

**CHAMBER OF BOROUGH COUNCIL**  
**Shoemakersville Borough**

**March 21, 2017**

President Kline called the workshop meeting of the Shoemakersville Borough Council to order in the Shoemakersville Borough Office, 115 E. 9<sup>th</sup> St., Shoemakersville, PA at 7:00 p.m.

**In attendance:** Chris Kline – President, Amy Botwright – Vice President, Joseph Wertz, Tara Kennedy-Kline, Kelly Brenner – Engineer – leaves after her report and Mike Dietrich – Plant Operations.

Absent from the meeting were Clark Zimmerman, Paul Gruber, John Leshner and Mayor Richard Kepner.

**Public Comment**

**Carol Smith (941 Main St.):** Is not against any skate park renovations, but would like to express her concerns in general, regarding the skate park; the noise, the cursing, the everyday occurrences such as having music coming from open car doors, which she can hear inside her home. She feels these actions are considered a violation of the noise ordinance. The cars also race in and out and kick up stones and dust. President Kline states that during the day, she may call the office and the secretary will forward the complaint to Mr. Schwenk. After hours concerns could be left on the office answering machine, as the police will not respond to ordinance matters. Mr. Wertz expressed his thoughts on objectively breaking out what could be considered a noise disturbance.

**Dana Smith (941 Main St.):** Mr. Smith points out that the ordinance references the noise to be 50’ away from a property line, but their backyard is 100’ away and they can still hear the noise and music loud and clear. Ms. Kennedy-Kline states if it is a noise ordinance violation with a neighbor’s dog, you can cite the neighbor. If it is a noise ordinance with an unknown individual at the park, it would be hard to enforce, as people enter and exit the park numerous times per day. Her hope is that by bringing in an organization such as FreshLife, there would be more monitoring of the skate park.

**Sean Kerschner (FreshLife):** States that if the music is too loud at one of their events, the Smith’s may come and speak to them about it. Mr. Smith has no issues with the events, but with the people using the park afterwards and the next day. Mr. Kerschner provides his phone number to Mr. Smith and asks him to contact him when an issue occurs. Council discusses posting no loud music signs. President Kline discusses noise ordinance violations, stating that either the enforcement officer would have to witness the noise or two residents would need to attest to the noise.

Mr. Kerschner notes that their skate jam events will begin every other weekend starting April 8. The Smiths are encouraged to attend and to let them know if they see any of the individuals who have been creating the noise issues.

**Sal Fiore (401 Main St.):** Feels the last two water bills for his restaurant were too high and that there may be something wrong with the water meter. He also feels he should not be charged the quarterly refuse fee, since he uses his own dumpster and hauler. President Kline states Foreman Zimmerman will be asked to obtain an updated data log report, to see the most up to date usage. President Kline and Mr. Fiore discuss the initial data log report that was taken and that it could have indicated a potential leak. President Kline suggests changing the meter out to see if the usage changes at all.

**Josh Schaeffer (On The Grind) – did not sign in:** Distributes the 10,000 sq. ft. skate park expansion proposal to Council. Council and Mr. Schaeffer discuss the proposal. The project would progress in phases, until complete. Mr. Schaeffer discusses his process for building the ramps. They would have a 6 month

period of fundraising and grant applications. President Kline requests an overlay in CAD to forward to the borough engineer. Council discuss what sketches may be required for the grant process.

\*A motion is made by Ms. Kennedy-Kline to approve the fundraising as well as the installation of the half pipe, pending approval from the borough engineer, for On The Grind. Seconded by Mr. Wertz. Motion carried unanimously.

### **Engineer's Report**

Ms. Brenner notes that for MS4, there is a discrepancy as to where the borough line is, as what is on record is different from the information that DEP has on file. Mr. Wertz feels the parcel in question is not within the boundaries of the borough. The property is for well #4 & #5, which are owned by the borough but located in the township. Because of this, an appeal needs to be filed with PADEP, to have them amend their records.

Ms. Kennedy-Kline requests a **cost estimate for the engineer's work to complete the appeal, with Ms. Brenner stating she will forward the request to Mr. Smith.**

Ms. Brenner states the 2016 municipal audit is required for the Multimodal Transportation Grant. President Kline signs the contracts for the USG work. Council discusses the televising.

Penndot is relooking at adjusting the warrants for the installation of the left hand turn signal at Route 61 & Route 662.

\*A motion has been made by Mr. Wertz to rescind the approval of the Penndot Route 61 Traffic Light Plan. Seconded by Vice President Botwright. Motion carried by a vote of 3 yes to 1 no, with President Kline voting opposed.

Ms. Brenner states that in lieu of a handicap ramp at Peach & 4<sup>th</sup> Sts., the school district is offering \$662.00, which they consider to be the value of the existing curb and sidewalk. Ms. Kennedy-Kline & Mr. Wertz discuss the current state of the curb and ramp and what would be required to make the necessary repairs. Council discusses the matter.

The Source Water Protection Plan has been submitted to DEP.

Mr. Smith will be meeting with Foreman Zimmerman on Wednesday to discuss road paving in 2017.

