

CHAMBER OF BOROUGH COUNCIL
Shoemakersville Borough

May 7, 2019

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., John Leshar, Dustin Remp – Mayor, Keith Mooney – Solicitor, Bradley Smith – Engineer, Chad Zimmerman – Borough Foreman – arrived at 7:07 p.m., Michael Dietrich – Sewer & Water Plant Operator, and Melissa Wagner- Secretary/Treasurer.

Absent from the meeting: Tara Kennedy-Kline, Dana Smith, Steve Gilbert

Public Comment

Richard Geschwindt (603 Reber St.): Asks when pothole repairs will be completed, noting that there continues to be holes at 5th & Franklin Sts. and the 600 block of Franklin St., with President Kline stating that the foreman is planning to rent the hot patch machine. Mr. Geschwindt asks when the 300 block of Park St. will be paved, with President Kline stating that he is unsure if that area is on the street committee's list of repairs.

Mr. Geschwindt asks for the water test results, with Ms. Wagner stating that Suburban tested the water on April 3 at the sewer plant and the Kwik Shoppe, and that all results met the necessary requirements.

Socrates Georgeadis (Georgeadis/Stetley) and Bob & Susan Fella: Attorney Georgeadis represents Susan and Bob Fella, who purchased 539 Main St. They previously filed with the zoning hearing board to renovate the building into a 5 unit apartment. The official hearing never took place due to advertising issues, but they did discuss the project with residents who had gathering for the meeting, with their main concern being parking. The Fellas have been approached by a prospective buyer who would like to utilize the building for a wood working shop, to make cabinets and furniture. There would be the owner plus one helper working at the location. Attorney Georgeadis states that as the area is zoned for single family residences, the use of the former sheet metal building for a wood working shop would be considered a continuation of a non-conforming use. Mr. Fella states that he was previously told that a yoga studio, which he had inquired about, would also not be permitted under the current zoning ordinance.

Vice President Botwright states that the location was primarily used for a sheet metal school, not strictly a business. Discussion takes place on the building's prior usage. Vice President Botwright notes that the current zoning ordinance of 1992 was not in place at the time the sheet metal school was established, with Mr. Leshar further stating that the school started at the location in the late 1970's or early 1980's. Solicitor Mooney notes that a continuation of use variance is difficult to obtain. The zoning officer should determine whether or not the wood working business would be a continuation of a non-conforming use. Solicitor Mooney notes of the upcoming public hearing for the zoning ordinance and notes that the applicable section of the ordinance could be amended to allow for this use in the zoning district, by conditional use, by placing a square footage for the type of use, only under certain circumstances, as conditions for a light industrial usage in the zone. Mr. Wertz states that there is already a conditional use section of the ordinance that could be amended.

Ms. Wagner will review the 1969 zoning ordinance, as well as search for any permits or variances that may have been issued for the school.

Mark Paine (25 Main St.): Asks for an update on 17 Main St. Solicitor Mooney states that the bank purchased the property back. The bank plans to either tear the building down or make the necessary repairs. He feels that as progress has already begun towards cleaning up the property, the building would most likely be addressed before the borough would submit paperwork and go through the entire process of filing for special service again. Mr. Paine notes that a dumpster is on site and that some work on the home has started. He has an issue with the sale of the property, as Solicitor Mooney was bidding at the sale. Mr. Paine is further concerned that since the bank purchased the property back, it will continue to be a long ongoing process to resolve the matter. Solicitor Mooney states that he was local council for the law firm that represented the bank and was bidding on behalf of the bank, and that there is no conflict. The bank outbid the other bidder that was present. The current owner has 30 days to contest the sale, before the Sheriff's Office can issue the deed. Solicitor Mooney has the contact information for the remediation company. President Kline asks to have that information passed on to Mr. Zimmerman, as the bank would then have a local contact for the borough. **Mr. Zimmerman can then find out the schedule for repairs.**

Mr. Paine feels there should be more road closed signage for the Pigeon Creek Bridge repairs, as vehicles speed down the road and quickly brake when they get to the bridge. Council and Mr. Paine discuss the road closures, with President Kline asking Mr. Zimmerman to contact the contractor regarding the signage. Mr. Leshner notes of PennDOT regulations for the placement of signs during road projects. Mr. Zimmerman states that the project is on schedule and is expected to be completed by early June.

