

MINUTES OF THE COMMITTEE MEETING  
OF THE EAST PETERSBURG BOROUGH COUNCIL

<b>DATE AND TIME:</b>	January 27, 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 (Absent) Lauren Houck Randy Rannels Sandra Valdez
	Mayor:	James Malone
	Borough Manager:	Karen St. Clair
	Public Works Foreman:	Jeff Moseman (Absent)

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

**Pledge to Flag**

**Visitors:** Josh Roberts, Tammy Moseman, James Swarr, Mark Huber, Kim Kirchner, Shauna Suppler, Shanean Wickersham  
James Swarr and Josh Roberts were recording the meeting.

**Public Comments:** None

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

**1. Mark Huber: Lancaster County Planning Dept: Water & sewer capacity study GIS data sharing:**

Mr. Huber asked for support for the Lancaster County metropolitan proposed water and sewer capacity project. It is a comprehensive plan gathering water and sewer infrastructure data. As they collected this data, they realized they had a lot of the infrastructure data already, but they are lacking in capacity information. He explained this information is important for growth planning and for working on regional comprehensive plans. The capacity information is used for determining where growth can be accommodated. Due to this lack of information, they have set up this project with a team through the LCPD, County GIS, and authorizing regional municipalities. They have hired Rettew as the engineer for this project. They are hoping to house all the data collected through ARC GIS and have online tools accessible to project partners. Access will be limited due to data security. Timeline – phase 1 is completed in terms of data inventory being added to the online tool. Rettew has met with most of the water and sewer providers in the area and 9 out of 12 have agreed to participate. They feel this will benefit the county and borough in terms of future planning and to collaborate and increase communication. They are not seeking funding just asking for Jeff Moseman to sit down with consultant and review just the water system, which would take approximately 1 hour. Total cost for this project is 57,000.00 which is being funded by economic development and county planning. They do currently have GIS data, but need to sit down and go over it for any updates or system constraints and gaps being targeted for future projects. This would be added into the GIS tool. LASA is signed on to this. Security measures have been taken into consideration. ARC GIS online is on a secure server, and it would only be key personnel with varying levels of access. Passwords would be needed to gain access. Mr. Huber said that this information will not be given to developers. Council asked who would be liable for data not being shared properly if the county is held harmless? Mr. Huber said there is no recourse for this that he is aware of. The data sharing agreement lays out that this should not be shared with anyone outside of the project, but there is no consequence listed for breach of that. Mr. Huber said they are relying on there being a level of trust, but users would have access to everyone's data. East Lampeter and West Hempfield said they will not be participating in this project. The project is expected to be finished by the end of this year, but they would welcome participation at any time from the Borough. Mr. Huber said he feels it will benefit the borough because it is more convenient and has extra layers of planning data that they have added. Manager St. Clair pointed out that the Borough currently has GIS database on the Borough's server with detailed information. It is

on ARC GIS and S datum and as changes occur it is updated, and it is very detailed. Mr. Huber said they would at least like to confirm the information they have is correct and current and to look at identifying constraints e.g., bottleneck or gap in the system to address in the future.

Mr. Huber said that this information will not be given to developers. Council said they will discuss this and get back to him.

**2. Kim Kirchner**

Ms. Kirchner shared information with Council on the Living Urn. Ms. Kirchner said the tree is small, but it is an actual rooted tree, and the family would take care of watering the tree. Ms. Kirchner said if this happens, it would be in the Spring. Ms. Kirchner said that Lancaster County Park and Muddy Run Park both allow the Living Urns, but Lancaster County Park is currently full and not accepting anymore. Council thanked her for all the detailed information and said they will be discussing this later in the meeting and will get back to her with their decision.

**3. HYA Baseball – Request for Improvements to the Tom Herr field**

Brian Biggs requested to extend fencing farther down the first base side to help shield the parking lot and would also like some space to use for pitch lanes for both home and away teams. There has been delay with meeting with the contractor therefore he does not have measurements yet. HYA plans to cover the costs of the improvements. Council would like Mr. Biggs to come to a meeting with a drawing and more detailed information before making any decisions on this.

