

**CHAMBER OF BOROUGH COUNCIL
Shoemakersville Borough**

June 4, 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, Steve Gilbert, Tara Kennedy-Kline, John Leshar, Dana Smith, Joseph Wertz, Jr., Dustin Remp – Mayor, Keith Mooney – Solicitor, Bradley Smith – Engineer – leaves after Approvals report, Chad Zimmerman – Borough Foreman, Michael Dietrich – Sewer & Water Plant Operator, and Melissa Wagner- Secretary/Treasurer.

Public Comment

Bob Fella (539 Main St.): Has questions with the light industrial section of the proposed zoning ordinance. The minimum lot size notes 5,500 sq. ft., however the next page of the ordinance notes that non-residential structures are to be 8,000 sq. ft. Solicitor Mooney states that in the ordinance itself, the specific wording overrides the general. Mr. Fella also notes of the building setback lines. Solicitor Mooney states that the building does not have any setback lines and is already a pre-existing non-conforming use. Mr. Fella and Solicitor Mooney discuss parking, noting that there is to be either 1 space per employee, or 1 space for each 1,000 sq. ft., whichever is greater. This would indicate 6 spaces would be required. Solicitor Mooney and Mr. Wertz states that Mr. Fella would need to ask Borough Council for a conditional use to allow for 2 parking spaces.

Richard Geschwindt (603 Reber St.): Asks how far down Franklin St. UGI will be working on their gas line project. President Kline states that they will be stopping at 5th & Franklin Sts., at the plates, and will be tying in near the school. They will not continue south on Franklin St.

Mr. Geschwindt asks when the work at the traffic light will begin, with Mr. Zimmerman stating it started on June 3. President Kline notes that they are in Phase A, which is to continue through the end of June. Mr. Geschwindt asks how traffic will be directed in the intersection, with President Kline stating that the borough has not received a daily schedule of how the work will progress. He does note that turn lanes heading north will be installed on E. Noble Ave. and Route 662. Mr. Zimmerman, President Kline, and Mr. Leshar state that borough permission is not needed, since the work is being conducted on state owned roadways.

Mr. Geschwindt would like to be sure certain that Met-Ed is made aware of the leaning pole on Franklin St. Mr. Geschwindt's inquiry on potholes will be addressed during the public works report.

Mr. Geschwindt asks for the results of the water report, with Ms. Wagner stating that Suburban tested the water on May 1 at the water plant and New Era Logistics, and that all results met the necessary requirements.

Mark Paine (25 Main St.): Would like an update on the speed signs, with President Kline stating that the 4 signs have been programmed, and that they just need to be installed. Mr. Paine states that recycling was not picked up at his home, with Ms. Wagner saying that the hauler stated that they were unable to pick up for a portion of Main St., due to the road being closed for the bridgework. Ms. Wagner is to contact the hauler to request that they return to pick up the missed recycling.

Mr. Paine did not receive the last newsletter. It is noted that several other homes in the same area were also missed. As the newsletter is delivered by the Cub Scouts, Ms. Wagner is to contact them regarding the missed homes.

Mr. Paine notes of the standing water in the park during Children's Fair, and of the request he heard for trucks to deliver mulch. Vice President Botwright states that the borough made no such request, but noted that vendors at the Children's Fair event may have posted something.

Mr. Paine notes of the weed growth at 214 Church Ave. and would like to see something done before the condition worsens. Mr. Zimmerman has been attempting to contact the owner of the warehouse building, but Donald Smith keeps moving and he is unable to locate a permanent address for him. Ms. Kennedy-Kline would like the property to be posted. Solicitor Mooney states that posting the building is the same as sending notice to the location. Mr. Zimmerman and Mayor Remp discuss the property at 401 Pine St.

Mr. Paine states that the building at 17 Main St has been getting cleaned out and is currently boarded, with no trespassing signs on the windows. Berkshire Hathaway is the realtor for the property. Mr. Paine states that some weed-wacking was completed in the front yard. It is difficult to see the rear yard.

