

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

May 1, 2013

The first monthly meeting of the East Berlin Borough Council was held May 1, 2013, at the East Berlin Borough Hall. The meeting was opened with the Pledge of Allegiance at 7:00 PM.

Members Present: President Charles Krall; James LeVan; Roberta Teal; Charles Eisenhart; Donald Dixon; and Andrew Raymond (7:15 PM)

Members Absent: Richard Cashman

Also Present: Solicitor Matthew Battersby; Secretary/Treasurer Darlene McArthur; and David Richards

Adoption of the Minutes: The minutes of the meeting of April 3, 2013, were reviewed. *A motion to approve the minutes with the addition was made by James LeVan; seconded by Roberta Teal. Motion approved with all in favor.* The minutes of the meeting of April 24, 2013, were reviewed. *A motion to approve the minutes was made by James LeVan; seconded by Donald Dixon. Motion approved with no dissenting votes.*

Payment of Bills: A summary of bills for the month of May totaling \$20,225.62 was reviewed. James LeVan inquired of the amount of a bill from Solicitor Battersby in reference to the budgeted amount for legal fees. Solicitor Battersby reviewed the invoice with Council and itemized the charges. *James LeVan motioned to pay the bills for the month of May; seconded by Donald Dixon. Motion approved with no dissenting votes.*

Constituents Addressing Borough Council: None.

YATB Report: David Richards reported on his attendance at the recent meeting of the York Adams Tax Bureau. Topics included the recommendation to oppose the adoption of Act 44, and a proposal to allow members to vote by proxy. Mr. Richards stated that he would draw an agreement for Council to choose a proxy municipality to vote in the absence of the Borough's appointed representative. It was noted that the next meeting of the YATB is the last Monday in July.

Mayor's Report: In the Mayor's absence, Council reviewed the police report for April.

Fire Company Report: None.

Engineer's Report: None.

Solicitor's Report: Regarding Council's approval of Chesapeake Towers' Conditional Use Application for a cell tower in Kuhn's Woods, Solicitor Battersby presented the Findings of Facts and Conclusions of Law document to be mailed to the applicant. Council will be provided copies of the document. It was also noted that a National Discharge Pollution Elimination System (NPDES) permit was granted to Pennwood Products for their proposed Land Development Plan.

Committee Reports:

Finance: Council reviewed the Previous Year Financial Comparison Report. There was some discussion of the fluctuation of revenue and expenses over the same period last year. It was noted that nearly all of the amount shown for engineering expense for 2013 thus far would be reimbursed by plan applicants as part of the submission fee. Donald Dixon commented on the increasing cost of employee health insurance.

Streets/Public Safety: Roberta Teal reported that invitations to bid have been mailed to prospective bidders for the Schoolhouse Lane Drainage Project. A pre-bid meeting is scheduled for May 6, 2013, with written/telephonic bids due on May 10, 2013. Robert Meminger attended workshops and presentations on safety products, storm water management funding, PennDOT Liquid Fuels funding, and new road surfacing technology during April. A workshop meeting is scheduled with Borough Engineer Eric Mains on May 9, 2013, to discuss the traffic signal evaluation plan and other issues.

Maintenance: Andrew Raymond requested that no road work be scheduled on Routes 234 and 194 during the first week of July that could impede traffic for Gettysburg's 150th Anniversary activities. Mr. Raymond reported that research is being conducted for the replacement of the hot water heater in the Borough building, and that a fuel gauge sensor on the Hustler mower still under warranty will be repaired. There was some discussion of a speed monitoring device available on Municibid, a municipal auction website. Council concurred that the device would likely have little impact on the speed of motorists in the Borough. Mr. Raymond commented on the accidental death of a Fire Chief in Shrewsbury and discussed the need for a personal lighting device for directly traffic at night. It was also noted that Robert Meminger is researching a battery backup system for the town's traffic signal.

Planning/Zoning: The meeting minutes of the Planning Commission for March 28, 2013, were provided to Council.

Personnel: Nothing to report.

Park and Recreation: It was noted that a swing set and spring toys have been installed at the Community Park. Donald Dixon mentioned the substantial upgrades to the kitchen at the East Berlin Area Community Center.

Unfinished Business: President Krall requested comments from Council regarding the determination of a reasonable building permit fee for the forty-five thousand (45,000) square foot warehouse to be erected at Pennwood Products. It was noted that the standard method of thirty (30) cents per square foot would not be a reasonable or justified fee in covering the Borough's expenses. *James LeVan motioned to set the fee at one thousand five hundred dollars (\$1,500.00) to cover administration and estimated possible legal costs, with engineering fees incurred by the Borough to be passed onto the applicant; seconded by Andrew Raymond. Per roll call vote, all Council Members approved the motion.*

President Krall reminded Council of a meeting scheduled with Zoning Officer Robert Thaeler regarding updates to the Borough's Zoning Ordinance at 10:00 AM on May 8, 2013.

New Business: Andrew Raymond reported on his attendance at a meeting of the Adams County Council of Governments on April 25, 2013. Topics included suggestions to reduce the risk of West Nile Virus, a Resolution to support municipal use of radar to enforce speed limits, and Marcellus Shale funding available for recreational purposes. A well drilling expert presented information and sample documents at the ACCOG meeting. There was some discussion of a request from the East Berlin Car Wash for alternative methods to provide water to its customers. Solicitor Battersby noted that the Borough is under the authority of the Susquehanna River Basin Commission in matters of water usage and retention. Mr. Raymond reported that the VFW donated gambling proceeds to the East Berlin Historical Preservation Society. In response to Donald Dixon's inquiry of the recent breakfast with Representative Will Tallman at Trump's Restaurant, David Richards stated that some tax issues were discussed.

Correspondence:

- Gettysburg Chamber of Commerce Newsletter for May, 2013
- PSAB Training Schedule Updates
- PACOG Newsletter for Spring, 2013
- Adams County Commissioners Host 150th Anniversary Forum, May 7th at 6:30pm

Donald Dixon motioned to adjourn the meeting of the East Berlin Borough Council at 7:58 PM; seconded by James LeVan. Motion approved with all voting in favor.

Respectfully submitted,

Darlene McArthur
Secretary/Treasurer of Borough Council