

1 **Borough of Akron Council Meeting-November 25, 2024**

2

3 **Council Members Present:** Nathan Imhoff, President; Justin Gehman, Vice President; Paul  
4 Swangren, Jr.; Ryan Cochran; Kleon Zimmerman; Bonnie Young; Tonya Haynes; Max Herman,  
5 Junior Council Member; Martin Sweigart, Junior Council Member (Alyssa Vasyanovich, Junior  
6 Council Member not present)

7

8 **Others Present:** Mayor John McBeth; Sean Molchany, Borough Manager; Susan Davidson, Asst.  
9 Borough Manager; Valerie Wagner, Director of Finance

10

11 **Visitors:**

12 Larry Alexander, The Ephrata Review  
13 John Taylor, 216 S 8th St Akron  
14 Chief Eric Higgins, West Earl Police  
15 Dale Miller, Akron Volunteer Fire Company  
16 Sue Glick, 119 S 10<sup>th</sup> St Akron  
17 Anthony Sheaffer, 110 Main St Akron

18

19 **Roll Call**

20 Kleon Zimmerman – present  
21 Paul Swangren, Jr. – present  
22 Ryan Cochran – present  
23 Bonnie Young – present  
24 Tonya Haynes – present  
25 Justin Gehman, Vice President – present  
26 Nathan Imhoff, President – present  
27 Mayor John McBeth – present  
28 Max Herman, Junior Council Member – present  
29 Alyssa Vasyanovich, Junior Council Member – absent  
30 Martin Sweigart, Junior Council Member – present

31

32 Meeting opened at 6:30pm with the Pledge of Allegiance.

33

34 **Approval of Minutes**

35 Paul Swangren, Jr. made a motion to approve the Akron Borough Council meeting minutes from  
36 November 11, 2024; second by Justin Gehman. No discussion, motion carried.

37

38 **Visitors/Comments from the Public**

39 Resident John Taylor advised that he researched Pierce Manufacturing and found that they have  
40 an interactive tool online to understand the different components of a fire truck. He found it  
41 very useful in understanding the new fire truck that Akron Volunteer Fire Company is  
42 purchasing.

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44

1 **Bills**

2 None

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4 **Reports/Announcements**

5 **Police Report**

6 Chief Higgins shared that the West Earl Police Department (WEPD) is participating in the Beards  
7 for Brothers campaign again this year to raise money for first responders and their families who  
8 are fighting cancer in Lancaster County. He submitted his monthly report to Council last week  
9 and apologized for not being present at Council meetings recently. West Earl Township has been  
10 in budget meetings that occurred at the same time as Akron Borough Council. He mentioned  
11 that WEPD will have a presence at the upcoming 5<sup>th</sup> Annual Christmas Tree Lighting on Friday,  
12 November 29, 2024 and that they are looking forward to it. Recently hired Officer Torres is set  
13 to graduate from the police academy next month and Chief Higgins is excited to bring Officer  
14 Torres to meet Council.

15

16 Tonya Haynes asked Chief Higgins about the number of lost dogs that WEPD have found  
17 recently and if there are any updates. Chief Higgins responded that currently they do not have a  
18 contract or agreement with the Lancaster County SPCA but that they are working to secure one  
19 going forward in 2025.

20

21 **Mayor's Report**

22 None

23

24 **Managers' Report**

25 Sean Molchany brought to Council's attention the recently updated 2025 Capital Budget  
26 worksheets that are in the packets tonight. He updated the worksheet with the changes  
27 requested from Council at the last meeting and he is working to set a meeting time with the  
28 Public Utilities Committee to discuss plans for the water tower.

29

30 Nathan Imhoff mentioned that it appeared the total 2025 Capital Budget costs went down; Sean  
31 Molchany stated that there were items removed that took the numbers down, but also that  
32 more accurate costs were added in for items including the water plant roof, standpipe  
33 engineering and the soft start pumps. Paul Swangren, Jr. asked for clarification on the  
34 pedestrian crosswalk replacement if the cost will be \$20,000.00 plus a \$6,000.00 install or if the  
35 \$20,000.00 is inclusive of the install. Molchany replied that the installation is included in the  
36 \$20,000.00.

