

## **BOROUGH OF AKRON COUNCIL MEETING- DECEMBER 14, 2020**

***Council Members present-*** Nathan Imhoff, President; Thomas J. Murray, Sr., Darryl Witmer, Kleon Zimmerman, Paul Swangren, Jr. Randall Justice (Justin Gehman, Vice-President-Zoom)

***Others present-*** Mayor John McBeth, Susan Davidson, Borough Manager; Larry Alexander, Lancaster Newspapers; West Earl Police Chief Eric Higgins

***Zoom Visitors-***( Katrina Zimmerman, Monica Hersh, Richard Rupp, Jeff Shirk, Brad Rettew, Warren Bingeman, Mitch Rogers, Greg Stone)

Meeting opened with the Pledge of Allegiance.

### ***Approval of Minutes***

Thomas Murray, Sr. made a motion to approve the November 23, 2020 Borough of Council meeting minutes. Paul Swangren , Jr. seconded the motion. Motion carried.

### ***Visitors***

Katrina Zimmerman thanked Council for their support for the Tree Lighting event. Three boxes of food were collected for Ephrata Area Social Services and there were about 150 people in attendance. Santa was excellent on the Fire Truck. Katrina also mentioned that next year to hang wreaths around the Borough.

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

Mayor McBeth read a proclamation from Senator Aument for retiring Police Chief Thomas Zell. Chief Zell was presented with the Proclamation by Senator Aument this morning at the Borough Office.

### ***Borough Manager***

November 2020 financials were reconciled and December 2020 payables were prepared for the Finance Committee for review.

Sewer flows are down and the Borough is out of penalty.

Three water main breaks took place in November, Orchard Street, Eshelman and Dawn Avenue. 708 New Street is still having issues with dirty water. The Borough will continue testing other areas around.

Received a Notice of Violation from SRBC for going over the maximum 30-day average withdrawal. SRBC was notified by the Borough prior to the NOV. The Borough water operator is preparing the necessary documentation in response to the violation.

The IBEW contract was signed and accepted by Council and two copies were forwarded to IBEW.

The Planning Commission will meet on January 7, 2021 to review the Handi-Vangelism Subdivision/Land Development Plan.

A Zoning Hearing application has been submitted for 1-7 N. Ninth Street to convert 2 commercial units into one residential unit.

***Tax Collector***

November Real Estate Taxes collected for County \$4,916.69

November Real Estate Taxes collected for Borough \$5,067.00

***Committee Reports***

***Administration/Finance***

Thomas Murray, Sr, made a motion to approve the bills as reviewed by the Finance Committee. Kleon Zimmerman seconded the motion. Motion carried.

Thomas Murray, Sr read into the minutes the November 30, 2020 month end amounts.

General Fund	\$239,797.16
Water Fund	\$ 3,749.44
Sewer Fund	\$142,686.51
Hwy Aid Fund	\$ 45,769.73

General Reserves	\$363,979.39
Water Reserves	\$270,890.02
Sewer Reserves	\$230,069.81
Capital Projects	\$ 374.00
Community Fund	\$ 4,582.73
Total	\$1,301,898.79
Escrow	\$ 5,961.32

Tom Murray, Sr. reviewed the November 30, 2020 Revenues and Expenditures Report

**2021 Budget**

Thomas Murray, Sr. made a motion to approve the 2021 balanced budget Revenues and Expenditures for the General Fund (no Real Estate Tax increase) in the amount of \$2,037,496.00. Paul Swangren, Jr. seconded the motion. Motion carried.

Thomas Murray, Sr. made a motion to approve the 2021 balanced budget Revenues and Expenditures for the Water Fund (no rate increase) in the amount of \$664,532.00. Paul Swangren, Jr. seconded the motion. Motion carried.

Thomas Murray, Sr. made a motion to approve the 2021 balanced budget Revenues and Expenditures for the Sewer Fund (no rate increase) in the amount of \$999,315.00. Randall Justice seconded the motion. Motion carried.

Thomas Murray, Sr. made a motion to approve the 2021 balanced budget Revenues and Expenditures for the Highway Aid Fund in the amount of \$143,674.00. Randall Justice seconded the motion. Motion carried.

**Community Relations**

Darryl Witmer mentioned that the annual New Year’s Eve Shoe-In event is cancelled for this year due to the COVID-19 restrictions.

Darryl mentioned that the Christmas House Decorating Contest will take place from December 17 through December 22.

Mayor McBeth mentioned that the New Year's Eve Committee received donations from the Ephrata National Bank and Good's Disposal and will check to with the donors whether or not we can keep the donations for next year or give the donation back.

### ***Parks & Property Committee***

Randall Justice mentioned that the Borough received a donation from Rosenberger of America for the construction of a new pavilion in Colonial Park. The amount of the donation was \$22,862.24.

### ***Personnel Committee***

The description and job advertisement for the Assistant Borough Manager needs to be advertised as soon as possible.

The Borough will follow the guidelines for the Family First Response Act when it comes to paying employees who are quarantined due to COVID-19.

Paul Swangren, Jr. made a motion to adopt Resolution #00233 Section 125 Premium Plan. Randall Justice seconded the motion. Motion carried.

Thomas J. Murray, Sr. did not participate in any discussion or voting because of a conflict of interest.

