

## **BOROUGH OF AKRON COUNCIL MEETING- APRIL 13, 2015**

**Council Members present-** Thomas J. Murray, President, Perry Lorah, Vice-President; Justin Gehman, John Taylor, Jeff Shirk, Earl Shirk, Dan McCormac.

**Others present-** Mayor John McBeth, Dan Guers, Borough Manager; Susan Davidson, Borough Secretary; Kenelm L. Shirk III, Solicitor; Police Chief Thomas Zell, Brian Boyer, Tim Weiser, Don Reese, K.L. McEllhenny, Sarah Shirk, Glen Beiler, Tammy Ruth, Scott Ruth, Barb McMinn, John Williamson, Philip Benigno, Annette Swartz, Sam Baughman, Greg Fitzpatrick, Pat Burns, Ephrata Review.

Meeting opened with the Pledge of Allegiance.

### **Approval of Minutes**

Earl Shirk made a motion to approve the March 9, 2015 Borough of Akron Council Meeting minutes. Perry Lorah seconded the motion. Motion carried.

### **Visitors**

Brian Boyer, Westview Drive, Akron asked Dan Guers about the car list from a few months ago. Guers mentioned he gave an extension for the vehicle on Broad Street, the motor home on Diamond Street and on Sunset Avenue. Brian Boyer also mentioned the leaf pick-up information he mentioned last year.

Glen Beiler, 117 Broad Street, Akron asked about safety signs at the Rail Trail at Main Street. Council told Dan Guers to set up pedestrian signs at the Rail Trail Crossing and to put information in the Borough newsletter about crosswalks.

Don Reese, 17 Miller Road, Akron asked about tree buffers along the Rail Trail. Council mentioned that the resident must request this and can stop in the Borough Office and speak to the Borough Manager about their request.

John Williamson, 1237 Main Street, Akron distributed a proposal for mediation for Akron Borough Council and Mayor. The facilitators will be Lorraine Stutzman Amstutz and Jim Amstutz both of Akron and will donate their services. Mayor McBeth mentioned he supports the mediation process offered by John Williamson.

### **Mayor Report-** Mayor John McBeth

Mayor McBeth mentioned a letter he received about condition of our flags at the Municipal Office and Roland Park. Dan Guers will replace the flags.

### **Police Report-** Chief Zell

Distributed report

Chief Zell mentioned the new current radio will last 5 to 7 years and Council should consider putting money into reserves now to pay for the future radios.

Chief Zell commended Officers Welch and Stone for their work on two sexual assault cases.

**Finance Committee-** Perry Lorah

Perry Lorah made a motion to pay the bills as reviewed by the Finance Committee. Dan McCormac seconded the motion. Motion carried.

Perry Lorah read into the minutes the March 2015 month-end balances.

General Fund	\$ 48,895.68
Water Fund	\$ 56,030.84
Sewer Fund	\$ 92,499.57
Escrow Fund	\$ 60,979.96
Highway Aid Fund	\$239,775.82
General Res Fund	\$ 5,609.96
General Res CD	\$ 17,913.07
Water Res Fund	\$ 263.15
Sewer Res Fund	\$149,467.30
Capital Proj Fund	\$ 29.25
Rail Trail Cons Fund	\$477,496.22
Bldg Repairs Fund	\$ 41,110.73
Community Fund	\$ 3,355.78
Total	\$1,193,427.33

Dan McCormac mentioned when we say enough legal fees in regards to the declaratory judgment with the Mayor. Tom Murray mentioned Council made a motion to move forward with this issue and we need a resolution.

Greg Fitzpatrick mentioned \$5,500.00 was previously spent on legal bills in regards to the Mayor.

**Ordinance & Safety Committee-** Dan McCormac

Nothing to report

**Parks & Personnel Committee-** John Taylor

John Taylor mentioned the exit meeting with Kyle Stayer went well.

John Taylor made a motion to offer the fulltime park maintenance job to Eugene Hackman at \$14.50/hr. Hackman must have a background check, child abuse check, driving record check, drug test and physical. Earl Shirk seconded the motion. Motion carried.

Council mentioned we need a documented policy on hiring.

