

**BOROUGH OF AKRON COUNCIL MEETING- OCTOBER 12, 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; Sam Baughman, Andrea Eberhart, K. L. McElhenney, Scott Ruth, Barb McMinn, Lora Gamboc, Brian Boyer, Gene & Sharlene Melocheck, Daryl Martin, Donald Reese, Hope Stayer, Annette Swartz, Tim Nancaryls, Ronald Bittner, Univest Municipal Pension Services; Dave Lefever, Katrina Lefever, Dick Wanner, Ephrata Review; Jeff Bowlby, Trimble, Surveyors; John Williamson, Margaret Eby, Jean Wortz, Jim Summers, Ephrata Recreation Center; Danielle Bentley.

Meeting opened with the Pledge of Allegiance.

***Approval of Minutes***

Earl Shirk made a motion to approve the September 14, 2015 Borough of Akron Council Meeting minutes. John Taylor seconded the motion. Motion carried.

Perry Lorah made a motion to approve the September 28, 2015 Borough of Akron Council Meeting minutes. Earl Shirk seconded the motion. Motion carried.

***Visitors***

Ronald Bittner representing Univest Municipal Pension Services distributed a draft of the investment policy for the police pension for the Borough of Akron Uniform and Non-Uniform Policy and recommended to Council to change the Police policy to 60/40 similar to the Non-Uniform Policy.

Jeff Shirk made a motion to approve the Investment Policy Statements for the Borough of Akron Police Pension Plan and the Borough of Akron Non-Uniform Pension Plan. Justin Gehman seconded the motion. Actuarial reports are done every two years. Motion carried.

Sam Baughman asked Council to prioritize a list of items from the Akron Borough Planning Commission. Council is working on a list of prospective planning commission members.

Danielle Bentley, 33 Crestview Drive, Akron mentioned there was a sinkhole at the street and sidewalk at the drainage culvert. Council told Dan Guers to make sure the sinkhole is covered for safety.

Barb McMinn, Chairperson for the New Year's Eve Shoe-In mentioned she would like to use skids for the New Year's fire. Also, Ephrata Recycling offered to give the Borough a huge burn barrel (14' diameter). The Borough Manager will have to look at this and figure how to pick it up and store the barrel. A New Year's Meeting is scheduled for October 20<sup>th</sup> at 7:00p.m. at the Borough Municipal Building.

Barb McMinn also asked if Council could store music from the Ephrata Concert Bank (6 filing cabinets). Tom Murray mentioned we will have an answer for both questions next Tuesday.

Tim Nancaryls, Akron Mennonite Church mentioned to Council he would like to create a Community Day. Community Day would be church driven and family oriented and possibly have a 5K in the

morning. Dan Guers mentioned Akron Day in the Park. Tim Nancaryls will discuss this issue with Dan Guers.

Andrea Eberhart, 920 Broad Street asked about the replacement of Don Snyder's service tree. Dan Guers mentioned three trees need to be replanted at the end of October.

Owners of the property Schoolhouse LLC located at 509 S. Ninth Street (West Earl Twp) mentioned they need an easement to hook into the manhole for sewer. Council recommended the property owners get the easement themselves.

Earl Shirk made a motion to approve the ability for the applicant Schoolhouse LLC, 509 S. Ninth Street to hook into the Akron sewer system at a point in the Akron Borough subject to all rules and regulations of the Borough. John Taylor seconded the motion. Motion carried.

Council suggested the owners of 509 S. Ninth Street talk with West Earl about water hook-up.

Earl Shirk made a motion to recommend approval of Resolution #00182 for the Final Lot Add-On Plan for Martin/Eby/Melocheck located on North Ninth Street, Akron PA. The resolution also includes three waivers 1) Preliminary Plan 2) existing features within 300 ft 3) site topography. Lancaster County Planning Commission had no comments and plan was reviewed and recommended for approval by the Akron Borough Planning Commission. John Taylor seconded the motion. Mr. Daryl Martin, Margaret Eby and Eugene and Sharlene Melocheck all agreed to the resolution. Motion carried.

Jim Summers from the Ephrata Recreation Center distributed 2015 stats and asked for \$6,144 donation for 2016.

Ron Reese mentioned neglected properties in Akron and also mentioned a house on Main Street near Route 272. Dan Guers mentioned this property owner has been cited and has warrants out for his arrest. Council mentioned they will work on this issue.

**Mayor Report-** Mayor John McBeth

Mayor McBeth mentioned the Akron Volunteer Fire Company Halloween Parade is scheduled for Wednesday, October 21 at 7:00 p.m.

**Police Report-** Chief Zell

Distributed September 2015 report

**Finance Report-** Perry Lorah

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

Perry Lorah read into the minutes the September 2015 month-end balances

General Fund	\$173,483.82
Water Fund	\$ 74,170.05

Sewer Fund	\$ 41,974.79
Escrow Fund	\$ 60,993.34
Highway Aid Fund	\$164,604.99
General Reserves Fund	\$113,938.65
Water Reserves Fund	\$ 27,767.72
Sewer Reserves Fund	\$197,404.66
Rail Trail Construction	\$274,178.88
Bldg Repairs Fund	\$ 36,500.63
Community Fund	\$ 3,368.29
Total	\$1,168,385.82

Perry Lorah reviewed the September 2015 Revenues and Expenditures Fund  
 Budgeted Revenues-80% Budgeted Expenditures-69%

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

Perry Lorah made a motion to pay the Ephrata Public Library \$6,250 (remainder of 2015 donation). Jeff Shirk seconded the motion.

