

**Orwigsburg Borough Council**  
**Work Session Meeting**  
**June 1, 2022**

The Orwigsburg Borough Council met on Wednesday, June 1, 2022 in Council Chambers. Resident 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: Ed Winkelbauer; Kerry Mariano, Ed Keyworth, Angie Hoptak-Solga, Maddie Bartush, Mayor Barry Berger; Solicitor Paul Datte; Borough Manager Randy Miller; Borough Secretary Sherry Edwards.

Visitors: Utility Supervisor Dave Teter; Chris Cope of Entech Engineering; Acting Fire Chief Scott Rarick; Bill Knecht of 204 S Warren St, Craig Eichert of 216 Long Ave; Greg Solga and Mary of 490 Clark Dr; Jim Leymeister of 200 Ronald Ave; Mike Begis of ARRO Engineering; Kevin Richards of Alfred Benesch; Carol Mason of 165 Walters Ave.

**Approve the Final Meeting Agenda**

Corrections/Additions to Agenda:

Corrected name of the Fire Dept  
Community Activities – Added Authority Meeting on June 20<sup>th</sup> @ 1:00

A motion to approve the final meeting agenda was made by Kerry Mariano, seconded by Ed Winkelbauer. Unanimous.

**Minutes**

Council received a draft copy of the minutes from the May 4, 2022 Work Session and May 11, 2022 for review and approval at next week's meeting.

**Budget Review – Target Objective May – 41.4%**

General Fund Revenues	61.0%	Expenditures	38.1%
Fire Fund Revenues	71.5%	Expenditures	6.5%
Water Fund Revenues	44.2%	Expenditures	33.4%
Sewer Fund Revenues	44.0%	Expenditures	35.1%
Sanitation Fund Revenues	48.9%	Expenditures	39.0%

**Maintenance Reports**

Water/Sewer - Dave Teter

Dave presented his May report on additional work:

Sewer

Sewer Authority meeting

Call about issue with Generator radiator – had a hole in it and was down for about a week and a half  
Meet with Dave Walasavage, Ben Melochick and phone call with Bryon about Margaret Ave sewer

Pump Station class – installing an additional manhole where the two laterals meet between the Weller property and Jacks Lane. Lateral branches and feeds two properties; first 20 feet are in bad shape. Quote obtained with the borough providing pipe and manhole for \$8,000 from Excavation Tech.

Water

57 Meter appts and paperwork

Lift and shift loggers

Soft dig and locate lines on Industrial Dr to locate raw and finish water

Look for plans for well 1 and raw water lines – archive plan on all raw water lines going to plant

Mark water line for soft dig contractor and backfill holes when done

Talk with Clearly Clean and Entech about sprinkler system – hoping to install prior to digging up Industrial Dr

Moyer meter calibrations

Survey industrial meters

Entech progress meeting for outstanding projects

Work on putting up shelves in water plant

Other

OBPA Regular and board meetings

Entech meeting about projects

Fire

Fire – Rt61 and S Liberty Street MVA unknown Inj (2X 1.5 hr)

921 W Market St – AFA (1X.25 hr)

**Streets, etc. - Shawn, Slade, Devin**

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

**Fire Department Report**

Fire Chief Scott Rarick presented the May report:

14 Calls for the month of May

84 Total calls Year to Date

45:39 Man hours for the month of May

641.76 Man hours Year to Date

272.00 Administrative hours for the year 2022

138.5 Training hours for May

1,095 Training hours Year to Date

<u>Zone</u>	<u>Incident Count</u>
East Brunswick Township	2
North Manheim Township	2
West Brunswick Township	7
Orwigsburg Borough	3
TOTAL	14

- Assisted with Mock DUI presentation at Blue Mountain High School – Sunday to prepare and Monday for presentation
- Participated in Annual Memorial Day Parade
- Conducted dedication for restored historic fire co bell
- Golf tournament – Friday, June 17<sup>th</sup>
- Assisting with Blue Mountain High School Commencement ceremonies this Friday
- Hosting Junior Cadet program – June 20<sup>th</sup> – 25<sup>th</sup> and June 27<sup>th</sup> – July 17<sup>th</sup>. Age range is 12 to 17 years old. Currently 18 participants registered.

### **Public Comment**

Craig Eichert of 216 Long Avenue requested a water meter be placed on the fire hydrant at the borough building because a lot of water trucks are using that hydrant to fill up; are they paying for it?

Dave Teter responded – we are in the process of putting in a pump station that is metered. As of right now the water truck drivers notify Dave when they are filling up.

Craig asked what the status was on Industrial Drive?

Randy responded – currently we are taking care of all the requirements put forth by the Federal Government, EPA, PennDot and DEP. Looking at any issues of contamination from past properties that could be in the ROW. Acquiring ROWs necessary to do the work along edges of the road, some do extend onto private property. The amount of red tape was not anticipated with this project.