Code Enforcement – Mr. Zimmerman

- **Permits:** Two permits were issued in May; one for a shed & patio, and one for a roof over a deck.
- **Enforcement:** Weed notices were sent, as well as letters concerning no impact home based businesses. The vehicle on 4th St. has been removed.

Solicitor's Report – Solicitor Mooney

- **PTMA Release & Settlement Agreement:** The agreement was forwarded to Council. PTMA should make a decision on the agreement at their meeting on Wednesday. **Solicitor Mooney will contact Mark Koch on Thursday afternoon.**
- **UGI Right-of-Way Request:** President Kline reviewed the right-of-way request, which appears to be a standard request, except for the consideration. He and Solicitor Mooney discuss the consideration calculation, with Solicitor Mooney stating that an appraiser would need to be contacted. **President Kline will look into the calculations.** This would be for the area where the lines head east from Park St., up behind the arborvitaes at 941 Main St., over and down past 1001 Main St., back down to Main St. The pool driveway will not be crossed.

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

- **MS4 Presentation:** Engineer Smith notes that as part of the Clean Stream Law, the PADEP issued an NPDES permit for the borough. This permit is good for 5 years. As required by that permit, the borough is required to have an advertised meeting to discuss stormwater issues and the MS4 program. As such, Engineer Smith discusses the 6 minimum control measures that are required with the program. MCM #1: Public education and outreach. The borough has provided educational activity pages regarding stormwater at the Earth Day event held at the park on April 22, 2019, as well as at this current meeting. MCM #2: Public involvement and participation. The borough has displayed a poster about the proper disposal of dog waste at the Earth Day event held in the park. The borough is also coordinating with a group to have a stream clean-up later this month. MCM #3: Illicit discharge detection and elimination. The borough is scheduling outfall inspections to find illicit discharges. MCM #4: Construction site runoff control.

The borough continues to work with the Berks County Conservation District to ensure sediment and erosion control compliance. MCM#5: Post-construction stormwater management in new development and redevelopment. The borough is scheduling outfall inspections to examine the outfalls that are coming out of the borough. MCM #6: Pollution prevention and good housekeeping for municipal operations and maintenance. The borough is working to train staff so they can conduct the outfall inspections and check for illicit discharges in the borough, without the assistance of the engineer.

In addition to the MCMs, the borough is required to implement a pollution reduction plan, which involves the construction of a bioswale to remove sediment, nitrogen, and phosphorus from the discharge. The bioswale location has been selected. Engineering documents are being prepared to apply for grants to construct the swale. Engineer Smith opens the floor for comments from the community. There are no questions or comments.

- **Pollutant Minimization Plan for PCBs:** Ms. Brenner is contacting DEP regarding their letter which stated the borough had not submitted the PMP.
- **Main St. Bridge Repair:** The project is on schedule to be completed by June 30 and will include the additional items that were authorized at the workshop. The remaining work is the additional sidewalks, parapet and drainage pipe and inlet. President Kline is to sign the change order for the additional work.
- **Route 61 Betterment Project:** A meeting was held with Penndot for the next phase of the project, which includes the intersection at Noble Ave. A progress meeting will be held on June 5 at 10:00 a.m. in Leesport, at the Penndot Office. 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.

- **VLR #2:** The specifications for the project are out to contractors to provide quotes. There are currently 6 contractors with the specifications. The due date for the quotes has been extended to June 13, to allow the contractors time to review addendum #2 that was issued, as the manufacturer caused a delay in providing updated pricing for equipment.
- **Filter Media Replacement:** Work on the filter was scheduled to begin on June 3. A fork lift and filter media have been delivered to the water plant. One filter has been completed and disinfected. ARRO is awaiting test results to place the filter back in service.
- **Skate Park Grant:** ARRO completed and submitted the grant application on May 30, 2019. The estimated cost of the project, which includes a new fence and play surface, is \$107,211.00. This grant will require a match of 15% or \$16,081.65. DCED will review the applications over the next 6 months.
- **USDA Loan Application:** The application is on hold until the borough is able to work out the ownership of the sewer plant.
- **Sewer Televising:** Borough staff is obtaining pricing from Costars.

