

CHAMBER OF BOROUGH COUNCIL
Shoemakersville Borough

January 2, 2024

Mayor Remp called the reorganization meeting of the Shoemakersville Borough Council to order in the Shoemakersville Borough Office, 846 Main St. Shoemakersville, PA at 7:02 p.m.

In attendance: Chris Kline, Amy Botwright, Michael Grim, Dana Randazzo, Dana Smith, Tara Kennedy-Kline, Joseph Wertz, Jr., Dustin Remp – Mayor, David Kee – Engineer, Keith Mooney – Solicitor, Paul Gruber – Borough Manager & Codes, Brandon Nabar – Junior Council Person, and Melissa Wagner – Secretary/Treasurer.

Mayor Remp calls for the Pledge of Allegiance.

Mayor Remp reports that the 4 re-elected Council members were sworn in before the meeting.

Mayor Remp opens the floor for nominations for President and Vice President of Council.

*A motion is made by Mr. Wertz to nominate Chris Kline for President and Amy Botwright for Vice President of Council. Seconded by Mr. Smith. Motion carried unanimously.

No other nominations.

Mayor Remp turns the meeting over to President Kline.

Mr. Wertz discusses Kerry Clark’s position on the Shoemakersville Municipal Authority.

*A motion is made by Mr. Wertz to ratify the appointment list and to appoint Vincent J. Di Martini as Fire Marshal. Seconded by Vice President Botwright. Ms. Wagner clarifies that Mr. Clark is being appointed to the Shoemakersville Municipal Authority for a 3-year term. Mr. Wertz notes that “fire chief” and “fire marshal” are both noted in the SALDO and that “fire code official” is noted in building related ordinances. While the borough is not responsible for naming a fire chief, the borough needs to name a fire marshal and a fire code official, for the sake of continuity in present ordinances, they should be one in the same. Solicitor Mooney reports that the duties of the fire marshal fall under the Uniform Fire Code, which the borough has adopted, as well as the borough’s SALDO. The fire chief also has duties under the SALDO, however they differ from the fire marshal. Mr. Wertz and Chief Wagner discuss a written fire review and approval for Tractor Supply. Mr. Wertz and President Kline discuss whether or not there were other instances in which the fire marshal did not respond accordingly. Mr. Wertz amends the motion to approve the list as presented, with further discussion of the fire marshal. Mr. Grim discusses the fire code official, with President Kline noting that the position is on an as needed basis. Seconded by Vice President Botwright. Motion carried unanimously.

Code Enforcement – Mr. Gruber – nothing to report

Solicitor’s Report – Solicitor Mooney

- **Intergovernmental Cooperation Agreement:** Council and Perry Township will have further discussion on the agreement.

Engineer's Report – Mr. Kee

- **Headworks & Solids Handling:** Pennvest is withholding final payment until PADEP completes a final inspection, which should occur within the next two weeks.

*A motion is made by Mr. Wertz to approve Final Payment Application #12 to EECI for \$107,398.90, contingent upon receipt of the Pennvest payment. Seconded by Ms. Kennedy-Kline. President Kline confirms that the payment will be made once the funds are received from Pennvest. Mr. Kee notes that this is how the contract is worded. Motion carried unanimously.

- **Tractor Supply:** ARRO completed a review of the resubmitted land development plans and documents. Additional items still require updates.
- **Bell Warehouse:** ARRO received a warehouse plan for area near the intersection of Routes 61 & 662. The majority of the work is in Perry Township, with minor work of an access drive to Route 61 being in the borough. This work is located within the borough's wellhead protection area. Iliada Herrera from Bogia Engineering is present to discuss the ongoing project, which covers 23 acres. Approximately 2 acres are located in the borough. The firm is working with Penndot for the HOP.

President Kline and Ms. Herrera discuss wellhead protection, which restricts what can be near the well. There is discussion on the wells and whether or not the surrounding area is located in Perry Township or Shoemakersville Borough. Mr. Kee confirms that the area in question is very close to the borough's well. Solicitor Mooney asks if Perry Township has adopted a wellhead protection ordinance. He notes that while the borough would have no enforcement for any of the project located within the township, Council may make recommendations. Ms. Herrera will work with Mr. Kee and Ms. Wagner to submit the necessary land development application. Mr. Kee would also like to see the building plans.

Vice President Botwright notes of the water service area, with Council discussing the Bell Development capacity. Ms. Herrera states that the proposed water service would be through a new well that Perry Township will be installing.

Fire Chief's Report – Chief Wagner

Chief Wagner discusses his review of the Tractor Supply project that he had emailed to Mr. Gruber and Mr. Koch. He also notes of the fire review that he and Mr. Murphy completed as well.

Chief Wagner is currently serving as the fire marshal for the borough and Perry Township and is willing to continue as the fire marshal for the borough, which he is doing at no cost.

Chief Wagner spoke with Mr. Murphy regarding the propane lines that were installed to the service lines at the rear of Tractor Supply, noting they are not protected by bollards. Mr. Murphy will speak with the contractor on the matter. Mr. Murphy will also speak with the contractor regarding the concrete pad that was poured around the FD connection and the associated 3' NPFA 312 standard.