Akron Lions Club donated \$500.00 for paving on the bike trail at the creek bed in Roland Park.

Barb McMinn will be at the next committee meeting to discuss New Year's.

John Williamson mentioned a silt fence located near the lodge at the shed. Dan Guers mentioned he will check this out.

Don Reese asked Council if the Roland Park will be linking with the Rail Trail. Council mentioned not at this time and will have to wait on that.

Earl Shirk made a motion to accept both 6- month lease for downstairs- a) Barry Starer for \$350.00/mo & Keith Sauder for \$150.00/mo. Effective immediately. Justin Gehman seconded the motion. Motion carried.

Earl Shirk made a motion to accept the quote of \$5,618.00 from Brubaker Bros LLC, Elizabethtown PA to repair replace the roof on the lodge building located in Roland Park. John Taylor seconded the motion. Motion carried.

**Streets Committee-** Justin Gehman  
Crack sealing started last week.

Street sweeping is scheduled for April 17 (east side) and April 20 (west side).  
Dan Guers will notify residents about the street sweeping through the Swift Reach program.

Third Street agreements have been signed and mailed.

Arro Engineers inspected the driveway on 29 Third Street and it is ADA compliant. The driveway on the next property( 23 Third Street needs to be fixed.

**Water & Sewer Committee-**Jeff Shirk  
Distributed March report

Jeff Shirk mentioned flow rates are coming down.  
Jeff Shirk mentioned he spoke to Jeff Bologna from Becker Engineers in regards to the water model study and he suggested we started gathering data for the model template.

Jeff Shirk mentioned creating a schedule for exercising valves.

Martin Electric completed installation of the electric facilities at the Golf Course sewer pump station.

Jeff Shirk and Dan Guers reviewed the televising videos of Third Street and Mr. Rehab is scheduled to start televising sometime in May.

**Borough Manager-** Dan Guers  
Distributed March report

Horst Excavating has restarted work on the Rail Trail and continues to import fill soil.

Dan Guers received several reports from American Testing regarding compaction of fill material and will be visiting the sight daily.

Lights are now functional on the entire trail from Fulton Street in Akron to downtown Ephrata.

Akron Borough has received PennDot approval and permits to place the cross-alert system at both Fulton and Main Streets.

Rhoades Concrete is scheduled for the week of May 4<sup>th</sup> to complete the sidewalks for Jesse Horst.

Dan Guers and Tom Murray, Jr. attended the annual PA Rural Water Conference the last week of March.

Dan Guers will attend the Borough's Association Annual Conference hosted at the Lancaster Convention Center , April 26, 27 & 28<sup>th</sup>.

Greg Fitzpatrick asked about the Mayor asking for engineering reports. Tom Murray mentioned the Mayor must be fully informed because he could be the deciding vote in the event there is a tie vote with Council.

***Solicitor***

Earl Shirk made a motion to accept the Netlinx (6yr) contract commencing May 1, 2015 for the lease of the water tower for cellular service. Dan McCormac seconded the motion. Motion carried.

***Fire Chief***

Distributed March 2015 report.

***Planning Commission***

Nothing scheduled at this time

***Zoning Hearing Board***

Nothing scheduled at this time

***Tax Collector***

Distributed March 2015 report

County Real Estate Taxes collected in March 2015	\$70,780.67
Borough Real Estate Taxes collected in March 2015	\$52,114.71

***Borough Secretary***

Distributed March 2015 Call Log

***Borough Treasurer***

Nothing to report

***Unfinished Business***

Kenelm L. Shirk III mentioned the Borough Planning Commission should schedule a meeting to work on-going issues.

The issues of litigation with the Mayor were discussed at length.

***New Business***

Nothing to report

***Committee Meeting***- April 27, 2015

Property & Planning Committee- 6:30 p.m

Parks & Personnel Committee

Water & Sewer Committee

Donald Reese commented the more he attends Council meetings the more he appreciates Council and thanked Council.

Earl Shirk made a motion to adjourn the meeting. Justin Gehman seconded the motion. Motion carried. Meeting adjourned.

Respectfully submitted,

Susan Davidson  
Borough Secretary

SD