

MINUTES OF THE REGULAR MEETING
OF THE EAST PETERSBURG BOROUGH COUNCIL

DATE AND TIME:	May 4, 2021	7:00 p.m.
LOCATION:	Community Center	6051 Pine Street
ATTENDANCE:	Council Members:	John Wolf, President Debra Miller, Vice President Adam Gochnauer (absent) John Herr Lauren Houck Randy Rannels John Schick James Malone Karen St. Clair Jeff Moseman
	Mayor:	
	Manager:	
	Public Works Foreman:	

Josh Roberts, James Swarr and Karyl Carmignani, LNP news reporter were all recording the meeting.

President Wolf called the hearing for Comcast Cable Renewal to order: 7:00 p.m.

President Wolf read the following statement: This is a public hearing of the Borough Council regarding cable franchise renewal for the Borough of East Petersburg. This public hearing is held pursuant to sections 626 of the federal cable act, which sets forth the cable franchise renewal. The Borough's continued franchise with Comcast will soon expire and the Borough is beginning the process of renewing the franchise. This public hearing is part of the public preliminary portion of the franchise renewal in which the Borough reviews the cable operators past performance and identifies the Borough's future cable related community needs, such as: part of this hearing we invite comments from any citizens that wish to speak regarding either or both of the forementioned subjects. Franchise renewal is the best opportunity for municipalities to assert their rights with respect to the cable operator and to obtain important benefits in order to granting the cable operator the right to use their public right-of-way, these benefits include: a state of the art cable system (now and in the future), strong customer service standards, free services to community facilities, such as the fire dept., police dept., water dept. and public works dept., better reporting requirements from cable operators, maximized franchise fees, public educational governmental channels, public education governmental capital support funding, legal protections of rights-of-way, better mechanisms to enforce the franchise agreements. These are just some of the potential benefits available through franchise renewal. Citizens may address these items, or any other cable items that are important to them. We will now open the hearing up to public comments.

Comments from public: None

Adjourn Hearing: 7:04 p.m.

President Wolf called the regular Council meeting to order: 7:04 p.m.

It was moved and seconded (Councilmember Miller, Councilmember Rannels) and carried unanimously, to Approve the minutes of the April 6, 2021 Borough Council meeting

Bill Payment: Reviewed by Council.
There were no additions to the regular bills.

Visitors:
Steven & Autumn Shenk, Jeff Cassel, Joyce & Frank Mokros, Tammy Moseman, Josh Roberts, Don Schoenberger, James Swarr, Tom Martin

Comments:

1. James Swarr made the following statement: At the February 2021 Committee meeting the breach of contract that took place with the HAFSC was addressed and at the time, all Councilmembers witnessed what had happened and were aware of what was said at this particular meeting. It was also noted at that meeting that it would be ensured that none of that would happen again, and that was placed on John Wolf to handle the talk at the HAFSC meeting. That meeting did not take place in a timely manner and there is no excuse why it was put off for a couple of months, after the fact. At the last HAFSC meeting it was spoken about. When the talk finally did occur, it was whitewashed portrayed as not so important with no authoritativeness, and it was labeled as old news and Mr. Wolf said, it was something he was asked to bring up and that there are some lingering concerns of the Councilmembers about the hiring process, and they are looking for assurance that it would not occur again, and it would be a smoother transition next time. Mr. Swarr said it was not a transition issue at all. Mr. Swarr quoted Mr. Wolf as saying, "In my mind Scott did a fine job of acknowledging what happened and the reasoning behind it". Mr. Swarr said he has audio to prove otherwise, such as the way he spoke and how he talked and his reaction to everything. Mr. Swarr gave more quotes of Mr. Wolf speaking at the meeting: "My thoughts are I hope John Kottmyer will be around for many years to come, and when the need comes to look at a new Chief Fire Official, those that will be on board at that time, will choose to revisit the hiring process, at that time, and make adjustments necessary that need to be done, at that time" Mr. Swarr said that Tammy Moseman was called out and she also has some concerns about what was asked. Her concerns were part of the whole Council's concerns, but they were not addressed about being fully involved and fully vetted in the process of the commission and knowing what was fully going on, that was not addressed. Mr. Swarr said that the question was posed to Tammy Moseman, and he believes that it was a diversion tactic or out of blindness for speaking. Mr. Swarr said Mr. Wolf then said, "that is my opinion on it, and we need to look forward and forward thinking" Mr. Swarr said forward thinking and forward-looking means action now, not a bunch of statements that include "at that time". At that point Tammy Moseman said that Council has concerns, not me, about the process that we already put into place, so that this does not happen again. Mr. Swarr said most of the people over there only heard bits of what had happened, but they do not know what happened. Mr. Swarr quoted Mr. Wolf "We had an agreement in place with some verbiage in it about how the process is to go and I would think in the future that would be followed again and at that time if the people on the commission would like to make an adjustment to that process to that agreement, that would be at that time". Mr. Swarr said not at that time, it needs to be done now. Mr. Swarr said that Mr. Wolf did not stand up for the people of East Petersburg the way Council was treated and that would be the whole community that was treated badly by Mr. Wigglesworth and nothing was done about it. Mr. Swarr said Mr. Wolf is misrepresenting East Petersburg in the way the situation was handled and he did not stand up for us or the community as a whole. Mr. Swarr said he would kindly like all of them to consider what he said, and that it is all fact and all recorded. Mr. Swarr said the issue of what happened was not addressed.
2. Tom Martin said he saw the speed trackers on Lemon Street and asked Chief Steffen if they will be moving them around the Borough. Chief Steffen said they are just used for collecting data. Mr. Martin said they work for slowing people down. Chief Steffen said they will move them around as needed.
3. Josh Roberts said he noticed a lot of speeding on Miller Road including tractor trailers and trucks over 10,000 lbs. are cutting through at Martin Dr. Cars are cutting each other off at the Main & Miller Rd. intersection because there are no left turn arrows heading north on 72 at Miller Rd.

