

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

May 7, 2014

The first monthly meeting of the East Berlin Borough Council was held May 7, 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; Andrew Raymond; Donald Dixon; Jason Wood; and Catherine Lockey

**Members Absent:** None

**Also Present:** Mayor Keith Hoffman; Solicitor Matthew Battersby; Secretary/Treasurer Darlene McArthur; Jacque Hoffman; and Loy Elliott

President Krall presented Jacque Hoffman with Resolution No. 780 from the Commonwealth of Pennsylvania House of Representatives honoring his mother, Hazel Hoffman, for her contributions and commitment to the East Berlin Borough community. Mr. Hoffman stated that his mother was a great lady and he is honored to accept the Resolution on behalf of his family. Mr. Hoffman reflected on his many years serving the Borough as Council President.

**Adoption of the Minutes:** The minutes of the meeting of April 2, 2014, 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 April 30, 2014, were reviewed. Donald Dixon noted that Candidate Brian Gembrusia's quote supporting the elimination of "school tax" refers to school property tax. *A motion to approve the minutes was made by James LeVan; seconded by Andrew Raymond. Motion approved with all in favor.*

**Payment of Bills:** A summary of bills for the month of May totaling \$24,393.50 was reviewed. *Roberta Teal motioned to pay the bills for the month of May; seconded by Jason Wood. Motion approved with no dissenting votes.*

**Constituents Addressing Borough Council:** None.

**Mayor's Report:** Council was provided the police report for April. Mayor Hoffman noted that the Founder's Day activities for the Borough's 250<sup>th</sup> Anniversary are going well.

**Fire Company Report:** On behalf of Liberty Fire Company, Mayor Hoffman reported fifteen (15) fire calls and forty-two (42) ambulance responses for the month of April.

**Engineer's Report:** President Krall reported that Borough Engineer Eric Mains suggested authorization be granted to Robert Meminger to obtain quotes for repairs to a culvert and drainpipe on Branch Circle, and provided the names of several qualified contractors. It was noted that Mr. Mains has not yet finalized the scope of the project, but estimates the total cost will be below the threshold requiring advertisement for bids. In response to Donald Dixon's inquiry of addressing storm water channeling into this area, President Krall discussed visible swales in fields outside the Borough contributing to the issue, and stated that Robert Meminger has requested input from the County regarding storm water concerns. President Krall noted that the rebar on the culvert should slope to better allow the flow of water while blocking debris. *Andrew Raymond motioned to authorize Robert Meminger to obtain quotes to repair the culvert and drainpipe; seconded by James LeVan. Motion approved with all in favor.*

**Solicitor's Report:** Solicitor Battersby discussed a request to Bermudian Youth Baseball to sign and return a Memorandum of Understanding (MOU) regarding the establishment of ball fields on leased land adjacent to the Borough Park. The MOU was mailed by the Borough in February, 2014 and has not been returned.

Secretary McArthur has communicated since on two (2) separate occasions with Dawn Myers and Craig Stuart of Bermudian Youth Baseball to follow up on the status of the MOU. Solicitor Battersby suggested that a letter be sent providing a deadline to address the agreement within thirty (30) days. *Roberta Teal motioned to send a letter to Bermudian Youth Baseball; seconded by Donald Dixon. Motion approved with all in favor.*

Council reviewed an email from Zoning Officer Robert Thaeler outlining the next steps in the process of the adoption of the proposed updated Zoning Ordinance. Mr. Thaeler stated that once Council determines a date for a public comment hearing and a date to consider adoption, he would draft the legal advertisement for the meetings. *Andrew Raymond motioned to hold a public hearing at 6:30 PM on June 25, 2014 with adoption date at Council's Regular Session at 7:00 PM on July 2, 2014; seconded by Roberta Teal. Motion approved with no dissenting votes.*

Solicitor Battersby discussed a request from the Joint Authority for the Borough to draw on a letter of credit guaranteeing the Pennwood Products Expansion Project to pay the cost of water and sewer connection fees in the approximate amount of Seven Thousand Five Hundred Dollars (\$7,500.00). There was some discussion of Pennwood's failure to sign a water and sewer service agreement with the Joint Authority. Secretary McArthur inquired if there are any legal issues with the Borough taking this action of behalf of the Joint Authority as a utility. Solicitor Battersby responded that the Joint Authority is not a utility but is a municipal authority which allows the Borough to take this action. *Catherine Lockey motioned to draw an amount from the project bond to cover the Authority's connection fees; seconded by Donald Dixon. Per roll call vote, all Members of Council approved the motion.* Loy Elliott, Planning Commission Member, raised concerns of the approval process of Phase II of the Pennwood Project based on difficulties in collecting these fees. President Krall stated that there are additional details in this situation and it should not necessarily reflect on future phases of the project.

