

MINUTES OF THE REGULAR MEETING  
OF THE EAST PETERSBURG BOROUGH COUNCIL

<b>DATE AND TIME:</b>	December 5, 2023	7:00 p.m.
<b>LOCATION:</b>	Community Center	6051 Pine Street
<b>ATTENDANCE:</b>	Council Members:	Debra Miller, President John Schick, Vice President (Absent) Adam Gochnauer, Pro Tem John Herr Randy Rannels William Sharp Sandra Valdez James Malone Mayor: Borough Manager: MS4/Project Supervisor:
		Karen St. Clair Jeff Moseman

**President Miller called the regular Council meeting to order.**

**Pledge to Flag and Moment of Silence.**

**Visitors:** David Conor, Michael Bingham, Tammy Moseman, Tony Lyrstis, Joyce & Frank Mokros, Samuel Maurer IV, Caleb Simmens, Justin Stolfus, Josh Roberts, James Swarr, Karyl Carmignani

**Visitor Comments:**

1. **James Swarr** said in 2022 the borough budgeted \$3,000.00 to Lancaster Library and in 2023 \$3,300.00 was allocated, which is a 10% increase. He asked if there was discussion about the increase. Manager St. Clair said she has always budgeted \$3,000.00 and was then asked to increase this amount to \$3,300.00. John Herr said he asked for this increase, and it was pointed out that there was a discussion, and this amount is less than what the library was requesting.

**Discussion:**

1. **Scott Liggins – Geneva Drive Boil Water Issue**  
Mr. Liggins said there were some issues with the boil water notice that we issued on upper Geneva a few weeks ago. He gave a brief timeline: Every year we bring a company in to do a leak detection survey of the entire town. Last Fall, that company found a small leak in the Caroline Dr. cul-de-sac. Also, last Fall we had an emergency water main break in this area and a valve was broken during that repair. We were trying to put both projects together to minimize down time. We scheduled to have a contractor come in and take care of both at the same time. The letter then went out for the boil water because we anticipated the entire subdivision was going to be without water and require a boil water. From the time the letter went out to the actual dig date, the company came back in to do the 2023 leak survey and they did not find a leak there this time. He does not have an answer for why. Mr. Liggins said they did not want to dig up something that wasn't broken, so that changed the whole parameter of the job. We still figured there was going to be a large outage in that area due to the age of the equipment. The letter probably didn't have the same concern as it did initially and that's where some of the questions were received.  
Lisa Rossi asked if people were not affected why weren't they notified on the day of service saying to disregard the letter. Mr. Liggins said that would have been one way to handle it, but they decided to just put door hangers on the homes that were affected, and that's probably where the problem started. Ms. Rossi said the letter she received said until you hear further, continue boiling. Ms. Rossi said until a week ago her neighbor, who is in his 80's, was still boiling water. Mr. Liggins said he understands it was a miscommunication on his part. He was more concerned that everyone had notice who was potentially affected vs. somebody who does not get notice and is then affected. During this event everyone that had to boil, did boil. He said they will try to do better next time. A resident asked why all the homes that were not affected did not get door hangers. Mr. Liggins said everyone who could have been affected did get a letter, and everyone that was affected was given a door hanger the day the work began. When it was

repealed, the people affected got a door hanger saying they no longer had to boil. Randy Rannels asked what he will do in the future to avoid this happening again. Mr. Liggins said DEP does not require letters be sent out prior to a project starting, but he feels this advance notification is helpful. He agrees the wording should have been clearer and he will make sure the language in the letters are clearer. Mr. Rannels said the people who received the letter and not the door hanger probably should have been notified that they were not affected. Mr. Liggins said time did not allow for a new letter at that point. Josh Roberts asked if there is a standard SOP for this. Mr. Liggins said they are not required to send out a warning letter, the process for scheduled or emergency work is that if you have to cut into a pipe, it automatically starts the door hanger on a door for boil water notice. They then take water samples and when they receive the results back ok, the door hanger goes on the door to notify residents they can stop boiling water. Jeff Moseman said there are other approved methods of notification that are allowed, and they have tried a phone calling system, but this was not efficient. The most efficient way they have found to notify people of a BWA, is the door hangers. It was pointed out that it could be added to the website. Mayor Malone said that he read the letter and he read it as, you will be alerted that this will happen, and he feels some people may have misunderstood the letter and thought they were to boil the water anyway. Mr. Liggins pointed out that the letter was written with the best information they had at the time.

