

**Borough of Edinboro
Council Meeting Minutes
June 8, 2020**

CALL TO ORDER:

Monday, June 8, 2020 the regularly scheduled meeting was called to order by Mayor Aaron Gast at 6:33 PM. The meeting was held via Zoom videoconference, due to COVID-19.

Pledge of Allegiance

ROLL CALL:

Council members present were Jim Kiley, Mary Ann Horne, Aaron Gast, Mark Eisert, Fred Langill, Pat Davis, and Alyssa Dobson.

Other officials present were Borough Manager Kevin Oppe, Solicitor Tim Wachter, and Finance Director Jason Spangenberg. Citizens present via telephone were MJ Campbell and a representative from the West County News Journal.

MINUTES:

Jim Kiley moved to approve the May 11, 2020 regular meeting minutes as presented. Mary Ann Horne seconded, and the motion passed 6-0.

PUBLIC PARTICIPATION:

No speakers were present.

COMMITTEE REPORTS:

Finance Committee:

Pat Davis joined the meeting at this point.

Mary Ann Horne moved to approve bills paid May 26 totaling \$125,424.32; and paid June 8 totaling \$74,718.98. Alyssa Dobson seconded, and the motion passed 7-0.

Mary Ann Horne moved to approve payroll paid May 22 totaling \$72,392.83; and paid June 5 totaling \$79,526.27. Mayor Gast seconded, and the motion passed 7-0.

Public Safety Committee:

Fred Langill stated that he is still working to come up with a proposal from the Committee regarding complaints of speeding on Maple Drive.

MANAGEMENT REPORTS:

Manager Oppe presented his monthly report. Working with the EACOG Census 2020 Coordinator, Michelle Jaggi, we are planning on holding Census Events in the council chambers on Wednesday 17 June (11-4); Wednesday 1 July (11-4); Friday 10 July (11-4 & 5-7); and Monday July 20 (11-4). We will still be helping out people who have questions or need access to the online census, but will keep social distancing. In addition to volunteers, they are planning to provide pizza, cookies, and refreshments provided by a grant from the PA DCED to the Edinboro Community & Economic Development organization.

The ECGRA grant to ECED has been helping the community. The information sheet on community resources went out with the West County News Journal on Friday. It was a collaboration between community organizations, community leaders, the GM School District, churches, and the ECED Social Needs Committee. Relief packages are being distributed by Boro Women & Family Services when a family in need contacts them. The coolers purchased are already in use by the GM School District to keep lunches cold and will continue through the summer.

The current plan is for the outdoor movies to go ahead at Goodell Gardens possibly starting in mid- to late-July. We may be increasing the movie series to 6 movies as a result of other summer events being cancelled. Lakeside Association has cancelled all July 4th activities.

The Town-Gown Meeting scheduled for this past Wednesday was cancelled at the request of the university. We may have a make-up meeting late July or early August when John Hynes, the new VP for Finance and Administration begins.

The project to replace the wastewater line on W. Normal, Brookview, and Water St. extension is underway.

After over 46 years of service to the Edinboro Municipal Authority, we said farewell to Rob Kennerknecht this past Friday. Brian Osborn is taking on the role of Superintendent.

Playground equipment and pavilions remain closed as per Erie County Health Department guidance. Crawford Beach is open with social distancing rules in place and increased cleaning of the bathrooms. There has been a problem with people removing the caution tape from the playgrounds. The kayak launchers are in place, one on a regular dock that is on a shallow section that is hard to fill with a power boat, and the second on a single section of dock purchased for the launcher. Edinboro Lake Watershed Association has been the driver for us to get them in the water. The speed bumps have been installed on Lakeside Drive.

The committee is deliberating on the criteria for the next round of façade grants. We are continuing planning for the streetlight pole and lamp refurbishment and are hoping to bid out the refurbishment and rewiring contracts in July or August.

Our Waterford Street project is tied in its category for Federal Aid Route Paving funding with a project in Wesleyville. Because the Wesleyville project would require a contribution of over \$500,000 from the municipality, they may decline the award of ~\$63,000. Our project is just over \$100,000 so we may be offered the funding instead.

Manager Opple and Chris Motter met with Tim Wells from GPI on Tuesday. Tim is confident that we operate the dam safely by keeping the spillway upstream gate open and using the downstream gate to release water when needed instead of using the unsafe catwalk and removing the wooden boards on the top of the dam. Because of this we are looking into replacing the removable boards at top of the dam with a concrete cap and taking out the catwalk and support pillars. Tim does not believe that our dam is in emergency need of improvements.

The lowest apparent bidder for our summer paving project was Lindy Paving. They purchased Russell Standard and Mayer Brothers in recent years.

After doing research on the costs of other municipalities for engineering fees, and the steep rise in fees from our current primary engineering firm, GPI, Manager Opple recommended that we appoint Urban Engineers of Erie as an approved engineer service for the Borough to use.

