

**Home Rule Borough of Edinboro
COUNCIL MEETING MINUTES
May 8, 2017**

CALL TO ORDER:

Monday, May 8, 2017 the regularly scheduled meeting was called to order by Mayor Mary Ann Horne at 6:30 p.m.

Pledge of Allegiance

ROLL CALL:

Council members present were Jim Kiley, Aaron Gast (via phone), Mary Ann Horne, Nathan Latimer, Brenda Cannell, Pat Davis (via phone), and Stephen O'Neill.

Also present were Solicitor Tim Wachter, Manager Kevin Oppler, Finance Director Jason Spangenberg, Abbey Hudson, Michael Feikles, Mike Sanford, Lindsay Bauman, Fred Langill, Matt Baker, and Pete Mitchell.

MINUTES:

Brenda Cannell moved to approve the April 10, 2017 regular meeting minutes as presented. Stephen O'Neill seconded, and the motion passed 7-0.

PUBLIC PARTICIPATION:

No speakers participated.

COMMITTEE REPORTS:

Finance Committee:

Jim Kiley moved to approve bills paid April 24, 2017 totaling \$72,034.51; and bills paid May 8, 2017 totaling \$79,027.95. Brenda Cannell seconded, and the motion passed 7-0.

Jim Kiley moved to approve payroll ending April 8 and paid April 14, 2017 totaling \$74,849.93; and payroll ending April 22 and paid April 28, 2017 totaling \$62,153.32. Brenda Cannell seconded, and the motion passed 7-0.

Jim Kiley moved to award Jason Spangenberg a \$1,000 bonus for his fine work with the financial audit and also his professionalism while serving as Interim Borough Manager during year-end and audit season. Nathan Latimer seconded, and the motion passed 7-0.

Ordinance Review Committee:

Stephen O'Neill moved to approve advertising for the proposed Ordinance 607, which is required as part of the process to guarantee the Water Authority \$7 million PENNVEST loan. The advertisement will state that the ordinance will be considered for approval at the next meeting. Nathan Latimer seconded the motion. Solicitor Wachter discussed the loan process. The motion passed by 7-0 voice vote.

Mr. O'Neill asked to discuss Borough parking regulations for snow removal, stating that the no parking rule used to be in effect from November 1 to April 1. This was recently changed to April 15, and he wished to discuss changing it back to April 1. Aaron Gast stated his desire to discuss the topic as well, so the topic was referred to the Ordinance Review Committee for further discussion.

MANAGEMENT REPORTS:

Manager Oppe presented his report to Council. He stated that his first two weeks on the job went well and that he had a lot of meetings with various people and organizations. He thanked all involved for the meet and greet that was held on April 27.

Bids for the new water building and new storage tank will be opened May 25 at 4:00 p.m.

The BORO bike racks have been received, although they were not made of the expected material, so he stated that we will have to figure out how to implement the racks in the safest possible manner.

The Beau Drive drainage issue was discussed, with Manager Oppe stating that engineering plans were revised to reduce the expected cost, and that this will be the project with top priority once summer project bids are received.

Damon Huston applied to the Zoning Hearing Board for a variance for the second time, and he was again denied the variance at the hearing on April 19. Solicitor Wachter stated that Mr. Huston has 30 days to appeal the decision, although his appeal from the first denial is still pending.

Manager Opple met with EU President Walker during his first week, and he stated that the meeting was very positive, with the main topic being cooperation between the Borough/community and the University.

Manager Opple and Jason Spangenberg attended the West Erie County Emergency Management Agency meeting on May 5. Manager Opple stated that all Council members are required to take emergency management training, and our Emergency Management Coordinator Andy Jarvi plans to offer a two-hour course in July or August to meet this requirement. Brenda Cannell asked if the online FEMA courses fill this requirement. Manager Opple replied that they do fill the requirement, but they do not explain the elected official's role, which is what this two-hour course will do. He also said that Mr. Spangenberg will be attending training the next two days to become the Borough's Public Information Officer.

Employee Scott Wolfe has reached 20 years of employment with the Borough.

