

**CHAMBER OF BOROUGH COUNCIL  
Shoemakersville Borough**

**December 1, 2020**

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 7:12 p.m.

**In attendance:** Chris Kline – President, Amy Botwright – Vice President, Tara Kennedy-Kline, John Leshner, Dana Randazzo, Dana Smith, Joseph Wertz, Jr., Dustin Remp – Mayor, Bradley Smith – Engineer, Keith Mooney – Solicitor, Delani Remp – Junior Council Person, and Melissa Wagner-Secretary/Treasurer.

Absent from the meeting: Chad Zimmerman, Michael Dietrich

**Public Comment**

**Diana Anthony (522 Water St.):** A car has been abandoned in front of her house for the last few weeks. It is uninspected and the tires are going flat. The vehicle was pushed to the Holly House garage for about a week, but has since been pushed back out onto the roadway. President Kline states that Mr. Zimmerman will be returning tomorrow and can further investigate the matter. Ms. Wagner notes that Mr. Zimmerman planned to run the license plate of the vehicle. Ms. Anthony and Mayor Remp discuss the vehicle, a silver Buick. They will speak more on the matter after the meeting.

**Richard Geschwindt & Colin Geschwindt (603 Reber St.):** Mr. Geschwindt asks for the results of the water test, with Ms. Wagner stating that Suburban tested the water on November 11 at the water plant and New Era Logistics, and that all results had met the necessary requirements.

Mr. Geschwindt asks if the 2021 budget was completed and if there is a tax increase or a rate increase for water or sewer. Council states that there is no tax increase and that the water and sewer rates did not change.

President Kline asks if the patching at the end of Mr. Geschwindt's driveway has addressed the drainage concern, with Colin Geschwindt stating that the issue is better, but the roadway is still not level. Mr. Geschwindt further states that water has been pooling at the intersection of 7<sup>th</sup> & Reber Sts. ever since the road was resurfaced several years ago. He is concerned of the growing safety issue with the standing water, as colder weather is approaching. He further notes that the alley behind his home also drains poorly. He asks if Engineer Smith can look at the matter.

**Mark Paine (25 Main St.):** He asks if a small amplifier system can be utilized during the meetings, as he is having a difficult time hearing everyone. **President Kline will look into the matter.**

Mr. Paine received a letter regarding removal of the political sign in his front yard. He notes that Ordinance 326, Section 606, (o) states that the sign may remain until the use for the event to which it refers is terminated. Mr. Paine feels that the election is not yet terminated. President Kline will ask the code enforcement officer to review that section of the ordinance.

Ms. Kennedy-Kline states that when voting is over, the election is over, and the event is terminated. She refers to the section of the ordinance for temporary signs, noting that signs for a political election are to be removed within 2 weeks after the date of the event or election.

Mayor Remp asks under what conditions the sign could remain permanently, with Ms. Kennedy-Kline and Solicitor Mooney stating that a zoning permit would need to be obtained. Solicitor Mooney notes that a flag is not considered a sign. Mayor Remp states that he will not be removing the sign he has in his own yard.

President Kline asks Mr. Paine if there are any updates for 17 Main St., with Mr. Paine stating that the project is currently on hold, due to increased lumber prices.

Ms. Remp asks if a political flag would be acceptable. President Kline's belief is that any flag with wording on could be considered a sign, with provisions for temporary placement of those flags. President Kline, Ms. Kennedy-Kline, and Mayor Remp debate election signs and political support signs.

## **Code Enforcement – Mr. Zimmerman – no present**

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

- **Perry Plaza:** PTMA disagrees with all of the borough's calculations for the plaza. One compromise would be to draft a short agreement, stating that PTMA would pay what they have calculated. When the governor lifts all restrictions on restaurants, the average of the first 2 months of water capacity after they are back to full capacity is utilized, and then PTMA would pay the difference for tapping. Solicitor Mooney, President Kline, and Engineer Smith discuss calculations, tapping fees, and breach of contract. President Mooney and Council discuss ownership of the Core 5 development and capacity. Mr. Wertz asks Solicitor Mooney to provide a list of the borough's options in this matter. Mr. Leshner feels the breach option should be pursued. **The water committee will review the matter and contact Solicitor Mooney.**

### **Engineer's Report – Engineer Smith**

- **Headworks and Solids Handling Design:** ARRO has completed the submission to PADEP for the Water Quality Part 2 Permit. ARRO is obtaining information from FEMA to acquire a 106 permit. An Erosion and Sedimentation Control Plan was submitted to the Berks County Conservation District.

