

CHAMBER OF BOROUGH COUNCIL
Shoemakersville Borough

April 4, 2017

President Kline called the monthly meeting of the Shoemakersville Borough Council to order in the St. Luke's Church Hall, 5th & Franklin Sts., Shoemakersville, PA at 7:00 p.m.

In attendance: Chris Kline – President, Amy Botwright – Vice President, Joseph Wertz, Jr. – leaves at 8:02 p.m., Tara Kennedy-Kline, Paul Gruber, Clark Zimmerman, John Leshner, Richard Kepner – Mayor, Keith Mooney – Solicitor, Brad Smith – Engineer, Gary Noecker - Code Enforcement and Zoning and Melissa Wagner – Secretary/Treasurer

Public Comment

James Heckman (806 Main St.): Would like to know if Mr. Noecker or Council would be responsible to call Schwenk Code Enforcement into service. President Kline states the procedure would remain the same, and that any issues are to be reported to the borough office, so that the complaint can be tracked. Mr. Heckman asks why Mr. Gruber voted no to hiring Mr. Schwenk. Mr. Gruber states he did not feel it was necessary as there was already a code/zoning officer in place, and that if there were any issues, the expectations should be addressed with the officer.

Rusty Wagner (300 Church Ave.): Chief Wagner addressed the recent article in the Reading Eagle, stating that the charitable organization paperwork is currently being handled by two attorneys. Since bingo employees are now being paid, a third party becomes involved, which changes the regulations the fire company needs to follow. After this article was printed, someone attending last month's Council meeting and who is also present at the current meeting, sent a letter to the Bureau of Corporations & Charitable Organizations regarding the fire company. The letter stated the fire company received donations of a plaque and a donation to waive fees for their building project. Chief Wagner just wanted to clarify to that individual, that the fire company did not request the plaque and that no donation funds were given with the fee waiver, so the fire company did not receive any donation from the borough.

Richard Geschwindt (603 Reber St.): Asks for the results of the water tests, with Ms. Wagner stating Suburban tested the water at the water plant and New Era Logistics on March 8 and that all results met the necessary requirements. Mr. Geschwindt would like to know the status of the school signs, with Mr. Noecker stating the school received their zoning permit. Mr. Smith notes the school will be moving the signs.

Marian Hoffman (802 Main St.): Would like to know who she is to contact if someone is parked over the painted yellow curb line. Mayor Kepner notes that is covered in the state traffic code and that she should call the PA State Police.

Tamara Tayvies (734 Main St.): Spoke to her landlord on the parking issue, with Mr. Giles stating the borough painted over the previous yellow line and actually extended it into where a handicap parking space previously was. Vice President Botwright states the radius needs to be taken into consideration; where does the property end and the road right of way begin? Ms. Tayvies has been parking her vehicle on the unimproved area between Main St. and Apple Lane and was told by her landlord that she could not park there as it is his property and not a borough owned road. She feels there are too many individuals living in the apartment and that there is not enough parking. Council discusses the matter and notes the area she is parking in is the landlord's property. Council discusses the zoning of the property. Solicitor Mooney states that the municipality cannot legally regulate the occupancy of related persons. Council feels that although

they cannot regulate related parties, **the matter may, in part, fall under the property maintenance code, which will be looked into.**

Jerry Blecker (King's Water): Would like an update of the water agreement. He gives a status update on his project. President Kline notes the agreement was drafted and was waiting for the revised tapping fee ordinance, which was recently passed. Solicitor Mooney and Mr. Blecker discuss the reservation resolution, the tapping fee and the latest copy of the agreement. President Kline states the agreement will be modified with the new tapping fee.

Code Enforcement – Mr. Noecker

- **Permits:** Two sign permits were issued, one of which was for the school.
- **Enforcement:** Six letters were sent for snow removal from sidewalks. The next step for the 17 Main St. residence is for Mr. Noecker to post the property and **file the necessary paperwork with the district justice, which will be taken care of this month.**

Solicitor's Report – Solicitor Mooney

- **Wolfe Dye & Bleach:** Solicitor Mooney is working with Ms. Brenner to complete the requested work that was discussed at the March workshop meeting. The letter to Wolfe should be sent this week. **There should be a draft copy of the industrial pretreatment ordinance ready for the April workshop meeting.**
- **3rd Amendment to Wastewater Agreement with PTMA and Wolfe:** Had a productive meeting at his office with those in attendance, now being almost 95% complete with the agreement. There are some costs that need to be verified that PTMA sustained in addition to their original estimate.

Engineer's Report – report will remain on file in office

- **DEP Sourcewater Protection Plan:** Signatures are needed for the three copies of the sourcewater protection plan that was delivered by DEP.
- **2017 Road Projects:** ARRO met with staff to discuss the projects, which include all of Apple St. & Main St. between 10th & 5th Sts. 10th St., between Main St. and Apple Ln., Plum St. and Park St., between 3rd & 4th Sts. Council discusses the pricing and the streets that were noted on the financing list and the potential intersections there were noted in the budget. Mr. Smith recommends bidding this as one project, with Solicitor Mooney noting that Council could reject certain portions of the bid.
- **MS4:** ARRO is working on the Pollution Reduction Plan, to address the base load that was calculated for sediment from the Borough. A reduction of 10% of the Borough's base load of 27,279.34/yr. is required within five years of the permit being issued.

Mr. Smith notes that the property for wells #4 & #5 is located in the township. Since the state records show the property as being located in the borough, an appeal needs to be filed with PADEP, to have them amend their records. A boundary survey is discussed. Mr. Smith needs evidence of the boundary lines to submit. This would either be in the records maintained by the surveyor or located by researching the county records.

