

Orwigsburg Borough Council
Meeting Minutes
February 9, 2022

The Orwigsburg Borough Council met on Wednesday, February 9, 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; Councilors: Kerry Mariano, Maddie Bartush, Ed Winkelbauer, Ed Keyworth; Angie Hoptak-Solga; Mayor Barry Berger; Solicitor Paul Datte; Borough Manager Randy Miller, Borough Secretary Sherry Edwards.

Visitors: Tim Wilhelm of 3029 Ridgeview Dr; Kevin Richards of Alfred Benesch; Bill Knecht of 204 S Warren St; Seth Thomas and Christian Muntone of Boa Brazilian Jiu Jitsu, 214 E Independence St; Jim Leymeister of 200 Ronald Ave; Patrolman Tanner Noecker, Police Chief Vince McDonald, Patrolman Patrick McBreen.

Approve the Final Meeting Agenda

Additions to agenda:

Public Comment:

Recognition Boa Brazilian Jiu Jitsu LLC

Economic Development/Revitalization

Industrial Dr Right-of-Way

Correspondence

A motion to approve the Final Meeting Agenda was made by Kerry Mariano, Maddie Bartush, Unanimous

Police Chief Vince McDonald presented a Certification of Appreciation to Seth Thomas and Christian Muntone of Boa Brazilian Jiu Jitsu for providing defensive tactics training for the Orwigsburg Police Department.

Public Comment

Jim Leymeister of 200 Ronald Ave thanked the Streets Department for doing a very good job of clearing ice and snow from the winter storms.

Borough Manager Randy Miller acknowledged a letter received from the Roseberry St resident that tied his stormwater into the Erb St project and was very pleased at the outcome. Stormwater now does not cross Erb St and lets Roseberry St drain properly.

Business

Minutes

A motion to approve minutes from the January 3, 2022 Reorganization, January 3, 2022 Work Session, January 12, 2020 Council and January 27, 2022 Special Council meetings was made by Kerry Mariano, second by Angie Hoptak-Solga. Unanimous.

Treasurer's Report

The December 2021 Treasurers report has been presented to Council for review.

Tax Collector's Report:

Council received a copy of the End of 2021 Annual Report for review.

Tax Exoneration List – n/a

Building permits

Permits for January 2022 were as follows:

- 0 New Permit issued at \$0 total value
- 1 Renovation Permits issued at \$12,500 total value

Police Report

Chief Vince McDonald's Report

Hours Worked:

Regular Hours – 962

Overtime – 35 (130 January '21)

Late Call – 2 ½

Court - 4

Holiday – 24 ½

Training – 4

Training – 93

Vacation – n/a

Personal – 12

Holiday (Straight Time) – 36

Sick – 11

Bereavement – n/a

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3,375 Total Mileage for Police Vehicles

418 Total Vehicle Patrol Hours

27 ½ Total Foot Patrol Hours

85 Traffic Enforcement Hours

48 Traffic Citations issued

58 Warnings issued

5 Parking Tickets issued

Bike Patrol – n/a  
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201-Incidents – Handled by 6 Officers

7 – Reportable Crimes

2 – Sexual Assault

1 – Prohibited Offensive Weapons

1 – Bad Check

1 – Mental Health Commitment

1 – Possession of Drug Paraphernalia

1 – False Reports
Charges Filed:
Criminal Complaints – 2
Non-Traffic Citations – 1
Juvenile Petition – 1

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Borough Ordinance Violations/Investigations – 2

Chief McDonald along with the Department welcomed the newest member to the Police Department William Anthony Bechtel born 1:51 am this morning; Son of Officer Bechtel; 21 inches long – 8 lbs 10oz.

### **Committee Reports**

**Finance & Budget** – Brock Stein – Not present

**Personnel** – Rick Bubeck – No update

**Communication & Technology** – Angie Hoptak-Solga – No update

**Economic Development/Revitalization** – Ed Keyworth

County wide meeting with Dave Argall and municipal leadership to discuss increasing population in Schuylkill County and how to streamline projects to move forward.

Randy had conversation with Sue Murphy of Southern Schuylkill Council of Government to possibly change their direction towards economic development.

Also, had conversations with Entech Engineering on grant opportunities for the Borough to provide water and sewer services at a greater range.

Industrial Drive ARC grant – Engineers working on permitting, utility investigation, PPL pole relocations and temporary construction easements

FEMA Grant application – Looking for appraisals on the W Market St properties at \$450.00 each; costs will be reimbursable through grant.

A motion to have appraisal performed on 508, 510, 512 W. Market St was made by Ed Keyworth, second by Maddie Bartush. Unanimous.

