

Orwigsburg Borough Council
Work Session Meeting Minutes
September 7, 2022

The Orwigsburg Borough Council met on Wednesday, September 7, 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: Maddie Bartush; Ed Keyworth, Angie Hoptak-Solga; Mayor Barry Berger; Solicitor Paul Datte; Borough Manager Randy Miller; Borough Secretary Sherry Edwards.

Absent: Councilors: Kerry Mariano, Brock Stein, Ed Winkelbauer.

Visitors: Mike Begis of ARRO Consulting; Utility Supervisor Dave Teter; Fire Chief Scott Rarick; Chris Cope of Entech Engineering; Tim Wilhelm of 3029 Ridgeview Dr; Jim Leymeister of 200 Ronald Ave.

Approve the Final Meeting Agenda

-Additions under Solicitors Report:

Ordinances 454 and 455 – motion to advertise

-Additions under Borough Manager Report

ARPA 2022 deposit of \$154,000

-Engineers reports:

Dave Walasavage report: Highlighted items

-Entech Engineers: Added: Allan Myers WWTP Upgrade Project Phase 2 Change Order #3

A motion to approve the Final Meeting Agenda with the above amendments was made by Ed Keyworth, seconded by Maddie Bartush. 4-yes; -0- no

Minutes

Council received a draft copy of the minutes from the August 3, 2022 Work Session and August 10, 2022 Council meetings for review and comment.

Budget Review – Target Objective July – 66.6%

General Fund Revenues	76.4%	Expenditures	60.0%
Fire Fund Revenues	75.5%	Expenditures	8.7%
Water Fund Revenues	69.9%	Expenditures	48.6%
Sewer Fund Revenues	69.0%	Expenditures	46.6%
Sanitation Fund Revenues	74.4%	Expenditures	69.0%

Maintenance Reports

Water/Sewer - Dave Teter

Sewer

Refill clarifier 2

UV Start up and instructions with Representative

Issues with UV cabinet

Sewer blockage at 129 Columbia St – opened by Strouse Brothers

Roto Rooter for Columbia line

Meet with Koff Chemical guy about copper limits and chemicals that can be used to reduce limits

Talk to electricians about blower issues

Water

Talk to Kathi about appointments and shut offs

Locate and talk with contractor boring electric at Marshall and Halsey

Dig (repair water leak) - 260 Ridge Rd

Look into drawn down after dig, higher than prior to dig – Blue Mountain School District filling pool

Back in for leak location

Issue boil lift notices

Work with 301 Ridge Rd to get pressure back

Met with Engineer for Metzinger Properties at Orphanage Building to locate lines

Guy from Cal Valve here looking a valving

Work with 301 Ridge Rd to get pressure back flushed with water and air

Other

Paving on Margaret Ave

Fire

269 Stephens Rd – AFA (2x .25 hr)

423 W Market St – residential rescue (2x.25 hr)

133 S Warren St – Porch fire

303 E Market St – Lift Asst (1x.25hr)

President Bubeck asked what other Municipalities are doing about their copper limit

Chris Cope responded some are trying to reduce before entering into the plant; some using chemical to remove at the source.

Streets, etc. - Shawn, Slade, Devin

Council received the Hours Worked, Vehicle Maintenance/Hours and Maintenance Budget reports for review and comment.

- Painting Streets – white, blue, and yellow curbing
- Major base repair on Margaret Ave and stormwater in that location
- Seal coating on Grove St and Kimmels Rd

Total manhours for August – 148 hours

Storm water – 55 hours

Borough Buildings – 21 hours

Events – 7 hours

Equipment maintenance – 32 hours

Parks and Recreation – 4 hours

Fire Department – Scott Rarick

Fire Chief Scott Rarick presented the August Fire Report:

20 Total calls for August
148 Total Calls YTD
200.36 Man hours for August
1,307.67 Man hours YTD
772.75 Administrative hours YTD
227 Training hours for August
1,483 Training hours YTD

<u>Zone</u>	<u>Incident Count</u>	<u>Man-hours</u>
North Manheim Township	7	46.67
West Brunswick Township	2	9.82
Cressona	1	.60
Orwigsburg	9	141.77
Pottsville	1	1.50

- September 10th – Hands only CPR training in conjunction with Heritage Days – Hosting CPR class; no certification
- September 24th – Smoke alarm installation program partnering with American Red Cross
- October 15th – Noon – 2 pm Community give back event. At the Memorial Building includes fire prevention, fire extinguisher training and free spaghetti dinner.