Ms. Brenner distributes TDS data for the sewer treatment plant. The report shows the information for both the borough and Wolfe Dye & Bleach, with the numbers indicating that things are steadily increasing and getting closer to the limit. Mr. Dietrich received a call from Mark Wolfe, that the planned Friday meeting with Wolfe Dye & Bleach's operator is cancelled, as that operator no longer works for the company. Council and Ms. Brenner further discuss the data. Ms. Brenner states that the agreement with Wolfe is no longer valid as it has expired and also that the data and limits in the agreement are not what is noted in the permit. The borough has some oversight and enforceability with what is in the ordinance, but not nearly as much as what a current agreement would provide. Mr. Dietrich discusses the equipment and machines located at the Wolfe facility. He states that earlier today, someone on the system was putting enough tint in their waste flow to discolor 1,000,000 gallons/day flow. President Kline suggests having Solicitor Mooney draft a letter to Mark Wolfe on the matter.

Ms. Brenner notes that the EPA mandates industrial pre-treatment programs that require the municipality to meet certain requirements and to have a certain program set up with certain guidelines for the industries that are discharging into the system. The borough would enforce the program, with the backing of the EPA. Ms. Brenner feels that the current best course of action would be to set up rules and regulations for pretreatment. Council discusses several courses of action.

\*A motion is made by Mr. Wertz to authorize **Solicitor Mooney to develop language for a pre-treatment resolution for adoption.** Seconded by Vice President Botwright. Motion carried unanimously.

Ms. Brenner and Council discuss Wolfe's flows and limits. The current ordinance states that the borough is responsible for testing costs. Ms. Brenner feels this should be changed. **Ms. Brenner will ask Solicitor Mooney if the passing along of the fees for the testing can be addressed in the resolution or if it must be changed by ordinance.**

Ms. Brenner states there has been a lot of foaming in the VLRs. A surfactants test was performed to determine if there were any surfactants in the wastewater which can cause this type of foaming. Concentrations of 1-3mg/L will cause significant impact on the plant. The test level was 1.92mg/L.

Mr. Dietrich notes that several times a week, the odor of a Pine-Sol like substance can be smelled out of the wet well. Council & Mr. Dietrich discuss possible causes.

### **Property/Streets/Sanitation – Ms. Kennedy-Kline – no report**

#### **Sewer – Mr. Wertz – no report**

#### **Water – President Kline**

**President Kline will follow-up with effluent pump #1.**

#### **Parks & Recreation – Ms. Kennedy-Kline**

Vice President Botwright states the pool architects met with Mr. Mohn yesterday to obtain measurements in the bath house. The renovations will begin in August.

President Kline located an industrial light fixture with a shatterproof lens to place in the rafters of the pavilion. The cost is approximately \$400. He is also researching stainless steel worktables to replace the wooden tables inside the enclosed pavilion.

#### **Law/Planning/Zoning – Mr. Wertz**

President Kline contacted Mr. Schwenk last week to review the property at 17 Main St. As he has not yet heard back from Mr. Schwenk, **President Kline will contact him on Wednesday.**

#### **Employee Relations – President Kline**

Council briefly discusses the seasonal part-time applications that have been received, as well as potential hiring wages.

#### **Approvals/Finance/Pension – Vice President Botwright**

\*A motion is made by Vice President Botwright to approve the minutes for March 7, 2017. Seconded by Ms. Kennedy-Kline. Motion carried unanimously.

\*A motion is made by Vice President Botwright to approve the bills payable for March 21, 2017. Seconded by Mr. Wertz. Motion carried unanimously.

#### **New Business**

Vice President Botwright states the MS4 steering committee meetings are April 20, July 20 and October 19. The meetings are held at 3:00 p.m. at the Berks Fire Training Center.

\*A motion has been made by Mr. Wertz to appoint himself as the MS4 steering committee representative for the borough. Seconded by Vice President Botwright. Mr. Wertz would like Vice President Botwright to attend any meetings in his absence. Motion carried unanimously.

Council discusses the quotes from BK Computers for AVG anti-virus and the Sonicwall TZ210. **President Kline will speak with Mr. Kerper on the quotes.**

\*A motion is made by Ms. Kennedy-Kline to authorize BK Computers to purchase and install the AVG anti-virus at a cost not to exceed \$300. Seconded by Vice President Botwright. Motion carried unanimously.

\*A motion is made by Vice President Botwright to approve the installation of the Sonicwall wireless firewall for a cost not to exceed \$370, per final discussions between President Kline and BK Computers. Seconded by Mr. Wertz. Motion carried unanimously.

### **Old Business**

\*A motion is made by Mr. Wertz to authorize the Council President to execute the Professional Services Agreement between the Borough of Shoemakersville and Schwenk Code Enforcement. Seconded by Ms. Kennedy-Kline. Motion carried unanimously.

### **Executive Session**

The Board recessed into executive session at 10:05 p.m. to discuss possible litigation. Regular session reconvened at 10:13 p.m.

There being no further business, a motion is made by Vice President Botwright to adjourn the meeting. Seconded by Ms. Kennedy-Kline. Motion carried unanimously. Meeting adjourned at 10:14 p.m.

Respectfully Submitted,

Melissa Wagner  
Secretary/Treasurer