Paul Swangren Jr., made a motion that the two non-uniform employees that are not in the IBEW Contract fall under the same health insurance deductions as the non-uniform union employees. Kleon Zimmerman seconded the motion. Justin Gehman suggested to include the Assistant Borough Manager position in the motion. Paul Swangren Jr. and Kleon Zimmerman amended the motion to include the Assistant Manager position for health insurance deductions. Motion carried.

Paul Swangren, Jr. made a motion to pay out the sick time for 2019 and 2020 for 2 non-uniform employees and make a fresh start in 2021. Randall Justice seconded the motion. Motion carried. Thomas J. Murray, Sr. did not participate or vote on this motion due to a conflict of interest.

### ***Police Services***

Thomas Murray, Sr, made a motion to move forward with the contract with West Earl Township for police services and to correct some minor issues. Darryl Witmer seconded the motion.

Opened up for comments and discussion

Jeff Shirk, 307 Main Street, Akron mentioned it seems inappropriate for this amount of money and why don't we get two estimates and there is no real savings with West Earl Twp. Nathan Imhoff mentioned that Ephrata could not offer us the same things we want. Jeff Shirk mentioned the best of interest of the community is what Ephrata has to offer and at what price.

Randall Justice commented that he received a phone call from Brad Rettew with similar concerns as Jeff Shirk. Tom Murray, Sr. and Mayor McBeth also mentioned they spoke to Brad Rettew about his concerns.

Nathan Imhoff mentioned Akron Borough received two emails from Ephrata Borough Manager Bob Thompson who was willing to drop the \$2,000.00 pension actuary fee.

Jeff Shirk mentioned what if Ephrata Borough gives a lower number and no one knows what that price is.

Randall Justice mentioned that it was never apples to apples and Ephrata said they could not meet our terms.

Paul Swangren, Jr. mentioned the Borough spent hours negotiating with West Earl. Ephrata Borough is waiving the \$2,000 and we are now in a time crunch and it's not fair to the negotiating and time spent. It was good faith negotiations with West Earl.

Randall Justice mentioned that West Earl laid out a scope of the contract and time crunch is an issue.

Tom Murray, Sr. mentioned it is an advantage going with West Earl with accreditation and sharing costs.

Murray also mentioned we have a five year number with West Earl and you can't put something out for bid and then undercut the number.

Nathan Imhoff said how trustworthy is Ephrata Borough if they want to undercut the price. Nathan also mentioned that Akron and West Earl always had a great working relationship for a number of years.

Brad Rettew mentioned that we need to get the best bang for our buck for taxpayers and Ephrata Borough will cut the cost 20-30%. Brad Rettew asked is the crime rate in Akron Borough going up or down. Mayor McBeth mentioned he is not aware of any increase or decrease so it is probably the same.

Nathan Imhoff mentioned our two current police officers need relief.

Tom Murray, Sr. mentioned the current budgeted amount for police is \$853,00.00 which includes Pension Obligation, Drug Task Force and Crossing Guards. The negotiated contract with West Earl is \$705,000.00 for the first year. Brad Rettew mentioned there is a \$51,000.00 credit the first year.

Nathan Imhoff asked Council do we want to negotiate price with West Earl and can we improve upon years 3, 4, and 5.

Tom Murray, Sr. and Darryl Witmer withdrew the motion and the second.

Justin Gehman mentioned we should correct verbiage in the agreement before moving forward.

West Earl Police Chief Eric Higgins mentioned Option #1 Agreement there is no massaging that number.

The longer it gets pushed off the harder it is to start. Paul Swangren, Jr. said time is an issue.

Tom Murray, Sr. mentioned this is a significant savings for the Borough and we should not put it off a few weeks.

Tom Murray, Sr. made a motion to move forward with Option #2 with the West Earl Police Services. Nathan Imhoff seconded the motion. Randall Justice suggested to clean up the language.

Tom Murray, Sr. amended the motion to include cleanup the wording in Option #2 Agreement and Nathan Imhoff amended the second to the motion.

Roll Call Vote

Justin Gehman-yes

Paul Swangren, Jr- yes

Randall Justice-yes

Darryl Witmer-yes

Nathan Imhoff-yes

Kleon Zimmerman-yes

Thomas Murray, Sr.-yes

Motion carried.

Council scheduled a meeting for December 21, 2020 at 6:30 to discuss police services. Chief Higgins thanked Council and residents.

Justin Gehman mentioned that he would like to show appreciation to the two current officers. Justin mentioned that we never used the budgeted funds for the Police Chief search and can we use this as a yearend bonus. The Borough Manager will check with the Labor Attorney about this matter.

### ***Streets Committee***

Justin Gehman will like to have a list of the storm box project for next year.

### ***Public Utilities***

Kleon Zimmerman mentioned more water testing needs to be done for the New Street and dirty water.

### ***New Business/Old Business***

Paul Swangren, Jr. made a motion to appoint Herbein & Company to do the audit for 2020. Tom Murray, Sr. seconded the motion. Motion carried.

Randall Justice made a motion to advertise the 2021 meeting schedule to include the Personnel meetings on the 4<sup>th</sup> Monday of the month. Tom Murray, Sr. seconded the motion. Motion carried.

Tom Murray, Sr. made a motion to appoint Randall Justice to serve as a Borough of Akron Planning Commission member (2021-2024). Paul Swangren, Jr. seconded the motion. Motion carried.

Paul Swangren made a motion to adjourn the meeting. Randall Justice seconded the motion. Motion carried.

Meeting adjourned at 8:23 p.m.

Respectfully submitted,

Susan Davidson  
Secretary

SD