

**Borough of Edinboro  
Council Meeting Minutes  
October 14, 2024**

**CALL TO ORDER:**

The meeting was called to order at 6:30 PM.

**Pledge of Allegiance**

**ROLL CALL:**

Council members present were Mark Eisert, George Gast, Kelly Gheres, Mary Ann Horne (via phone), Aaron Gast, and Amanda Frantz-Mamani. Absent was Pat Davis.

Other official present was Borough Manager Jason Spangenberg. Citizens present were Kathy Sibbald, Curtis Hals, Mary Ann Mook, Ray Overholt, Jane Crawford, Nancy Crawford, Pat Koloskee, Cole Montanye, Braydan Hartshorn, and Katie Spangenberg.

**MINUTES:**

Mark Eisert moved to approve the minutes of the September 9 regular meeting as presented. George Gast seconded, and the motion passed 6-0.

**PUBLIC PARTICIPATION:**

Jane Crawford, 310 Elm Street. Ms. Crawford asked for an update on the boat dock policy review. Mark Eisert replied that a committee meeting would be scheduled soon.

Curtis Hals, 136 Maple Drive. Mr. Hals expressed a concern regarding pieces of metal siding falling off of the Verizon building in town. Manager Spangenberg stated that the building is soon to be receiving a full new exterior, and he would reach out to the company to discuss the situation.

**COMMITTEE REPORTS:**

**Finance Committee:**

Mayor Gast moved to approve bills paid September 23 totaling \$197,596.85; and October 14 totaling \$136,450.38. Amanda Frantz-Mamani seconded, and the motion passed 6-0.

Mark Eisert moved to approve payroll paid September 19 totaling \$84,703.93; and October 3 totaling \$85,361.02. George Gast seconded, and the motion passed 6-0.

**Ordinance Review Committee:**

Mayor Gast moved to approve Ordinance 634:

***HOME RULE BOROUGH OF EDINBORO***

***ORDINANCE NO. 634***

**AN ORDINANCE AMENDING SECTION 2-105, ENTITLED “NOTIFICATION OF VIOLATION”, AND SECTION 2-106, ENTITLED “RECORD OF WARNINGS”, OF PART 1 OF CHAPTER 2 OF THE EDINBORO BOROUGH CODE, ENTITLED “ANIMAL NUISANCES”, TO ALLOW OFFICERS DISCRETION IN ISSUING VERBAL WARNINGS OR SUMMARY CITATIONS TO ANIMAL OWNERS AND REVISE RECORD-KEEPING OF WARNINGS ISSUED; PROVIDING FOR SEVERABILITY, A REPEALER, DIRECTIONS TO THE BOROUGH MANAGER AND AN EFFECTIVE DATE**

*WHEREAS, pursuant to Edinboro Borough Ordinance No. 585, adopted on or about September 12, 2011, the Borough of Edinboro codified its Ordinances to create the “Edinboro Borough Code”, which included, among other ordinances, Ordinance No. 545, adopted on or about November 24, 2008, which, among other things, established responsibilities for owners of animals within the Borough and set procedures and penalties for owners who permit animals to do any act prohibited by the code; and*

*WHEREAS, the Borough has the power and duty to enact ordinances that promote the health, safety and general welfare of the residents and visitors of the Borough, including ordinances providing for animal control; and*

*WHEREAS, the Edinboro Borough Council has determined that it would be in the best interest of the residents and citizens of the Borough of Edinboro to allow officer discretion in issuing warnings for animal nuisances, as more fully described below.*

*NOW THEREFORE, the Edinboro Borough Council hereby ordains and enacts the following:*

*Section 2-105, entitled “Notification of Violation,” of Part 1 of Chapter 2 of the Edinboro Borough Code, entitled “Animal Nuisances” is hereby amended as shown through the deletion of the struck out language and the insertion of the underlined language as follows:*

**§ 2-105 Notification of Violation.**

*The Police Department of the Borough of Edinboro shall, upon receiving a complaint or information, or upon the Police Department’s own observation that an animal owner is in violation of this Part, ~~shall~~ may issue or cause to be issued to such animal owner a ~~written~~ warning which shall notify such animal owner of the violation and that his or her animal shall be so controlled as to prevent further violations of this Part, ~~or may initiate summary proceedings against such owner in accordance with the Pennsylvania Rules of Criminal Procedure associated with the penalties set forth in this Part.~~*

*Section 2-106, entitled “Record of Warnings,” of Part 1 of Chapter 2 of the Edinboro Borough Code, entitled “Animal Nuisances” is hereby amended as shown through the deletion of the struck out language and the insertion of the underlined language as follows:*

**§ 2-106 Record of Warnings.**

*The Police Department shall maintain a record of all warnings served pursuant to § 2-105 of this Part for a period of not less than three years. ~~and upon receiving the second complaint or information, or upon the Police Department’s own observation and investigation, and after reasonable investigation believe that the animal owner has again violated this Part, then in that event, the Police Department shall initiate summary proceedings against such owner in accordance with the Pennsylvania Rules of Criminal Procedure.~~*

***Severability.** The provisions of this ordinance are severable. If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Borough Council that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.*

**Repealer.** Any ordinances, rules, or resolutions, or parts of ordinances, rules, or resolutions, in conflict herewith shall be, and the same are hereby, repealed.

