

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

January 6, 2009

The first monthly meeting of the East Berlin Borough Council was held January 6, 2009 at the East Berlin Borough Hall. The meeting was opened with the Pledge of Allegiance at 6:40 PM.

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

**Members Absent:** Mayor Keith Hoffman

**Also Present:** Borough Manager Bill Starry; Secretary Treasurer Darlene McArthur; Solicitor Timothy Shultis; Craig Zack of KPI Technology; Earl Bollinger; John Cleary; Bev Jadus; Bill Powell; Ken Young; John Schlaline; Rosann Hoffman; and Fire Chief Frank Chronister, Jr.

**Correction to the Minutes:** A correction to the Minutes of the meeting of December 29, 2008 was made regarding the Solicitor's Report of the Zoning Hearing ordinance to strike the sentence "*Council so moved and adopted the changes with no dissenting votes.*" A motion to accept the Minutes as corrected was made by Robert Clayton with a second by Janet Bollinger. Motion carried with all voting in favor.

**Payment of Bills:** It was noted that bills from Stambaugh-Ness, the Borough's accounting firm, are expected to be approximately 40% higher than previous year due to much material to review. The Borough will consider employing a different accounting firm in the future. Also noted, Met Ed bill is high but usual. *Charles Philips moved to pay the bills for the beginning of January, seconded by Karen Cleary. Motion carried with all in favor.*

President Richards moved to accept the 2008 Audit Service Contract with Stambaugh-Ness for \$14,000.00. Karen Cleary asked to postpone for further review. *Acceptance was postponed until next meeting of the Borough Council.*

**Mayor's Report:** Mayor Hoffman was absent. The Mayor's Report was read by Charles Philips with 33 total activities.

**Engineer's Report:** Nothing to report. *A motion was made by Charles Philips to retain KPI as the East Berlin Borough Engineer for 2009, seconded by Robert Clayton. Motion carried with all in favor.*

**Solicitor's Report:** Solicitor Shultis indicated that a meeting was scheduled for January 7, 2009 at 7:00pm to consider approval of the Ordinance 2009-1, *An Ordinance Of Withdrawal From The Intermunicipal Agreement With Hamilton Township.* Solicitor Shultis stated that Intermunicipal Agreement requires 30 days notice to withdraw. It was proposed to advertise the Ordinance February 18, 2009 to comply with this requirement.

Solicitor Shultis proposed an Executive Session for January 21, 2009 at 9:00pm following the Borough Council Meeting to discuss the Chemical Trespass Ordinance with the Environmental Defense Fund members. The Executive Session is so scheduled.

*A motion was made by Charles Philips to retain Solicitor Shultis as the East Berlin Borough Solicitor for 2009, seconded by Robert Clayton. Motion carried with all in favor.*

**Borough Manager's Report:** Nothing to report.

**Committee Reports:**

**Finance:** Preparations are being made for the upcoming Audit. Reports are to be generated due to variances between 2007 and 2008.

**Streets:** Nothing to report.

**IT:** Research was made into the purchase of an amplifying system for the Borough Council Meetings at an estimated cost of just under \$800.00. Objections to the expense were voiced and it was suggested that this purchase be reconsidered, asking that the Members of the Council speak louder.

**Public Safety:** Janet Bollinger suggested that the issues of exposed gasoline lines and water retention at the property of Ken Young be addressed. Charles Eisenhart stated that it is the responsibility of the Property Owner to control the actions of the Building Contractor in filling the retention ponds. Karen Cleary stated that she would contact the Gas Company on Ken Young's behalf regarding any exposed lines as the Gas Company is liable to protect and secure the line.

Fire Chief Frank Chronister read the highlights of the East Berlin Liberty Fire Company Incidents and Departmental Activity Report. Fire Chief Chronister stated that the performance of the Department has improved with the additional hired EMT.

Charles Philips and Karen Cleary questioned Chief Chronister about hazardous materials at Tucker Industries. Chief Chronister stated that the information has not been provided by Tucker Industries.

**Planning/Zoning:** Robert Clayton stated that a Zoning Hearing is scheduled for Wednesday, January 7, 2009.

**Personnel:** *Charles Phillips moved, with Robert Clayton seconding, to accept Darlene McArthur as the new Secretary/Treasurer. The qualifications of Darlene McArthur to fill the position of Secretary Treasurer were requested. These were provided by Karen Cleary. Charles Philips stated that professional references were checked. Motion carried with all voting in favor.*

Charles Phillips stated that the Personnel Committee is currently reviewing applications for the position of Laborer to be completed in approximately two weeks.

**Park/Recreation:** A meeting of the Park/Recreation Committee is scheduled for Thursday, January 8, 2009.

**Unfinished Business:** President Richards stated that two appointees are needed as representatives of Borough to oversee tax collection for the York/Adams Tax Bureau. President Richards (as Representative) and Charles Philips (as Alternate) volunteered. *Robert Clayton motioned to accept; David Woodward seconded the motion. The Motion carried with no dissenting votes.*

The Adams County Elections and Voter's Registration requires that the Borough submit by February 1, 2009 a list of East Berlin Officials who are up for re-election. Those Officials are Charles Eisenhart, Karen Cleary, Janet Bollinger, Mayor Keith Hoffman and Tax Collector Debra Tate. President Richards will submit the list to Adams County.

President Richards will be mailing the approved Flood Plain Ordinance to the State and Federal Governments as required. Regarding Engineer Craig Zack's inquiry, reimbursement will be sought.

York Adams Tax Bureau Earned Income Tax receipts total \$125,000.00 for 2008. Records are to be checked.

**New Business:** A letter has been received from the State requesting the Borough's Emergency Operation Plan. This Plan is to be kept in the Borough's files. The Plan was downloaded from the State, to be discussed by the Council the first week of February. Fire Chief Chronister stated that he will check to see if he has one and requested a copy of the Borough's Plan.

The Borough Code is to be updated with a number of amendments. The Code exists in hard copy and an electronic version is to be created.

The Freedom of Information Act is effective next month. The Borough files are to be better organized to accommodate those requests.

**Correspondence:**

- 2009 Grants Workshop which may be of interest to the Park/Rec Committee
- Adams County Department of Emergency Services regarding Emergency Management
- It was confirmed that per Ken Young's request, the letter of December 8, 2008 has been placed in the Borough's Correspondence File.

**Constituents Addressing Borough Council:** Ken Young of 203 Beaver Street stated that the Board meeting is to be the third Monday of the month. Mr. Young reviewed the skateboarder problems as they relate to the new Park/Recreation area. Mr. Young stressed the importance of the upcoming Park/Recreation Committee meeting scheduled for January 8, 2009 and suggested that the entire Board attend. Mr. Young also discussed the intersection of Beaver Street and Route 194 as hazardous due to storm drain water freezing and limited visibility at this intersection and suggested erecting a sign warning of ice.

Karen Cleary proposed that in order to further empower the Committees of the Borough, they should meet individually and independent of the Council. President Richards agreed but stated that these meetings must consist of no more than three Committee Members.

*Karen Cleary motioned that a Shade Tree Committee be created; David Woodward seconded. Motion carried with all in favor.* Ken Young pointed out that a Shade Tree Committee existed approximately 15 years previous, but failed due to citizen's objections to birds, leaves and damage to sidewalks. Karen Cleary stated that some residents of Main Street have voiced interest in pursuing the planting of trees.

*Motion was made to adjourn at 8:20 PM by Charles Philips; seconded by Dave Woodward. Motion carried with all in favor.*

Respectfully submitted,

Darlene McArthur  
Secretary/Treasurer of Borough Council