question – Council took action tonight.

Creswell Acres Street vacation – Advertised and notification sent to adjacent owners; Council to decide at its June Regular meeting.

Last week Council approved Solicitor moving forward with the necessary amendment to the existing Bond documents to permit use of bond proceeds for water projects. Will need to amend the existing ordinance which includes advertising requirements. The Bond in an amount NTE of \$2,000,000 to the Water System.

A motion to authorize Solicitor Datte to advertise the amended Bond ordinance not to exceed \$2,000,000 for the water system was made by Ed Winkelbauer, second by Brock Stein. Unanimous.

**Borough Manager** – Randy Miller

Council received a copy of Randy's report for their review and comment

Tree Harvesting – discussed briefly earlier in the meeting

123 South Liberty Street Repairs – awaiting quotes

PSAB Conference – Will be attending conference from May 22<sup>nd</sup> to May 25<sup>th</sup>

Federal Community Projects Funding Grant – Congressman Meuser – no update on current applications on grants

Resolution 2022-30 – ratification – Authorizing requests for grant monies to assist with the Veterans' Community Memorial Hall rehabilitation and naming the authorized signers.

A motion to ratify Resolution 2022-30 was made by Ed Keyworth, seconded by Ed Winkelbauer. Unanimous.

Fire Police Request for Assistance – the Orwigsburg Free Public Library has requested assistance from the Orwigsburg Fire Police for their Run for the Books 5K Race/Walk September 17, 2022,

A motion to approve Orwigsburg Fire Police assistance at the Orwigsburg Library Run for the Books 5K Race/Walk on Saturday, September 17, 2022 was made by Brock Stein, seconded by Kerry Mariano. Unanimous.

**New Business {If there is any} – None**

**Common Items**

**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 Brock Stein, seconded by Kerry Mariano. Unanimous.

**Payroll** – Payroll report were given to Council for review.

**Community Activities/Events**

Jason Jones Day of Caring – Friday May 13<sup>th</sup> - Project includes Fishers, Square, Arch culvert on Market

Primary election – Tues, May 17<sup>th</sup> @ Memorial Bldg.

Fishing Rodeo – Fisher's Dam on May 21 & 22 from 8 am to 2 pm

Yard Sale – Sat May 21<sup>st</sup> from 8 am to 4 pm (rain date June 4<sup>th</sup>)

Memorial Day Parade – May 30<sup>th</sup> @ 8am

Lions Club Chicken BBQ – May 30<sup>th</sup>

Meet the farmer – June 4<sup>th</sup> at the library

OBPA June Jamboree – June 9<sup>th</sup> from 5 to 8 pm on the square

Next Council Work Session meeting – June 1, 2022 @ 7:00 pm.

There being no further business the meeting was adjourned at 8:00 pm

Respectfully submitted,

Sherry M. Edwards  
Borough Secretary