**Committee Reports:**

**Finance:** Council reviewed the Previous Year Financial Comparison Report and Summary of Accounts. There was some discussion of differences in 2014 year-to-date income and expense compared to 2013.

**Streets/Public Safety and Maintenance:** Andrew Raymond reported that excavation has begun on the Branch Circle culvert site and the site has been secured until plans are finalized. Damage has occurred to the pedestrian pushbutton assembly and the cover of the junction control box for the traffic signal in two (2) separate truck traffic incidents. The trucks were not identified. The majority of potholes in the Borough have been repaired. President Krall and Robert Meminger attended a training session on the use of pictometry software available from Adams County. Mr. Meminger will be working with Nate Merkel from the PA Rural Water Association this month to map storm water assets and signage in the Borough. Mr. Meminger has been in communication with Reading Township regarding a possible agreement for the Borough to provide street sweeping service. President Krall commented that the service was quoted at a cost of Seventy-Five Dollars (\$75.00) per hour plus the provision of salt and anti-skid materials from Reading Township as a bartering arrangement. Solicitor Battersby urged that the agreement be in writing. President Krall noted that the Borough's insurance coverage would be in force if the equipment is operated by Borough employees.

**Planning/Zoning:** None.

**Personnel:** James LeVan reported that the determination of the Personnel Committee in filling a vacancy on the Planning Commission was inconclusive and that additional applications will be accepted. Regarding Andrew Raymond's recruitment of applicants to fill various vacancies, President Krall requested that applicants should attend a Council meeting to introduce themselves and discuss their interest in the position. Catherine Lockey stated her concern that stringent requirements may deter applicants. There was some discussion of the responsibility of Council to meet applicants and appoint Board and Commission Members based on their qualifications and sincere interest.

**Park and Recreation:** None.

**Unfinished Business:** In a discussion of the recent system failure and restoration of the Borough's main computer, Roberta Teal proposed the purchase of a new computer. Catherine Lockey concurred and suggested the purchase of the same system recently installed for Officer Grim. Jason Wood stated that the systems should be similar for maintenance reasons. *Roberta Teal motioned the purchase of a new computer system to replace the Borough's main computer at a cost of up to Two Thousand Five Hundred Dollars (\$2,500.00); seconded by James LeVan. Per roll call vote, all Members of Council approved the motion.*

In a follow up discussion of a presentation to Council by Wilbur Slothour of Land and Sea Inspection Services, Roberta Teal stated the advantages of a locally based agency, the provision of monthly reports, and the thorough manner of the work performed. President Krall noted that Mr. Slothour stated that an agreement for services to the Borough could be open-ended, either by appointment or documented agreement. *Roberta Teal motioned to appoint Land and Sea Services as the Borough's building inspection agency for the remainder of the year; seconded by Jason Wood. Motion approved with no dissenting votes.* Secretary McArthur noted that a thirty (30) day notice is required to Ed Strevig of Middle Department Inspection Agency, the Borough's current building inspector, and that landlords in the Borough must be notified of the change for rental inspections.

**New Business:** Regarding the Civil War re-enactment activities of the Borough's 250<sup>th</sup> Anniversary, Roberta Teal, Chairperson of the Founder's Day Committee, informed Council of dire news. Ms. Teal reported that Confederate soldiers would be arriving Saturday to demand Fifty Thousand Dollars (\$50,000.00) ransom or would ransack and burn the town, and stated her opinion that paying the ransom would be treasonous against our beloved county and our beloved President Abraham Lincoln. Ms. Teal demanded, "What say the Board? What say the Burgess?" Mayor Hoffman responded that he would not pay the ransom. *At the risk of incarceration or even death, Roberta Teal motioned to not pay the ransom to the Confederates; seconded by Catherine Lockey. Motion approved with all in favor.* Ms. Teal urged all to attend the festivities in the Park this weekend.

Jacque Hoffman discussed his concerns of providing street sweeping services to Reading Township and noted the considerable expense of purchasing the Borough's sweeper. Mr. Hoffman stated that he does not wish to discourage cooperative efforts between the municipalities, but the Borough should consider setting capital aside for the eventual replacement of the sweeper. President Krall thanked Mr. Hoffman for his comments.

Donald Dixon commented on the many excellent Founder's Day activities to celebrate the Borough's 250<sup>th</sup> Anniversary and noted the success of the events up to this point.

**Correspondence:**

- PA Senate Report, "The Challenges of Firefighting Today"
- Gettysburg Chamber of Commerce May Newsletter
- Trainings and Webinars Available

Council entered Executive Session at 8:17 PM to discuss a civil suit and exited at 8:33 PM.

*Roberta Teal motioned to adjourn the meeting of the East Berlin Borough Council at 8:33 PM; seconded by Catherine Lockey. Motion approved with all voting in favor.*

Respectfully submitted,

Darlene McArthur  
Secretary/Treasurer of Borough Council