Finance:

Mayor Horne read aloud Resolution 7-2017, shown below:

**HOME RULE BOROUGH OF EDINBORO
RESOLUTION NO. 7-2017**

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

WHEREAS, Erie County receives an annual Grant from the Pennsylvania Department of Transportation (PennDOT) to be disbursed to the County's municipalities as County Aid from Liquid Fuels Tax income; and

WHEREAS, Erie County's 2017 Liquid Fuels Tax Fund Budget has been set at \$840,500; and

WHEREAS, Erie County must distribute the Budget based on the 50-22-28 formula approved by the Liquid Fuels Formula Committee on September 14, 1982, and the formula is recalculated annually using current mileage, population, and millage rates; and

WHEREAS, based on the aforementioned formula, Erie County has budgeted the amount of \$16,172 to be distributed to the Home Rule Borough of Edinboro for 2017 Liquid Fuels County Aid; and

WHEREAS, municipalities are obligated to approve the use of the County Aid distribution by annual Resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the Borough Council, that the Home Rule Borough of Edinboro approves the 2017 Liquid Fuels County Aid, in the amount of \$16,172, to be used for road maintenance.

ADOPTED this 8th day of May, 2017.

Stephen O'Neill moved to approve Resolution 7-2017, Jim Kiley seconded, and the motion passed by 7-0 roll call vote: Stephen O'Neill, yes; Brenda Cannell, yes; Nathan Latimer, yes; Aaron Gast, yes; Pat Davis, yes; Jim Kiley, yes; and Mary Ann Horne, yes.

Solicitor Wachter summarized Resolution 8-2017, shown below, and he recommended approval:

**HOME RULE BOROUGH OF EDINBORO
RESOLUTION NO. 8-2017**

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 2017, 2018, and 2019 (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 MIJB 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 May, 2017.

Jim Kiley moved to approve Resolution 8-2017, Brenda Cannell seconded, and the motion passed by 7-0 roll call vote: Pat Davis, yes; Jim Kiley, yes; Brenda Cannell, yes; Nathan Latimer, yes; Aaron Gast, yes; Stephen O'Neill, yes; and Mary Ann Horne, yes.

Zoning:

Mayor Horne noted that there was a resolution on the agenda for discussion, which would establish a new fee for tracking temporary signs in the Borough. She asked that the resolution be referred to the Ordinance Review Committee. Aaron Gast stated his desire to review the sign ordinance as a whole.

Public Works:

Manager Oppler stated that the following bids had been received for 2017 seal coat work (tar & chipping):

<u>Name</u>	<u>Address</u>	<u>Bid Amount</u>
Russell Standard Corp.	P.O. Box 86, Union City, 16438	\$56,868.99
Suit-Kote	10965 McHenry St., Meadville, 16335	\$50,756.59

Manager Oppler said that both contractors have done solid work for us in the past, and he recommended awarding the contract to Suit-Kote as low bidder. Brenda Cannell moved to award the contract to Suit-Kote. Stephen O’Neill seconded, and the motion passed 7-0.

Recreation:

Mayor Horne asked for a motion to approve the road closings for the EU soccer tournaments as is done every year. Brenda Cannell moved to approve the road closings, Aaron Gast seconded, and the motion passed 7-0.

Water:

Jason Spangenberg stated that Resolution 10-2017 was up for discussion, and he explained that this resolution would tentatively set the water rates for 2019, which is a required step in the PENNVEST loan process, to show that sufficient water rates are in place to pay off the loan. He added that these rates can be changed once 2019 is here and we know the exact numbers needed, which Solicitor Wachter confirmed. The resolution is shown below:

***Home Rule Borough of Edinboro
Resolution 10-2017***

A resolution establishing 2019 water utility fees required to pay off the PENNVEST loan acquired in 2017 for the Home Rule Borough of Edinboro.

WHEREAS, the Borough Council of the Home Rule Borough of Edinboro has adopted a codification, consolidation, and revision of the ordinances of the Home Rule Borough of Edinboro; and,

WHEREAS, it is the desire of the Borough Council of the Home Rule Borough of Edinboro to eliminate all fees from

the Code of Ordinances and enact them instead by resolution; and,

WHEREAS, it is required that Borough Council have fees in place for the payment of the \$7,000,000 PENNVEST water project loan, which will come due in 2019; and,

NOW, THEREFORE BE IT RESOLVED THAT and it is hereby resolved by the Borough Council of the Home Rule Borough of Edinboro that water utility fees for 2019 are hereby fixed as follows:

WATER & SEWER RATES

- An ordinance establishing a combined fee schedule for the Borough water and sewer services, fixing the schedules of rates to be charged various classes of properties and users, establishing the manner for computing individual charges, and providing for the setting of these fees each year by resolution at the annual reorganization of Borough Council.
- Two (2) month rates for water metered into buildings.

