

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

June 2, 2009

The first monthly meeting of the East Berlin Borough Council was held June 2, 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:** Mayor Keith Hoffman; Secretary/Treasurer Darlene McArthur; Solicitor Timothy Shultis; Craig Zack; John Schlaline; Earl Bollinger; Rosann Hoffman; John Hoffman; James Becker; Frank Chronister, Jr.; Katelyn Miller; Luke Miller; Andrew Raymond; and Wayne Kraut

**Correction to the Minutes:** There are no corrections to the meeting minutes of May 20, 2009. *A motion to accept the Minutes was made by Janet Bollinger with a second by David Woodward. Motion carried with all voting in favor.*

**Payment of Bills:** President Richards reviewed the summary of asset accounts with funds totaling \$665,591.55 in deposits and investments. *A motion was made by Robert Clayton to pay the bills for the beginning of June totaling \$2,540.32 and \$456.50 Act 537 loan payment; seconded by Doris Sabine. Motion carried with all voting in favor.*

**Constituents Addressing Borough Council:** James Becker of East Berlin's Liberty Fire Company addressed Council regarding ownership and insurance of Fire Department vehicles. Mr. Becker suggested the Borough return title of the vehicles to the Fire Department to be insured by the Fire Department. The Fire Department currently owns and insures the recently purchased ambulance and service vehicle. Additional discussion was made of the Fire Department's Workers Compensation policy. A meeting will be scheduled to further discuss these issues.

Luke Miller of 119 East King Street informed Council of a pending suit filed against him by a neighbor concerning smoke from his woodstove. Mr. Miller stated that he has received no complaints from other neighbors and was found to be in compliance of Borough regulations. Having obtained six (6) pages of signatures by supporting residents, Mr. Miller asked for the support of Borough Council. Councilman Robert Clayton agreed that a letter stating Borough compliance requirements be written for Mr. Miller.

John Schlaline commented that the suit filed against Luke Miller by his neighbor Jane Snyder is frivolous and recommended a counter suit be filed. Mr. Schlaline stated that Police Chief Grim has been involved in the late night raucous complaints of Ms. Snyder disturbing the neighborhood. Mr. Schlaline strongly recommends the Borough's support in consideration of the multitude of supporting signatures by Borough residents received by Mr. Miller.

**Mayor's Report:** Mayor Keith Hoffman reviewed the monthly police report totaling forty-seven (47) incidents in the Borough.

**Fire Chief's Report:** Fire Chief Frank Chronister reviewed fifteen (15) fire call responses and forty-two (42) ambulance calls.

**Engineer's Report:** Borough Engineer Craig Zack discussed his progress on assembling a bid package for the upcoming road projects in the Borough suggesting that the three (3) projects be combined for bidding. Mr. Zack stated that a Highway Occupancy Permit for the work at the intersection of Routes 194 and 234 would require the signatures of Borough Council. *Robert Clayton motioned that Council sign the Permit; seconded by Janet Bollinger. Motion approved with all voting in favor.* President Richards recommends the bids be due by August 3, 2009, to be opened August 4, 2009. Mr. Zack stated that the bid proposal will be available for approval by next Council meeting.

Robert Clayton asked that Craig Zack examine a sinkhole near the Community Center and drainpipe damage at North Avenue and Schoolhouse Lane. Grading for drainage will need to be considered, possibly widening the end of Schoolhouse Lane, and the installation of a larger concrete pipe. Mr. Clayton proposed a metal plate and black top to cover the sinkhole. There was discussion of a drain further down North Avenue near the proposed Community Park to require additional grading to avoid excessive drainage to the park area.

**Committee Reports:**

**Finance:** President Richards stated that Council would review 2008 – 2009 financial comparison reports at next Council meeting. Mr. Richards presented an electronic banking access form to Council for Officer's signatures.

**Streets/Public Safety:** Nothing to report.

**Maintenance:** Robert Clayton reported that a heater exhaust pipe was repaired. Mr. Clayton stated that Jeff Wolfe of PennDOT called the Borough to discuss the apparently faulty traffic signal at the intersection of Routes 194 and 234 suggesting that this be addressed. *Robert Clayton motioned that Swam Electric be requested to examine the traffic signal for a faulty loop sensor or other issues causing traffic delays. Doris Sabine seconded the motion. Motion approved with all voting in favor.*

Wayne Kraut complained of snakes and ground hogs near his home due to tall grass in a basin area. There was discussion of standing water hindering mowing in this area.

