

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

**Council Members present-** Thomas J. Murray, President; Perry Lorah, Vice-President; Justin Gehman, John Taylor, Jeff Shirk. (Dan McCormac & Earl Shirk not present)

**Others present-** Mayor John McBeth, Dan Guers, Borough Manager; Susan Davidson, Borough Secretary; Kenelm L. Shirk III, Solicitor; Police Chief Thomas Zell, Dick Wanner, Lancaster Newspapers; Carol Stark, Scott Ruth, Tammy Ruth, Mindi Maywell, Kay McElhenney, Barb McMinn, Brian Boyer, Angela Ebersole, Lorna Ravegum, Donald Reese, Sam Baughman, Thomas Murray, Jr., Farley Fry, Hanover Engineers; John Williamson.

Meeting opened with the Pledge of Allegiance.

### **Approval of Minutes**

Justin Gehman made a motion to approve the June 8, 2015 Borough of Akron Council Meeting minutes. John Taylor seconded the motion. Motion carried. Thomas Murray abstained from voting because he was not present at the June 8, 2015 Council Meeting.

### **Visitors**

Kay McElhenney mentioned to stop by the Roland Park to see the Boy Scout Building.

Barb McMinn mentioned the lights should be finished by October at the Broad Street Park. John Taylor mentioned he would like to meet to see how the lights should be arranged.

Brian Boyer asked about the benches on the Rail Trail. Dan Guers mentioned benches are standardized and cost about \$500.00. Tom Murray mentioned new benches at Ephrata Borough and they are not the same as the others on the trail. Council told Brian Boyer that have not discussed this issue.

Brian Boyer mentioned the sidewalk at the Rail Trail entrance is 4ft not 5ft? The sidewalk matched up to the existing sidewalk. It is wide enough for ADA but it is not the standard 5 ft.

Justin Gehman mentioned he looked at the cracked sidewalk at Main and Third streets but has not had a chance to discuss it with Dan Guers.

Don Reese asked if there are any plans for Porta Potties ( he noticed two people urinating on the Rail Trail).

Don Reese also mentioned talking to Reiff's on Millway Road and if he would be interested in letting people park on his land for the Rail Trail or talk to the farmer at the end of Crestview if he would be interested in donating land for parking.

MS4

Farley Fry from Hanover Engineering spoke about the MS4 permit.

Farley mentioned the Borough must implement policy/procedures manual, public education plan, monitor illicit discharges, documentation and assessment procedures. Also the storm water map should be updated to show flows. Implement projects that will improve runoff, citizen involvement and a written plan. Farley suggested working with other municipalities. Paperwork must be ready for audits by EPA and DEP.

Tom Murray mentioned he will read the MS4 draft before signing.

Don Reese mentioned we need to find a balance of how a municipality can afford to do these projects for MS4.

John Williamson mentioned incorporating another Park Task Force like the one in the early 2000's. John Williamson mentioned he would be happy to be part of it.

**Mayor Report-** Mayor John McBeth

Nothing to report.

**Police Report-** Chief Zell

Distributed June 2015 report.

Perry Lorah mentioned seeing a box truck on Main Street that could not get through where the pedestrian sign is placed and a van parked on the street. Justin Gehman mentioned there are times when the fire truck could not get through. The Borough Solicitor mentioned once the No Parking ordinance is adopted this will not be an issue.

Jeff Shirk mentioned to Chief Zell that the speed alert sign has gotten people's attention. Chief Zell asked Tom Murray to help him in regards to the software with the speed alert sign.

**Finance Committee-** Perry Lorah

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

Perry Lorah read into the minutes the June 2015 monthend balances.

General Fund	\$189,816.99
Water Fund	\$ 50,770.12
Sewer Fund	\$ 15,335.63
Escrow Fund	\$ 60,983.56
Highway Aid	\$239,786.49
General Res	\$123,213.02
Water Res	\$ 20,527.18
Sewer Res	\$203,016.39
Cap. Proj	\$ 29.25
Rail Trail Cons	\$305,205.97
Bldg Repairs	\$ 40,041.77
Comm Fund	\$ 4,215.97
<b>Total</b>	<b>\$1,252,942.34</b>

Budgeted Revenues- 62% Budgeted Expenditures-48%

Perry Lorah made a motion to pay \$10,000.00 to the Akron Volunteer Fire Company (1/2 of the 2015 donation). John Taylor seconded the motion. Motion carried.

