

BOROUGH OF AKRON COUNCIL MEETING- FEBRUARY 21, 2022

**Council Members present-** Nathan Imhoff, Council President; Justin Gehman, Council Vice-President; Kleon Zimmerman, Paul Swangren, Jr.; Randall Justice, Ryan Cochran, Bonnie Young.

**Others present-** Mayor John McBeth, Susan Davidson, Borough Manager; Sean Molchany, Assistant Borough Manager; West Earl Police Chief Higgins, Larry Alexander, Lancaster Newspapers; Katrina Zimmerman, George D. Wolf, Doug Evans, John D. Taylor, Doug Ehst.

**Roll Call**

Kleon Zimmerman-Yes  
Paul Swangren, Jr-Yes  
Randall Justice-Yes  
Ryan Cochran-Yes  
Bonnie Young- Yes  
Justin Gehman- Vice-President-Yes  
Nathan Imhoff-President-Yes  
Mayor John McBeth-Yes

Meeting opened with the Pledge of Allegiance.

**Approval of Minutes**

Paul Swangren, Jr. made a motion to approve the January 10, 2022 Borough of Akron Council Meeting minutes. Randall Justice seconded the motion. Motion carried.

**Visitors**

Katrina Zimmerman S. Ninth Street asked Council to consider changing an ordinance for animal welfare. Katrina is requesting that any pets kept outside permanently that heat is provided in when the temperature is 32 degrees or less.

Doug Ehst, Wolf Road asked for information regarding water main breaks in the Borough. Mr. Ehst stated that in January 2022 there was a water main break on

Wolf Road and a couple of weeks later a sinkhole was discovered on his property. The Borough responded quickly and took steps to remediate. Mr. Ehst also mentioned over the years there has been a half dozen water main breaks on Wolf Road.

Susan Davidson, Borough Manager responded that since January 2022 the Borough had 7 water main breaks. There is no way to predict a break and with a freeze and thaw it can cause issues with water mains especially with an aging infrastructure. Sean Molchany, Assistant Borough Manager mentioned there is no long-term plan and it would be very costly and not all water main breaks cause sinkholes.

### ***Bills***

Ryan Cochran made a motion to ratify the approval of the February 2022 Board of Akron disbursements and fund the appropriate account for the disbursements as reviewed by the Finance Committee on February 14, 2022. General Fund disbursements-\$119,481.01 (General Fund includes monthly payment to West Earl Twp for Police Services) (WebTek check held out until webpage issues are resolved) Water Fund disbursements-\$19,773.77 Sewer Fund disbursements-\$71,475.08 Payroll Fund disbursements-\$2,887.56

Paul Swangren, Jr. seconded the motion. Motion carried.

### ***Police Report***

Chief Higgins, West Earl Police Department submitted his January 2022 report to Council and Mayor. Chief Higgins introduced West Earl Police Detective, Jordan Byrnes. Byrnes was sworn in as detective on January 28, 2022. Chief Higgins mentioned that the body cameras have been approved and the department is in the process of replacing radios.

Chief Higgins also met with the Akron Elementary School Principal to ask for approval of a DARE Program at the Elementary school.

### ***Mayor Report***

Mayor John McBeth mentioned that the 2021 4<sup>th</sup> Qtr Lancaster County Drug Task Force report is in the Council books along with a copy of the 2021 4<sup>th</sup> Qtr SRO report.

Mayor McBeth mentioned to Chief Higgins that isn't the DARE Program outdated? Chief Higgins stated that the DARE Program has been updated for Kindergarten through 5<sup>th</sup> grades and some of the breakouts include vaping, bullying and police and community relationships. Chief Higgins will send updated DARE research information to Council and Mayor.

Mayor McBeth also asked Chief Higgins if West Earl Police Department has access to the Akron Elementary School after school hours. Chief Higgins responded yes.

Mayor McBeth mentioned members of the Lancaster County Mayor's Association sent a letter to the Editor of the Lancaster Newspapers calling on the State House and Senate Agricultural and Rural Affairs Committees to hold a joint hearing on the impacts of consumer fireworks and to work with local governments to either repeal the law or find a mutually agreeable solution that allows for effective local enforcement.

Mayor McBeth mentioned there are Boroughs in Lancaster County calling for the PA State Legislature to remove the civil service requirements as required in the Borough Code. This no longer an issue in Akron Borough.

George Wolf thanked Council and Mayor for the work they do for the Borough.

### ***Visitors***

James Martin, 10 Miller Road arrived at the meeting to talk to Council about sewer issues. Mr. Martin mentioned to Council that he was told he had to pay a hookup fee for his property for replacing a sewer line. Sean Molchany told Mr. Martin that there is no tapping fee for replacing a main and it is not a new hookup. Mr. Martin is required to get a permit and the main must be inspected.

