

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

January 6, 2014 - Reorganization and Regular Session

The first monthly meeting of the East Berlin Borough Council was held January 6, 2014, at the East Berlin Borough Hall. Mayor Hoffman opened the meeting with the Pledge of Allegiance at 7:00 PM.

Members Present: Charles Krall; James LeVan; Roberta Teal; Andrew Raymond; Jason Wood (left at 8:15 PM); and Catherine Lockey

Members Absent: Donald Dixon

Also Present: Mayor Keith Hoffman; Secretary/Treasurer Darlene McArthur; and David Richards

Oath of Office: Mayor Hoffman was previously sworn in by District Judge Tony Little on December 12, 2013, and submitted his signed Oath of Office and Certificate of Election for Borough record. Mayor Hoffman swore in Council Member Catherine Lockey whose Oath of Office and signed Affidavit of Residency were submitted for Borough record. Council Members Andrew Raymond and Jason Wood were previously sworn in at the Adams County Courthouse on December 31, 2013, and Oaths of Office will be filed for Borough record.

Nomination of Officers: *James LeVan nominated Charles Krall for the office of Council President. All Council Members approved the nomination. Roberta Teal nominated James LeVan for the office of Council Vice President. All Council Members approved the nomination. Charles Krall nominated Andrew Raymond for the office of Council President Pro Tem. All Council Members approved the nomination.* President Krall took the chair and reminded Council that the President's seat is not a term limit and that the seating of Officers may be changed at the pleasure of Council.

Appointments: President Krall proposed that Roberta Teal chair the Finance Committee with himself as a Member. An additional Member would be appointed after the other Committees are formed. President Krall proposed that Andrew Raymond chair the Streets and Public Safety Committee with Roberta Teal and Donald Dixon as Members. Andrew Raymond will continue to chair the Maintenance Committee with Jason Wood and Donald Dixon as Members. Donald Dixon will continue to chair the Planning and Zoning Committee with Catherine Lockey and Andrew Raymond as Members. James LeVan will continue to chair the Personnel Committee with President Krall and Catherine Lockey as Members. President Krall proposed that Jason Wood serve as a Member of the Finance Committee. All Council Members were agreeable to the appointments.

Andrew Raymond motioned to have Attorney Matthew Battersby continue as the Borough's Solicitor; seconded by Roberta Teal. Motion approved with all in favor. Roberta Teal motioned to have Eric Mains of Buchart Horn continue as the Borough Engineer; seconded by Andrew Raymond. Motion approved with no dissenting votes.

Resolution to Appoint Bank Signers: President Krall proposed that authorized signers for the Borough's accounts include Roberta Teal and himself. It was noted that Borough policy requires

two signatures on checks. After some discussion, it was decided to include Andrew Raymond in the event that the other signers are not available. Secretary/Treasurer Darlene McArthur would continue as an authorized bank signer. *Andrew Raymond motioned to adopt Resolution 1-2014-1 naming President Krall, Ms. Teal, Mr. Raymond, and Ms. McArthur as authorized bank signers; seconded by Jason Wood. Motion approved with all in favor.*

Adoption of the Minutes: The minutes of the meeting of December 4, 2013, were reviewed. *A motion to approve the minutes was made by Roberta Teal; seconded by James LeVan. Motion approved with all in favor.* The minutes of the meeting of December 18, 2013, were reviewed. *A motion to approve the minutes was made by James LeVan; seconded by Roberta Teal. Motion approved with no dissenting votes.*

Payment of Bills: A summary of bills for the month of January totaling \$17,401.44 was reviewed. In response to Catherine Lockey's inquiry of the advertising cost of the Borough's proposed budget, it was noted that the Borough is required to place public notice of specific actions, meetings, hearings, etc. There was some discussion of engineering costs, some of which would be paid by Liquid Fuels Funds for the proposed update to the traffic signal permit for a video detection system. *Jason Wood motioned to pay the bills for the month of January; seconded by Roberta Teal. Motion approved with no dissenting votes.*

Constituents Addressing Borough Council: David Richards congratulated Roberta Teal for her efforts on the successful New Year's Eve event and other programs planned by the Founder's Day Committee.

Mayor's Report: Council was provided the police report for December. Mayor Hoffman noted that there were no problems to report for the New Year's Eve event in the Borough, and that he was quite impressed with the evening's activities.

Engineer's Report: None.

Solicitor's Report: None.

Committee Reports:

Finance: Council reviewed the Previous Year Financial Comparison Report and Summary of Accounts. President Krall mentioned specific revenues that were received too late to post for 2013 Borough income including \$8,600.00 in real estate tax and \$1,739.00 in real estate transfer tax, and 2013 revenues still outstanding including a worker's compensation insurance municipal cost sharing payment and a plan review invoice. In response to Catherine Lockey's inquiry regarding a franchise payment received from Comcast Cable, it was noted that franchise agreements are a standard practice for utility providers and municipalities, and have been in place for many years. Ms. Lockey complained of the poor internet service provided by Comcast and suggested that Fios service should be provided in the Borough. Jason Wood explained that Fios availability is currently very limited, and that it would not be cost effective for Verizon to run fiber optic cable from York to East Berlin at this time. It was noted that, in addition to Comcast as an internet provider, dish providers and DSL (digital subscriber line) are internet options. Ms. Lockey stated that she would like to review the franchise agreement with Comcast.

