

MINUTES OF THE REGULAR MEETING
OF THE EAST PETERSBURG BOROUGH COUNCIL

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

President Miller called the regular Council meeting to order.

Pledge to Flag and Moment of Silence.

Debra Miller made an announcement to let everyone know that in light of the explosion in Rapho Township, the surrounding municipalities are putting together a list of equipment for the public works that could be available to Rapho Township to borrow on a short term basis.

Visitors: James Swarr, Patricia Sherrard, Anette Rogers, Steve Leshar, Don Krow, Cory Lyons, William Mulligan, Nancy Leshar, Brent Smith, Emily Smith, Linda Anspach, Don Schoenberger, David Keener, Joylynn Keener, Gary Spangenberg, Kim McKinney
James Swarr was recording the meeting.

1. Inline Roller Hockey League: Steve Leshar & Cory Lyons

Steve Leshar said the league has been at the rink and worked with the borough, managers, and staffmembers for 22 years and he has been involved for the whole 22 years. He said the board members did talk about what occurred on 6/18. In 2001, the borough manager at that time told them to form a non-profit and since then, they have been supporting the rink and 200 participants involved in the league, including 50 kids ranging from 6-15. They play Saturday half day and all day Sunday. He said his kids played on the youth leagues over the years and are now in the adult league. Many relationships have been built. Mr. Leshar said they met with Manger St. Clair on June 13th to discuss resurfacing repairs and updating the agreement. He said Manager St. Clair was clear about funding and they decided to go another path to get funding to keep the rink going. The following Monday, June 19th, they received an email from Manger St. Clair about chairs and a pop up tent taking up parking spaces at the 6/18 event. He said this is not what they expect of people, and they should have noticed this, but did not. He said as soon as they received notice of the situation they immediately met with the Board and laid out a course of action and this was shared with Manager St. Clair. They sent information out on Facebook and through team captains to communicate the situation. Later that week, he received notification from Manager St. Clair letting him know council had concerns. He said he represents 200 people, so this caused him great concern to hear this. He reflected on this and wrote a summary e-mail which laid out things they have done and how they run the league, and this was shared with council. They are happy to now meet with council and hear the feedback and they want to respond. They did hear from Jeff about the trash, and they now make sure someone goes around the parking lot after the games. He pointed out they do not have control over what happens at the rink M-F during pool hours. He said he has dealt with Manager St. Clair

and Jeff over the years, and they have been great. He said the league is not perfect, but they do have a management group that is familiar with working with kids, organizations, and running companies. He said they have made attempts to correct the situation.

Deb Miller asked where teams come from. Mr. Leshner said the individuals that play in the league come from Lancaster County and some do come from East Pete. Ms. Miller suggested a code of ethics to help control the conduct and eliminate bad language and other actions in question.

The rink needs to be resurfaced, and the cost will be \$20,000.00. They plan to raise the funds through go fund me and would like to pursue ARPA. They are currently painting and have a list for their contractor for small repairs. Sign ups begin mid-August through just after Labor day, and they would like to move forward with all of this and update the agreement with councils' approval.

John Herr asked when the seasons run. Mr. Leshner said the Summer season runs mid-March to mid-June, Fall season runs from the beginning of September through mid-November.

They have invested over \$80,000.00 in the rink and have made many improvements over the years. The rink was built in the 1980's and is the only rink left in Lancaster County. He said the reason it is still going is because they are well run and people like playing at the rink therefore, they will do what is needed.

Adam Gochnauer said the original contract was with the previous manager and the one he put together did not get used. Mr. Gochnauer said it would be good information to share with the residents as to how many members are from East Petersburg and other areas. Mr. Gochnauer asked how the hierarchy of the league works. Mr. Leshner said there is a board with a president, and they hold meetings. Cory and Don run the leagues and it is up to them to get information to the others. In the pool parking lot, there has been bad language, trash left behind, and tents put up against residents' properties. He asked if they would be willing to work with the pool and have the league park along the west and the south side along the grass areas. Tents could go on the lots but park along the outside and keep the middle for pool traffic. Mr. Leshner said they have no problem with that. Mr. Gochnauer said from our side, with game days being Saturday and Sunday, we could have the guys check the area Monday morning when they report to work at the maintenance shop. Obviously, if there is trash there on a weekday, we know it was not the league's fault. Mr. Gochnauer said if the league could control trash and language, it would make a big difference. Mr. Gochnauer said he would like to see a contract that holds borough accountable for looking at situation on Monday and also to set up the parking plan and set up a code of conduct to include language, trash, etc. A flow chart would also be helpful, and captains should be held responsible also. He will write something up and give it to the solicitor and it will be ready before the season starts. Debra Miller asked if they could have a sign made for the rink saying no alcohol, no foul language and clean up trash. They agreed to have this done. They only have one trash can but could use another and it will be added. Mr. Moseman said it would be easier to clean up the leaves in the fall if they are pushed closer to the parking lot away from the wood structure. Sandra Valdez asked if they have communications with HARC, and they said they do not.