**IT:** Robert Clayton reviewed the Borough's purchase of a document scanner and camera accessories to download photos to the computer for the purpose of emailing, printing, and saving files electronically.

**Planning/Zoning:** David Woodward noted that the Zoning Ordinance Amendment would be voted for approval at tonight's meeting. Mr. Woodward also discussed the topic of outdoor furnaces and the need for Council's consideration of regulations.

John Schaline stated that a quorum was achieved at the recent meeting of the Planning Commission. Mr. Schaline reported that Park and Recreation Chairman Phil Keener discussed the proposed Community Park stating that a letter of recommendation is being drafted for Council review. Mr. Schaline noted that two (2) additional members are needed for the Planning Commission and that he is aware of some possible applicants.

Jan Hoffman voiced her concerns of Council's decision to waive the requirement of a land development plan for Phase One of the Community Park.

**Personnel:** Doris Sabine stated that maintenance laborer Robert Meminger's ninety day review is due by June 23, 2009. Mrs. Sabine will be consulting with other members of the Personnel Committee for this review. Mrs. Sabine is compiling and organizing documents from former Personnel Committee Chairperson Karen Cleary and Secretary/Treasurer Darlene McArthur has offered additional personnel forms to assist her in her role.

**Park/Recreation:** Nothing to report.

**Unfinished Business:** President Richards discussed letters to be drafted to Abbottstown Borough concerning street sweeping. Other letters were reviewed including a Resolution to the Joint Authority, a letter to the Hopwood Insurance Company, and a letter to the Fire Department regarding insurance matters. Two letters to the Joint Authority (the first concerning construction permits and the second concerning insurance and accounting expenses) are to be reviewed by the Solicitor. *Robert Clayton motioned to send the letter as written to the Hopwood Insurance Agency; seconded by Doris Sabine. Motion approved with all voting in favor.*

**New Business:** Adams County Council of Governments (COGS) By-laws and a Resolution to include the Borough have been received. President Richards will provide a copy to the Council Members for review. The next meeting of COGS is June 25, 2009.

President Richards stated that the Borough's refuse collection contract would be expiring in September. A bid for advertisement is to be written and will include an optional pre-bid meeting to review the many options available.

A complaint filed by Toby Bowden with the Human Relations Commission has been received by Borough. The complaint contains approximately thirty (30) specific statements to which the Borough must reply within thirty (30) days.

President Richards requested that Council consider the installation of curbs and sidewalks on Water Street when the new sewer plant is built. This would also establish a curb line for the installation of copper water pipes to individual residences. *Robert Clayton motioned that Borough Engineer Craig Zack provide a study of the cost of establishing a curb line on Water Street from North Avenue to Borough Hall; seconded by David Richards. Motion approved with all voting in favor.*

**Solicitor's Report:** Solicitor Shultis offered for Council's approval the Zoning Ordinance Amendment to prohibit internally lit signs in the General Residential and Residential/Trade Districts as advertised. *Robert Clayton motioned that Council approve the Zoning Ordinance Amendment; seconded by Janet Bollinger. Motion approved by roll call vote with all in favor.*

Solicitor Shultis reviewed the letters to be sent to the Joint Authority and recommended revisions be made. *Robert Clayton motioned that the letters be sent with the recommended revisions; seconded by Janet Bollinger. The motion was approved.*

**Correspondence:**

- Letter proposing that the County collect taxes if the Borough Tax Collector is unable
- Pennsylvania Real Estate Development training offered
- Annual Adams County Financial Development Report
- Abbottstown Borough Capital Campaign
- Waste service for recycling and leaf collection

Doris Sabine inquired as to the progress of Tucker Industries' compliance of toxic complaint. Solicitor Shultis replied that an agreement was reached between the Department of Environmental Protection and Tucker Industries.

Emergency Management Coordinator Andrew Raymond addressed Council to remind residents to be aware that school is out for the summer. Mr. Raymond also discussed the need for a warning sign/signal on Abbottstown Street for approaching the Fire House.

*Robert Clayton motioned to adjourn the meeting of the East Berlin Borough Council at 9:45 PM. Motion seconded by David Woodward. Motion approved with all voting in favor.*

Respectfully submitted,

Darlene McArthur  
Secretary/Treasurer of Borough Council