*A motion is made by Mr. Leshner to have Ms. Wagner obtain the borough boundary information from the court house. Seconded by Mr. Wertz. Mayor Kepner feels Mr. Smith would have more knowledge on obtaining the records. Mr. Smith feels Mr. Felty could obtain the records at a less expensive rate. Ms. Kennedy-Kline amends the motion to have **Earl Felty attain the records from the courthouse.** Seconded by Mr. Wertz. Motion carried unanimously.

- **Multimodal Transportation Grant:** As the Borough's application for 2016 was denied, ARRO is preparing an application for 2017. The application period is from March 1 to July 31.
- **Penndot Route 61:** ARRO has been in contact with Penndot concerning the traffic signal at Route 61 and Noble Ave. It is recommended that the Borough write to Brian D. Rasuil, P. E. requesting a change and the reason for the request.

*A motion is made by Mr. Wertz to authorize **Mr. Smith to draft a letter, signed by the borough, to Penndot's engineer, requesting a change of the signalization plan for the light at Route 61 & Noble Ave.** Seconded by Vice President Botwright. Motion carried unanimously.

Penndot is considering installing inlet filters on Route 61. If installed, they would be the Borough's responsibility to maintain. If installed at the intersection, they would help with reducing the sediment load for the MS4. **Mr. Smith will let Penndot know the borough has an interest in the filters.**

- **Well #1 Treatment:** Staff will chemically treat the well later this month.
- **Solids Handling:** ARRO is working with staff to send test samples to labs and get pilot tests scheduled. The first pilot test is tentatively scheduled for the last week in April.
- **Wolfe Dye & Bleach:** ARRO is working with the solicitor to develop an enforceable pretreatment ordinance. TDS, surfactants and effluent color continue to be an issue at the wastewater treatment plant. The ordinance will be ready for review at the April workshop meeting. As this ordinance would only be enforceable within the Borough limits, it is recommended that Perry Township adopt the same ordinance. Solicitor Mooney states the letter is $\frac{3}{4}$ completed and will be sent shortly. Council and Mayor Kepner discuss the limits and what is noted in the agreement.

Mr. Wertz is waiting for the blower room roof bids to arrive and should have them for the workshop meeting.

Secretary's Report/Correspondence

The Berks County Commissioners will be having a breakfast meeting on April 21 at the Oley Fire Company if anyone is interested in attending. Ms. Wagner will be opening the office at 11:00 a.m. on April 12. She will be unable to attend the May 2 monthly meeting. Council approves her request to close the office on April 13 & 17 and May 25 & 29.

Mayor's Report – Mayor Kepner

Would like to have the Children's Fair parade route advertised closer to the date.

Property/Streets/Sanitation Committee – Mr. Zimmerman

President Kline has received information regarding radar speed signs for the borough. The signs may either be solar or battery powered and can track traffic statistics. He recommends having the signs placed on Main and Franklin Sts. **He needs to verify what the signs need to be mounted to** and will present the information at a future meeting. The funds to be received from UGI for the right-of-way would cover the cost.

Mr. Leshar received several complaints from residents on Reber St., questioning why their street was plowed 6' away from the curb, but less heavily traveled streets in the area were plowed curb to curb. President Kline stated Foreman Zimmerman also discussed this matter with his crew, who is relatively new at snow plowing. Mr. Leshar notes that the ADA states that the snow must be plowed away from any handicap parking spots.

Sewer Committee – no report

Water Committee – President Kline – no report

Parks/Recreation – Ms. Kennedy-Kline

Vice President Botwright states the pool will be open until August 6, after which time, the renovation will begin. The architects are still finalizing measurements. Season ticket prices will be reduced by 20%.

*A motion is made by Vice President Botwright to approve the season pass rates for the pool for 2017. Seconded by Mr. Leshar. Mayor Kepner asks what the rates are, with Vice President Botwright stating the pass rates will be reduced 20%. Motion carried unanimously.

Law/Planning/Zoning – Ms. Kennedy-Kline

*A motion is made by Ms. Kennedy-Kline to approve the 90 day extension for the B&X lot annexation. Seconded by Mr. Leshar. Motion carried unanimously.

Employee Relations – President Kline

Council will review the applications received for the part-time seasonal road crew employees.

Approvals/Finance/Pension – Vice President Botwright

*A motion is made by Vice President Botwright to approve the minutes for March 21, 2017. Seconded by Mr. Zimmerman. Motion carried unanimously.

*A motion is made by Vice President Botwright to approve the bills payable for April 4, 2017, but to withhold the payment for Wade Associates. Seconded by Ms. Kennedy-Kline. Mr. Gruber asks for details of line item G380 with Ms. Wagner stating that it is used to show credit card payments automatically deposited into the general checking account. The funds are then transferred out into the proper utility accounts. Motion carried unanimously.

New Business

*A motion is made by Vice President Botwright to adopt Resolution 105-2017 for the Multimodal Grant. Seconded by Ms. Kennedy-Kline. Motion carried unanimously.

*A motion is made by Vice President Botwright to adopt Resolution 106-2017 for the water capacity reservation fee. Seconded by Mr. Leshar. Motion carried unanimously.

There being no further business, a motion is made by Mr. Zimmerman to adjourn the meeting. Seconded by Vice President Botwright. Motion carried unanimously. Meeting adjourned at 8:24 p.m.

Respectfully Submitted

Melissa Wagner -Secretary/Treasurer