Mayor Gast asked about the procedure for opening the playgrounds. Manager Opple replied that we must wait until Erie County is in the green phase, and then we will follow the County's recommendations.

Mary Ann Horne moved to appoint Urban Engineers as an approved engineer for Borough projects, and also approve their rate schedule. Jim Kiley seconded, and the motion passed 7-0.

Finance:

Mayor Gast moved to award the gasoline and diesel bid to Melzer's Fuel Service as low bidder. Manager Opple noted that the bid was handled by the EACOG. Mary Ann Horne seconded, and the motion passed 7-0.

Mayor Gast moved to approve Resolution 10-2020:

***BOROUGH OF EDINBORO
RESOLUTION NO. 10-2020***

A RESOLUTION, of the Home Rule Borough of Edinboro, Erie County, Pennsylvania (the "Taxing District") to approve an agreement among the County of Erie, Erie County Tax Claim Bureau, and the law firm of MacDonald, Illig, Jones, & Britton, LLP.

WHEREAS, the County of Erie and the Erie County Tax Claim Bureau (collectively "the County") have entered into an Agreement (the "Agreement") with MacDonald, Illig, Jones, & Britton, LLP (hereinafter "MIJB") with

respect to conduct of judicial, "lien-fee," tax sales during the years 2020, 2021, and 2022 (hereinafter the "Judicial Tax Sales") of properties against which delinquent taxes are due and owing; and

WHEREAS, the Council of the Borough of Edinboro (the "Council") has been requested to approve the Agreement and agree that properties located in the Taxing District can be exposed to the Judicial Tax Sales; and

WHEREAS, the Council has determined that such resolution, approving the proposed Agreement, is in the best interest of all of the Taxing District and the Tax Claim Bureau, as it will further the general objective of collecting delinquent property taxes and realizing the greatest amount of revenue possible on certain delinquent real estate taxes in accordance with 72 P.S. § 5860.101, et seq.

NOW, THEREFORE, BE IT RESOLVED by the members of Borough Council as follows:

1. The proposed Agreement, a copy of which is attached to this Resolution, is approved.
2. The Mayor is authorized to execute on behalf of the Taxing District all signature copies of such Agreement and the Manager is authorized to witness or attest the same
3. The Solicitor and other officials of the Taxing District are authorized to take such actions as are necessary to conclude the Agreement, including but not limited to periodic reviews of and responses to information supplied by MLJB to the Tax Claim Bureau as called for in the Agreement.
4. The resolution is intended to put in place an ongoing agreement and process for the conduct of the Judicial Tax Sales as is outlined in the Agreement.

ADOPTED this 8th day of June, 2020.

Mary Ann Horne seconded the motion. Solicitor Wachter explained the purpose of the resolution. The motion passed by 7-0 roll call vote: Mark Eisert, yes; Alyssa Dobson, yes; Jim Kiley, yes; Mary Ann Horne, yes; Pat Davis, yes; Fred Langill, yes; and Aaron Gast, yes.

Public Works:

The following bids were received for paving work:

<u>Name</u>	<u>Address</u>	<u>Base Bid Amount</u>
Joseph McCormick Contr.	3340 Pearl Ave., Erie, 16512	\$352,256.20
Lindy Paving	1807 Shenango Rd., New Galilee, 16141	\$259,872.90
Cross Paving	8955 Wattsburg Rd., Erie, 16509	\$286,805.20

Mayor Gast moved to award the contract to Lindy Paving as low bidder. Mary Ann Horne seconded, and the motion passed 7-0.

Only one bid was received for crack sealing work. Suit-Kote bid \$16.48 unit price, for a total bid of \$24,720. Mayor Gast moved to award the contract to Suit-Kote as low bidder. Mary Ann Horne seconded, and the motion passed 7-0.

COMMUNICATIONS:

Jim Kiley explained a letter that had been sent to Borough Council regarding allowing the use of golf carts on Borough roads. Solicitor Wachter explained his legal opinion that this is not allowed. Fred Langill asked how they are allowed to be used in parades. Manager Opplé replied that they are allowed in parades because Council approves the parade and its associated road closure.

