Adamstown Borough Council **October 6, 2015**

The meeting was called to order at 7:00PM at the Adamstown Municipal Building, 3000 N. Reading Road, Adamstown by Council Vice President Dave Matz.

Council Present: Dave Matz, Cindy Schweitzer, Mark Bansner, David Gundrum, Joe Dietrich, Jessica Kelly

Visitors Present: George Beever, Dwight Yoder, John Panizza, Paul Artale, Donna Wetherhold, Mike Wetherhold, Kyle Sellers, Glenda Poole, Tom Aylmer, Carol Johnson, Helen Shaak, John Schmidt, Deb Schmidt, Bob Stork, Val Lacis, Steve Roth, Sandy Roth, Alex McManimen, Jim Bretz, Greg Krick, Anthony Krick, Michele Walter Fry

Others Present: Dean Johnson, Mike Palm, Sam Toffy

MINUTES: Minutes from the September 1, 2015 and September 8, 2015 meetings were approved with motions from M. Bansner, seconded by J. Dietrich and unanimously carried.

BILL LIST: Motioned by J. Dietrich, seconded by D. Gundrum and unanimously carried to approve all bills and receipts presented. There was an additional bill from Wyomissing Structures submitted by Mike Marty in the amount of $693 for a composite wood swing for the Eagle Scout project his son Kieren is doing. The company who originally offered to donate the wood for the project never did and Mr. Marty purchased the swing so they could complete the project. Motioned by M. Bansner, seconded by D. Gundrum and unanimously carried to approve the bill from Wyomissing Structures.

POLICE and/or FIRE REPORT:

The September Police Report was read by Chief Beever.
The September Fire Report was read by Chief Roth.

- There is a chicken BBQ on October 10th from 10:00AM until sold out.

VISITORS BUSINESS:

Fox Brooke Subdivision – Dwight Yoder, attorney for the developer, addressed Council with an update on the progress of the proposed development. He discussed a stormwater basin that would discharge into a pipe that runs under the existing driveway into the creek. The pipe that currently runs under the driveway would be replaced with a more improved pipe of the same size. An easement would be required and Mr. Yoder asked for Council's approval to move forward with contacting Solicitor Cleary to draft the legal documents necessary. His request was approved. Mr. Yoder also confirmed that UGI would be able to extend gas lines to the development and he is looking to see if it could also serve the treatment plant. C. Schweitzer expressed a concern in having the outdoor facilities located so close to the treatment plant regarding potential odor complaints, and suggested considering relocating them to an area farther away. She also suggested that S. Toffy send a letter to East Cocalico Township copying Mr. Yoder and the developer, informing them that Council recommended to the developer that they consider relocating the outside commercial facilities (daycare, pool, etc.) to an area farther away from the treatment plant to avoid potential odor complaints. Council also encouraged them to create a buffer around the area of the treatment plant to help both aesthetically and with potential issues with odors.

Adamstown Area Library – Kyle Sellers presented the Library's 5-year strategic plan. One area that is heavily focused on is technology through the S.T.E.M. program which has been a great success. A Technology night is also offered which involves technology education along with a question and answer session. The Family Place program has begun which involves interaction between infants to 3 year olds and their parents or care givers. The Thousand Books Before Kindergarten program began last spring which is an incentive program that

rewards children for reaching certain landmarks with reading. Storytime for all ages also continues to be offered. The Library provides IPads for educational training as well as computers and other informational resources.

SPECIAL TOPICS: None.

PUBLIC WORKS:

DEP Inspection – DEP conducted an annual inspection on the water system. There were three minor deficiencies involving paperwork noted in the report which will be addressed.

Pressure Washer Quote – The current pressure washer is ten years old and is used heavily on a weekly basis. M. Palm presented two quotes for a new washer. He is recommending purchasing the pressure washer from Kochel Equipment Company Inc. in the amount of $2,150.

Motioned by M. Bansner, seconded by D. Gundrum and unanimously carried to purchase the pressure washer from Kochel Equipment Company Inc. in the amount of $2,150.

Willow Street Intersection at Rt. 272 – M. Palm said that per our highway permit, stop bars and cross walks should be installed in this area and due to the high traffic volume he got a quote from Lincoln Pavement Systems of Denver to install thermoplastic. The cost to put a cross walk on the creek side of Willow Street and stop bars on both sides of Willow Street per the permit requirements would be approximately $550 to $600. M. Palm is recommending Council approve the thermoplastic method for this high traffic area.

Motioned by C. Schweitzer, seconded by M. Bansner and unanimously carried to contract with Lincoln Pavement Systems of Denver to install a thermoplastic crosswalk on the creek side of Willow Street and thermoplastic stop bars on both sides of Willow Street at the intersection of Rt. 272 at a cost of approximately $550 to $600. .

