

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

June 4, 2014

The first monthly meeting of the East Berlin Borough Council was held June 4, 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; and Secretary/Treasurer Darlene McArthur

Adoption of the Minutes: The minutes of the meeting of May 7, 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 May 28, 2014, were reviewed. *A motion to approve the minutes was made by Roberta Teal; seconded by Andrew Raymond. Motion approved with all in favor.*

Payment of Bills: A summary of bills for the month of June totaling \$20,921.97 was reviewed. *Donald Dixon motioned to pay the bills for the month of June; seconded by Andrew Raymond. Motion approved with no dissenting votes.*

Constituents Addressing Borough Council: None.

Mayor's Report: Council was provided the police report for May. Mayor Hoffman noted that the town has been quiet.

Fire Company Report: None.

Engineer's Report: None.

Solicitor's Report: Solicitor Battersby reported that the Tucker litigation appears to be nearing the end with a requested deposition scheduled for Secretary Darlene McArthur on June 17, 2014. In response to President Krall's inquiry, Solicitor Battersby stated that maintaining an established swale is the responsibility of the property owner. President Krall discussed the likelihood of cut grass clogging the culvert, and noted that letters will be sent to property owners reminding them of their responsibility to maintain the swale. Regarding the upcoming June 17th deposition at Borough Hall, President Krall suggested that the meeting with DCNR Representative Don Jay Schreibman be scheduled to meet elsewhere due to limited available parking. Roberta Teal stated that she would contact Mr. Schreibman to suggest they meet at the East Berlin Beverage Distributor to review proposed projects in Kuhn's Woods. Donald Dixon discussed a complaint from resident Emerson Taylor regarding stray cats in the area of South Avenue and Fifth Street, and inquired of the Borough's Ordinance addressing the issue. It was noted that the Ordinance mandates that cats without collars are considered stray and can be removed. President Krall stated that the issue would be reported to Officer Grim.

Committee Reports:

Finance: Council reviewed the Previous Year Financial Comparison Report and Summary of Accounts. President Krall noted that the Borough is doing well financially. Roberta Teal discussed the upcoming Founder's Day project to publish 600 copies of *The Wheels of Time II* book at a cost of \$11,000.00, and noted that the current balance of the Founder's Day account is just over \$2,300.00. Ms. Teal requested that funds from the General Account be loaned to the Founder's Day account to cover the cost of publication, and then returned to the General Account with sales of the book. Secretary McArthur stated that, per her discussion with the Borough's auditor, a transfer between the accounts would not cause a problem and would be allowed at the discretion of Council. Ms. Teal noted that with the current balance of the account, a maximum of \$9,000.00 would be needed. *Andrew Raymond motioned to allow a transfer not to exceed \$9,000.00 from the General Account to the Founder's Day Account to be repaid from book sales; seconded by Jason Wood. Per roll call vote: Jason Wood, yes; James LeVan, yes; Andrew Raymond, yes; Catherine Lockey, no; Donald Dixon, yes; and Charles Krall, yes. As Chairperson of the Founder's Day Committee, Roberta Teal abstained from voting. Motion approved by a vote of five (5) to one (1).*

Streets/Public Safety and Maintenance: Council reviewed the Maintenance Report. In a discussion of the issue of a streetlight outage on Twig Terrace, it was noted that there would be an invoice from Swam Electric for their inspection of the power source. It was later discovered that a circuit breaker in an electrical box caused the outage. Robert Meminger had indicated that the electrical boxes would be identified and marked to avoid future reoccurrences.

Planning/Zoning: None.

Personnel: Regarding a vacancy on the Planning Commission, James LeVan discussed meeting applicant Francis Dudek at the last meeting of Council and suggested that he be appointed. In response to Donald Dixon's inquiry of the term starting date, it was noted that the term must fill the date of the vacancy beginning April 1, 2014. *James LeVan motioned to appoint Francis Dudek as a Member of the Planning Commission; seconded by Andrew Raymond. Motion approved with no dissenting votes.*

James LeVan reported that he received a request for tuition reimbursement from Robert Meminger for his completion of the HACC Waste Water Treatment training. Mr. Meminger submitted ample documentation of his completion of the course, quiz and test scores, and proof of tuition payment in the amount of \$1,985.00. Mr. LeVan explained the Tuition Reimbursement Policy adopted by Council in August, 2013. *James LeVan motioned to reimburse Robert Meminger's tuition expense per the Personnel Policy; seconded by Catherine Lockey. Per roll call vote, all Members of Council approved the motion.*

Park and Recreation: The Park and Recreation meeting minutes of May 1, 2014 were provided to Council.

Unfinished Business: Regarding a culvert repair project on Branch Circle, President Krall discussed the option to utilize formal bid documents at a cost of \$4,500.00 or PennDOT MS944 forms at a cost of \$2,800.00 quoted by the Borough Engineer. Catherine Lockey suggested the use of the MS944 forms if Secretary McArthur was comfortable with entering

the data in these forms. Secretary McArthur stated that these are the forms utilized in last year's North Avenue Drainage Project, but she would also include the requirement for change orders if needed to be approved by Council. *Catherine Locky motioned to utilize PennDOT MS944 bid documents; seconded by Andrew Raymond. Per roll call vote, all Members of Council approved the motion.*

President Krall discussed the full release of Pennwood's bond for the expansion project. Regarding Pennwood's failure to execute a water and sewer service agreement or pay connection fees, it was noted that the land development plan does not address these issues which must be addressed by the Joint Authority. *Andrew Raymond motioned to release Pennwood's bond in full; seconded by Catherine Locky. Motion approved with all in favor.*

Regarding a request from Abbottstown Borough for street sweeping, Catherine Locky stated that she would be in favor of a positive give and take relationship between nearby municipalities. There was some discussion of street sweeping service provided to Reading Township mindful of their ability to fill the sweeper fuel tank and sell salt to the Borough during snow and ice events. Secretary McArthur produced a street sweeping agreement previously offered to Abbottstown Borough in 2011. Council amended the agreement to include a \$1,000.00 insurance deductible to be provided by Abbottstown in the event of damage to the sweeper. The agreement offers service at the rate of \$140.00 per hour including travel time. *Roberta Teal motioned to send the agreement to Abbottstown Borough; seconded by Catherine Locky. Motion approved with no dissenting votes.*

New Business: President Krall reported that he and Robert Meminger will meet with Rusty Ryan of Adams County Conservation District to discuss swale issues on June 10, 2014.

There was some discussion of the public comment meeting for the new proposed Zoning Ordinance scheduled for June 25, 2014 at 6:30 PM.

Correspondence:

- Founder's Day Committee Meeting Minutes of 6/2/2014
- Gettysburg Chamber of Commerce June Newsletter
- Trainings and Webinars Available

Donald Dixon motioned to adjourn the meeting of the East Berlin Borough Council at 7:56 PM; seconded by Jason Wood. Motion approved with all voting in favor.

Respectfully submitted,

Darlene McArthur
Secretary/Treasurer of Borough Council