Public Comment - None

Solicitor's Report – Paul Datte

Blue Mountain Village – No update
Conservation easement – No update
Survey of Water Lands – In progress

Draft Ordinance #454 amending parking on Cherry Street – draft copy will be given to Council next week. No parking area on north side of Cherry from Lawrence to driveway from Lantern Green – southern side

Draft Ordinance #455 confirming remainder portion of Marshall Drive has been laid out and opened as a Borough Street. Ordinance will extend Marshall Dr 1,060 feet from Ridge Rd to end past Halsey Dr. Would then be added to the Liquid Fuels Map.

Two other streets that could possibly be added are:

E. Lehigh Ave currently 14' cartway; would need to make it 16' width – Obtain cost estimate to upgrade to a 16' cartway

Seton Manor Drive – a cul-de-sac 40' in diameter would need to be added at the end of the road. Currently the Borough doesn't maintain the road. But in the future should the Borough interconnect with Schuylkill Haven this is the location of the line. Would be added to the Liquid Fuels Map.

Borough Manager – Randy Miller

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

Tree Harvesting – work has started – received \$80,000 payment; second check to be received the beginning of 2023

Orwigsburg Grants – continuing to look for and work on grants

Drought Watch Issued – State has issued a Drought Watch Notice

Quotes for renovations at 333 S. Liberty St are continuing – quotes received:

- Demolition is 99% completed
- Sold leftover material that were left in the building – Metal was taken to Acheys.

9 Quotes received regarding repairs to:

- HVAC
- General Contractor
- Electrical
- IT service
- Flooring
- Painting

Estimates for repairs are coming in between \$68,000 to \$99,000. Once finalized figures are received, will be presented to Council for action.

SCMA Agreement Draft – Solicitor Datte working on finalizing the agreement

Sanitation Bidding – Bids will be due October 10th – Council was given a copy to review. Action next week to advertise.

2023 Minimum Municipal Obligation (MMO)

Police Pension 2023 MMO - \$0.00

Non-Uniform Pension 2023 MMO - \$169,168.00

ARPA 2022 deposit of \$154,980.22 will be made on September 9th. Council to consider donating to local nonprofit organizations as was done with the first half of the ARPA payment in 2021.

Library

Fire Company

Historical Society

Food Bank

Suggestion was made to consider the Lions Club.

Business

Engineer – Dave Walasavage/Mike Bagas

Review Reports – Shannon Darker

Reports have been distributed to Council for review and comment

- Permit Reports
- Notice of Violation - The maximum fines in the IPMC is \$500.00. Shannon indicted that she would be requesting the MDJ to assess the max fine and also do the necessary to establish daily violations and fines for daily violations.
- Rental Properties – Inspections

Capital Improvements List

Road Projects

Industrial Drive;

Utilities - New storm lines will have to be installed shallow to avoid conflicts or existing water lines relocated for storm improvements. ARRO met with Entech and will include an allowance in the project for water line relocations that cannot be avoided. Storm lines kept as shallow as possible

Easement – 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. – no comments back yet

Environmental - PennDOT District 5 Environment Unit has indicated that a Phase I Environmental Site Assessment (ESA) will be required for all adjoining properties. Forwarded a proposal from United Environmental to perform the Phase 1 Corridor Study for \$6,400.00.

ARRO performed a wetland study for the Industrial Drive extension and submitted to PennDOT. PennDOT has indicated that it appears that the UNT (un-named tributary) to Mahannon Creek is designated as wild trout due to Mahannon Creek's wild trout designation. As a result, the wetlands identified would be classified as exceptional value and a joint permit will be likely and an individual NPDES due to the exceptional value designation. ARRO will further discuss with the DEP if a General Permit 7 for the minor road crossing with wild trout construction restrictions from Oct 1st to Dec 31st can be pursued instead of the joint permit.