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

Report of Water / Sewer Operations; Miller Environmental was distributed to Council for review  
Miller Environmental Licensed Operations ends May 9, 2022

MUA met to discuss installing two meters in sewer to measure I & I

Committee meeting took place with Randy M, Randy L and Ed regarding Schuylkill Council Municipal Authority and came up with a solution moving forward.

A motion to approve Standard Pipe Services Payment application #1 for the new recommended payment of \$49,563.30 for the CCTV project was made by Kerry Mariano, Ed Keyworth. Unanimous.

Council authorized Entech to begin the process of continuing the extension of sewer work from Long Ave to N Warren St. Entech Engineering Work Order is for continuing this project. Municipal Authority recommends not televising until flow meters are installed and results are reviewed. Televising is not part of this extension project.

A motion to approve Entech Engineering Work Order for N Warren St & Station Rd Project of \$131,700 was made by Kerry Mariano, second by Ed Winkelbauer. Unanimous.

A motion to approve Pumping Solutions Inc Pay Application #2 for \$66,150.00 for WWTP upgrades was Ed Keyworth, second by Maddie Bartush. Unanimous.

### **Streets & Lights** – Rick Bubeck

Capital Improvements List (ARRO) of work for 2022

#### **Paving & Storm Water projects:**

- North St
- Margaret Ave
- Eisenhower Dr, Marshall Dr, Halsey Dr & Ridge Rd
- Straub Ave & W Mifflin St – Intersection paving
- Industrial Dr & Long Ave
- Various – water line patches etc.

#### **Storm Water Projects**

- North Wayne St – E Mifflin St to E Cherry St – Bid project
- E Church St – Perry to Decatur – Bid project

Borough Maintenance work for 2022:

- Stormwater catch basin repairs
- Stormwater repairs on Margaret prior to seal coat

Ritchie Logging & Sawmill received bid for \$204,118; awaiting all parties to sign contract; expect first payment by end of March

Woods & Wildlife – working on Forest Mgmt. Plan and Easement

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

Bathroom upgrades at Albright's Woods – Before and after pictures will be presented to council in the near future. Project is 80% completed.

Preparing for construction at the Veterans' Memorial Building – all pre-construction meetings have taken place; began submitting submittals to oversight engineering firm. Later this week will be the first raw test of the acoustical sound in the gymnasium area. After acoustic panels are installed, test will be performed to see how well reduction was achieved. Construction is to begin in April.

## 2022 Borough Events

April 9th Egg Hunt 12 Noon – Albrights

May TBA Fishing Rodeo – Fishers Dam

May 30<sup>th</sup> Memorial Day Parade

June 9<sup>th</sup> June Jamboree

August 11<sup>th</sup> Farm to Square

September 10<sup>th</sup> Heritage Day

October 26<sup>th</sup> Halloween Parade

Rain Date October 27<sup>th</sup>

October 31<sup>st</sup> Trick or Treat

Rain Date Nov 1<sup>st</sup>

Nov 26 – Dec 3 Small Bus. Week

December 3<sup>rd</sup> Festival of Lights

A motion to approve 2022 Borough Events was made by Angie Hoptak- Solga, second by Maddie Bartush. Unanimous.

### EMS Building Development – Jesse Zimmerman

Fire Department Reports – Council received a copy of report for review

Pursuing a meeting with committee

Jesse Zimmerman has been in contact with Chris Bentz of Alfred Benesch regarding submitting grant application for planning grant to do design work and planning for a project the Fire Company is looking at. Submittal date for grant is March 15<sup>th</sup>. Resolution will need to be on agenda for next month. Grant is a \$50,000 planning grant to finalize the concept for their 5-acre property located on S Liberty St. Borough will be the primary sponsor of the application. \$100 application fee.

Working on Grant applications for both apparatus and building

### Property Code Safety – Kerry Mariano

Had a great meeting with Shannon of ARRO– most of the properties that NOV's were issued on are being sold.

Inspections of Rental Properties is continuing

Optimus Risk Mgmt. Review (workers comp insurance); Recommendations forwarded to Maintenance Department

### Planning & Zoning – Ed Winkelbauer

Planning & Zoning Commission will meet February 16th to review recommendations for amendments to the Borough Zoning Ordinance.

Villas of Orwigsburg LDP – under Solicitor's report

Clearly Clean LDP – under Solicitor's report

### Safety & Policy – Kerry Mariano – No update

Councilor Bartush asked if there is an ordinance for snow removal from sidewalks - poses a safety concern. The Borough does not have an ordinance requiring property owners to remove snow from sidewalks. Solicitor Datte checked the International Property Maintenance Code – Section 302.3 Sidewalks, walkways, driveways shall be kept in a proper state of repair and maintained free of hazardous conditions. Doesn't specifically identify snow.