Greg Solga of 490 Clark Drive. - Asked for the status of looking at the bank property (old Santander building) and what is the reason for looking at the building.

Solicitor Datte responded – there has been discussion about acquiring the property and renovating for purposes of a new police station that would meet the requirements and anticipate requirements that might be coming in the future. We do not have a signed agreement back from the current owner which is Santander Bank. When signed agreement is received it will be subject to Council approval.

Greg asked the current square footage of the current police station.

Randy responded about 1,000 square feet.

Greg asked what is Jim Ferrier's old space on the first floor being used for?

Randy responded the old hearing room is a conference room and the other room is a workout room for the police. Conference room is about 400 sq ft and workout room is about 200 sq ft. Total downstairs space is about 2600 sq ft.

Greg asked what would become of the police station space should they vacate.

Randy responded – looking at several possibilities:

Renting commercial space to someone else or the borough office could move over and occupy a smaller space and rent out a larger space.

Greg noted the CAMA card says the borough building is about 8600 sq ft, which would be a little over 4,000 upstairs and over 4,000 downstairs. He feels there is more square footage on the first floor that would work. His fear is they would be moving to a smaller location.

Councilor Hoptak-Solga noted some residents contacted her and are concerned the bank location is a smaller footprint than what they currently have.

Solicitor Datte – its not anticipated that the borough office would go to the new location. There is a lot more space at the new location than what the police currently occupies.

Greg asked if there is a way out of the contract if things don't go as expected?

Solicitor Datte responded there are a number of outs under the agreement. It's a typical commercial agreement of sale. First Council would need to approve the agreement. Anticipating closing by the end of July. Currently borough engineers are involved looking at the property. As of this afternoon we haven't received a signed copy of the agreement back from the bank.

Greg expressed his concern about the future state of this building and renting out to possibly two other tenants; does the borough want to be a landlord to a bunch of tenants.

Solicitor Datte – borough saw this as an opportunity as did other people; the borough needed to act on it promptly. We have a good sense of what we want to do with the new building and less sense of how the space will be laid out once the police move.

Greg asked where are the funds coming from for the new building?

Solicitor Datte – The borough is seeking financing proposals now.

Bill Knecht 204 S Warren St addressed his concerns:

1. On the web site when agenda is posted its surrounded by larger lesser incidental items. He asked to be a little more cognizant of the public if you want more involvement of the public and be more transparent.
2. Bill questioned the Resolution under item #7 regarding the acquisition and renovation of the old bank building.

Solicitor Datte responded – that has nothing to do with incurring debt at this point. It is a declaration of intent that if the borough does take money from the general fund for any part of this project that when we do the borrowing, we can use the proceeds of that borrowing to reimburse the general fund.

Protects the borough should the borough elect to move forward with financing in the future

Bill noted this will be a taxpayer obligation, property will be taken off the tax rolls, in addition to utility billing. But also adding electric to the borough as an ongoing expense.

Greg Solga asked about the office in the lobby and what it was used for.

Randy responded used to be Judge Ferrier's offices. Now the one office is the gym for the police and the hearing room in the borough's conference room and storage. Available space for use on the first floor is 3,024 sq ft rough estimate.

Greg suggested to rework first floor to accommodate the police.

Randy responded - Right now our police department does not meet any of the standards associated with the police department of Commonwealth of Pennsylvania. Any type of person either as criminal

or as a witness or complainant is located in the same space with direct access to the filing cabinets that store criminal and minor records. Direct access to storage of weapons and ammunition. It also includes Council and borough staff being vetted through state police and having access and qualifications to J-net, we should not have access or passing access to any portion of the police department. Biggest issue right now is the direct access we might have to the computer systems that are in the police station. Should be a bullet proof wall between the section that's open to the public and the section that's controlled by the police department. Currently people handcuffed are cuffed to the bench, there should be a holding cell.

Solicitor Datte noted for a variety of reason we may need to have another meeting this month before July. The final approval by borough council is tied into same date the due diligence period ends. Council will need to meet to take formal action to approve the acquisition of the property in accordance with the agreement of sale which is tied to the expiration of the due diligence period.

Bill Knecht asked if the Executive Session held last Wednesday was announced publicly? He asked for transparency.

Rick Bubeck announced Borough Council held an Executive Session on May 25 at 6:00 pm to discuss financing for 333 S Liberty St property.

Carol Mason of 165 Walters Ave – Nothing is ever done on Ronald Ave, Walters Ave and it's a mess. There is a big water situation up there. Something needs to be done with the roads. Water comes down Merle Terrace like a river and it is getting worse. Her house and driveway are getting ruined. Something needs to be done on Ronald Ave.

