

Orwigsburg Borough Council
Work Session Meeting
May 4, 2022

The Orwigsburg Borough Council met on Wednesday, May 4, 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 Maddie Bartush, Kerry Mariano, Ed Winkelbauer, Ed Keyworth, Angie Hoptak-Solga. Mayor Barry Berger; Solicitor Paul Datte; Borough Manager Randy Miller; Borough Secretary Sherry Edwards.

Visitors: Utility Supervisor Dave Teter, Eric Moore of Entech Engineering, Kevin Richards of Alfred Benesch, Jeff Rarick of 215 North Franklin St; Jan McGowan of SSN; Dave Walasavage of ARRO Consulting, Bill Knecht of 204 S Warren St, Fire Chief Jesse Zimmerman, Tim Wilhelm of 3029 Ridgeview Dr; Jim Leymeister of 200 Ronald Ave, Joe McGlinchey of 235 N Walborn Ave; Bobby Shappell of 680 S Liberty St.

Approve the Final Meeting Agenda

Additions/Changes:

Solicitor's Report – Added Stormwater issues

Borough Manager Report – Phone system discussion - updated quote

Planning Kevin Richards – Change – adjustment to Miller Brothers Change Order

A motion to approve final meeting agenda was made by Ed Winkelbauer, seconded Maddie Bartush. Unanimous.

Minutes

Council received a draft copy of the minutes from the April 6, 2022 Work Session and April 13, 2022 Council meetings for review and approval at next weeks meeting.

Budget Review – Target Objective March – 32.9%

General Fund Revenues	34.8%	Expenditures	31.8%
Fire Fund Revenues	34.9%	Expenditures	5.6%
Water Fund Revenues	30.1%	Expenditures	28.5%
Sewer Fund Revenues	29.8%	Expenditures	30.9%
Sanitation Fund Revenues	37.4%	Expenditures	31.3%

Maintenance Reports

Water/Sewer - Dave Teter

Dave presented his April report on additional work:

Sewer

3 Sewer Authority meetings

Hach at sewer plant for sampler start up

Try and reprogram eff flow meter
Reconnect wire cut by Hach to get flow back on alarm computer
Collect samples and Form 43 samples

Water

55 meter apt and paperwork, along with picture for Lead Copper Rule
Lift and shift loggers
Dirty water issue
Prep and flush hydrant
Cut tree off well #2 fence
Talk to Randy about Inn of Orwigsburg and Laundromat water
Repair butterfly valve in EFI
Meet at orphanage about construction
Entech progress meeting for outstanding projects

Other

Repair mailbox in Ridgeview
OBPA Regular meeting
Entech meeting about projects

Fire

W Market and Rt 61 motor vehicle accident with unknown injuries 2x.5h

Councilor Mariano asked about the flow meters being operational yet
Dave responded both meters have been operational for a week. The water leak still hasn't been found but is at a reduced rate.

Streets, etc. - Shawn, Slade, Devin

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

Fire Department – Jesse Zimmerman

Fire Chief Jesse Zimmerman present the April report:

13 Calls for the month of April
70 Total calls year-to-date
65:47 Man hours for April
596:38 Man hours year-to-date
195:00 Admin hours year-to-date

<u>Zone</u>	<u>Incident Count</u>
North Manheim Township	4
West Brunswick Township	4
Orwigsburg Borough	<u>5</u>
Total	13

Rescue & Emergency Medical Services – 6
Hazardous Condition (no fire) – 1
Service Call – 2
False Alarm & False Call – 1
Severe Weather & Natural Disaster – 1

- No information update on the annual FEMA Firefighter grant
- Members that were able to move on (due to age) to Module 4 of the Essentials program have started
- Members of the department attended a dinner hosted by the Orwigsburg Mason Lodge for the emergency services
- The department raffles are still going on, look us up on Facebook

Bobby Shappell of 680 S Liberty St asked Jesse how the fire company is going to build on S Liberty St with it being very wet.

Jesse responded its being explored at the moment.

Bobby also mentioned the polish curb installed on Clark Dr makes the water flow down Clark Dr onto Ridge Rd bypassing the drain on Ridge Rd. He feels it needs to go into the drain at Lafko's house.

Councilor Hoptak-Solga noted she has a video of water flow coming from MacArthur Dr adding to the flow.

Bobby feels there should be a drain at Erlane Dr to eliminate a lot of problems.

President Bubeck noted he and Randy drove up Ridge Rd the last heavy rain and they have several ideas on how to correct the issue.

President Bubeck noted there is grant money for a feasibility study for the Fire Company and how to cope with the wet land.