**4. Draft Agreement with Events Committee for shed, storage room, and concession stand**

A standard agreement was put together for the Events Committee for use of the shed, storage room and concession stand. Manager St. Clair explained when the Bulldogs dissolved, they were in default of their agreement, so the Borough acquired 2 of the sheds. The Events Committee had interest in one of the sheds. This agreement says they will take care of the shed, storage room and concession stand. Council pointed out that the agreement refers to the civics grounds, but they have been calling that parcel the Community Park more often, so for consistency purposes maybe this should be changed. Amy Leonard, Borough Solicitor, said that the parcel number and address of the property is what matters most from a legal standpoint. Council also pointed out that the concession stand definitely needs upgrades for safety purposes and wondered if this could be added into the park grant. Manager St. Clair will check on this. Council said they would like Kristin Troop, Events Committee President, to come to the next Council meeting and let them know if they plan to use the concession stand and if so, will they use it as a cooking station or just sell packaged snacks. It was discussed that if they are cooking food to sell, regardless of where it is cooked, someone needs to be ServSafe certified, and permits are required. Amy Leonard said that this agreement could still work by limiting the use for the concession stand for now.

**5. COG meeting update / LIMC fee**

The Council of Governments has decided to meet just once per year unless a meeting is requested. LIMC fee was lowered from 500.00 to 350.00 for 2022.

**6. Online Borough Codes**

Manager St. Clair said the cost to do this is 695.00 payable to General Code for annual maintenance. They do not have a start up fee. The only other cost would be for LYLAB to put the link on our website which would only take 15 minutes of time.

We are thinking about putting this under department and services and add the link to the zoning page. The codification will be fully updated prior to putting the link online.

**7. Peddling and Soliciting Ordinance 298: request an amendment to specify times allowed**

A resident said that a solicitor came to his home on Martin Drive after dusk and was knocking on his door and looking in the window at his dog. NLCRPD did issue this person a soliciting permit, but the car he was using was different from what was registered under the license. An Ordinance would be needed to amend the times allowed for soliciting in the borough because our current solicitation ordinance does not restrict the times. It was questioned if the penalties are high enough. The solicitor said that the penalties are in line with what other municipalities are using. Josh Roberts asked if we could ban soliciting in the Borough? Amy Leonard said that there are certain categories of solicitation that are not allowed to be banned. NLCRPD is responsible for validating if it is a legitimate business and issue the permits accordingly. It was pointed out that permits are not required for businesses to distribute door hangers. Amy Leonard said ordinance no. 80 was passed to regulate solicitation in 1969, and then in 2018 a basic amendment was passed to change the fee, so most of the original ordinance is still in effect. She has since written an update to the ordinance, but it was never passed. Council agreed there should be specified times for soliciting in the Borough and it was pointed out that it could be limited to business hours.

**8. HAFSC update: Randy Rannels/ Tammy Moseman**

Tammy Moseman reported the following from the last meeting:

Report from fire chief was received.

Anticipating doing tours of the hospital in May-June.

Board will meet every other month and the committees will meet the opposite months. Meetings will be on Tuesdays.

Last meeting was held January 15, for re-organization and it went well. Scott Russel is new chairperson, Randy Rannels is the alternate, Karen St. Clair is treasurer, Diane Garber is secretary, Scott Wigglesworth and Ed Lefever are no longer on the board. Tom Bennett and Scott Russell have taken their spots.

Committees are split up as follows: Funding -Tammy Moseman & Tom Bennett, Apparatus - Randy Rannels & John Herr, Recruitment - Scott Russell

East Hempfield has not been able to run the new Pumper yet. It has been with Rohrerstown for a little while and East Petersburg has had it just to showcase. It will be rotated based on needs.

Mr. Rannels said East Hempfield did say that the new agreement is on the forefront, but it was not discussed by the Township yet. Ms. Moseman said the corrected minutes from September are not posted on the OneDrive, but they are posted on the township website. Ms. Moseman pointed out that township meetings are recorded and posted on YouTube, but the HAFSC meetings are not. She also pointed out that one of the documents posted on the OneDrive was marked as modified by Tom Bennet. She said she will check on this. Next meeting will be held on March 15. Josh Roberts said that he would have been at 1/25 HAFSC meeting if he would have known about it, but he did not see it posted on the township website. Ms. Moseman said the HAFSC board members didn't get notice until the week before the meeting. It was pointed out that public notice was posted in LNP on 12/21 for the January 15, 2022, HAFSC meeting.