Chief Wagner reports that of the 664 calls the fire company was dispatched to in 2023, 400 of those calls were EMS related. A large portion of the calls in the township were for EMS.

Deputy Chief Hoffert discusses his calls with Piper Wisniewski, the bookkeeper that Ms. Kennedy-Kline recommended they speak with regarding accounting and finance options for the fire company. While waiting to hear back from Ms. Wisniewski, fire company representatives reached out to a CPA firm, who is willing to work with them for ½ the cost of the current CPA. If needed, Ms. Wisniewski is able to assist after April. The CPA firm will be using Quick Books Online for accounting and will be charging separate rates for the various levels of employees that will be working on the account.

As Chief Wagner arrived for the December workshop after its conclusion, he completed a Right to Know request to listen to the recorded meeting. He would like to note that he passed the bookkeeper information on to DC Hoffert, who had noted there was a delay in speaking with Ms. Wisniewski. Chief Wagner states he did not purposefully delay the process in any way.

Secretary's Report/Correspondence – Ms. Wagner

Ms. Wagner requests to close the office at noon on February 2.

Mayor's Report – Mayor Remp

Mayor Remp reviews the December PA State Police Report, noting of no major incidents.

Mayor Remp reports that all but 1 of the Hometown Heroes banners have been hung. There is a misprint on one of the banners, which is being resolved. Mayor Remp, Vice President Botwright and President Kline discuss a policy for weathered banners. An applicant would need to pay for the new banner, but not for any hardware.

Mayor Remp states that the Neighborhood Watch 2024 meetings will be at 10:00 a.m. on February 10, March 9, April 20, May 18, September 14 and November 16. Watch members will be able to assist at any borough Earth Day event and will also cross pedestrians for Trick-or-Treat, which will be on October 30 & 31 from 6-9 p.m.

Mayor Remp asks if Council would consider changing the August meeting date to the first Wednesday, so that he and others can attend the National Night Out event being held by Northern Berks Police. If the date is not moved, he notes that he would not be present at an August 6 meeting. Vice President Botwright and President Kline are aware of municipalities that have changed their event date to a Saturday, due to the size of support from the community.

Mayor Remp notes the borough's former police chief was recently accused of receiving advance payment for services, with the matter being continued until March. **Solicitor Mooney will research the matter, but believes that Mr. Yocum's pension would be invalidated upon conviction, which could take up to a year.**

Operator/Manager's Report - Mr. Gruber

Mr. Gruber discusses the truck traffic sign that was hit again, at the corner of Reber St. and E. Noble Ave. and thanks Mr. Geschwindt for reporting the incident to him and to the PA State Police. He discusses the possibility of placing steel bollards on the curb line. He has reached out to Schneider Trucking and another company, who will inform their drivers not to turn onto Reber St. Ms. Kennedy-Kline notes that if there is a note on the delivery driver's bill of lading to not use Reber St. and if they would do so, they would be in violation. She suggests that additional direction on which roadways the drivers could use would be beneficial, and notes of potential signage being placed on the highway.

Mr. Gruber is waiting to hear back from Penndot regarding signage for E. Noble Ave. As President Kline notes that Council cannot arbitrarily restrict access on roads, **Solicitor Mooney will investigate options for truck restrictions and signage.** Solicitor Mooney and Mr. Kee note that an engineering study would be required to restrict truck traffic and that Penndot would need to approve any restriction.

Junior Council Person's Report – Mr. Nabar

Mr. Nabar has started conducting interviews for his Know Your Local project. Upon completion, the interviews will be on the borough website and social media outlets.

Mr. Nabar attended a Tilden Township meeting, at which the County Commissioners explained the context of any ordinance or policy that was being adopted. He feels this process would be beneficial for Council members to carry out as well, in the event that the public is unfamiliar with the topic.

New Business
Public Comment

Kalem Lutz (384 Trolley Rd.): Would like to see the skate park be continually maintained. Vice President Botwright discusses the current stage of the Park Master Site Plan, which will include the skate park. She will contact Mr. Lutz for his input as the process progresses.

John Turner (566 Reading Ave.): Mr. Turner is President of the Reading Skate Park Association and offers his support of the skate park and volunteers to work with the engineers on the site plan process.

Richard & Collin Geschwindt (603 Reber St.): Richard Geschwindt asks if the plate and bolt from the truck sign breakaway pole by his home could be removed, as it is a safety issue. Mr. Gruber will have the sign replaced.

Mr. Geschwindt's neighbor saw a Schneider truck this afternoon attempt to turn onto Reber St. Mr. R. Geschwindt states that Schneider uses the borough as a turnaround, so they can travel north on Route 61. **Mr. Gruber will contact Schneider Trucking on Wednesday.** Mr. Collin Geschwindt discusses the photos that were sent to Mr. Gruber. Mr. R. Geschwindt states that a neighbor informed him that a Schneider truck had traveled south on Reber St. and ran over his sidewalk as it turned east onto Noble Ave. He asks who would be responsible to repair any truck damage to the handicap ramps. Mr. Gruber replies that the borough would pay for repairs and asks that anyone seeing the vehicles take photos and obtain the truck and trailer numbers. **He will reach out to residents in the area, to determine if anyone has camera footage of the incidents.** President Kline suggests sending a letter and possibly a bill to Schneider for the damage, if truck information can be obtained.

