

MINUTES OF THE COMMITTEE MEETING
OF THE EAST PETERSBURG BOROUGH COUNCIL

DATE AND TIME:	April 22, 2021	6:00 p.m.
LOCATION:	Community Center	6051 Pine Street
ATTENDANCE:	Council Members:	John Wolf, President Debra Miller, Vice-President Adam Gochnauer, Pro Tem John Herr (Absent) Lauren Houck Randy Rannels John Schick
	Mayor:	James Malone (Absent)
	Borough Manager:	Karen St. Clair
	Public Works Foreman:	Jeff Moseman
	Borough Solicitor:	Amy Leonard

Meeting was called to order: 6:00 p.m.

Visitors: Marianne James, Josh Roberts, James Swarr, Tammy Moseman, Cathleen Panus

James Swarr was recording the meeting.

President Wolf presented Cathleen Panus with a token of appreciation on behalf of all the Borough Councilmembers (past and present) and staff (past and present) and all the residents of the Borough and the community. President Wolf thanked Cathleen Panus for all her years of service (approx. 25 years) and her commitment to our great community. Cathleen Panus thanked everyone. She said she was sorry she had to leave so abruptly, but she was needed to do childcare for her 2-year-old granddaughter during covid, and last week, she became a grandparent to a new baby boy! She was grateful she could serve on Council and grateful to live in the Borough and to serve with her fellow Councilmembers. She welcomed John Schick and Randy Rannels. She said she hopes they do not find it difficult to serve on Council.

Current & Upcoming Business:

1. Review repairs needed to Borough buildings & costs

Jeff Moseman shared pictures and cost estimates for building repairs and improvements with Councilmembers for 6040 Main St. office building, 6050 Main St. public works offices, and 6060 Main St. rental property.

6060 Main St.: Framing is kicking out on North side of the building, cedar was installed over wood and the wood is deteriorating, back north side needs repainted or new siding, south side along roof line has piece of rotted wood, north side needs painted, back porch and Bilco door plywood needs repaired, steps need rebuilt or removed, back door needs replaced, vinyl floor in laundry room needs replaced, closet door needs replaced, garage needs re-insulated and plywood installed, kitchen laminating and floor needs replaced, stove and refrigerator are not great, outside on the north side where there was trouble needs inside repairs on wall, toilet needs replaced along with sink and faucets, cracks in plaster need repaired, windows are older and need replaced. Estimates for all this work were submitted to Council. The labor rate is \$85.00 hr. – largest item is the low bearing foundational wall, and it can range anywhere from \$5,000 – \$35,000 (this was put in for \$15,000) so the estimate cost to do all the interior repairs at 6060 Main St. is a total of \$75,728.46. The estimate to remove the cedar siding and replace with vinyl siding along with metal to cover the wood comes out to \$23,898.66. Section of slate roof repair cost is \$473.00 for materials and \$1,056.00 for labor. To just paint the outside of the house would cost 10,000.00, Mr. Moseman would recommend putting siding on the house rather than painting. It was agreed all the repairs would easily cost over \$100,000.00.

Another option is to subdivide and sell the property off. Mr. Bingham said the highest cost to subdivide would be to survey it. Plans would need put together and this is an additional cost and then sent to the Borough Council and Borough P.C. as well as Lanc. County P.C. for comment and review, then subdivide it. The parking is already an approved use. Lot size and lot coverage could be an issue if it is subdivided. The estimated cost to subdivide would be \$15,000 – \$20,000.

