

MINUTES
NORTH EAST BOROUGH COUNCIL

Monthly Meeting
March 6, 2023

COUNCIL MEMBERS PRESENT:

Denise McCumber, President
Bill Beardsley, Vice President
Todd Luke, President Pro Tem
Heather Jones
Ryan McGregor
Amber Belson

OTHERS PRESENT:

Jon Triana, Mayor
Patrick Gehrlein, Borough Manager
Dan Miller, Solicitor
Rebecca Bliss, Administrative Assistant
Sean Lam, Police Chief
Wayne Yokom, Streets Supervisor
Mark Hamman, Streets Assistant Supervisor
Terry Daughenbaugh, Water Supervisor
Leah Griffin, Water Assistant Supervisor
Nancy Anderson
Robert Behrens
Mike Triana
Jacob Jones
Mike Hamman
Jarett Scotch
Ken Snyder
Jeff Stritzinger
Angela Sanfilippo
Steve Gregory
Bobbi Jo Morey
Tom Huber
Ray Schaff
Robert Hoyt
Dave Meehl
Tim Krug
Dave Hirtzel
Roy Bemiss
Colin Jones
Mason Bennett
Marilyn Belson
Robert Belson
Heather Hinkler
Eric Luke
Richard Stetson
Matt Schriefer
Others present, not signed in

The regular monthly meeting of North East Borough Council was held Monday, March 6, 2023, at 6:00 p.m. in Council Chambers.

CALL TO ORDER:

Borough Council President D. McCumber called the meeting to order at 6:00 p.m., at which time the Pledge of Allegiance was recited.

MINUTES:

H. Jones motioned to approve the February 6, 2023, minutes as presented. T. Luke seconded. The motion carried unanimously.

R. McGregor motioned to approve the February 20, 2023, minutes as presented. A. Belson seconded. The motion carried unanimously.

ACCOUNTS PAYABLE:

R. McGregor asked about the state aid overpayment detailed in the Expense Approval Report. P. Gehrlein stated that the original state aid amount was based on actuarial data from PMRS in 2019, resulting in an overpayment. The revised calculation using the 2021 actuarial data from PMRS resulted in excess state aid that was then returned. R. McGregor motioned to approve the Expense Approval Report as presented. B. Beardsley seconded. The motion carried unanimously.

PUBLIC COMMENTS:

T. Huber, 196 Eastwood Drive, asked about the vacant lots for sale on West Main and Robinson Streets. P. Gehrlein stated that the Erie County Land Bank has information posted on their website for development proposals and application submission. He stated that the parcels will be sold together.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

Resolution 03062023-1: FEMA High Hazard Potential Dam, Designation of Agent

P. Gehrlein stated that the Borough has submitted applications for grant funding through FEMA. The proposed resolution would identify signatories for the grant award of approximately \$39,000. B. Beardsley motioned to approve Resolution 03062023-1: FEMA High Hazard Potential Dam, Designation of Agent, as presented. T. Luke seconded. The motion carried unanimously.

Rental Registration/Inspection Discussion

P. Gehrlein stated that on-going collaboration between the Borough, Code Enforcement, and landlord representatives has resulted in several proposed changes to the current rental inspection ordinance. P. Gehrlein reviewed the proposed changes to the following categories: property types, registration requirements, frequency of inspections, exemptions to program, inspection fees, insurance, penalty section, and effective date. He also reviewed proposed changes to the Rental Inspection Program Checklist.

R. Hoyt, 9310 West Main Road, stated that safety inspections should be completed regardless of who lives in each rental unit.

R. Behrens, 97 Wall Street, asked how the Borough will know that a rental property exists and is registered correctly. P. Gehrlein stated that the intent of the registration process is to correctly identify rental units within the Borough. He also stated that rental inspections will only apply to non-owner occupied properties. R. Behrens asked about the completion of inspections. P. Gehrlein stated that inspections would be completed

by the Borough's Code Enforcement officers who have completed proper training, and that landlords would be promptly notified of inspection results.

A. Sanfilippo, 8555 Findley Lake Road, asked why the current Ordinance No. 908 regarding property standards was not sufficient, stating that the rental inspection program is another way the Borough is seeking to increase its revenue. P. Gehrlein stated that Ordinance No. 908 addresses exterior property standards, not interior conditions of rental units.

