

1 **BOROUGH OF AKRON COUNCIL MEETING OF MAY 23, 2022**

2 **Council Members present-** Nathan Imhoff, President; Kleon
3 Zimmerman, Paul Swangren, Jr., Randall Justice, Ryan
4 Cochran. (Justin Gehman & Bonnie Young not present)

5 **Others present-** Mayor John McBeth, Susan Davidson, Borough
6 Manager; Sean Molchany, Assistant Borough Manager; Larry
7 Alexander, Ephrata Review; Chad Peters, C.S. Davidson; Warren
8 Bingeman, Susan Miller, Shawn Smith, Betty Eberly.

9 Meeting Called to order at 6:30 p.m. Roll call performed.

10 Kleon Zimmerman-Present

11 Paul Swangren, Jr.-Present

12 Randall Justice -Present

13 Ryan Cochran-Present

14 Bonnie Young-Not Present

15 Justin Gehman, Vice-President-Not Present

16 Nathan Imhoff- President-Present

17 Mayor John McBeth-Present

18 **Pledge of Allegiance**

19 **Approval of Minutes**

20 Paul Swangren, Jr. made a motion to accept May 9, 2022
21 minutes. Randall Justice seconded the Motion. No
22 discussion. Motion carried unopposed.

23 **Visitors**

24 Introductions of audience and reasons for being there.

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1 Shawn Smith, 303 Manor Ridge Drive, Akron; Warren Bingeman,
2 412 Edgehill Drive, Akron; Susie Miller, 277 Miller Drive,
3 Akron and Betty Eberly, 307 Manor Ridge Drive, Akron. All were
4 present to discuss sidewalks on Manor Ridge and Edgehill
5 Drive.

6 Discussion: Sean Molchany, Assistant Borough Manager
7 mentioned there is no deadline because
8 Council hasn't decided on that and no cost on overall project
9 because it has not been put up for bid yet. Sean also
10 mentioned the estimated costs from previous engineer, but do
11 not have that preliminary number in front of me.
12 If council decides one of the ways you can fix your own
13 property, yes, that would be an option.

14 Betty Eberly from 307 Manor Ridge Drive asked if we have an
15 idea what the work is going to cost and a deadline?

16 Sean Molchany mentioned we have a general construction
17 estimate based on past projects, but not an exact price. It
18 would be broken out per square footage or linear feet or
19 whatever based on the unit cost of the improvement.

20 Cost does not include any sidewalks, just street
21 Nathan Imhoff mentioned this is a new process where Council
22 looks at doing the road reconstruction and the curb and
23 sidewalk as one project that the Borough oversees with
24 engineer. Then letters will be sent out to all the owners on
25

1 that street or streets saying this is what the cost is for
2 the curb and sidewalk.

3 Sean mentioned the way it is written currently, we will give
4 property owners an option to install it themselves by a
5 certain date and if that date comes and goes, then it
6 becomes part of the contract and we will assess the
7 contractor's price for those improvements,
8 but they are free to go get their own price first from their
9 own private provider contractor.

10 Sean also mentioned there will be a timeframe, like a
11 deadline there. If you don't have a contractor lined up by
12 whatever that deadline is, then the Borough will take on that
13 project so that the project will keep moving and doesn't get
14 held up, but the cost will still come back to the homeowner.

15 In the minutes of the last meeting there was discussion that
16 the paving project could proceed without the sidewalks. It
17 was discussed that with the old curb in place, the paving
18 project could be completed if we can't decide on criteria or
19 something that is acceptable or reasonable.

20 Sean Molchany stated at this point, the curbing itself would
21 need to be in place for the paving to be completed. A lot of
22 it has sunken and settled and you don't want to pave the
23 sidewalk and then you have to replace curbing.

24 You have to decide if you are not going to pave over the old
25 curb if they have the lower section on which you will drive.

1 Paving and milling at the same time to avoid taking away the
2 water carrying capacity of the curb itself.

3 Important to get criteria set so that moving forward so that
4 doing it in the same manner throughout.

5 Whole purpose of it is the criteria change in previous
6 projects of the job.

7 It is really important that the different issues and the
8 criteria has been set here is very stringent. The purpose is
9 to create efficiency on all horizontal elevation on the
10 sidewalks.

