

**Borough of Edinboro  
Council Meeting Minutes  
September 9, 2019**

**CALL TO ORDER:**

Monday, September 9, 2019 the regularly scheduled meeting was called to order by Mayor Aaron Gast at 6:37 PM.

**Pledge of Allegiance**

**ROLL CALL:**

Council members present were Jim Kiley, Alyssa Dobson, Fred Langill, Aaron Gast, Nathan Latimer, and Pat Davis. Absent was Mary Ann Horne.

Other officials present were Borough Manager Kevin Oppe, Solicitor Tim Wachter, and Finance Director Jason Spangenberg,. Citizens present were Curtis Hals, Alex Topor, Sam Comfort, Mike DeRiggi, Mark Eisert, Amber Chisholm, Matt Swanson, Daryl Parker, and Patrick Davis.

**MINUTES:**

Pat Davis moved to approve the August 12, 2019 regular meeting minutes as presented. Jim Kiley seconded, and the motion passed 6-0.

**PUBLIC PARTICIPATION:**

Michael DeRiggi, 203 Ash Street. Mr. DeRiggi stated that his cell phone number was stolen on July 2, so he filed a report with the Borough Police Department due to the need to act quickly with cybercrime. He was told by the local police that he must file the report at his home municipality since he was not a resident. He stated that he has been a taxpayer for many years and was very upset at being told he was not a resident. Mr. DeRiggi asked Council to institute a policy that would require the police to help all individuals, regardless of resident status, adding that he has spoken to Chief Donahue about the issue already. He noted the seriousness of cybercrime and said that the process to rectify the situation couldn't be started without an official police report to show to the phone company. Mayor Gast thanked him for his comments and said that the matter would be considered.

Daryl Parker, EVFD President. Mr. Parker presented a proposal to Council regarding a paid EMS program. He thanked the Borough for the support for the pilot program that has been in place since 2017, which had a tremendous impact on reducing missed emergency calls. This program has used part-time staff during daytime hours, but almost all local VFDs have now implemented a similar program, so there is competition for the same part-time employees. The

new proposal would hire two full-time firefighters/EMTs to stabilize the program. This program would require continuing the current \$15,000 yearly EMT contribution with an increase from the Borough of an additional \$8,000 annually. Alyssa Dobson asked if he had talked to Washington Township yet, and Mr. Parker replied that he would be talking to them at their next meeting. Fred Langill discussed the County committee he serves on regarding fire department staffing and he acknowledged the seriousness of the issue. Mayor Gast requested that the topic be moved to the finance committee for discussion. Alyssa Dobson moved to send the topic to the finance committee, Jim Kiley seconded, and the motion passed 6-0.

## **COMMITTEE REPORTS:**

### **Finance Committee:**

Alyssa Dobson moved to approve bills paid August 26, 2019 totaling \$50,101.88; and paid September 9, 2019 totaling \$24,731.65. Aaron Gast seconded, and the motion passed 6-0.

Aaron Gast moved to approve payroll paid August 16, 2019 totaling \$74,487.75; and paid August 30, 2019 totaling \$80,121.20. Alyssa Dobson seconded, and the motion passed 6-0.

### **SOLICITOR'S REPORT:**

Solicitor Wachter stated that he has prepared an ordinance as discussed earlier in the year regarding a request from BIU to correct a few items in the Code.

Nathan Latimer asked if BIU was going to remain the Borough's BCO permanently or if a person would be hired for this job. Manager Oppe replied that the intent was to see how this year would go with BIU and then evaluate, and he believes the system is working well with BIU in place. Alyssa Dobson asked about a cost comparison between paying an in-house employee versus BIU, to which Jason Spangenberg replied that the Borough does not actually pay BIU anything; they are paid solely through permit fees. Solicitor Wachter noted that there has been a significant savings in legal expenses as well without an in-house BCO. It was also noted by some members of Council that less complaints have been heard with BIU in place, and the move appears to be in a positive direction.