	Cost per 1,000 gallons		Minimum Service Charge	
	2017	2019	2017	2019
Meter Size: C1 - R1 - I1 - P1 - 5/8 inch x 3/4 inch single meter (Figures are based on bi-monthly billing)				
Water Minimum 1,000 gallons	====	====	\$ 17.50	\$ 20.00
Water over 1,000 gallons, per 1,000 gallons	\$ 5.25	\$ 5.75	\$ 5.25	\$ 5.75
Sewer Minimum 10,000 gallons	====	====	\$ 48.33	\$ 48.33
Sewer over 10,000 gallons, per 1,000 gallons	\$ 4.35	\$ 4.35	\$ 4.35	\$ 4.35

2019 Multi-Units
calculated the same as below using
for a single-family dwelling.

(Figures are based on bi-monthly billing) – over eight units is to be
the number of units times the minimum

	2 units	3 units	4 units	5 units	6 units	7 units	8 units
Water – minimum gallons	2,000	3,000	4,000	5,000	6,000	7,000	8,000
Water – bi-monthly minimum	\$ 40.00	\$ 60.00	\$ 80.00	\$ 100.00	\$ 120.00	\$ 140.00	\$ 160.00
Water – over minimum, per 1,000 gallons	\$ 5.75	\$ 5.75	\$ 5.75	\$ 5.75	\$ 5.75	\$ 5.75	\$ 5.75
Sewer – minimum gallons	20,000	30,000	40,000	50,000	60,000	70,000	80,000
Sewer – bi-monthly minimum	\$ 96.66	\$ 144.99	\$ 193.32	\$ 241.65	\$ 289.98	\$ 338.31	\$ 386.64
Sewer – over minimum, per 1,000 gallons	\$ 4.35	\$ 4.35	\$ 4.35	\$ 4.35	\$ 4.35	\$ 4.35	\$ 4.35

	Cost per 1,000 gallons		Minimum Service Charge	
	2017	2019	2017	2019

Meter Size: R3 - C3 - 1 inch (Figures are based on bi-monthly billing)				
Water Minimum 8,000 gallons	====	====	\$ 105.00	\$ 120.00
Water over 8,000 gallons, per 1,000 gallons	\$ 5.25	\$ 5.75	\$ 4.50	\$ 5.25
Sewer Minimum 15,000 gallons	====	====	\$ 72.50	\$ 72.50
Sewer over 15,000 gallons, per 1,000 gallons	\$ 4.35	\$ 4.35	\$ 4.35	\$ 4.35

Meter Size: R6 - C6 - I6 - P6 - 2 inch (Figures are based on bi-monthly billing)				
Water Minimum 20,000 gallons	====	====	\$ 280.00	\$ 320.00
Water over 20,000 gallons, per 1,000 gallons	\$ 5.25	\$ 5.75	\$ 5.25	\$ 5.75
Sewer Minimum 40,000 gallons	====	====	\$ 193.32	\$ 193.32
Sewer over 40,000 gallons, per 1,000 gallons	\$ 4.35	\$ 4.35	\$ 4.35	\$ 4.35

Meter Size: R7 - C7 - 3 inch (Figures are based on bi-monthly billing)				
Water Minimum 45,000 gallons	====	====	\$ 656.25	\$ 750.00

Water over 45,000 gallons, per 1,000 gallons	\$ 5.25	\$ 5.75		\$ 5.25	\$ 5.75
Sewer Minimum 90,000 gallons	====	====		\$ 434.97	\$ 434.97
Sewer 90,001 gallons , per 1,000 gallons	\$ 4.35	\$ 4.35		\$ 4.35	\$ 4.35

Meter Size: 18 - 4 inch

(Figures are based on bi-monthly billing)

Water Minimum 60,000 gallons	====			\$ 945.00	\$ 1,080.00
Water 60,001 ~ 500,000 gallons	\$ 5.25	\$ 5.75			
Water 500,001 ~ 1,500,000 gallons	\$ 5.48	\$ 5.98			
Water 1,500,001 ~ 3,000,000 gallons	\$ 5.59	\$ 6.09			
Water 3,000,001 ~ 5,000,000 gallons	\$ 5.70	\$ 6.20			

Meter Size: 18 - 4 inch

(Figures are based on bi-monthly billing)