## 2. **Jeff Moseman – Bio-Swale Footbridge Presentation**

Mr. Moseman said there were many delays due to the multiple rainstorms and we are now back on track and ready for the next part of the project which is to install footbridges. There is a 3ft, deep slope on the berms so we need to bridge the gaps. We did receive a large amount of grant funding for the bio-swale project, but DEP is only applicable to stormwater components and the footbridges do not qualify. We will need to find another means of funding. Lancaster County Conservation District said they will be able to come up with partial funding through Lancaster County ARPA program in the amount of \$40,452.00 to partially fund two footbridges. The footbridges will be used to cross the lower depressions of the swale. The bridges will eliminate people having to walk through this area and cause damage in the swale. There are many options for materials and design, and we are looking for some input to move forward. The footbridge should be at least 4ft wide, matching sidewalk minimum ADA requirement. Pedestrians and bicyclists could easily share the footbridge safety. One of the footbridges should be 8ft wide with adequate weight capacity for UTV and zero turn mowers needed for bioswale and park maintenance. To receive funding for this aspect of the project, the bridges and trail work must be completed by the original CAP grant deadline of June 30, 2024. Because of these initial costs (greater than \$22,500) the project will have to be placed for bid. There are several details that need to be considered regarding style, design and building materials to begin this process.

Three options available:

Penn Dutch Structures wood or vinyl: cost for 30' x 4' Vinyl Victorian is \$20,805.00 and cost for 30' x 8' Vinyl Victorian is \$35,675.00 - This is not through Costars. Foundation and footers are not factored in price. Site preparation and foundation installation will be needed. Warranty is 5 years.

Bedford Reinforced Plastics fiberglass-reinforced polymer: cost for ready-span p series 30' x 4' is \$22,870.00 and cost for ready-span pv series 30' x 8' is \$26,250.00 – This is not through Costars. Installation and footers are not included. Warranty is 25 years.

Contech Construction Products Inc. weathered steel: cost for 30' x 4' weathered steel is \$65,000 and cost for 30' x 6' weathered steel is \$75,000.00 - This is through costars, footers are included, installation is not included. Warranty is 10 years.

He does not have cost for installation of footers.

These do all exceed the bidding threshold limitations which would require us to put out to bid. We will need bid specs. Need to decide on a design. John Herr asked do we need the 8' or can we get the mowing equipment through the smaller design. Mr. Moseman said all the equipment cannot fit through the smaller bridge so he would recommend the wider bridge. Adam Gochnauer said the fiberglass reinforced polymer would actually be the better material and it is less maintenance and costs the least. Mr. Moseman said the cost could be less because of the process they use to make it. Shipping should be less expensive also.

Michael Bingham said he would recommend doing separate bid documents; one for the materials and one for the installation because if you do it all in one, a contractor is going to put a markup on those materials. They will pay the \$25,000.00 per bridge and then charge you \$5,000.00 per bridge, plus installation. Mr. Moseman asked if they can be considered 2 separate projects, and if the footers come in cheaper than the

\$22,500.00, could that be done without the bid process. Mr. Bingham said you have to publicly bid this out for materials or for project. Mr. Bingham said to run this by Amy Leonard.

Sandra Valdez asked if this is for sure and is there a timeline. Mr. Moseman said this is the dollar amount they came up with. The part of the project for the bioswale that we have grant funding for currently closes in June 2024. The bridges need to be put in place for the project to be considered finished and closed out. This is why we need to determine what we want, so this can be put out to bid at the start of the new year to get these bridges installed on time. Council was in agreement on the bridge made with reinforced polymer material. This will go on the January 2 agenda for a vote. John Herr asked if that will allow enough time to have the bridges installed. Mr. Moseman said yes.