11 ***Questions for Chad Peters from C.S. Davidson***

12 ***Engineering- Engineer and discussion:*** Horizontal gap,
13 crossing sidewalk horizontally. Trying to establish policy
14 or criteria to evaluate and establish deficiency of the curb
15 and sidewalks. Council dictates policy and engineer helps
16 guide them to craft the policy. Engineer's job to enforce
17 the policy.

18 Basis for criteria: 1) ADA compliance; 2) liability; 3)
19 costs and how they interact with current or future
20 construction. Policy is tied to future investment.

21 Council is authorized to do spot checks of sidewalks and
22 curbs authorized by ordinance.

23 No standards for council to follow up throughout the Borough.

24 All residents should be aware of what's coming that will be
25 affected by this project.

1 This project is not singling out one group of homeowners.
2 The committee/task force will go around and assess other
3 streets and sidewalks to see if they need to be replaced as
4 well.
5 Randall Justice the discussion seems to be saying
6 simultaneous, the Borough is not doing enough and is doing
7 too much.
8 Chad Peters mentioned jacking sidewalk versus replacement and
9 it is a possibility, but a contractor will have to inspect
10 and determine if a section is a candidate for jacking or not.
11 If sidewalk is not requiring replacement at this time, can it
12 be monitored to see if it needs replaced in the future.
13 Wanting to avoid case by case decisions.
14 Trying to get the longest lifespan possible for curbs and
15 sidewalks. Also trying to prevent short-term failings.
16 Trying to establish a policy for present and future repairs
17 in one policy.
18 Typical standards used throughout area for sidewalk repairs
19 and is a statewide standard. Policy includes use of street
20 and sidewalk, age of problems, lifespan of sidewalks.
21 Sometimes new concrete is not as good as existing concrete if
22 the cracks are not growing.
23 Chad Peters mentioned the Draft policy is a very good
24 starting off point at a minimum. More for repairs and
25 replacement and not for monitoring. Determining opportunity

1 to evaluate the curb and sidewalk. What would be the
2 criteria to evaluate it against.

3 Draft policy was presented to elicit feedback but there was
4 no feedback.

5 People didn't understand what to question in the draft
6 policy.

7 Three things to consider in policy: one-inch horizontal
8 elevation on the sidewalk to the curb; the 1/8-inch crack
9 size and also the falling depth. Because of ADA and trip
10 hazard, that's a half inch.

11 Is there a critical repair policy that falls outside of the
12 major road repair policy?

13 Trying to figure out how we take care of our citizens and
14 manage the project.

15 Last component of all is this just specific to this
16 particular project, how any decision or change of policy
17 affects the overall schedule of this project.

18 This meeting is not regarding how to fix streets and
19 sidewalks all over town, just the area of the project.

20 Once the criteria is established, we need to write a new
21 ordinance.

22 Randall Justice mentioned this draft policy needs to go to
23 the street committee for refinement and brought back for
24 discussion.

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1 Staff to reach out to the members of the street committee to
2 meet before next council meeting to bring back a formal
3 proposal for adoption, whether policy as written or refined.
4 This meeting will be advertised and Randall Justice, Ryan
5 Cochran and Justin Gehman will be present to discuss the
6 draft policy and concerns.
7 One concern is liability for Borough as well as homeowner if
8 there is a policy.
9 Nathan Imhoff thanked the residents for coming out this
10 evening about their concerns on curb and sidewalk.

11

12 **Reports:**

13 **Police Report**

14 Nothing to report

15 Officer Jeremy Sorenson was present at the meeting to take
16 any questions or comments.

17 **Mayor Report**

18 Nothing to Report

19 **Borough Manager Report**

20 Nothing at this time

21 **Finance Report**

22 Nothing to Report

23 **Community Relations Report**

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1 Susan Davidson mentioned that volunteers are needed to help
2 with traffic and parking cars for the Akron Day in the Park
3 event on Saturday, June 11, 2022.

