

MINUTES OF THE COMMITTEE MEETING  
OF THE EAST PETERSBURG BOROUGH COUNCIL

<b>DATE AND TIME:</b>	April 28, 2022	6:00 p.m.
<b>LOCATION:</b>	Community Center	6051 Pine Street
<b>ATTENDANCE:</b>	Council Members:	Debra Miller, President John Schick, Vice-President Adam Gochnauer, Pro Tem John Herr Lauren Houck Randy Rannels Sandra Valdez
	Mayor:	James Malone
	Borough Manager:	Karen St. Clair
	Supervisor:	Jeff Moseman
	Borough Solicitor:	Amy Leonard

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

**Pledge to Flag**

**Visitors:** James Swarr, Tammy Moseman, Linda Rannels, Teresa Mickoseff  
James Swarr was recording the meeting.

**I. Public Comments:**

**1. Tammy Moseman/ Randy Rannels- HAFSC**

Tammy Moseman said she attended HAFSC financial committee meeting last week. They are still gathering capital improvement requests from each of the fire departments to start beginning the budget process. They are combining 9 companies for grants to allow for better options for grants. So far, they have received over 1,000,000.00 for over 3 years for the 9 departments. Still looking at Radio purchases. Don Schoenberger will hold a fire school if council is interested, they can sign up. Tammy Moseman will send out an e-mail with dates. They will not be having the meeting on the 17<sup>th</sup> due to elections. John Kottmyer has commented that he is very pleased with East Petersburg Fire Department. Randy Rannels added that EP Fire Co. is going through the process to work through replacing a ladder truck and heavy rescue, which will need replaced over the next few years. Randy Rannels said they have not heard back from East Hempfield regarding discussion on sharing the cost for apparatus.

**II. Agenda Items for DISCUSSION ONLY:**

**1. Linda Rannels: Benefit Concert for Gatehouse**

Cathy Gregoire with Gatehouse said that they offer transitional housing and halfway houses for men and woman throughout the area. Cathy has been to events in the borough and really likes the setting, and would like to have music for the families, along with games. Clarence Beatty from Scranton wrote a song about surrender, and this is the theme of this event for their recovering community. The date of the benefit would be June 11<sup>th</sup> from 12:00 p.m. to 5:00 p.m. music will be 1-4:30 with a rain date of June 12<sup>th</sup>. There will be food trucks from the local community businesses, and they will have porta potties. They would like to use five tables if they are available. Manger St. Clair said that the Community Center is rented that weekend, but she will check on tables and let her know. An application will need filled out, fees paid and a certificate of insurance naming EPB as additional insured. The renters of the CC will be notified of this event.

2. **Guest: Robert Maiden from Working Lands Restoration Project**

Robert Maiden with Working Lands Investment Properties said they are proposing a land restoration project that improves stormwater and water quality, fish habitat, and public access. They acquired this property from Frank Nolt and Michael Mann, the owners of the Mercedes Benz property. They are the primary owners of the land along the creek where this project will take place. A small portion of this property is in the borough, the other portion is in Manheim Township and East Hempfield Township. East Hempfield Township is their sponsor. He explained that there is still room to grow. Mr. Maiden said this project can be applied to the boroughs MS4 credit without having to contribute to funding. Mr. Maiden said they are doing this for the better of the environment and to add public fishing access. Mr. Maiden said his company is a design/build firm. Randy Rannels said this area is lined with trees and asked what the scope of work is. Mr. Maiden said there are 17 out falls there from one of the most impervious areas around and this is not allowed anymore. They will try to keep all the trees they can and will work to restore this area.

He said he is asking for the borough to support the project and the borough will be able to use the credit, but they technically do not need to receive the boroughs support. They are not asking for any financing. The state is funding the project. Mr. Maiden said that PPL owns land that could be eventually restored also. They would like to continue to work on restoring lands along the creek. Mr. Maiden said they expect to start this project within the year. They have applied for the grant already and are waiting to hear if they will receive it or not. Permits will be acquired on a federal and state level to do the work. The land is in a floodplain, so it adds another layer of permitting for this stream restoration project. Amy Leonard explained that MS4 restoration usually involves numerous landowners, but this site is only one owner and they have already given him permission to access the site and do the work, which cuts down on the costs that go along with getting the easements. She explained that it is significant that they are willing to give the credits to us without asking for funding because these projects are extremely expensive. Mr. Maiden said that is what his company usually does. They try to find and acquire adjacent land to do these projects.