**9. Hometown Hero Project update**

Manager St. Clair said that the cost of this project is \$6,200 and the East Petersburg Lions Club will campaign to raise funds to cover costs. The Lions Club said they will have no problem raising the full amount to cover the cost of the project. Planning on using existing poles and replacing banners that are currently hanging and covered under the PPL permit. Banners will be in place for 2-3 years or as long as possible. There are enough poles to hang 30 double sided banners for a total of 60 Heroes. Information on the Hometown Hero Project will be put on website and e-mailed out to residents. Council agreed on Banner No.1. There will be a meeting the first week in February with the Lions Club and James Swarr (the organizer of the Veterans Club in East Petersburg), to discuss how to get the word out further. This project is limited to veterans only. Deadline to submit is March 31<sup>st</sup>, and banners should be up by Memorial Day.

Lauren Houck's neighbor is the daughter of Clarence Ober who was the 1<sup>st</sup> police chief, constable, and fire policeman for East Petersburg Borough. He joined the fire co. in 1926 and then joined the newly founded Fire Police 3 years later. Mr. Ober died at age 88. He was not a veteran. James Swarr and Council agreed the Hometown Hero project is for Veterans only, but he could be honored some other way.

**10. Park/Playground update**

Manager St. Clair said that the grant opened up January 18, 2022, and will close on April 6, 2022. Robin Hemperly and Manager St. Clair met with the representative of DCNR in December 2021 and they walked the park with her, and she gave them some terrific ideas and a timetable of what they should be accomplishing between now and when the grant needs to be submitted. They are currently at the point that they are working on a site plan with the borough engineer. The plans must be submitted to Lori for review before they can be shown publicly, so she can make sure all the items have been addressed the way that the grant requires. It is required to meet with the borough engineer and to submit three different plans for consideration and only one of the three will be approved and submitted for the grant. The project can not be done in phases. DCNR wants to fund the entire project. Lori's recommendation was that they work with as many groups as possible whether it is for in-kind or cash donations. Right now, we are lucky to have both. They will put information about the public meeting on the website and they will ask Mr. Bucher to put the information on the East Petersburg Community Facebook page, and ask the Events Committee to put the information on their Facebook page, and work with S. Clyde weaver to put fliers in their store and also put an in-kind form on our website. An acceptable in-kind would be for volunteering time. We get points for including any ADA items, and recycled items like trash cans, benches, and ground cover. Robin will be working on letters of support to send to our state representatives. It was also recommended by Lori that we work towards a matching grant in the amount of \$150,000.00 and this can consist of cash donations, in-kind donations, and donations that are state approved. Lisa also said to work towards 75% of in-kind if we can reach that much. We apply April 6 and review will start April 7. We will be notified in the Fall if we are awarded the grant. The work will start in January 2023 and the contract will be sent out for review, adoption, and signatures, which will take us into the summer of 2023, and then the project work can start. The

final inspection will take place no later than the end of 2024. A Resolution is needed to authorize Manager St. Clair to sign the grant application, and this will be on the agenda at the next Council meeting. Cash donations will need to go into a separate account. It is not clear if this is a re-imbusement grant or not. We are not sure what the in-kind value is at this point in time. Manager St. Clair will check on these items.

**11. Review Accounts Payable 01/27/2022**

**12. 4Q21 Financial Review**

Manager St. Clair said this a summary of 2021.

General Fund Income:

The bulk of the revenue comes from: property taxes, Act 5 taxes, State revenue and department revenue.

Budgeted – 1,468,574.00

Actual – 1,489,695.00

Total revenue received as of 12/31/2021

Budgeted – 2,324,674.00

Actual – 2,569,062.00

General cash balance as of 12/31/2021 was 1,444,279.00 – this balance will get us through April or May. Our tax revenue is very low in 1<sup>st</sup> quarter and will not receive the bulk of it until May.

General Fund Expenses: Came in under budget.

Budgeted – 2,239,020.00

Actual – 1,948,291.00

These expenses include Administration, Buildings, Planning, Public safety, Streets, MS4, Parks, Insurance, Tax, Payroll, and Transfers.

General Fund Net Income: 620,771.00

Water Operating Revenue:

This consists of metered water, penalties, reconnect fees, hydrants, certification fees, sprinklers, misc. items.