37

38 Mayor McBeth asked Sean Molchany about the recent Zoning Hearing Board meeting and if he  
39 understood correctly that there are no legal documents from the previous Zoning Hearing Board  
40 meeting regarding that property. Molchany replied that is not what was said. The documents  
41 from the previous Zoning Hearing Board meeting were presented by himself as exhibits #1 and  
42 #2 – there are no building permits on record for that property from when it was built and if any  
43 renovations were ever done. McBeth asked where the previous solicitor's documents are kept.  
44 Sean Molchany replied that they are kept in locked and secured storage at the Borough

1 municipal office. Mayor McBeth then asked what if those documents are needed and Mr.  
2 Molchany stated that not all documents are accessible to Council and the Mayor. Discussion  
3 ensued regarding legal documents.

4  
5 Sean Molchany asked for clarification on the purpose of the Mayor’s questioning – McBeth  
6 replied that a previous Council had established a filing system for all properties in the Borough  
7 by street address and he is questioning why the system is not being followed. Mayor McBeth  
8 believes all documents pertaining to a property should be in that file for easier access.  
9 Molchany stated again that not all documents are public record. Documents pertaining to  
10 properties such as building and zoning permits, code violations and utility billing records are  
11 subject to the Right to Know Law (RTKL); recommendations from the Borough Solicitor are not  
12 public record and should not be kept in the same file as documents permitted for public viewing  
13 by the RTKL. Mayor McBeth retained his opinion that the property documents would be easier  
14 to find in one place.

15  
16 Council President addressed Mayor McBeth and clarified that Borough Manager Sean Molchany  
17 has access to the secured storage where the legal documents are organized and would be able  
18 to find a document if necessary. He agrees with the current filing system. McBeth asked if the  
19 legal documents are in fireproof storage and Molchany replied that there are many Borough  
20 documents that should be in fireproof storage and are not currently, including the legal  
21 document files. He continued by adding that certain records are kept in a secure, offsite location  
22 such as computer backup files.

23  
24 Kleon Zimmerman mentioned the recent removal of the mid-block crossing at the Akron  
25 Elementary School and that there is no longer a speed bump. Sean Molchany clarified that what  
26 was previously there was never a speed bump; it was a raised crosswalk and was never  
27 intended as a traffic calming device. Zimmerman followed up by inquiring how things have been  
28 since the change in crossing at the school. Molchany stated that there have been mixed  
29 opinions – West Earl Police have not encountered very many issues during school crossing  
30 times; however, many parents are not following the updated student drop off policy as  
31 administered by the school district and are frustrated by the change. Sean Molchany said the  
32 school district needs to be enforcing the drop off policy. Discussion ensued regarding speed  
33 bumps. Nathan Imhoff inquired about the possibility of a permanent speed detection sign near  
34 the school on Eleventh Street. Sean Molchany stated that if that is something Council would  
35 want, staff could work with West Earl Police to find a solution. Discussion ensued.

36  
37 Mayor McBeth stated that the former mid-block crossing was a “speed riser” and was legal at  
38 the time of installation. Sean Molchany stated that it was never permitted. McBeth asked if  
39 Council had approved the removal of the crossing and riser and Molchany replied that it was  
40 included in the multiple discussions had regarding the change in crossing guard locations and  
41 updates with the school district. Susan Davidson also confirmed it had been discussed and had  
42 Council’s approval.

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44

1 **Finance**

2 None

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4 **Community Relations**

5 Bonnie Young recently met with the Luminary Walk Committee and stated that one of the  
6 committee's goals was to involve more Akron churches and businesses this year. They have been  
7 successful and have raised over \$1,000.00 to date including individual contributions. Feedback  
8 had been received after last year's walk and it was determined that for the safety of all  
9 participants, there will be two designated walkways this year. One will be the same path as last  
10 year: up the hill by Pavilion 1 and through the pine trees, and the other will be a much gentler  
11 path with less potential hazards through the parking lot.