Margaret Avenue; ARRO issued NTP (Notice To Proceed) to Folk and held a pre-construction meeting. Work is scheduled for the week of September 12th. School bus traffic and local traffic will be able to go through.

Storm Projects

North Street: Nothing new to report.

North Wayne Street: Nothing new to report; East Mifflin Street to East Cherry Street will be incorporated into the handicap ramp project awaiting County grant funding. Survey price can be provided to council for consideration to begin storm design process.

Misc. Projects

Oakdale Terrace: Nothing new to report;

Streets were reviewed with John Davis of PennDOT and Randy Miller for updating the Liquid Fuels maps. Marshall Drive was found to be the wrong length in the previous ordinance establishing it as a street. An ordinance to update the length of Marshall Drive will be prepared for adoption. Once the length of Marshall Dr is revised Halsey Dr can be added to the Liquid Fuels maps as well since it will

connect to this added portion of Marshall Drive. East Lehigh Avenue and Seton Manor will also be investigated to be added by Ordinance as streets.

The other streets previously discussed for adding to Liquid Fuels do not qualify.

Planner – Kevin Richards

Redevelopment Assistance Capital Program (RACP) update for Veterans' Memorial Building: increase to get up to grant total of \$750,000.00.

- Exterior Site work 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 ongoing with Orwigsburg Masons regarding Clock for Foyer area. Delayed due to internal the Masons are having. Won't be completed in conjunction with the Miller Bros project.
- Veterans Hall of Honor displays to be tentatively installed September 19th & 20th.
- Acoustic Panels to be installed beginning September 6 and take approximately 2-3 weeks.
- Kitchen Equipment being delivered and installed. Range to be delivered October 28th. Stove delayed.
- Work to be completed by the end of October 2022.

Miller Brothers submitted Payment Application #6 for \$14,336.56; Alfred Benesch recommends approval

Miller Brothers submitted Payment Application #7 for \$28,465.58; Alfred Benesch recommends approval.

Miller Brothers submitted Change Order #7 for a reduction of \$7,450.43 for paving credit; Alfred Benesch recommends approval.

Miller Brothers submitted Change Order #8 for a reduction of \$1,369.64 for Kitchen Equipment Tax Credit; Alfred Benesch recommends approval.

Ridge Road Park – Grant Agreement received March 17, 2022. Kick-Off meeting with DCNR was held Wednesday, May 4, 2022. Assume construction during 2023.

- Survey Completed, Design Progressing.
- Request Meeting with Parks and Recreation Committee to finalize Park – Phase 1 layout.
- Donation of Property progressing.

Blue Mountain Village – Plan moving forward; submitted permitting to PennDOT and DEP.

Decatur St. Stormwater design work – 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%)
 - Additional information provided to FEMA
- 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 completed by the Borough have been submitted to the property owners. Coordination with property owners and FEMA ongoing.
- Project would be completely funded by State and Federal money.

The Planning Commission met on August 17, 2022, to review potential Zoning Changes. The Planning Commission will meet on September 21st or October 19th to continue discussions.

LSA Grant Application submitted for Fire Department. No update.

Department of Community and Economic Development (DCED) Commonwealth Financing Authority (CFA) Multimodal Grant Application submitted on July 29, 2022. – no update

Benesch will assist with updates to the Comprehensive Plan.

Water/Sewer – Chris Cope

Water

- Water leak discovered near the intersection of Marshall Dr and Ridge Road. Repair work completed Thursday, August 4th which helped with the Borough's water loss issue; returned the tank levels back to normal operation levels.
- Lead and Copper service line replacement initiative – August 2024 deadline; continue to work on determinations; changing out old meters. To date no lead service line have been discovered.
- Schuylkill Haven Interconnect – Submitted LSA Grant package on 3/18/22 – no response to date.
- Concept design and permit application for water dispensing station on Long Avenue. Looking at options due to elevated construction costs for the prefabricated Flow Point Station. One option for cost reduction would be utilize Borough staff and Borough resources.
- DRBC Docket – renewal due 12/4/2022. Work is underway
- SCADA Study Report is underway. Council approved Study Report A site visit was conducted on September 1st.

