

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

May 29, 2013 – Work Session

The second monthly meeting of the East Berlin Borough Council was held May 29, 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; Richard Cashman; Donald Dixon; and Andrew Raymond

Members Absent: Charles Eisenhart

Also Present: Mayor Keith Hoffman; Secretary/Treasurer Darlene McArthur; Borough Engineer Eric Mains; and David Richards

Constituents Addressing Borough Council: None.

Topics of Discussion:

- David Richards reported that a Resolution was received from Reading Township naming East Berlin and Hamilton Township as voting proxies in the absence of Reading Township at Adams County Tax Collection Committee meetings. It was noted that the Resolution did not state which proxy was the primary. Mr. Richards suggested that an Agreement, rather than a Resolution, would better address this issue and stated that he would draft an Agreement for East Berlin Borough to name a proxy.
- Borough Engineer Eric Mains addressed Council to propose the adoption of construction specifications as guidelines for streets, sidewalks, and curbs in the Borough, and presented a sample document. It was noted that Conewago and Reading Townships are currently updating their specification guides, which would result in a cost savings if addressed jointly. Mr. Mains stated that the Borough has some guidelines, but they are currently scattered and not all issues are addressed. The cost to the Borough in updating and adopting the construction specifications would be approximately \$2,800.00. In responding to President Krall's inquiry, Mr. Mains stated that the timeframe for taking action would be as soon as feasible to have guidelines in place for upcoming projects. President Krall inquired of the progress of the traffic signal evaluation. Mr. Mains stated that the field study with photographs was completed last week and would be provided in a report. It was noted that there are many inconsistencies with the traffic signal permit, which may assist Council in making a decision on a course of action. There was some discussion of the possible involvement of the Joint Authority and PennDOT with the signal issues.
- Regarding a request from Chesapeake Towers to waive the requirement of a Land Development Plan for a cell tower in Kuhn's Woods, President Krall reported the comments of Solicitor Battersby on the matter. It was stated that the waiver cannot be granted due to the extent of the project and its location on parkland purchased in part with Project 70 funds. A response with explanation will be provided to Chesapeake Towers.
- Bids were received for the Schoolhouse Lane Drainage Project from Henson Paving and East Berlin Excavating. Shiloh Paving did not respond to the request for a bid. It was noted that bid packets containing the required documents to be submitted were provided to the three (3) contractors, and the estimated cost of the project did not require advertisement. President Krall explained that the bid received from East Berlin Excavating was not

submitted on the required documents as provided for the use of Liquid Fuels funds, and noted that a lump-sum bid cannot be accepted. The line item breakdown submitted by East Berlin Excavating was received after the deadline for submission and was determined to be illegible, making the bid ineligible for this project. These issues were explained to Joe Grim of East Berlin Excavating so that he might submit proper documents for future projects. The only qualified bid received was from Henson Paving. It was noted that a Performance Bond and Certificate of Insurance is required prior to final approval of the contract. *Andrew Raymond motioned to award the Schoolhouse Lane Drainage Project Contract to Henson Paving for a bid of \$15,449.00; seconded by Roberta Teal. Per roll call vote, all Council Members approved the motion.*

- Regarding the extended industrial use of Zeigler Brothers' trailer storage at the former Nell's property in the Residential/Village Trade District, Council requested that Secretary McArthur instruct Zoning Officer Robert Thaeler to send a formal enforcement notice with a deadline and penalties to discontinue the use. It was noted that an informal notice was issued almost two (2) months ago, and adequate time was allowed to discontinue the storage of the trailers and use of the building.
- President Krall reported that he met with three (3) members of Liberty Fire Company to discuss funding needs and the results of a fire funding study by the Adams County Council of Governments. Some financial information was provided by Liberty Fire Company, but was incomplete. Although expenses were provided for fire service, no income was reported. Mayor Hoffman stated that the information would be provided. There was some discussion of a fire tax as proposed by the ACCOG. President Krall stated that a Per Capita Tax is not specifically dedicated to funding fire services and suggested any tax, if imposed, should be for the Fire Company only. President Krall suggested the need to educate the public on the issues with funding the Fire Company, and the difficulties in enrolling new recruits due to the number of hours required for training. It was noted that the ambulance service is basically self-supporting, and that discussions will continue on this topic. Andrew Raymond reported that the VFW recently donated \$3,000.00 to Liberty Fire Company from gambling proceeds. Roberta Teal mentioned the success of the Fairfield Fire Company, and suggested that someone from Liberty contact them to discuss funding methods.
- The Planning Commission meeting minutes of April 25th were provided to Council.
- The Park and Recreation meeting minutes of April 11th and May 9th were provided to Council.
- The Founder's Day Committee meeting minutes of May 6th were provided to Council. Roberta Teal provided an update on the activities of the Founder's Day Committee including the upcoming Taste of East Berlin Event on June 9th with a wine tasting to choose a specially labeled wine, and the progress on a Then and Now Calendar to be provided for purchase.
- Mayor Hoffman reviewed his meeting earlier today with a representative from the German American Heritage Museum in Washington, DC. The meeting was held at Redman's Hall and was attended by several members of the community including members of the Historical Preservation Society. The museum plans to display an exhibit focusing on towns named Berlin in the United States on June 26th to coincide with the 50th Anniversary of President John F. Kennedy's speech in West Berlin, Germany.
- President Krall reviewed a letter from the Adams County Conservation District requesting the support of the Borough in restoring funding removed from the State's budget. There was some discussion of the many benefits provided by the ACCD to the residents of the County. Council concurred that letters would be sent to our local congressional

representatives requesting their support in restoring these funds to the Conservation District.

- A request was received for membership in the Liberty Fire Company Ambulance Club.
- Information was received from the Pennsylvania Department of Environmental Protection regarding demolition reporting requirements for commercial buildings due to asbestos contamination.
- President Krall reminded Council of training and webinar opportunities for their review.
- Andrew Raymond commented on the outstanding performance of Bill Mayer and Paul Kopp in orchestrating the Memorial Day Parade and activities.

The meeting of the East Berlin Borough Council adjourned at 8:04 PM.

Respectfully submitted,

Darlene McArthur
Secretary/Treasurer of Borough Council