

## **BOROUGH OF AKRON COUNCIL MEETING – September 14, 2020**

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

***Others present*** – Mayor John McBeth; Susan Davidson, Borough Manager/Secretary; Police Chief Thomas Zell, and Kenelm L. Shirk III, Solicitor.

***Visitors*** – Officer John Hirneisen, Ephrata School Resource Officer, Lester Auker, Larry Alexander, John Taylor, Michelle Musumeci, Dawn Stauffer, Mitchell Rogers, Nathan Shirk, Sam Shoemaker, Jeff Turner, Michael Hodgson and David Tuy.  
(Zoom- Richard Rupp, Kevin Wolford, Monica Hersh)

Meeting opened at 6:30 p.m.

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

Randall Justice made a motion to approve the August 17, 2020 Borough of Akron Council Meeting minutes. Paul Swangren, Jr. seconded the motion. Motion carried.

Thomas J. Murray, Sr. made a motion to approve the August 24, 2020 Borough of Akron Council Meeting minutes. Justin Gehman seconded the motion. Motion carried.

### ***Comments from Public***

Nathan Shirk, 276 Tobacco Road, asked what can be done to get permission to put a horse tie in at the Roland Park. He said that Martin Fabrication, which is an aluminum shop, offered to donate a horse tie made out of aluminum that will never rust and will not require any maintenance. Another gentleman offered to bring a rubber matting that prevents horses from digging into the grass.

Nathan Imhoff stated this is a great suggestion and is something that is needed in the park; however, his only concern is the horse manure.

Mr. Shirk said he could arrange to put a bucket and a shovel by the horse tie, and he will let people know that they need to clean after their horse.

Thomas J. Murray, Sr. made a motion to move forward with the installation of the horse tie in Roland Park. The place is to be determined and recommendation made back to Council for their final approval of the actual location. Paul Swangren, Jr. seconded the motion. Motion carried.

Officer John Hirneisen, Ephrata School Resource Officer, introduced himself and stated that he is taking the place of Officer Moore who has retired. Officer Hirneisen is now the School Resource Officer for the Ephrata Area School District.

***Committee Reports:***

***Mayor***

Mayor John McBeth stated the District Attorney is asking for about half-a-million dollars for the Drug Task Force from the County (\$1 voluntary contribution that the municipalities give). The Mayor thinks that the County Commissioners will once again be very hesitant to approve anything like that, but for the sake of the budget, Akron Borough should include their contribution in the budget.

The Mayor reported on a situation where someone had a difficult time getting into a gazebo. The council discussed the possibility of putting a switchback ramp off to the side of the gazebo to improve wheelchair access to the gazebo. The Council will further discuss this matter.

A visitor suggested that the Council contact the Lions Club, if finances are a problem for the ramp, because they raise funds for these kinds of projects.

The Borough manager stated she did contact the Lions Club; however, they were not interested in helping. The Borough Manager will contact them again.

***Police Report***

No additions to the report.

***Borough Manager Report***

August 2020 financials have been reconciled and September 2020 payables have been reviewed by the Finance Committee.

2021 Budget work is beginning now. The Borough Manager would like to meet with the Committee Chairs to discuss the 2021 projects.

Front Street projects started the week of September 1, 2020.

The inner pipe was replaced on Front Street near Fulton by Construction Masters.

Triple K has completed the ADA ramps on the Front and Main Street section and will start work on the ADA ramps on the Front and Fulton Street section this week.

Construction Masters should have the Front Street project completed by September 25, 2020.

Eric Kaylor from Hanover is monitoring the project.

PennDOT mailed the estimated 2021 Liquid Fuels estimated allocation which is approximately \$11,000 less than 2020.

The Borough Manager would like to get together with the Streets Chairperson to discuss the 2021 Street budget and future street projects.

The Boy Scout curb painting project is going very well.

The Borough Manager would like to get together with the Parks and Property Chairperson to discuss the ADA plan for the gazebo, and to also discuss the driveway paving at the Fire Hall and the cameras for the Borough Office.

