

Orwigsburg Borough Council
Meeting Minutes
October 12, 2022

The Orwigsburg Borough Council met on Wednesday, October 12, 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, Vice President Brock Stein (late). Councilors: Ed Winkelbauer, Ed Keyworth, Angie Hoptak-Solga, Kerry Mariano, Maddie Bartush; Mayor Berry Berger; Solicitor Paul Datte; Borough Manager Randy Miller; Borough Secretary Sherry Edwards.

Visitors:

Bill Knecht of 204 S Warren St	Bill Bandholz of 421 Lantern Green Way
Jim Leymeister of 200 Ronald Ave	Dave & Jessica Lafko of 532 E Mifflin St
Jess & Hayley Tofany of 1378 Red Dale Rd	David Benulis of Lantern Green Way
Daniel Cameron of Long Ave	Molly Scott of 529 Lantern Green Way
Brad Miller of the Orwigsburg Fire Dept	
Kristen & Kelti Ludwig of 1038 W Market St, Schuylkill Haven	
Miranda O'Dell of 441 Lake Front Dr, Deer Lake	
Dahlia Hughes of 410 Lake Front Dr, Deer Lake	

Approve the Final Meeting Agenda

Personnel -Added acceptance of Councilor Bartush resignation
Water & Sewer – Change from information update to a motion
Parks & Rec – Additional information added
Change order RCAP Change Order #9

A motion to approve the Final Meeting Agenda as amended with the above changes was made by Maddie Bartush, seconded by Ed Keyworth. Unanimous.

Public Comment:

Girl Scouts Kelti Ludwig, Haley Tofany, Miranda O'Dell, Dahlia Hughes attended tonight's meeting to obtain their Democracy Badge. They visited Washington DC this week.

Business

Minutes

A motion to approve the September 7, 2022 Work Session and September 14, 2022 Council meeting minutes as presented was made by Angie Hoptak-Solga; seconded by Ed Winkelbauer. Unanimous.

Treasurer's Report: August 2022

The August Treasurers Report has been presented to Council for review.

Tax Collector's Report:

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

Real Estate	\$ 295.10
Fire Tax	\$ 28.11
Per Capita	\$ 65.00
Occupation	\$ 21.06

Tax Exoneration List

A motion to exonerate the Tax Collector from collecting Occupation Tax on Tax Exoneration List #7 was made by Ed Winkelbauer; seconded by Angie Hoptak-Solga. Unanimous.

Building Permits

The September 2022 permits were as follows:

- 0 - New Permit issued at \$0 total value
- 5 - Renovation Permits issued at \$79,702.00 total value

Police Report Mayor Berger – Chief McDonald's Report

Mayor Barry Berger presented the September 2022 report:

Hours Worked:

Regular Hours – 982
Overtime Hours – 90 ½
Court – 14 ½
Admin – 9
Cover Shifts– 15
Holiday – 36
DUI Checkpoint/Roving DUI Patrol – 13 (Reimbursable)
Callout – 2
Late call – 1
Training – 37
Vacation - 92
Personal – N/A
Sick – 36

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3,100 Total Mileage for Police Vehicles

367 ½ Total Vehicle Patrol Hours

47 ½ Total Foot Patrol Hours

114 ½ Traffic Enforcement Hours

64 Traffic Citations issued

41 Warnings issued

12 Parking Tickets issued

Bike Patrol – 12

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200 - Incidents – Handled by 6 Officers

7 – Reportable Crimes

1 – Sexual Assault

- 2 – Simple Assault
- 1 – Recklessly Endangering Another Person
- 1 – DUI
- 1 – Disorderly conduct
- 1 – Harassment

Charges Filed:

- Criminal Complaints – 5
- Non-Traffic Citations – 2

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Borough Ordinance Violations/Investigations – 1

Updates:

- The Orwigsburg Police Department will once again be participating in No Shave November. Officers along with other borough participants will be contributing \$50 each. This money will be donated to the Big Impact Group of Schuylkill County to buy Christmas presents for disadvantaged children.
- Coffee with a Cop – held on Saturday at St Johns Church; good turnout; good reception from the public

