

BOROUGH OF AKRON COUNCIL MEETING- MAY 11, 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; K. L. McEllhenney, Sam Baughman, Bob Hoffman, Scott Ruth, Bill McMinn, Tammy Ruth, Joyce Moyer, Barb McMinn, James Frain, Tom Bender, Greg Fitzpatrick, Don Reese, Carol Stark, Dick Wanner, Ephrata Review.

Meeting opened with the Pledge of Allegiance.

Approval of Minutes

Jeff Shirk made a motion to approve the April 13, 2015 Borough of Akron Council Meeting minutes. Perry Lorah seconded the motion. Motion carried.

Earl Shirk made a motion to approve the April 27, 2015 Borough of Akron Council Meeting minutes. John Taylor seconded the motion. Motion carried.

Visitors

Representative Dave Zimmerman from the 99th Legislative District attended the meeting and spoke on items he has been working on including pension and property tax reform. Representative Zimmerman's office is located at 127 Peters Road in New Holland.

James Frain, Crestview Drive mentioned to Representative Zimmerman that he reached out to his office in regards to the Rail Trail and got no response.

Representative Zimmerman presented a U.S. Flag to Council.

Barb McMinn mentioned she would get back to John Taylor about the volunteers and the electrician for the Broad Street Park and Shoe In.

Don Reese, Miller Road mentioned the Rail Trail tunnel in Ephrata Twp was spray painted.

Thomas Bender, Heritage Road, Akron mentioned he is disappointed with the way this whole thing is going down between the Mayor and Council. Bender suggested calling everyone out to look at the situation and decide what you did wrong and how to fix it as quickly as you can and do it without spending one more dime on litigation.

James Frain, Crestview Drive, Akron mentioned he spoke to a lawyer and he owns the land. Frain also mentioned is he still waiting for a plan on the screening. Frain mentioned a lot of trees were destroyed and taken down and he wants to take care of his neighbors. Frain also mentioned he does not want to take this to court and we don't have to agree but we should think together.

Greg Fitzpatrick, Diamond St, Akron distributed copies of information in regards to Mayor McBeth and wedding & legal fees.

Fitzpatrick mentioned during the 2013 election he was wrongly accused of authoring an anonymous mailing. Fitzpatrick asked Council why do you allow this to go on and who is the liar and who is the fraud? Looking for some sort of response. Bill McMinn, Broad Street Akron mentioned to Fitzpatrick that he is a poor loser.

Kay McEllhenney, Scenic View Drive, Akron mentioned this did not start with the election.

Carol Stark, Crestview Drive, Akron said she was ashamed about the actions of Akron Borough and we need to sit in a sandbox at Roland Park and learn how to play.

Jeff Shirk mentioned this did not just start today. Jeff Shirk ran for Council at the encouragement of Ron Boltz(former Council member) and started with a clean slate. These issues have been on-going since 2008-2009.

Mayor Report- Mayor John McBeth

Mayor McBeth received the 1st Qtr report from the Lancaster DA's Office for the Drug Task Force. There were 53 new cases over 18 different municipalities.

Police Report

Distributed April 2015 report

Committee Reports

Finance Report- Perry Lorah

Perry Lorah made a motion to pay the bills as reviewed the Finance Committee. Jeff Shirk seconded the motion. Motion carried.

Perry Lorah read in to the minutes the April 2013 month-end figures

General Fund	\$338,576.60
Water Fund	\$ 21,273.93
Sewer Fund	\$ 24,960.74
Escrow Fund	\$ 60,979.98
Highway Aid Fund	\$239,781.53
General Res Fund	\$ 4,638.45
General Res CD	\$ 17,913.07
Water Res Fund	\$ 15,263.15
Sewer Res Fund	\$146,925.88
Capital Proj Fund	\$ 29.25
Rail Trail Const Fund	\$407,261.11
Bldg Repairs Fund	\$ 41,111.80
Comm. Fund	\$ 3,367.78
Total	\$1,322,083.27

Ordinance & Safety Committee- Dan McCormac

Dan McCormac asked about the halfway house on Tenth Street. Dan Guers mentioned he spoke to several zoning officers and sent out a copy of the law to Council. Dan Guers mentioned that the property owner is not in violation of any of the Borough codes or ordinances.