The Warwick to Ephrata Rail Trail Committee met the other week via Zoom to discuss the adoption of a trail where different organizations would maintain and provide trail care for a portion of the trail. The Work Committee would like to advertise that in the Lititz Record or in the Ephrata Review. The Borough Manager would like to discuss this matter with the Council at their next Council meeting on September 28, 2020.

Paul Swangren, Jr. and the Borough Manager met with representatives from International Brotherhood of Electrical Workers (IBEW) to discuss the proposed non-uniform contract. It is on the agenda for this evening. The next meeting is on September 23, 2020 at 6:00 p.m.

The Borough Manager forwarded information to the West Earl Township Police Department for proposal on police contracting.

Testing forms were ordered for the Akron Civil Service Commission.

A water leak was detected on Broad Street. The leak was fixed by the owner. Another leak was detected at Hilltop Mobile Home Village. It was fixed by the property owner. The numbers are still high, so they are looking for another leak.

Mr. Rehab has done a prep work for the lining. The lining should begin in the next week, or two.

The Borough Manager received a few requests for sewer credits, and she would like to put that on the agenda for the next Council meeting on September 28, 2020 to discuss with the Chair.

708 New Street had its water heater replaced due to ongoing dirty water issues.

Akron Borough received a Pennsylvania Small Water grant for the water leaking project in the amount of \$214,653.

All the easements have been signed by the property owners and the Council also needs to sign the agreements.

The Borough Manager would like to schedule meetings with Comcast representatives for Borough residents that will be affected by construction on Westview Drive, Crestview Drive, Heritage Road, Vista Drive, Broad Street, Bomberger Road and Knollwood Drive.

A zoning hearing application was received on Friday, September 11, 2020 for 1356 Main Street requesting a special exception to erect greenhouses. A date has not yet been set.

Handi Vangelism is in the process of submitting a subdivision land development plan along with the stormwater plan. These plans should be delivered this week.

Jeff Turner, 201 Bomberger Road, asked what the status of the project currently underway behind his house is. The project is phase 2 of the stream embankment restoration along the Rail Trail.

The Borough Manager stated they would like to get it done this year; however, the COVID pushed everything back. They applied for permits, which the engineers are taking care of right now. Hopefully, the project will be completed this year.

***Administration/Finance***

Thomas J. Murray, Sr. made a motion to pay the September bills as reviewed by the Finance Committee and the Mayor. Paul Swangren, Jr. seconded the motion. Motion carried.

Thomas J. Murray, Sr. made a motion for the Council to authorize two donations, one to the Akron Volunteer Fire Company in the amount of \$17,500 and one to the Ephrata Public Library in the amount of \$11,900. That completes the donations for the year 2020. Darryl Witmer seconded the motion. Motion carried.

Thomas J. Murray, Sr. stated he distributed the beginning of the 2021 budget to the Council. The information contained is as of August 31, 2020. They will continue to update that information on a month to month basis. Mr. Murray requested that the Council reviews and comes prepared to begin their discussion at their next Council meeting on September 28, 2020.

Thomas J. Murray, Sr. stated they normally, at this time, set aside \$12,500 in reserves for a new fire truck for the Akron Volunteer Fire Company. They are setting this money aside now so that they have it in advance when it is time to replace one of the engines.

They also, at this time, usually set aside \$8,000 for the new radio fund for the police. This money is set aside so that they have it when it is required.

Thomas J. Murray, Sr. made a motion to set aside \$12,500 for the Akron Volunteer Fire truck reserve and \$8,000 for the new radio fund for the police. Randall Justice seconded the motion. Motion carried.

The August 31, 2020 month-end cash balances were read into the minutes.

General Fund \$351,973.72  
Water Fund \$9,656.34  
Sewer Fund \$105,964.49  
Hwy Aid Fund \$193,665.41  
General Reserves \$343,439.34  
Water Reserves \$265,856.96  
Sewer Reserves \$170,041.34  
Cap. Projects \$374.00  
Comm. Fund \$3,420.08

Total \$1,444,391.68

Escrow Fund \$5,960.71

### ***Community Relations***

Darryl Witmer presented updates regarding the Akron Borough 125<sup>th</sup> Anniversary Book. Mr. Witmer met with advertisers and, hopefully, they will have the book done by Thanksgiving.

