

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

August 28, 2013 – Work Session

The second monthly meeting of the East Berlin Borough Council was held August 28, 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; Donald Dixon; and Andrew Raymond (7:10 PM)

Members Absent: Richard Cashman; and Charles Eisenhart

Also Present: Mayor Keith Hoffman; Secretary/Treasurer Darlene McArthur; and Diane Weaver, Reporter for the Evening Sun

Constituents Addressing Borough Council: None.

Topics of Discussion:

- Regarding issues with the traffic signal intersection, President Krall reported that responses from PennDOT indicate their unwillingness to assist with corrections while placing responsibility on the Joint Authority. President Krall stated that having the Joint Authority repaint the misplaced traffic lines would be the least expensive method, while holding off on replacing the loop detector to consider the possibility of a video detection system. There was some discussion of pedestrian crossing issues to be addressed in the future.
- President Krall noted that estimates were received for crosswalk painting.
- The issue of proxy voting for the York Adams Tax Bureau and the Adams County Tax Collection Committee will be addressed when input is received from the Borough's appointed delegate, David Richards.
- The Founder's Day Committee meeting minutes of August 5, 2013, were reviewed by Council. Regarding the proposed publication of *The Wheels of Time Part 2, the Wheels Keep Turning*, Roberta Teal reported that a brochure to sell advertisements to local businesses has been drafted. Ms. Teal explained the option of the Borough becoming a member of the Gettysburg Chamber of Commerce in order to obtain a mailing list of member businesses. Ms. Teal discussed the tentative plans for a New Year's Eve celebration at the Park to include raising a lantern at midnight, a bonfire, fireworks, and refreshments. There was some discussion of additional future events to celebrate the Borough's 250th Anniversary.
- Council reviewed a letter from the Parks and Recreation Commission recommending additional insurance on equipment at the Park. President Krall stated that the matter would be addressed at the next meeting of Council.
- The Parks and Recreation Commission meeting minutes of July 11, 2013, were reviewed by Council. President Krall discussed a drainage issue in the playground area of the Park, and noted that a three hundred foot (300') excavation would be needed to place drainpipe. In response to President Krall question regarding electricity at the Park, Roberta Teal stated that Met Ed would contact the Borough office with estimated cost.
- The Planning Commission meeting minutes of July 25, 2013, were reviewed by Council.
- President Krall discussed a newspaper article regarding York Wellspan's decision to discontinue the leasing of EMS personnel to local volunteer fire companies. The article stated that Keith Noll, President of York Hospital, proposes a regional program to serve multiple municipalities, and that Wellspan would assist where needed including equipment and start-up funds. President Krall noted

the possibility of joining with Paradise Township for EMS service. Andrew Raymond mentioned the Dover Township EMS program.

- Council reviewed a notice to transfer the lease for the proposed cell tower from Liberty Towers, LLC to CIG Towers, LLC.
- A letter was received from the Adams County Office on Aging requesting the Borough's continued support of the East Berlin Senior Center.
- A Workers Compensation Cost Survey was received from the Pennsylvania State Association of Boroughs (PSAB) relating to the impact of Act 46, the Firefighters' Cancer Presumption Act. PSAB intends to collect data to prompt needed changes to the law due to the financial burden now placed on municipalities.
- President Krall reviewed the status of a cost overrun by Henson Paving on the Schoolhouse Lane Project. Since there was no preapproved change order for the additional cost, President Krall and Robert Meminger met with Mike Greenholt of Henson Paving to express Council's concern with the lack of communication and to request an explanation. Mr. Greenholt felt that his discussion with Mr. Meminger regarding the additional work was sufficient, but Mr. Meminger disagreed and noted that a change order was not submitted. After clarification of the correct process, President Krall stated that he was assured the oversight in obtaining documented approval would not happen again. It was also noted that the additional work was necessary for proper grading at the intersection of Schoolhouse Lane and North Avenue. James LeVan stressed that he does not approve payment of the additional cost because due process was not followed. There was some discussion of maintaining a working relationship between the Borough and Henson Paving for future projects. President Krall stated that the issue would be addressed at the next meeting.
- On the issue of crosswalk painting, Andrew Raymond raised concerns of the painted areas being slippery, especially if wet, and mentioned possible injury to pedestrians and liability issues. With "piano key" style paint markings on the crosswalk, much of the road surface is covered with paint. Mr. Raymond proposed to have the crosswalks painted with two (2) straight lines marking only the edge of the walking area, and noted it would be safer and less expensive to paint. Roberta Teal reviewed the bids that were received for the "piano key" style painting and the locations of the crosswalks. President Krall stated that there would be further discussion on the type of lines to be used.
- On the issue of the change order invoice from Henson Paving, President Krall asked James LeVan if he would like to personally meet with a representative from Henson Paving to discuss the matter. Mr. LeVan stated that it would not change his mind to refuse payment of the unauthorized cost overrun, and that a contract is a contract. President Krall stated that Council would vote on the issue at next week's Regular Session.
- President Krall reminded Council to review the Adams County Council of Governments' information packet regarding fire department funding, and noted that a meeting is scheduled for September 10th at 7:00 PM to discuss the materials.
- In response to Donald Dixon's inquiry regarding the findings of the Auditor General's report on Liberty Fire Company's Fire Relief Funds, President Krall stated that the issues have been corrected. Mayor Hoffman stated that the Borough will be notified by the Auditor General when the compliance requirements are met. President Krall noted that Fire Relief Funds may be invested, but may not be mixed with general or other funds.

The meeting of the East Berlin Borough Council adjourned at 8:00 PM.

Respectfully submitted,

Darlene McArthur
Secretary/Treasurer of Borough Council