- **Source Water Protection:** PADEP approved the plan. The printed plans should be sent to the borough office in 2-3 weeks. Although Council has no say over what may flow into town, the borough is not responsible for it either. President Kline states that in order to deal with the water on Main St., Perry Township dug a trench and now mud is coming down Main St., causing a constant flow of muddy water down the roadway into the borough. As there were no erosion control measures taken, Engineer Smith states that the County Conservation District may be contacted.
- **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.
- **DCED Multimodal Grant:** The grant application for 2018 for Apple Ln. was not funded. Mr. Wertz asks if the borough's score would increase for a repeated submission. Engineer Smith notes that the borough applied several times for the Miller St. Bridge project before it was approved. Engineer Smith will take photos of the road condition. The submittal deadline is the end of July.

*A motion is made by Ms. Kennedy-Kline to authorize ARRO to prepare and resubmit the DCED Multimodal Transportation Grant application for Apple Lane. Seconded by Mr. Wertz. Motion carried unanimously.
- **Sheetz Land Development:** ARRO sent the information for the maintenance bond to Sheetz for execution.

Secretary's Report/Correspondence

The borough office will be opening at 11:00 a.m. on Wednesday, June 12.

Mayor's Report – Mayor Remp

The Hometown Heroes banner design will be chosen and forwarded to Met-Ed.

Public Works Report – Mr. Zimmerman

The Route 61 project began, with the majority of the work to be completed at night. There will be lane condensing, with the work being completed in 5-6 months. The Main St. Bridge is expected to be opened up to one lane the middle of next week, while they continue their work. President Kline asks Mr. Zimmerman to contact the contractors regarding the trash they have been leaving behind at the bridge.

SealMaster will be delivering the hotbox next week for the pothole repairs. Mr. Zimmerman notes of Mr. Wagner's drainage issue on Apple Lane. Water comes through the parking lot of the apartments at 510 Main St., down the alley, and washes out near his garage. He offered to provide a right of way to the borough, to install a drain. Otherwise, the owner plans to install a macadam barricade. Engineer Smith notes that this issue was included with the Apple Lane project and will once again be added into the grant application.

Operator's Report – Mr. Dietrich

All backwashing and maintenance at the water plant was kept up to date in May. The lab conducted their annual sampling at the entry points to the distribution system. The media was replaced in filter 1, with filter 2 scheduled for Wednesday. A full DEP system inspection has been scheduled for July 16. President Kline notes that the parts for the new IP for filter 2 arrived. He and Mr. Dietrich discuss their installation.

A pre-bid meeting for the VLR 2 repairs was held in May. Kline's did an excellent job vacuuming out the VLR tank. Blooming Glen performed welding work on clarifier 1 and sand blasted, stripped and recoated a majority of the internal parts. They are scheduled to replace the removed parts on the clarifier tank later in the week. One final delivery of polymer is anticipated in the fall. Nesters hauled the sludge dumpster out and there was a delivery of sodium bisulfate and chlorine cylinders at the plant. Mr. Dietrich is obtaining information on an alternative source for the dumpster rails.

Committee Reports

Property/Streets/Sanitation – Mr. Smith

Mr. Smith notes that the trash and recycling contracts are able to be renewed for a final one-year term, beginning on November 1. A few complaints have been received regarding the trash hauler missing stops or not completely emptying containers. The recycling company has begun commingling paper with the rest of the recyclables on their own, although the contract specifically states that paper is to be kept separate. Solicitor Mooney is currently dealing with this same matter with another municipality. Council discusses J.P. Mascaro and their agreement to process and market the borough's recyclables. **Mr. Smith will contact Tamaqua Transfer and Eagle Disposal, to make them aware that the borough is considering placing the contracts out for bid.**