### **MANAGEMENT REPORTS:**

Manager Oppe presented his monthly report. ECGRA is hosting a press conference at Goodell Gardens at 10 AM on Wednesday to showcase the projects funded by ECGRA including the Main Street grants, EUP Innovation Beehive, Arts & Music Festival, Goodell Gardens, Highland Games, etc.

The Darrow Road paving project is on schedule and will be completed very soon.

Edinboro University contacted us last week to invite the Borough to be a part of the Crawford County 8th Grade career event. We are intending to take part. They expect all 800 8th

graders in Crawford County to attend. We are bringing the robot camera and will be showing how we televise the sewer and stormwater lines by using a stormwater drain in the parking lot of the event. We will also have some streets equipment, a microscope and bacteria samples from our sewer lab, the chlorine analyzer from water, Kenzo our police K9, and more.

All eight candidates for the open police position have scheduled their oral interview times for September 17. The goal is to have a final selection before the October Council meeting.

The quarterly Town & Gown meeting on Wednesday went very well. We discussed Homecoming and Art 100 plans. There is a strong feeling from both the Borough and the University sides that the cooperation is going very well and that we should work closely together on more events.

As we prepare to send out the applications for rental renewals, we are looking to increase the license fee to from \$40 to \$45 per year. We have had the current amount for three years now, and just by inflation should raise it by \$5. There is a resolution on the agenda later in this meeting to address this proposal.

In conjunction with Homecoming, Art 100 will be having connected art shows at the Bruce Gallery and the Borough building. They are planning an art walk between the two and trying to get the downtown businesses to be involved. Feedback from the ECED Business committee is that downtown businesses might be interested to be open later that evening if they could have some artwork to display (student art possibly). The University Foundation was interested in having alcohol for their reception at the Borough Hall. Manager Oppe requested that Council discuss allowing alcohol inside the Borough building for this reception. Jim Kiley asked about potential liability to the Borough. Solicitor Wachter stated that it would depend on who would be serving the alcohol; if a professional bartending service would be serving, they would take on the liability. Mayor Gast expressed a concern that this would open the door for other groups to have alcohol in the building. Council discussed this briefly and determined this would not set such a precedent. Mayor Gast moved to allow alcohol in the Borough building for the Art100 reception on October 10, 2019, Jim Kiley seconded, and the motion passed 6-0.

Alyssa Dobson stated that she had heard requests from Edinboro University for the Borough to allow open containers for Homecoming. Solicitor Wachter read the current relevant section of the Borough's Code, which states that Edinboro is a closed container community. He noted that Erie does not have this restriction, and the Code could be amended to allow open containers for special events only. Council discussed the topic and generally supported the idea of passing an ordinance to allow open containers for special events, which could be approved individually before each event by resolution. Fred Langill expressed a concern about the whole town being open container, and Solicitor Wachter clarified that the approval for special events could restrict it to certain locations and times. Mayor Gast stated his support for this potential ordinance, to be considered in time for next year's Homecoming.

**Finance:**

Jim Kiley moved to approve the 2020 pension MMOs as calculated by the actuary. Mayor Gast seconded, and the motion passed 6-0.

Mayor Gast moved to authorize October 16, 23, and 30 at 4 PM as the dates for 2020 budget workshops. Jim Kiley seconded, and the motion passed 6-0.

**Code Enforcement:**

Fred Langill moved to approve Resolution 17-2019 regarding rental unit license fees, as discussed in the Manager’s report:

**BOROUGH OF EDINBORO  
RESOLUTION 17-2019**

*A RESOLUTION, of the Home Rule Borough of Edinboro, Erie County, Pennsylvania, increasing the regulated rental unit license fees for the 2020 rental year. All other fees and rates set by Resolutions 1-2019, 7-2019, and 13-2019 remain in effect.*

*WHEREAS, the Borough mails rental license renewal packets to landlords in September of the year prior to the license year; and,*

*WHEREAS, the rental license fees have not been increased since 2017 and are generally lower than the fees charged by other nearby municipalities; and,*