The other option is to place easements. Amy Leonard, Solicitor said if the decision is to sell the house, then easements should be put into place before it is sold. If the easements are not put into place before it is sold, it would be up to the new owners to decide if they want them there or not. A drawing will need done by ARRO for the easements. Amy Leonard said with the easement, you do not own any part of the property; you just have use of designated areas for parking and stormwater on the property. The property can only be sold through public auction or sealed bid. Mr. Moseman asked if the house could be sold on Municibid. Amy Leonard said she would have to look into it further. First the easement would need to be put on record. Mr. Bingham said ARRO can do the drawing, but it will not have to be surveyed. They can just take the meets and bounds off the deed to get the boundary survey and identify from there where the easement needs to be. Mr. Bingham said there is a drawing for the BMP and a survey was done for that also, so it might be possible to just expand upon this. Mr. Bingham pointed out the easement would encompass the BMP and the parking area behind the house at 6060 Main Street. Amy Leonard said after the easement is on record, the property would need appraised to know the fair market value, then it could be sold as is in approximately 60 days.

The option to level the home and use it as parking or some other purpose would eliminate tax revenue and there would be a cost to demolish the home, and to backfill. Using it for another purpose other than a dwelling would pose an issue because there is not enough parking.

Mr. Moseman said that currently 3 staff members are parking behind 6040 Main office building, but only 1 parking spot is the Borough's. He explained that this is why the parking was created behind 6060 Main Street to enable all the Borough staff to park vehicles there in case the other lot would become unavailable.

Councilmember Gochnauer said he feels that it will not be detrimental to subdivide the property and that whoever would buy the property on a Main Road would not want it for that purpose and most likely it will be a rental or to flip it. It was also pointed out that if it does become a rental and it is not kept up, they would have to follow the same regulations as everyone else. He also said that even with that conditions, properties are selling good right now and he would like to see the Borough not be tasked with renting this property out any longer. Mr. Moseman said it will still have a garage to park in and there will still be a yard with a gazebo and there is nothing stopping them from throwing a ball in the back yard, they just cannot park back there.

Councilmember Gochnauer said he feels it is best to sell the property "as is". Amy Leonard suggested opening the house up for a day or two to let people look at the house and then sell by auction. She pointed out selling the house through Auction would raise a lot more local interest than by putting it on Municibid. The appraisal will help set a good starting point to open the bids up at.

It was moved and seconded (Councilmember Gochnauer, Councilmember Miller) with unanimous approval by the Board, to proceed forward with an easement and appraisal on 6060 Main Street property to the eventual sale of the property.

6050 Main Street - Public Works building: mortar is wearing away on brick building and roof is leaking. Lowest estimate cost to repoint block and replaster is \$25,000.00. Mr. Moseman and Manager St. Clair will look into if there is still a warranty on the roof. Amy Leonard pointed out that procurement rate currently stands that if you go over the \$21,600 per project it will have to go out to bid for prevailing wage. It was suggested to do this project in phases (do 2 walls and then 2 walls) and to get three required bids and try to stay under the \$21,600.00. The north side is the side with the most need. This could be done in-house but there is a timing issue. The same company gave a quote of \$850.00 to plaster the foundation at 6040 Main.

6040 Main Street - Main office building: half of the back wall was replaced and now the foundation is starting to kick-out. Councilmember Wolf suggested monitoring this on a yearly basis. He recommended repointing and parge the exposed part of the foundation and maintain with mortar. Eventually this will need to be repaired possibly 5-10 years.

Vestibule is an issue because there is no lintel above the window and the window is too high. Another issue is the door swings the wrong way. The current ramp is not ADA compliant. Modifications are needed. Structural evaluation would be needed before work is done on the service window.

Another idea is to put a larger vestibule in front of the building along with a ramp to the parking lot. The room would be 14' x 7' ½", the current vestibule is 9' x 6' and the current service window would be moved to this spot. The estimated cost to create new vestibule is \$12,500.00 with borough staff doing the work. A sketch would be needed to submit to Michael Bingham and Matt Spellman for them to review for compliance. Amy Leonard said that because it is an old building, we are grandfathered in, but we would need to accommodate any residents that

would not be able to get into the building. If we start changing the building, all changes will need to be made ADA compliant. Mr. Moseman said he is hoping to add an office to fit all the guys into one building.

