

Borough of Edinboro
COUNCIL MEETING MINUTES
November 12, 2018

CALL TO ORDER:

Monday, November 12, 2018 the regularly scheduled meeting was called to order by Mayor Aaron Gast at 6:31 PM.

Pledge of Allegiance

ROLL CALL:

Council members present were Jim Kiley (via phone), Aaron Gast, Mary Ann Horne, Nathan Latimer, Alyssa Dobson, Fred Langill, and Pat Davis.

Other officials present were Solicitor Tim Wachter, Borough Manager Kevin Opple, and Finance Director Jason Spangenberg. Citizens present were Mike Smith, Patti Weber, Maryann Mook, Dean Parker, Vince Dunsworth, Joan Barbour, Jody Marzka, Dave Storch, Steve O'Neill, B. Johnson, Dave Turney, Kim Grove, Joseph Markiewicz, Mary Bellucci, Renee Thayer-Allison, Vic Kwiatkowski, Tanya Flynn, John Hornaman, JoAnn Hornaman, Tom Brown, Dave Smith, John Kieffer, Lindsay Bauman, Dotty Cokinos, Casey Ponsoll, Jay Marcinowski, RM Hanson, Matt Baker, Alex Topor, Nick Hanna, Kim Teribery, Cal Robinson, Carrie Crow, and Michael Feikles.

MINUTES:

Mary Ann Horne moved to approve the October 8, 2018 CDBG hearing and regular meeting minutes as presented. Pat Davis seconded, and the motion passed 7-0.

Mary Ann Horne moved to approve the October 17 and October 24, 2018 budget workshop minutes as presented. Mayor Gast seconded, and the motion passed 7-0.

Nathan Latimer moved to enter executive session to discuss a personnel matter. Fred Langill seconded, and Council left for executive session at 6:34 PM. They returned and resumed the meeting at 7:37 PM. Jim Kiley was no longer present via phone and Alyssa Dobson was also no longer present.

PUBLIC PARTICIPATION:

Tom Brown, 211 Elm Street. Mr. Brown said that his student license for this address had been revoked, and he is willing to fight it in court. His family has been in the Borough paying taxes for decades, and he would like an explanation for the reasoning behind the current student rental rules. He said the rules are heavy-handed and are hurting the Borough. He discussed the organic rise of property values in town, specifically on Lakeside. He said that the ordinance is

not needed to encourage turning rental properties into family homes, as this happens organically, and he requested that the ordinance be repealed and replaced with completely new rules. Mr. Brown asked if a study had ever been done to analyze the increase in property values as a result of the restrictions on student rentals. Mayor Gast informed Mr. Brown that his time had run out, but he could email further comments to Council.

Vince Dunsworth, owner of multiple rentals in the Borough. Mr. Dunsworth thanked Council for taking steps to correct the ordinance. He offered his help with the issue. He also requested that the landlord be contacted if the police are called on a rental.

Brian Johnson, owner of 146 Meadville Street. Mr. Johnson stated that he was looking for clarity on changes proposed with the ordinance and asked how to get a copy of the ordinance to review. Jason Spangenberg replied that he just needs to contact the office to get a copy. Mr. Johnson added that he agrees with the suggestion to repeal and replace the current ordinance.

Kim Teribery, 116 Scots Glen Drive. Ms. Teribery described an incident where the Borough Code Enforcement Officer took street signs from inside her house while a rental inspection was being performed. She expressed her displeasure with not hearing back from the Borough Manager about the issue, and Manager Oppe apologized to her. Ms. Teribery said that she will be filing a complaint about the incident with the police department.

Fred Langill stated that Council is working to address issues with the Borough and improve the community, and he thanked those in attendance for expressing their concerns and opinions. He said that Council is elected to act on behalf of the citizens, and he hopes to see continued attendance at future meetings.

Nathan Latimer mentioned the openings on committees that were listed on the agenda.