## Committee Reports

**Finance & Budget** – Brock Stein

Updates

Third Quarter Fund Updates – on the 2022 budget

2023 Budget Discussions have started; had one meeting already.

Donations to Non-profit organizations:

### **2021**

Fire Co - \$25,000 + \$10,000 (ARPA) = \$35,000  
Library - \$5,000 + \$10,000 (ARPA) = \$15,000  
Historical Society - \$1,000 + \$10,000 (ARPA) = \$11,000  
Senior Citizens - \$1,000  
Food Bank - \$10,000 (ARPA)

Proposed 2022 donations:

### **2022**

Fire Co - \$25,000 + \$5,000 (ARPA) = \$30,000  
Ambulance - \$5,000 (ARPA)  
Library - \$5,000 + \$5,000 (ARPA) = \$10,000  
Historical Society - \$1,000 + \$5,000 (ARPA) = \$6,000  
Senior Citizens - \$1,000 + \$5,000 (ARPA) = \$6,000  
Food Bank - \$1,000  
Lions Club - \$5,000 (ARPA)

Councilor Mariano mentioned giving \$10,000 to the Veterans Memorial Taskforce, which Councilor Keyworth agreed it would be to cover the stove.

Randy will research to determine if there would be an advantage to giving ARPA donation to the Non-profit or can the borough use the ARPA to cover the cost.

Donations to Non-profits – Item tabled until next month.

### Action Items

A motion to accept the State Aid for the Volunteer Fire Relief Association of \$16,987.53 and forward to the Volunteer Firefighters' Relief Association of the Friendship Hose Co #1 was made by Ed Keyworth, seconded by Ed Winkelbauer. Unanimous.

A motion to accept the Pension State Aid of \$98,428.58 received and approved payment of the Minimum Municipal Obligation for the Police and Non-Uniform Pension plans totaling \$155,130.00 to the Pennsylvania Municipal Retirement System was made by Maddie Bartush, seconded by Angie Hoptak-Solga. Unanimous.

### Personnel – Rick Bubeck

Council Opening – Councilor Bartush rendered her resignation due to getting married and moving out of the borough.

A motion to accept the resignation of Maddie Bartush was made by Ed Keyworth, seconded by Angie Hoptak-Solga. Unanimous.

Advertise for vacancy on Facebook and Webpage. Council has 30-days to fill the vacancy.

### Communication & Technology – Angie Hoptak-Solga

No updates that are not covered elsewhere

### Economic Development/Revitalization – Ed Keyworth

#### Updates

Industrial Drive ARC grant – Engineers working on permitting and ROW;

Utilities update: ARRO and the Borough met with PennDOT to discuss the new URMS system and inputting plans and identifying conflicts in this system. PPL conflicts will be resolved by PPL. Water line conflicts will be identified and boxed out around proposed inlets, reimbursements for water line conflicts may be available.

Easements update: No Update; PennDOT ROW unit is reviewing a preliminary ROW plan submission to determine if waiver of rights and Local project Temporary Construction easement paperwork is sufficient

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 performed a wetland study for the Industrial Drive. PennDOT has indicated that it appears wetlands are exceptional value. ARRO is scheduling a pre-application meeting with the DEP and Army Corp.

### Water, Sewer & Sanitation – Ed Winkelbauer

### Updates

- Report of Water / Sewer Operations; Miller Environmental
- MUA Meeting October 17, 2022, 1 p.m.
- New Copper limit mandated on 6/2024. Sampling plan initiated for source in the water system and current levels at the Sewer Plant
- Sewer Inflow Committee placed meters in two locations in sewer 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.

### **Sanitation Bidding** – Bids were opened October 10<sup>th</sup> {2 bids received}

|                    | <u>1-year</u> | <u>3-year</u>  | <u>5-year</u>  |
|--------------------|---------------|----------------|----------------|
| County Waste -     | \$532,888.50  | \$1,653,364.00 | \$2,928,828.50 |
| Anthracite Waste - | \$360,000.00  | \$1,080,000.00 | \$1,836,000.00 |

Bids include recycling

Bids have been reviewed by the Solicitor

Bill Knecht of 204 S Warren St expressed his concern with Anthracite Waste Services being a new service with no history or performance background.