Solicitor Datte will take a closer look into establishing an ordinance.

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

**Teamsters' Bargaining** – Ed Keyworth

Bargaining Session scheduled for March 2, 2022

**SCMA Coordinating Committee** – Ed Winkelbauer

Met on Monday, February 7<sup>th</sup>:

- Reviewed construction costs of the WWTP and Collection upgrades
- Reviewed agreement the West Brunswick / SCMA agreement and have plan to move forward
- Discussed possible methods for changing rates structure

Will meet again to finalize ideas, and proposal

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

**COG** – Sue Murphy - No update

**Correspondences**

Mark Petrizzo of MacArthur Crest – letter dated 2/9/2022 regarding snowplow damaging mailbox; and the pattern in which street is plowed. (Letter is attached to minutes)

Borough is not responsible for mailbox repairs or replacement. Recommendation made to stop plowing at the driveway and to change the pattern in which the street is plowed.

No action will be taken at this time

**Solicitor – Paul Datte**

Blue Mountain Village – No update

Villas of Orwigsburg – was in contact with Insurance Defense Council for the Borough; provided the Attorney for the current owner with our response to the issue of providing the Land Development Agreement and Financial Security and current amount of Cost Estimate.

Clearly Clean LDP – Emails back and forth among Randy, Alfred Benesch, and Solicitor - Position of the Borough is the plan has expired due to the failure to produce Land Development Agreement and Financial Security. Developer could resubmit same plan (no changes have been made to Zoning Ordinance or SALDO since plan submittal) along with an updated cost estimate. Any waivers would need to be reapproved. Resubmission would be reviewed by the Planning Commission.

Conservation easement – Draft easement – Solicitor is in the process of reviewing easement with the Nature Conservancy. Borough can choose an appraiser.

**Borough Manager – Randy Miller**

Report given to Council for review

Tree Harvesting – Already discussed  
Veterans' Memorial RACP Grant Project updates – Already discussed  
Memorial Committee is undertaking the audio-visual project. Committee will make decision soon which of the four contractors they will be choosing.

**New Business**

Bulk Water Metering Station – Received a reasonable quote and will forward to appropriate committee for discussion.

**Common Items - 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 Maddie Bartush, Ed Winkelbauer. Unanimous.

**Payroll** – Council received reports for review

**Community Activities/Events**

Planning Commission – Wednesday, February 16<sup>th</sup> at 7 PM

Council Workshop Meeting, March 3, 2022, at 7:00 pm

A motion to adjourn meeting at 7:48 pm was made by Maddie Bartush.

Respectfully submitted,

Sherry M. Edwards  
Borough Secretary

2/7/22

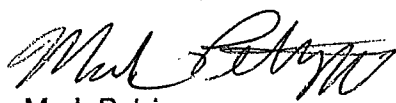
To Whom It May Concern,

On the morning of February 7, 2022 a borough vehicle knocked over my mailbox at 326 MacArthur Crest. The driver of the vehicle never came to the door to notify me that my mailbox was hit and lying on the ground. I knew it was a borough truck because of the amount of salt that was at the top of my driveway. This has happened in the past. The borough manager at that time directed me to Bob Seltzer, the borough's insurance agent. Mr. Seltzer had told me someone would be out to assess the damages and no-one ever came. At that time, I was able to repair the damages myself.

I spoke to the current borough manager today and he told me it is not the borough's policy to repair/replace mailboxes that his crew damages. There has to be some kind of accountability for their mistake. My mailbox is NOT directly on MacArthur Crest. In fact, MacArthur Crest ends at the end of the Seigfried's driveway(330 MacArthur Crest). MacArthur Crest ends where our driveway begins. My mailbox is approximately 40 feet from the end of MacArthur Crest. The boro vehicle was on my property, not the public road. I am asking that the Orwigsburg Boro cover the cost of the damages to my mailbox and in the future they stop plowing at the end of MacArthur Crest and do not come on to our driveway.

I have included pictures so that you can see the damage that has been done to my mailbox. In addition, I have also include pictures of the plowing that has taken place this year. All of the snow from MacArthur Crest is being pushed onto our driveway and or our property. I am asking that the maintenance vehicles plow as they have in years past: back down MacArthur Crest and push all of the snow out to MacArthur Drive.

If you would like to see the damage, I am available most days up until 2:00pm. I would be happy to show you in person. You can also reach me at (570) 294-7095. I look forward to hearing from you soon.

  
Mark Petrizzo

