

**CHAMBER OF BOROUGH COUNCIL
Shoemakersville Borough**

August 6, 2024

Vice President Botwright called the monthly meeting of the Shoemakersville Borough Council to order in the Shoemakersville Borough Office, 846 Main St. Shoemakersville, PA at 7:01 p.m.

In attendance: Amy Botwright – Vice President, Michael Grim, Dana Randazzo, Dana Smith, Joseph Wertz, Jr., David Kee – Engineer – leaves at 7:25 p.m., Keith Mooney – Solicitor, Brandon Nabar – Junior Council Person and Paul Gruber – Borough Manager & Codes.

Absent from the meeting: Chris Kline – President, Tara Kennedy-Kline, Dustin Remp - Mayor, and Melissa Wagner – Secretary/Treasurer.

Code Enforcement – Mr. Gruber

- **Permits & Notices:** Mr. Gruber will be following up on an address he was notified about having a potential violation. A violation on Pine St. can be processed once Council discusses penalties. The occupancy permit for Billy Blankenbiller is ready to be issued.

Solicitor’s Report – Solicitor Mooney

- **Tractor Supply:** Has been in communication with Tractor Supply regarding the fire code issues.

Engineer’s Report – Mr. Kee

- **Tractor Supply:** A land development application was submitted and conditionally approved. ARRO prepared an updated response to the developer’s fire code comments. Additional revisions are required.
- **NPDES Permit:** The draft NPDES permit was received for review and comment and was published on August 3, 2024, for the 30-day comment period. If Council has any comments, they should be submitted to PADEP. They are requesting E. coli testing. The color testing results must now be reported. The annual permit cost has increased from \$500 to \$1,000. Mr. Kee reports that within 6 months of the permit becoming effective, the borough must compile a list of possible PFAS sites/industries that are serviced. Mr. Wertz asks if the reduction in the ammonia limit will affect the borough, with Mr. Gruber reporting no, as all the test results are far below the limit.
- **Meeting at the Borough Garage:** An ARRO representative will be available to meet with Mr. Smith, Mr. Wertz and Mr. Gruber the week of August 12.

Fire Chief’s Report – Chief Wagner

There are no questions on the July report. Vice President Botwright thanks the fire company for their quick response to a recent medical call at the borough pool. She and Chief Wagner note that as the pool is in Perry Township, Hamburg Ambulance would be the first due medical response unit.

Mr. Smith asks how many shrimp dinners were sold at the fire company’s recent event, with Chief Wagner reporting 456 meals were sold.

Secretary's Report/Correspondence – Ms. Wagner

Vice President Botwright reports that the borough office will be closed from August 21-23, 30 and September 2.

Mayor's Report – Mayor Remp

Mr. Gruber states that the July PA State Police Report came in late today and that **he will forward it to Council.**

Operator/Manager's Report – Mr. Gruber

Mr. Gruber prepared a sewer exemption letter that requires a signature from the Shoemakersville Municipal Authority. Iliada Herrera from Bogia Engineering is present and notes that the letter is one of two items needed for the MCP of Hamburg project. They are also waiting for the HOP from PennDOT. As the SMA does not meet until September, **Mr. Wertz will reach out to the members regarding the required signature for the letter.**

Mr. Gruber reports that the nuisance ordinance is not specific enough to issue a citation for a resident regarding the odor of cat urine emanating from their home. The borough would either need to amend the nuisance ordinance to specifically list odors as a nuisance, or a fee schedule resolution for the zoning ordinance would need to be created. Solicitor Mooney notes that the borough adopted the International Property Maintenance Code and that odors should be recognized in the code.

Mr. Gruber is requesting approval for the SealMaster 2024 crack sealing rental quote, with the streets being listed on his report. SealMaster will buy back whatever product is not used for the project.

*A motion is made by Mr. Wertz to approve the SealMaster quote for the 2024 crack sealing project, for a cost not to exceed \$7,000. Seconded by Mr. Smith. Motion carried unanimously.

Mr. Gruber is seeking approval to purchase new utility location equipment, as the current device is no longer operational and too old to be serviced. Greg from Exeter Supply was at well 6 to demo the Viper Magnetic Locator, which is easier to use than the current brand owned, less expensive and will note which direction the pipe is going when the locator is turned 90°.

*A motion is made by Mr. Wertz to approve the purchase of the Viper Magnetic Locator for \$2,971 from Exeter Supply. Seconded by Mr. Grim. Mr. Gruber notes that the quote states “freight may apply” and is not certain how much freight could cost. Mr. Wertz amends his motion for the cost not to exceed \$3,100. Seconded by Mr. Smith. Motion carried unanimously.

Mr. Gruber spoke with President Kline regarding the issues with the butterfly valve, which cracked on the stainless-steel shaft.

*A motion is made by Mr. Wertz to approve the purchase of the 4” butterfly valve from LB Water for \$1,003. Seconded by Mr. Smith. Motion carried unanimously.

Mr. Gruber discusses the buildup of scale in the pipes before the meter at well 6. He reports that Mr. Methax feels the work can be completed in-house by purchasing the pipe & materials and renting a backhoe. He would like to further discuss the project at the August workshop.

Mr. Gruber contacted the PA DEP IT representative for the lead & copper submittals, as there is an issue with the DWELR link. He will continue to monitor the website and will submit the lead & copper information once the link is operational. No pipes were found to contain any lead. However, he reports that there are areas of a certain date where “not sure” was used. Mr. Gruber feels that after the information is submitted and reviewed, the municipalities may be tasked with changing a number of the “not sure”

responses to a definite yes or no, which will require staff to go on the residents' property. The most unintrusive method to gain access to the line would be to hydroblast.

