

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

January 29, 2014 – Work Session

The second monthly meeting of the East Berlin Borough Council was held January 29, 2014, 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; Jason Wood; Catherine Lockey; and Andrew Raymond

Members Absent: None.

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

Constituents Addressing Borough Council: David Richards addressed Council to recommend the appointment of an alternate delegate to the Adams County Tax Collection Committee (ACTCC), and noted that failure to appoint is a violation of State Act 32. Mr. Richards stated that most of the work of the ACTCC is finished except to supervise the tax collection of the York Adams Tax Bureau (YATB), and that they have scheduled four (4) meetings this year, but will likely have only three (3) meetings. The Department of Community and Economic Development (DCED) has voiced concerns of the lack of delegates to make a quorum. Although unlikely, DCED may penalize members of the ACTCC with fines for non-appointment of a delegate and alternate. Mr. Richards urged Council to appoint an alternate to the ACTCC. President Krall thanked Mr. Richards for his comments and noted that the Personnel Committee will be meeting on Friday to address this request.

Topics of Discussion:

- President Krall discussed the bond release request from Pennwood Products held in security for the warehouse construction project, and noted that agreements are needed by Pennwood with both the Borough and the Joint Authority before the bond can be released. President Krall stated that the \$115,000.00 bond is in place to cover any failure of the project and that the release request would be addressed at the next meeting of Council with the Borough Solicitor in attendance. Council reviewed three (3) memorandums from the Borough Engineer regarding the requirements to be met for release of the bond. The last remaining requirement stated in the comments, the provision of a Stormwater Management Operation and Maintenance Agreement, was met today when Skip Coxon of Pennwood Products submitted the signed Agreement for Council's signature. There was some discussion of the complexities of Stormwater Management under current regulations. President Krall proposed to sign the Agreement with Pennwood and noted that Solicitor Battersby reviewed and approved the final version. *Roberta Teal motioned to sign the Agreement; seconded by Andrew Raymond. Motion approved with all in favor.* The signed Agreement was notarized by Stacey Smith of H & P Tag and Notary Service.
- Regarding Council's motion to amend the Borough's Contribution Policy at the previous meeting, President Krall stated that further research proved the 2008 Policy was never properly adopted by either Resolution or motion of Council and cannot be amended. President Krall suggested that Council consider if a valid Contribution Policy should be drafted and adopted. David Richards discussed the 2008 action due to excessive contributions without defining guidelines, but stated there is likely no need for a policy at this point. Andrew Raymond proposed that contributions be made to organizations that specifically benefit the Borough and mentioned the Rabbit Transit System. President Krall suggested that a Resolution be drafted stating that contributions will be determined at the beginning of each year based on the profit/loss figure of the previous year, but would not bring into account any specific dollar amount, percentage, or recipient. Secretary McArthur agreed to draft a Contributions Policy for Council's review.
- President Krall proposed researching other options for the Borough's inspection service provider and discussed recent issues with our current Borough Inspector, Ed Strevig of Middle Department Inspection

Agency. Concerns include the issuance of an occupancy permit to Pennwood Products without the collaboration of the Borough or the Joint Authority, not providing documentation to the Borough until requested, and other issues. Other inspection services being considered include Land & Sea Services and Commonwealth Code Inspection Services, both considered reputable providers servicing nearby municipalities. Secretary McArthur stated that she would request a fee schedule from both of these providers for Council's review.

- President Krall presented a legislative survey memorandum from the Adams County Council of Governments (ACCOG), and requested that Council Members complete the form ranking State and Federal issues that impact local governments and schools. The forms are to be provided to Andrew Raymond for his next attendance of the ACCOG meeting in February.
- Council reviewed a Scope of Service/Fee Report for a Borough Utility Mapping (GIS) Proposal from Joint Authority Engineer Bruce Hulshizer and Borough Engineer Eric Mains. President Krall explained the purpose and the benefits of the mapping project for both the Borough and the Joint Authority, and noted that the Authority would pay their portion of this expense. In a discussion of the cost for providing this service, President Krall noted that the software needed for the Borough to develop the maps would be very expensive and our current computer operating systems would not support the software. Mr. Mains will be at the next meeting of Council to further explain the mapping system and provide an update on the status of the proposed video detection system for the Borough's traffic signal.
- The January 7th meeting minutes of the Founder's Day Committee were provided to Council. Committee Chairperson Roberta Teal discussed a church service to be provided by the Civil War Re-enactors at the Park encampment, and noted that tents would be provided.
- Council reviewed the meeting minutes of the Park and Recreation Commission for December 12th.
- The December 11th meeting minutes of the Planning Commission were provided to Council. President commented that the January meeting of the Planning Commission included a review of the proposed Zoning Ordinance update with Zoning Officer Robert Thaeler in attendance. A public hearing is to be scheduled by the Planning Commission.
- The Adams County Boroughs Association January newsletter was received. The next meeting of the ACBA is March 17, 2014.
- A thank you letter was received from the East Berlin Community Library for the Borough's recent donation of \$2,000.00.
- President Krall reminded Council that training opportunities and webinars are available.
- In reviewing a memo from Robert Meminger of 2013 mowing expenses, President Krall reported the savings of the diesel-powered Hustler mower over the former gas-powered Cadet mower in both fuel usage and time spent mowing. Research had predicted a fuel efficiency increase of thirty percent (30%) to fifty percent (50%), but the actual fuel usage exceeded expectations. Council agreed that the purchase of the Hustler mower produced positive results.
- As the Borough's Emergency Management Coordinator, Andrew Raymond reported that he would be attending a hazardous materials class at the Gettysburg Fire Department as required by the Office of Homeland Security.
- President Krall advised newly-elected Council Members Jason Wood and Catherine Lockey of the responsibilities of utilizing email in regard to Borough business as a matter of open record. President Krall also reviewed the matter of the time involved and expense of copying large documents to be reviewed outside the Borough Hall, and urged that these files be reviewed in-house when time permits.

The meeting of the East Berlin Borough Council adjourned at 8:08 PM.

Respectfully Submitted,

Darlene McArthur
Secretary/Treasurer of Borough Council