Bobby responded grant money comes from the state which used taxpayers monies for the grants. And asked what ever happened to the grant for Fishers Dam. Water was taken from the dam for Heim's fire and it took two day for the water to recoup and go over the spillway. Suggests putting money aside to fix problems instead of spending every penny we get. Cant keep raising taxes.

President Bubeck noted we are spending a lot of money on correcting the sewer and I & I issues and Randy and Council are doing a really good job monitoring expenses and setting priorities.

Public Comment

Jeff Rarick 215 N Franklin St was present to ask for some type of relief or advice with ongoing stormwater drainage issue he has been putting up with for 32 years. He gets a lot of water on his property; water he shouldn't be getting. When he built his house, he put in swales knowing there were drainage issues. Drainage in this town is not the best. Borough Manager Dan Strausser at that time told him he would work on doing something with the stretch of Church St which is a unmaintained borough street (papery alley). Used to be a corrugated pipe connected to the paper alley from the other side of Walborn Ave but rotted out. Borough employees did come at one time and removed the pipe which let the water drain more onto his property, so he cleaned out the ditch to solve the problem.

Then a resident on N Walborn Ave (Leroy) put an addition on his shed and took the left over cement and filled in the ditch which forces more water down Church St onto Jeff's property. Then Oakdale's landscapers were getting stuck while mowing the lawn and decided to dig a ditch towards Jeff's house giving him more water to deal with. Over time the swales filled in with sediment and is a matter of time before the waters jumps the swale and goes into his pool.

Before Oakdale was built there was a deteriorated drainpipe at the corner of Walborn and Church with a few sections of cement and corrugated pipe which is rotted out and visible in spots, ground is collapsing where its not visible and dumped into field where Oakdale was built. When Oakdale was

built the pipe was crushed and buried. Possibly why the end of Franklin St is sinking. Jeff just had a new driveway installed and is already cracked and sinking at the end of Franklin St. Jeff contacted his contractor to fix but the contractor won't fix a borough street. Jeff noted Randy is the fourth Borough Manager to look at his issue and agreed there is a problem that should be addressed in some way. Jeff is looking for some recommendation or help with mitigation.

Randy did pull Oakdale plans from the archive room, contacted the Solicitor and Engineer and obtained a copy of the recorded plans which do show when Oakdale was built there was a swale existing that was used to channel surface water to the detention pond and out to the creek. That swale over time was filled in naturally or by landscaper. A letter has been drafted and mailed to Oakdale Estates asking them to return the property to the existing conditions when Oakdale was developed. This is the first step in the process.

Joe McGlinchey – 235 N Walborn Ave asked Dave Teter if the hydrant on Tammany St was flushed; his water filter has to be changed every two weeks when it should be every three months.

Dave responded he personally didn't flush that hydrant but was on the schedule to be flushed.

Joe also asked again about filling in potholes. Roads are falling apart; is there anything other than getting rid of the potholes that will allow the borough the money to fix the infrastructure. Center Square looks wonderful and the back streets are a disgrace.

President Bubeck responded there are a lot of street projects that will be taken care of this year.

Joe asked to at least patch Walborn and Church.

Jeff Rarick also added from all the water directed to his property the telephone pole at the corner is being washed out and rotting away at the bottom of the pole.

Business

Solicitor's Report – Paul Datte

Blue Mountain Village – no update -

Conservation easement – On hold until survey is delt with

Walters Alley abandonment Draft Ordinance – researched the adjoining property owners; prepared draft ordinance. Need to provide notice to all adjoining property owner; Advertise for two successive weeks prior to adoption. Scheduled for adoption on June 8th.

Survey of Water Lands – Reservoir- received estimate from Brinkash; Solicitor did review estimate and Brinkash's figure of \$34,100 is reasonable. Survey is necessary; it's difficult based on documentation we have to determine exactly what size the properties are. The way it is reflected in the tax records is incorrect; We don't know what acreage is; 6 ½ miles of boundary line will be surveyed. Record new deed after survey is finalized. Potentially on agenda for next weeks meeting.

Amend Bond Financing Ordinance – To use existing proceeds for borough water projects in addition to sewer projects. The borough is permitted to do this assuming water project have a useful life of 30 years. Will need to amend borrowing ordinance adopted in 2020 when bond issue originally was issued. There are advertising requirements attached to amending. No approval process through DCED required. Need to indicate bond proceeds can be used for water projects as well as sewer projects. amend borrowing ordinance advertisement requirement.

Executive Session at end of the meeting to discuss potential real estate acquisition.

Storm water issue –

Numerous issues throughout the borough that tie into the I & I issues we're experiencing. We are diligently out there trying to find the infiltration and illegal connections that exist. No sense repairing a street if damaged again by water issues.