Perry Lorah made a motion to pay \$6,250.00 to the Ephrata Public Library (1/2 of the 2015 donation). Jeff Shirk seconded the motion. Motion carried.

Perry Lorah made a motion to pay \$7,072.00 (total 2015 donation) to the Ephrata Area Recreation Center. Justin Gehman seconded the motion. Motion carried.

Perry Lorah made a motion to pay \$600 to the Ephrata Ambulance Association (total of 2015 donation.) Jeff Shirk seconded the donation. Motion carried.

Perry Lorah made a motion to pay \$3,900.00 to the Drug Task Force (total of 2015 donation). Justin Gehman seconded the motion. Motion carried.

**Ordinance & Safety Committee-** Dan McCormac (not present)

Kenelm L. Shirk III will e-mail the draft of the Mayor Salary ordinance to Council members to discuss at the next committee meeting.

The Main Street No Parking Ordinance near the Rail Trail must be re-advertised for August 2015 adoption because of the incorrect measurements.

***Parks & Personnel***

Rail Trail Phase 1 has a few remaining items that need to be completed such as reseeding, Balmer Bros trees, latch on a gate on the access road on Locust Bend and cross alert system.

Rail Trail Phase 2-the cross-alert system has arrived today and the traffic table is scheduled for July 23<sup>rd</sup>.

John Taylor made a motion to approve change order for Horst Excavating for Rail Trail Phase 1 for the Fulton Street Crossing for an additional amount of \$17,054.76. Perry Lorah seconded the motion. Motion carried.

Council mentioned to close the Rail Trail for 2-3 days to finish work on Phase 1 and to put up temporary signs.

John Taylor made a motion to accept the resignation of William Hensel as meter reader. Jeff Shirk seconded the motion. Motion and second withdrawn because William Hensel will train new meter reader.

John Taylor made a motion to hire Philip Diller as the new meter reader effective 7/14/15 at \$10.00/hr. Justin Gehman seconded the motion. Motion carried.

John Taylor made a motion to hire Trent Reber as summer part-time help effective 7/14/15 at \$9.50/hr not to exceed 200 hours. Jeff Shirk seconded the motion. Motion carried.

Dan Guers mentioned both him and Sue Davidson will forego any wage increase for this year. Jeff Shirk asked are we keeping track of hours for our Public Works Dept. and Dan Guers answered yes.

Mayor McBeth asked when are all the safety features for the Rail Trail going to be finished at Main and Fulton Streets. Dan mentioned it should be finished by the first week in August. No traffic table for Fulton Street.

There will be required signs on Main Street for the traffic table.

Kay McEllhenney mentioned the Lions Club donated \$500.00 to fix the stream at the Roland Park. Dan Guers mentioned he needs to work on that and the Lancaster Conservation will be coming out to look at this area.

**Property & Planning Committee-** Earl Shirk (not present)

Retainage for roof replacement will be discussed later in the meeting.

**Streets Committee-** Justin Gehman

Justin Gehman mentioned there are sinkholes on Main & Wolf Drive at the storm boxes.

No preparation has been done on Third Street until the handicap ramps at 33 Third Street have been completed.

Darrel Becker from Arro Engineers distributed sketches of proposed handicap ramp at 33 Third Street. The Borough Solicitor mentioned he is opposed to this proposal.

Jeff Shirk made a motion to leave the 33 Third Street the way it is and to post No Handicap Accessibility signage and for the Borough to fix the sidewalk on the other side of the street. John Taylor seconded the motion. Tom Murray mentioned every resident on that street had to make their sidewalk ADA compliant. Tom also mentioned this sidewalk has been in for 15 months and we should have started to pave the street and we are still discussing this sidewalk issue. Motion did not carry. Jeff Shirk and John Taylor voted yes for the motion. Justin Gehman, Perry Lorah and Thomas Murray voted no.