Councilmember Schick said it would cost \$19,000.00 to switch the signal at Miller Rd & Rt. 72. He pointed out that it is a joint permit between East Hempfield and East Petersburg Borough and both municipalities would have to agree on it and joint fund it. Everything would be split in half. There is certain criteria that needs to be met before PennDOT will agree to put the arrows in. Traffic studies would need to be done if anyone is interested. Councilmember Schick said he can work with them on this and tell them how to do it and then he can look at the numbers to see if we are in the range of doing this. This will help determine if it is worth while to go to East Hempfield and present the information to them to find out if they are interested in doing something there. There are ARLE grants coming up in June and this could be something we could apply for. We could also look into putting up some radar detection at this spot. The cost of the test is minimal. This spot might be a good candidate

for a flashing arrow light. A lot has changed since the signal light there has been put in. Mr. Roberts said that police enforcement at this intersection would be helpful. Mr. Roberts said even with the issues at Miller Rd and Rt. 72 intersection, there are not a lot of accidents happening there unlike Graystone Road intersection. Mr. Roberts said there are incidents happening daily at the Graystone Rd intersection. Councilmember Schick said this project is on the list and has been for several years now for state projects and it will be funded 100% when they finally get to it.

Police Report: Submitted to Council

Chief Steffen pointed out the following: Thanked everyone involved, including fire department, ems, and emergency management as well as the managers and public works, who all partnered together and held numerous meetings to deal with the covid situation for problem solving and sharing of public resources. Numbers are still in line with expectations.

Certified by the Department of Justice as a credentialed agency, in addition to that they are an accredited agency, and they are just finishing up with the submission. This establishes criteria for expectations of police departments to provide as a public benefit to see what the policies are, and it provides transparency and provides the public with a degree of professionalism and consistency with police departments. There was a lot of take away from the Derek Chauvin trial that were found to be important. They are currently looking at the critical problem-solving model, ooda loop, and how valuable the body worn cameras are for looking at what we do, how we do, and how well they do it. Mental health situation calls are increasing. They are currently working on best practices and modeling for this. They are participating in surveys from the mental health community to see what the need for service are. Josh Roberts asked how they handle severe mental issues. Chief Steffen said they go strictly by the protocols that have been adopted in the EMS community.

Now that they have the Hybrid vehicles, they are saving a lot on fuel, especially with the gas increases being so high.

Councilmember Wolf said that the police were going to be monitoring the area near the school where the flashers were taken down and asked Chief Steffen what their findings were. Chief Steffen said it was reported back that they have not had any major issues as far as outrageous speeds. Chief Steffen said that there is usually a re-orientation period at the beginning of each school year because people tend to forget, and the same has happened during covid.

Mayor Malone: Mayor Malone said after viewing the 2020 audit report, he would like to encourage the Borough council to assist with the borough manager and staff to accomplish the following actions by December 31, 2021: update or create management's discussion and analysis, per governmental accounting standards board, by December 31, 2021 to be available for the 2021 audit and year end reconciliation to the payroll fund by December 31, 2021, as recommended. Create a policy to address custodial credit risk, create a formal investment policy, review the GASB, statement 87, to insure compliance by December 31, 2021, a year ahead of the current deadline of December 31, 2022. Mayor Malone thanked the East Petersburg Day Events Committee for organizing a very successful Vagabond's Car Show. He thanked the police department and EMS and all the participants for being there. He said he would like all options to be looked at before taking on Penn State Life Lion for ambulance service. Working to encourage everyone to reach out to Mindy Fee, or any other state representative and express they are in favor of passing the Radar Bill 606 to help to get this passed.