Councilmember Gochnauer asked Michael Bingham if we would sell 6040 Main office bldg. would it have to be made ADA compliant first. Mr. Bingham said the building could be sold as is and depending on what the new buyer wanted to use the building for, it would then be up to the new owner to make any changes necessary for the new use. Councilmember Gochnauer said it sounds like if we had a facility that we could fit all the employees and all the equipment in, that it would be the most ideal set up. Councilmember Gochnauer said he would like everyone to take some time before deciding about some of these projects instead of spending a lot of money on this right away, and maybe try thinking outside of the box and maybe come up with some other options. Mr. Moseman said that a lot of the things on their list are fixing things that were done too quickly. Manager St. Clair said 6040 Main and 6050 Main projects can be tabled for now.

2. LIMC Update

Manager St. Clair shared a list of advantages of being an LIMC member and pointed out it is a very diversified group of people with a lot of different ideas, and some have many years of experience, and we can find out what is going on in other municipalities. Manager St. Clair also pointed out we already saved with the Comcast renewal by joining with other municipalities to work on this with just one law firm. Councilmember Gochnauer asked if Amy Leonard had to work on the Comcast renewal at all. Amy Leonard said she worked on this very little and explained that this is a specialty field of law and only specific firms deal with these laws. Ms. Leonard explained that Cohen Law was the firm that worked on the Comcast Renewal and they give a huge discount deal if they negotiate Comcast Franchise Agreements for a group of municipalities in the same geographic area, at the same time. There were approximately a dozen municipalities that did this together and each municipality saved several thousands of dollars by working on this together. The Comcast agreement comes up every 10 years. Ms. Leonard said she has seen municipalities join together to save money on stormwater projects. This can put them in a better position to get grant funding and it is possible for one municipality to get credit for work that another municipality has done. Mr. Bingham said in his experience stormwater consortium has not been great and a few of his clients have ended up putting more in than they get out. Mr. Bingham said he has seen one benefit with public education done together and you can just print it out and put it in your report. Manager St. Clair said LIMC has discussed sharing equipment between the members. Councilmember Wolf said that LIMC shares sample resolutions. Councilmember Gochnauer said it sounds like it is mainly an informational benefit and if it is information Manager St. Clair can get to make the Borough better, than he is ok with it, but there is not a lot of sell points and sharing equipment scares him. Councilmember Gochnauer asked if they do joint purchasing of supplies and what happens with the \$500.00 collected. Manager St. Clair said she will find out. Cathleen Panus said at one time the Borough benefited from being a part of LIMC, before it became very political and then disbanded. Ms. Panus said it would be good to get as much information and find out what all the benefits are. Councilmember Schick pointed out that there was a zoning comprehensive plan put in place through the previous LIMC and this was beneficial to municipalities. Councilmember Gochnauer asked if the fee would be pro-rated for this year. This Item was Tabled; Manager St. Clair will find out more about this.

3. Lancaster County DTF contribution for 2021

Councilmember Wolf said that he talked to Chief Steffen about this, and Chief Steffen said that he feels the Borough should pause on this because there is a current investigation on the state level, and he would like to see what the result of the investigation is. He also would like to see more information and accountability. His officers are not a part of this. He recommended to wait on this to allow DA Adams and the County time to sort through this and see how DA Adams envisions this and how the county foresees their future funding of it. There is an ongoing investigation for missing funds in the amount of \$150,000 and DA Adams has not been able to talk about this, due to the ongoing investigation.

4. Park Equipment

Manager St. Clair shared discussion from a few years back to show where things left off. Councilmembers were asked to give ideas for what they would like to see in the park.

Councilmember Schick: would like to replace and upgrade the existing equipment at the park, would like to see the Tennis Courts on Graystone Road redone or turned into pickle ball, would like to have someone who is experienced with laying out equipment and look at what we have and give us some ideas.