Mr. R. Geschwindt asks if trash will be picked up on Wednesday this week, with the response being yes.

Rusty Wagner (233 Salem Church Rd.): Confirms that the NNO event being held by Northern Berks Police will take place on August 6.

Mr. Wagner and Mr. Gruber discuss their conversation regarding the water main break on Water St. Mr. Wagner is offended by President Kline's comment at the December workshop that Mr. Wagner whined to Mr. Gruber that he was not called to aid in the repairs. President Kline states that the comment was not intended in that context and apologizes for any misinterpretation. President Kline asks what was meant by Mr. Wagner's comment of "not playing second fiddle," during that conversation.

Mr. Wagner discusses several projects that R.D. Contracting completed for the borough at no charge. Mr. Gruber states that he is unaware of any projects completed in which the borough was not billed.

President Kline discusses the multiple meetings in which cost saving measures were discussed. Mr. Gruber took the initiative to speak with Kuzan's regarding equipment rental. No one told him that RD Contracting would not be contacted for work in the future.

Ms. Randazzo and Vice President Botwright discuss the meeting recordings, with Vice President Botwright stating that the recordings are the official minutes until the minutes are adopted. Solicitor Mooney states that the time to respond to a Right-to-Know requests is 5 days, if needed. President Kline and Solicitor Mooney note of an extension that could be utilized, if additional time is needed to fulfill the request. Solicitor Mooney reports that anyone present at a meeting may record the meeting without announcing that they are doing so.

*A motion is made by Vice President Botwright to approve the minutes for December 19, 2023. Seconded by Mr. Wertz. Motion carried unanimously.

*A motion is made by Vice President Botwright to approve the bills payable for January 2, 2024. Seconded by Mr. Wertz. Motion carried unanimously.

*A motion is made by Vice President Botwright to approve and sign the Intergovernmental Agreement for the UCC County Board of Appeals. Seconded by Mr. Wertz. President Kline explains the agreement, which notes that if an appeal has to be made for the UCC, it can be made to the county rather than the individual municipality. Motion carried unanimously.

Vice President Botwright discusses the meeting held with M&T Bank to discuss fraud protection services. The Payee Positive Pay option would allow the borough to upload a list of checks to be paid. The bank would review the list and not approve any payments that were not included. ACH vendor payments can also be completed. Additional fraud monitoring, check blocks and a secondary approval process is discussed, whereby Ms. Wagner would load the ACH payments and either Vice President Botwright or President Kline (the other 2 signers on the bank accounts) could approve the payments. The yearly cost for the services for all 4 of the recommended accounts is \$1,752. This option would provide increased security and protection. Per check fees for Payee Positive Pay would be waived.

*A motion is made by Vice President Botwright to approve the account protection fees as recommended by M&T Bank. Seconded by Mr. Wertz. Motion carried unanimously.

Vice President Botwright reports that the deadline for content in the February borough newsletter, which will cover February – April, is Friday, January 12. She would like to include an introduction to Mr. Nabar and his Know Your Locals program on the cover page. The next newsletter will be issued in May. Advertising fees will be confirmed at the January workshop. Solicitor Mooney references his email noting that if the previously discussed rates are close to what will be decided upon, the ad and payment can be accepted, with the action being ratified when the rates are enacted.

Old Business

Council discusses the duties of the fire marshal, the fire chief and the fire code official, and what is noted in the ordinances. Solicitor Mooney notes that in numerous locations, one individual holds all three positions. Discussion takes place on a deputy fire marshal and any associated costs. For the fire at 146 Main St., the borough fire marshal ruled that there was no foul play, with the matter then being forwarded to the insurance company.

Mr. Wertz and Chief Wagner discuss the fire review for Tractor Supply, with Mr. Wertz stating that a fire code review was not received, while Chief Wagner states that he emailed his review.

*A motion is made by Vice President Botwright to appoint Rusty Wagner as the fire marshal and Vincent J. Di Martini as deputy fire marshal and fire code official, as needed. Seconded by Ms. Kennedy-Kline. Mr. Wertz asks what is meant by “as needed,” with Council discussing the term. Ms. Kennedy-Kline feels the borough should act in a fiscally responsible manner and utilize the services of Mr. Wagner if the matter is something he can and should handle. Solicitor Mooney notes that “as needed” would be when the individual is contacted for review of material. Motion carried by a vote of 6 yes to 1 no, with Mr. Wertz voting opposed.

A motion is made by Ms. Kennedy-Kline to adjourn the meeting. Seconded by Mr. Wertz. Motion carried unanimously. Meeting adjourned at 8:47 p.m.

Respectfully Submitted - Melissa Wagner - Secretary/Treasurer