Solicitor bond issue – Should not be using bond proceeds for stormwater issues. We exempt the debt from our borrowing base as self-liquidating debt. The entire bond issue was subject to self-liquidating exception. We can only use the bond proceeds for water and sewer projects.

Commonwealth Stormwater Authority – MS4 – There are municipalities in the Commonwealth that have requirements established under MS4; the borough does not. The borough does have the requirement for Stormwater Mgmt. Plan that we do have in effect. The possibility does exist the State may mandate you have authority to handle stormwater and that you incur debt, bill for stormwater just like sanitary sewer.

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 agreed to – contacted again still waiting a signed copy of the contract - Possible to exercise the secondary access to land. We need to know and be aware and record what is owned by the borough.

Orwigsburg Grants – continuing to look for and work on grant opportunities

Federal Community Projects Funding Grant – Congressman Meuser ratify; Resolution 2022-30 – ratification lends support of the borough to pursue grant

South Liberty Street Repairs – awaiting quotes for siding. Rick will have quote next week

PSAB Conference – May 22 to May 25 will be away

Fire Police Resolution for Assistance received request from the Library for their 5K run/walk event in September; approval necessary to cover under worker comp insurance

Phone System Quotes – recommend Frazer "Smart Connect" – not satisfied with quotes gotten. Figure out what phone are needed for fax, Scada and alarms. Phones lines that currently exist would not be transferred over to the voice over internet protocol system that Fraiser is recommending they would stay with Comcast. Quote from Fraiser - \$585.75 per month for 60-months; slight adjustments for Comcast internet cost. Annual savings approximately \$6,500.00.

Randy recommends making the switch to Fraiser Smart Connect Unified Voice System. Item for next week's agenda.

Seasonal Hiring – Council authorized Randy to hire 2 summer helpers; Mitch is back awaiting his license for physical therapy, once received he will be gone. Luke will be coming back after college graduation at same rate as last year.

Engineer – Dave Walasavage

Review Reports – Shannon Darker

- Permit Reports
- Notice of Violation
- Rental Properties

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

Process of Notice of Violation filing: if not responded to or appealed Shannon will file a citation with the Magistrate and a hearing will be set and fines will be assessed. Usually settled at the hearing. If property owner doesn't comply then there is equitable relief the borough can seek from the Court.

339 S Wayne St deemed uninhabitable - property can be boarded up, locked and excluded from habitation. Bank owned property.

Capital Improvements List

Road Projects

Industrial Drive;

Utilities - Soft-dig contractor to locate existing water line investigation this week

Easement - PennDOT Right of Way unit is requesting a preliminary Right of Way (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 project area. And a wetland Identification and Delineation.

Margaret Ave & Gerald Ave

Devin has indicated they will begin the base drain work on Margaret the first week of June. ARRO can have the bid documents prepare, advertised and available for award at the June Borough Council meeting.

Storm Projects

North Street:

Alternative designs for the Decatur Street storm improvements will be discussed with Benesch to see if there is an option the street crew can install. For dead end streets to be added to the Liquid Fuels maps a 40' diameter cul de sac is required. The Right of Way on North Steet is 40' and Decatur it is 30'

North Wayne Street: 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. Still on hold.

Misc. Projects

Boundary Survey 393 Acre Site: Provided a survey quote to provide a boundary of Borough owned parcels for \$34,100.00

Planner – Kevin Richards

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

- Site work ongoing.
- Paving of parking lot expected in early June.
- Task force selected Audio/Visual Contractor – Moyer Electronic. Work proceeding.
- Moving forward coordination ongoing with Orwigsburg Masons regarding Clock for Foyer area.
- Work to be completed by the end of October 2022. All work should be done by then

Millers Brothers submitted Application for Payment No. 2 for \$63,252.75. Potential to approve. Coordination with Stantec is ongoing. Majority of Payment Application is reimbursable through grant.

Stantec has questions regarding the Payment Application; Kevin will satisfy these questions before next weeks meeting for approval of the application.

Miller Brothers submitted a Change Order #1 to fix miss-sloped sewer line for \$3,593.00.

Miller Brothers submitted Change Order #2 in the amount of \$2,460.00 for additional drywall, insulation and paint within Veterans foyer. Contractor is hoping to do this work by the end of the week. Kevin is asking for approval tonight.

A motion to approve Miller Brothers Change Order #2 for \$2,460.00 for additional drywall, insulation and paint for the Veterans Foyer was made by Brock Stein, seconded by Maddie Bartush. Unanimous.

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

Alfred Benesch Engineering Work Order for Ridge Road Park Project – Phase 1 submitted for \$26,000 includes property survey, meetings, engineering/design, and Contract/Construction administration task.