Councilmember Rannels: Would like to see an expert give guidance on what to put at the park and where.

Manager St. Clair said they have an appointment on May 5 at 4:30 with a park equipment broker/consultant.

Councilmember Rannels said he will try to be there.

Councilmember Miller said she agrees with the others and would like to see some things for adults to do also.

Councilmember Wolf said he agrees we should get some expert opinions on this and upgrade what we have, he would like to keep it simple.

Councilmember Gochnauer said he agrees to let the expert tell us what we are allowed to have as far as equipment, tire swings, etc. but he agrees the equipment needs updated. He thinks the three courts on Pine St. should all be used for tennis and should be a prime initiative. There could even be tournaments and fundraisers held if the courts were fixed up and they could be used by various age groups. He pointed out if the courts on Graystone are used for pickle ball, he is afraid people will park on Graystone and walk up and this would not be safe, therefore a parking lot would then be needed.

Councilmember Houck said she does not picture one big area; she likes the smaller stations. She pointed out there are tracks where the trucks drive through the park and recommended a gravel entrance, and possibly a stormwater landscaping berm. She would like to see equipment for small children moved away from the roadside and when there are events the power outlets for the food trucks are right at the swings, so she would like to see this corrected. Snack hut ground is not level and areas without grass near pavilion need attention. She would like to see more simple things put in rather than a large grand scheme done.

5. HAFSC Update

Tammy Moseman shared CFO updates. Agenda was received Tuesday night. An excel sheet for apparatus replacement was presented at the meeting, but it could not be clearly seen. She requested it was put on the OneDrive and after some discussion it was decided at some point it will be posted on OneDrive. Councilmember Rannels said they were hesitant to post this because it was only a preliminary draft of a one-year timeline laying out when the apparatus would need replaced. Mark asked to notate on the spread sheet that East Hempfield Township tanker truck is not listed on it and no ladder truck can be replaced before 2024 for East Pete. June 1st the rates for apparatus will be changing. Tammy Moseman asked if a purchase would be made before the June 1st rate change, and she thinks it was Cindy who said they are working to get this done with flexibility. There will be no meeting in May due to conflict. Next meeting will be June 15th. The CFO said that paid firefighters are on the horizon. Cory suggested reaching out to the Lancaster CTC to look for them to come in and volunteer. Nothing was mentioned about getting minutes out on a timely manner. Ms. Moseman said the chairman's update was to discuss the process of hiring to discuss the concerns that East Petersburg had. Ms. Moseman thought the concern was not only about the hiring process, but she was under the impression it was with any major decisions being made. Councilmember Rannels said that Billy stressed that at some point there will need to be paid firefighters due to lack of volunteers. Councilmember Wolf said Rohrerstown shortage is so severe they had to pay Manheim Township to staff their fire department last year. Out of the three departments, Rohrerstown is struggling the most with this. Councilmember Wolf said that John Kottmyer, CFO did not include the Hempfield Tanker on the replacement schedule because instead of replacing this he is planning on retrofitting this as a cost savings. Councilmember Wolf also said that he did not include East Petersburg's ladder truck because of the existing agreement, and he still does not understand the different funding yet. Councilmember Wolf said there are opportunities for formal military people, who may not know what is next for them, to maybe consider firefighting. Councilmember Wolf said he made a statement at the meeting that some of council still has a concern about the hiring process and are looking for some assurance that it would not be the same as it was previously. Councilmember Gochnauer said he wants to be sure they are aware it is not just with hiring the CFO, but any major decision needs to be before the entire committee. Ms. Moseman said she tried to bring it up, but she felt she was cut off by Councilmember Wolf. Ms. Moseman said she felt Council wanted full disclosure agreement on what was going on. Councilmember Gochnauer asked if East Petersburg wanted to buy apparatus and John Kottmyer, CFO and the group said no, can East Petersburg Borough just buy it? Ms. Moseman no. Councilmember Wolf said yes, he feels the board acts only as an advisory board. Councilmember Gochnauer said then even though they have a plan in place what is the point of all of this. Councilmember Gochnauer said he understands if it is a decision to wait based on caution, then it would seem ok. Councilmember Houck said she feels it is up to the individual departments because the budgets are independent. Councilmember Wolf said that the CFO is working on developing all of this. Councilmember Rannels said the CFO is working on putting it all together right now. Councilmember Gochnauer said that the agreement says that the decisions are at least passed through the committee and the committee comes to a consensus and makes a recommendation to the fire companies. Councilmember Wolf point out it says recommendation. Councilmember Gochnauer said ok but he is worried because they are on the same committee and see things differently. Ms. Moseman said she has asked for help on this many times and views this committee as a place for the community to go for answers. Cathleen Panus said it is very gray to her what decision-making ability they have. A resident asked if it is an authority or an advisory board, because this makes a big difference and asked if there are working groups and bylaws. Councilmember Gochnauer said if a fire company buys equipment, and it is not on the schedule than the others could do the same. Amy Leonard, Solicitor said she thinks that the agreement they started with is not comprehensive enough to serve the commission in the long run without there being bylaws and another agreement. Amy Leonard said she thinks the existing Agreement was to get it off the ground and give some general guidelines to the commission during the CFO hiring process and to just get things started. Amy Leonard said the commission's function will need to evolve and the documents of the commission evolve along with it. Councilmember Rannels said he previously asked Scott Wigelsworth if there were bylaws and he said yes.

