

Home Rule Borough of Edinboro
COUNCIL MEETING MINUTES
May 30, 2018

CALL TO ORDER:

Wednesday, May 30, 2018 the regularly scheduled meeting was called to order by Mayor Aaron Gast at 6:30 P.M.

Pledge of Allegiance

ROLL CALL:

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

Also present were Solicitor Tim Wachter, Manager Kevin Opple, Finance Director Jason Spangenberg, Thad Kiesnowski, Jan Heatherington, Marcia Pabis, Debbie McElroy, Mary Ann Schenck, Mike Zahorchak, Kate Zahorchak, Tom Davenport, July Davenport, Jody Marzka, Nancy Crawford, Tom Moore, and Murray Steinberg.

MINUTES:

Mary Ann Horne moved to approve the April 9, 2018 regular meeting minutes as presented. Jim Kiley seconded, and the motion passed 7-0.

PUBLIC PARTICIPATION:

Robert Therasse Nagy was listed on the agenda but was not present.

Kate Zahorchak, 601 Lakeside Drive. Ms. Zahorchak stated that she had a few concerns about Lakeside to discuss. First, there is an issue with non-dock renters walking on the docks and causing problems. She said the docks should be private for the renters and a pass should be needed to enter the dock. She described a few bad situations such as people cutting boats loose. The police told her that the docks are private, which contradicted what the office told her. Second, she asked when the bathhouse would be opened. Manager Opple said that it is open Memorial Day weekend through Labor Day weekend, but only open during the weekends until high school ends, and that the Lakeside Association helped to close the bathhouse at 8 p.m. last year. Ms. Zahorchak replied that the hours are not sufficient, especially considering the cost to build the bathhouse. She said that the port-o-potty money should instead be used to pay an employee to open and close the bathhouse. Fred Langill suggested looking into timed locks.

Third, Ms. Zahorchak said that the employee who mows the grass on Lakeside needs to be taught to not mow the grass into the street.

Mike Zahorchak, 601 Lakeside Drive. Mr. Zahorchak asked where the docks will be stored over the winter. Manager Oppe said that they will likely continue to be stored on the beach. Mr. Zahorchak stated his disapproval of this plan and said that they should be stored on the grass to the west of the playground. Manager Oppe explained his reasoning for using the beach, including that the moving the docks by trailer in the spring when it can be muddy would require us to put gravel down on the grass west of the playground, killing the grass and making it less usable for kids to play. Mayor Gast thanked Mr. Zahorchak for his comments and said that he would look into an amicable solution.

Nancy Crawford, 411 Lakeside Drive. Ms. Crawford said that she had previously called the Borough office to confirm that she was willing to continue to close the bathhouse at night this summer, but she never heard back. Manager Oppe said that he hadn't received word of her call but that day a key had been delivered to the Lakeshore Association President, Chris Brown.

Thad Kiesnowski, 213 Pine Street. Mr. Kiesnowski also discussed issues with non-dock renters walking on and causing trouble on the docks, such as boarding boats and getting in the way when fishing. He said that there should be a sense of security for the dock renters, especially considering they are paying more than in the past to rent. He added that people park their boats on the docks temporarily during the day even though they don't pay, and asked who keeps an eye on the docks to ensure people are parking in the correct spaces. Manager Oppe said that we will look into having different color dock permit stickers for consecutive years to make it easier to police. Mr. Kiesnowski said there should be signs that state that the docks are private. Mayor Gast replied that options will be discussed and a happy medium will need to be found.

Judy Davenport, 1011 Lakeside Drive. Ms. Davenport said that the dock policy should be posted on the website. She also agreed with the other speakers regarding dock and Lakeside issues, and mentioned some similar incidents.

Tom Moore, Washington Township. Mr. Moore stated that he owns rental properties in the Borough and has a vested interest in the Lakeside area. He asked for Council to consider providing more flexibility for renting student properties to non-students, due to the enrollment of the University. Mayor Gast said that the Ordinance Review Committee is already going to be looking into such a change. Manager Oppe stated the need to have numbers provided regarding the percentage of student rentals that are vacant, so Council can make an informed decision before amending the code. Mr. Moore and Manager Oppe discussed this topic briefly. Thad Kiesnowski stated that he agreed with the need for flexibility for student rentals because he gets less calls for his student rentals. Jody Marzka said that these numbers were not requested when

the student rental restrictions were put into place, and that the restrictions are hurting the town. Manager Oppe reiterated the need for concrete numbers so an informed decision could be made.

With no further speakers, Mayor Gast closed public participation.

COMMITTEE REPORTS:

Finance Committee:

Jim Kiley moved to approve bills paid April 23, 2018 totaling \$95,576.93; bills paid May 14, 2018 totaling \$231,385.75; and bills paid May 30, 2018 totaling \$91,094.15. Alyssa Dobson seconded, and the motion passed 7-0.

Jim Kiley moved to approve payroll ending April 7 and paid April 13, 2018 totaling \$94,267.07; payroll ending April 21 and paid April 27, 2018 totaling \$86,486.56; payroll ending May 5 and paid May 11, 2018 totaling \$100,200.42; and payroll ending May 19 and paid May 25, 2018 totaling \$84,874.16. Pat Davis seconded, and the motion passed 7-0.