### 3. **Emergency Services Coordinator Update**

Manager St. Clair said beginning in 2024, we will no longer have Diane Garber as our Emergency Services Coordinator. She has started looking into finding someone to fill this position. She reached out to Millersville University program but has not heard back. She reached out to Representative Sturla, and they had no leads. When this came about she remembered Josh Roberts had expressed interest at a previous meeting, so she reached out to him. She met with Mr. Roberts and said he does have a lot of his certifications, and pointed out that with this position one-year is given to acquire all certifications. Josh Roberts said it is a big loss not having Diane Garber going into the next year. He said she does provide a valuable service and has a lot of experience and has been helpful to us and it is unfortunate that it did not work out. There is a check list of certifications put out by PEMA that are needed within your first year. Most of them are online and a few are in-person. There is also a check list of professional certifications with another list of items that need to be completed by the end of year three. Mr. Roberts said he has most of what is needed for year one, except for two in-person classes; one is \$150.00. He would also need three short online classes. He said he is willing to step in and do this, but he does not know that this is a sustainable solution. He said he thinks the money should be kept in the budget for this. In the meantime, he can be that person for a year or two until the borough finds a more sustainable solution. He feels this should be a paid position and did look at what was paid out over the last few years. He believes we were overpaying by a significant amount. He said from what he has factored in, it is a 400 hour/20% position - \$16,000 – \$20,000 to get someone part-time. He would be fully dedicated to working with our fire department, EMS, and police department to be sure there is continuity and to allow the borough time to do what is needed to find a sustainable solution. He said he is invested in the town, and he is here if needed. Debra Miller said he has been working on his certification for the past few weeks. Mr. Roberts said his EMS days are long behind him, but the borough is in a position where this needs to be addressed, so he would be willing to do this for 1 or 2 years to allow the borough time to find someone. Sandra Valdez thanked Mr. Roberts for stepping up and offering to help the community and give the borough time to find a candidate to take over.

Tammy Moseman asked if Diane Garber resigned. Manager St. Clair said she did not resign, East Hempfield decided to terminate the agreement immediately. Manager St. Clair talked with Manager of East Hempfield, and it was agreed to give us until the end of the year. In January, Council can make a recommendation on how to move forward. John Herr asked Mr. Roberts if he wanted the borough to keep trying to find somebody. Mr. Roberts said if the borough finds somebody that is qualified and willing, he is ok with that. He said it is up to council if they want to decide tonight, he is willing to do it. If they want to wait until the January 2<sup>nd</sup> meeting and someone comes forward that has all the qualifications and it keeps us in a good spot, that is fine too. Randy Rannels thanked Josh Roberts for stepping up and said he did review the documentation that was submitted and feels he is qualified to step in and do the position.

Randy Rannels said on November 27, there was an article in the paper related to this subject, and he was misquoted on something he said during the November 8<sup>th</sup> meeting. He asked Karyl Carmignani to do a correction on the article. He said the article incorrectly quoted him saying "Diane Garber is shafting the borough by not attending the meetings and cutting and pasting her reports." Mr. Rannels said this quote is not correct. What was stated in recordings made by the borough was, "We are getting shafted, and it is pissing me off." Mr. Rannels explained he used this language because he is fed up with East Hempfield Township. He was on the fire services commission, and feels they just do whatever they want, and they try and just push us around, so this is the reason for his language. He told Ms. Carmignani he would appreciate if she would correct that statement in the paper and asked if this is possible. Ms. Carmignani said sure and told him he can contact LNP and sort it out with them. Ms. Carmignani said she will google who to contact and let him know.

**Bill Payment:** Reviewed by Council.

**Police Report:** Report Submitted to Council.

Lieutenant Burdis said there were 190 dispatch calls in November. The calls included 22 for traffic stops and 8 for crashes. There were 14 crimes relating to a rash of thefts between 11/19 – 11/22 that included one stolen car and a few stolen Catalytic converters. Mr. Burdis said patrols cannot be everywhere, all the time. Cadillac converters are being stolen everywhere these days. He recommended keeping all car doors locked.

Lt. Burdis said they have a program called Blue Christmas and through this program they like to help out members of the community. Last month they learned there was a member of the community that wasn't able to take care of their obligated concrete project. They reached out to some really kind vendors, and they took care of the whole project. Manager St. Clair and Council thanked Lt. Burdis for doing this.

**Mayor's Report:** Mayor Malone

Mayor Malone said he has had communications with officers. Attended PA Mayors Association meeting. Topics covered at this meeting were updates on radar coalition and new tact for speed control. He is working on understanding the grants, coverage, and if it is viable. It seems viable in a city but not sure how functional it is in rural areas.

Discussions on homelessness services.

Joyce Mokros asked if we have a homeless problem in this area. Lt. Burdis said this issue is increasing in other areas, but we have not had an ongoing issue with this in East Petersburg Borough. Lt Burdis pointed out that homelessness is not a crime.