COMMITTEE REPORTS:

Finance Committee:

Mary Ann Horne moved to approve bills paid October 22, 2018 totaling \$78,454.95; and bills paid November 12, 2018 totaling \$84,199.94. Pat Davis seconded, and the motion passed 5-0.

Mary Ann Horne moved to approve payroll ending October 6 and paid October 12, 2018 totaling \$92,495.17; payroll ending October 20 and paid October 26, 2018 totaling \$76,238.09; and payroll ending November 3 and paid November 9, 2018 totaling \$77,097.92. Mayor Gast seconded, and the motion passed 5-0.

Ordinance Review Committee:

Mary Ann Horne moved to table discussion of Ordinance 613, Pat Davis seconded, and the motion passed 5-0.

Mayor Gast moved to approve Ordinance 614 to approve the 2019 tax rates, with no change from 2018 rates:

HOME RULE BOROUGH OF EDINBORO
TAX LEVY ORDINANCE No. 614

AN ORDINANCE OF THE Home Rule Borough of Edinboro, County of Erie, Commonwealth of Pennsylvania, fixing the tax rate for the year 2019.

BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Council of the Home Rule Borough of Edinboro that a tax be and the same is hereby levied on all real property within the Borough as follows: Tax rate for general purposes, the sum of 4.50 mills on each dollar of assessed valuation. Also, the Homestead Act enacted by Ordinance 555 shall be in effect for the year 2019 as it has been from 2008 through 2018.

The same being summarized in tabular form as follows:

	<i>Mills on Each Dollar of Assessed Valuation</i>
<i>Tax Rate for General Purposes</i>	<i>4.50 Mills</i>

That any ordinance, or part of ordinance, conflicting with this ordinance be and the same is hereby repealed insofar as the same affects this ordinance.

ADOPTED THIS 12th DAY OF NOVEMBER, 2018

Mary Ann Horne seconded, and the motion passed 5-0 by roll call vote: Pat Davis, yes; Fred Langill, yes; Nathan Latimer, yes; Mary Ann Horne, yes; and Aaron Gast, yes.

MANAGEMENT REPORTS:

Manager Oppe presented his report. DEP conducted final inspection of the new water building. We need to purchase a few small pieces of equipment but will be certified after we send pictures of them being installed. We received quotes from High T Fencing with two options to have a more aesthetically pleasing fence facing Meadville Street, copies of which were distributed to council members. Once we put the new plant on line, we will be able to finish filling the tower on Dundon Rd. and then certify it as well.

The Edinboro Community and Economic Development corporation met last Monday and approved their by-laws. With the help of Dave Devine, who is donating his time, ECED will be filing articles of incorporation in the near future. The next step is to file for non-profit 501.c.3 status. ECED is asking Edinboro University and the Borough Council to appoint members of the Board of Directors. Manager Oppe recommended Pat Davis, since she has shown interest from the beginning and has attended meetings of the ECED. The by-laws also include the Borough Manager as a member of the board, but who is prohibited from being an officer.

Manager Opple met with business and council leaders a few weeks back to discuss potential projects that could be incorporated into an ECGRA grant. The Main Street Development grant is \$250k over 3 years, so now that we had a lot of great ideas, we can start getting cost estimates and pull together a plan.

Regarding the Huston v. Zoning Hearing Board case, Commonwealth Court in Pittsburgh heard our appeal on Monday, 15 October and we will have to wait up to 6 months for a result. Manager Opple discussed potential outcomes from the appeal.

Manager Opple and Police Chief Donahue met to review the proposed new Civil Service rules that Chief Donahue has spent a lot of energy coming up with. They are very well done and are now with Solicitor Wachter for legal review. We received three new applications to be on the Commission and have heard of interest from two other residents.

We received the proposed ordinance for a tax credit for volunteer firefighters. Solicitor Wachter has reviewed it and believes it to be in compliance with our requirements under PA Act 172. Next step is to meet with EVFD to define criteria and process.

