

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

September 4, 2013

The first monthly meeting of the East Berlin Borough Council was held September 4, 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; Andrew Raymond; and Donald Dixon

**Members Absent:** Charles Eisenhart, excused for medical reasons

**Also Present:** Mayor Keith Hoffman; Solicitor Matthew Battersby; Secretary/Treasurer Darlene McArthur; David Richards; Jan Hoffman; and Mike Thomas of Liberty Fire Company

**Adoption of the Minutes:** The minutes of the meeting of August 7, 2013, were reviewed. *A motion to approve the minutes was made by James LeVan; seconded by Andrew Raymond. Motion approved with all in favor.* The minutes of the meeting of August 28, 2013, were reviewed. *A motion to approve the minutes was made by Roberta Teal; seconded by Andrew Raymond. Motion approved with no dissenting votes.*

**Payment of Bills:** A summary of bills for the month of September totaling \$27,560.66 was reviewed. There was some discussion of an invoice from A & L Computers for restoring internet to two Borough computers. It was noted that the cause of the disconnection was a faulty router. In response to Donald Dixon's inquiry of a Columbia Gas invoice in summertime, President Krall responded that the water heater is gas-powered. *James LeVan motioned to pay the bills for the month of September; seconded by Roberta Teal. Motion approved with no dissenting votes.*

**Constituents Addressing Borough Council:** David Richards addressed Council with questions regarding his recent review of Council meeting minutes on the Borough's website. In response to his question of the submission of a land development plan for the proposed cell tower in Kuhn's Woods, President Krall stated that the plan has not yet been received. Regarding a complaint of an area of asphalt collapsing on Lodge Lane, Andrew Raymond stated that the issue has not yet been addressed. In response to Mr. Richard's inquiry of the status of a sign at Liberty Fire Company, Secretary McArthur stated that a zoning permit was granted for the sign {not to be illuminated}. Regarding Mr. Richard's concerns of the electrical cord attached to the sign, it was noted that zoning does not address electrical issues. President Krall inquired of the proposed proxy voting with Hamilton Township, Reading Township, and East Berlin Borough for representation at meetings of the YATB and ACTCC since Reading Township returned the agreement unsigned. Mr. Richards stated that the agreement which addresses all three (3) municipalities would be preferable to Reading Township's resolution which only addresses their own, and that he would again discuss the matter with Reading Township. In response to President Krall's inquiry of an operating agreement between the Borough and the East Berlin Area Community Center, Mr. Richards replied that EBACC has not yet taken action and no comments were received on the proposed agreement. At President Krall's request, Mr. Richards will email a draft of the agreement.

Jan Hoffman addressed Council as a representative of GREATR (Greenway Routes for Eastern Adams Transportation) with an update to the proposed 1.3 mile rail trail from East Berlin Borough to Pine Run Road in Hamilton Township. Ms. Hoffman presented a visual aid of the project and explained the access points in the Borough. It was also noted that the trail would extend further into

Adams County at some point in the future. President Krall inquired if the feasibility study for the proposed trail has yet started. Ms. Hoffman replied that it has not, but a grant was awarded from DCNR for the study, a committee is being formed, and the project is moving ahead. Ms. Hoffman reported that the fourth annual stream clean is scheduled for September 21<sup>st</sup> (always the third Saturday in September) at 10:00 AM to meet at EBACC, and that all are welcome to join in the project. The cleanup will begin at the Route 234 bridge west of town and end at the Route 194 bridge north of town. Ms. Hoffman stated that Gerry Mummert of Reading Township will again provide chicken barbeque at the Park at the end of the project.

**Mayor's Report:** Council was provided the police reports for July and August. Mayor Hoffman stated that preparations are in place for Colonial Day. Andrew Raymond mentioned speaking with two (2) suspicious young men on bicycles late last night near his neighborhood and stated that he would report the incident to Officer Grim.

**Fire Company Report:** Mike Thomas of Liberty Fire Company reported seventeen (17) fire calls and seventy-seven (77) ambulance responses for the month of August. Mr. Thomas stated that the findings of the Auditor General are being corrected at the Fire Company, and a committee is being formed to address EMS issues resulting from York Wellspan's decision to discontinue leasing ambulance personnel.