**Emergency Medical Service:** Report submitted to Council.

Nate Buchanon will be the new representative for the borough. He was not in attendance.

**Emergency Services Coordinator:** Report submitted to Council.

Diane Garber was not in attendance.

**Fire Dept.:** Report submitted to Council.

Roger Howard was not in attendance.

**Borough Manager:** Report submitted to Council.

Next month council will need to appoint a representative to the NLCRPD board. Currently Adam Gochnauer is our primary representative and the Mayor is our alternate. If this is changing she will need to know. A resolution for this will be on the Jan. agenda.

2024 Budget Summary is on the agenda for approval:

General Fund:

No tax increase for 2024. Tax millage will remain 5.527 (General Tax mill is 4.474, Fire Tax mill is .780).

2024 Projected Budget: \$2,443,500.00

Total Expenditures = \$2,390,600.00 to include administration, building improvements, public safety, planning/zoning, street repairs/maintenance, MS4 parks/rec, insurance-vehicle & employee, payroll & tax expenses, and interfund transfers.

Water Operating Fund:

Water increase of 3% for 2024: The projected revenue will help fund: water meter project, equipment, equipment maintenance, Pine Street water main replacement-(3)phases, replacement of both pumps at City Interconnect, water tanks maintenance, vehicle replacement (06 vehicle), Koser Road Spring pumps, and stipulations required by DEP to maintain all facilities and water projects not funded by grants.

Trash Fund:

Trash rate increase of \$3.50/quarter for 2024. Effective January 1, 2024, the trash rates will be \$73.00/quarter (\$292/year).

For more itemized information of the 2024 proposed budget, it will be available for public viewing during the hours of 9am – 2pm, Monday through Friday at the borough office.

Chancey's Pub is currently under agreement. In 2001 the borough and Chancey's Pub entered into an agreement for parking. This agreement will need to be transferred to the new owner. Amy Leonard is currently reviewing this agreement.

Liquid fuels audit was done on November 9 – there were no findings. Report will be forwarded to council when it is received.

A resolution to amend the pension plan is on the agenda – this delays the date in which a participant must make a distribution.

Cathleen Panus submitted her resignation as tax collector. It is on the agenda to accept her resignation and appoint Lancaster county as the tax collector.  
Lancaster County Planning Commission recommended approval of the amendments. This is on the agenda to approve the advertising for the amendment.

**Department Managers:**

Jeff Moseman pointed out the following from the department reports:

Water Dept.: The annual system leak survey completed – no leaks found. Attended DEP seminar on upcoming PFAS water testing that will begin in 2024. Broken valve replaced on Geneva Dr. Hydrant flushing in targeted areas. DEP has approved our application for the Koser Rd. Spring pump replacement.

Public Works: Preparing vehicles for snow. Organized/ cleaned up the maintenance garage. Sweeping and cleaning up leaves in borough streets and storm grates. Received pricing for remaining Lemon St. sidewalks. Repaired sink hole in park.

MS4/Special Projects: Storm pipes were cleaned by JG Environmental to remove debris on Lemon St, Pine St, Larch Ave, and Lemon St. A freightliner full of stone was removed. Attended Penn State stormwater webinars. Hollow Dr. Riparian Buffer tree tube maintenance - trees are doing well. MS4 violations: grass in the street, fluid spills on roadway. Grant updates: ARPA PA Small Water & Sewer H20 grant – did not find out at 11/21 meeting if grant was approved; hoping to find out January or March. Lancaster County ARPA funding meeting on 12/11 to review funding; awaiting approval. Department of Agriculture has reached out to all municipalities re: new fertilizer law that was passed 7/11/22. There are pamphlets near the back table explaining the do's and don'ts and the rule changes of spreading fertilizer. Up to this point licensing was only needed for spreading pesticides, there is now some licensing needed to spread fertilizer. It was pointed out that this is being done to avoid discharge going into the Chesapeake bay.

**Zoning Officer Report:** Report submitted to Council.  
Continued permits issued for new homes in TOA.

**Property Violation Report:** Report submitted to Council.  
There is someone now going out checking.

**Solicitor/Collections Report:** Report submitted to Council.  
Collections remain steady.

**HARC:** (Hempfield Area Recreation Commission) – Debra Miller – Making progress on the 10-year strategic plan by identifying core values.