Councilmember Houck said that is why things should be dealt with as they come up, such as the leak and that something should be put in writing on how to deal with this in the future since they are currently working off the beginning agreement. Councilmember Gochnauer said that in two years this agreement will have to be redone or we will have to get out of this.

6. **March 2021 Committee Meeting Minutes**

It was moved and seconded (A. Gochnauer / D. Miller) with unanimous Approval by the Board, to Approve the March 2, 2021 Committee Meeting Minutes

7. **Payables 4/22/2021**

4 new "no littering" signs and 2 new benches were put in at Constitution Square park
Councilmember Miller said she sometimes sees LST refunds and asked what that is. Manager St. Clair explained that if an employer has taken LST out of an employee's pay and they have made less than \$12,000, they can fill out a form to have the money refunded.

8. **Resolution 691 – amendment – EPB Councilmember giving EPB Fire Dept verbal authority to declare a property uninhabitable**

This was reviewed by Diane Garber, Don Schoenberger and John Kottmyer at the EMC meeting and they felt it was best to include all three in the resolution until the BCO can get to the property to access the situation. It will relieve all members of Council. East Petersburg Borough will be added to CFO and ESC and the resolution will then be put on the agenda for May 4.

9. **Ground Ambulance Service Provider Agreement: Penn State Health Life Lion**

Manager St. Clair pointed out in July Susquehanna Valley EMS will be under the Penn State Health Life Lion because these services will now be combined. The service will remain the same, only the name will change. Subscription fees will remain the same and all existing subscriptions will be honored. This Agreement can be cancelled at any time without cause, with 90 days written notice.
Amy Leonard, Solicitor did look over this Agreement. Council reviewed the Agreement. This will be put on the agenda for May 4.