Dave Teter asked her if her neighbors downspouts still discharge down his driveway towards her house. Dave die tested the neighbor's downspouts. A rolled curb was put in on Merle Terrace to help with the water issue. He asked if she talked to the neighbor about that.

Carol claims that's not where its coming from; its coming from above.

President Bubeck asked Carol about receiving Ben's quote from Excavation Tech to fix her issues.

Carol said she is 80 years old and not paying to have it fixed.

President Bubeck stated the borough does not own that alley.

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

Blue Mountain Village – Mr. Rhodes handed off the project to other family members to move forward; they are seeking a status report on the two Commonwealth Court cases, would be to extend it further.

Conservation easement – no update – holding until survey is complete

Survey of Water Lands – In progress – more courthouse research

Walters Alley abandonment Ordinance 451 – Has been advertised and notice has gone to adjoining property owners. Ordinance is in position to act at next week's meeting.

Amend Bond Financing; Ordinance 452 – prepared and advertised an ordinance that would amend the 2020 Bond financing to include improvements and renovations to the water system as well as the sewer system as a permitted purpose and use with the bond proceeds. Has been advertised and will be in position to act at next week's meeting.

Financing for building Resolution

RESOLVED, that the Borough Council of the Borough of Orwigsburg (the "Borough") intends to use its General Funds to finance on an interim basis, the costs of acquiring and renovating real property within the Borough located at 333 South Liberty Street, Orwigsburg, Schuylkill County, Pennsylvania ("Project"), which costs are reasonably expected to be reimbursed with the proceeds of the debt to be incurred by the Borough up to the maximum principal amount of \$500,000.00. This resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150.2.

Resolution (requirement by the Department of Treasury regulations) protects Council to the extent that any general fund or any fund of the borough are used for either the acquisition or renovation of the property on S Liberty St; it is Council's declaration that you intend to reimburse the general fund or any funds for any advances that were made.

A motion to approve the required Resolution was made by Ed Winkelbauer, seconded by Brock Stein. Unanimous.

**Borough Manager – Randy Miller**

Randy's report has been distributed to Council for review

Tree Harvesting – still awaiting signed contract; although we have been told it has been signed- final signature obtained but contract not received. Still plan on doing the work this summer.

Orwigsburg Grants – continuing to look for and work on grants  
Federal Community Projects Funding Grant – Congressman Meuser

CDBG grant funds – sent out a survey to a targeted area in the borough to see if the requirements for financing meet the requirements for CDBG. 51% or more of the households in that targeted area would need to be below poverty line. Targeted area does need to have stormwater and street work done.

Paving costs have increased by 100%; does include seal coating. We can only do half the work we were planning on doing.

South Liberty Street Repairs – no update – has been turned over to our insurance company and they will be paying the deductible.

PSAB Conference – attended; has a binder of Resolutions supported by the assembly and will forward to Council

Phone System Quotes – Frazer "Smart Connect" change-over has started

## **Business**

### **Engineer – Mike Begis**

Review Reports – Shannon Darker

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

Shannon's reports were distributed to Council for review and comment.

### **Capital Improvements List**

#### **Road Projects**

##### **Industrial Drive;**

Utilities- Soft-dig contractor was on site May 16<sup>th</sup> and 17<sup>th</sup> to locate existing water lines and found them to be within the roadway where new storm lines are proposed. New storm lines will have to be installed shallow to avoid conflicts.

Easement - PennDOT ROW unit is requesting a preliminary ROW plan submission to include, property plots, tabs, area's, deed info and add a general note on how the public ROW was established. To determine if waiver is sufficient.

Environmental - PennDOT District 5 environmental unit has indicated that a Phase I Environmental Site Assessment (ESA) would be required for the former S&S Sandblasting site. ARRO obtained a copy of the Phase 1 Bartush had on file when they purchased the property and have forwarded it to PennDOT for their review.

An ARRO wetland specialist was on site on May 26<sup>th</sup> to delineate the wetlands in the location of the Industrial Drive Road extension.

Margaret Avenue; ARRO met with Devin and DJ to coordinate sanitary and storm work to be done by Borough prior to bidding the road project. Devin has indicated they will begin the base drain work on Margaret the first week of June.

#### **Storm Projects**

North Street: Nothing new to report. Alternative designs for the Decatur Street storm improvements were discussed with Benesch to see if there is an option the street crew can install. The dead end/cul de sac will not be big enough to qualify the road for liquid fuels payment.

North Wayne Street: East Mifflin Street to East Cherry Street will be incorporated into the handicap ramp project awaiting County grant funding. Survey price will be provided to council for consideration to begin storm design process. County did approve the CDBG project – waiting for the State to approve and make the funding available.

Cost increase significantly at least 50% - will be changing the scope of what paving projects get done.