**Direction to Borough Manager.** The Borough Manager is hereby directed to affix the Borough Seal upon this Ordinance, insert the date of enactment upon the same, record the ordinance in the Borough Ordinance Book and to take all such actions as are required by the Home Rule Charter of the Home Rule Borough of Edinboro and to amend the Borough Code accordingly.

**Effective Date.** This Ordinance shall be effective on the tenth day following the enactment of this Ordinance, as indicated below.

**ENACTED AND ORDAINED** this 14<sup>th</sup> day of October, 2024 by the Council of the Borough of Edinboro.

Mark Eisert seconded, and the motion passed by 6-0 vote: George Gast, yes; Amanda Frantz-Mamani, yes; Mark Eisert, yes; Mary Ann Horne, yes; Kelly Gheres, yes; and Aaron Gast, yes.

Mayor Gast moved to approve Ordinance 635:

### **HOME RULE BOROUGH OF EDINBORO**

#### **ORDINANCE NO. 635**

#### **AN ORDINANCE AMENDING SECTION 6-408, ENTITLED "PENALTIES", OF PART 4 OF CHAPTER 6 OF THE EDINBORO BOROUGH CODE, ENTITLED "CURFEW", TO REVISE THE PENALTIES FOR VIOLATIONS OF THE CURFEW; PROVIDING FOR SEVERABILITY, A REPEALER, DIRECTIONS TO THE BOROUGH MANAGER AND AN EFFECTIVE DATE**

**WHEREAS**, pursuant to Edinboro Borough Ordinance No. 585, adopted on or about September 12, 2011, the Borough of Edinboro codified its Ordinances to create the "Edinboro Borough Code", which included, among other ordinances, Ordinance No. 545, adopted on or about November 24, 2008, which, among other things, established a curfew for minors within the Borough and set penalties for violations of said curfew; and

**WHEREAS**, the Borough has the power and duty to enact ordinances that promote the health, safety and general welfare of the residents and visitors of the Borough, including curfews for minors; and

**WHEREAS**, the Edinboro Borough Council has determined that it would be in the best interest of the residents and citizens of the Borough of Edinboro to make certain changes to the curfew ordinance as more fully described below.

**NOW THEREFORE**, the Edinboro Borough Council hereby ordains and enacts the following:

Section 6-408, entitled "Enforcement," of Part 4 of Chapter 6 of the Edinboro Borough Code, entitled "Curfew" is hereby amended through the deletion of the struck out language and the insertion of the underlined language as follows:

#### **§ 6-408 Penalties**

Any minor ~~or parent~~ who violates the provisions of this Part, and any parent who violates the provisions of § 6-404 of this Part, may be issued a non-traffic summary citation. The minor may be taken into temporary custody, in which case his or her parents or other appropriate person shall be notified and the minor shall be released into the custody of the appropriate parent or parents of the minor or to a brother or sister 18 years of age or older. If no such person is available after reasonable efforts have been made to locate such person, the minor shall be released to such agencies or institutions as are established for juvenile welfare. A referral to support services shall be made where appropriate.

*Any minor ~~or parent~~ who violates any provision of this Part, and any parent who violates the provisions of § 6-404 of this Part, is guilty of a summary offense and, upon conviction thereof, shall be subject to fine or imprisonment as follows:*

*A. First offense: ~~written warning~~ \$50 with referral to supportive services where appropriate.*

*B. Second offense: ~~\$50~~ \$100 to \$150 with referral to supportive services where appropriate.*

*C. Third or subsequent offense: ~~\$100 to~~ \$150 to \$500 with referral to supportive services where appropriate.*

*D. Fourth offense: ~~\$150 to \$200 with referral to support services where appropriate.~~*

*E. Fifth offense: ~~\$200 to \$300. Parents are subject to imprisonment for up to 90 days and minors to referral to the juvenile court system. The Court may also refer the offender(s) to supportive services where appropriate.~~*

*F. Sixth and subsequent offenses: ~~\$300 to \$500. Parents are subject to imprisonment for up to 90 days and minors to referral to the juvenile court system. The Court may also refer the offender(s) to supportive services where appropriate.~~*