Budgeted – 979,020.00

Actual – 1,002,434.00

Water Cash Balance as of 12/31/2021 was 483,797.00

Water Operating Expenses as of 12/31/2021: Came in under Budget

Budgeted – 889,650.00

Actual – 856,899.00

Trash Revenue as of 12/31/2021:

Budgeted – 468,920.00

Actual – 476,428.00

Trash Fund Expenses as of 12/31/2021:

Budgeted – 430,750.00

Slightly over budget by 5,666.00

Trash Fund net income – 40,012.00

Outstanding water/trash bills as of 12/31/2021:

120 days out 1,778.00; 90 days out 217.00; 60 days out 4,760.00; 30 days out there is a credit; current is 30,848.00

Street Sweeper Expenses for 2021: 21,943.00

Street Sweeper Revenue for 2021: 23,346.00

Net income: 1,403.00

There was an expensive part that needed to be replaced in the 4<sup>th</sup> quarter.

Council reviewed cash balance sheet for each account.

**13. Misc. Manager/Foreman/Council Items**

Mayor Malone

East Petersburg Veterans will be meeting Saturday, January 29, at Family Fare at 8:30 a.m. Lancaster Dispatch offered to do an info. tour if Council is interested. Mayor Malone will send out an e-mail with dates when he receives them.

#### Randy Rannels

Recently met with Don Schoenberger, Tom Enlow and Mark Cohen along with John Herr and Tammy Moseman to get an overview of the fire department and get more information on how things are set up, training requirements, and to look at the different equipment and apparatus they use. They will meet again in a few weeks to learn more about how the financing works.

Mr. Rannels said he will be attending a fire co. grant training session with John Kottmyer.

#### Sandra Valdez

Thanked the residents for electing her to be part of the Borough Council. Ms. Valdez said some people have asked, so she wanted to explain that the past six months she has not been able to attend the meetings because she has been helping her mother who was a victim of a car accident. Her brother has now come from Puerto Rico to assist with her mother during her recovery.

#### John Schick

Traffic signal at Miller and Rt. 72 is being reviewed by PennDot and we should be getting the ok from them in a week or two. After it is approved Mr. Schick will get signatures from Manager St. Clair and the Manager of East Hempfield and then coordinate with Jeff Moseman to solicit for bids. Even though the cost is being shared with East Hempfield the permit for the signal light is held by East Petersburg Borough.

The equipment that was taken at the square had some pixelated LED signals that can be used at Miller and Rt. 72. Hoping to have this finalized by the end of February and then we will be able to get this out on the street. Thanked James Swarr and Josh Roberts for helping with the traffic study that was needed to get left turn arrows installed, East and West on Miller. Manager St. Clair and Council thanked John Schick for all his help to get the light at State and Main and now at Miller and 72.

#### Lauren Houck

Recently noticed there were 2 speed monitors readers just before the quarry. Traffic seemed to be moving at a slower speed because of this.

Ms. Houck said recently kids were delayed from leaving school for 30 minutes due to a security concern and parents were not notified.

#### Debra Miller

Pointed out according to Roberts Rules of Order, it is not required for Council members to abstain from approving meeting minutes due to an absence, because they are still able to read the minutes and request corrections before voting to make the minutes the official record of the meeting. Amy Leonard, Borough Solicitor, said you are technically able to approve the minutes of a meeting even if you were not there. Council said they feel that it is hard to validate the minutes are accurate if they were not physically in attendance. It was agreed it should be left up to the individual council members to decide if they want to vote, or abstain from voting, based on what they are comfortable with.

#### Manager St. Clair

T-Mobile and Verizon want to update their cell towers on the borough's water tower. They currently have 6 antennas, and they are proposing to add 6 micro integrated antennas onto the existing antennas, also proposing to remove all 9 of the existing auxiliary units and replace them with 6 new upgraded models. Doug DeClerk will set up a pre-construction meeting and review the plans. Both T-Mobile and Verizon have escrow with the Borough, so Mr. DeClerk's fees will come out of that escrow in the amount of 4,500.00 for each one. He will review and certify everything.

Adam Marden can only attend every other Borough Council meeting because he has a meeting at W. Hempfield. Council said every other will be fine and if they have any questions, they know how to reach him.

There is an open position in the water department. If anyone is interested, please stop by the office and fill out an application, or submit a resume.