***Borough Manager***

January 2022 month-end financials have been reconciled and the February 2022 payables have been reviewed by the Finance Committee.

Year end reports for Borough and State have been completed by January 31, 2022.

Ethics Forms will be mailed out to Council, Mayor etc and forms are due back by May 1, 2022.

The annual audit conducted by Herbein & Co. began the week of January 24, 2022. There were no issues and Herbein & Co. will schedule a presentation at a public meeting to review the current audit.

Street Sweeping is scheduled for April 21 (East side) and April 22 (West side).

The work at Pavilion 1 and 2 has been started. Pavilion 2 is 70% completed and Pavilion 1 is 30% completed. All work should be completed prior to season opening.

There was a total of 7 water main breaks in the Borough since January 8, 2022.

An advertisement for a Public Works Supervisor was posted on ZipRecruiter and the Lancaster Newspapers. Staff will contact applicants to set up interviews.

A committee was formed to identify and prioritize improvements to pedestrian, bicycle and public transportation in the Borough. The committee met on February 9, 2022 to review the survey. A public meeting of the Borough Planning Commission is scheduled for Thursday, March 3, 2022 at 6:30 p.m. with a presentation from the planning consultant for the Active Transportation Plan and to receive input from the attendees.

A zoning hearing is scheduled for Thursday, March 17, 2022 and there are two applicants:

- 1) 29 Main Street- Variance request for minimum lot setback & front yard setback.
- 2) 1018 Main Street- Variance request for change of non-conforming use

PA State Association of Borough’s Annual Conference is May 22-25, 2022 in Hershey PA.

Ephrata Public Library’s 4<sup>th</sup> qtr 2021 report is in Council books.

The Akron Borough Implementation Task Force Committee had a meeting on February 2, 2022 and has not requested to be on the agenda for any meeting at this time.

***Finance Committee***

Ryan Cochran read the January 2022 month-end figures into the minutes.

**January 31,  
2022**

<b>General Fund</b>	<b>\$59,373.19</b>
<b>Water Fund</b>	<b>\$3,434.11</b>
<b>Sewer Fund</b>	<b>\$79,314.70</b>
<b>Highway Aid</b>	<b>\$48,842.43</b>

**General Fund Reserves**

Restricted	
Operating	<b>\$159,959.86</b>
Capital	<b>\$318,439.78</b>
<b>Total</b>	<b>\$478,399.64</b>

**General Fund Reserves**

<b><i>Restricted (Goal)</i></b>	<b>\$302,363.00</b>
<b>Total</b>	<b>\$302,363.00</b>

**Water Fund Reserves**

**Water Fund Reserves**

	Restricted	\$0.00	<b>Restricted (Goal)</b>	\$72,992.00
	Operating	\$67,916.59		
	Capital	\$0.00		\$0.00
	<b>Total</b>	<b>\$67,916.59</b>	<b>Total</b>	<b>\$72,992.00</b>
<b>Sewer Fund Reserves</b>				
	Restricted	\$121,822.00		
	Operating	\$213,834.46		
	Capital	\$0.00		
	<b>Total</b>	<b>\$335,656.46</b>		
	<b>Capital Projects</b>	<b>\$375.90</b>		
	<b>Community Fund</b>	<b>\$2,105.50</b>		
	<b>Total</b>	<b>\$1,075,418.52</b>		
	<b>Escrow</b>	<b>\$18,555.97</b>		

***Community Relations***

Bonnie Young mentioned she met with the Borough Manager a few weeks ago to discuss her committee. Bonnie also mentioned she spoke with Katrina Zimmerman about the Bark in the Park Event and will probably not be having the event in 2022.

Bonnie attended the Zoom meeting for the Akron Borough Implementation Task force on February 2, 2022. Ezra Rothman from the Economic Development Committee stated it's not in their best interest to continue with this plan and Porter Stevens from the Lancaster County Planning Commission will look into getting grants for potential ideas.

Bonnie mentioned that she would like to have summer concerts in the Roland Park (Pav#2) and is seeking out grants to help pay for these events. The total amount for five concerts is \$2,400.00 and will be applying at the Ephrata National Bank to sponsor the concerts. Mayor McBeth wrote a support letter to the Ephrata National Bank for these events. The concerts would be on a Sunday afternoon beginning at 4:30 p.m. Randall Justice mentioned that his law firm would also be interested in sponsoring these events.

Council was in favor of the summer concerts in Roland Park.