M. Palm noted that stop bars were painted at the intersection of Main and Willow Streets and asked if Council would like stop bars painted at the remaining intersections along Main Street. D. Gundrum suggested tabling this item and re-discussing painting the remaining stop bars along Main Street next spring.

Pool Leak – After the pool cover was put on, it was noted that the water level dropped and a leak is suspected. Because of the difficulty in finding a leak when the lines are not pressurized, this will be looked into in the spring once the pool cover is removed. M. Palm is going to talk with Rob Foltz from Pool Plasterers to see if he has any other recommendations.

MS4 Permit – M. Palm said that he and R. Good discussed having Hanover Engineering attend the November meeting to do a brief presentation on MS4.

FINANCE:

The Finance Committee met last week and reviewed the draft budget. At this time there is no anticipated increase in the tax rate or the water/sewer rates for 2016. The draft budget will be presented at the November meeting for adoption at the December meeting.

WATER & SEWER:

23 E. Washington Street – The property owner had one meter servicing 4 units. When he converted to 4 individual meters, a final read was done on the single meter, a bill generated and the account closed. The property owner said he never received that bill ($429.38) which accrued $46.95 in late fees. He paid the actual usage amount and is requesting a waiver for those late fees which would zero out the inactive account. When the 4 new accounts were created, there was an error in billing whereby the multiplier was not removed from the original account which resulted in one of the four new accounts being overbilled. That bill was paid and due to the error on the account, ultimately had an overpayment of $517.40. A portion of that was transferred to the closed out account to cover the $429.38, which left a credit on the active account of $88.02. The property owner is requesting that a refund check be issued for that overpayment.

Motioned by D. Matz, seconded by J. Dietrich and unanimously carried to waive the late fees in the amount of $46.95 from the inactive account and issue a refund check to the property owner in the amount of $88.02 from the active account.

22 Bissenden Way (new construction) – Water/sewer was originally in the builder's name and he was receiving the bills. The account was never transferred into the property owners' names and the bills were never paid. When this was discovered, S. Toffy had the account corrected and contacted the property owners who promptly paid the actual usage from the three quarters with the request to have the late fees waived ($38.75) since they never received the bills.

Motioned by D. Matz, seconded by M. Bansner and unanimously carried to waive the late fees in the amount of $38.75.

COMMUNITY:

Sidewalk Construction Standards – This item will be tabled until the November meeting.

ROADS AND BRIDGES:

Emmanuel Church Parking – M. Bansner has been in contact with representatives from the church to try to come up with a solution to the parking on Sundays. He will contact area residents to see if they will be receptive to having three spaces reserved for church parishioners on Sunday mornings.

PERSONNEL:

Annual Reviews – Annual reviews have been completed and the results emailed to Council for review.

Part Time Office Assistant – The Finance Committee is requesting that a part time office assistant be hired to assist the Borough's Treasurer with bookkeeping tasks. The ad will be placed in a flyer to be included in Adamstown Borough's circulation of the Shopping News. It will also be posted on the Borough website and Facebook page as well.

Motioned by D. Gundrum, seconded by M. Bansner and unanimously carried to place a flyer in the Shopping News to advertise the part time Office Assistant position.

Laptop – C. Schweitzer is requesting the purchase of a laptop to be used by the new Office Assistant once hired, so that the laptop currently being used by L. Crouse will not have to be shared.

Motioned by C. Schweitzer, seconded by D. Gundrum and unanimously carried to purchase a new laptop not to exceed $1,200.

RECREATION:

Ephrata Rec Center – J. Kelly and M. Palm met with Jim Sommers of the Ephrata Rec Center last month to discuss the possibility of taking over the management of the community pool. She is waiting to hear back from Mr. Sommers and will report back to Council at the November meeting.

FIRE/SAFETY:

Crosswalk at Rt. 272 near Rose Hill Development – Mayor Johnson stated that he received additional information regarding the crosswalk. The Committee will be looking into this further and will report back at the November meeting.

Noise and/or Nuisance Ordinance – The Committee continues to work on creating a noise and/or nuisance ordinance and is currently waiting to hear back from the solicitor.

UNFINISHED BUSINESS:

326 Willow Street – There has been an ongoing issue regarding junk and unregistered vehicles on the property at 326 Willow Street. An enforcement notice was sent to the property owner several months ago but the property has not been cleaned up. The zoning officer was in communication with a member of the family who said that arrangements are being made to comply with the enforcement notice. The property owner addressed Council at the meeting stating that he is doing his due diligence to get the property cleaned and has already removed the junk. He stated that he has proof of registration for all of the vehicles in question except a white Honda which he is in the process of obtaining a title from PennDOT prior to selling. Two boats in question have been removed. C. Schweitzer will contact the zoning officer and recommend he contact Mr. Krick to obtain copies of all of the registration documentation for the vehicles and boat remaining on the property and provide them to the Borough so that the case can be closed.