PennDOT intends to conduct a public hearing on options for our Route 6N and 99 intersection, most likely in mid-January.

We received a proposal for renewal of property and liability insurance. The quotes are significantly lower than last year due to competition. We recently changed insurance brokers, and they have done a great job working for reduced rates.

An employee in the sewer department who had been an intern has passed his wastewater certification exam and has been promoted to full-time.

Fred Langill stated that he has been appointed by County Executive Kathy Dahlkemper to sit on a committee to discuss ways to encourage increased volunteerism for fire departments, and the aforementioned tax relief will be discussed by this committee.

Mary Ann Horne moved to approve Resolution 12-2018:

**HOME RULE BOROUGH OF EDINBORO
RESOLUTION NO. 12-2018**

A RESOLUTION, of the Home Rule Borough of Edinboro, Erie County, Pennsylvania.

WHEREAS, the Home Rule Borough of Edinboro (Borough) has been approved to receive grant funding from the TA Set-Aside program for a sidewalk along SR 699/Erie Street; and

WHEREAS, Borough Council must assign an authorized signer for project documents.

NOW, THEREFORE, BE IT RESOLVED by the authority of the Borough Council of the Home Rule Borough of Edinboro, that Kevin J. Opple, Borough Manager, be the only authorized signer directed to sign on behalf of the Borough, the agreement for the "111429 - SR 699 Pedestrian Improvement Project 2018 TA Set-Aside Funding", and that the Borough Secretary be authorized and directed to attest the same.

ADOPTED this 12th day of November, 2018.

Mayor Gast seconded, and the motion passed 5-0 by roll call vote: Fred Langill, yes; Nathan Latimer, yes; Pat Davis, yes; Mary Ann Horne, yes; and Aaron Gast, yes.

Finance:

Mary Ann Horne moved to approve the 2019 budget via Resolution 13-2018:

HOME RULE BOROUGH OF EDINBORO
RESOLUTION NO 13-2018

A RESOLUTION OF THE Home Rule Borough of Edinboro in the County of Erie, Commonwealth of Pennsylvania, appropriating sums estimated to be required for the purposes of the municipal government, hereinafter set forth, during the year 2019.

BE IT RESOLVED AND ENACTED, and it is hereby resolved by the Council of the Home Rule Borough of Edinboro, County of Erie, Commonwealth of Pennsylvania:

SECTION 1. That for the expenditures and expenses of the fiscal year 2019 the following amounts are hereby appropriated from income for the year 2019 for the purposes set forth on the following page.

SECTION 2. That any Resolution conflicting with this Resolution be and the same is hereby repealed insofar as the same affects this Resolution.

<i>Total Revenues</i>	<i>5,066,747</i>
<i>Total Expenditures</i>	<i>4,990,904</i>

BE IT RESOLVED AND ENACTED THIS 12th DAY OF NOVEMBER, 2018.

Mayor Gast seconded, and the motion passed 5-0 by roll call vote: Mary Ann Horne, yes; Pat Davis, yes; Nathan Latimer, yes; Fred Langill, yes; and Aaron Gast, yes.

COMMUNITY LIAISONS:

EVFD:

Mary Ann Horne stated that Daryl Parker will be meeting with Manager Opplé soon to discuss the volunteer firefighter tax credit. She also said that the paid EMT service continues to be very helpful.

Water and Municipal Authorities:

Mayor Gast said that two proposals had been received for an aesthetically pleasing fence in front of the new water building. Manager Opplé discussed the proposals briefly and said that he plans to move forward with the cheaper of the two options.

COMMUNICATIONS:

Solicitor Wachter noted that recent changes to state laws will allow municipalities to make purchases during emergencies without requiring the usual bidding process.

ADJOURNMENT:

Mary Ann Horne moved for adjournment, and the meeting was adjourned at 8:10 PM.

ATTEST:



Manager Kevin Oppe



Mayor Aaron Gast