R. Behrens, 97 Wall Street, asked if inspections would make the Borough liable for future problems that may arise. D. Miller, Solicitor, stated that the inspector is not liable for all future problems, as inspections do not insure a property. H. Jones asked why the ordinance was necessary if the Borough could not guarantee the safety of an inspected unit. P. Gehrlein stated that the purpose of the inspection process is to help mitigate potential risk.

H. Jones listed several questions and concerns regarding the proposed revised ordinance. H. Jones asked about landlord notification, potential caps on registration and inspection fees, and proposed penalties. She also stated that Fritzer Shunk from North East Area Code Administration has many concerns about the proposed ordinance and the proposed revisions and would like to continue the discussion before implementation. H. Jones also stated her concern that landlords may potentially be asked to evict tenants if inspections are not passed, which would be a violation of lease agreements.

S. Gregory, 7 Eagle Street, asked the Borough solicitor if there was a conflict of interest. D. Miller stated that there likely would not be a conflict of interest in this matter. He also stated that there is already an ordinance in place and the intent of this meeting, and the proposed revisions was to move toward a workable modification.

T. Krug, 26 Town Street, asked if a unit would be inspected if occupied by the property owner. P. Gehrlein stated that rental inspections only apply to non-owner occupied units.

M. Belson, 12200 Cole Road, stated that the initial ordinance should be removed because landlords were not notified. P. Gehrlein stated that the current ordinance was advertised, a public meeting was held, and the ordinance was passed at a regularly scheduled public meeting.

R. Hoyt stated that a specific implementation date should not be set until more details can be worked out.

Ordinance No. 924: Rental Registration/Inspection

H. Jones motioned to table the discussion of Ordinance No. 924: Rental Registration/Inspection for at least thirty (30) days. A. Belson seconded. After a roll call vote, the motion to table Ordinance No. 924: Rental Registration/Inspection for at least thirty (30) days carried unanimously. The vote was as follows:

Heather Jones	<u>Yes</u>	Ryan McGregor	<u>Yes</u>
Todd Luke	<u>Yes</u>	Denise McCumber	<u>Yes</u>
Bill Beardsley	<u>Yes</u>	Amber Belson	<u>Yes</u>

Gibson Park Request: Gibson Days – North East PA Lions Club (June 9-11, 2023)

B. Beardsley motioned to approve the Gibson Park Request: Gibson Days – North East PA Lions Club as presented. H. Jones seconded. The motion carried unanimously.

Gibson Park Request: NE Arts Council – Picnic in the Park (Thursdays, June 15-August 23, 2023)

A. Belson motioned to approve the Gibson Park Request: NE Arts Council – Picnic in the Park as presented. T. Luke seconded. The motion carried unanimously.

Gibson Park Request: ECRC Voter Registration for All (April 15, 2023)

R. McGregor motioned to approve the Gibson Park Request: ECRC Voter Registration for All as presented. H. Jones seconded. The motion carried unanimously.

4th Quarter 2022 Shut Off List – To be presented

R. McGregor motioned to approve the 4th Quarter 2022 Shut Off List as presented. B. Beardsley seconded. The motion carried unanimously.

Second Monthly Meeting – March 20, 2023, if needed

P. Gehrlein stated that there would not be a second monthly meeting on March 20, 2023.

CORRESPONDENCE:

Police Chief Report
Code Enforcement Report
Commissions and Authorities

ANNOUNCEMENTS:

There were no announcements.

PUBLIC COMMENTS:

M. Belson, 12200 Cole Road, asked for an update regarding the underpass stairs. P. Gehrlein stated that they are structurally unsound and will be removed and rebuilt.

T. Krug, 26 Town Street, asked for an update regarding the railroad crossing at Loomis Street as discussed in a previous meeting. P. Gehrlein stated that a meeting is scheduled this month.

H. Jones presented an award to the North East Borough from Fuller Hose Company, thanking the Borough for grant funding for the training facility.

E. Luke, 38 North Mill Street, stated that he submitted a parks request for the Memorial Day ceremony and parade earlier that afternoon and asked if it could be added to the agenda for discussion and approval. P. Gehrlein stated that it will be on the next meeting agenda.

EXECUTIVE SESSION:

The executive session convened at 7:38 p.m. regarding personnel matters and ended at 8:59 p.m., with no action to follow.

ADJOURNMENT:

At 8:59 p.m. H. Jones motioned to adjourn. A. Belson seconded. The motion carried unanimously.

Rebecca Bliss (March 7, 2023)

Patrick Gehrlein, Borough Manager