Solicitor Datte responded this entity was a principal in another waste hauling service. Will need to produce a performance bond.

A motion to award Anthracite Waste Service for a 5-year contract at a yearly cost of \$367,200.00 was made by Brock Stein, seconded by Kerry Mariano. Unanimous.

### **Water**

Lead and Copper service line replacement initiative – August 2024 deadline; continue to work on determinations; changed out 240 old meters, to date, as part of the initiative.

Schuylkill Haven Interconnect – Submitted LSA Grant package on 3/18/22. Awaiting grant announcement in November.

DRBC Docket for ground water allocation amounts –renewal due 12/4/2022. Application started.

SCADA Study Report is underway. A site visit was conducted on September 1<sup>st</sup>. Phase 1 report nearing completion.

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.

Early discussions and mapping completed for a potential water system looping project in the Red Dale area.

### **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.

Smoke testing letters. Responses and repairs are on-going. One NOV to be issued.

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

- Received E&S and HOP Approval.
- Currently working through easement processes.
- Possible funding opportunities with PennVest. Meeting with funding representatives held on Tuesday the 11<sup>th</sup> - Randy gave a brief summary: PennVest asked to combine as many projects into one project as we can to seek funding so it will increase the value of funding and ask not to submit in current cycle but wait and submit in February cycle.
- Submit in February 2023 - \$1.2 million

Action Items

**Phase 1:**

Allan Myers has submitted Payment Application #8 for \$10,230.50 for the WWTP Upgrade Phase 1 and Entech is recommending approval.

A motion to approve Payment Application #8 to Allan Myers for \$10,230.50 was made by Brock Stein, seconded by Ed Keyworth. Unanimous.

Change Order #3 to Allen Myers for price increase based on gate size verification for VLR Control System Upgrade in the amount of \$9,763.50 has been submitted and Entech is recommending approval.

A motion to approve Change Order #3 increase to Allan Myers for \$9,763.50 was made by Brock Stein, seconded by Ed Keyworth. Unanimous.

**Phase 2:**

Allan Myers has submitted Payment Application #8 for \$93,944.92 for the WWTP Upgrade Phase 2 and Entech is recommending approval.

A motion to approve Payment Application #8 Phase 2 to Allan Myers for \$93,944.92 was made by Maddie Bartush, seconded by Brock Stein. Unanimous.

**Streets & Lights** – Rick Bubeck

Updates

Borough Maintenance work for 2022:

- Margaret and Gerald and Ronald Avenue; Work completed
- Patching work, sign updating, painting.

-Ritchie Logging & Sawmill for contract for \$204,118; work continues. Received \$90,000 so far.

-Marshall Drive along with Halsey drive will be added – Ordinance to be advertised for November. East

-Lehigh Avenue being investigated for possibility of widening.

-Land survey progressing once tree canopy coverage lessens.

Action Items

Cost difference (reduction of \$29,959.75) Margaret Ave & Gerald is due to adjusted material quantities per actual field use to complete the project. A compensating Change Order # 2 will be executed to balance the contract quantities for PennDOT close out.

A motion to approve Change Order #2 to Ronnie C. Folk was made by Ed Winkelbauer, seconded by Brock Stein. Unanimous.

A motion to approve Payment Application to Ronnie C. Folk for \$186,894.25 for the Margaret Ave & Gerald Ave road project was made by Ed Winkelbauer, seconded by Brock Stein. Unanimous.

Ordinance amendment for No-Parking on E. Cherry Street; has been advertised. to adopt; or no Motion to allow it to drop.

Discussions last week.

Mollie Scott of 529 Lantern Green Way – Molly noted she is the only person that parks where she does on a daily basis and typically its not an issue except when the homeowner of 532 E Mifflin St needs to use his camper; she has always cooperated and moved her car so the camper can get out; Molly feels they can work it out on their own.

David Lafko of 532 E Mifflin St – Agreed Molly has cooperated – but David needs to ask permission to go anywhere with the camper. This isn't only about his issue, the police have been called 4 times since December not only for his residents but for his elderly neighbor who cant get out of her property because of vehicles parked on Cherry St. Chelsey was here last week about the school bus not being able to pick up her handicapped son on Cherry St due to cars parked on Cherry St. There were issue with people almost getting hit head on when they have to go around the parked cars. A resident from Lantern Green sent an email regarding cars parking in on Cherry St next to her building and she almost had two head on collisions with cars turning in from Lawrence St.

