

EAST BERLIN BOROUGH COUNCIL
128 Water Street
East Berlin, PA 17316

October 1, 2008

The first monthly meeting of the East Berlin Borough Council was held October 1, 2008 at the East Berlin Hall. The meeting was opened with the Pledge of Allegiance at 7:30 PM.

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

Members Absent: Charles Eisenhart; and Gerald L. Mummert.

Also Present: Mayor Keith Hoffman; Solicitor Tim Shultis; Borough Manager Bill Starry; Office Clerk Crystal Topper; Officer Michael Grim; Doris Sabine; Rosann Hoffman; Earl Bollinger; Karen Cleary; Sherry Gresens; Freda Lennon; Bev Jadus; Bill Powell; Dalton Eckert; Andy Barley; Phil Keener; Carole Mayer; Randy Test; Ken Young; Jan Hoffman; John Schlaline; Andy Miller; Wendy Cashman; Jude Cashman; and Sue Hess and son.

President Richards stated that Councilman Gerald L. Mummert submitted his resignation from the Borough Council effective October 1, 2008. There is now an opening on the Borough Council.

Correction to the Minutes: *Under the Finance Report:* Those expenses were related to 40% being Authority issues for consultation with the Authority. President Richards added that the 40% of the Borough's legal expenses of August were directly related to the Borough's relationship with the Authority. President Richards would like to take out one of those sentences due to the sentences meaning the same thing. *Charles Philips made the motion to accept the minutes of September 22, 2008 with the correction to the Finance Report. The motion was seconded by Robert Clayton. Motion Carried with all voting in favor of.*

Charles Philips made the motion to accept the payment of the Loan Payment Act 537 in the amount of \$456.50. David Woodward seconded the motion. Motion Carried with all voting in favor of.

Robert Clayton made the motion to accept the payment of bills as of October 1, 2008 in the amount of \$41,190.84. Charles Philips seconded the motion. Motion Carried with all voting in favor of.

President Richards discussed the Ordinances for Adoption; Ordinance # 2008-5 Refuse Amendments, Ordinance # 2008-6 Handicapped Parking, and Ordinance # 2008-7 One Way Street. *Robert Clayton made the motion to adopt the Ordinances. Janet Bollinger seconded the motion. Motion Carried with all voting in favor.*

Borough Manager, Bill Starry wanted to discuss the One Way Street Ordinance. Mr. Starry wanted it to be a one way west off of Route 194. President Richards stated that he'll take it under advisement but they had already voted.

President Richards stated that he wanted to publish the Zoning Ordinance 2008-8. Solicitor Shultis stated that it's about a 45 day process and that you must submit it to Adams County Office Planning and Zoning. Solicitor Shultis informed council about the rest of the requirements for any changes to the Zoning and Hearing Board. *Charles Philips made the motion to advertise the proposed ordinance changes and submit them to Adams County and Planning Commission. David Woodward seconded the motion. Motion Carried with all voting in favor of.*

Constituents Addressing Borough Council

Ken Young, 203 Beaver Street stated that on September 23, 2008 the skateboarders and their parents walked out of the meeting; he met with Joanne Eisenhart, Ron Dixon, and Karen Wire all of which are board members of the East Berlin Area Community Center; all agreed to original plan skateboarding, and youth basketball court at EBACC temporarily until the skateboard park is finished next year. He commented on Bernie Tuckers rescue plan for the use of the old Tyco parking lot. DEP well monitoring reports are still past due from 2001. Mr. Young also mentioned that the letter from May 19, 2008 about air quality violations on Bernie Tuckers facility located 407 North Avenue. Mr. Young believes that no one should ignore these important environmental issues.

A resident asked if the signs at Tucker's were within the ordinance, and stated that Tucker has too many signs. The Borough Council will be checking on the signs to see if they are within the ordinance.

Wendy Cashman, 201 West King Street, stated that she heard about what had happened at the Community Center last Saturday concerning the picnic tables that were damaged. Ms. Cashman mentioned that her boys from EB Skaters were wrongly accused and that they tried using the bathrooms at the Community Center and they were "grabbed up". Ms. Cashman feels that the boys from EB Skaters need an apology considering that they were not involved in the vandalism to the Community Center's property. Officer Grim stated that he questioned the boys and they would not cooperate. The boy that was involved in the vandalism is not a member of the EB Skaters.

John Fricke, 111 West King Street, commented on the situation at the Community Center where the skate boarders were wrongly accused of the damage. John Schlaline stated he went to the Community Center to help clean up. Discussion continued.

Mayor's Report:

The Mayor reported 37 incidents for the month of September. Mr. Hoffman questioned if they had put money back for the new cruiser. Charles Philips stated that they did put money back for the cruiser. Mr. Hoffman mentioned that they would save \$2,000.00 if they would order a 2008 cruiser. Mr. Starry mentioned that it would take about 8 weeks to order a 2008 and 140 days for a 2009 cruiser. President Richards asked Mr. Starry to have the proposal for the cruiser by the next meeting which is October 27, 2008. Mr. Hoffman also stated that Trick-or-Treat is on October 31, 2008, from 6-8 PM.

Engineer's Report:

The Engineer called President Richards and stated that he nothing to report. President Richards stated that we will be starting an Engineer's Report File for KPI.