Mr. Zimmerman notes that the resident at 651 Lincoln St. has concerns regarding the mowing of the borough owned property at the end of Lincoln St. The resident states that the borough does not mow the grass in a timely manner, and that when the grass is mowed, some of it ends up on her property. Mr. Zimmerman states that the grass is in a low area where the water sits, making it difficult for the equipment to mow without getting stuck and causing ruts. He has reviewed the tax maps and the area in question. The maps show a 15' – 20' difference. He feels that the resident is actually mowing part of the borough's property, so when staff mows, they are not actually sending grass onto her property, but keeping it on the borough land. Ms. Wagner is to send notice to the property owner, stating the borough's position on the matter. Mr. Zimmerman also notes of the swale behind the mailboxes at the end of the street, stating that water from a resident's sump pump drains directly into the swale, causing the grass to be constantly wet.

Sewer – Mr. Wertz – no report

Water – President Kline – no report

Parks/Recreation – Ms. Kennedy-Kline

Children's Fair went well.

Law/Planning/Zoning – Mr. Wertz

The county planning office is currently reviewing the borough's proposed zoning ordinance.

The committee will be reviewing the stop, standing, and parking ordinance.

Vice President Botwright notes that on two occasions a tractor trailer driving on 8th St. tore out a cable line. Unfortunately, a trucking company name or license plate was not obtained. Mr. Leshar states that the cable lines are too low and that the cable company is responsible. Council discusses signage for trucks on borough roads. PennDOT maintains signage for Route 61 and other state owned roads in the borough.

President Kline sent a letter to the county planning commission, noting of the borough's intent to join the joint comprehensive planning initiative. The letter notes that if there is less than 100% participation by the affected municipalities, the borough has the right to reconsider its position. A copy of the letter is on file in the borough office.

Employee Relations – President Kline

An executive session is requested.

Approvals/Finance/Pension – Vice President Botwright

*A motion is made by Vice President Botwright to approve the minutes for May 21, 2019. Seconded by Mr. Wertz. Motion carried unanimously.

*A motion is made by Vice President Botwright to approve the bills payable for June 4 2019. Seconded by Mr. Wertz. Motion carried unanimously.

Vice President Botwright notes that the borough's liability insurance was set to renew on June 1. The current agent's quote is approximately \$200 more than a competitor's quote that was submitted. President Kline states that 2 of the 5 borough's wells are not noted on the borough's list of assets.

*A motion is made by Vice President Botwright to renew the borough's property and liability insurance with Tompkins for the 2019-2020 period. Seconded by Mr. Wertz. Ms. Kennedy-Kline would like to ask both agents to submit rates for the missing wells. Mr. Wertz states that the borough could sign with Tompkins, but have a short rate cancellation before the end of the term, if necessary. It is essential to compare the borough's assets to what is listed in the quotes. Motion carried unanimously.

Vice President Botwright notes that the employee medical insurance is scheduled to renew on July 1. A decision will be made at the workshop meeting. President Kline has looked into UPMC, noting that both Reading Hospital and St. Joseph's Hospital are on their provider list. He notes that the current plan's cost increases by 5%, while the UPMC option is 27% less. He further discusses the co-pays and out of pocket expenses. Solicitor Mooney suggests obtaining a list of the employee's doctors, to determine if they are noted on UPMC's list.

New Business - none

Old Business - none

Executive Session

The Board recessed into executive session at 8:05 p.m. to discuss employee relations. Regular session reconvened at 8:55 p.m.

*A motion is made by Vice President Botwright to suspend Chad Zimmerman for one week, with other disciplinary action, as communicated to the employee. Seconded by Mr. Leshner. Motion carried by a vote of 6 yes to 1 no, with Mr. Gilbert voting opposed.

There being no further business, a motion is made by Vice President Botwright to adjourn the meeting. Seconded by Mr. Leshner. Motion carried unanimously. Meeting adjourned at 8:56 p.m.

Respectfully Submitted,

Melissa Wagner - Secretary/Treasurer