

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

**January 8, 2019**

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

**In attendance:** Amy Botwright –Vice President, Steve Gilbert, Dana Smith, Joseph Wertz, Jr., John Leshner – leaves at 8:16 p.m., Dustin Remp – Mayor, Keith Mooney – Solicitor, Bradley Smith – Engineer, Chad Zimmerman – Borough Foreman, Michael Dietrich – Sewer & Water Plant Operator, and Melissa Wagner- Secretary/Treasurer.

Absent from the meeting: Chris Kline – President, Tara Kennedy-Kline

**Public Comment**

**Jim Heckman (806 Main St.):** Apologizes for his improper behavior during his discussion with the Mayor at last month's meeting. Mr. Heckman asks what prompted the borough to adopt the handicap parking ordinance and asks who specifically proposed the ordinance and was involved in making the decision. Vice President Botwright notes that Council reviewed several municipalities' ordinances as a guide. Mayor Remp states that an ordinance was needed. Solicitor Mooney notes that without the ordinance, the borough cannot legally designate a handicap parking space in any block or fine individuals improperly parking in the spaces.

With the ordinance only providing for two handicap spaces within one block, Mr. Heckman asks how it would be determined who loses their space if there are three spaces in the same block. Mayor Remp notes that any current spaces would be considered grandfathered and would not be removed. Solicitor Mooney does state that anyone with a handicap placard or plate may park in any designated handicap parking space, regardless of where the space is located.

**Larry Hoffman (802 Main St.):** Asks why anyone would be able to park in his designated handicap space. Solicitor Mooney states that is what the law states. Mr. Hoffman asks how the code enforcement officer can determine whether or not the space should be granted. Mr. Zimmerman states that a letter from the doctor noting that a space is needed is requested. He takes into consideration if there is a driveway or garage already at the property, as well as how many steps there are from the street to the home's entrance. Handicap spaces are rarely denied.

Mr. Hoffman questions the \$5 annual renewal fee, with Mr. Zimmerman stating that the funds will go towards sign maintenance and paint for the curbs. Mr. Hoffman requests that Council re-visit the specifications in the ordinance, and takes into consideration the number of spaces that may be needed in a block, as well as any HIPPA regulations.

**Marian Hoffman (802 Main St.):** Does not feel than anyone with a handicap placard should be permitted to park in a space that a different individual would pay for and renew. She states that it is a HIPPA violation for the borough to ask questions regarding the applicant's disability. Ms. Wagner states that the letter was sent out from borough code enforcement, stating that anyone that currently has a handicap parking space is to follow the new regulations noted in the enclosed ordinance. There is a \$5 annual renewal fee. If the space is not renewed, it could be taken away. Ms. Hoffman read the letter to mean that only two spaces were to be permitted in each block. Ms. Wagner states that would be the case for any new spaces being requested. The two spaces per block are for any new requests moving forward. Ms. Hoffman asks how long a vehicle may be parked in the handicap space without being moved. Mr. Leshner notes that the vehicle may be there

for any length of time. Solicitor Mooney feels that since that situation has rarely occurred for them, that it would most likely not be a major concern.

**Mark Paine (25 Main St.):** He suggests informing residents in advance of adopting any new ordinances. He has not heard any prior discussion on the handicap parking ordinance. Vice President Botwright states that the ordinance was discussed at several meetings, as there is a process to follow for adopting an ordinance. Solicitor Mooney states that Council needs to direct him to draft the ordinance for their review. He is then given permission to advertise the ordinance at a second meeting, with the ordinance being adopted at a third meeting.

Mr. Paine asks if Council can speak louder during the meeting, as it is difficult to hear some members.

He continues to notice a police presence in town and suggests having the troopers in the area more when school starts and ends, as several drivers are not stopping appropriately around the buses. Mr. Wertz notes of a prior incident with someone driving close to children when being crossed by the crossing guard. The state police were contacted and were at the location to speak with the driver, who has since modified her driving.

Mr. Paine notes that 17 Main St. is up for Sheriff's Sale on January 11.

#### **Code Enforcement – Foreman Zimmerman**

- **Enforcement:** Notices were sent regarding unlicensed vehicles at several properties.
- **Leaf Collection:** Mr. Leshar asks why the 800 block of Reber St. seems to be missed when the streets are cleaned of leaves. Mr. Zimmerman states that the block does get vacuumed, but that new leaves quickly take their place. Mr. Heckman notes that the same thing occurs on Main St., whereby he hauls away leaves from his property, which has no trees, and more leaves fall into their place.