#### **Misc. Projects**

Oakdale Terrace: Management company has indicated they will be looking into both the swale and detention pond improvements. Management company has tentatively hired Excavation Tech to return the swale that has been filled in over the years to its original designation as indicated on the Land Development Plan. Other projects need to be done in this area and we are in the process of trying to find CDBG funding.

**Planner – Kevin Richards**

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

- Site work ongoing. Paving of parking expected in early June.
- Task force selected Audio/Visual Contractor – Moyer Electronic. Work is proceeding.
- Coordination ongoing with Orwigsburg Masons regarding Clock for Foyer area.
- Work to be completed by the end of October 2022.
- Change Order 3 submitted by Miller Bros. adding Concrete Curbing from Original Bid - \$11,842.85
- Change Order 4 submitted by Miller Bros for sanitary sewer slope correction increase \$5,121.51 and Veterans Office door credit \$650.00; still leaves an increase of \$4,471.51
- Miller Brothers submitted Application for Payment No. 3 - \$137,634.27. Majority is reimbursable thru RACP grant

Various items were eliminated from the project due to bid cost coming in over \$750,000.00 but knew there could be potential to add items back in as the project progresses. One of the items previously eliminated was concrete curbing. Another potential add back is the sidewalk around the back of the building.

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

Engineering Work Order approved last month. Just got sign copy earlier in the week; schedule survey to begin design process

Blue Mountain Village –no update.

Decatur St. Stormwater design work – Draft Drainage Easements/Temporary Construction Easements provided to Borough Manager/Solicitor Datte. Benesch is continuing to investigate funding for shovel ready projects. – no update. Coordinate between all parties involved

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

Building Resilient Infrastructure and Communities (BRIC) Grant -

1. Potential Award. Awaiting confirmation from PEMA. “Awarded within a Year”.
2. \$132,249.15 total project
3. \$99,186.86 Federal money (75%)
4. \$33,062.29 Borough match (25%)

Scope of grant included survey work; evaluation of upstream drainage area leading to the Market St culvert which included Long Ave and the Industrial Park.

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. Awaiting Appraisals.

Project would be completely funded by State and Federal money.

The Planning Commission will meet on June 15, 2022, to review potential Zoning Changes. Include additional sections

LSA Grant Application submitted March 15 for Fire Department. No update.

Benesch will assist with updates to the Comprehensive Plan. Try to have something for the 15<sup>th</sup>

### **Water/Sewer – Chris Cope**

#### **Water**

Lead and Copper service line replacement initiative – August 2024 deadline; continue to work on determinations; changing out old meters focus homes before 1950. DJ continues to replace meters and take inventory of service line pipes.

Schuylkill Haven Interconnect – Submitted LSA Grant package on 3/18/22 – did reply with project question – final notification in November

Concept design and permit application for water dispensing station on Long Avenue. Waiting for contractor quote. Will soon begin the DEP permitting process.

#### **Sewer**

CCTV and Subsurface repairs update

- Subsurface repairs - Priority List
- Await remobilization – will reach out to Standard Pipe Services if not hear from them soon

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

- Received E&S Approval
- Await GP-11 and HOP Permits

### **Sewer Plant**

#### **Phase 1**

Allan Myers submitted Payment Application #4 Phase 1 for \$123,300.00. Entech recommends approval.

Change Orders - VLR Control System Upgrade to Storm Mode

Allan Myers submitted Change Order #1 Phase 1 for \$104,610.00 for installation of additional gates and actuators. Entech recommends approval.

PSI (Pumping Solutions Inc) submitted Change Order #1 Phase 1 for \$11,990.50 for electrical costs associated with the installation of additional actuators. Entech recommends approval.

**Phase 2**

Allan Myers submitted Payment Application #4 Phase 2 for \$109,950.30. Entech recommends approval.

Hirneisen submitted Payment Application #1 Phase 2 for \$74,755.26. Entech recommends approval.

**Change Order - UV Shed Removal**

Allan Myers submitted credit Change Order #2 Phase 2 for \$17,424.30 for elimination of the UV disinfection building/shed. Entech recommends approval.

Hirneisen Credit Change Order #1 Phase 2 for \$22,517.00 for the removal of the UV shed. Entech recommends approval.

**Community Activities/Events**

Meet the farmer – June 4<sup>th</sup> at the Library  
OBPA June Jamboree – June 9<sup>th</sup> at 5:00 p.m. Bank Lot  
Municipal Authority – June 13<sup>th</sup> at 1:00 p.m.  
3<sup>rd</sup> Brigade Band – June 21<sup>st</sup> at 7:00 p.m. bank Lot

Next Council meeting is June 8, 2022 @ 7:00 pm

A motion to adjourn at 8:05 pm was made by Maddie Bartush, second by Ed Winkelbauer.  
Unanimous.

Respectfully submitted,

Sherry M. Edwards  
Borough Secretary