Personnel Committee:

Mayor Gast moved to award a \$3,000 bonus to Manager Oppe based on the results of his annual evaluation. Alyssa Dobson seconded, and the motion passed 7-0.

Mayor Gast requested a motion to create a temporary committee for the purpose of hiring a new Police Chief. Manager Oppe said that this is common in other communities, and he explained the makeup of the committee and the process that would be followed. Jim Kiley moved to approve creation of this hiring committee, Nathan Latimer seconded, and the motion passed 7-0.

SOLICITOR'S REPORT:

Solicitor Wachter stated that he had prepared two ordinances: one to correct parking regulations in the code and one to create an event permit. These ordinances would be forwarded to the Ordinance Review Committee.

MANAGEMENT REPORTS:

Manager Oppe presented his report to Council. The new water building is progressing to be complete by mid-July; the parking lot needs to be done after the bushes and fence on the south side of the lot are removed. The new water line installations are nearly complete. The contractor will go back to fix the torn-up lawns in the same order that the lines were installed.

The EUP wastewater certification courses are set to begin this fall. We have held several meetings with local wastewater departments to garner interest, and we are currently working to get instructors lined up. This will be good for the whole region.

Seven applications have been approved for the ECGRA façade grants and several more are nearing submission. A press conference is planned for Friday at 10 a.m.

Plans are underway for the triathlon to resume next year. Manager Opplé and Pat Davis met with Lauren Morosky Eckendorf last week, who is organizing the event along with her husband.

The Route 99 paving project is underway by PENNDOT, with Mayer Brothers performing the work. The curb work we had planned ahead of time is complete. Mayer Bros. will complete all ADA-complaint curb ramps along the road before finishing paving. We will paint the crosswalks in the meantime.

Manager Opplé attended the Erie Area Council of Governments meeting about the currently-forming Erie County Land Bank. He discussed his hopes for the Land Bank, which would be to have them purchase under-utilized buildings and property and flip them for sale, which would help prevent blight before it becomes a problem in relatively blight-free communities like Edinboro.

Police contract negotiations are underway, and the first meeting went well. Pat Davis is observing negotiations on behalf of Council. The requests from the police were reasonable. We are asking that they pay a slightly larger portion of the health insurance premiums, and are discussing having new hires enter a 401(k) retirement plan instead of the pension.

The individual who cut down trees on Borough property has agreed to a payment plan to partially reimburse the Borough for related expenses.

Manager Opplé attended the APMM conference the week of May 14 and he reported that it was a productive use of time.

A weekly outdoor movie series is in the works on the EU campus in July, like has been done at their Porreco campus in Erie for a few years. EU has agreed to host the event and provide the equipment and labor, but they have requested that we pay for the movie licensing fees, which will be about \$2,400. Manager Opplé asked for approval to pay this expense and move forward with the planning. Fred Langill suggested that the movies instead be played for the soccer tournament participants on campus, adding that donations could be taken from the participants for the licensing costs. Manager Opplé said that donations shouldn't be taken by a municipality but we plan to look for sponsorships for next year's movies. Mr. Langill said that the EU recreation personnel should be contacted to set up more activities for the soccer tournament participants. Mayor Gast said that the money for this year's movies needs approval

and that more options can be considered for next year. Mayor Gast moved to approve the \$2,400 for movie licensing fees, Nathan Latimer seconded, and the motion passed 6-1 with Jim Kiley against. Mr. Kiley stated he needed more information on the movies before approving.

Manager Opple briefly discussed Resolution 8-2018, shown in full below:

**HOME RULE BOROUGH OF EDINBORO
RESOLUTION NO. 8-2018**

**Erie County 2018 Hazard Mitigation Plan
Municipal Adoption Resolution**

WHEREAS, the Borough of Edinboro, Erie County, Pennsylvania is most vulnerable to natural and human-made hazards which may result in loss of life and property, economic hardship, and threats to public health and safety, and

WHEREAS, Section 322 of the Disaster Mitigation Act of 2000 (DMA 2000) requires state and local governments to develop and submit for approval to the President a mitigation plan that outlines processes for identifying their respective natural hazards, risks, and vulnerabilities, and

WHEREAS, the Borough of Edinboro acknowledges the requirements of Section 322 of DMA 2000 to have an approved Hazard Mitigation Plan as a prerequisite to receiving post-disaster Hazard Mitigation Grant Program funds, and

WHEREAS, the Erie County 2018 Hazard Mitigation Plan has been developed by the Erie County Emergency Management Agency and the Erie County Planning Commission in cooperation with other county departments, and officials and citizens of Borough of Edinboro, and

WHEREAS, a public involvement process consistent with the requirements of DMA 2000 was conducted to develop the Erie County 2018 Hazard Mitigation Plan, and

WHEREAS, the Erie County 2018 Hazard Mitigation Plan recommends mitigation activities that will reduce losses to life and property affected by both natural and human-made hazards that face the County and its municipal governments,

