

EAST BERLIN BOROUGH COUNCIL MEETING
JUNE 23, 2008

The second meeting of the month for the East Berlin Council was held June 23, 2008 at 7:30 PM. The meeting was held at the East Berlin Borough Hall, 128 Water Street East Berlin, PA 17316. The meeting opened with the Pledge of Allegiance.

Members Present: President David Richards; Janet Bollinger; Robert Clayton; Charles Eisenhart; Charles Philips; and David Woodward.

Members Absent: Gerald L. Mummert; Mayor Keith Hoffman; Solicitor Shultis; Secretary/Treasurer Hannelore B. Furst; and Officer Grim.

Also Present: Borough Manager, Bill Starry; Ken Young; John Schlaline; Office Clerk Crystal Topper; and Erin James of the Evening Sun.

President Richards mentioned that the June 4, 2008 minutes on page 1, third paragraph, and second sentence; should be changed to "It was changed from Kenneth Young to: Charles Philips and Kenneth Young, who both questioned the \$8,400.00 expense associated with the Park and Recreation.

Also President Richards said requesting an attachment be added to the June 4, 2008 minutes on page 3 under Unfinished Business, second paragraph, the attachment is "Comments on Consolidated Agreement, 6/11/08".

Charles Philips also made a change to the June 4, 2008 minutes, at Also Present: first sentence; should change to include the wording to Borough Manager, Bill Starry. Under Solicitors Report in the May 27, 2008 minutes, in the third paragraph, Councilman Woodward would like to add that the Tyco building was sold to Bernie Tucker. *Robert Clayton made the motion to accept the minutes of June 4, 2008 with the changes made by President Richards, Charles Philips, and David Woodward. The motion was seconded by David Woodward. Motion Carried with all voting in favor of.*

Charles Philips made the motion for payment of bills for late June in the amount of \$8,835.27; which the only bill that President Richards questioned was the Swam Electric bill for the pedestrian pole for \$1,300.00. Bill Starry commented on the reason for the pedestrian pole. Bill Starry said according to Chief Grim, Columbia Gas work zone flagman directed traffic at the square and the flat bed tractor trailer ran over the pedestrian signal pole. Repairs were made by SWAM Electric. Flagman took no action to stop, notify or report the incident. Bill Starry is in the process of working with Columbia Gas on this matter. Charles Philips commented that this same pole has been hit 3 or 4 times now and he thinks the pole should be moved. There was no further discussion on the pedestrian pole. Robert Clayton seconded the motion to pay the bills. Motion Carried with all voting in favor of.

Constituents Addressing Borough Council

Ken Young, 203 Beaver Street, stated that on June 11th 2008, Mr. Young gave President Richards his agenda. However the President has forgotten about it but he feels that it is important. Mr. Young ask for support to reopen his case, 62-0 Philadelphia HRA. Mr. Young gave that information to President Richards on March 24th 2008, about local and state corruption. He would also like to open up the investigation about Tyco, especially the cover up of DEP. DEP never investigated as per a letter that was received. Mr. Young feels that it's important as far as the minutes of May 27th, that there was a site inspection; there was no mention of ground contamination by DEP Inspection Agency. President Richards mentioned that it was noted in the inspection report. Mr. Young would also like to see that Monitor Report and thinks we should be concerned with the Monitor Report. President Richards suspects that there hasn't been any monitoring since the State no longer requires the tests

Mr. Young said that President Richards did receive correspondence from East Brunswick Township asking for their support in their suit against the State of Pennsylvania. President Richards stated that we can't support East Brunswick in their activity.

John Schlaline, 118 Abbottstown Street, Mr. Schlaline just wanted to follow up on Mr. Young's comments. He thinks the Borough Council should follow up on the Monitor Reports. Mr. Schlaline stated that since Tyco has changed hands he encouraged Borough Council to take serious action on certifying that proper inspections are done.

Mr. Schlaline wanted to know about the clean up at the pump house in Reading Township and who will be responsible to clean it up. President Richards mentioned that the Borough no longer has control of that property, the Authority does. Mr. Starry addressed this that Gerald L. Mummert asked about a week ago to clean up the mess. Mr. Starry said he'll take care of the mess in the fall, due to ticks and poison ivy in the summer.

Mayor's Report:

None due to his absence

Solicitor's Report:

None

Borough Manager's Report:

Bill Starry received a book, "Green Space Program"; it's about Adams County offering grants, and Bill Starry is encouraging someone other than himself to read the book, it would be good for future projects.

Bill Starry reported about the mowing behind Subway. He stated it was too rough to mow and too wet to grow crops. Mr. Young mentioned that we should keep it for grassland and would be willing to plant trees. Charles Philips said he would check into what can be done about making the land smoother for them to mow and will get back to President Richards next week about what he finds out. President Richards said he'll consider Mr. Young's offer.

Bill Starry mentioned there will be a meeting at the East Berlin Borough Hall at 10 AM on Wednesday, June 25, 2008 to review the insurance coverage.

