

**GRATZ BOROUGH COUNCIL  
N CENTER STREET  
PO BOX 305  
GRATZ, PA. 17030**

**October 9, 2024**

The Regular Meeting was held in the Gratz Boro Meeting Room at 7:00 P.M. with the following, persons attending: President Kylie Bender, Jem Jeffries, Mayor David Norris, Lynn Schadle, Bruce Wolfe, William Reed

JHA: Pete Fleszar

Solicitor: Sean Logsdon, Esq

Lehigh Engineering: Absent

Citizens: Lori Williard, John and Carol Hartman, Rick Welker, Tim Leshner, Jason Morgan, Harry Welker, Jerry Wolfgang, Brian Novinger, Davion Hill (Momentum Energy Storage Partners) and Bruce Warshawsky (CCW for Momentum)

This meeting is being recorded.

Pledge to the Flag

On a motion made by Bruce Wolfe and second by William Reed the minutes were approved as read Motion Carried

**Report of Engineer:** Pete told Borough he has been coming to the Borough meetings for 171/2 years and in that time, there were some changes, Pete said there is so many other different things going on. Now that Pete is with JHA and Pete said they have other folks that specialize in Storm Water and Land Development. What he wanted to do is bring his Associate Corey Rilk, he is very knowledgeable, and Pete said he would be at a lower rate than he is. Pete talked about the retainer that has not changed, Pete said that he does not have a cost of services yet, hope to have next time. So in to keep cost low, Pete mentioned to have someone come to a meeting quarterly. Pete talked about the Revised of the Zoning Map. Bruce mentioned that the Boro has no Budget for the Strategic Planning.

Bruce ask about the Budget, if Pete would be able to give us any information, so we can put it in the Budget.

Sean said the Public Hearing is scheduled for tonight for the consider amending the Official Zoning Map and Zoning Ordinance changing the zoning designation for the property owned by James F Helper and Karen E Helper known Parcel Number 27-007-025-000 from an R1 Single Family Residential to an A-1 Agricultural. The Public Notice has been Advertised.

Sean opened it up to the Public for any questions. Nothing from the Public any questions or comments from the Council or Mayor. Lynn commented that he hesitates to change any zoning and the only reason he is going along with this it has always been Agricultural and always been surrounded by Agricultural and there is no road access to it and no public water and sewer there, so he thought it should have never been residential in the first place.

On a motion made by Kylie Bender and seconded by Bruce Wolfe to approve Ordinance 10924.

Sean said this was reviewed by the Planning Commission as well. Sean said all the property owners were contacted also. A Role call was made Lynn-Yes, Jem-Yes, Kylie-Yes, Bruce-Yes, William-Yes.

Council then turned it over to Momentum Gratz LLC, Davion Hill and Bruce Warshawsky CCW from Momentum. Bruce is representing Sungrow Battery Storage System at 403 W Market Street, Gratz, Pa. 17030. Bruce said he has a couple of things for tonight. Bruce said he submitted an extension request for the 31<sup>st</sup> and that has been signed. Sean said that this has been reviewed by the Planning Commission and the extension has been approved. On a motion made by Lynn Schadle and seconded by Jem Jeffreis to approve the extension Motion Carried.

Bruce said the last time they were was 6 months ago. A very critical question was the water would not support where the location would be. Bruce said in the last few months there as been talks with the Fire Company on what they would need for an agreement with the Fire Company. Members of the Fire Company and Davion had been in contact. Bruce had ask Harry Welker to talked to the Council about the concerns the Fire Company had. Harry's concern was if something happened at the facility and the Fire Company would have to be there for an extended amount of time and if they would have to use the water from the town, we stand the chance of running the town dry. Harry said they have other means to supplement that. If Sungrow wants to run a water line out to the Facility that would be ok. There would have to be a back up plan if that would happen. They could go out of town to get water. Harry main concern is that he does not want to drain the water in town. Davion reviewed his findings, and the recommendations Davion said is to bring a water tanker to the site and cooling the storage system off. Bruce said the intension is to go back to the Planning Commission after this meeting.

Lynn said the one thing that he is concerned about is the side of the road if they must go back there. If there is any other equipment that would be back there, can that road handle it. It could be fixed by widening the road, but that would cost money. Bruce said all the tanker trucks would not go back the storage system; they would stay out on North Street.

Bruce had a question; he understands the need for water there for certain types of fire. But he believes this Battery Storage unit and Bruce is concerned that the Water would get contact with the Battery or if a cabinet falls over and starts leaking what are we going to do.

Rick Welker (Fire Company) did they give an estimate of the cooling requirements if it was 100 gallons a minute. Depending on how many gallons they would have to get a tanker shuttle. So what Rick is saying not only they would have to have adequate water for the Storage Systems they would also need adequate water for the town.

Harry had a question, if the Fire Company would have to go out of town for water is there some kind of agreement with a farmer or a pond. Rick Welker feels that it would be something to consider for the town and for the facility.

Davion said they could have someone there if needed within 24 hours.

Kylie ask where the people are coming from. Davion said they are in the state and the closest would be dispatched to Gratz.

Rick ask about if it would be surrounded by a chain fence. How would the Fire Company get in. Bruce Warshawsky said one of the reasons for the meeting was they don't think it is necessary to run a water line to the facility. Bruce said it looks like there is a lot more work to do to be able to give all the details.

Bruce said the other issue is the Road. Whether the road would be dedicated to being a Public Road. They do not want it to be a Public Road. The owner is against it to be a Public Road. What

they would like to do is to improve the Street, following the Borough's specifications. It would continue to be a private access road. Pete explained the Ordinance. Pete said the letter did not mention an easement. Bruce said that change can be made if need be.