Jeff Moseman asked if it is shovel ready. Mr. Maiden said it is not shovel ready and they have not acquired the permits yet. This is all proposed at this point. This is all contingent upon receiving the grant funding.

Randy Rannels asked Mr. Maiden what his business model is. Mr. Maiden said Working Lands is a private company. Mr. Maiden said that this is no different than building a road for PennDOT or building a building for a municipality. They make their money through the grant or whoever pays them.

Jeff Moseman said that behind the Keller Williams office building (formerly Ethan Allen) there are two stormwater inlets that feed into the creek and that is the only section that is in the Borough.

Jeff Moseman said we are just a small part of this project but since the work is being done at no cost to us, we should snag what we can. Mr. Moseman pointed out that MS4 credits are due this permitting cycle. Mr. Moseman explained that we will be applying to get grants this year to help with the Meadows and if we do not receive any grant money, it will all be on us to get the credits this year. Mr. Moseman explained that DEP calculates the credits we receive.

Mayor Malone said he needs to think on it some more. He said what Amy Leonard and Jeff Moseman said sounds great, but he just does not know enough about it.

John Herr said he likes the idea and would support a letter of support with Jeff Moseman's greater understanding of it.

Randy Rannels said it sounds like Jeff Moseman supports it and he is our MS4 guy, so he would be ok with going ahead with a letter of support.

Sandra Valdez said she still needs time.

John Schick said he would be in favor of a letter of support with Amy Leonard's clearance and with protecting the borough and keeping us free and clear of anything to protect the borough, and as long as Jeff Moseman, is in support of this because he is our MS4 guy.

Amy Leonard said we are not being asked to apply for any permit and do not need to acquire easements nor do we own the land, so we are not being asked to give access. The borough is not being asked to provide any long-term maintenance at the site after the restoration is complete.

Debra Miller said she supports a letter.

Adam Gochnauer said yes to a letter of support.

Lauren Houck said she is undecided and that it does not sound like a letter is really needed. She said that the project will happen with or without our approval. She pointed out that usually the letter of support is received prior to submitting the grant documents to DEP, but he has already applied for the grant, so at this point if Council gives a letter of support, it will just be to put in the file.

Mr. Maiden said that the letter of support that he would receive would actually be null and void and he just came here to be a good neighbor and work with the borough to build a cool project on our property that we get credit for.

Manager St. Clair said usually the more municipalities that support a project can help them get more money.

Mr. Maiden said at this point it will not make a difference, but he will still give the credit to the borough. He explained that there is no legal or financial support needed from the borough.

Mayor Malone explained that they just want to fully understand what they are putting the borough name in to.

President Miller thanked Mr. Maiden for coming to the meeting.

**3. Amy Leonard: Shentel Communications Agreement**

Amy Leonard explained that right now the only cable provider in the borough is Comcast. If other cable providers want to come into the borough and become a competitor, they must go through the same cable franchising process that Comcast recently went through. Franchise deals are generally done every 10 years. The borough will receive quarterly payments and 5% revenue share according to the terms of the agreement. The customers pay the 5% franchise share. Shentel wants to become a competitor, so they will need to now go through this agreement process. The agreement allows them to use the borough's right of way to put the infrastructure in place. Shentel will apply for all permits needed. Ms. Leonard explained that competition is a good thing, and it is not something the borough can prevent anyway. The cable providers are all governed by the federal law. For the Comcast agreement, several municipalities went together and hired Cohen Law Group to put together the agreement on behalf of the municipalities. Cohen Law Group specializes in cable franchising, telecom, and wireless, and the legislation that goes along with these things. The legal costs for these things are usually 8,000.00 – 10,000.00. Shentel has hired Cohen Law Group to prepare the agreement to propose to the borough saving the borough this cost. All providers get the same deal. Ms. Leonard explained that there are only two ways that this agreement is different. They are not required to provide service in the exact same areas that Comcast has, and their lines do not have to be put in identical to Comcast. They would like to provide service to the entire borough, but it will take time. Comcast has offered us a PEG or Government education channel, but we do not have one, so we receive 6.00 per subscriber. Shentel knows that we do not have these channels, so they have offered a onetime up-front payout of 5,000.00. It is a 5% max fee under FCC guidelines, so the fee's we receive will not change much. Ms. Leonard said that the agreement is in order, and we are not required to have a public hearing. There is a resolution drafted to accept the agreement with Shentel.