Perry requested committee time to discuss the 2016 budget.

**Ordinance & Safety Committee-** Dan McCormac  
 Committee will work on ordinance update for Mayor’s salary.

**Parks & Personnel Committee-** John Taylor  
 Dan Guers, John Taylor and Kenelm L. Shirk III will have a draft of the Rail Trail Inter-Municipal Agreement by the November 2015 committee meeting.

Kay McEllhenney mentioned that \$500.00 was donated to the Akron Borough by the Akron Lions Club to fix the stream at the Roland Park and nothing has been done. Council mentioned they will nail this down in the next couple of weeks.

**Property & Planning Committee-** Earl Shirk  
 Earl Shirk will work with Dan Guers and his team and come up with a plan for the downstairs usage. The Borough is a permitted use and does not have to go in front of the Zoning Hearing Board.

**Streets Committee-** Justin Gehman  
 Third Street paving was finished last week.

Estimated 2016 allocation for Liquid Fuels- \$102,522.97  
 Estimated 2016 Turnback Allocation-\$9,800.00

**Water & Sewer Committee-** Jeff Shirk

Distributed September 2015 report- flows look good

Kenelm L. Shirk III mentioned the Crestview Easement Agreement was changed after Council approved. On the second page it was retyped and the language was changed to limit the Borough's ability to do what it wants in that easement.

Kenelm L. Shirk III will prepare a corrected Crestview Easement Agreement and send to Council for approval at the next committee meeting.

Earl Shirk made a motion to award the Stormwater bid to Abel Construction (only 1 bid received), Part A, Crestview Drive Stormwater in the amount of \$37,326.60 and defer Part B, Bomberger Road Stormwater until further design work is done. Justin Gehman seconded the motion. Earl Shirk amended his motion not to include Part B and Justin Gehman amended his second to the motion. Motion carried.

Council mentioned they need more information before approving the Route 272 paving/manhole reimbursement from PennDot.

Earl Shirk made a motion to approve Resolution #00183 Memorandum of Understanding between Lancaster County Conservation District and Akron Borough as it relates the MS4 requirements. John Taylor seconded motion. Motion carried but not unanimous. Tom Murray, Perry Lorah, Justin Gehman, John Taylor, Earl Shirk and Dan McCormac voted yes. Jeff Shirk voted no.

***Borough Manager Report-*** Dan Guers

Distributed September 2015 report

Council told Dan Guers that the Rail Trail Cross Alert push button issue is a priority.

***Borough Solicitor***

Kenelm L. Shirk III mentioned Akron Borough Council and Mayor McBeth have entered into a stipulation which will end the Declaratory Judgment action.

Jeff Shirk made a motion to approve the Press Release in regards to the stipulation between Akron Borough Council and Mayor McBeth ending the Declaratory Judgment. Justin Gehman seconded the motion. Motion carried.

Dan McCormac asked Council if there are any apologies for the Mayor for having the District Attorney investigate possible criminal actions. The District Attorney's Office did not feel there was sufficient information to proceed and Council did not apologize. Dan McCormac also mentioned the Borough spent \$10,260.00 on attorney fees for mayor issues.

***Fire Chief***

Distributed September 2015 report

***Planning Commission***

A Planning Commission Meeting is scheduled for October 29<sup>th</sup> at 6:30 p.m.

**Zoning Hearing Board**

Approved (9/17/15) 333 S. Seventh Street/Special Exception

Denied (9/17/15) 100 S. Seventh Street/Variance

Nothing scheduled at this time

**Tax Collector**

County Real Estate Taxes collected in September 2015                   \$534.93

Borough Real Estate Taxes collected in September 2015               \$393.87

**Borough Secretary**

Distributed September 2015 Call Log and Complaint form

Perry Lorah made a motion to accept the 2016 Non-Uniform MMO's in the amount of \$26,833.00. John Taylor seconded the motion. Motion carried.

Justin Gehman made a motion to accept the 2016 Uniform MMO's in the amount of \$56,584.00. John Taylor seconded the motion. Motion carried.

The 2016 MMO's were mailed to Borough Council Members and Mayor by the September 30, 2015 deadline.

**Borough Treasurer**

Nothing to report

**Unfinished Business**

Jeff Shirk requested committee time to discuss screening.

**New Business**

Dick Wanner asked about Front Street parking issue. Tom Murray mentioned there was discussion about Front Street parking but decided to wait to see how things settle and are still waiting.

**Committee Meeting- Monday, October 26, 2016**

Planting/Screening 6:30 p.m.

2016 Budget- 6:45 p.m.

Jeff Shirk made a motion to adjourn the meeting. Justin Gehman seconded the motion. Motion carried.

Respectfully submitted,

Susan Davidson  
Borough Secretary

SD