#### **14. Living Tree Discussion Continued**

The living tree will consist of ashes being mixed in with sapling in peat pots and then planted in the ground. Council expressed concern for a small sapling being planted because it might not grow successfully, and the Borough could be held liable. It was discussed that they should be responsible to care for tree until it is stable. It was pointed out that this might become more popular now that cemeteries are filling up. Some churches do provide for planting these trees in what is called a living garden. Lancaster City has an area designated for a living memorial garden and it is now full. This could be a good way to help replace the trees in the park that need

replacing. Jeff Moseman has a map of trees that need replaced. This is the first request the Borough has received for this. It was agreed that the tree would need to fit in with the Borough's landscape, and the type of tree and where they put it would have to be approved. For now, Council will continue to handle memorial requests on a case-by-case basis.

Council is ok with Kim Kirchner's request if she goes with Option 2 on the form that was presented to Council. This option states they buy their own tree and plant it locally. Ms. Kirchner can contact Jeff Moseman and he will be able to help her with what kind of tree and where it can be planted.

- 15. Lancaster County Planning Dept: Water & sewer capacity study GIS data sharing Discussion Continued:**  
Mayor Malone said this information is structured and certified, therefore if you sign that agreement, you are legally bound to those government penalties. It is the reason you have the disclosure forms when your hosting detail like this. This is also why they wouldn't allow downloads and extractions from the data.  
John Schick said that in his work as an engineer, they have a hard time getting these kinds of plans.  
Council agreed it wasn't clear what they were doing with the data except for collecting it, so what is the value of it.  
Council also said they would like to hear from Jeff Moseman about this. It was decided they will not do anything with this right now.

**16. Fire Company Financials & 2021 Fire Report – for review only**

**II. Agenda Items for ACTION**

**1. October 2021 Committee Meeting Minutes**

*It was moved and seconded (A. Gochnauer / J. Schick) with 5-1 Approval by the Board, to Approve the October 28 ,2021, Committee Meeting Minutes, S. Valdez abstained because he was not at the meeting*

**2. Review/Approve Resolution 830, Amending Resolution 827 to add Tammy Moseman to HAFSC**

*It was moved and seconded (A. Gochnauer / S. Valdez) with unanimous Approval by the Board, to Approve Resolution 830, adding Tammy Moseman as the Citizen at Large to the Hempfield Area Fire Service Commission*

**3. Review/Approve Resolution 831, Amending Resolution 829 - add HARC to the list of boards & Debra Miller**

Manager St. Clair explained that the Vacancy Board Chairman position is still open, and Steven Shenk has said he would take on this position again. There has been no other interest in this position.

*It was moved and seconded (A. Gochnauer / R. Rannels) with unanimous Approval by the Board, to Approve Resolution 831, adding Debra Miller as the Hempfield Area Rec Representative and Steven Shenk as the Vacancy Board Chairman*

**4. Review/Approve: Property Damage Claim release against JCBH Transport (Kasper accident)**

Manager St. Clair explained that she has received a claims release from JCBH Transports attorney that was for property damage that we had from the tragic accident in May 2021. Amy Leonard, Borough Solicitor, and the insurance adjuster both reviewed the release, and they are fine with it. The amount of property damage was 834.61 to replace the back plates on the traffic signal and sign. The recommendation is to approve the property damage claim release.

*It was moved and seconded (L. Houck / J. Schick) with unanimous Approval by the Board, to Approve the property damage claim release from JCBH Transport for property damage in the amount of 834.61*

Amy Leonard, Borough Solicitor, explained that this is part of the overall settlement of the claim, so basically anybody that had property damage as a result of the claim was asked to submit that claim as part of the overall settlement from the auto transport company and since we had a specific property damage claim that was submitted for settlement. The release is only related to a property damage claim. Josh Robert asked if this means we are releasing them from having to pay that money. Amy Leonard explained that the Borough will accept payment in the amount of 834.61 as a release of property damage claim against the trucking company.

Mr. Roberts said, so this is not related to the investigation with the police as far as at fault. Amy Leonard said that is correct.

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

**IV. Regular Committee meeting Adjournment:** 8:46 p.m.

**V. Executive Session for personnel issues:** 8:52 p.m. – 9:45 p.m.

**Next Meeting:** Tuesday, February 1, 2022, Council Meeting & Thursday, February 24, 2022, Committee Meeting

Respectfully Submitted,  
Kim Strayer, Recording Secretary