Molly noted David has a garage attached to his house, street parking and a driveway so she doesn't think in a case of an emergency he would be needing his secondary garage. Town is tight, she has almost gotten hit a lot of times. If ordinance is adopted the borough should reassess throughout the entire town. Not fair to have no parking just here on Cherry St and nowhere else. Molly does have a driveway to park in and overflow parking is available within the development but there isn't enough spaces for every person.

President Bubeck suggests the Solicitor look into the width of Cherry St vs setbacks.

Tabled until more information received

Jessica Lafko of 532 E Mifflin St – Its not where Molly parks, its when someone parked directly in front of the barn. Their truck does not fit in the garage attached to the house. Jessica just wants to be able to use what is on her property.

Advertising is good thru both meetings in November. Good 60 days from last Wednesday's meeting.

**Parks & Recreation** – Maddie Bartush  
Updates

- Redevelopment Assistance Capital Program (RACP) update for Veterans' Memorial Building:
- Exterior Site work is nearly complete. Potential Change Orders to increase project total to meet full grant reimbursable total of \$750,000.
- Audio/Visual Contractor – Moyer Electronic. Work proceeding. Scope nearly completed.

- Coordination is ongoing with Orwigsburg Masons regarding Clock for Foyer area. Due to delays with the Masons, it is not anticipated the clock installation will be completed this year
- Veterans Hall of Honor displays installed.
- Acoustic Panels installed. Sound test completed.
- Kitchen Equipment installed. Range to be delivered October 28<sup>th</sup>.
- Work to be completed; due to added scope and product lead times, Miller Brothers requests contract extension. See below Change Order.
- Concrete Pad discussed during work session to be formalized as a Change Order at November meetings.

Ridge Road Park – Grant Agreement received March 2022. Kick-Off meeting with DCNR was held May 4, 2022. Assume construction during 2023.

Design Completed.

Finalize Park, Phase 1 layout. Awaiting Quote from local playground equipment supplier. Evaluating the potential to purchase equipment through Costars program to be reimbursable through the DCNR Grant.

Donation of Property progressing - obtained the deed

#### Action Items

Miller Brothers has submitted Payment Application #8 for \$183,925.91 and has been recommended for approval by Alfred Benesch.

A motion to approve Miller Brothers Payment Application #8 for \$183,925.01 for the Memorial Project was made by Brock Stein, seconded by Kerry Mariano. Unanimous.

Miller Brothers Change Order #9 for extension of contract dates to January 23, 2023 for Substantial Completion on and on January 31, 2023 for Final Completion AND increase of \$21,528.47 for sidewalk, drainage, drywall, and electric changes as detailed.

A motion to approve Miller Brothers Change Order #9 for an increase of \$21,528.47 was made by Ed Keyworth, seconded by Ed Winkelbauer. Unanimous.

#### Property Code Safety – Kerry Mariano

##### Updates

- Inspection reports
- Permit Reports
- Notice of Violation
- Rental Properties
- Inspections of Rental Properties is continuing

ARRO provided a letter to the Borough indicating they are discontinuing their UCC services to the Borough. They recommended (3) third-party agencies.

Comprehensive Inspection Agency, LLC

Building Inspection Underwriters of PA Inc

Blue Mountain Inspection Services, LLC

A motion to adopt Resolution 2022-33 appointing Building Code Inspection Agencies and schedule of fees was made by Maddie Bartush, second by Ed Winkelbauer. Unanimous.

**Planning & Zoning** – Ed Winkelbauer

**Updates**

Planning & Zoning met on Wednesday, August 17<sup>th</sup>

- Borough Zoning Ordinance updates
- Comprehensive Plan updates

Blue Mountain Village – No update

Villas of Orwigsburg – No update

Clearly Clean LDP – No update

Decatur St. Stormwater design work – no update

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

Potential Award. Awaiting confirmation from PEMA. “Awarded within a Year”.