Sewer 200,00 gallons	====			\$ 870.00	\$ 870.00
Sewer 200,001 ~ 750,000 gallons	\$ 4.57	\$ 4.57			
Sewer 750,001 ~ 1,500,000 gallons	\$ 4.79	\$ 4.79			
Sewer 1,500,001 ~ 3,000,000 gallons	\$ 4.89	\$ 4.89			
Sewer 3,000,001 ~ 6,000,000 gallons	\$ 5.00	\$ 5.00			

Meter Size: 19 - P9 6 inch and I10 - P10 8 inch

(Figures are based on bi-monthly billing)

Water Minimum 75,000 gallons	====			\$ 1,181.25	\$ 1,350.00
Water 75,001 ~ 1,750,000 gallons	\$ 5.25	\$ 5.75			
Water 1,750,001 ~ 2,500,000 gallons	\$ 5.48	\$ 5.98			
Water 2,500,001 ~ 4,000,000 gallons	\$ 5.59	\$ 6.09			
Water 4,000,001 ~ 7,000,000 gallons	\$ 5.70	\$ 6.20			

Meter Size: 19 - P9 6 inch and I10 - P10 8 inch

(Figures are based on bi-monthly billing)

Sewer 200,00 gallons	====			\$ 870.00	\$ 870.00
Sewer 200,001 ~ 750,000 gallons	\$ 4.57	\$ 4.57			
Sewer 750,001 ~ 1,500,000 gallons	\$ 4.79	\$ 4.79			
Sewer 1,500,001 ~ 3,000,000 gallons	\$ 4.89	\$ 4.89			
Sewer 3,000,001 ~ 6,000,000 gallons	\$ 5.00	\$ 5.00			

Edinboro University

(Figures are based on bi-monthly billing)

Water Minimum 75,000 gallons	====			\$ 4,725.00	\$ 5,400.00
Water 75,001 ~ 1,750,000 gallons	\$ 5.25	\$ 5.75			
Water 1,750,001 ~ 2,500,000 gallons	\$ 5.48	\$ 5.98			
Water 2,500,001 ~ 4,000,000 gallons	\$ 5.59	\$ 6.09			
Water 4,000,001+ gallons	\$ 5.70	\$ 6.20			

Edinboro University Sewer billing is calculated per the 2008 Borough / University Agreement

Sewer 0 ~ 1,375,000 gallons	\$ 4.35	\$ 4.35			
Sewer 1,375,001 ~ 3,125,000 gallons	\$ 4.57	\$ 4.57			
Sewer 3,125,001 ~ 5,625,000 gallons	\$ 4.79	\$ 4.79			
Sewer 5,625,001 ~ 9,625,000 gallons	\$ 4.89	\$ 4.89			
Sewer 9,625,001 ~ 16,625,000 gallons	\$ 5.00	\$ 5.00			

RESOLVED this 8th day of May, 2017.

Jim Kiley moved to approve Resolution 10-2017, Brenda Cannell seconded, and the motion passed by 7-0 roll call vote: Jim Kiley, yes; Brenda Cannell, yes; Nathan Latimer, yes; Stephen O'Neill, yes; Pat Davis, yes; Aaron Gast, yes; and Mary Ann Horne, yes.

COMMUNITY LIAISONS:

EVFD:

Mayor Horne stated that the EVFD had 76 ambulance calls last month, and they are still working to hire paid EMS staff to avoid having missed calls. Solicitor Wachter noted that the discussion from last meeting regarding EMS rates in the Borough Code was looked into, and the Code in place is sufficient for the EVFD to bill for EMS services.

Municipal Authority:

Aaron Gast stated that the Authority Board discussed the Washington Township representative appointment, and they concluded that both candidates would be equally suitable for the position, so the Board recommended that Council make the decision. Mayor Horne asked that the Personnel Committee review the candidates and make a recommendation.

Erie County Public Safety:

Brenda Cannell said that she attended the recent Public Safety Advisory meeting and she briefly stated what had been discussed.

OTHER OLD BUSINESS:

Jim Kiley asked about using CDBG funds for projects other than infrastructure, adding that he has seen the City of Erie use CDBG for community projects and salaries. Solicitor Wachter said that he was not sure how Erie was using the money for these purposes, and he said that the Borough has found good use for the money in infrastructure projects. Council discussed passing a resolution to express the Borough's concern with the federal government considering cutting CDBG funding.

ADJOURNMENT:

Nathan Latimer moved for adjournment, and the meeting was adjourned at 7:28 p.m.

ATTEST:



Manager Kevin Oppe



Mayor Mary Ann Horne