It was pointed out that it could take 18-24 months until Shentel will be ready to provide services.

It was pointed out that on page 20, section 7, there is a change that needs made to name Shentel rather than Comcast. Council said they would like to move forward with this.

**4. Jeff Moseman: Lemon Street Sidewalks/Curbing for paving (2023)**

Jeff Moseman said this year the water main will be replaced and next year the road will be resurfaced. Prior to the resurfacing, sidewalks that need repairs will need to be fixed. John Schick said that ARRO is the professional and they should be the ones to determine the areas that need repairs. The sidewalks should be marked, and a letter sent to homeowner giving a time and date of a meeting with Michael Bingham in attendance to answer any questions or concerns.

Amy Leonard said as this progresses the borough would need to be careful not to recommend a contractor to residents.

5. **Karen St. Clair: Review the Lancaster County Conservation District MOU**

Manager St. Clair said this is just a renewal of the MOU we already have in place. The only change is that they will no longer administer the dam safety and the waterway management; DEP. will oversee it. This will be on the agenda for Tuesday.

6. **Jeff Moseman: Review Riparian Buffer Property Owner Agreement**

The date will be May 7, 2022, from 9 am – noon. There is a sign-up link on the website. There is also a picture of the layout of the land and where they will be planting the trees. Shovels will be provided for this event. This is funded by a DCED grant that was received by Lancaster County. Amy Leonard looked over this agreement and the borough does have some stewardship maintenance. The agreement does cover any unforeseen damage. Ms. Leonard would like to have a hold us harmless clause included in the agreement for anyone inspecting the trees from the city. This agreement will be adopted by resolution. Ms. Leonard would also like to use volunteer waivers for the event. Mr. Moseman said they will look after the trees until they are established. MS4 credits will be received for this project. The City of Lancaster applied for a grant to receive the trees but some of the areas did not suit, so they offered some trees to the borough.

7. **PSAB Resolution in support of Legalization of Cannabis**

A letter was received from David Bolton who represents Adams County on the PSAB Board of Directors. He is looking for support for legalizing marijuana that he can take to the state representatives. He has provided a copy of a resolution that could be used for this. It was pointed out that this is currently regulated under federal law. Council said they would be more inclined to support decriminalization, not legalization. Council asked where the police stand on this. Manager St. Clair will find out at the next meeting she has with NLCRPD.

8. **Karen St. Clair: Hempfield Church of the Brethren – Ice Cream Social Friday, May 13<sup>th</sup>**

This would be in Constitution Square & Lincoln Court areas and last for 1- 1 1/2 hours. This was approved for last year by Council but there were 4 conditions: it must be in only the areas mentioned, they must submit a certificate of insurance naming the borough as additional insured, literature can not be handed out, it must be ice cream only. This will be on the agenda for Council meeting.

9. **Review the Amended Fee Schedule dog fee increase, water meter fees, amphitheater fees**

The amount was increased by SPCA so the dog fee will now reflect the increase, water meter fee will be added, amphitheater fees will be added. This will be on the agenda for Council meeting.

10. **1Q22 Financials/ Financial Audit 2021**

Copies of the financial audit for 2021 were given to Council and will be on the agenda for Council meeting. If Council has any questions after reviewing, they can let Manager St. Clair know and she will check with the auditors. There were no recommendations for changes to the accounting practices.

1st Qtr. – 2022

General Fund:

Revenue - Most of the property revenue will come in May. Currently at 14% of our revenue for 1<sup>st</sup> qtr.

State and department revenue is right on track.

General cash balance as of March 31, 2022 – 1,286,000.00

Expenses – Insurance was paid in the beginning of the year and there is not much more to pay for the rest of the year.

No transfers have been made to date.

Expenses for 1<sup>st</sup> qtr. were at 22%. Expenses were under budget by 3%,

Water Operating Fund:

Revenue- everything is on track. Currently at 22%.

Cash balance as of March 31, 2022, was 615,000.00

Expenses- as of March 31, 2022 at 15%. Expenses were under budget by 10%.

Most of the insurance was already paid.

Transfers will not be done until next month.

