

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

May 28, 2014 – Work Session

The second monthly meeting of the East Berlin Borough Council was held May 28, 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; Andrew Raymond; and Catherine Lockey

**Members Absent:** None

**Also Present:** Secretary/Treasurer Darlene McArthur; and Francis Dudek

**Constituents Addressing Borough Council:** Francis Dudek introduced himself to Council and discussed his application to serve on the Planning Commission. Mr. Dudek stated that he is retired from A & P Supermarket, and that he plays golf and travels. In response to Donald Dixon inquiry of the reason for A & P Supermarket's bankruptcy, Mr. Dudek stated that bad decisions were made and gave examples. James LeVan inquired if Mr. Dudek is aware of the duties of the Planning Commission. Mr. Dudek replied that he would like to know more. Mr. LeVan discussed land use issues, business expansions, additional parking, etc. and suggested that Mr. Dudek stay for tonight's meeting to hear of the Commission's involvement in reviewing the new proposed Zoning Ordinance. Council thanked Mr. Dudek for attending this evening's meeting.

**Topics of Discussion:**

- Regarding the bond release request from Pennwood Products for their expansion project, President Krall explained a regulation of the Municipalities Planning Code prohibiting the use of the bond on behalf of the East Berlin Area Joint Authority, and that the remainder of the bond must be released by a motion of Council. Mr. Krall also noted that the Land Development Plan as submitted to the Borough does not reflect a water and sewer service agreement or the payment of connection fees, and that the Authority would have to settle these issues with Pennwood. President Krall stated that the issue of the bond release would be addressed at the next meeting of Council.
- President Krall discussed a request from Abbottstown Borough for street cleaning as provided to areas of Reading Township, and noted that Reading Township provided fuel for the sweeper and has agreed to sell road salt to the Borough as needed. There was some discussion of the additional wear on the sweeper and the availability of Borough Maintenance Worker Don Myers to perform the service. It was noted that forty-one (41) miles of road were swept in eight (8) hours for Reading Township, and that Abbottstown is requesting service for only seven and a half (7½) miles of road. Abbottstown would be billed accordingly for use of fuel. Andrew Raymond stated that he would like to have Don Myers' thoughts on the arrangement. President Krall stated that the issue of the street sweeping request would be addressed at the next meeting of Council.
- President Krall reviewed quoted cost from Borough Engineer Eric Mains for Traditional Contract Specifications (\$4,500.00) or Reduced Content Contract Specifications (\$2,800.00) for the Branch Circle Culvert Repair Project. It was noted that the Reduced Content Contract Specifications would utilize the PennDOT Liquid Fuels documents MS-944 and MS-963 as used in the North Avenue Drainage Project in 2013. There was some discussion of the problems with the PennDOT documents lacking the requirement of change orders which must be addressed if this option is chosen. Secretary McArthur stated that complaints have been received regarding the damaged culvert area discovered

two (2) months previous. President Krall stated that the issue of the contract documents would be addressed at the next meeting of Council.

- The Adams County review of the proposed Zoning Ordinance was received by Council. The review is required and was approved for Council to proceed with consideration of adoption.
- Regarding the proposed Zoning Ordinance, Council reviewed the legal notice to advertise a public comment meeting date on June 25, 2014 and consideration for adoption on July 2, 2014. Donald Dixon noted an East Berlin zip code error in the notice. The lengthy notice was submitted for advertisement in the Hanover Evening Sun on June 10<sup>th</sup> and June 17<sup>th</sup> at a cost of over \$800.00. Catherine Lockey suggested the cost would be less with the Gettysburg Times.
- A Windows 7 computer was installed on May 20<sup>th</sup> to replace the Borough's Windows XP main computer after repairing a system failure last month.
- Land and Sea Services will begin as the Borough's building inspection provider on July 1, 2014. A thirty (30) day notice was sent to Middle Department Inspection Agency to dissolve the agreement for service.
- A notice was received from the Pennsylvania Liquor Control Board stating that Dylans Restaurant and Bar has applied for a tavern gaming license as allowed by recent legislation.
- Council reviewed the Planning Commission meeting minutes of April 4, 2014. A copy of the minutes was provided to Francis Dudek.
- President Krall reviewed his recent attendance at a Conservation District training session regarding road issues and reported that many topics were discussed. It was noted that a representative of the Borough is required to attend this training to qualify for grants on low volume roads which exist in the Borough.
- President Krall discussed a complaint received regarding tall grass in a swale near Branch Circle and noted that it is likely the responsibility of the property owner to address this per the deed requirements. This will be discussed with Solicitor Battersby for a determination.
- President Krall reported that PA Rural Water Association Representative Nate Merkel and Robert Meminger have completed the GIS mapping of the storm water system and signage in the Borough. The data will be entered on the ArcGIS system.
- Catherine Lockey reported that Jay Schreiber, Recreation and Parks Advisor for the Department of Conservation and Natural Resources (DCNR), will be here to walk in Kuhn's Woods to discuss proposed projects on June 17, 2014. Ms. Lockey invited all those interested to attend.
- Andrew Raymond discussed an expected decrease in the cost of workers compensation insurance for volunteer firefighters with State Workers Insurance Fund. Following last year's increase in cost due to cancer presumption legislation, there will now be a required "good health" physical to make a cancer claim. Mr. Raymond also reported that a car show will be held at the VFW on July 9, 2014 at 7:00 PM. This program will also honor the Pennsylvania Emergency Medical Technician (EMT) of the year, a local from Lake Meade.
- Donald Dixon inquired of the status of Liberty Fire Company's financial records. President Krall stated that the Borough has no authority in the matter. Mr. Dixon inquired if there would be a summation of all the wonderful Founder's Day events. Roberta Teal noted that the events are ongoing including Colonial Day, additional walking tours, and a New Year's Eve event.

The meeting of the East Berlin Borough Council adjourned at 8:02 PM.

Respectfully Submitted,

Darlene McArthur  
Secretary/Treasurer of Borough Council