#### **Solicitor's Report – Solicitor Mooney**

- **17 Main St.:** The Sheriff's sale will take place on January 11. He has been in contact with the attorney for the bank and has granted a continuance until mid-February to answer the complaint, with the hopes that they will take the property on the 11<sup>th</sup>. They would then decide whether to save the house or take it down. Solicitor Mooney notes that there is a private bidder interested in the property as well, that has inquired about borough's action on the property and how much time he would have to stabilize and repair the house.
- **Second St. Paving:** Received notice that PTMA is willing to pay \$15,202.24 towards the project. There is no specified time frame for the borough to respond. The matter will be discussed at the February meeting.

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

- **Main St. Bridge Repair:** Engineer Smith notes the results of the base bids:
  - Bill Anskis Co., Inc \$466,555.00
  - Professional Construction Contractors, Inc. \$422,849.82
  - CriLon Corp. \$401,119.67

Kinsely Construction Inc. withdrew their bid and did not complete the bid process.

Although CriLon Corp. was the apparent low bidder, they do not have the necessary experience as required by the bid specifications, as they only completed 3 of the 5 project requirements. ARRO recommends accepting the base bid from Professional Construction Contractors Inc.

\*A motion is made by Mr. Wertz to accept the withdrawal of Kinsley Construction, set aside the CriLon bid for failure to meet the experience criteria, and to accept and award the bid from the lowest responsible bidder of Professional Construction Contractors Inc. for \$422,849.82. Seconded by Mr. Smith. Mr. Leshner is concerned about any repercussions from not accepting the low bid. Solicitor Mooney notes that there should be no concerns, as CriLon did not fulfill the specifications in the bid documents, as they only submitted 3 of the 5 project requirements, although they did meet the 5 years of experience prerequisite. Engineer Smith states that the project should be completed before the PennDOT Route 61 project reaches the borough. Engineer Smith and Mr. Wertz discuss the four bid alternates, with Engineer Smith noting that the grant amount awarded for the project is \$229,018. Vice President Botwright notes that the borough's portion of the project was budgeted to be paid for through financing. Mr. Wertz asks if the borough could wait on the paving portion and obtain better pricing, with Engineer Smith noting that Folk Paving is the company priced to complete the alternate 4 bid. Council and Engineer Smith discuss the individual alternates and pricing. Mr. Wertz amends the motion to accept the base bid as well as alternates 1, 2, and 3 from Professional Construction Contractors, Inc. for a cost of \$467,181.42. Seconded by Mr. Smith. Mr. Wertz states that the paving may be completed at a later date, with the paving going right up to the sawcut. Mr. Leshner asks who could be conducting the inspections, as this would increase the total project cost. Engineer Smith notes that ARRO could complete the inspections, with the cost being dependent upon the scope of the inspection: full time vs. part time inspection. He notes that substantial project completion is to occur in 90 days, with final completion being in 120 days. Mr. Leshner notes that the contractor should be held liable if the project is not completed within the 120 day deadline, weather permitting. Mr. Wertz recognizes Mr. Leshner's point that with the inspection fees, the pricing for the project will be close to \$500,000 which is the full budget for the project. Roll call vote taken with Mr. Wertz, Vice President Botwright, Mr. Gilbert, and Mr. Smith voting yes, and Mr. Leshner voting no. Motion carried by a vote of 4 yes to 1 no.

- **Clarifier Repairs:** Blooming Glen has been out to the site to take measurements. Actual construction on the site will begin soon.
- **NPDES Implementation:** ARRO has submitted the Pollutant Monitoring Plan for PCB to DEP. Once approved by DEP, the borough will have 60 days to implement the plan.
- **Sheetz Land Development:** The project can be closed out once all administrative items and a maintenance bond are submitted. Engineer Smith will provide the amount of the bond to Solicitor Mooney.
- **Wolfe Dye & Bleach Works:** Wolfe has not responded to the borough regarding the contract for engineering. Engineer Smith notes that Wolfe has hired their own engineer.
- **King's Development:** Mr. Leshner notes that the development has their own wells and water tower, which goes into the borough's sewer. Vice President Botwright notes that everything is metered. Mr. Wertz states that a new line was run.

### **Secretary's Report/Correspondence**

The borough office will be closing at 1:45 p.m. on January 28.

### **Mayor's Report – Mayor Remp**

Will be meeting with Sgt. Flynn this week. Mayor Remp agrees that there has been more of a police presence in town.

Mayor Remp would like Council to accept the agreement with Met-Ed with regards to the placement of the Hometown Hero banners. Met-Ed requires the signed agreement and \$100 payment before they will look at the poles. Mayor Remp and Ms. Wagner briefly discuss the insurance concerns that Ms. Kennedy-Kline has on the matter. Tompkins Insurance sent evidence of coverage to Met-Ed and has not heard anything back, presuming that the insurance is acceptable.

\*A motion is made by Mr. Wertz to submit the \$100 payment to Met-Ed for the Hometown Hero Banner Program. Seconded by Mr. Leshner. Motion carried unanimously.