12

13 **Parks & Property**

14 Tonya Haynes stated that there will be an upcoming committee meeting to walk through the  
15 current Akron Pines Playground at Roland Park and identify needs and wants for a new  
16 playground. Mayor McBeth asked if this meeting will be advertised and open to the public –  
17 Haynes and Sean Molchany replied that it would not be. Molchany stated it will be a fact-finding  
18 meeting only with no deliberations or decisions made.

19

20 Sean Molchany shared an update on the Roland Park Stream Bank Restoration and Rain Garden  
21 project. The contractor is now offsite but will be back in April 2025 to finish the planting of the  
22 rain garden. The final walkthrough was last week and the small list of items to fix has been  
23 completed. Mr. Molchany has had very few complaints from residents. He thanked Public Works  
24 Supervisor Tom Murray, Jr. for the QR code signs that linked to a portion of the Akron Borough  
25 website with information about the project; Molchany noted that as soon as the signs were  
26 placed around the park, less phone calls were received at the Borough office regarding the  
27 project.

28

29 **Personnel**

30 Paul Swangren, Jr. stated that there are several vacancies that will be voted upon at the next  
31 Council meeting. Information regarding those vacancies will be sent to all of Council.

32

33 He shared that there is a proposed holiday change for Borough staff – currently full-time staff  
34 are awarded two floating holidays and the proposal is to convert those floating holidays back  
35 into scheduled office closures with a paid holiday for staff on Good Friday and Black Friday (day  
36 after Thanksgiving). Swangren, Jr. stated that the holiday schedule had previously included the  
37 two Fridays in question but was changed at some point to become floating holidays for use at  
38 the employee's discretion coinciding with manager approval. He added that this creates a  
39 problem when multiple staff would like to use those floating holidays on Good Friday and Black  
40 Friday, creating a situation where the office is short staffed and/or some employees would not  
41 be granted approval.

42

43 Other updates include that all public works staff have now completed the required CDL training  
44 and testing and the next goal is to work on pesticide application training and licensing. The

1 recent letter from Governor Shapiro’s office makes the appointment of William Howard as  
2 Emergency Management Coordinator for Akron Borough official. Ephrata Area School District is  
3 open to discussing the management of crossing guards at Akron Elementary School. Tonya  
4 Haynes thanked Paul Swangren, Jr. for his work as Personnel Committee Chair.

5  
6 **Streets**

7 None

8  
9 **Public Utilities**

10 No report. Kleon Zimmerman stated that he is scheduling a committee meeting this week or  
11 next in order to have recommendations for Council pertaining to the 2025 budget.

12  
13 **Junior Council Members Report**

14 Max Herman shared that he recently competed in a partnered lectureship exam in which he and  
15 his classmate took home third place out of 20 school districts. Martin Sweigart shared that he is  
16 looking forward to the upcoming Winter Track season.

17  
18 Paul Swangren, Jr. brought up the cell phone policy that was instated by the school district at  
19 the beginning of the school year and asked how it had been going at the high school. Both  
20 Herman and Sweigart stated that for them and the classmates they see in class, it hasn’t been  
21 an issue. Max Herman said that his teachers don’t seem to mind if phones are used quietly if  
22 students are respectful and have completed all work required for class.

23  
24 Bonnie Young mentioned that the Akron Borough Facebook page has posted a spotlight on Max  
25 Herman including his high marks on the lectureship exam and encouraged everyone to read it.

26  
27 **Public Hearings/Presentations/Appointments**

28 None

29  
30 **Old Business**

31 None

32  
33 **New Business**

34 **A. Resolutions**

35 **a. Resolution 24-004 Statewide Local Share Agreement for the Akron**  
36 **Volunteer Fire Company for a New Fire Truck Apparatus**

37 Ryan Cochran moved to approve Resolution #24-004 for the Statewide Local Share Agreement  
38 for the Akron Volunteer Fire Company for a new fire truck apparatus. Kleon Zimmerman second.

39  
40 Discussion: Paul Swangren, Jr. shared his concerns over the competitive nature of the grant.  
41 Akron Borough will be submitting an application for a request around the same amount to go  
42 towards improvements needed to Roland Park’s access roads and parking. He stated that the  
43 park should be the priority for Akron Borough, and though he does understand the need for a  
44 new fire truck, Swangren, Jr. believes the grant application for the fire truck can wait another

1 year. He also commented on emissions requirements and stated that if the requirements  
2 change that could change the specifications for the fire truck.

