

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

**February 5, 2019**

President Kline 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 7:02 p.m.

**In attendance:** Chris Kline – President, Amy Botwright –Vice President, Steve Gilbert, Tara Kennedy-Kline, Joseph Wertz, Jr., John Leshner – leaves at 8:15 p.m., Keith Mooney – Solicitor, Bradley Smith – Engineer, Chad Zimmerman – Borough Foreman, and Melissa Wagner- Secretary/Treasurer.

Absent from the meeting: Dana Smith, Dustin Remp - Mayor

**Public Comment**

**Richard Geschwindt (603 Reber St.):** Asks for the results of the water test, with Ms. Wagner stating that Suburban tested the water on January 2 at the water plant and New Era Logistics, and that all results met the necessary requirements.

Mr. Geschwindt asks if the lab results have come back regarding the water main break on Franklin St. Mr. Zimmerman stated that the results from the first day of testing came back clear, and that he is waiting to hear back regarding the second day of testing.

Mr. Geschwindt states that when there is rain or snow, the water pools at the intersection of Reber & 7<sup>th</sup> Sts. and does not drain away as it should. This did not occur prior to the work that was completed at the intersection, and he believes that the borough engineer should investigate the matter, as it is not a normal situation for standing water to be at an intersection. Mr. Zimmerman states that a sump pump is draining into the street and that it sits in a low spot. President Kline and Mr. Zimmerman discuss road crowns, with Mr. Zimmerman noting that the water does drain away if it is not a major rain event, but when it is cold the water freezes. Mr. Geschwindt notes that water pooling also occurs at the Chestnut & 7<sup>th</sup> St. intersection, creating a safety issue.

**Mark Paine (25 Main St.):** Police presence in town continues to be solid. Mr. Paine notes that the sale of 17 Main St. was delayed until March. Solicitor Mooney states that that loan was sold and that a new bank is in charge of the property. He and President Kline discuss the sale of the property. Ms. Kennedy-Kline notes that if the property is sold, the liens against the property go along with it. Solicitor Mooney states that he now needs to locate and serve the complaint with the new bank.

Mr. Paine states that numerous residents do not have internet access and asks if there is a central location for the borough to physically post information for residents. Vice President Botwright states that residents may obtain any printed information from the office. Ms. Kennedy-Kline notes that residents may also call the borough office with any questions, and that residents are notified door to door regarding any health emergencies. Mr. Zimmerman notes that residents are also alerted via Code Red regarding any emergency notices. Solicitor Mooney and Vice President Botwright note that information regarding emergencies is also broadcast on WFMZ and WEEU.

Mr. Paine notes that the owner of 109 Main St. did not shovel his sidewalk the last time it snowed. Mr. Zimmerman states that the property owner is incarcerated, and that although no one is living in the house, the owner's parents are tending to the property. Residents have 24 hours after the snow stops to shovel the sidewalk. Residents are asked to contact the borough office to report any unshoveled sidewalks.

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

- **Enforcement:** UGI submitted 5 street cut permits for retired gas services. Letters were sent regarding shoveling snow into the street. The owner of the abandoned vehicle parked at 5<sup>th</sup> & Franklin Sts. was sent a notice to remove the car.

### **Solicitor’s Report – Solicitor Mooney**

- **Sale of Pool Property:** The bidder would like to conduct environmental testing on their property, as well as on the borough’s property. Solicitor Mooney has drafted a property access agreement. As Mr. Zimmerman notes that the holes the bidder previously dug were not address, Council and **Solicitor Mooney discuss adding a bond or escrow requirement to the access agreement.**

\*A motion is made by Mr. Wertz to authorize the Council President to enter into an access agreement with Home Elite, Ltd., contingent upon them submitting a \$5,000 bond or escrow. Seconded by Vice President Botwright. Mr. Leshner and Solicitor Mooney discuss the contingencies in the contractor’s bid. Council and Mr. Zimmerman discuss the bond requirements. Vice President Botwright asks how the contractor would be accessing the location, whether through the pool property using the lane or from Route 61. The agreement should state that they are to access the property from the land that they already own, near CVS. Motion carried unanimously.

- **Shoemakersville Municipal Authority Lease Agreement:** President Kline asks Solicitor Mooney to review an e-mail he sent regarding the matter.