Solicitor's Report:

Mr. Shultis has prepared a draft ordinance for the projects of the Water and Sewer Authority. It will need to be discussed with Hamilton Township since the Township is part of the Joint Authority. This should happen prior to consideration of adopting the ordinance. President Richards commented that Hamilton Township meets next Monday. Solicitor Shultis will be contacting Hamilton Township's solicitor prior to the meeting. Mr. Woodward, Mr. Philips, and President Richards will be attending the meeting at Hamilton Township.

Borough Manager's Report:

Mr. Starry mentioned that he is currently working on the budget for 2009. President Richards commented that they can discuss it at the October 27, 2008 meeting and the November 1, 2008 meeting. President Richards stated that it needs to be published before they can adopt it.

Mr. Starry mentioned about having insurance for the part-time police officer. President Richards requested that Mr. Starry have the information ready for the next meeting.

Committee Reports:

Finance: President Richards stated that we received \$9,740.63 for the Volunteer Fire Relief Association and \$19,117.97 for the Municipal Pension System State Aid. He also mentioned that we received a notification for the estimate of the Liquid Fuels allocation for 2009 in the amount of \$32,721.38. President Richards believes there will be a shortfall in the refuse fund. Also, it was mentioned that the refuse rate was raised to \$40.00 starting September 1, 2008.

Streets: None

IT: Mr. Clayton stated that we have received the new recording system and we are testing it out.

Public Safety: Janet Bollinger questioned if anything was done by KPI as far as the water runoff on Water Street properties. President Richards stated that they did and that the council has to decide if they want to do it internally but we probably can't do it due to needing heavy duty equipment for the swale. President Richards stated that it will probably be bid out to a sub contractor.

Jan Hoffman mentioned that the solvent odors in her neighborhood are continuing to be a problem. Ms. Hoffman called DEP on Friday to report the odors. She left a message for Brian Trowbridge; he is the Air Quality Chief of the south central region in Harrisburg. Ms. Hoffman has not heard from Mr. Trowbridge, yet. Ms. Hoffman, President Richards and some other residents plan to go to Harrisburg to have a meeting with Mr. Trowbridge.

Planning/Zoning: Mr. Woodward has asked Adams County Planning & Zoning to look into the Borough's Zoning Ordinances and also to look into Tucker Industrial Liquid Coating. President Richards stated that the borough's zoning ordinance is in great need of revisions. It was suggested that the borough council check and write down any specific problems they think that needs corrected.

Personnel: None

Park/Recreation: Phil Keener, 198 Jacobs Street, wanted to know if they still have the go ahead for the park. Some questions were asked of Mr. Keener about a dog park, and a band stand; he stated as we get more exposure about the park, people want to add more things; the original plans may be modified. Mr. Keener stated that the first phase would cost around \$300,000.00. Mr. Keener explained the process that DCNR required for the grant and it had to be a recreational focused project. Mrs. Sabine asked a few questions about the Tony Hawk Foundation. *Robert Clayton made the motion to approve the start of Phase One for the park construction. President Richards seconded the motion. Motion Carried with all voting in favor of.*

Unfinished Business: President Richards stated that the copy of the (added: Authority's incomplete) agreement between the borough and the authority is now in the borough files and the NIMS form has been submitted to Adams County.

New Business: President Richards entertained a motion to accept Gerald L. Mummert's resignation. *Mr. Philips made the motion to accept the resignation. Mr. Clayton seconded the motion. Motion Carried with all voting in favor of.*

Correspondence:

- Received an email concerning Mosquito Control on September 10, 2008.
- Illegal Dumpsites Information Workshop on September 24, 2008 sponsored by Adams County Conservation Dist.
- VFW will be dedicating the F14 plane on Sunday, music 1-2pm, and the program at 2pm.
- VFW Blood Drive on October 8, 2008; 4-7pm.
- Crop Walk is on October 12, 2008; register at 1pm, walk at 1:30pm; contact Carol McCreary.
- Received four emails from Mr. Philip Vallenti concerning financial banking situations.

- A letter from Mr. Richards to Andrew Miller was on the proposed extension ~~on the bid for the agreement with the authority of the contract.~~ of the contractors bid for the construction of the sewer plant.
- We received a second message from Comcast about it's a great bargain for home entertainment.
- We did get a copy from the Adams County Borough Association Newsletter, if anyone wants a copy of this, we can send it in the mail.
- PSAB Fall Conference Friday thru Sunday October 17-19.
- Park Preservation Workshop and Tour on October 11, 2008 in Gettysburg.
- Yearly report of 2007 from PMRS
- Letter from Mr. Young talking about Erin James pertaining to her incorrect reporting.
- Letter from Mr. & Mrs. Young on Swale Project; their was a discussion on the matter.

Karen Cleary would like to do a Crime Watch. Charles Phillips commented that Officer Grim would like to work with the borough council as far as keeping one on one with everyone. Mr. Philips stated that everyone just needs to get together with Officer Grim since there is only one police officer. President Richards commented that a neighborhood watch would be a good idea. Karen Cleary stated that she would research it.

*A motion was made by Charles Philips and second by Robert Clayton to adjourn the meeting at 9:20 PM to go into an Executive Session. **Motion Carried with all voting in favor of.***

Respectfully submitted,
 Crystal L. Topper
 Acting Secretary