Trash Fund:

Revenue- right where we should be. Total revenue as of March 31, 2022, was 26%.

Trash fund balance is 152,000.00

Expenses- under budget by 3%.

Street Sweeping:

Expenses- 4,900.00 paid for winter maintenance; 3,000.00 for sweeper brushes  
This will look better next quarter.

Cash balance for all the other funds: 4.3 million

Edward Jones: investment since May - 2019 has made 145,000.00

Aging Report: Outstanding 120 days 565.00; 60 days credit of 754.00 (resident pre-paid); 30 days is a little over 3,000.00

Copies of these accounts were given to Council for review.

#### 11. Review Account Payable

Every year if we have outstanding checks that have not been cashed, we reach out to the business and issue replacement checks. All other outstanding checks get turned over to the state.

The 3,400.00 amount for the GAGA Ball came out of the S. Clyde Weaver monies received for the park.

#### 12. Misc. Manager/Foreman/Council Items

##### Manager St. Clair

General Code link will be on the website as soon as the update is ready in 2-4 weeks.

PennDOT grant money received in the amount of 218,000.00 for traffic light.

Grant from DEP received in the amount of 1,400.00 for borough calendars.

Hometown Hero banners were received.

Lancaster Bike club will be holding the Covered Bridge Classic. This is 100-mile route that passes approximately 2 miles through the borough. This will be put on the Council meeting agenda. Prior to the event they will receive the certificate of insurance.

A premium credit of 11,955.00 was received from Capital Blue Cross. We have a level funded premium which allows us to receive credits when our claim costs are lower than what is expected. Total premiums collected for claim expenses totaled 49,125.00; the actual claims cost paid through the period of November 2020 through February 2022 totaled 24,651.00. We get a 50% credit for this. This will be put in a separate reserve account in case we have overage costs we can put this amount towards them.

The 1st NNO meeting was held. NNO will be held 8-2-2022.

At the last LIMC meeting it was mentioned that Lancaster County approved guidelines to apply for ARPA funds from their allocation. Lancaster County is looking for large projects. Manager St. Clair said if we do not get the grant money, she has budgeted 50,000.00 each year to be put aside for the park projects and now we can apply for the Lancaster County ARPA funds. Manager St. Clair asked Robin Hemperly to put something together for this.

##### Randy Rannels

Mr. Rannels asked how often and when the tall grasses at the Meadows get mowed down. Jeff Moseman said he has been told many different things by many different people about when it is best to mow this area. Mr.

Moseman said that it usually gets mowed down two times per year, and this year they mowed it earlier than usual (in December) and they pre-walked it to be sure there were no birds.

Pointed out Chancey's has closed their doors permanently.

##### Debra Miller

She attended the Lancaster County Borough's Association dinner at the Clipper Stadium along with Sandra Valdez and John Schick.

##### Adam Gochnauer

As of today, we received a new contract with East Nottingham for street sweeping. Street Sweeping figures will be increasing and looking good soon. Should be getting another business soon in Marietta.

##### Lauren Houck

Met with Robin Hemperly and Sandra Valdez about park equipment and discussed options for what to use the S. Clyde Weaver funds for. Items were narrowed down, and Robin will start looking for items through co-stars. They were looking for durable items.

##### John Schick

Pointed out that our community pool is doing great compared to some of the others in the area.

Pointed out that the main topic at the Lancaster County Borough Association dinner/meeting last night was ARPA funds and said that clean water and water source projects are priority. They are looking for large regional projects also.

13. **Fire Co. Financials review**  
Submitted to Council to review.

II. **Agenda Items for ACTION**

1. *It was moved and seconded (J. Schick / S. Valdez) with unanimous approval by the Board, to approve the March 24, 2022, Committee Meeting Minutes*
2. *It was moved and seconded (S. Valdez / J. Schick) with unanimous approval by the Board, to approve the extra date added to the PA Classics Soccer Tournament – Lititz Showcase July 23-24, 2022*

III. **Extra Items: Issues arising in the last 24 hours:** None

IV. **Regular Committee Meeting Adjournment:** 6:00 p.m. – 8:06 p.m.

V. **Executive Session:** None

**Next Meeting:** Tuesday, May 3, 2022, Council Meeting & Thursday, May 26, 2022, Committee Meeting

Respectfully Submitted,  
Kim Strayer, Recording Secretary