Justin Gehman asked Darrel Becker for a design bumping out the sidewalk by the next committee meeting. Dan Guers mentioned just extend the curb and use the blacktop as the traveling surface. Dan Guers will ask the property owners at 33 Third Street to get permission to have Arro Engineers survey their property.

Nothing has been done about the utility poles.

Tom Murray mentioned there are a lot of weeds in gutters and in sidewalks in the Borough. Dan Guers mentioned he sends out warning letters to people if the weeds are more than ten inches. Perry Lorah mentioned a house on Main Street(3<sup>rd</sup> from the corner). Tom Murray also mentioned trees and shrubs that are blocking sidewalks should also be taken care of. Tom Murray mentioned this is something we should be looking for when we are walking or driving.

Mayor McBeth asked when maintenance on Edgehill Drive will be taken care of? Dan Guers will check to see if Edgehill is on the 5-year street plan. Dan Guers mentioned he would like to prioritize the streets before the next committee meeting. There is a pothole at Manor Ridge and Edgehill Drive that needs fixed and Fifth Street also has potholes.

**Water & Sewer Committee-** Jeff Shirk

Distributed June 2015 report

Jeff Shirk mentioned the flows look good.

Hydrant flushing is taking place this week. Tom Murray Jr. was told to contact the engineers to get the pressure gauges to use when flushing hydrants.

**Borough Manager-** Dan Guers

Distributed report

Grass clippings along the Rail trail have been removed.

Ephrata Borough has agreed to provide additional numbers for the Rail Trail lights for a nominal cost.

Well 6 motor went down last Thursday but was back online Friday afternoon.

Dan Guers issued two Notice of Violations to property owners on Ninth and Eleventh Streets this month and both have complied by removing vehicles from the property.

Darrel Becker distributed a sewer project schedule for Crestview Drive and Bomberger Road.

The approximate cost for Crestview Drive is \$25,300 and \$18,000 for Bomberger Road to replace existing pipe.

Tom Murray mentioned we need an easement in place and then have the bid package ready to discuss by the next committee meeting.

**Borough Solicitor**

Front Street parking nothing to report.

Kenelm L. Shirk III mentioned that everyone received copies of the motion of the summary judgment for the Mayor. Opposing counsel has until July 31 to comment.

**Fire Chief Report**

Distributed June 2015 report

**Planning Commission**

Planning Commission meeting scheduled for August 11, 2015 at 6:30 p.m.

**Zoning Hearing Board**

Zoning Hearing Board scheduled for July 16, 2015 for a variance to put up an eight ft fence.

**Tax Collector**

Distributed June 2015 report

County Real Estate Taxes collected in June 2015	\$26,795.31
Borough Real Estate Taxes collected in June 2015	\$19,728.90

**Borough Secretary**

Distributed Call Log for June 2015

Tom Murray mentioned when items are brought up at Council these items must go on the call log so we can track the progress.

Sue Davidson mentioned that all information for the next Borough newsletter is due no later than Monday, July 20, 2015.

Sue Davidson also reminded Council members to check their mailboxes.

***Borough Treasurer***

Nothing to report

***Unfinished Business***

Perry Lorah made a motion to pay Ream Roofing Inc. the retainage in the amount of \$3,544.25 and to release the bonds on the roof replacement for the Borough Municipal building.

Jeff Shirk mentioned if there is a priority list of projects for the Borough. Dan Guers mentioned he needs to share the list with Council and Mayor and to place the list on a project board to keep track.

Mayor McBeth asked about the water run-off from Eleventh and Hillcrest Road. Tom Murray mentioned that frequent attempts were made to discuss with West Earl and this item will be temporarily removed from the agenda.

Jeff Shirk mentioned at Tobacco Road as soon as you turn off of Diamond Street there is a storm drain that the farmer put sandbags to help deflect water when it rains. Do we have some responsibility for this stormwater?

***New Business***

Nothing to report

***Committee Meetings-*** Monday, July 27, 2015

Ordinance & Safety Committee- 6:30 p.m.

Streets Committee- 7:00 p.m.

Stormwater- 7:30 p.m.

Project List- 8:00 p.m.

Perry Lorah made a motion to adjourn the meeting. Justin Gehman seconded the motion. Motion carried. Meeting adjourned.

Respectfully submitted,

Susan Davidson  
Borough Secretary