- \$132,249.15 total project
- \$99,186.86 Federal money (75%)
- \$33,062.29 Borough match (25%)

Hazard Mitigation Grant Program (HMGP)

Received request for additional information pertaining to potential acquisition and demolition of properties along West Market Street culvert. 508 West Market Street to be included with project per FEMA requirements. Appraisals received, coordination ongoing.

Project would be completely funded by State and Federal money.

Bids will be awarded in November.

P & Z meeting next Wednesday, October 19<sup>th</sup> to continue discussions on Zoning Changes.

Department of Community and Economic Development (DCED) Commonwealth Financing Authority (CFA) Multimodal Grant Application submitted on July 29, 2022.

Benesch will assist with updates to the Comprehensive Plan.

Randy received email today regarding additional ARPA funds are being made available through a grant process. Email was forwarded to the borough’s engineers for projects.

President Bubeck asked for an update for November’s meeting on the Zoning Ordinance amendments and Comprehensive Plan.

**Safety & Policy** – Kerry Mariano

No Updates

Councilor Bartush made a suggestion to have a traffic mirror installed at the intersection of Grove St and Route 443.

Due to being a State Route would need to get PennDot involved.

**Teamsters’ Bargaining** – Ed Keyworth

**Updates**

Bargaining Session with Teamsters was held on October 4; negotiations continue; next bargaining session is November 1.

**SCMA Coordinating Committee** – Ed Winkelbauer

**Updates**

Solicitor Datte prepared final draft agreement; committee met to discuss and recommends forwarding to SCMA.

A motion to submit the final draft agreement to Schuylkill County Municipal Authority was made by Kerry Mariano, seconded by Ed Winkelbauer. Brock Stein abstained. Motion carried.

**Police Department** – Mayor Berger – No updates

**COG** – Sue Murphy

Meeting is scheduled for Thursday, October 20<sup>th</sup> at 7 pm here at Borough Hall.

**Solicitor – Paul Datte**

Blue Mountain Village – No update

Conservation easement – Survey of the Borough lands in progress

No-Parking on Cherry Alley behind Lantern Green – already discussed

Ordinance dedicating open streets - Marshall Drive advertising for the November meeting

Abandoning paper alley - end of Albert Drive advertising for the November meeting

Assessment appeal – Exemption County appeals board granted for 333 S Liberty St

**Borough Manager – Randy Miller**

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

Tree Harvesting - tree harvest continues

**Action Items**

Approve action on repairs to new Borough Hall

A motion to approve quote for DM2 – Installation of DVR and camera installation at \$4,100 was made by Brock Stein, seconded by Maddie Bartush. Unanimous.

A motion to approve quote for Brennan Construction Ent. – Painting at \$5,500 was made by Brock Stein, seconded by Ed Keyworth. Unanimous.

A motion to approve quote for Bartush for front not-lit sign for \$2,980.00 was made by Ed Winkelbauer; seconded by Brock Stein. Councilor Bartush abstained. Motion carried.

**Outstanding Items:**

Ridler Decal – Window Treatments; still awaiting quote – waiting to talk to applicator.

Moving expenses

**New Business** - None

**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 Brock Stein, seconded by Ed Keyworth. Unanimous.

**Payroll** – For Council's review

**Community Activities/Events**

Fire Co. Community Give-Back, October 15<sup>th</sup> Noon to 2 p.m. at Memorial

MUA Meeting October 17, 1:00 p.m.

P & Z Meeting October 19, 7:00 p.m.

Halloween Parade – October 26<sup>th</sup>, 7 p.m.; rain date the 27<sup>th</sup>

Trick or Treat night is October 31<sup>st</sup>, 6 to 8 p.m.; rain date Nov 1<sup>st</sup>.

Josh Kreitzer from Anthracite Waste Service was present to answer any questions Council might have regarding the sanitation bid.

Next meeting - Council Work Session, November 2, 2022 at 7:00 pm

President Bubeck called an Executive Session at 8:15 pm to discussed personnel contract. At 9:05 pm the Executive Session ended, no action was taken and the meeting was adjourned.

Respectfully submitted,

Sherry M. Edwards  
Borough Secretary