Total project - \$228,000

Land donation \$74,000

Reimbursable amount - \$114,000

Scope of work:

ADA parking – paved driveway

5 – 12 year old play structure

Pedestrian walkway – extension on culvert

Solicitor Datte and Kevin will look for previous survey. Will have finalized Engineering Work Order for next weeks meeting.

Blue Mountain Village – Owner is coordinating efforts with PennDOT and PADEP. Per the Developer – “The Rhoades Organization hopes to resolve these issues within the next 6 months.” – 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. Coordinate with Dave and Randy to determine what the ultimate goal would be from a paving standpoint.

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

Hazard Mitigation Grant Program (HMGP) – submitted January 20, 2022 – grant is to acquire and demolish properties along culvert going under W Market St. 508, 510 and 512 W Market St. All property owners are in agreement. Grant money includes removal of the top of the culvert in back yards and fencing; no improvements to stream channel; that will tie into the other grant applications that were submitted.

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.

The Planning Commission met on April 20, 2022 to review its Zoning Ordinance changes and recommended changes to the Zoning Ordinance for Accessory Structures, Building Coverage, Impervious Coverage, and Recreation Courts.

- Changes to Accessory Structures – currently restricted to one per property; proposing increase and square footage has been increased.
- Clarification to definitions
- Requirements for Building Coverage/Impervious Coverage – currently Lot Coverage defined as building coverage not taking into account driveways, pools, sidewalks, and other impervious surfaces – has been broken out to clarify each district has its own building coverage and impervious coverage.
- Definition of Recreational Courts – currently definition for tennis court – proposing Recreation Courts to include basketball court, pickle ball etc.

Council received a draft of the amendments for review.

At the April P & Z meeting discussions were held on additional amendments to the Zoning Ordinance.

Adaptive reuse – new section in Zoning Ordinance. Provide benefits to developers who are looking to take a run-down structure and make it more appealing to live in.

Solar Energy

Question was raised do we want to move forward with advertising the draft amendments submitted to council this evening and hold the additional amendments until they are further discussed and recommended for approval by the Zoning Commission. Or hold the draft amendments submitted to Council until all amendments are ready for Council approval to save on the duplication costs and efforts.

Process for approving amendments:

- Advertising
- County Planning Commission review
- Public Hearing

Randy recommends holding amendments until the June P & Z meeting and see what kind of progress is made.

Planning Commission to meet June 14, 2022 to continue discussions.

LSA Grant Application submitted March 15 for Fire Department. – feasibility analysis on the property on S Liberty St.

Water/Sewer – Eric Moore

Water

Lead and Copper service line replacement initiative – August 2024 deadline; continue to work on determinations; changing out old meters – 125 meters changed out and pictures taken.

Schuylkill Haven Interconnect – Submitted LSA Grant application package on 3/18/22 – came back with request for additional information.

Preparing concept design and permit application for water dispensing station on Long Avenue.
Had on-site meeting with Allan Myers regarding constructability.

Sewer

CCTV and Subsurface repairs update

- i. CCTV has been halted as per Council. Was a change order done for 15” line we’ll need to undo the Change Order.
- ii. Subsurface repairs - Priority List – will be discussed with contractor.

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

- iii. Combined projects for economy of scale – require joint permit for work in wetlands
- iv. Finalized alignments – meeting tomorrow
- v. Await Permits

Sewer Plant Upgrades

Phase 1

Allan Myers submitted Payment Application #3 for \$138,150 for the WWTP Upgrade project – Entech recommends approval.

Change Order Request submitted for replacing Gate actuators; Need Electrical Contractor Costs before recommendation can be finalized.

Phase 2 - Review of Submittals

Allan Myers submitted Payment Application #3 for \$125,999.10 for the WWTP Upgrade project – Entech recommends approval.

Change Order No. 1 submitted for Sludge Hauler Breather Ports for \$2,474.00 – Entech recommends approval.

Deduct (i.e., Credit) Change Order Request for UV Shed; Need Electrical Contractor cost savings before recommendation can be finalized.

Community Activities/Events

Jason Jones Day of Caring – Friday May 13th

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

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

Street Sweeper – May 9th to 13th

Primary – Tues, May 17th @ Memorial Bldg

Heckman – variance – ZHB decision – Tues May 17th @ 7pm Council Chambers

Memorial Day Parade – May 30th @ 8am

Lions Club Chicken BBQ – May 30th

Meet the farmer – June 4th at the library

Next Council Meeting is May 11, 2022 @ 7:00 pm.

President Bubeck called an Executive Session at 8:40 regarding real estate acquisition.

At 9:34 pm the Executive Session ended, no action was taken, the meeting was adjourned.

Respectfully submitted,

Sherry M. Edwards
Borough Secretary