*WHEREAS, the below fees shall be updated for the 2020 rental year as follows:*

***BUILDING / ZONING / CODE ENFORCEMENT - Continued***

<i>Rental Permits - Annual Cycle January 1 - December 31 (no prorating of fees)</i>	
<i>Initial Application // Annual Renewal (per unit)</i>	<i>\$90.00 // \$45.00</i>
<i>Initial Application // Annual Renewal - Dorm style (per unit)</i>	<i>\$60.00 // \$30.00</i>
<i>Initial Application B &amp; B</i>	<i>\$90.00</i>
<i>Annual Renewal – B &amp; B (per sleeping room)</i>	<i>\$20.00</i>

*NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Home Rule Borough of Edinboro that the above fee changes be implemented effective immediately for the 2020 rental year.*

*RESOLVED this 9<sup>th</sup> day of September, 2019.*

Mayor Gast seconded, and the motion passed by 6-0 roll call vote: Alyssa Dobson, yes; Fred Langill, yes; Nathan Latimer, yes; Pat Davis, yes; Jim Kiley, yes; and Aaron Gast, yes.

Manager Opplé explained a subdivision request which was on the agenda for consideration. One family owns two adjoining properties, and they would like to take a portion of one property and make it instead part of their adjoining property. Manager Opplé stated that the Planning Commission had previously met to review the request and they recommended approval. Mayor Gast moved to approve the subdivision request for 205 Ash Street as recommended by the Planning Commission. Alyssa Dobson seconded, and the motion passed 6-0.

Sewer:

Mayor Gast moved to approve Resolution 18-2019:

18-2019



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF CLEAN WATER

DEP Code No.  
M6-15-027

**RESOLUTION FOR PLAN REVISION  
FOR NEW LAND DEVELOPMENT**

RESOLUTION OF THE (SUPERVISORS) (COMMISSIONERS) (COUNCILMEN) of Borough of Edinboro  
(TOWNSHIP) (BOROUGH) (CITY), Erie COUNTY, PENNSYLVANIA (hereinafter "the municipality").

**WHEREAS** Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the *Pennsylvania Sewage Facilities Act*, as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (DEP) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

**WHEREAS** Dennis Porto land developer has proposed the development of a parcel of land identified as

Hornblower name of subdivision, and described in the attached Sewage Facilities Planning Module, and

proposes that such subdivision be served by: (check all that apply),  sewer tap-ins,  sewer extension,  new treatment facility,  individual onlot systems,  community onlot systems,  spray irrigation,  retaining tanks,  other, (please specify): \_\_\_\_\_

**WHEREAS**, Borough of Edinboro municipality finds that the subdivision described in the attached

Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

**NOW, THEREFORE, BE IT RESOLVED** that the (Supervisors) (Commissioners) (Councilmen) of the (Township) (Borough) (City) of Borough of Edinboro hereby adopt and submit to DEP for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto.

Manager Opplé explained that the action made by this resolution was already approved by vote of Council in 2018, but a formal resolution is now needed by DEP rather than a simple motion. Alyssa Dobson seconded, and the motion passed by 6-0 roll call vote: Pat Davis, yes; Jim Kiley, yes; Fred Langill, yes; Nathan Latimer, yes; Alyssa Dobson, yes; and Aaron Gast, yes.

**NEW BUSINESS:**

Jim Kiley moved to set the time and date for trick-or-treating as October 31 from 6-8 PM. Mayor Gast seconded, and the motion passed 6-0.

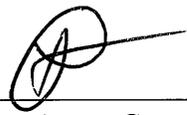
Fred Langill and Daryl Parker had a brief discussion regarding the EVFD. Mr. Langill noted that it would make sense for EUP to contribute to the proposal that Mr. Parker presented earlier in the meeting.

**ADJOURNMENT:**

Mayor Gast moved for adjournment, and the meeting was adjourned at 7:33 PM.

ATTEST:

  
\_\_\_\_\_  
Manager Kevin Oppe

  
\_\_\_\_\_  
Mayor Aaron Gast