Parks & Personnel Committee- John Taylor

John Taylor made a motion to hire Brady Sipe for part-time summer help @ \$9/hr for a maximum of 600 hours effective 5/12/15. Justin Gehman seconded the motion. Motion carried.

John Taylor made a motion to hire Anita Renninger for the park/lodge facilities attendant @ \$10/hr effective 5/12/15. Perry Lorah seconded the motion. Motion carried.

Jeff Shirk mentioned he is in the process of putting together a screening program for the Rail Trail. Jeff Shirk has been in contact with Tom Burnett and has come up with specific trees/shrubs that are native to this area. Will have a list of 6 to 8 trees that residents can choose from along with data on the trees. Jeff Shirk will have a form and packet by the next committee meeting. Tom Murray told Dan Guers to contact every resident along the trail to see if they want screening.

Property & Planning Committee- Earl Shirk

Nothing to report

Streets Committee- Justin Gehman

Crack sealing was completed today.

Water & Sewer Committee- Jeff Shirk

Distributed April 2015 report

Jeff Shirk mentioned the water flow rates look good.

Martin Electric has finished all pump station and the pumps are in place.

Jeff Shirk is working on written procedure for pump stations.

Borough Manager- Dan Guers

Distributed April 2015 report

Horst Excavating finished paving the Rail Trail from Main Street to Fulton Street. Phase 2 of the Rail Trail should be substantially complete the end of May. All compaction tests by American Testing were in compliance. The lights are now functional on the entire trail from Main Street, Akron to downtown Ephrata.

Jesse Horst has begun installation of his sidewalk along Fulton Street.

Akron Borough has received a \$34,000.00 credit from IMG for sewer treatment costs.

All paper work has been finalized for the Third Street improvements and a notice to proceed will be issued towards the end of May for a start date of June 15 and a completion date of August 15.

All properties on Third Street have gotten sidewalk permits. Driveway on Third Street not compliant.

The silt fence at the Roland Park below the lodge is for erosion control.

Jeff Shirk is getting on price on a storm grate for Fulton Street.

Borough Solicitor

Earl Shirk made a motion to go back to the original language in the contract on the water tower agreement (there was a last minute change proposed to the contract by T-Mobile, which Council is rejecting) and to authorize Thomas Murray to sign the contract. Jeff Shirk seconded the motion. Motion carried.

Earl Shirk made a motion to file an answer and to authorize the President of Council to sign the verification in regards to the Mayor's counter claim. Jeff Shirk seconded the motion. Motion carried but not unanimous. Thomas Murray, Perry Lorah, Justin Gehman, John Taylor, Earl Shirk & Jeff Shirk voted yes. Dan McCormac abstained from voting.

Mayor McBeth mentioned he has agreed to mediation and still encourages mediation.

John Taylor mentioned he spoke to Lorraine Amstutz about mediation and maybe in July he would be willing to sit down and do something.

Fire Chief

Distributed April 2015 report

Justin Gehman mentioned the Fire Company and EMS will be on the new radio system by May 18.

Planning Commission

Nothing to report

Zoning Hearing Board

Nothing to report

Tax Collector

County Real Estate Taxes collected in April 2015	\$439,867.71
Borough Real Estate Taxes collected in April 2015	\$323,867.25

Borough Secretary

Distributed April 2015 Call Log

Borough received \$2,204.00 recycling grant money from DEP.

Borough Treasurer

Nothing to report

Unfinished Business

Committee time will be scheduled to discuss the Front Street parking issue and temporary signage.

Don Reese mentioned if people park on his street to walk on the trail so be it.

Dan Guers will verify with Rosenberger and the Hope United Methodist Church on Rothsville Road about parking for the Rail Trail.

New Business

Tom Murray will not be at the June 8, 2015 Council Meeting.

Committee Meeting- Wednesday, May, 27, 2015

6:30 p.m. Parks & Personnel Committee

Earl Shirk made a motion to adjourn the meeting. John Taylor seconded the motion. Motion carried.
Meeting adjourned.

Respectfully submitted,

Susan Davidson
Borough Secretary
SD