

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

May 5, 2009

The first monthly meeting of the East Berlin Borough Council was held May 5, 2009 at the East Berlin Borough Hall. The meeting was opened with the Pledge of Allegiance at 7:00 PM.

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

**Members Absent:** Charles Philips

**Also Present:** Secretary/Treasurer Darlene McArthur; Mayor Keith Hoffman; Solicitor Timothy Shultis; John Schlaline; Doris Sabine; Earl Bollinger; Frank Chronister; Freda Lennon; Rebecca Meixner; Jan Hoffman; Wayne Krout; Mike Devita; Phil Keener

**Vacancies Filled:** Andrew Raymond applied for the open position of Emergency Preparedness Coordinator. President Richards stated that Mr. Raymond is well qualified having experience as an Emergency Medical Technician and Fire Fighter. Robert Clayton is well acquainted with Mr. Raymond and gave a personal recommendation. President Richards noted that an Adams County required training session is scheduled in June. *Robert Clayton motioned to appoint Andrew Raymond to the position of Emergency Preparedness Coordinator; seconded by David Woodward. Motion passed with all in favor.*

Andrew Raymond and Doris Sabine applied for the open position of Borough Council Member. Robert Clayton stated that Mrs. Sabine is a regular attendee of Council meetings and familiar with the issues and proceedings. Council reviewed the applications. *Robert Clayton motioned that Council vote by written ballot; seconded by David Woodward. The motion was approved. With votes tallied by Mayor Keith Hoffman, Doris Sabine received four (4) votes; Andrew Raymond received one (1) vote.* Doris Sabine was sworn in by oath of office avowed by Mayor Hoffman.

**Correction to the Minutes:** There are no corrections to the meeting minutes of April 22, 2009. A *motion to accept the Minutes was made by Janet Bollinger with a second by Robert Clayton. Motion carried with all voting in favor.*

**Payment of Bills:** President Richards remarked on a significant decrease in the Columbia Gas heating bill due to the recent ability to shut off heat in the second garage. *A motion was made by David Woodward to pay the bills for the beginning of May; seconded by Robert Clayton. Motion carried with all voting in favor.*

**Constituents Addressing Borough Council:** Jan Hoffman delivered a statement from Friends of East Berlin, Inc. regarding an air pollution control plan to be presented to Council in late June or early July.

**Mayor's Report:** Mayor Keith Hoffman reviewed the Police report citing fifty-six (56) incidents for the month of April. There was some discussion of an incident of vandalism involving the use of paint balls.

**Fire Chief's Report:** Fire Chief Frank Chronister reviewed fifty-four (54) emergency medical service calls and eleven (11) fire calls for the month of April. Chief Chronister stated that the Fire Department has purchased a 2006 F250 as a service vehicle and a 2004 Chevy ambulance. In response to an inquiry by President Richards of the existence of a documented agreement between the Borough and the Fire Company, Chief Chronister stated that he is unaware of any such documentation.

**Engineer's Report:** Nothing to report.

**Borough Maintenance Report:** Robert Clayton reported that damage to the Borough's F250 had been repaired by Clark's Body Shop. Mr. Clayton has received an inventory listing from Robert Meminger of miscellaneous garage items. Additional items needed for inventory will be discussed. There was discussion of methods to address the sign height requirements in the Borough including the purchase of a band saw to cut signposts. The suggestion was made to replace signs to required height as needed, but to add the three-way stop intersection signs presently.

**Committee Reports:**

**Finance:** A report of financial comparison for April 2008 and 2009 reveals level activity. Refuse revenue has increased to meet cost and is likely to increase further to be on a par with other municipalities in the region.

Adams County Tax Bureau Act 32 proposes to reduce the number collection agencies to one per county and will require the adoption of a resolution. Tax payments will be paid to the Borough monthly by the County, which may increase the cost of distribution. The York-Adams Tax Bureau Treasurer's Report was reviewed.

**Streets/Public Safety:** Janet Bollinger read a submission from a concerned citizen regarding fire pits, open fires, etc. in the Borough. David Woodward stated that an Ordinance addressing these issues exists and that a reminder to the residents may be needed. Jan Hoffman inquired if trash burning is permitted in the Borough, voicing concerns of toxins. Per Fire Chief Chronister, trash burning is allowed if covered. There was some discussion of the possibility of banning trash burning in the Borough. Jan Hoffman stated that sample ordinances on burning had been provided by Senior Zoning Officer Rob Thaeler. President Richards maintains that the East Berlin ordinance on burning is similar to that in surrounding communities. After some inquiry, it was stated that the retail cooker on West King Street is being addressed.

Janet Bollinger inquired as to the status of the letter written to Hamilton Township regarding the hazardous intersection at Route 194 and Beaver Street. President Richards replied that the letter had been sent approximately four months ago but no response has been received. A number of minor accidents have occurred at this intersection. Jan Hoffman suggested that this be addressed at the Adams County Comprehensive Plan Meeting scheduled for May 10, 2009, in Abbottstown.

**IT:** Nothing to report.

**Planning/Zoning:** It was noted that the Steering Committee of the Adams County Comprehensive Plan would meet May 7, 2009, from 2:00 PM to 5:00 PM regarding transportation. The first ten chapters of the plan have been provided.

