Adamstown Borough Council **June 2, 2020**

The meeting was called to order at 7:00PM at the Adamstown Borough Wastewater Treatment Plant, 235 E. Swartzville Road, Denver by Council President Randy Good.

Council Present: Randy Good, Dave Matz, Alex McManimen, Mark Bansner, Randell Weaver, deLyn Alumbaugh, J. Thomason

Visitors Present: Tom Shumaker, Derek Miller, Tom Unger, Leslie Hills, P.R. Hills, Jim Summers, Kevin Grant, Janet Holtzman, T. Laughlin, Ralph Vedder, Michele Walter Fry

Others Present: Mayor John Schmidt, Mike Palm, Lisa Crouse, Sam Toffy

MINUTES: The minutes from the May 5th meeting were approved with a motion from M. Bansner, seconded by d. Alumbaugh and unanimously carried.

BILL LIST: Motioned by J. Thomason, seconded by R. Weaver and unanimously carried to approve all bills and receipts presented.

R. Good said that the bill for the traffic light appears to be high again. L. Crouse will look into it.

POLICE REPORT:

The May Police Report was read by Lt. Shumaker.

FIRE REPORT:

The May Fire Report was read by Chief Miller. There will be a chicken BBQ on June 13th beginning at 10AM until sold out.

VISITORS BUSINESS: None.

SPECIAL TOPICS: None.

PUBLIC WORKS:

DEP Inspection – M. Palm provded said that there was a DEP inspection via phone. There were no violations or concerns to report.

SRBC Permit Modification – SDE has been working on the SRBC permit modification to increase water allowance from 163K gallons/day to 217K gallons/day. Paperwork should be submitted by the end of the week.

Pool Repairs – There are several leaks being repaired in the pool gutter. M. Palm currently has two quotes and is expecting a third quote tomorrow. This is a budgeted expense. He is asking for Council's approval to move forward and award the contract to the lowest bidder once he receives the third quote.

Motioned by A. McManimen, seconded by d. Alumbaugh and unanimously carried to approve M. Palm awarding the contract to do the necessary pool repairs to the lowest bidder.

TREASURER:

Laughing Rock Phone System Quote – L. Crouse received an estimate to update our current VOIP phone system. The quote would be a 3-year contract at approximately $172/month. Our current phone system is outdated and they will not be supporting it anymore. It is about $5 more per month than what we are paying now but the new system will include minutes which the current system does not do. The new system will also allow us to have virtual meetings where the public could log in and participate at meetings via text

Motioned by D. Matz, seconded by J. Thomason and unanimously carried to approve moving forward with the new VOIP phone system.

FINANCE:

Adamstown Area Library – L. Crouse said that due to the Covid-19 issue, the completion date for the Library has been pushed back to July. As a result, they are requesting their final loan draw from the $225K and that their first two quarterly payments be interest only. They are also requesting that their loan be extended by 6 months, so after the first two interest-only payments they would have 80 additional payments running from December 2020 through September 2040. If Council agrees to the changes, our Solicitor will have to amend the current loan agreement and note.

Motioned by J. Thomason, seconded by d. Alumbaugh and unanimously carried to authorize the Solicitor to prepare amendments to the loan Agreement and Note to change the draw time, allow for interest only payments before December 15, 2020, and extend the repayment period to September 15, 2040.

WATER/SEWER/MS4: None.

COMMUNITY:

d. Alumbaugh said that he is working on some projects and will report back at the July meeting.

ROADS AND BRIDGES: None.

PERSONNEL:

A McManimen thanked the Public Works Department staff for everything they're doing in keeping things moving with the changes that had to be made to keep staff safe.

RECREATION:

2020 Community Pool Opening – With the ever-changing situation due to Covid-19, and the State opening its pools to 50% capacity, the Committee met to discuss the possibility of opening the community pool for a partial season. R. Good said he has four major concerns: liability for the borough and its taxpayers; safety with the Covid issue (the borough has 4 full-time Public Works staff members who run the entire water/wastewater system and we cannot afford to have them get infected); operational issues (keeping facilities properly cleaned and sanitized/disinfected); and financial expectations (the borough will stand to lose approximately $35K). Borough Solicitor Josele Cleary said that we are a governmental entity therefore we are not under the Governor's orders. In terms of liability, municipalities are generally immune from suits of liability for negligence. There are 8 exceptions to this, one of them being when it pertains to the care and control of