Code Enforcement – Mr. Zimmerman

- **Permits:** Three permits were issued in April.
- **Road Repairs:** Equipment is to be rented next month to repair potholes. He is working with a neighboring municipality to use the machine at the same time, in order to obtain better pricing.
- **Enforcement:** The property at 539 Main St. is discussed, with Vice President Botwright noting that a search will be made to see if the location received a variance or special exception for a non-conforming use, or if the school usage was permitted in the borough's prior zoning ordinance.

Solicitor's Report – Solicitor Mooney

- **Pool Agreement of Sale:** He and Ms. Kennedy-Kline need to revise the agreement and forward it to the property owner's legal team.
- **Second St. Road Repairs:** Waiting to hear back from Mark Koch regarding PTMA's acceptance of the borough's offer of settlement.

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

- **Main St. Bridge Repair:** The project is on schedule with a target completion date of June 1. The remaining work includes the expansion joint, sidewalks, and drainage pipe. There could be a delay in getting the expansion joint.
- **Route 61 Betterment Project:** A meeting was held with PennDOT for the next phase of the project, which includes the intersection at Noble Ave. The current dates for the phases are:
 - Phase A 5/31-6/26
 - Phase B 6/27-7/15
 - Phase D 7/16-8/7 (Phase C was combined with Phase D)
 - Phase E 8/8-8/29

The borough's utility relocation for water and sewer will occur in all phases.

- **Clarifier Repairs:** Fabrication of the clarifier components is being completed with a delivery date of May 20. A revised invoice excluding sales tax was sent to the borough for signature.
- **VLR #2:** The specifications for the project have been sent out to contractors to provide quotes. There are currently 6 contactors with the specifications. Quotes are due back by May 29, 2019.
- **Filter Media Replacement:** A notice to proceed was sent to Blooming Glen. The project is to be completed by June 30, 2019. A preconstruction meeting is scheduled for Thursday, May 9, 2019 at 10:00 a.m. at the water plant.
- **Skate Park Grant:** To complete the grant application, the next phase of the skate park needs to be defined. The application is due May 31, 2019.
- **USDA Loan Application:** The application is on hold until the borough is able to work out the ownership of the sewer plant.
- **Sewer Televising:** ARRO is finalizing a list of repairs to include in the quote for Costars.
- **Source Water Protection:** A form needs to be completed by the borough to submit the Source Water Protection Plan to PADEP for their review.
- **Miller Street:** Water line construction has been completed. The project is currently scheduled to be completed in December 2019. The borough has the water and sewer work incorporated with the project and will be eligible for 75% reimbursement of the costs associated with the relocation work for PennDOT.
- **NPDES Implementation:** The Pollutant Monitoring Plan for PCB has been approved by PADEP. The paperwork needs to be signed and returned to PADEP.
- **DCED Multimodal Grant:** The grant application for 2018 for Apple Ln. was not funded.
- **Sheetz Land Development:** ARRO sent the information for the maintenance bond to Sheetz for execution.
- **Jurisdiction Over the Canal:** DEP Waterways has jurisdiction over the canal. Engineer Smith submitted the contact information to pass along to Mr. Blatt, who had previously requested insight on the matter.

Secretary's Report/Correspondence

Hamburg plans to participate in the intermunicipal Northern Berks Joint Comprehensive Plan. The cost for ACH transfers with the M&T account will be 20¢ for each credit and 30¢ for each debit. A representative from Beirne Wealth will be at the July workshop meeting to discuss the pension plan financing. The borough office will be closing at noon on Friday, May 10 and will be closed on May 22, 24, and 27.

Mayor's Report – Mayor Remp

The specifications for the mounting hardware and banners for the Hometown Heroes project will be forwarded to Met-Ed. Met-Ed will then conduct an onsite inspection of each pole. Mayor Remp feels the entire process may take until spring of 2020.

Public Works Report – Mr. Zimmerman

Notes of the ongoing projects in the borough; Route 61, Pigeon Creek Bridge and Miller St. Penndot stated that the Miller St. project is on schedule. He and President Kline attended UGI's preconstruction meeting. There will be intermittent road closings during the week from 7:00 a.m. – 5:00 p.m. throughout the project, which, should be completed by mid-June. Vice President Botwright asks if affected residents could receive more than 12 hours notice for the road closures. **Mr. Zimmerman will speak with the project manager,** noting that they had planned to leave the notices at the homes the night before.

The pool will be painted this week. President Kline notes that two of the electronic speed limit signs are now operational. **Mr. Zimmerman will pick them up on Friday.** Mr. Zimmerman plans to fill potholes and flush fire hydrants in June.