3  
4 Nathan Imhoff stated he is in favor of approving the resolution, and that he feels the park  
5 project could also be pushed back a year. Imhoff shared a concern that the replacement  
6 timeline for the fire trucks could get shortened by postponing the acquisition of a truck to  
7 replace the 1998 Pierce Lance. Currently Akron Volunteer Fire Company (AVFC) looks to replace  
8 one of the two fire engines every 15 years with the typical age of replacement at 30 years. Paul  
9 Swangren, Jr. contested that the park costs only go up every year and will be more expensive if  
10 not taken care of sooner than later, and that the Borough doesn't have a second funding option  
11 unlike AVFC.

12  
13 Kleon Zimmerman said that even if emissions requirements would change, due to the nature of  
14 the manufacturing of the new fire truck, the updated specifications would be able to be used.  
15 AVFC President Dale Miller contributed to the discussion by affirming that the manufacturing  
16 and delivery schedule is about three and a half to four years out. He cited continued safety  
17 concerns and added that there is no guarantee that the grant may be there next year if they do  
18 not try for it this year.

19  
20 Ryan Cochran asked if there is a requirement or stipulation that grant money must be spent in  
21 the year it is awarded. Sean Molchany replied that due to the nature of many projects that are  
22 funded by the Local Share Account that include lengthy design and permitting phases, there is  
23 nothing specifically stated that the money must be spent in the same year it is awarded.  
24 Discussion ensued regarding payment timelines and how the funding would be sent to Akron  
25 Borough. Bonnie Young added that if both grant applications are submitted, hopefully at least  
26 one of them would be approved. Sean Molchany reminded Council that there are never any  
27 guarantees.

28  
29 Mayor McBeth feels that AVFC should share the state of their financials with Council – Nathan  
30 Imhoff disagrees, stating a concern that it could affect future donations. Vice President Justin  
31 Gehman, also a member of AVFC, addressed the Mayor and stated that he is welcome to visit  
32 with the treasurer to see the financials and that he has been invited to do so several times.  
33 AVFC President Dale Miller added that this is indeed a competitive grant program, but that no  
34 one knows exactly which types of projects/requests the Local Share Account program may  
35 choose to award this upcoming grant cycle – this may be a year in which fire companies get  
36 precedence.

37  
38 Nathan Imhoff called for a roll-call vote on Resolution #24-004:  
39 Bonnie Young – yes  
40 Tonya Haynes – yes  
41 Kleon Zimmerman – yes  
42 Ryan Cochran – yes  
43 Vice President Justin Gehman – abstaining due to conflict of interest as Chairperson of the AVFC  
44 New Engine Committee.

1 Paul Swangren, Jr. – no  
2 President Nathan Imhoff – yes  
3 Motion carried 5-1, with 1 abstaining.

4 **B. Ordinances**

5 **C. Motions and Decisions**

6 **a. Motion to Approve the Escrow Release for Bollinger Builders**

7 Kleon Zimmerman moved to release the financial security for 1015 and 1019 Main Street  
8 subdivision in an amount of \$8,617.18 in accordance with the Borough Engineers  
9 recommendation. Paul Swangren, Jr. second, motion carried.

10 **D. Acknowledgements**

11 **E. Other Business/Deliberations**

12 Paul Swangren, Jr. inquired of the Local Share Account grant that was awarded to the Borough  
13 recently. Sean Molchany stated it was announced at the October 28, 2024 Council meeting.  
14 Bonnie Young asked if a press release was written and Molchany replied that Senator Ryan  
15 Aument published one last week.

16 **F. Correspondence & Petitions**

17 **G. Executive Session**

18  
19 **Adjournment**

20 Paul Swangren, Jr. moved to adjourn the meeting at 7:28pm; second by Kleon Zimmerman.  
21 Motion carried.

22  
23 Respectfully submitted,

24  
25 Susan Davidson  
26 Assistant Borough Manager/Secretary

27  
28 SD/vw