Sewer

- CCTV and Subsurface repairs update
 - Standard Pipe Services continues with rehab work throughout the Borough.
- Smoke Testing Letters
 - Letters mailed to properties identified as having I&I (Inflow and/or Infiltration) issues. Responses and repairs are on-going.

- 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. Future meeting to be scheduled soon with funding representatives.

Sewer Plant

Waiting on Gates and Actuators; contractor will be back in December or January to finish work.

- Phase 1

Allan Myers has submitted Payment Application #7 Phase 1 for \$103,722.25 for WWTP Upgrade Project; Entech has recommended approval.

- Phase 2

Allan Myers has submitted Change Order #3 to allow increased scope for paving, in the amount of \$10,000. Allows access to area behind blowers; creates safer situation for operator and vendor to access blowers for preventive maintenance and general operation.

Allan Myers does not guarantee the length of time that this grading improvement will remain as initially installed due to the cost saving strategies discussed onsite on 9/6/2022 with Entech and the Owner.

After a discussion on alternative options for backfill, grading the consensus of Council is to look elsewhere for quotes.

A deduct change order will be submitted for \$7492.00.

Allan Myers has submitted Payment Application #6 Phase 2 for \$98,436.22 for WWTP Upgrade Project; Entech has recommended approval.

Allan Myers has submitted Payment Application #7 Phase 2 for \$116,015.12 for WWTP Upgrade Project; Entech has recommended approval.

Hirneisen has submitted Payment Application #2 Phase 2 for \$19,715.40 for WWTP Upgrade Project; Entech has recommended approval.

Community Activities/Events

Heritage Day, Saturday September 10th from 10 to 4 on Center Square

Correspondence

Council received a letter from Rick Freiler (Hot Dog vendor) requesting fee reduction for an annual Peddlers permit. (Request is attached to these minutes)

Should Rick Freiler want to be a vendor at an OBPA event he would have to pay their vendor fee for that event. The Borough's annual fee is \$400.00. Council considered taking business away from the local brick and mortar businesses who pay taxes, utility bills and they also give back to the community.

Could also be an opportunity to bring more visitors into the Borough. Investigate if fee schedule is adopted by ordinance or resolution.

Next Council Meeting is September 14, 2022 at 7:00 p.m.

A motion to adjourn the meeting at 8:20 pm was made by Maddie Bartush, seconded by Ed Keyworth. Unanimous.

Respectfully submitted,

Sherry M. Edwards
Borough Secretary

8/31/2022

To the Orwigsburg Borough Council, Mayor and Borough Manager,

I am writing to request your consideration for reducing the fee of the twelve-month Peddling, Canvassing, and Soliciting Permit fee and/or offering a six-month permit at half the price of the yearly permit for food vendors. Orwigsburg's fee of \$400 for a twelve-month Peddling, Canvassing, and Soliciting Permit was originally established in 2011 based upon Carbon County's \$400 yearly permit fee paid by vendors in Jim Thorpe. At that time, I was the first mobile food vendor that paid this yearly fee to operate in Orwigsburg.

After operating a gelato cart and hot dog cart in Orwigsburg for several seasons (typically 6 months for an outdoor food vendor), I moved my business to Pottsville partly due to its yearly cost of less than \$100. The yearly charges for the City of Pottsville are \$50 for an Eating/Drinking License, \$35 for a Business Privilege License, and a very minimal Business Privilege Tax of .00075% of gross volume retail sales. The \$50 licensing fee even includes the cost of inspection by the city health inspector. Carbon County has also lowered their yearly vendor fee from \$400 to \$350. They also have a limit on the number of yearly approved vendors.

I plan to continue operating my hot food cart business in Pottsville. However, I would also like to periodically operate in Orwigsburg. As an Orwigsburg resident, the Orwigsburg location is a convenience. My cart was well-received in Orwigsburg. The current daily, weekly, monthly, and yearly rates for Orwigsburg are too costly to return to Orwigsburg. A reasonably priced six-month fee or yearly fee is the best option for a food vendor in Orwigsburg.

Thank you for your time and deliberation regarding my request.

Sincerely,

Rick Freiler

Streetside Chill, LLC

570-366-0262