Borough staff continues to trim trees in the park.

Junior Council Person's Report – Mr. Nabar – nothing to report

Property/Streets/Sanitation – Mr. Smith

The 2024 road project is complete. Mr. Wertz recommends reviewing streets for the 2025 road project.

Sewer – Mr. Wertz

Mr. Wertz and Vice President Botwright discuss the format of sewer information that needs to be downloaded and reviewed.

Water – President Kline

Mr. Wertz reports that Suburban Testing Labs tested the water on July 2 at Bell Trucking and the water plant and all requirements were met.

Parks & Recreation – Ms. Kennedy-Kline

Vice President Botwright reports that the annual pool party was held on July 24 and notes that the pool event scheduled for August 9 may be cancelled due to weather.

The park program is over for the season. Pool season will conclude on Labor Day.

The next meeting for the park master site plan will take place at the end of August. A baseline plan will be presented. Items discussed at prior meetings include water drainage, areas of the park that are most utilized and wish list items. Vice President Botwright notes that there is no water or sewer service in the concession stand at the 8th St. baseball field.

Law/Planning/Zoning – Mr. Wertz

*A motion is made by Mr. Wertz to authorize the borough manager to issue a Certificate of Occupancy to Billy Blankenbiller for the properties at 146 Main St. Seconded by Mr. Grim. Motion carried unanimously.

Employee Relations – President Kline – nothing to report

Approvals/Finance/Pension – Vice President Botwright

*A motion is made by Mr. Wertz to approve the minutes for July 16, 2024. Seconded by Mr. Grim. Motion carried unanimously.

*A motion is made by Mr. Wertz to approve the bills payable for August 6, 2024. Seconded by Ms. Randazzo. Motion carried unanimously.

Community Outreach – Ms. Randazzo

The Community Yard Sale will be held on September 21.

New Business

Public Comment

Larry Sundberg (801 Main St.): Reports that the residents at 279 Franklin St. painted “no parking zones” on both sides of their driveway, which was reported to Ms. Wagner and Mayor Remp in June.

Solicitor Mooney states that an ordinance needs to be passed to create no parking areas. Mr. Sundberg discusses the driveway cut. **Mr. Gruber will send the resident a letter.**

Mr. Sundberg asks Council's plan for enforcing the sign ordinance that was in the latest newsletter. Vice President Botwright states that the information was first presented to residents in the newsletter. After August 12, when Mr. Gruber returns from vacation, he will create a list of residents who are in violation and send them a courtesy letter before any enforcement action is taken.

Darrin Dietrich (719 Main St.): Asks Council to support PA HB 1279, which repeals the fireworks law. He notes while the requirement that fireworks may not be set off within 150' of any building or vehicle, he has a neighbor that continues to do so. Solicitor Mooney discusses the sale of fireworks in PA. Mr. Grim asks if the noise created by fireworks could be enforceable under borough ordinance. James Heckman (did not sign in) notes that the fine from the PA State Police for a fireworks offense is \$201.

Richard Geschwindt (603 Reber St.): Asks if the Yocum hearing took place, with Solicitor Mooney reporting that the case was dismissed, as Mr. Yocum most likely paid the funds to the homeowner.

Mr. Geschwindt reports that the odor offense was included in the prior zoning ordinance.

Mr. Geschwindt asks to see the PA State Police report for July. Mr. Gruber will forward the report to Council and will then follow up with Mr. Geschwindt.

Rusty Wagner (233 Salem Church Rd. Hamburg): Asks why Council changed the sign ordinance, with Vice President Botwright stating that the previous sign ordinance was unconstitutional. Solicitor Mooney notes of the PA Supreme Court decision that signage cannot be regulated according to content. The current ordinance regulates the size of the sign.

Vernie & Robert Noecker (1043 Water St.): On July 15 a pinhole water leak was discovered in the Noecker's Library. There was damage to the building and approximately 1,000 books were destroyed. Ms. Noecker thanks Mr. Methax and his team for their prompt response and for the short amount of time it took to replace the water meter. She states the reason for the leak is due to the failure of the o-ring in the borough's water meter.

She submits a list of the losses and photographs of the damage and is seeking reimbursement totaling \$2,894.83. Solicitor Mooney states the borough's insurance may cover the loss. Vice President Botwright notes that **Ms. Wagner will contact the insurance company regarding the matter.** Solicitor Mooney and the Noeckers discuss ownership of the water meter. Mr. Gruber asks when the issue was reported to the borough, with Ms. Noecker stating July 15. She contacted Mr. Wagner, who in turn, called Mr. Methax. Mr. Wagner states that the bottom seal of the meter blew out. The borough currently has the meter.

Mark Paine (25 Main St): Reports that the weeds at 214 Church Ave. are encroaching onto the roadway. Mr. Gruber states that the property is up for Sheriff's Sale and he is unsure of the current ownership. Solicitor Mooney notes that a violation letter could be sent to the bank that is foreclosing on the property.

Mr. Paine asks if President Kline was able to obtain any information from the speed signs related to speeds and times, with Vice President Botwright stating she has not heard anything from him on the matter, but that he will share the information once the software issues are resolved and the information is obtained.

A motion is made by Mr. Wertz to adjourn the meeting. Seconded by Mr. Smith. Motion carried unanimously. Meeting adjourned at 7:51 p.m.

Respectfully Submitted,

Melissa Wagner - Secretary/Treasurer