On Friday, June 27, 2008, Bill has an appointment with Swam Electric with no set time at the moment on the square in East Berlin. He needs to set up a maintenance contract with them for PennDot, in order for them to comply with PennDot rules and regulations, to be inspected twice a year.

Committee Reports:

Finance:

President Richards received an offer of \$30.00 for the old computer; the ad cost \$19.22 to run for 5 days. The Borough will be sending the Authority a bill for 2 months for Lee Byers services for the amount of \$200.00.

Mr. Richards mentioned that probably at the next meeting he will propose to raise the refuse rates by \$3.00.

Streets:

The painting of the crosswalks has been started and there have been a lot of good comments. Bill Starry stated that he is doing thermal plastic for piano keys on the square, and the rest of the crosswalks are being done in paint.

IT: None

Public Safety:

Janet Bollinger spoke to Officer Grim about Pennwood and he told Pennwood again about the golf carts. A Street light on Kuhn Drive is not working right. Janet Bollinger received a letter from a lady about the uneven sidewalk in front of the Iron Skillet. The lady fell and dislocated her knee and

needed medical attention on April 29th. Presidents Richards said he will send a letter to the owner of Iron Skillet about his sidewalk and will send a copy to the lady whom injured herself. It is the owner's responsibility to repair their sidewalks.

Planning/Zoning: None

Personnel:

Charles Philips will start the interviews for the Engineer and Zoning positions as quickly as possible. President Richards mentioned that we received verification from County that they will look at our Zoning Regulations for free; we just have to send them a letter with a copy of our Zoning Regulations. Charles Philips announced that they will be going into an executive session after the Borough Council meeting.

Park/Recreation: None

Unfinished Business: President Richards received a draft policy on contributions by the Borough, that's for review, and will discuss it at the next meeting with any changes. Also at the next meeting there will be a draft ordinance for the handicap parking in front of the Fire Hall.

Since the Solicitor wasn't at the meeting, President Richards said he doesn't know if Battersby sent his records yet. The estimated amount was \$324.00 to receive the copies of Battersby's records.

President Richards was contacted by Mr. Hume and will be sending the release letter so that he can review those changes to the agreement. President Richards is expecting that in the next week.

President Richards would like to use Robert Clayton's light meter to read the light level at the Rutter's store. He would like to check the lights on the store and the light level going across the alley way. Robert Clayton responded that he would get that ready for President Richards.

New Business:

President Richards brought up about the open records law and it requires a designated official or employee as a records officer and this law will go into effect on January 2009.

Mr. Young mentioned the right to know law and the resolution that Matt Battersby wrote. He stated that he has not received copies minutes of November 1990, December 1990, and January 1991 as he requested. Mr. Schlaline recommended a form to be made available for records request.

Correspondence:

- The Journey thru Hallowed Ground Partnership-public meeting on June 18, 2008 at 6 PM at the Adams County Ag Center, President Richards did not get the notice until after the meeting.
- The Rutter's request Letter of Credit, President Richards will honor their request and return that letter.
- A letter from Adams County Commissioners seeking members on the Watershed Advisory Committee, the committee will advise the county concerning water issues and people collecting information about water and health topic issues.
- The Council received a pamphlet on Adams County Conservation Dist. – West Nile Virus about spraying.
- The Adams County Conservation Dist. will be having a discussion on stormwater and wastewater management, titled Erosion & Sediment Control Program.
- The Community Center is requesting a monetary assistance for one of the retaining walls, it has a crack and it's shifting; retaining wall will cost around \$27,000.00-\$30,000.00 to fix. The repaving of the parking lot will cost around \$35,000.00-\$45,000.00. President Richards wants to wait on the discussion until the July meeting.
- Received a pamphlet on how to work with a consultant.
- The Borough Council received a Thank You letter from Adams County SPCA, for the \$275.00 donation.

- Received a petition from the Adams County Court of County Pleas concerning the Monteleone property at 312 West King Street which will be sold by the Adams County Tax Claim Bureau. Also discussed that the weeds on the property are in violation.
- Received a Thank You letter from the Adams County Transit Authority.
- Received information flyer about “Diskriter” which is a conference recording system for \$775.
- Received an application from the Merchandiser to open an account with them.
- Received an offer of \$30 for the used computer from Hanna Furst. It was decided to sell it to her.

Borough Manager Bill Starry questioned if there was going to be ordinances adopted for the handicap spaces at the Fire Co., and the one way street at the Rutter’s Farm Store. President Richards stated he is working on this. It was mentioned that Officer Grim was to be observing the traffic patterns and report on it.

Having no further business, Charles Philips made a motion to adjourn to go into an executive session, Janet Bollinger seconded the motion. Motion Carried.

Meeting adjourned at 9:10 PM, to go into Executive Session for personnel matters.

Respectfully Submitted,

Crystal Topper
Acting Secretary