

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

May 20, 2009

The second monthly meeting of the East Berlin Borough Council was held May 20, 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; David Woodward; and Doris Sabine

Members Absent: Charles Philips

Also Present: Secretary/Treasurer Darlene McArthur; Mayor Keith Hoffman; Solicitor Timothy Shultis; Craig Zack; John Schlaline; Earl Bollinger; Phil Keener; Rosann Hoffman; Raymond Hoffman; Carla Hoffman; Craig Peterson; and Andrew Raymond

Public Hearing to Amend Zoning Ordinance: Solicitor Timothy Shultis stated that the enactment of the proposed Amendment to prohibit internally lit signs in the General Residential and the Residential/Village Trade Districts is scheduled for June 2, 2009. President Richards invited comments from all those in attendance. No comments were received.

Correction to the Minutes: There are no corrections to the meeting minutes of May 5, 2009. *A motion to accept the Minutes was made by Robert Clayton with a second by Janet Bollinger. Motion carried with all voting in favor.*

Payment of Bills: President Richards remarked on the installation of a radio system installed in the new police cruiser completed in January and a change in the employee health insurance coverage due to increased cost. *A motion was made by Robert Clayton to pay the bills for the beginning of May; seconded by Doris Sabine. Motion carried with all voting in favor.*

Constituents Addressing Borough Council: No constituents addressed Council.

Mayor's Report: Mayor Keith Hoffman had nothing new to report. Doris Sabine commented on her appreciation of the monthly police report and inquired as to the existence of any drug activities within the Borough. Mayor Hoffman replied that the situation is being monitored with two suspect activities currently under surveillance.

Engineer's Report: Craig Zack of KPI Technology reviewed a Road Project Memo that included detailed descriptions and estimated costs of four (4) proposed projects in the Borough. Mr. Zack suggested a cost savings by combining projects. Council resolved to proceed with Project A (Summit Alley), Project B (Zinn Alley), and Project C (Route 234/194 Intersection); to follow up with Project D (Jacobs Street) at a later date. *Robert Clayton motioned to advertise bids quoting each project separately and a quote of the combined projects; seconded by Janet Bollinger. Motion approved with all in favor.*

Mr. Zack summarized his review of Phase One of the Community Park Plan stating that if the plan were submitted as a land development plan, further details would be needed. Park and Recreation Chairman Phil Keener stated that the plan is intended as a construction plan and does not include the details of a land development plan. Doris Sabine suggested an environmental site review in consideration of the adjacent property. Solicitor Shultis stated that a land development plan may be helpful, but with the advanced status of the construction phase and approvals in place, it may be

wasteful and unnecessary. John Schlaline inquired if the park would be open to the public after completion of Phase One. Phil Keener stated that certain aspects of the park would be available to the public, including the pavilion, the walking path, and the skate park. Mr. Schlaline also inquired if the option to carry out an environmental site assessment would be affected if Phase One moves ahead. Solicitor stated that this option would not be affected. *Charles Eisenhart motioned to waive the land development plan for Phase One of the Community Park Plan; seconded by President Richards. Per roll call vote, David Woodward, Doris Sabine, and Janet Bollinger voted against the waiver; Robert Clayton voted in favor. With three (3) Council Members in favor and three (3) against, Mayor Hoffman voted to waive the land development plan. Motion approved.*

Solicitor's Report: Solicitor Timothy Shultis discussed the amendment to the Assignment, Dedication, and Service Agreement with the East Berlin Area Joint Authority. President Richards reviewed the details of the changes including items rescinded, outstanding debt, and four miscellaneous amendments, suggesting that the documented proposed changes be forwarded to the Authority. *David Woodward motioned to forward the amendment to the Joint Authority; seconded by Robert Clayton. Motion approved with all voting in favor.*

Solicitor Shultis stated that some zoning issues are being discussed with Senior Zoning Officer Robert Thaeler and are in process. Additionally, Mr. Shultis reviewed the status of the municipal lien on the property at 112 East King Street.

Borough Maintenance Report: Robert Clayton reviewed the purchase of several tools needed in the performance of maintenance. President Richards remarked on the tracking of hours required to accomplish mowing tasks at various locations in the Borough.

Committee Reports:

Finance: Comments of the 2008 Audit were reviewed. It was noted that per the requirements of Pennsylvania Act 32, Adams County is currently compliant with only one local earned income tax collector, York Adams Tax Bureau. The reinstatement of the annual fee for QuickBooks payroll service was also discussed.

Streets/Public Safety: Janet Bollinger reviewed photos of a sinkhole in need of repair on North Avenue near the Community Center. Additionally on North Avenue, across from the electric station, there is some cracking asphalt beside the road. Ownership of the strip of asphalt is under review. There was also discussion of problems with a drainpipe on Schoolhouse Lane.