**Old Business:**

Review of Committee Meeting Topics: No meeting in November and December.

**New Business – Action Items:**

President Miller asked if there were any questions on the new business items. There were no questions about the new items listed below.

- 1. It was moved and seconded (Councilmember Gochnauer, Councilmember Rannels) with unanimous approval by the board, to approve November 8, 2023, Council Meeting Minutes.*
- 2. It was moved and seconded (Councilmember S. Valdez, Councilmember W. Sharp) with unanimous approval by the board, to approve the Budget for fiscal year 2024.*
- 3. It was moved and seconded (Councilmember Gochnauer, Councilmember Herr) with unanimous approval by the board, to approve Resolution 877, setting trash rates for 2024.*
- 4. It was moved and seconded (Councilmember Valdez, Councilmember Herr) with unanimous approval by the board, to approve Resolution 878, setting water rates for 2024.*
- 5. It was moved and seconded (Councilmember Gochnauer, Councilmember Sharp) with unanimous approval by the board, to approve Resolution 879, setting the tax rate for 2024.*

6. *It was moved and seconded (Councilmember Gochnauer, Councilmember Valdez) with unanimous approval by the board, to approve Resolution 880, updating the fee schedule to reflect the water and trash rates, effective January 1, 2024.*
7. *It was moved and seconded (Councilmember Gochnauer, Councilmember Herr) with unanimous approval by the board, to approve letter of resignation from Cathleen Panus as Tax Collector.*
8. *It was moved and seconded (Councilmember Sharp, Councilmember Rannels) with unanimous approval by the board, to approve Resolution 882, Appointing Lancaster County Treasurer as Tax Collector for East Petersburg Borough.*
9. *It was moved and seconded (Councilmember Valdez, Councilmember J. Herr) with unanimous approval by the board, to approve resolution 881, Banner schedule for 2024.*
10. *Council agreed to Table moving forward Re: Intersection study for Ridge and Carpenter until after the new year, due to one of the action items tonight is to appoint a new engineering firm for 2024.*
11. *It was moved and seconded (Councilmember Rannels, Councilmember Sharp) with unanimous approval by the board, to approve Holidays for 2024.*
12. *It was moved and seconded (Councilmember Valdez, Councilmember Gochnauer) with unanimous approval by the board, to approve Resolution 883, the Amendment of the East Petersburg Borough Pension Plan in order to comply with the Setting Every Community Up for Retirement Enhancement Act of 2019. Conrad Siegle, as the agent for East Petersburg Borough, is authorized and directed to execute the attached amendment to the Plan.*
13. *It was moved and seconded (Councilmember Gochnauer, Councilmember Sharp) with unanimous approval by the board, to approve Resolution 884, Appointing Systems Design Engineering to provide General Engineering Services and Consulting Services, such as Subdivision and Land Development, Site Construction Inspection, Project Design and Management, Zoning Enforcement Officer, Grant Application, MS4 and Traffic Design, and Engineering.*

Systems Design will be replacing ARRO and will begin working in the borough in January. A list of staff working throughout the Borough from this agency will be shared at the January meeting.
14. *It was moved and seconded (Councilmember Valdez, Councilmember Sharp) with unanimous approval by the board, to approve advertising for a public hearing and the adoption of the Zoning Ordinance Amendment contingent on the outcome of the December 11, 2023 Lancaster County Planning Committee Meeting.*

The public hearing will be held at the January 25, 2024 committee meeting.

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

**Announcements:**

1. The next Borough Council meeting will be held on Tuesday, January 2, 2024
2. Appeals Board December 14 - 7 PM as needed
3. Planning Commission December 21 - 7 PM as needed
4. Zoning Hearing December 27 - 7 PM as needed
5. Committee January 25 – 6 PM
6. Santa in the Park will be held at the Community Center December 8 from 5:00 – 7:00 pm and December 9 from 9:00 – 11:00 p.m. and 12:00 – 2:00 p.m.
7. The office will be closed December 22 and 25 in observation of the Christmas holiday.
8. New Years eve in the park has been cancelled. This event will no longer be held in the borough.
9. There is an open seat on Zoning Hearing Board, interested parties should contact the borough office

**Adjournment:** 8:23 p.m.

**Executive Session for legal and personnel matters:** None.

Respectfully Submitted,  
Kim Strayer, Recording Secretary