

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

June 17, 2009

The second monthly meeting of the East Berlin Borough Council was held June 17, 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; Andrew Raymond; and Jan Hoffman

**Correction to the Minutes:** There are no corrections to the meeting minutes of June 2, 2009. *A motion to accept the Minutes was made by David Woodward with a second by Robert Clayton. Motion carried with all voting in favor.*

**Payment of Bills:** President Richards reviewed a summary of unpaid bills for the end of June totaling \$8,833.93. *A motion was made by Robert Clayton to pay the bills; seconded by Doris Sabine. Motion carried with all voting in favor.*

**Constituents Addressing Borough Council:** None.

**Mayor's Report:** Mayor Keith Hoffman commented on the repair to the traffic light, intersection of Routes 234 and 194. Robert Clayton reported that two sensor plates were not working and were repaired by Swam Electric. The sensors malfunctioned due to wires cut under the road surface during recent roadwork. Further investigation is needed.

**Engineer's Report:** Reporting on the progress of the proposed street projects, Borough Engineer Craig Zack is awaiting a project number to be assigned by PennDOT and suggests that Council vote to approve the bid advertisement. *Robert Clayton motioned to advertise for bids pending PennDOT approval of the projects; seconded by David Richards. Motion approved with all in favor.* Mr. Zack suggests inspection be done on the projects with the change in grading. Solicitor Shultis discussed the effects of altering the grade and will further review with Mr. Zack.

Per memo to Council, Mr. Zack reviewed additional street issues: the collapsing drainpipe on Schoolhouse Lane and the cracking asphalt on the shoulder of North Avenue. There was discussion of replacing or removing the cracking asphalt and whether this was the property of the Borough or the homeowner.

Regarding the proposed curb installation on Water Street, Mr. Zack suggested considerable cost savings to the Borough if a map of the sewer project were provided for engineering the project. President Richards commented that sidewalk and curbing on Water Street would provide no access to the rest of town. Mr. Zack pointed out that curbing would cause additional drainage toward the north end of Water Street. President Richards stated that he would contact Buchart and Horn for existing mapping of the sewer project on Water Street.

There was some discussion of the sinkhole near the Community Center with suggestions of filling or covering the hole with a metal plate, then covering with asphalt.

**Solicitor's Report:** Regarding the municipal claim filed against Mr. Earl Brown, Solicitor Shultis reported difficulties in locating and serving the recipient. It was suggested that Office Grim might be able to assist in locating Mr. Brown or the Court would authorize service by publication.

Solicitor Shultis stated that Senior Zoning Officer Robert Thaeler has sent three (3) notices of zoning violations to Borough residents. A fourth notice will be sent presently and will likely be appealed to the Zoning Hearing Board.

It was noted that the Bowden complaint would be discussed in Executive Session following tonight's Council Meeting.

**Committee Reports:**

**Finance:** President Richards reviewed the 2008 – 2009 Financial Comparison Statement for the month of May and the year to date.

**Streets/Public Safety:** Janet Bollinger requested an update of the mowing situation of the previously discussed area on Abbottstown Street. President Richards responded that the area is wet and will be addressed when possible.

Mrs. Bollinger reported a complaint received regarding a stagnant swimming pool alluding to mosquitoes and other insects. President Richards suggested a letter be sent to the owner of the swimming pool stating Chapter 65 Vector Control requirements; Mayor Keith Hoffman will produce the letter of notification.

**Maintenance:** Robert Clayton stated that a tree saw had been purchased and that a pipe wrench is needed for maintenance work in the Borough.

**IT:** Robert Clayton discussed a service call by A & L Computers to correct the issue of the Borough's computers inadvertently shutting down. Additionally, uninterruptible power devices are to be installed on two of the computers. There was some discussion of the method of transferring the recording of a meeting to a storage disc as a data file rather than an audio file. Mr. Clayton also reported that the offsite backup service has been cancelled; data will be backed up on location.

**Planning/Zoning:** David Woodward discussed possible Ordinance amendments pertaining to burning in the Borough and the prevention of loss of historical homes in downtown beautification efforts. Regarding the Borough's one-year contract with Senior Zoning Officer Robert Thaeler, Mr. Woodward suggested advertising for a part time Zoning Officer to expedite zoning issues in the Borough and to consider employing a different inspection agency.

In a discussion of the regulation of vendors in the annual Colonial Day event, President Richards suggested that non-sponsored vendors be required to obtain a permit from the Borough. Solicitor Shultis stated that per Borough Ordinance, all vendors are exempt during the event. Doris Sabine stated that she would invite members of the East Berlin Historical Preservation Society to attend a Council meeting for further discussion of this issue.

Planning Commission Chairman John Schlaline stated that a letter of recommendations regarding the Community Park would be presented to Council at the July 7<sup>th</sup> meeting.

**Emergency Management:** Emergency Management Coordinator Andrew Raymond reported attending an informative emergency training course. Mr. Raymond stated that PennDOT has been contacted and bids have been received for the proposed Fire House sign/signal warning light. The

various types available and the possible locations were discussed. A letter of donation request will be sent to residents who have not yet donated to the Borough's Emergency Medical Services. On the topic of the Route 194 speed limit, it was suggested that PennDOT be contacted to review safety concerns.

**Personnel:** Doris Sabine stated a ninety-day performance review is scheduled for Maintenance Laborer Robert Meminger Friday, June 19, 2009 at 10:00 AM.

**Park/Recreation:** President Richards noted that an environmental site assessment report of Phase One of the Community Park is available for review.

**Unfinished Business:** President Richards discussed the By Laws of the Adams County Council of Governments that offers joint legal advertising and noted that an Ordinance would be required to join the Council. Adams County is requesting a response from those municipalities interested in joining the Council of Governments. President Richards recommends that the East Berlin Borough become a member of this organization. *Robert Clayton motioned that the Borough joins the Adams County Council of Governments; seconded by Janet Bollinger. Motion approved with all voting in favor.*

**New Business:** An agreement is to be formed between the Borough and Don Boyer and sons to farm the 4.62-acre property of Bohns Alley Lot 1. Solicitor Shultis recommends delaying the agreement per the required bid process. A letter of agreement with the Abbottstown Borough for the provision of street sweeping services will require further review regarding liability and cost concerns.

President Richards reviewed the advertisement for refuse contract and bidder options including a pre-bid conference. *Charles Eisenhart motioned to advertise for a refuse contract; seconded by Robert Clayton. Motion approved with all in favor.*

There was some discussion of the July 2009 newsletter to be sent to residents of the Borough. President Richards recommended adding a recyclables survey to the newsletter. It was suggested that the Borough acquire a postal permit to offset the cost of mass mailing and to more easily provide information to all residents of the Borough. *David Woodward motioned that a postal permit be obtained; seconded by Robert Clayton. Motion approved with all voting in favor.*

**Correspondence:**

- Letter of Burning Ordinance requirements provided to Luke Miller
- Kansas City Life Insurance separation of policies
- PennDOT Survey request
- Changes to the International Fire, Building, and Residential Codes
- Letter regarding online availability of State Property Tax Rebates
- Adams County notification to resident concerning rerouting water flow
- Lake Meade Green Committee yard waste proposals
- Pennsylvania State Association of Boroughs support of national tax
- Pennsylvania State Association of Boroughs meeting attendance inquiry
- Federal Communications Control notice of cost rate control for Comcast Cable
- Hopwood Insurance Agency response to request for cost and credits due the Borough

*The minutes of the meeting of Borough Council were closed at 9:45 PM for Executive Session.*

Respectfully submitted,

Darlene McArthur  
Secretary/Treasurer of Borough Council