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

- **Main St. Bridge Repair:** Contracts with Professional Construction Contractors, Inc. have been returned to ARRO. The contract, bonds, and insurances are in compliance with the specifications. The contract will need to be signed. The cost of the project is \$467,718.42. The ARRO PSA for construction engineering and inspection for the project is \$25,150.
- **Clarifier Repairs:** Due to the scum pit being down, the repair start date will be delayed.
- **Filter Media Replacement:** ARRO is obtaining quotes from 7 contractors and should have the information available for the February workshop meeting. Engineer Smith notes that due to the cost, the project may need to go out for bid. Mr. Zimmerman has been meeting with the contractors at the plant. Engineer Smith notes that DEP has changed its opinion on regulations for replacing filters in kind. They may now require a permit for the work.
- **USDA Loan Application:** The loan is currently on hold until the Borough is able to work out the sewer plant ownership details.
- **Wolfe Dye & Bleach Works:** Engineer Smith asks if Council wishes to get Wolfe under a pretreatment permit, prior to the PCB plan going into affect. ARRO has reviewed their application, however it was being held until DEP’s decision regarding the PCB requirements was complete. The permit may be issued and later be amended, if necessary.

\* A motion is made by Mr. Wertz to authorize **ARRO to draft the pretreatment permit** for Wolfe Dye & Bleach. Seconded by Vice President Botwright. Motion carried unanimously.

- **Source Water Protection:** Lyn O’Hare will be attending the March workshop meeting to further discuss the plan. **Engineer Smith will forward any applicable educational information** for borough residents for the plan, and any MS4 requirements, so that it may be made available at the April 22 Earth Day event at the park.
- **NPDES Implementation:** ARRO has submitted a Pollutant Monitoring Plan for PCB to PADEP. Once approved, the borough will have 60 days to implement the plan.
- **Sheetz Land Development:** ARRO determined the amount for the maintenance bond, \$4,074.60, and submitted it to the solicitor for close out of the project.
- **2019 Road Project:** **The committee is to forward street information to Engineer Smith** if a road project is to be completed this year.

### **Secretary’s Report/Correspondence**

The borough office will be opening at 11:00 a.m. on February 13. The actuary will be at the February workshop meeting to review the Act 205 report.

### **Mayor’s Report**

President Kline reviews the updated quote from Elan City for the electronic speed signs. The 2019 budget included \$8,000 for the signs, which is approximately \$2,600 less than the total cost for the 4 signs. Council discusses the budget and sign costs.

\*A motion is made by Mr. Leshner to purchase the four electronic speed signs at a cost not to exceed \$11,000. Seconded by Ms. Kennedy-Kline. Motion carried unanimously.

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

Mr. Zimmerman notes of PA One Call’s request for the borough to declare April “PA 811 Safe Digging Month,” by either drafting a resolution or issuing a proclamation. **Council will issue a proclamation** to post on the borough’s Facebook page and website.

Mr. Zimmerman introduces Kyle Roth, the prospective hiree for the full-time road crew position.

Mr. Zimmerman is obtaining pricing for a new water meter reader, as the current reader is becoming obsolete. Approximately 75% of the borough has converted to the radio read meters.

### **Operator’s Report**

Mr. Zimmerman notes that Mr. Dietrich was unable to attend the meeting, but that his report will be forwarded to Council by week’s end.

### **Property/Streets/Sanitation Committee**

President Kline discusses the UGI street cut application, which is currently under review by the committee. He and Mr. Zimmerman discuss the project, with Mr. Zimmerman noting that it would be best if the digging took place after plowing season. **President Kline will communicate this to UGI.** The ordinance will be reviewed to determine if there is a time limit to approve the application.

### **Sewer Committee – Mr. Wertz**

Council and Solicitor Mooney discuss the Second St. paving project and PTMA's offer. Ms. Kennedy-Kline states that the street must be restored due to the condition of the road after PTMA's contractor milled the entire overlay off of the road, without the borough's permission. She notes that if a negotiation is to occur, it should include the cost to restore the trench, the laterals, and to perform the overlay of the street.

Mr. Zimmerman will obtain updated pricing from Folk Paving.

\*A motion is made by Ms. Kennedy-Kline to reject PTMA's offer for Second St. Seconded by Vice President Botwright. President Kline asks if the borough would be sending a counteroffer along with the rejection. A counteroffer will be offered along with the rejection. Motion carried unanimously.