Operator's Report – Mr. Dietrich

In April, staff and testing meters were certified by Suburban Lab, to meet the new DEP regulations. Filter #1 has two valves that need to be serviced. This should be addressed by staff while the media is being replaced later this month. Tank levels are up, in anticipation of filling the pool.

Clarifier repairs continue off site and should be completed by the end of May. The two yard valves in the waste sludge line will be replaced in late May or early June. Excelsior Blower will be on site to service blower #3 as soon as they receive the bearings that are ordered. Matt Walborn from the Western Berks Water Authority is checking to see whether the borough can join their organization during the year. Their pricing is the lowest for chlorine cylinders. The sludge dumpster did not need to be hauled out, but may go out twice this month. The chlorine cylinders were changed and sodium bisulfate was ordered.

Mr. Dietrich recommends the quote from Kline's for the VLR tank cleaning that needs to take place prior to the repair work.

*A motion is made by Vice President Botwright to accept the Kline's bid for a cost not to exceed \$7,545 for the VLR tank cleaning. Seconded by Mr. Wertz. Motion carried unanimously.

Mr. Dietrich discusses the proposal received from Blooming Glen to replace the dumpster railing and refurbish the roller pads. Last year's quote was for \$46,000. The updated price is \$48,800. **Mr. Zimmerman will reach out to another fabrication company,** whose information was provided to him by Vice President Botwright. Solicitor Mooney states that public bids are not required, as the work would be considered route maintenance or repair for the public works of the borough, and that the project would not include an enlargement of the current facility.

Committee Reports

Property/Streets/Sanitation – Mr. Smith

Mr. Leshner states that UGI is performing cutting and patching work on Reber St., for retirement of a gas service.

Sewer – Mr. Wertz

Engineer Smith and Mr. Dietrich are working on the list of I&I repairs, to potentially be completed for the workshop meeting.

Water – President Kline

*A motion is made by Mr. Wertz to authorize President Kline to sign the request for approval for the Source Water Protection program. Seconded by Vice President Botwright. President Kline will correct his contact information that is listed on the paperwork. Motion carried unanimously.

President Kline received the IDP converter for filter #1. President Kline, Mr. Zimmerman, and Mr. Dietrich discuss the condition of both filters. Borough staff will pipe in the converter and President Kline will calibrate the unit.

Parks/Recreation – Ms. Kennedy-Kline

Vice President Botwright presents the list of employees to hire for the 2019 pool season, adding Michelle Wertz to the list at \$9.00/hr.

*A motion is made by Mr. Leshner to hire the 2019 staff of the pool, as listed on the submitted paperwork. Seconded by Vice President Botwright. Motion carried by a vote of 1 yes to 3 abstentions, with Mr. Leshner voting yes and Mr. Wertz, President Kline, and Vice President Botwright abstaining.

President Kline obtained quotes from Overhead Door (\$16,800) and County Garage Door (\$26,000) to replace the roll up doors on the park pavilion. Pricing is for the doors and installation. **President Kline will obtain pricing from a third company.** Borough staff will perform the rough opening for the doors.

Law/Planning/Zoning – Mr. Wertz

The public hearing for the proposed zoning ordinance will be held at the May workshop meeting at 7:00 p.m. at the borough office. Solicitor Mooney notes that before the workshop, Council will be meeting in its capacity as the planning commission. The ordinance will then be forwarded to the county planning commission for a 45 or 60 day review period. The borough planning commission will then conduct another hearing to recommend the final ordinance for adoption, which Council could adopt at a meeting on the same night.

The stop, standing, & parking and sidewalk ordinances are under review.

Employee Relations – President Kline – no report

Approvals/Finance/Pension – Vice President Botwright

*A motion is made by Vice President Botwright to approve the minutes for April 16, 2019. Seconded by Mr. Wertz. Motion carried unanimously.

*A motion is made by Vice President Botwright to approve the bills payable for May 7, 2019. Seconded by Mr. Wertz. Motion carried unanimously.

*A motion is made by Vice President Botwright to adopt Resolution 118-2019, updating the borough's resolution for public records requests. Seconded by Mr. Wertz. Motion carried unanimously.

New Business - none

Old Business

*A motion is made by Mr. Wertz to authorize the Council President to sign the M&T Bank ACH agreement. Seconded by Mr. Leshner. Motion carried unanimously.

There being no further business, a motion is made by Vice President Botwright to adjourn the meeting. Seconded by Mr. Wertz. Motion carried unanimously. Meeting adjourned at 8:17 p.m.

Respectfully Submitted,
Melissa Wagner - Secretary/Treasurer