Mr. Witmer stated Ryan Myers, Akron citizen, would like to donate a Christmas tree. The Council is happy to accept the donation; however, they need find out the height of the tree before they accept it.

### ***Parks/Property***

The Borough Manager stated she has information regarding the Celebration MCC on October 17, 2020. She would like to post information on Facebook to let the public know that there will be a livestreamed event.

The Council discussed the Stargazing event in Roland Park.

Michael Hodgson, 1245 Main Street, stated the idea of having this community event is to have people come out on a new moon to look at the stars. They would require the park lights to be switched off and to make sure the Borough authorities are aware of this event taking place after hours.

Kenelm L. Shirk III, Solicitor, stated the Chair of the Parks Committee or the Borough Manager may grant temporary permits to extend the hours.

### ***Personnel Committee***

Paul Swangren, Jr. and the Borough Manager met with representatives from International Brotherhood of Electrical Workers (IBEW) to discuss the proposed non-uniform contract. Mr. Swangren asked that they move to Executive Session at the end of this Council meeting to have an important discussion.

The Borough contacted West Earl Township Police Department for proposal on police contracting.

Nathan Imhoff invited anyone who wants to hear more about the police discussion to come to the September 28<sup>th</sup> meeting.

### ***Streets Committee***

Thomas J. Murray, Sr. reported an issue that was brought up by the Wolf family. The Wolf family owns a property that repairs travel trailers. Because of the sidewalk being directly against their house, people are coming there early in the morning, parking outside of their bedroom and making a lot of noise. Thomas J. Murray, Sr. recommends that they make the section from the alley to the other end of Wolf's property no street parking.

Thomas J. Murray, Sr. made a motion requesting the Solicitor to prepare modifications to the Ordinance to make the property on Front Street from the alley to the end of Wolf's property no street parking, as well as make the entire West side of Front Street no street parking. Kleon Zimmerman seconded the motion. Motion carried.

***Public Utilities***

Kleon Zimmerman made a motion to approve the easements for 201, 211 and 217 South 7<sup>th</sup> Street. Thomas J. Murray, Sr. seconded the motion. Motion carried.

The Borough Manager stated the Major Stormwater Plan for the Wolf Trac Lot 12 has been withdrawn.

Kleon Zimmerman made a motion to accept the withdrawing of the Stormwater Plan for the Wolf Trac Lot 12. Justin Gehman seconded the motion. Motion carried.

***New Business/Old Business***

***Leaf Disposal***

Darryl Witmer stated he did not get a chance to talk to the individual regarding leaf disposal. The Borough Manager presented a Compost Facility Agreement with West Earl Township.

Discussion regarding leaf disposal followed.

The Borough Manager reported that Thank You letters were sent to all the Police Departments that did a presentation in regard to police contracting for the Borough.

Paul Swangren, Jr. made a motion to move to Executive Session to discuss the IBEW proposed non-uniform contract, excluding Thomas J. Murray, Sr. Kleon Zimmerman seconded the motion. Motion carried.

Randall Justice noted that he is unable to attend the Executive Session due to another commitment.

The regular Council meeting was recessed at 7:38 p.m.

The regular Council meeting was reconvened at 8:10 p.m.

Paul Swangren, Jr. made a motion to return to regular Council Meeting and exit the Executive Session. Kleon Zimmerman seconded the motion. Motion carried.

Thomas J. Murray, Sr. noted that he did not participate in the Executive Session, nor in the voting to go into the Executive Session or return from the Executive Session.

The Council announced that no decisions were made at the Executive Session. It was for informational purposes only.

The Borough Manager asked the Council to make a motion to approve the Small Project Stormwater agreement for 355 Westview Drive that they discussed.

Kleon Zimmerman made a motion to accept the Small Project Stormwater agreement for 355 Westview Drive. Darryl Witmer seconded the motion. Motion carried.

Paul Swangren, Jr. made a motion to adjourn the meeting. Justin Gehman seconded the motion. Motion carried.

Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Lydia Kovalchuk  
Minute Taker

LK