municipal property. The community pool falls under this category. Although a waiver could be signed before entering the pool, it cannot protect the borough against everything. Solicitor Cleary recommended that anyone entering the property should sign a waiver which follows the CDC and State Department of Health guidelines as well as how the Commonwealth of PA is regulating its pools. Cleaning records should also be kept. She said that we may want to consider no snack bar or restrooms. L. Crouse said that the Committee would propose keeping the snack bar closed, no chairs or picnic tables, the showers and changing areas would be closed (the restroom stalls would remain open as they are auto-flush and the sinks are motion-sensored), a members-only admission would be proposed with guest passes available throughout the entire season (this would eliminate the cash register, handling of money and daily deposits). There would be an additional lifeguard on duty so that there would be an extra person who would solely wipe down areas and provide social distancing reminders to patrons. R. Weaver said that they looked at the numbers and realistically they could expect to lose around $30K if the pool opens. L. Crouse said that spread out, it could be made up over a 10-year period. M. Palm said that the earliest the pool could open would be the first week of July because he would been time to get the repairs done, allow it to cure then refill it slowly over several days in order to avoid violations from the SRBC for exceeding the allowable water usage within a certain amount of time. A. McManimen said he is concerned with the logistics and would like to hear from Jim Summers (Executive Director of the Ephrata Recreation Center) what plans they would have in place. Mr. Summers said that the most important thing we need to do is figure out what our capacity is going to be before we move forward. If it is a number that is unrealistic, it isn't worth moving forward. But if the pool would open, that number could be decreased/increased over time depending on how it works with social distancing. A. McManimen questioned who would make the decision on increasing/decreasing the amount of members allowed at any given time. He also had a concern regarding opening the pool if only a handful of membership applications are submitted, resulting in the Borough losing a significant amount of money. L. Crouse suggested starting with a 50% capacity allowance and go from there, and she offered to be the go-to person if necessary. She said that membership costs should be discounted by 25-30% due to the partial season. With no daily gate admissions this season and lower membership rates, she said that more people may purchase memberships. Mayor Schmidt commented that our citizens have sacrificed throughout this pandemic by staying home and staying safe resulting in Adamstown having possibly the lowest rate of cases in the County. He said he feels they will exercise the same safety precautions at the pool by social distancing and therefore feels the pool should be opened for our residents as our way of thanking them for being cautious throughout the crisis.

Motioned by D. Matz, seconded by R. Weaver and carried by a vote of 6-1-0 to open the Adamstown Community Pool the first week of July weather dependent and to empower the Recreation Committee members to make quick decisions regarding pool capacity, memberships, etc. provided we receive a minimum of $40K in memberships by June 26th (J. Thomason voted no).

FIRE/SAFETY: None.

UNFINISHED BUSINESS:

Grove Rental – There are several grove reservations in the month of June. In light of the COVID-19 pandemic, and in keeping with the PA Parks and Recreation's guidelines, all reservations for June will be cancelled. This item will be revisited at the next Council meeting to discuss July rentals.

Motioned by D. Matz, seconded by d. Alumbaugh and unanimously carried to cancel all reservations at the grove until the July meeting, at which time it will be revisited.

H&L Emprises Lot 3 Subdivision Time Extension – R. Good requested a 6-month extension on his Lot 3 Subdivision due to the Covid-19 resulting in the shutdown of real estate business.

Motioned by D. Matz, seconded by M. Bansner carried by a vote of 6-0-1 to grant a 6-month time extension to H&L Emprises for the Lot 3 Subdivision (R. Good abstained).

NEW BUSINESS:

Blue Ridge Communications Cable Franchise Agreement and Ordinance – The new Blue Ridge Communications Cable Franchise Agreement and Ordinance were presented for approval to advertise for adoption at the July meeting.

Motioned by D. Matz, seconded by J. Thomason and unanimously carried to approve the Blue Ridge Communications Franchise Agreement and to authorize the Ordinance to be advertised for adoption at the July meeting.

Sign for Graduation Class – A. McManimen said that a sign was purchased in the amount of $225 to show support for the high school graduating class as they did their drive-through in Adamstown.

Motioned by A. McManimen, seconded by M. Bansner unanimously carried to approve the purchase of a sign for the graduating class at a cost of $225.

EXECUTIVE SESSION: Council went into executive session at 8:42PM to discuss litigation.

The regular meeting resumed at 8:59PM.

Adjournment:

Motioned by d. Alumbaugh, seconded by A. McManimen and unanimously carried to adjourn.
The meeting ended at 9:00PM.

Attested: _____
Sam Toffy, Adamstown Borough Administrative Secretary