Solicitor Mooney will review the statute of limitations, which notes Council has either 3 or 5 years to sue, as the borough is aware of the damages.

Mr. Wertz asks Mr. Zimmerman and Mr. Dietrich to develop a detailed list of I&I repairs, so that pricing and bid information for the repairs may be obtained from COSTARS.

Mr. Wertz commends the road crew for their efforts in saving money, by building two types of pumps to empty the sludge into containers, rather than paying to have the sludge hauled out.

Mr. Zimmerman notes that several sections of the walkway have been assembled and should be completed once the sludge issue is addressed.

### **Water Committee – President Kline – no report**

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

A Scibble tournament will be held at Ollie's on March 8. The theme for the June 1 Children's Fair is "Wildlife Adventures." Mr. Zimmerman asks if he can obtain pricing to replace the sandwich board sign that was used along Route 61 to advertise for the Children's Fair. The cost should not exceed \$400. The Recreation Board will be contacted regarding a new sign.

The Hamburg Hawks wrestling team has advanced to the state finals.

The Recreation Board will be sponsoring an Earth Day event at the park on April 22.

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

\*A motion is made by Mr. Wertz to appoint Larry Hoffman and Shannon Heckman to the zoning hearing board, for staggered terms, with Mr. Heckman's term ending first. Seconded by Mr. Leshner. Motion carried unanimously.

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

#### **Executive Session**

The Board recessed into executive session at 8:09 p.m. to discuss employee relations. Regular session reconvened at 8:16 p.m.

\*A motion is made by Vice President Botwright to hire Kyle Roth at \$15/hr, increasing the rate to \$16/hr after a 30 day probation period, for the full-time road crew position. Seconded by Ms. Kennedy-Kline. Motion carried unanimously.

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

\*A motion is made by Vice President Botwright to approve the minutes for January 8, 2019. Seconded by Mr. Wertz. Motion carried unanimously.

\*A motion is made by Vice President Botwright to approve the bills for ratification for January 15, 2019. Seconded by Mr. Wertz. Motion carried unanimously.

\*A motion is made by Vice President Botwright to approve the bills payable for February 5, 2019. Seconded by Mr. Wertz. Motion carried unanimously.

\*A motion is made by Vice President Botwright to adopt Resolution 117-2019 – procedures for the procurement of professional services contracts regarding the non-uniform and uniformed employee pension plans. Seconded by Mr. Wertz. Mr. Wertz asks if this is beneficial, with President Kline and Vice President Botwright stating that the resolution is mandatory. President Kline asks if the March 29 deadline is feasible for hiring a new pension advisor. Solicitor Mooney states that in working with PSAB, a time table was established in the RFP, which must be strictly adhered to, with no deviations. Once a decision is made on advisors, there is a 7 day waiting period which must be met, until the funds can be transferred. With the schedule, a decision must be made at the March 19 workshop meeting. Solicitor Mooney notes that PSAB manages their own pension fund. They would be able to accept the transfer of funds and take the accounts on an interim basis. If another firm was chosen through the RFP process, they would release the funds to the new advisor. Solicitor Mooney and Council discuss the RFP timeline for the process. Solicitor Mooney states that the interview may be in person or telephone. Motion carried unanimously.

\*A motion is made by Vice President Botwright to advertise the RFP for a new pension financial advisor. Seconded by Mr. Wertz. Motion carried unanimously.

### **New Business**

Vice President Botwright discusses the borough's social media guidelines, noting that the borough Facebook page should be used for information regarding borough business only. Any information regarding fund raisers or lost pets should be posted on the Shoemakersville Community & History page. She has had to make several adjustments to posts that did not adhere to the rules. **Solicitor Mooney will forward a sample social media policy.**

President Kline asks that everyone utilize their borough issued e-mail addresses, as it is important for record keeping purposes to have everything on the borough's server. Vice President Botwright will work with those whose e-mail addresses are not working properly. Ms. Wagner can also reset passwords.

President Kline recommends purchasing 4 new phones for the road crew, as Mr. Mohn's phone is not working properly and a fourth phone is needed for Mr. Roth. He feels it would be best to stay with AT&T and obtain a quote for the phones.

There being no further business, a motion is made by Mr. Wertz to adjourn the meeting. Seconded by Vice President Botwright. Motion carried unanimously. Meeting adjourned at 8:28 p.m.

Respectfully Submitted,

Melissa Wagner  
Secretary/Treasurer