

MINUTES OF THE COMMITTEE MEETING  
OF THE EAST PETERSBURG BOROUGH COUNCIL

<b>DATE AND TIME:</b>	March 24, 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, Josh Roberts  
James Swarr and Josh Roberts were recording the meeting.

**Public Comments:** Taken throughout meeting.

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

**1. Robin Hemperly/ Michael Bingham- Park/Playground Equipment**

Ms. Hemperly said she has been working on the DCNR grant for the last couple months, and when she got ¾ of the way through the application she met with Lori, the Representative for DCNR, and they went over the plans for the playground equipment replacement. She was told that DCNR needs to see in depth environmental information and access pads for handicap equipment and they wanted more stormwater BMP information. All plans must be ADA. Ms. Hemperly said that Council has to decide what they want to see in the park. It was pointed out that four years ago there was a plan done by Land Studies, but it was the cost of ½ of the boroughs total annual budget and it was determined that it was too costly, that is why they have chosen to focus on the central park area for now.

Ms. Hemperly said we are not ready to do a DCNR grant at this point especially with the small amount of money we are looking at spending, and timing is an issue. Weavers has donated money for park upgrades and would like the money to be used now. The DCNR grant requires that you follow the plan submitted and nothing can be added from the time you submit in April until they get back to you in December, and then there is paperwork to work through. She suggested instead of losing a whole summer that we use the money Weavers gave us this year and add a Gaga pit, spring jumpers and an ADA swing. Ms. Hemperly suggested a committee be formed to keep things moving along on the planning. When we do finally have a plan there are other grants for which we can apply.

Lauren Houck asked what we need to make it ADA. Mr. Bingham said he can easily put together an ADA plan connecting the parking lot to the swings and some of the work could even be done by staff. Access from the walking path could be added later possibly through a grant.

Mr. Bingham said DCNR grants are a lot of work but can be worth it for a large project. He said there is a threshold that makes it work it, otherwise you end up spending more than you get out of it. Mr. Bingham said engineer services do not have to be bid, we just have to submit approval.

Adam Gochnauer asked if we could use DCNR for the infrastructure items such as bathrooms, tennis courts, converting one of the courts to pickle ball, things that do not take a lot of planning and then we can use our budget money for playground equipment and do whatever we want. Mr. Gochnauer said the approximate costs could be: \$30,000.00 to refurbish tennis court, paving \$30,000, pavilion could be \$120,000.00. If we just include these items, it would be enough to make it worth our while. We could have Robin work on getting the infrastructure items through the grant. Ms. Hemperly agreed and said she would like to see Council work on getting a plan together. She would like to see mid-aged equipment added into the grant also. Costs will need to be determined.

Manager St. Clair and Council agreed to forming a committee with 2 councilmembers to start laying this out. This committee will include Lauren Houck, Sandra Valdez, and Robin Hemperly. They will begin with getting an approximate cost before starting engineering.

**2. Michael Bingham: TOA – Blasting activities**

A letter was sent to the Borough regarding an E&S violation for TOA and in that letter, it mentioned that TOA will be blasting. They did blast in Phase 2, but this is in East Hempfield, and we do not have any authority there. The wellhead protection ordinance suggests Zone 1, 2, and 3, does not have any blasting. TOA has submitted a letter proposing to blast in the borough during phase 3, Monday through Saturday from 7:00 a.m. until 5:30 p.m. TOA has received DEP approval. They are planning to put a seismic meter near the wellhead to make sure there is not any issues. TOA has received conditional approval for phase 3 over 90 days ago, and phase 3 plans have still not been recorded. Typically, 90 days are given to record the plans. Amy Leonard, Borough Solicitor, recommended the following: entering into an agreement with the contractor and engineer, a bond be posted, and inspections of the infrastructure be done before and after blasting. Mr. Moseman said he would like to see the bond amount be able to cover the well head, the DEP permitting, and the distribution pipe on Cottage Avenue. Mr. Moseman said that if a leak would occur, they would see a change in the levels through the 24-hour monitoring system. The SALDO states that all other borough requirements must be met before final approval of the plan is given. This will be looked into further for phase 3, by Amy Leonard and Michael Bingham.

**3. Review Quote from C.M. High: 72 & Miller Rd. traffic signal update project**

Manager St. Clair said after receiving the approval from PennDOT and the revised permit, we then received 3 quotes for this project and C.M. High was the lowest. The quote was sent to East Hempfield because this signal light is shared with them 50/50, and they were ok with the quote and awarding CM High the project. This will be voted on later in the meeting.