NEW BUSINESS:

Mayor Gast moved to approve Resolution 11-2020:

**EDINBORO BOROUGH
ERIE COUNTY, PENNSYLVANIA
RESOLUTION # 11-2020**

**A RESOLUTION OF BOROUGH OF EDINBORO, ERIE COUNTY,
COMMONWEALTH OF PENNSYLVANIA, TO AMEND AND RESTATE
RESOLUTION #16-2019 APPROVING THE INTRA-COUNTY TRANSFER
OF LIQUOR LICENSE INTO THE BOROUGH**

WHEREAS, PA Act 141-2000 (“the Act”) authorizes the Pennsylvania Liquor Control Board (the “PLCB”) to approve, in certain instances, the transfer of restaurant liquor licenses across municipal boundaries within the same county regardless of the quota limitations provided for in Section 461 of the Act if, as in Edinboro Borough, sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

WHEREAS, the Edinboro Borough Council received a request for the approval of the proposed intra-county transfer of Pennsylvania Restaurant Liquor License bearing License No. R2220 (the “Liquor License”) from Romans 13:25 LLC presently located at 1325 State Street, Erie, Pennsylvania to Roman’s Holiday LLC for use at the facilities at the shopping mall known as Lakeside Commons, specifically including part of Suite 345 and Suite 575 of said shopping mall, located at 220 West Plum Street, Edinboro, Pennsylvania; and

WHEREAS, the Act requires the applicant to obtain from the receiving municipality a resolution approving the intra-county transfer of a liquor license prior to an applicant’s submission of an application to the Pennsylvania Liquor Control Board; and

WHEREAS, an application for transfer filed under the Act must contain a copy of the resolution adopted by the municipality approving the transfer of liquor license into the municipality; and

WHEREAS, the Liquor Code stipulates that, prior to adoption of a resolution by a receiving municipality, at least one hearing be held for the purpose permitting individuals residing within the municipality to make comments and recommendations regarding applicant’s intent to transfer a liquor license into the receiving municipality; and

WHEREAS, the Borough Council held such a hearing on July 8, 2019 and approved the transfer of the Liquor License to the facilities located at 220 West Plum Street, Edinboro, Pennsylvania; and

WHEREAS, the PLCB subsequently requested that certain corrections and/or clarifications be made to Resolution #16-2019 regarding the identification of the entity transferring the Liquor License and the entity acquiring the Liquor License and the location of the Liquor License following the transfer of the same; and

WHEREAS, the Borough Council held another public hearing on June 8, 2020 and approved the transfer of the Liquor License to Roman’s Holiday, LLC at the facilities at the shopping mall known as Lakeside Commons, specifically including part of Suite 345 and Suite 575 of said shopping mall, located at 220 West Plum Street, Edinboro, Pennsylvania ; and

WHEREAS, the Borough Council hereby agrees to amend and restate Resolution #16-2019 pursuant to the PLCB’s requests in order to facilitate to the transfer of the Liquor License to Roman’s Holiday LLC at the facilities at the shopping mall known as Lakeside Commons, specifically including part of Suite 345 and Suite 575 of said shopping mall, located at 220 West Plum Street, Edinboro, Pennsylvania.

NOW, THEREFORE, this the 8th day of June, 2020, be it RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF EDINBORO, the following:

1. **Recitals.** *That the above recitals are incorporated as if more fully set forth herein.*
2. **Approval.** *That, that after taking into consideration the testimony offered by the parties requesting the transfer of the Liquor License and all of the comments and recommendations of interested individuals who reside or are taxpayers within the Borough received during the public hearings on July 8, 2019 and June 8, 2020 on the subject request, after due discussion and deliberation among members of Borough Council at the Regular Council meeting on July 8, 2019, and such further discussion and deliberation among members of Borough Council at the Regular Council meeting on June 8, 2020, Borough Council hereby amends and restates Resolution #16-2019 in order to approve the transfer of the Restaurant Liquor License bearing License No. R2220 from Romans 13:25 LLC presently located at 1325 State Street, Erie, PA to Roman's Holiday LLC at the facilities at the shopping mall known as Lakeside Commons, specifically including part of Suite 345 and Suite 575 of said shopping mall, located at 220 West Plum Street, Edinboro, Pennsylvania.*

This Resolution 11-2020 is duly adopted this 8th day of June, 2020, by the Borough Council of Edinboro Borough, Erie County, Pennsylvania, in a lawful session duly assembled.

Pat Davis seconded, and the motion passed by 7-0 roll call vote: Mark Eisert, yes; Alyssa Dobson, yes; Jim Kiley, yes; Mary Ann Horne, yes; Pat Davis, yes; Fred Langill, yes; and Aaron Gast, yes.

Mark Eisert asked about an update on the sidewalk to Giant Eagle. Manager Oppler replied that we are waiting on PennDOT to approve the final right-of-way plans. Mr. Eisert asked about an update on the Washington Township water agreement. Solicitor Wachter stated that he had a meeting last week with Borough management discussing the agreement. He is working on making a more simplified bulk water agreement.

Mayor Gast moved to enter executive session to discuss a legal matter. Council entered executive session at 7:18 PM and returned at 7:29 PM.


ADJOURNMENT:

Mayor Gast for adjournment, and the meeting was adjourned at 7:30 PM.

ATTEST:



Manager Kevin Oppler



Mayor Aaron Gast