10. **Comcast Franchise Agreement**

This was an agreement that started being worked on by Robin Hemperly in 2019, and Fred Wolf, Solicitor recommended we work with other municipalities on this to get a better rate.
Some of the highlights of the new agreement are: new services to include music channels, connection and service calls, the borough can contract with another cable company without permission from Comcast, all Comcast employees must show i.d., franchise fee stays at 5% (max permitted by law), agreement amount of \$8,000 can be used to upgrade GIS, internet connection for SCADA, or MS4 tablets. A certificate of insurance will be needed naming the Borough and the employees as additional insured. Council reviewed the ad for the hearing for this. The existing ordinance will need repealed to get it out of the way and move forward with the resolution.
At the beginning of the May 4, 2021 meeting, the hearing will be opened to solicit any questions or comments from the public and then close the public hearing, then repeal the ordinance, adopt the resolution, and then adopt the agreement contingent upon them paying the \$8,000 fee. Amy Leonard said this will not have to be done again for 10 years. Amy Leonard pointed out that the most common question by the public is usually if the fees will be raised. Amy Leonard said that this agreement has no effect on the fees that Comcast can set. Amy Leonard said the comments that are to be solicited are not about the contract but should be about what the future cable needs are for the community. A statement will be read explaining this.

It was moved and seconded (A. Gochnauer / D. Schick) with unanimous Approval by the Board, to Advertise the public hearing regarding the Franchise Agreement with Comcast

11. **1Q21 Financial Review**

Manager St. Clair pointed out the following:

Total funds with Fulton – 3.2 million

Total funds with Edward Jones – 2.1 million

Budget summary:

General Fund – 26% of budget for total income – right where we should be

Property Tax Revenue – 23% of budget – bulk of funds will come 1st week of May

Act 511 taxes (real estate transfer tax) – revenue much higher than expected for this – already at 95% of budget

Zoning permits – exceeded budgeted amount by \$1,500.00

General Fund expenses – received a check for repair of the pole at State & Lemon and we have not done this yet
Insurance at 76% - paid at the beginning of the year
Total expenses at 21%
Water Operating Fund income – 28% which is a little higher than budgeted for
Water Fund expenses – 15%
Water Operating for tool purchases – 95% due to the hiring of Steven Hohenwarter- drill set, ratchet set,
screwdriver, hammer
Trash Fund revenue 26%
Trash Fund expenses 23%

12. **Fire Co.**

Reviewed by Council

13. **Misc. Items**

Councilmember Wolf:

Response from officer regarding Kim McKinney's complaints was shared with Council. Police were not contacted prior to the meeting, but they did follow up with her regarding the complaints she had.
Reviewed invitation to Police Chief Banquet.

Kristin Troop requested use of the park for kindergarten graduation on May 22, 2021 5:00 – 7:00 p.m.

For the use of the Amphitheater, she will need to submit a form along with a letter of approval from the Events Committee and insurance certificate naming the Borough as insured.

Karen St. Clair will talk to Kristin Troop regarding Encore using the Amphitheater.

It was moved and seconded (A. Gochnauer / J. Schick) with unanimous Approval by the Board, to use the park for kindergarten graduation on May 22, 2021 from 5:00 – 7:00 p.m. upon receipt of the form and approval of the Events Committee and an insurance certificate naming the Borough as insured

It was moved and seconded (A. Gochnauer / J. Schick) with unanimous Approval by the Board, to Approve the date change for Movie in the Park/ Fireworks from Saturday July 3 to Friday July 2, 2021

Councilmember Schick: Bidding opens next Tuesday for the signal light project at the square.

Councilmember Miller: Traffic study was done on Lemon Street from Broad St. to Graystone Rd., and it did prove that they do have a speeding problem in that block. They found that most people travel 15-20 mph over the speed limit. Officer Brandt and Sgt. King will be coming up with a solution to solve this problem.

Announcement: East Petersburg Fire Co. will be having a fundraiser on Friday May 28, 2021 form 4:00 – 9:00 p.m. There will be food vendors trucks set up behind the fire co. such as French fries and Mexican food and so much more.

Public Comments: None

Regular Committee meeting Adjournment: 9:28 p.m.

Executive Session for legal & personnel matters: In – 9:28 p.m. Out – 10:23 p.m.

Next Meeting: Tuesday, May 4, 2021 Council Meeting & Thursday, May 27, 2021 Committee Meeting

Respectfully Submitted,
Kim Strayer, Recording Secretary