Since the Borough received several complaints regarding excessive noise coming from this property due to motorcycles and 4-wheelers, C. Schweitzer made mention that the Fire & Safety Committee is currently working on a noise and/or nuisance ordinance to address these issues not only here but throughout the Borough.

Stoudtburg Village Letters of Credit – The Borough was notified by National Penn Bank that they will not be renewing the three letters of credit regarding remaining outstanding improvements for Stoudtburg Village. Letters were sent to Mr. Doug Compher by the Borough notifying him that if he fails to obtain substitute financial security for the outstanding improvements by a specific date, the Borough will demand the release of the full amount of the letters of credit from National Penn Bank.

Motioned by C. Schweitzer, seconded by M. Bansner and unanimously carried that the President or Vice President of Council be authorized to notify National Penn Bank that the Borough demands payment of the entire balance of $323,283.48 of Letter of Credit No. 40600148 issued by National Penn Bank on October 25, 2006, to secure completion of the

improvements shown on the Preliminary/Final Subdivision & Land Development Plan for Stoudtburg Village recorded at Subdivision Plan Book J-228, Page 138, in the Office of the Recorder of Deeds in and for Lancaster County, Pennsylvania, if Terence Douglas Corporation does not post substitute financial security in the amount of $323,283.48 in a form acceptable to the Borough Solicitor to secure completion of improvements required by such Plan on or before close of business on Monday, October 19, 2015, and the Borough Treasurer is authorized to deposit the proceeds of such letter of credit in a separate Borough account.

Motioned by M. Bansner, seconded by D. Gundrum and unanimously carried that the President or Vice President of Council be authorized to notify National Penn Bank that the Borough demands payment of the entire balances of $91,573.03 and $6,044.76 of Irrevocable Letters of Credit Nos. 40700125 and 40700126 issued by National Penn Bank on December 20, 2007, to secure completion of the improvements shown on the Final Subdivision/Land Development Plan for Stoudtburg Village Section 1 recorded at Subdivision Plan Book J-191, Page 62, in the Office of the Recorder of Deeds in and for Lancaster County, Pennsylvania, if Terence Douglas Corporation does not post substitute financial security in the amount of $97,617.79 in a form acceptable to the Borough Solicitor to secure completion of improvements required by such Plan on or before close of business on Friday, October 30, 2015, and the Borough Treasurer is authorized to deposit the proceeds of such letter of credit in a separate Borough account.

Stoudtburg Village resident and POA Board member Glenda Poole asked Council if the monies would be held for use for Stoudtburg Village improvements only. C. Schweitzer said it would be earmarked to be used for outstanding improvements in Stoudtburg Village only. D. Gundrum interjected stating he would like to seek legal counsel to verify whether it is required to be earmarked for anything in particular. It was then pointed out in correspondence from the Borough solicitor that the proceeds from the letters of credit may only be used to construct improvements in Stoudtburg Village. S. Toffy will hand deliver the letters to National Penn Bank if substitute financial security is not posted by Mr. Compher by the specified deadlines. D. Matz requested that D. Johnson accompany her to collect payments.

Community Pool Punchlist Items – Due to the issues with the flooring at the pool, Hanover Engineering and the contractor will decide on an appropriate credit to the Borough. M. Palm did a walk-thru and pointed out several deficiencies to the contractor, and after they are corrected the contractor will meet with Hanover to confirm that the punchlist items are completed. A recommendation for the release of payment will be submitted by Hanover for consideration at the November meeting.

Mill Race Update – Fred Stauffer notified the Borough with an update on the Mill Race. Walt Siegel closed off the breach that was diverting water from the Mill Race, allowing water to return to a more normal level. Mr. Siegel purchased several sand bags that will be used to make a more permanent fix and Chris Fitterling told him that come autumn, he may be able to assign a Bollman worker to complete the job.

NEW BUSINESS:

Memorandum of Understanding – A Memorandum of Understanding between the Lancaster County Conservation District and the Borough outlining both parties' responsibilities regarding erosion and sedimentation control (Subdivision & Land Development Ordinance #282) was presented to Council.

Motioned by C. Schweitzer, seconded by M. Bansner and unanimously carried to approve the 2015/2016 Memorandum of Understanding.

11th Annual Lancaster Road Runners Club 12K Race – The Lancaster Road Runners Club will be hosting its 11th annual 12K race which will be held Saturday, October 24, 2015 beginning at 10:00AM at the towers by the Wonderful Good Market.

Motioned by J. Dietrich, seconded by D. Gundrum and unanimously carried to approve the use of the Borough's roadways for the 11th Annual Lancaster Road Runners Club 12K Race contingent upon receiving a Certificate of Insurance prior to the race.

Adjournment:

Motioned by D. Matz, seconded by M. Bansner and unanimously carried to adjourn.

The meeting ended at 8:53PM.

Attested: _____
Sam Toffy, Adamstown Borough Administrative Secretary