There was some discussion of the traffic problems at the intersection of Routes 234 and 194. President Richards states that this is possibly due to the closure of Route 194 for bridgework. Mayor Hoffman asserts that the timing of the traffic light has been off since the asphalt work had been completed at this intersection.

Doris Sabine suggested reducing the speed limit through town. There was an overall discussion of addressing traffic and parking problems downtown including the issue of crosswalk signs being hit by vehicles.

John Schlaline, Chairman of Planning, sent an email notifying Council of the Planning Committee's inability to meet quorum requirements, noting that a seventh member is still needed. Mr. Schlaline maintains that every effort has been made to request the attendance of the members. President Richards suggests that Mr. Schlaline ask the members if they no longer wish to serve on the Planning Committee so that more willing participants may be appointed. David Woodward volunteered to serve as a temporary member to meet quorum requirements. *Robert Clayton motioned to accept David Woodward's temporary appointment to the Planning Committee; seconded by Janet Bollinger. Motion approved with all voting in favor.*

*A letter was received from the Adams County Office of Planning and Development approving, as revised, the proposed amendment to the Zoning Ordinance regarding internally lit signs. Solicitor Shultis noted that a public hearing would be held on May 20, 2009, at Borough Hall for the adoption of the amendment.*

**Personnel:** Jan Hoffman reported that with Karen Cleary's resignation, there is an opening on the Comprehensive Plan Committee; remaining members are Jan Hoffman and Kenneth Young.

Robert Clayton suggested that newly appointed Council Member Doris Sabine fill the open position of Chairman of the Personnel Committee. After some discussion of the duties, Mrs. Sabine agreed to fill the position. *Robert Clayton motioned that Doris Sabine be appointed as Chairman of the Personnel Committee; seconded by David Woodward. Motion approved with all voting in favor.*

**Park/Recreation:** Phil Keener inquired if the Borough would be providing maintenance such as mowing and trash cleanup of the new Community Park. After discussion of the Borough's limited manpower and equipment, Mr. Keener stated that as a contingent, the Park and Recreation Committee would budget for maintenance of the Park.

A discussion was made of the mowing of the ballpark suggesting that the parents, ballplayers, and the Lions Club maintain the ballpark. President Richards suggested that an agreement be reached and documented.

Phil Keener stated that the Planning Committee had not achieved the review of the Community Park plan and it was decided that Phase One of the plan would be placed for bid at the May 14 meeting. The bids would come before Council for approval.

**Solicitor's Report:** Solicitor Timothy Shultis reported that the Department of Environmental Protection has entered into a consent order with Tucker Industries regarding pollution issues. The Borough has requested a copy of the order from the Department of Environmental Protection.

An amendment has been proposed to the Assignment, Dedication, and Service Agreement with the Joint Authority regarding the space around the Borough building and a license agreement.

On the matter of zoning issues reported to Senior Zoning Officer Robert Thaeler, letters were sent requesting compliance.

Doris Sabine made inquiry regarding the property at 112 East King Street. It was reported that an inspection by Building Inspector Ed Strevig is in process.

**Unfinished Business:** President Richards noted a discrepancy in the total count of Christmas lights reported by the agreement with Metropolitan Edison and the Lions Club. Clarification will be requested from the Lions Club.

Information has been requested from the Hopwood Agency regarding the breakdown of insurance policies and credits due to the Borough. The Borough is investigating other options for insurance coverage.

**New Business:** Council signed and approved a resolution with PennDOT requiring the filing of electronic forms.

Council reviewed a Memorandum of Understanding from the Adams County Conservation District regarding the Floodplain Monitoring Program. *Robert Clayton motioned to approve the Memorandum; seconded by David Woodward. Motion approved with all voting in favor.*

Doris Sabine inquired if the plans for the Community Park had been submitted to Adams County. Jan Hoffman replied that the plans have been submitted and approved with one suggestion.

President Richards discussed his meeting with York Waste Disposal to review options available to the Borough including the use of a ninety-six gallon cart per residential location. Additional discussion was made of a possible recycling program in the Borough. A pre-bid meeting was suggested for June to discuss all options and scenarios with the eligible waste companies, with contract out for bid in July. *Robert Clayton motioned to schedule a pre-bid meeting; seconded by David Woodward. Motion approved with all in favor.*

**Correspondence:**

- A meeting of the Department of Community and Economic Development in Chester County
- The 2009 Gettysburg Chamber of Commerce breakfast is scheduled
- A letter from the Department of Environmental Protection to Rutter's Convenience Store stating that cleanup is complete
- PennDOT Emergency Response training session scheduled for May 15; Robert Meminger is to attend
- Email from Pennsylvania State Association of Boroughs regarding a Webinar on Swine Flu
- Joint Authority acknowledged receipt of divided equipment
- Notice from the Department of Community and Economic Development of Federal Stimulus funds available

*It was motioned by Robert Clayton to adjourn the meeting at 9:50 PM; seconded by David Woodward. Motion approved with all in favor.*

Respectfully submitted,

Darlene McArthur  
Secretary/Treasurer of Borough Council