Mayor Remp has received contact from Elan City regarding their electronic speed limit signs. They are now willing to sell signs in Pennsylvania. Mayor Remp will forward the updated pricing for the signs, to be discussed at the workshop meeting. The borough is planning on purchasing 4 of the movable signs, with battery packs. Vice President Botwright states that there had been previous issues with PennDOT, whereby Elan City did not wish to sell them to anyone in Pennsylvania.

### **Public Works Report – Mr. Zimmerman**

Mr. Zimmerman states that he has spoken with the owner of the camper that has been in lot at the park. The owner will be moving the camper in the next few days. Mr. Zimmerman has noted that the area is zoned residential, and as such, there is to be no overnight parking. He will be posting signs to that affect at the park, the skate park, and the pool.

Mr. Zimmerman completed the pool walk-thru with DCNR, with everything being in order.

Mr. Zimmerman requests an executive session for employee relations.

### **Operator's Report – Mr. Dietrich**

The water meter at well #3 was replaced with a modern, digital meter. The meter at well #5 is the last of the old style remaining. Mr. Mohn updated the emergency response plan. All monthly reports and regular maintenance were completed. In February, Mr. Dietrich will be attending a class in Fleetwood for water and wastewater system maintenance. He has begun the 30-day Hach trial for the remote monitoring of the water plant. The probe and wifi system have been set up and will accurately read when the plant is running and producing water.

The new dusk to dawn light on the back side of the VLR tank is a much brighter, more efficient LED light. The gate latch on the sludge dumpster has been repaired.

Kline's hauled 3,500 gallons of sludge from the old scum pump that stopped working several weeks ago. An additional 5,500 gallons needed to be pumped out, as the tank needs to be empty for Blooming Glen. However, the sludge was able to be back fed from the truck, through a drain pipe in the sludge dumpster bay, into a digester, saving several hundred dollars in disposal costs. Blooming Glen is scheduled to be on site next Wednesday or Thursday to begin work. The scum pit and clarifier repairs have been scheduled to be completed together. Cement work will be needed to get the tank ready for the new pump. There is also piping and electrical work to be completed. The project should be completed within 2 weeks.

Nester's hauled out the sludge dumpster, the chlorine contact tank was drained and washed several times, the chlorine cylinders were changed out, the monthly DMR was submitted, and all other routine maintenance was kept up to date.

**Property/Streets/Sanitation Committee – Mr. Smith**

Mr. Wertz notes that some areas in Hamburg have received new extremely bright LED street lights, with Mayor Remp confirming that Met-Ed has a program in place. Mr. Wertz would like information on the program.

**Sewer Committee – Mr. Wertz**

Mr. Wertz and Engineer Smith discuss I&I repairs.

President Kline provided information on components for a walkway at the sewer plant at the December workshop meeting.

\*A motion is made by Mr. Wertz to purchase the components to build the platform for the chlorine contact tank from ErectaStep for \$16,500. Seconded by Mr. Leshner. Motion carried unanimously.

**Water Committee – Mr. Wertz – no report**

**Parks/Recreation – Vice President Botwright**

The next Rec. Board meeting will be held at Cousin's Pub on Monday, January 14 at 6:00 p.m. Mr. Leshner asks about the winners of the holiday lighting contest, with Vice President Botwright stating that the winners were the Gottschalls on 7<sup>th</sup> St., the Weyants on E. Noble Ave., and the Wagners on E. 9<sup>th</sup> St.

Engineer Smith will look into the possibility of ARRO sponsoring next year's contest.

**Law/Planning/Zoning: Mr. Wertz**

Zoning hearing board members are still needed. Members may not already be serving on borough council. Solicitor Mooney states that if there is not a proper ZHB, any applications could be considered a deemed approval.

**Employee Relations – Vice President Botwright – no report**

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

\*A motion is made by Mr. Wertz to approve the minutes for December 18, 2018. Seconded by Mr. Smith. Motion carried unanimously.

\*A motion is made by Mr. Wertz to approve the bills payable for January 8, 2019. Seconded by Mr. Smith. Motion carried unanimously.

\*A motion is made by Mr. Wertz to appoint Julie Roth to a 5 year term on the Shoemakersville Municipal Authority. Seconded by Mr. Leshner. Motion carried unanimously.

\*A motion is made by Mr. Wertz to remove the Animal Rescue League as the borough's animal control. Seconded by Mr. Leshner. Motion carried unanimously.

Vice President Botwright states that a new pension financial advisor is needed by March.

**New Business-none**

**Old Business - none**

**Executive Session**

The Board recessed into executive session at 8:17 p.m. to discuss employee relations. Regular session reconvened at 8:24 p.m.

There being no further business, a motion is made by Mr. Wertz to adjourn the meeting. Seconded by Mr. Smith. Motion carried unanimously. Meeting adjourned at 8:25 p.m.

Respectfully Submitted,

Melissa Wagner  
Secretary/Treasurer