Janet Bollinger mentioned that having attended a meeting at the Community Center, she witnessed a representative of the Yorkco Hopwood Agency making derogatory statements against the Borough. Mrs. Bollinger suggested that in the future, a Council Member and a representative of the Community Center should attend meetings of each organization to limit rumors and miscommunications. There was some discussion of the Borough's current efforts to examine insurance options for the Workmen's Compensation and Commercial Package. President Richards noted that more open communication is needed with the Community Center regarding insurance requirements.

IT: Nothing to report.

Planning/Zoning: David Woodward stated that some zoning issues in the Borough are being reviewed by Senior Zoning Officer Robert Thaeler. There was additional discussion of the Zoning Ordinance Amendment to be enacted at Council's next session.

The Borough's Emergency Management Coordinator, Andrew Raymond, requested that the Borough provide on loan ten (10) safety cones for use by the Fire Department in emergency situations. *David Woodward motioned that the Borough make available the requested safety cones; seconded by Robert Clayton. Motion approved with all in favor.*

Planning Commission Chairman John Schlaline stated that with the resignations of Jeff Hamon and Larry Fissel, two (2) additional members are needed. President Richards noted that Pennsylvania Borough Code states that Council Members may serve on the Planning Commission referencing David Woodward's recent decision to serve on the Commission. *Robert Clayton motioned to accept the resignations of Larry Fissel and Jeff Hamon from the Planning Commission; seconded by David Woodward. Motion approved with all in favor.*

Personnel: Doris Sabine stated that she is following up with former Council Member Karen Cleary on personnel issues. Favorable remarks were made regarding maintenance worker Bob Meminger's performance with mowing, organization of duties, reports, etc.

Park/Recreation: The review of the Community Park's Phase One Plan was previously discussed in the Borough Engineer's report.

Unfinished Business: Per Act 32, two (2) voting delegates must be appointed to represent the Borough regarding earned income tax collection. *Robert Clayton motioned to appoint David Richards and Charles Philips as the required delegates; seconded by Doris Sabine. Motion approved with all in favor. Robert Clayton motioned to approve Resolution 5-2009-5 as required by Act 32 to appoint voting delegates; seconded by David Woodward. Motion approved with all in favor.*

There was discussion of a second letter to be sent to the Hopwood Insurance Agency requesting clarification of insurance separation issues with the Joint Authority.

New Business: Robert Clayton discussed the need to revise the timing of the traffic light at the intersection of Routes 234 and 194 to accommodate the additional traffic east and westbound on Route 234 due to bridgework on Route 194. It was decided to contact Swam Electric to have the timing recalibrated.

President Richards proposed the sale of the former police cruiser, a Ford Crown Victoria. The sale would be advertised for bids as required. *President Richards motioned to sell the former police cruiser; seconded by Robert Clayton. Motion approved with all in favor.*

It was suggested that a contribution be made in memory of deceased former Council Member Forrest Brehm in lieu of flowers as requested by the family. *Doris Sabine motioned that a donation of fifty dollars (\$50.00) be paid to VNA Hospice; seconded by Robert Clayton. Motion approved.*

A request was received from Abbottstown Borough for East Berlin to provide street sweeping per a diagram of the Abbottstown Borough. This service was previously provided to Abbottstown for six hundred dollars (\$600.00).

President Richards presented a Memorandum of Understanding between Adams County and East Berlin Borough regarding soil and water conservation. *Robert Clayton motioned to adopt the Memorandum of Understanding; seconded by Janet Bollinger. Motion approved with all voting in favor.*

Correspondence:

- Hanover YMCA Invitation to Community Leaders Breakfast
- Adams County Transportation Round Table May 28, 2009
- Spectra Energy Open House June 13, 2009 in York Springs
- Pennsylvania Department of Health Weekly Report on Swine Flu Statistics
- Adams County Conservation District Flood Plain Monitoring Meeting
- Red Cross Monthly Health and Safety Training
- Muscular Dystrophy Association Lock Up Poster from Darlene McArthur
- York County Planning Commission Comprehensive Plan
- York County Department of Parks and Recreation Festival of Lights
- Stock and Leader Law Firm Response to Borough's Letter to Department of Environmental Protection
- Kenneth Young Invites Council Members to Attend Community Center Meeting
- Email from Bernie Tucker Regarding Lion's Club Christmas Lights
- Notice from York Adams Tax Bureau to Increase Earned Income Tax in the Bermudian Springs School District to 1.7%
- A Letter from the Joint Authority to the Insurance Commissioner Regarding the Hopwood Agency's Handling of Employee Health Insurance

The meeting of the East Berlin Borough Council was adjourned at 9:50 PM.

Respectfully submitted,

Darlene McArthur
Secretary/Treasurer of Borough Council