Gary Spangenberg said the league's leadership has changed and there was a dip in caring at one point but applauds all the efforts to start this up again and said it seems to be going very well. He said they have been very caring in their response to the situation. In the past he was in favor of keeping the rink when council was not, but during the dip he would have said to bulldoze it. Mr. Spangenberg asked if something could be put in place to ensure the agreement and code of ethics are followed if there is a change in leadership. He was told the league does follow a succession to ensure things run smoothly if someone takes a break. Mr. Gochnauer asked that they give a list of who is in charge along with contracts to the borough and keep it updated as things change. This was agreed to by the league. The league thanked the borough for their time and consideration. The league will proceed with go fund me and other funding for the upgrades.

It was moved and seconded (J. Schick / J. Herr) with unanimous approval by the board to approve Amy Leonard, Solicitor to proceed with a "draft" Renewal Agreement for East Petersburg Inline Roller Hockey League.

2. **Kim McKenna** said someone set off fireworks at the basketball courts on Graystone Road and asked if this is legal. She was told that per the borough ordinance fireworks cannot be set off on public property or within 150 ft of a structure. She said it was 10:00 p.m. when this happened. It was pointed out that the state Act for fireworks allows for fireworks to be set off the night of July 4th into the 5th until 1:00 a.m., any other night during the week of July 4th is midnight. She will call the police if this happens again. Ms. McKenna also said that someone was using a metal detector on borough property. She was told that this is normally ok as long as they put the soil back as found. She also asked if car work is allowed to be done on the street at the island parking. She was told this is not allowed.
3. **Gary Spangenberg** said that there is a zoning ordinance regarding a family structure in a single family dwelling. He believes there are violations at a particular address. He will e-mail Manager St. Clair with the address.
4. **Anette Rogers** asked who is responsible for replacing the paving that was taken out during the curb and sidewalk repairs. She was told that if the contractor is removing the pavement to replace and repair the curbing/sidewalk then it would need to be restored. The specs that were given with the permits did include the required work and did indicate that it needed to be done. Ms. Rogers said her repairs were not done in a straight line like some of the others. She was told to contact her contractor to discuss this with him.
5. **Emily Smith** asked if the borough is going to tear up the paving that the residents are required to put in. John Schick said that they will mill down a little if necessary to make the road smooth and level, but it will not be a lot and only if it is needed. Mr. Schick reminded residents that the borough replaced all the water lines in this area, and this is all part of the process that was put into place to allow the residents to shop around to try to get cheaper prices. The sidewalks that do not get replaced by August 31, 2023, will be put out to bid by the borough and property owners will then be billed for the costs.
6. **Patricia Sherrard** said her contractor, Concrete Authority is not including the pavement replacement in the sidewalk/curb costs, and he is charging extra to have the pavement restored. She was told that her contractor should have addressed this with her.
7. **Dave Keener** was introduced to Council. He will be the new borough representative on the LASA board beginning 1/1/24.

Comments: None

Bill Payment: Reviewed by Council.

Police Report: Too early in the month for report to be compiled.

Mayor Malone:

Attended PA Mayors Executive meeting on July 1. Had communications with Lancaster county Historical Society. Pointed out that there is a lot of information out there about water safety that is worth checking out.

Emergency Medical Service: Report Submitted to Council.
Adam Marden was not in attendance.

Emergency Services Coordinator: No Report given.
Diane Garber was not in attendance.

Fire Dept.: Report submitted to Council.
Roger Howard was not in Attendance.

Borough Manager: Report submitted to Council.
Jeff Moseman pointed out the following from the report:
The borough has interviewed several candidates for the open position in the water department. Zachary Wood was hired and will begin 6/26.

2024 Budget preparation has begun. The first draft will be presented to council on 7/27/2023.
Update on 6040/6050/6060 Main: Met with Randal Kline auctioneer and auction is set for Saturday, October 14 at 10:00 a.m. Open houses will be held on September 23, 30 and October 7 from 1-4 p.m.
New office renovations are in progress and the project is moving forward.

Department Managers: Jeff Moseman pointed out the following items from the department reports.

Water Department: Report submitted to Council.

TOA & Abel Construction completed bacteria testing on a section of new water main.

All water plant effluent flow meters were calibrated and certified by LRM, Inc.

Meter replacement project update – Tim relayed we have roughly 80 meters to replace. We will then be fully radio read.

Public Works: Report submitted to Council.

Fog seal project was put out to bid and one bid was received and opened.

Fog seal prep completed. Potholes and storm drains leveled and weeds at curb were sprayed. It was asked if spraying the weed in the street is allowed according to MS4 regulations. Mr. Moseman said that it depends on the spray you use. The dept. of Agriculture dictates the kind of spray you can use.