*A police officer may issue a verbal or written warning to a minor or parent in lieu of commencement of summary proceedings.*

*Any operator convicted of violating the provisions of this Part for the first time shall be fined \$50 and shall be subject to imprisonment for a term not to exceed 90 days. Any operator convicted of violating the provisions of this Part for the second or subsequent time shall be fined \$300 and shall be subject to imprisonment for a term not to exceed 90 days.*

*Each violation of the provisions of this Part shall constitute a separate offense.*

**Severability.** *The provisions of this ordinance are severable. If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Borough Council that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein..*

**Repealer.** *Any ordinances, rules, or resolutions, or parts of ordinances, rules, or resolutions, in conflict herewith shall be, and the same are hereby, repealed.*

**Direction to Borough Manager.** *The Borough Manager is hereby directed to affix the Borough Seal upon this Ordinance, insert the date of enactment upon the same, record the ordinance in the Borough Ordinance Book and to take all such actions as are required by the Home Rule Charter of the Home Rule Borough of Edinboro and to amend the Borough Code accordingly.*

**Effective Date.** *This Ordinance shall be effective on the tenth day following the enactment of this Ordinance, as indicated below.*

**ENACTED AND ORDAINED** *this 14<sup>th</sup> day of October, 2024 by the Council of the Borough of Edinboro.*

Mark Eisert seconded, and the motion passed by 6-0 vote: George Gast, yes; Amanda Frantz-Mamani, yes; Mark Eisert, yes; Mary Ann Horne, yes; Kelly Gheres, yes; and Aaron Gast, yes.

Manager Spangenberg noted that these ordinances were requested by the Police Chief to clean up the verbiage to improve the ability to enforce these sections of the Code.

**Personnel Committee:**

Mark Eisert moved to appoint Cole Montanye and Braydan Hartshorn to the new position of Junior Council Person. Kelly Gheres seconded, and the motion passed 6-0.

**Public Safety Committee:**

George Gast brought up the discussion from a previous meeting regarding the potential of hiring an additional police officer to serve as a full-time detective, as a result of the increased workload for our police department in recent years. Manager Spangenberg noted that this would be discussed in greater detail at the 2025 budget workshop on October 23 at 4 PM.

**MANAGEMENT REPORTS:**

Borough Manager Jason Spangenberg presented his report.

Joint Parks Plan: The planning consultant had a booth at the Goodell Gardens Harvest Festival on September 15 to solicit additional public input. We hope to make significant progress with the plan over the winter months.

Park Grants: We have applied for two grants to fund parks improvements including renovating the Billings Park bathhouse and replacing the picnic tables at various Borough park pavilions. One application is for \$25,000 for an ECGRA grant, and one application is for \$35,742 for an Erie County grant. The total estimated cost of these improvements is about \$72,000.

University President: On September 18 he met with Dr. Jon Anderson, the new President for Pennsylvania Western University. It was a brief but beneficial meeting to get introduced and lay the groundwork for a positive working relationship.

GMHS Group: On September 20 he welcomed to the Borough building a group from a General McLane High School class to discuss the role of local government and the services that we provide.

Zoning Officer Meeting: On September 19 we hosted a meeting of the Erie County Zoning Officer group.

EACOG Seminar: On September 25 we hosted a Municipal Budgeting seminar in the Borough building, organized by the EACOG.

Homecoming: The Edinboro Homecoming Parade was held on Saturday, October 12. It was a beautiful day with a great turnout.

**Sewer:**

Amanda Frantz-Mamani moved to award the 2025-2028 wastewater sludge hauling contract to Pro Waste Services, Inc. as the low and sole bidder, with a total contract cost of \$186,764. George Gast seconded, and the motion passed 6-0.

**COMMUNITY LIAISONS:**

**Washington Township:**

George Gast stated that he had informed Township Council at their recent meeting of the letter received regarding the potential for a federal halfway house facility to be established in the Borough. Manager Spangenberg added that we have not heard anything further on this topic, but letters of opposition have been sent from the Borough and General McLane School District.

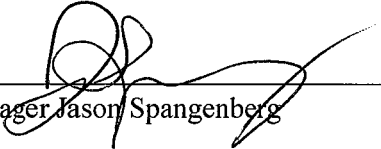
**NEW BUSINESS:**

Mark Eisert moved to approve the event and road closing permit for the General McLane Polar Plunge on November 22. George Gast seconded, and the motion passed 6-0.

**ADJOURNMENT:**

Mayor Gast moved for adjournment, and the meeting was adjourned at 6:54 PM.

ATTEST:

  
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Manager Jason Spangenberg

  
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Mayor Aaron Gast