EMS: Report submitted to Council.

Adam Marden pointed out the following:

Responded to 16 calls in the Borough last month. Monday, Tuesday, Wednesday, and Friday were the busiest days with busiest times being 2:00 p.m. and 8:00 p.m.

Mental Health Blueprints Recovery Program will be continued. They will assist with patients that have overdosed and want help. They have expanded to patients with behavior health.

EMS academy is in its 8th week.

The merger with Penn State Health went seamlessly.

Emergency Services Coordinator: Report submitted to Council.

Chief Fire Official: Report submitted to Council.

Fire Report: Report submitted to Council.

Don Schoenberger pointed out the following:

Call volume was reduced for April, down to 25: 2-East Petersburg Borough, 9-East Hempfield Township, 4-

Manheim Township, 6-Penn Township, 2-Lancaster Township, 1-Manheim Borough, 1-West Hempfield Township.
Foot Truck Event will be held at the Fire Department on May 28th 4:00 – 9:00 p.m.

Manager's Report: Report submitted to Council.

Manager St. Clair pointed out the following:

Pension Audit for 2017-2020 began on April 5th and it should finish by May 21st.

Lylab installed a new server last week to replace the older one.

SCADA project grant was extended to June 30, 2022, due to covid.

At the basketball court at Constitution Square there has been a lot of issues. A few weeks ago, public works put three new trash cans out there to help with the trash issue and all three trash cans are now gone. There has been a group of three and they have been seen trying to remove the new basketball nets. There was recently a lot of broken glass there and it took public works 45 minutes to clean it all up. Trash is being thrown all around the courts. Installing cameras has been discussed. A neighbor took a video of the kids trying to remove the nets. Another neighbor said that he has been cleaning up the mess at the courts on a regular basis. Jeff Moseman is working on what can be done there to install cameras.

Bidding closed last week for the State and Main signal light project.

Grant was received to pay for the calendars for 2 years.

Foreman's Report: Report submitted to Council.

Jeff Moseman pointed out the following:

Public works and street department has recently noticed a lot of people blowing grass into the street. Mr. Moseman recommended blowing the grass back onto the lawn, so it does not end up into the storm basins and MS4 system. If you see someone doing this, please let them know or call the borough office and we will have someone go out and try to explain this to them.

TOA is trying to develop their connection to the water system. They are wanting to do a hydraulic model to see what kind of pressure and water flow can run through that system depending on how they want to design it. We are currently waiting to see how they are going to layout that distribution system.

The office bathroom project is approximately 90% complete. We are just waiting on a window for the bathroom that is due to arrive late June or July.

Working on getting pool ready for the pool season. Replacing lights and a lot of plumbing work that needed to be changed.

Constructed a dumpster pad at the park to sit the dumpsters on.

Installed MS4 friendly parking area at nitrate plant.

Installed basketball hoops/nets. Re-construction of Madison Court brick patio area. Kids have been taking some of these apart. Installed four no-littering signs at the basketball courts, but no positive results have come from this. President Wolf asked how the liner is doing. Mr. Moseman said it is holding up well and the pool company said that our pool liner is the best maintained liner that they have seen. He said that they will drain the pool and scrub the whole liner down and then fill it back up with 265,000 gallons of water. Councilmember Miller asked if they have had trouble getting chlorine due to the shortage. Mr. Moseman said they have not had any trouble.

Josh Roberts asked how much money has been put into taking care of basketball courts after the kids do vandalism to the property. Manager St. Clair said that we have not put a lot of money into this, but the employee spends anywhere from 5 minutes up to an hour cleaning up when he could be doing something else. She said we normally have to replace the metal basketball nets on a yearly basis. She said to date we have only put in \$2,000.00 at the most, which includes 2 benches, trash cans, and the nets. She pointed out the benches were old and needed replaced. Jeff Moseman said that they have put in trail cameras, but the kids have just damaged them. Manager St. Clair said she will bring this up at the police meeting this week and ask the officers to show a presence at the park. Mr. Roberts asked if the cameras at the Pine Street park have helped with keeping the vandalism down. Mr. Moseman said yes it has helped.

Zoning Officer Report: Reports submitted to Council.

Reviewed TOA development. This will soon be going to planning commission.

Property Violations: Report submitted to Council.

Solicitor/Collections Report: Report submitted to Council.

Worked on revising resolution to allow the CFO, EMS coordinator and Fire Chief of fire dept. to declare a property temporarily inhabitable until the BCO can get there.

Worked on Comcast Agreement.