**4. Review Amendment for the Peddling & Soliciting Ordinance**

Council reviewed the updated ordinance with the changes that were discussed at the previous committee meeting. Law enforcement would have to enforce this ordinance and the fines would be determined by the District Justice. Amy Leonard will check on the fine amounts. With the amended ordinance everyone needs a permit if they participate in transient retail sales (anyone collecting money). Only transient retail sales can be regulated. The PA Borough Code does not allow religious and political representatives to be regulated. The Borough risks being sued if they regulate religious and political representatives. If a person soliciting does not have a permit to show even after a resident has asked to see it, the resident can call the non-emergency phone number to report them. Residents need to be diligent in reporting violators to the police, so repeaters can be dealt with. Ms. Leonard pointed out if they are just leaving materials at the door there is nothing that can be done. No Soliciting signs can be put up to deter solicitors from entering someone's property. The updated ordinance will require:

- Everyone involved in transient retail sales needs to have a permit to solicit whether they are knocking on a door or approaching someone that is outside at their residence.
- Age 18 and under are exempt from paying fees for taking orders for and delivering newspapers, candy, bakery products and the like, or those who are representing the Girl Scouts or Boy Scouts of America.
- Age 14 and up need to be permitted.
- Age 13 and younger need to be with a permitted guardian.
- Timeframes for soliciting will be Monday through Saturday between the hours of 9:00 a.m. – 6:00 p.m. year-round to keep it consistent, except for legal holidays.

Council agreed that they did not want to regulate food truck at this time. If it would become an issue they will look into it further, but for now it is not a problem. Ms. Leonard said that food trucks would need to be regulated separately.

Council said they were ok with the revisions. Manager St. Clair said this will be put on the agenda to approve advertising at the next council meeting.

**5. Review Amendment to the EPB Employee Harassment Policy**

President Miller asked Manager St. Clair to review this policy and it was found that the current policy does not include bullying. Amy Leonard, Borough Solicitor, provided a standardized harassment policy for Council to review. It was pointed out that part 2 should include gender identity and sexual orientation. The amount of time that someone has to file with HRC and EEOC will be added in along with the address and phone number of where to file. All employees receive a handbook and sign off after reading it. The amended harassment policy will be added to all handbooks for current and new employees.

**6. HAFSC update: Randy Rannel/ Tammy Moseman**

Tammy Moseman reported: An e-mail was sent out saying they would just have the committee meetings in March. During the finance committee meeting they discussed cost estimates for training. Ms. Moseman shared a breakdown of the training costs with council. East Hempfield ended up purchasing a year subscription for this year at a discounted cost of 5,735.00. The training program is expected to be up and running in April. There will be an administrator for each fire department giving information on which training they need to take. This training will be online only. Discussed apparatus being part of the program costs.

Grants may not be able to cover SCBA (Self-contained breathing apparatus) – each fire fighter needs 2 outfits in case one becomes contaminated and needs to be cleaned. Diane Garber and John Kottmyer will provide spreadsheet with more information on this.

Next committee meeting will be held the 3<sup>rd</sup> Wednesday of April. She was told right now they are just having committee meetings.

Randy Rannels reported: Training is required for all firefighters and if they do not have it, they can not go out on calls. Some recruits just do not have time for all the training and annual requirements. The online training program they discussed will be open and unlimited to all firefighters, and it will make it more convenient for firefighters to receive training. The training program includes EMT training that will count toward the licensed EMT training requirements. It was discussed that this cost would be shared between the fire departments. Mr. Rannels does not feel this is part of the program cost, but he does recommend East Petersburg pay for part of this training cost. He will confirm what percentage of the cost is for us.

Josh Roberts asked who determines if there is a board meeting for HAFSC. Mr. Rannels said the chairman determines if there is a meeting or not. Mr. Rannels said there was an e-mail sent by Diane Garber asking if there will be a meeting and he agreed with the decision.

Josh Roberts asked if there has been any progress from East Hempfield to discuss the 90/10 that was offered by the borough? Randy Rannels said that there has been no progress and we are still waiting on them. Mr. Rannels said without apparatus, there are still other costs: fire department operations, recruitment/retention, accounting, technology, office supplies, station tools equipment, equipment for trucks, personal protective equipment, and capital projects.

James Swarr asked what the municipality is doing to move this along. Manager St. Clair said she has reached out to Cindy Schweitzer, Manager of East Hempfield, every month to find out what is going on, and she is continuously told groups are still meeting, they are still working on it, and they will notify her.

Randy Rannels said he was told by Scott Russell this must go through two committees. James Swarr said if they are not having official meetings to vote on anything then should we be paying for anything? Randy Rannels said we have not paid for anything beyond the revenue agreement to pay 20% of the salaries for Chief Kottmyer and Diane Garber. Randy Rannels said if we decide to pay for this training it would be beneficial for the fire department. Josh Roberts asked what fills up Chief Kottmyer's day and are we just paying for him to run calls? Mr. Roberts said he does think Chief Kottmyer is doing a good job and he does support the fire department and wants them to thrive, but this is dragging on and this is added taxpayer money beyond what we give to the fire department already with the millage and he feels this needs to get in order soon. Tammy Moseman said she constantly asks questions, but she is in the dark also. Ms. Moseman said she does know that Mr. Kottmyer is working on administrative work, recruitment and retention, looking for grants, running calls in daylight because a lot of the guys are working. Ms. Moseman said they are just on committees until further notice, and she is sorry she does not have more information for him. Josh Roberts told Tammy Moseman he understands she only has so much power and said she is doing a great job and to just keep on doing what she is doing. President Miller thanked Tammy Moseman for what she does.