NOW THEREFORE BE IT RESOLVED by the governing body for the Borough of Edinboro:

- *The Erie County 2018 Hazard Mitigation Plan is hereby adopted as the official Hazard Mitigation Plan of the Borough of Edinboro, and*
- *The respective officials and agencies identified in the implementation strategy of the Erie County 2018 Hazard Mitigation Plan are hereby directed to implement the recommended activities assigned to them.*

ADOPTED, this 30th day of May, 2018

Solicitor Wachter noted that, if the County Hazard Mitigation Plan were not approved, the Borough would need to create its own Plan. Alyssa Dobson moved to approve Resolution 8-2018. Mary Ann Horne seconded, and the motion passed by 7-0 roll call vote: Alyssa Dobson, yes; Fred Langill, yes; Nathan Latimer, yes; Mary Ann Horne, yes; Pat Davis, yes; Jim Kiley, yes; and Aaron Gast, yes.

Finance:

Jason Spangenberg explained Resolution 9-2018, noting that is a required annual Resolution. It is shown in full here:

**HOME RULE BOROUGH OF EDINBORO
RESOLUTION NO. 9-2018**

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 2018 Liquid Fuels Tax Fund Budget has been set at \$1,055,500; 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 \$16,306 to be distributed to the Home Rule Borough of Edinboro for 2018 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 2018 Liquid Fuels County Aid, in the amount of \$16,306, to be used for road maintenance.

ADOPTED this 30th day of May, 2018.

Mary Ann Horne moved to approve Resolution 9-2018. Aaron Gast seconded, and the motion passed by 7-0 roll call vote: Pat Davis, yes; Jim Kiley, yes; Fred Langill, yes; Nathan Latimer, yes; Mary Ann Horne, yes; Alyssa Dobson, yes; and Aaron Gast, yes.

Zoning:

Manager Oppe requested a motion to send a letter to Washington Township to relinquish our sign off authority to the subdivision plans for a subdivision being planned on Sherrod Hill Road. He explained that the subdivision will be built on primarily Township land, but a small portion along the road is Borough land. The Borough Planning Commission recommended this action. Alyssa Dobson asked who would be responsible for the maintenance of the property. Manager Oppe explained that nothing would change with regards to property maintenance. Fred Langill asked if any right-of-ways would be affected. Solicitor Wachter stated that the action requested of Council would only allow the subdivision plans to proceed without needing the Borough to authorize anything further; no property rights such as a right-of-way would be transferred. Manager Oppe stated that the only action that would include the Borough in the future would be to issue driveway permits for those connecting to Sherrod Hill Road, which the

Borough maintains. Mary Ann Horne made the motion requested. Mayor Gast seconded, and the motion passed 7-0.

Public Works:

The following bids were received for tar and chipping:

<u>Name</u>	<u>Address</u>	<u>Bid Amount</u>
Russell Standard Corp.	P.O. Box 86, Union City, 16438	\$41,022.88
Suit-Kote	10965 McHenry St., Meadville, 16335	\$32,325.24

Jason Spangenberg explained that these bids were received through Harborcreek Township as a joint bid with multiple municipalities. Mary Ann Horne moved to award the contract to Suit-Kote as low bidder. Mayor Gast seconded, and the motion passed 7-0.

Sewer:

Manager Oppe requested a motion to approve signing an addendum to the sewer agreement with Washington Township to increase the EDUs assigned to the Edinboro Lake Resort. Mary Ann Horne made the motion, Jim Kiley seconded, and the motion passed 7-0.

COMMUNITY LIAISONS:

EVFD:

Mary Ann Horne said that the new social club has been performing very well, and the paid EMS workers continue to improve the EMS service efficiency and morale of the volunteers. Fred Langill stated that he attended the social club grand opening and they have done a tremendous job.

Watershed Association:

Mary Ann Horne noted that the Watershed Association annual meeting is scheduled for June 14 at Nick's Place, and she listed the topics to be presented.

NEW BUSINESS:

Mayor Gast moved to approve the road closings for the EU soccer tournaments, the Lakeside 4th of July celebration, and the Boro Block Party. Mary Ann Horne seconded, and the motion passed 7-0.

Fred Langill acknowledged the concerns regarding Lakeside that were discussed earlier in the meeting, and requested that a meeting be held between the Borough, Washington Township, and the Lakeside Association to discuss these concerns and also the improvement of the eastern side of the lake shore along Rt. 99. Mary Ann Horne said that the Watershed Association is working with the Township for a solution to this issue, and she recommended that the Lakeside issues be passed to the Recreation Committee. Mayor Gast moved to pass the Lakeside issues and the student rental ordinance issue to the Recreation and Ordinance Review Committees, respectively. Jim Kiley seconded, and the motion passed 7-0.

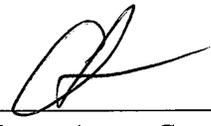
ADJOURNMENT:

Mary Ann Horne moved for adjournment, and the meeting was adjourned at 7:30 p.m.

ATTEST:



Manager Kevin Oppe



Mayor Aaron Gast