**ARRO Office:** The ARRO Wyomissing office will be relocating to Birdsboro.

**Park Master Site Plan:** ARRO staff from the Orwigsburg office will begin working on the plan in January.

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

Council has no issue with Ms. Wagner's request to close the office on December 9.

### **Mayor's Report – Mayor Remp**

The deadline for applications for the second round of Hometown Heroes banners will be April 1. Mayor Remp would like to have the banners hung by Children's Fair. He also received a sample of graffiti wrap from Raleigh's that he will pass on to President Kline.

The next Community Watch meeting will be held on Saturday, January 9 at 10:00 a.m., with the location TBD.

PA State Police Sgt. Sampson is scheduled to attend the January 5 meeting.

Mayor Remp and Ms. Randazzo were at the November 21 pantry distribution at Keystone Military Families, noting that everything went well.

### **JCP Report – Delani Remp**

Ms. Remp apologizes for not being active as a Junior Council Person. She is now committed to the position. She would like to have a sock drive for the Circle of Friends Drop in Center in Reading. She asks to place a bin outside of the borough office and to post the event on the borough's website and Facebook page. Donations will be accepted until December 23. Council has no issue with the bin and supports the project.

Council discusses the term length for the JCP. As the current term is ending, Solicitor Mooney states that Delani may reapply for the next term, along with any other interested parties. Mayor Remp states that the program information can again be conveyed to the school district.

### **Public Works Report – Mr. Zimmerman – no report**

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

Mr. Wertz and President Kline briefly discuss the erratic flow patterns that have been occurring in the clarifier compartment of filter 1, as noted on Mr. Dietrich's report.

Mr. Wertz thanks President Kline for reprogramming the VFD controls for raw pump 1.

Mr. Wertz notes that Mr. Dietrich and Mr. Mohn replaced two worn bearings on the belt press. Only one day of production was lost. The digesters are currently half full.

Mr. Wertz and President Kline briefly discuss repairs to the #4 blower motors.

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

Mr. Smith notes that Eagle Disposal would like to supply 96-gallon containers for each home and business in the borough. With COVID, they are having a difficult time finding employees to have a 2-person crew. The driver would be able to empty the containers from inside the truck. The containers would need to be returned if the contract would not renew with Eagle, with the borough being billed \$50 for each unreturned container. Council further discusses the matter, with **Mr. Smith stating he will contact the hauler** with additional questions. However at this time, Council does not wish to pursue the container usage.

President Kline has spoken with Ed Overberger, who noted that there are property line concerns with the sewer plant project. Mr. Overberger recommends that the sewer plant property line be surveyed.

\*A motion is made by Vice President Botwright to have E.R. Felty survey the sewer plant property, at a cost not to exceed \$1,500. Seconded by Ms. Kennedy-Kline. Motion carried unanimously.

Mr. Wertz notes that Alex Morrison from ARRO feels that the borough should apply for a zoning variance for the project as well, since the building would encroach into the front yard setback by approximately 5 feet.

#### **Sewer – Mr. Wertz**

Members of the Shoemakersville Municipal Authority and ARRO met with PTMA regarding the sewer projects and PTMA's estimated cost share of \$650,000. PTMA will most likely reject the borough's offer to initially pay the project cost if the borough receives the full loan, with PTMA then paying the borough their share. PTMA would like to submit their own application. They also feel Wolfe Dye & Bleach should be paying a share of the capital improvements. Mr. Morrison was asked to provide data regarding the specification of the equipment the borough is planning to use to Mr. Hershey.

President Kline discusses the sewer plant rerate. Council and Solicitor Mooney discuss the splitting of the additional capacity, as well as the agreement.