Kylie ask about the road, it touches other land owners, Bruce said the existing lane goes over the other owners land. Kylie ask what if they want access to their property. Bruce said they could get a private agreement to have access to the road. Lynn said we agreed to this because the dedicated road of the other landowners. Pete believes there are 3 adjoining landowners. Carol Hartman said that the road is gated because of dumping. Bruce Warshawskey said that you are not allowed to gate a public road. Bruce Warshawskey said the purpose of this meeting is if we go down this road and get deep into something only to know that this is something the Borough Council is not considering. Kylie would like to hear what all the other Landowners have to say regarding the road. Bruce said they would have to secure their consent regarding the road. Pete recommends going with the dedication of the road. After further discussion, will be discussed at the Planning Commission meeting.

**Citizens to be Heard:** The Fire Company reported the event they had October 9<sup>th</sup> went very well. They reported they had 170 incidents to date. Council Thanked the Fire Company. Rick Welker explained on why the Fire Company goes on so many calls.

**Community Center:** Tim said they finish the roof. Kylie ask what they were doing in the bathroom, Tim said they were looking to figure how to redo the bathrooms.

**Code Enforcer and Zoning/Bldg Permits:** Council has the report from Ed.

**Sewer Authority:** Brian reported there was not too much. Brian reported that Tim got the inventory done. Tim said there were about 40 service lines. Lynn reported that he and Tim worked with Cindy and some others, and we did get our Gaming Grant in. Sewer \$75 thousand, Water \$60 thousand, and Borough \$90 thousand. Brian reported that Norm Lettich has everything he needs so far. Tracey Bixler found the Articles of Incorporation. Pete told Council there is a USDA Grant they are waiting to hear to increase the engineering for raw sewage.

**Planning Commission:** Meeting October 21<sup>st</sup>.

**Mayor's Report:** No Report

## **COMMITTEE REPORT**

**Recreation:** Kylie reported the Park is rented the next 3 Saturdays, then the Water can be turned off. Halloween is October 31<sup>st</sup> from 6 to 8.

**Cogs:** No Report

**Highway:** William reported that they started the paving on North Street. Did some patching.

**Information Committee:** No Report

## **Ag Security:** No Report

**Budget and Finance Committee:** Bruce had a question on the finance. We have the budget coming up. If we take all the Committee and they come forward to what they need. This would be built from the bottom up.

Brian said about the Budget for next year regarding the Line of Credit, this is supposed to start paying back in January. Brian said there is no way with not having our audits done to start repaying the Line of Credit. Pay a payment could be made or interest only.

## **Insurance:** No Report

**Strategic planning:** Bruce reported on the meeting on September 30, 2024. See attached report. Bruce recommends having a Borough Manager, plus have direction from the Council which way we want to go. Bruce feels that the Borough needs to take a Leadership role. Need to Communicate. Bruce said we need to decide which path we are going to do. Bruce said there needs to be a commitment of which direction we want to go.

It was ask about doing the meetings another night. Bruce said they can work on changing the meeting night.

**Solicitor's Report:** Sean ask for a brief Executive Session. Sean sent Cindy a new Standard Right to know Law request Form, this will be put on the Web Site. Sean said the Donald got a Tax Assessment that is owned by the Historical Society. Lynn said they have always been exempted, but with Co-vid and everything else they did not know that they had to renew them. Bruce said the paperwork was sent in and everything is taken care of.

Sean reported there will be a Conditional Use application submitted by Trinity Solar for the property of 225 West Market Street, Gratz, Pa. 17030, for the installation of an alternative energy source roof mounted solar panels in a Residential Zone.

Sean reported on a Planning Commission meeting on October 21<sup>st</sup>, regarding the Sun grow battery storage.

Sean reviewed the LSA Grant, Sean said this is a no matching grant. Lynn ask Tim if he had access to that information.

Sean mentioned Feral Cats, Kylie said that David Deppen and his neighbor had a confrontation about David feeding these Feral cats and they are using her yard to go to the bathroom, as long as David is feeding these cats they are not going to go away. Sean said they are having trouble also in the cities etc., Sean explained different ways to help with this problem. Sean said they are still working on a solution.

**Other Business:** Lynn reported that Ed visit Shell in regard to the no gaming machines ordinance that the Boro has, letting them know that they need to get rid of the machines. Ed went in again on the 25<sup>th</sup> of September and they are still there. See Attached Letter that was sent to KDA Properties Dauphin LLC.

Kylie left the Council know they must accept her resignation as of December 31, 2024. Council has to public accept it. Sean said it is automatically accepted after 30 days. On a motion made by

Jem Jeffries and seconded by Lynn Schadle to accept Kylie's Resignation for December 31, 2024. Motion Carried. She will still be apart of the Parks and Recreation.  
Sean said we would have 30 days after the 31<sup>st</sup> of December to replace her.

**Treasurer's Report:** The Treasury Report was read on a motion made by William Reed and second by Kylie Bender to pay the bills.

**Expenses to be Approved:** The Expenses for the month were read. On a motion made by Lynn Schadle and second by Jem Jeffries to pay the bills. Motion Carried

**Adjournment:** No further business and the meeting was adjourned at 9:03 P.M. on a motion made by Jem Jeffries and second by Kylie Bender. Motion Carried

Council went into Executive Session

Respectfully Submitted:

Cindy L Shade  
Borough Secretary

These notes are intended as an overview of the meetings discussions and not intended as an exact word account of what was said. So, if there are any comments or concerns or objections to what is written within this report. Please forward those comments and we will gladly make any adjustments after the approval of the Gratz Borough Council Meeting.