Akron Borough will not have an Akron Night at the Barnstormers in 2022 and will revisit this in a year or two to see if there is more interest in this event.

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

Randall Justice did not have anything to report on this evening but will have more to say at the next meeting.

### ***Personnel***

Paul Swangren, Jr. mentioned there will be a personnel meeting next week at 6:00 p.m. at the lodge.

### ***Streets***

Sean Molchany mentioned since the last meeting he has gotten the new engineer on board about the Edgehill/Manor Ridge Street project as reported in the Engineering report in the Council books.

Sean Molchany looked at sidewalks replacement listing and identifying sidewalks but still wants to walk the area with the engineer at this point. There are limited funds and the plan was to have an alternate A & B and make an educated decision from the alternates.

Steve Sawyer from Ephrata Twp is not ready this year budget wise. Molchany stated getting the bids out in December/January would be a benefit than waiting until March/April to get better pricing and would also allow us to double our

revenues to \$300,000.00. Molchany mentioned a two-year project instead of every year project gives extra time to complete sidewalk and curb.

Doug Evans said Edgehill Drive is worse than Manor Ridge and is alligatored.

Nathan Imhoff wants more information from the engineer to move forward.

Molchany stated that creating a roadway plan for the Borough is part of his job and his goal is to get that done this year.

Justin Gehman mentioned we never had a 5-year street plan just a working document. Justin also mentioned we need to get sidewalk and curb letters out right away.

Paul Swangren, Jr. mentioned that he likes the engineering report that was submitted and in the Council books. Paul asked what the estimate for Edgehill and Manor Ridge paving is. Molchany stated Hanover Engineering's estimate was \$300,000.00.

Paul Swangren, Jr. also asked what the criteria for curb and sidewalk is. Sean Molchany is looking to the engineer for that criteria. Paul also mentioned if we move forward then we need a commitment from Ephrata Township. Sean will check with Steve Sawyer about the 2023 commitment. Sean Molchany recommends waiting until 2023 to do the roadway project and will also check to see if the handicap ramps are included in the estimate. The Borough has approximately \$150,000.00 in Liquid Fuels for 2022.

Justin Gehman recommended waiting until 2023 to do the Edgehill and Manor Ridge paving project allowing the Borough to secure funds and bid documentation and adequately informing property owners.

Justin asked for actual Liquid Fuels amounts for 2022.

### ***Public Utilities***

The 2021 Final Sewer Budget from Ephrata was distributed to Council and Mayor. The 2021 water flows were lower than 2020 but expenses were higher in plant 1

in 2021. Akron received the 1<sup>st</sup> qtr treatment invoice from Ephrata and it included a \$53,000.00 credit based on the year end reconciliation numbers.

Paul Swangren, Jr. questioned the January 2, 2022 chlorine residual number on the water report. The Borough Manager will check with the water operator and also the exiting report.

Paul also mentioned Akron Borough needs to revisit the transportation agreement between Akron Borough, Ephrata Borough and Ephrata Township and unaccounted wastewater flow.

***Wolf Tract***-Nothing new to report

***Borough Engineer***

Report distributed to Council and Mayor.

***Loan for Unfunded Pension Liability***

At this time Nathan Imhoff, President of Council turned the meeting over to Justin Gehman, Vice-President of Council.

Paul Swangren, Jr. made a motion to accept the loan terms from Ephrata National Bank in the amount of \$200,000.00 over 60 months at 3.16% (including \$500.00 documentation fee) to pay West Earl Twp for the Unfunded Uniform Pension Liability. Kleon Zimmerman seconded the motion. Motion carried. Nathan Imhoff did not take part in any discussion or voting on this motion because of a conflict of interest.

Meeting turned back over to Nathan Imhoff President of Council.

Ryan Cochran mentioned that he will look into a line of credit with the Ephrata National Bank.

***New Business***

The Lancaster County Conservation District Memorandum will be on the March 14, 2022 Council meeting agenda for discussion.

The PA Department of Human Services Water Assistance Program will be on the February 28, 2022 Council meeting agenda for discussion.

On March 1, 2022 the 36th Senatorial District will be hosting a breakfast for Municipal leaders, Borough Council Members, Mayors and Administrators are invited to attend.

Paul Swangren, Jr. made a motion to adjourn the meeting. Kleon Zimmerman seconded the motion.

Pauls Swangren, Jr. and Kleon Zimmerman rescinded their motion.

Justin Gehman made a motion to go into Executive Session to discuss a legal matter. Randall Justice seconded the motion. Motion carried at 7:53 p.m.

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

Meeting adjourned at 8:03 p.m.

Respectfully submitted,

Susan Davidson  
Borough Manager/Secretary