**Engineer's Report:** In a discussion of the proposed video detection system for the traffic signal, Council reviewed a quote from the Borough Engineer to draft a plan for PennDOT's approval. The quote of three thousand dollars (\$3,000.00) provided details of estimated time and comments including a reference to crosswalk painting style. There was some discussion of parallel line painting versus piano key style crosswalk markings. Richard Cashman questioned the Joint Authority's role in addressing the issue of cut loop sensors and misplaced lane markings. President Krall stated that the issue would be discussed at tomorrow night's meeting of the Joint Authority. In response to James LeVan's comment that the current timer system would be sufficient, President Krall noted that the timer system is not in compliance with the traffic signal permit. Mr. LeVan stated that he would address this with PennDOT. Roberta Teal commented that if the loop detection system remains in place, damage will continue to occur as in the past with street projects in the square. *Andrew Raymond motioned to have the Borough Engineer draft a plan for a video detection system per the quote received; seconded by Roberta Teal. Per roll call, votes were cast as follows: Donald Dixon, no; Roberta Teal, yes; Andrew Raymond, yes; Richard Cashman, yes; James LeVan, no; and Charles Krall, yes. Motion approved by a vote of four (4) to two (2).*

**Solicitor's Report:** Solicitor Battersby discussed a cost overrun and change order amount of \$2,952.00 for the Schoolhouse Lane Project with Henson Paving. Since the work was completed prior to obtaining Council's approval, President Krall requested a meeting with Mike Greenholt from Henson Paving to discuss Council's concern of improper procedure. It was noted that Mr. Greenholt felt that the requirement of the additional work had been sufficiently conveyed verbally. James LeVan stated that only the original amount of the contract should be paid. Andrew Raymond inquired if the matter should go to court, would the cost to the Borough be greater than the amount of the cost overrun. Solicitor Battersby responded probably not. Roberta Teal discussed the miscommunication issue between Henson Paving and Borough Maintenance Worker Robert Meminger. It was noted that the cost of the additional work was never clarified or documented. *James LeVan motioned to not pay the cost overrun invoice; seconded by Richard Cashman. Per roll call, votes were cast as follows: James LeVan, yes; Richard Cashman, yes; Andrew Raymond, yes; Roberta Teal, no; Donald Dixon, no; Charles Krall, no. In a tie-breaking vote, Mayor Hoffman voted no. By a vote of four (4) to three (3), the motion was defeated.* President Krall suggested that

another discussion should be scheduled with Henson Paving, and that James LeVan should set up the meeting. There was some discussion of a possible compromise with Henson Paving on the issue.

**Committee Reports:**

**Finance:** Council reviewed the Previous Year Financial Comparison Report and Summary of Accounts. Secretary McArthur reminded Council to consider the upcoming 2014 budget.

**Streets/Public Safety and Maintenance:** Roberta Teal reported that mowing continues at the same pace as in the spring, and that a rear tire on the riding mower was replaced due to being cut while in use. PennDOT has replaced some of the storm drain grates on King Street with bicycle-friendly ones, and will continue until all the grates on King Street are replaced. A new gutter broom was installed on the street sweeper and a thermostat was replaced on the Dodge police cruiser. Both the former and the current police cars will require new tires this fall. A plan to address the drainage issue at the new playground area is underway. Quotes have been requested for painting parallel lines at the crosswalk locations and will be compared with quotes received for piano key style painting. Donald Dixon inquired if the excavation on East King Street was to replace the entire waterline. President Krall stated that the excavation was to repair a break in the line.

**Planning/Zoning:** Nothing to report.

**Personnel:** Nothing to report.

**Park and Recreation:** There was some discussion of the recommendation previously submitted by the Parks and Recreation Commission for additional insurance needed to cover new playground equipment, benches, and picnic tables at the Park. *Roberta Teal motioned to approve the additional insurance; seconded by Andrew Raymond. Motion approved with no dissenting votes.*

**Unfinished Business:** None.

**New Business:** As Chief Administrative Officer of the Borough's Uniformed and Non-Uniformed Pension Plans, Secretary McArthur provided Council with the 2014 Minimum Municipal Obligation (MMO).

**Correspondence:**

- ACCOG Meeting to Discuss Fire Tax - Tuesday, 9/10/2013, 7:00pm at EMS Facility
- Adams County Boroughs Association Meeting - 9/16/2013, 6:15pm at Pike Restaurant
- Gettysburg Chamber Breakfast - 9/12/2013, 7:00pm at Eisenhower Hotel, Gettysburg
- Gettysburg Chamber of Commerce September Newsletter

President Krall stated that he would be out of town from September 7<sup>th</sup> to September 24<sup>th</sup> but could be reached by cell phone if needed, and that the monthly meeting regarding updates to the Borough's Zoning Ordinance is scheduled for September 11<sup>th</sup> at 10:00 AM.

*Donald Dixon motioned to adjourn the meeting of the East Berlin Borough Council at 8:05 PM; seconded by Andrew Raymond. Motion approved with all voting in favor.*

Respectfully submitted,

Darlene McArthur  
Secretary/Treasurer of Borough Council