

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

June 5, 2013

The first monthly meeting of the East Berlin Borough Council was held June 5, 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:** Solicitor Matthew Battersby; Secretary/Treasurer Darlene McArthur; and Diane Weaver, Reporter for the Evening Sun

**Adoption of the Minutes:** The minutes of the meeting of May 1, 2013, were reviewed. *A motion to approve the minutes was made by Roberta Teal; seconded by Andrew Raymond. Motion approved with all in favor.* The minutes of the meeting of May 29, 2013, were reviewed. *A motion to approve the minutes was made by James LeVan; seconded by Andrew Raymond. Motion approved with no dissenting votes.*

**Payment of Bills:** A summary of bills for the month of June totaling \$20,554.92 was reviewed. Secretary McArthur reported that a claims fund surplus payment was received from Benecon, the Borough employee health insurance company, in the amount of \$6,202.11 for the year 2012. There was some discussion of engineering and legal fees paid by the Borough to be reimbursed by Pennwood Products for plan reviews. *Andrew Raymond motioned to pay the bills for the month of June; seconded by Roberta Teal. Motion approved with no dissenting votes.*

**Constituents Addressing Borough Council:** There were no constituents to address Council. Diane Weaver introduced herself to Council as a reporter from the Hanover Evening Sun.

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

**Fire Company Report:** None.

**Engineer's Report:** Regarding Borough Engineer Eric Main's proposal at the previous meeting of Council, there was a discussion of the adoption of construction specifications. James LeVan stated that he has given the matter considerable consideration and has concerns of the enforcement of the proposed guidelines. Solicitor Battersby mentioned his familiarity with the specifications in other municipalities, usually based on a reference in Subdivision and Land Development Ordinance, and noted that in the case where there is no reference in the municipal SALDO, many municipalities follow the guidelines of PennDOT. It was noted that the Borough has little room for further development requiring construction specifications, and that sidewalk and curbing requirements are somewhat addressed by the Borough Code, while the Excavations in Streets Ordinance addresses restoration. Mr. LeVan again stated his concern of the cost of the review of the Borough Engineer in enforcing construction specifications if adopted. President Krall stated that this would be further discussed with Mr. Mains.

**Solicitor's Report:** Regarding several delinquent trash accounts, Solicitor Battersby proposed to submit the delinquencies to the District Magistrate, in which case personal property could be seized if the accounts are not paid. *Andrew Raymond motioned to have the Solicitor submit the delinquent accounts to the District Magistrate; seconded by Roberta Teal. Motion approved with no dissenting votes.*

Solicitor Battersby reminded Council that Officer Grim will be retiring in approximately three (3) years and that options for future law enforcement should be considered; whether independent, regional, or state coverage is desired. James LeVan proposed to remain independent and discussed the advantages of having an officer on location within the Borough. Andrew Raymond suggested the option to hire a part time police officer to learn with Officer Grim prior to his retirement. Regarding a discussion of the possibility of programs available to fund a new police officer, Mr. LeVan stated that he would research the issue. President Krall commended Officer Grim for his competent performance and ability to calm a volatile situation with his many years of experience in this position.

**Committee Reports:**

**Finance:** Council reviewed the Previous Year Financial Comparison Report. There was some discussion of the fluctuation of tax revenues, and the receipt of a hotel tax new for 2013.

**Streets/Public Safety:** Roberta Teal reported that a workshop was held on May 9, 2013 with Borough Engineer Eric Mains. Topics included priorities for the traffic signal evaluation, updates to the Schoolhouse Lane project, and a review of the proposed construction specifications. The traffic signal evaluation was performed on May 23, 2013, with a final report expected in the near future. A meeting with PennDOT is recommended to resolve traffic signal permit compliance issues. Ms. Teal reported that she received a complaint from Dr. Chad Buohl regarding a neighbor's mailbox placed on the edge of his property at the yellow curbing per the instructions of the Post Office. President Krall stated that he is unsure of the Borough's ability to intervene on this issue. Solicitor Battersby noted that the placement of the mailbox is within the right-of-way of a State road, and that the Post Office has authority on this matter. Regarding a drainage issue near the Young's property on Beaver Street, Ms. Teal reported that Nevin Nell has planted additional landscaping and grass which has alleviated the problem for now.

**Maintenance:** Andrew Raymond reported that a gas gauge sensor on the Hustler mower was replaced while under warranty. A stolen pedestrian crosswalk sign was recovered by Reading Township Police during a traffic stop and returned to the Borough. A new hot water heater was installed in the Borough Hall and a carbon monoxide detector will be installed near the furnace room. The air conditioning unit was cleaned and inspected per the annual schedule. Mr. Raymond mentioned a bump in the road on Lodge Lane likely due to a collapsing pipe, and requested inspection by the Borough Engineer.

**Planning/Zoning:** Regarding proposed updates to the Borough's Zoning Ordinance, President Krall reminded Council of the upcoming meeting with Robert Thaeler scheduled for 10:00 AM on June 12, 2013. President Krall stated that he would be unable to attend, and requested that Andrew Raymond attend the meeting.

**Personnel:** James LeVan reported that the Personnel Committee would be meeting to discuss an application received for an opening on the Parks and Recreation Commission.

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

**Unfinished Business:** President Krall reported that preparations for the Schoolhouse Lane Drainage Project are moving ahead with Henson Paving. Regarding Council's request to Zoning Officer Robert Thaeler to issue a formal enforcement notice to discontinue the industrial use at the former Nell's property, President Krall reported that no notice has yet been issued. Council will follow up with Mr. Thaeler at next week's zoning meeting.

**New Business:** President Krall reviewed his attendance at an event to commemorate the momentous accomplishment of Zeigler Brothers in receiving an award as the number one exporting business in the United States in the category of small businesses. There was a discussion of the details of the operations at Zeigler's in providing specialized feed for rare animals and those with specific needs.

Regarding the issue of proxy voting at meetings of the York Adams Tax Bureau and the Adams County Tax Collection Committee, a letter and agreement with Reading and Hamilton Township were provided to Council from the Borough's designated representative, David Richards. After further review of the letter and agreement, Council will address the issue at the next Regular Session.

President Krall stated that he would be attending the next meeting of the Board of Liberty Fire Company to further discuss funding needs on June 11, 2013, and mentioned an email received from David Richards reviewing these issues at the Fire Company.

**Correspondence:**

- Gettysburg Chamber of Commerce Newsletter for June, 2013
- President's Message from the Adams County Council of Governments
- PSAB Webinars and Training Available

*Andrew Raymond motioned to adjourn the meeting of the East Berlin Borough Council at 7:52 PM; seconded by Donald Dixon. Motion approved with all voting in favor.*

Respectfully submitted,

Darlene McArthur  
Secretary/Treasurer of Borough Council