District 3 stop signs were completed.

Community mailbox painting for no parking area has begun.

Patched driveway for water department.

Chipping of storm branches and low hanging branches. Chippings were used in the park as mulch and graded.

Bushes were trimmed back at office.

MS4 and Special Projects: Report submitted to Council.

Graystone Road development - 16 raingarden bmp inspections performed and entered into CS Datum mapping system.

MS4 illicit discharges reported. Doorhangers and educational fliers distributed. The property owner has addressed the issue and it has been cleaned up.

Uploaded MS4 documents to ARRO for 2022-2023 MS4 Annual report.

Bioswale Meadows Project started on May 30. Aquatic Resource Restoration has surveyed the area, installed E&S provisions, and began excavation. Rain events and issues with LASA's sewer pipe slowed progress of, but the project is moving forward.

DCED Pickleball grant analyst requested changes in the contingency from 10% to 5%. This changes the cost of the project from 214,500.00 to 193,130.00. The resolution for these changes is on the agenda under Action items tonight for a vote.

Zoning Officer Report: Report submitted to Council.

Numerous permits were issued for sidewalk and curb replacements.

Property Violation Report: Report submitted to Council.

Mostly for grass height and rubbish.

Solicitor/Collections Report: Report submitted to Council.

Short term rental ordinances will be reviewed by planning commission.

HARC: (Hempfield Area Recreation Commission) – Debra Miller – The indoor pool will be close on August 14 through the end of the summer end of summer repairs. East Pete pool will be the alternate pool to use. The concessions will be added to the website list of amenities for the pool.

Old Business:

Review of Committee Meeting Topics: Lancaster County Redevelopment Authority – Review programs available to residents, Graystone Rd. subdivision As-built plan waiver, Short term rentals, Hockey League complaints, Increase in bins & appliance tags, Meadows Bio-swale project update, Verizon cell tower upgrade, Support letter for Lancaster County Planning Dept.-phase 1 act 167 plan, Account payables 6/22/23, Misc. items, fire co. financial review, 5/25/2023 meeting minutes, firework display application for 6/30 & 9/23, executive session for legal and personnel matte

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 Valdez, Councilmember Rannels) with unanimous approval by the board, to approve June 6, 2023, Council Meeting Minutes.*
2. *It was moved and seconded (Councilmember Schick, Councilmember Herr) with unanimous approval by the board, to approve Resolution 869, setting fees for lg. appliance tags (\$19.00) and recycling bins (\$13.00).*
3. *It was moved and seconded (Councilmember Gochnauer, Councilmember Schick) with unanimous approval by the board, to approve bid received from Martin Paving in the amount of \$50,292.00 for fog seal project, pending review of all documents by the borough solicitor and borough engineer.*
4. *It was moved and seconded (Councilmember Schick, Councilmember Herr) with unanimous approval by the board, to approve Borough Solicitor, Amy Leonard to proceed with a "draft" Renewal Agreement for East Petersburg Inline Roller Hockey League.*
5. *It was moved and seconded (Councilmember Valdez, Councilmember Rannels) with unanimous approval by the board, to proceed with submitting short term rental documents to planning commission for review and comment on.*
6. *It was moved and seconded (Councilmember Gochnauer, Councilmember Valdez) with unanimous approval by the board to approve Resolution 870, Authorizing Jeff Moseman to re-submit the cost opinion with the requested changes from DCED for Greenways, Trails, and Recreation Project Grant for the DCED Pickleball Court Project.*

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

Announcements:

1. The next Borough Council meeting will be held on Wednesday, August 2, 2023
2. Appeals Board July 13 - 7 p.m. as needed
3. Planning Commission July 20 - 7 p.m. as needed
4. Zoning Hearing July 26 - 7 p.m. as needed
5. Committee July 27 - 6 p.m.
6. July 15 – Music in the Park – Sweet Sounds of Summer w/ Food Trucks 3:00 – 7:00 p.m.
7. August 1, National Night Out 2023 will be held at East Petersburg will be held at East Petersburg Community Pool. Events will begin at 5:30 p.m. with a Community Bike Ride, all other activities will take place 6:00 – 8:00 p.m. and include open swim, refreshments, bounce houses, touch a truck, and a goodie bag for the kids. All activities are free of charge.
8. Back to School event will be held at the Clipper Stadium on Sunday, August 13th from 12:00 p.m. - 2:30 p.m. The event is only open to K-8th grade students, and this year will be open to East Petersburg students. A free Barnstormers' game is included at 5pm. Children will have the opportunity to receive a free haircut, new shoes, and a backpack with supplies. Pre-registration is required prior to August 9th. Register at www.RepMikeSturla.com, click on Back-to-School Event within the upper banner. More information is available on the website.

Adjournment: 8:22 p.m.

Executive Session for legal & personnel matters: None

Respectfully Submitted,
Kim Strayer, Recording Secretary