Streets/Public Safety and Maintenance: Andrew Raymond reviewed the number of man hours and anti-skid material used during recent inclement weather events, and noted the job well done by the Borough's maintenance workers. Research is being conducted to provide the most efficient brine solution and its application for certain types of weather events and conditions. The Borough's Engineer is working with PennDOT to complete the final stages of the permit application for the traffic signal upgrade this month. President Krall reported that a meeting scheduled for the Borough and the Joint Authority to meet with Buchart Horn to discuss GIS (geographical information system) planning has been postponed until next week. There was some discussion of the purpose and benefits of GIS planning for the Borough.

Planning/Zoning: President Krall discussed a draft of the Borough's new Zoning Ordinance and noted that the Planning Commission will be scheduling public meetings prior to the final adoption process. It was noted that a copy of the proposed Ordinance is available in the Borough office.

Personnel: James LeVan reported two Board openings to be addressed by Council. *James LeVan motioned to reappoint Stanley Hollenbaugh to the Zoning Hearing Board for another five-year term.* There was no second motion and no action was taken. Mr. LeVan stated that he would pursue another applicant to fill the vacancy. *James LeVan motioned to appoint Rick Saxon to the Board of the Joint Authority to a five-year term ending December 31, 2018; seconded by Andrew Raymond. Per roll call vote, all Council Members approved the motion.*

Park and Recreation: Andrew Raymond reported that work on the playground equipment installation has been suspended due to inclement weather.

Unfinished Business: President Krall discussed a request by the Founder's Day Committee for Council to allow campfires at the Borough Park for the planned civil war re-enactment in May, 2014. *Roberta Teal motioned to allow campfires at the Park for the special event; seconded by Jason Wood. Motion approved with no dissenting votes.* Secretary McArthur stated that she would draft a letter of special permission to the Founder's Day Committee.

Regarding Liberty Fire Company's agreement to place a corrective notice in the newspaper addressing the Borough's contribution amount in 2012, it was noted that the notice has not been posted. Mayor Hoffman stated that he would address the subject at the next Fire Company meeting. Roberta Teal stated that she would submit her proposed notice to the newspaper for Council's review at the next meeting.

Roberta Teal reported on her attendance at a zoning hearing in Hamilton Township for Dollar General to erect a 9,100 square foot store on Route 194 just north of Cashman's True Value. Two (2) variances were requested; to allow a parking design similar to Cashman's rather than to the rear of the property, and to alter the number of required parking spots. Both variances were granted. There were some concerns raised at the hearing regarding the historical status of an existing house on the property, but it was determined that there was no historical significance. Concerns were raised regarding the nearby intersection of Route 194 and Beaver Street, but the issue had no bearing on the zoning hearing.

New Business: President Krall reviewed a request from Pennwood Products to release the security escrow in connection with their construction project. Secretary McArthur previously requested that Borough Engineer Eric Mains review the request and provide a recommendation to Council.

James LeVan motioned to ratify the request to the Borough Engineer; seconded by Roberta Teal. Motion approved with all in favor.

President Krall reported that CIG Towers has again extended the feasibility study period for the proposed cell tower in Kuhn's Woods. As allowed per the agreement, the feasibility study period has been extended another six (6) months to June 28, 2014.

In a discussion of the proposed 2014 budgeted contributions, President Krall noted a surplus of revenue in the actual 2013 year-end figures and reported that a transfer of \$15,000.00 has been made to a General Reserve Fund for future use as needed. Regarding a Contributions Policy from 2008, Council discussed some proposed revisions. *Roberta Teal motioned to change the allowed contributions from .8 percent to 1 percent, and that the percentage be based on previous year-end actual figures rather than the proposed General Fund budget; seconded by Andrew Raymond. Motion approved with all in favor.* There was some discussion of the amendment allowance of additional contribution funds available and a proposal to increase the amount of the 2014 budgeted contributions. *Roberta Teal motioned to contribute \$2,000.00 to the East Berlin Community Library, \$750.00 to the Senior Center, and \$1,250.00 to Liberty Fire Company; seconded by Andrew Raymond. Per roll call vote, all Council Members approved the motion.*

Correspondence:

- Founder's Day Committee Meeting Minutes of 12/16/2013
- Letter to the Editor Thanking Those Who Assisted with the New Year's Eve Event
- Gettysburg Chamber of Commerce Newsletter for January
- Training and Webinars Available
- Distinguished Service Award Nomination to PSAB for Roberta Teal

Catherine Lockey motioned to adjourn the meeting of the East Berlin Borough Council at 8:25 PM; seconded by Andrew Raymond. Motion approved with all voting in favor.

Respectfully submitted,

Darlene McArthur
Secretary/Treasurer of Borough Council