A second update meeting with PTMA will take place in January. Mr. Wertz states that construction may not begin until October 2021, finishing 9 months later. All parties discuss liquidated damages in the contract specifications.

Engineer Smith states that the northeast section is the next area due for televising. Engineer Smith discusses the warranty with Duke's Root Control. Engineer Smith states that he is waiting for the last report from Mr. Dietrich concerning repairs to the sewer system.

#### **Water – President Kline**

The grant package for the valve project should soon arrive at the borough office.

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

The Holiday Decorating Contest will take place this month, with judging occurring the week of December 14.

There will be a joint holiday event between the Lion's Club, the Perry Rec. Board and the Shoemakersville Rec. Board on Saturday, December 19 in the borough park, beginning at 5:00 p.m. Pre-registration for the event is required. Ms. Kennedy-Kline notes that the Keystone Military Families holiday event will take place the same day, but in the morning.

Ms. Kennedy-Kline asks if Council would donate bikes to the holiday event in the park, as would have been done for the Children's Fair this year.

\*A motion is made by Ms. Kennedy-Kline to donate \$500 for bikes and gifts for the December 19 event in the park. Seconded by Mr. Leshner. Motion carried unanimously.

**President Kline will review the revisions to the agreement of sale for the pool property.**

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

The proposed zoning ordinance and comments are under final review by Mr. Wertz.

#### **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 November 10, 2020. Seconded by Mr. Wertz. Motion carried unanimously.

\*A motion is made by Vice President Botwright to approve the bills payable for December 1, 2020. Seconded by Mr. Wertz. Motion carried unanimously.

\*A motion is made by Vice President Botwright to approve the 2021 budget. Seconded by Mr. Wertz. Motion carried unanimously.

\*A motion is made by Vice President Botwright to adopt Resolution 135-2020, setting the 2021 real estate tax rate at 6.5 mills. Seconded by Mr. Wertz. Motion carried unanimously.

\*A motion is made by Vice President Botwright to adopt Resolution 136-2020, setting the 2021 refuse rate at \$85/quarter. Seconded by Mr. Wertz. Motion carried unanimously.

\*A motion is made by Vice President Botwright to adopt Resolution 137-2020, setting employee contributions for the non-uniform pension plan at 0%. Seconded by Mr. Wertz. Motion carried unanimously.

Mr. Wertz has received a quote from Klacik & Associates for auditing services for the borough; \$3,000 for the tax collector audit and \$10,500 for the borough audit. They are already scheduled to perform the authority's audit, at a cost of \$2,000. RKL's pricing for last year's audits is \$18,000 for the tax collector and borough, and \$4,000 for the authority. Klacik & Associates would also complete the yearly DCED audit paperwork for the borough.

\*A motion is made by Vice President Botwright to adopt Resolution 138-2020, naming Klacik & Associates as the auditors for the 2020 borough and tax collector records. Seconded by Ms. Kennedy-Kline. Motion carried unanimously.

\* A motion is made by Vice President Botwright to advertise the 2021 meeting list, with the August meeting being on August 4. All other meeting dates will be on the first Tuesday of each month. Seconded by Ms. Kennedy-Kline. Motion carried unanimously.

### **Safety – Mayor Remp**

Mayor Remp asks if there is any update from the railroad regarding the water issue at 379 Main St. Mr. Wertz will contact the railroad again, as he has not yet received a response. Mr. Wertz and President Kline discuss the swale, with President Kline stating that even if the entire swale was filled, the level is still below the street. He further notes that the issue appears to be the crown on the east side. The best solution may be to have a drainage swale installed, however the area involved is owned by the railroad.

### **New Business**

President Kline states that Scott Ulrich is selling the knitting mill building, with the prospective buyer wishing to turn the building into apartments. The Keystone Military Families are to be able to stay in the building for one year, after which time they will need to move. They are reviewing options to stay locally to rent or buy, with an area of at least 10,000 square feet.

### **Old Business - none**

There being no further business, a motion is made by Ms. Kennedy-Kline to adjourn the meeting. Seconded by Mr. Leshner. Meeting adjourned at 8:41 p.m.

Respectfully Submitted,

Melissa Wagner  
Secretary/Treasurer