Worked on Ground Ambulance Agreement.

Worked on troubled properties with ongoing issues at Graystone, Lemon and Broad. These issues are being worked on constantly, just about every day.

Line 9- Northfield Drive agreed to a payment plan in the amount of \$500.00. Line 17- another property on Northfield is under sales agreement and all fees will be paid at the time of settlement.

HARC: (Hempfield Area Recreation Commission) – Debra Miller reported the following: Everyone Belongs campaign raised over \$5,500.00 for the scholarship program.

Upcoming events at the RecCenter: This past weekend was Tri for Life, which was split between adults and a separate event for children. August 9-15 is the Koser Jeweler Pro Circuit, August 22 is the Dutch Gold Honey 5K Run, October 1 is the Annual Golf Outing.

After 11 months of declining membership numbers, members are returning, and new memberships are increasing. Part time job opportunities are available for front desk work for evenings and weekends.

Josh Roberts asked if a determination has been made on how they will handle the increase for liability insurance costs and if HARC will be taking this cost on or will it be passed to members? Councilmember Miller said that HARC is still working on this and comparing insurance companies.

Old Business: Committee Meeting Topics - Reviewed repairs needed to Borough buildings & costs, LIMC update, Lancaster County DTF contribution for 2021, Park equipment - list of what Council would like to see there, HAFSC updates, Review minutes, Review payables, Discuss Amendment to Resolution 691, Discuss Ground Ambulance Service Provider Agreement with Penn State Health Life Lion, Discuss Comcast Franchise Agreement, 1Q21 Financial review, Executive session for legal & personnel matters

New Business:

- 1. It was moved and seconded (Councilmember Miller, Councilmember Herr) and carried unanimously, to Approve the Financial Audit for Fiscal year 2020*
- 2. It was moved and seconded (Councilmember Miller, Councilmember Schick) and carried unanimously, to Approve Resolution 809, Allowing the Chief Fire Officer, Chief Fire Official or Emergency Services Coordinator to declare property in the Borough temporarily uninhabitable, for safety reasons*
- 3. It was moved and seconded (Councilmember Miller, Councilmember Herr) and carried unanimously, to Approve Ordinance 313, to repeal Ordinance 245, previously allowing Comcast to service in East Petersburg Borough*
- 4. It was moved and seconded (Councilmember Miller, Councilmember Houck) and carried unanimously, to Approve Resolution 810, Allowing East Petersburg to enter into an Agreement with Comcast contingent upon them paying \$8,000, and them providing the insurance certificate naming East Petersburg Borough and employees as additionally insured*
- 5. It was moved and seconded (Councilmember Rannels, Councilmember Miller) and carried unanimously, to Approve the Agreement with Comcast contingent upon them paying \$8,000 and them providing the insurance certificate naming East Petersburg Borough and employees as additionally insured*
- 6. It was moved and seconded (Councilmember Miller, Councilmember Schick) and carried unanimously, to Approve the Agreement with Penn State Life Lion Ground EMS services*

Manager St. Clair explained that this contract is for 5 years and we can end this contract at any time with 90-day written notice.

- 7. It was moved and seconded (Councilmember Miller, Councilmember Rannels) and carried with a 5-1 vote, to Authorize Rettew to proceed with the Notice of Award to Kuharchik Construction, Inc.*

who submitted the lowest bid in the amount of \$237,889.00 and to start the Agreement process for the Main and State Street signal light project, Councilmember Schick abstained because he is employed by Rettew who is working on this project

8. *It was moved and seconded (Councilmember Miller, Councilmember Rannels) to Approve the request from Hempfield Brethren in Christ to hold a free ice cream community outreach social event in the park at Constitution Square only, on May 21, 2021 for approximately 1 – 1.5 hrs., with the stipulation that they submit the insurance liability certificate naming the borough as additionally insured and that they will just give out ice cream only, and not literature*

It was pointed out that a resident made this request. The church is not located in the Borough.

Announcements:

May 8 – Throwing Bull Tribe Chicken BBQ at East Petersburg Civics Ground 11:00 a.m. until 2:00 p.m.

May 18 – Election Day – polls are open 7:00 a.m. until 8:00 p.m.

May 28 – East Petersburg Fire Co. Food Truck Frenzy fundraiser 4:00 p.m. – 9:00 p.m. There will be food trucks set up behind the fire co.

East Petersburg Woman's Club Perennial Plant Sale – 8:00 a.m. – 7:00 p.m. held at 1619 Graystone Road – next date for this is May 8th.

There is currently an opening for an Appeals Committee board member and still an opening for Planning Commission board member.

Adjournment: 8:20 p.m.

Respectfully Submitted,
Kim Strayer, Recording Secretary