**7. LIMC: Any Council member interested in sitting on the UCC board of appeals? (Replaces JW)**

LIMC is asking Manager St. Clair to replace John Wolf's position on the Appointment Committee, due to John Wolf's resignation. The Appointment Committee reviews a list of qualified individuals and selects seven of them to sit on the appeals board. Mayor Malone has come forward to take the open spot on the Appointment Committee. No others have come forward to fill this spot.

## 8. Review Account Payables for 3/24/2022

There were no additions to the regular bills.

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

### Manager St. Clair

Liquid fuels payment was received in the amount of \$123,205.00. We received a trash performance recycling grant in the amount of \$6,451.00. The 2021 financial audit is complete and for the first time ever the auditors did not have a comment letter to submit. A comment letter is where the auditors list findings and recommendations for changes, and they do not have one. She will have the full complete audit for Council next month.

The traffic signal at State and Main Street is officially the Borough's. There is still an issue with the pre-emption light. The light should change to green for the fire co. at State St. and it is not turning green until they are under it or not at all. C.M. High is going to come out and look at this.

Lg. Appliance and tire pick up will be held on April 29<sup>th</sup>: lg. appliance tags are 15.00 and tire tags are 5.00.

The 13<sup>th</sup> Annual Vagabonds Car Show will be held on May 7<sup>th</sup> from 11 pm – 3 pm, first rain date is May 8<sup>th</sup>, and second rain date is July 30<sup>th</sup>. Registration forms can be found online.

### Randy Rannels

Easter Egg Hunt will be held Saturday, April 16, at 12:00 pm. Raffles will be called after the egg hunt.

### Jeff Moseman, Foreman

Recently returned from leave for surgery.

Attended Little Conestoga Watershed meeting and it was discussed that an engineer will be applying for a grant to put in a riparian buffer in the stream bank at the yellow freight property. We will qualify for some of these MS4 credits for our PRP (pollution reduction plan). James Swarr asked what MS4 credits are. Mr. Moseman explained MS4 credits are what we receive when we reduce the amount of pollution that goes into the stream. We receive credits based on what we pay for, or what we accomplish. We have two big programs to gain those credits over the next two cycles. It is harder to receive the credits with smaller projects. There is a formula that is used that determines what amount of credit we receive. It was pointed out that street sweeping helps contribute to the credits also. Mr. Swarr asked if there will be a mandatory schedule put into place for street sweeping. Mr. Moseman said there is a schedule in place, and we sweep often enough that eventually we do sweep the entire street and it is not a problem for the operators. It was pointed out that municipalities that have made it mandatory also issue fines to enforce it.

### President Miller

Attended the seminar "Effective Relationships for Municipalities and Volunteer Fire Companies", along with Manager St. Clair and John Herr. She pointed out that we are already doing a lot of the things they talked about.

### John Herr

Asked how far along we are with Shentel Communications. Manager St. Clair said she just started receiving the information from Mark Cohen and this will go to Amy Leonard, Solicitor, for review. The entire process will take 1½ - 2 years.

### Mayor Malone

On March 3, Mayor Malone, Councilmembers, and Adam Marden visited the 911 center. They were able to see how heavy the activity is and all that goes into what they do. Another tour can be set up for those who were not able to attend.

Attended PA Boroughs Association online course on ethics. Mayor Malone pointed out that the forms can now be filed online, and if you do file online, a copy will still need submitted to the office.

## 10. Fire Co. Financials review

### ii. **Agenda Items for ACTION**

1. *It was moved and seconded (A. Gochnauer / J. Schick) with unanimous approval by the Board, to approve the February 24, 2022, Committee Meeting Minutes*
2. John Schick pointed out that the original estimate for the Rt. 72/Miller Rd traffic signal light upgrade project was 13,000.00 and the new price came in at 12,000.00, with the following additions: replacement of additional

signal heads, replacing old LEDs, and rewiring the signal heads. Mr. Schick pointed out this was a much better value.

**It was moved and seconded (J. Schick / S. Valdez) with unanimous approval by the Board, to approve the C.M. High quote for the Rt. 72/Miller Road traffic signal light upgrade project**

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

**IV. Regular Committee Meeting Adjournment: 6:00 p.m. – 8:10 p.m.**

**V. Executive Session: In: 8:20 p.m. – 9:48 p.m.**

**Next Meeting: Tuesday, April 5, 2022, Council Meeting & Thursday, April 28, 2022, Committee Meeting**

Respectfully Submitted,  
Kim Strayer, Recording Secretary