4 Information given regarding Get Outdoors Lancaster Program,
5 June 1 through August 13.

6 ***Parks and Property Report***

7 Randall Justice mentioned he is still working on finalizing
8 Colonial Park Pavilion and mentioned that Borough staff has
9 some concerns on the project. Randall mentioned right now,
10 there are no price quotes on specific components and should
11 have a fully detailed proposal by the next meeting. Nathan
12 Imhoff thanked the Mayor and Randall for their work on the
13 proposed pavilion.

14 ***Street Report***

15 Nothing other than what was already discussed at meeting.

16 ***Personnel Committee***

17 Paul Swangren, Jr. mentioned that the Personnel Committee met
18 earlier this evening.

19 Paul Swangren, Jr. mentioned there was some technical
20 problems with the Zoom recording during the previous Council
21 meeting and will try recording again for this meeting. Paul
22 also mentioned that the Personnel Committee discussed the
23 hiring of a full-time Public Works Position, whether it will
24 be one or two hires. The Borough has received applicants for
25 seasonal employment and will interview the applicants.

1 **Public Utilities**

2 Kleon Zimmerman suggested to hire or contract with someone to
3 pull manhole covers since we are down an employee. Kleon
4 also suggested some flow monitoring be set up. Staff should
5 be able to determine where flow monitoring needs to be done.
6 Mayor McBeth asked how can long can it take to flow to reach
7 the farthest collection system? Chad Peters stated it could
8 take an hour or less.

9 Sean Molchany mentioned the Borough was awarded a grant
10 through the Susquehanna River Basin in the amount of
11 \$748,770.00 for a Consumptive Water Mitigation Project to
12 improve water availability and quality.

13 Sean Molchany also mentioned that staff is applying for ARPA
14 funds through the County.

15 **Old Business**

16 **Wolf Tract & Escrow Reduction**

17 Copies of a letter from Hanover Engineering dated May 17,
18 2022 was distributed to Council and Mayor asking for a
19 reduction in escrow in the amount of \$25,708.50. Paul
20 Swangren, Jr. mentioned that the letter from the engineer
21 does not address Council's concerns and some items have not
22 been completed.

23 Chad Peters from C.S. Davidson mentioned after the plan is
24 approved Council should have a Clarify maintenance and
25 operation agreement for this project. This item will be on

1 June 13, 2022 meeting agenda. Staff was directed by Council
2 to contact Hanover Engineering and get a response letter
3 addressing the outstanding issues in more detail and get the
4 letter to Council members immediately.

5 ***Pennsylvania Water Assistance Program***

6 Staff finally received the necessary letter from the IRS for
7 the Water Assistance Program. This information was forwarded
8 to PA. Water Assistance and is waiting to hear back.

9 ***Ninth Street Drainage Improvement letter and Payment Request:***

10 Sean Molchany mentioned that Hanover Engineering was
11 contacted about the finished work on the Ninth Street
12 Drainage Improvements and issues not identified by Hanover
13 Engineering. Staff is waiting for a response from Hanover
14 Engineering.

15 ***Record Retention and Disposal Resolution:***

16 Staff was unable to get a resolution by this meeting but
17 will have the proposed resolution on the June 13, 2022
18 meeting agenda.

19 ***Lancaster Bicycle Club***

20 Letter from Lancaster Bicycle Club requesting permission to
21 pass through Akron for their 2022 fundraising event on August
22 21, 2022 Council requested certificate of insurance.

23 ***2024-2026 Transportation Improvements Program***

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1 Information on the public review and comments for the draft
2 of 2023-2026 Transit and Highway Transportation Improvement
3 Program is in the Council packets.

4 **Adjourn**

5 Paul Swangren, Jr. made a motion to adjourn the meeting.

6 Kleon Zimmerman seconded the motion. Motion carried.

7 Meeting adjourned at 8:56 p.m.

8 Respectfully submitted,

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10 Susan Davidson

11 Borough Manager/Secretary

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