

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

November 5, 2014

The first monthly meeting of the East Berlin Borough Council was held November 5, 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; Roberta Teal; Andrew Raymond; Donald Dixon; James LeVan; Jason Wood; and Catherine Lockey

Members Absent: None.

Also Present: Mayor Keith Hoffman; Solicitor Matthew Battersby; Secretary/Treasurer Darlene McArthur; Sarah Annis; Virginia Zickafoose; Tim Wilson; Ken Young; and Jan Hoffman

Adoption of the Minutes: The meeting minutes of Council's Regular Session on October 1, 2014, were reviewed. *A motion to approve the minutes was made by Roberta Teal; seconded by Jason Wood. Motion approved with all in favor.* The meeting minutes of the Council's Work Session on October 29, 2014, were reviewed. *A motion to approve the minutes was made by Donald Dixon; seconded by James LeVan. Motion approved with all in favor.*

Payment of Bills: A summary of bills for the month of November totaling \$71,386.93 was reviewed. President Krall explained the higher than normal total of the bills due to annual payments to Liberty Fire Company and to the Borough's pension fund. The payments to Liberty include a \$5,600.00 donation from the Borough and the Fire Relief Fund payment in the amount of \$8,009.79 paid entirely by State allocation. The \$35,878.00 payment to the Borough's pension plan is paid in part by State allocated funds in the amount of \$15,490.72. *James LeVan motioned to pay the bills for the month of November; seconded by Roberta Teal. Motion approved with no dissenting votes.*

Constituents Addressing Borough Council: Tim Wilson of TPW Design Studios addressed Council with an update on the proposed Rail Trail Feasibility Study. Mr. Wilson provided map copies detailing trail route options, trail connections, and trailhead locations for the 1.3 mile project from Pine Run Road in Hamilton Township into East Berlin Borough through Kuhn's Woods or alternatively along Route 194. It was noted that .3 mile of the proposed trail is in the Borough. Mr. Wilson also provided a slide show presentation of the study while discussing the benefits offered to the Borough including increased business, recreational use, and possible additional trail connections in the future. Mr. Wilson stated that the study would be completed this month and would be forwarded to the Department of Conservation and Natural Resources (DCNR), and recommended that an easement be allowed for passage on East Berlin Borough property. Donald Dixon inquired if the Borough would be responsible for any expenses associated with the rail trail. Mr. Wilson stated that the trail would likely be maintained by Hamilton Township or a portion by the Borough. Virginia Zickafoose stated that impact studies have shown rail trails to benefit local businesses. Mr. Wilson noted that trails increase property values as well. The Council thanked Mr. Wilson for his presentation.

Sarah Annis of Sidney Restaurant addressed Council to request an update on the Borough's proposals to address recent truck accidents causing damage to the restaurant while making right-hand turns from Abbottstown Street to E. King Street. Mrs. Annis stated her appreciation of the Borough's involvement in the latest hit and run accident last Monday morning, and noted that a witness reported to police a description of the truck and that it went to the former Tyco facility following the accident. President Krall stated that the investigation is ongoing and that Robert Meminger has contacted the Pennsylvania Local Technical Assistance Program (LTAP) to request the report of their review of the situation.

President Krall requested a meeting with Mrs. Annis, Mr. Meminger, and Officer Grim to discuss options and ideas. Mrs. Annis responded that she is available on Mondays and provided a contact phone number. Ken Young mentioned a newspaper article regarding a \$23,000.00 grant to address problems at the square. President Krall explained that the grant was obtained from PennDOT to install a video detection system on the traffic signals and repaint the crosswalks and lane markings.

Mayor's Report: Mayor Hoffman reported that Trick or Treat went well in the Borough with no reported incidents. Council was provided the police report for October.

Fire Company Report: Liberty Fire Company President Mike Thomas could not be present at this evening's meeting but the financial report and the fire and ambulance report for September were previously provided to the Borough.

Engineer's Report: Regarding a Memorandum of Understanding (MOU) for change orders associated with the Traffic Signal Improvement Project, Council was provided an executed copy of the document to be ratified by a previous motion of Council on October 1, 2014. Donald Dixon commented on the MOU requirement to submit change orders at least twenty four (24) hours prior to the first Council meeting of the month, and noted that this would cause the project to come to a standstill awaiting approval. President Krall explained Robert Meminger's role in working with the contractor to address changes while keeping the project moving forward. *James LeVan motioned to approve the change order MOU with Swam Electric; seconded by Roberta Teal. Motion approved unanimously.*

President Krall reported that the agreement and instructions for the Automated Red Light Enforcement (ARLE) grant awarded to the Traffic Signal Improvement Project have not yet been received due to delays in the grant process with PennDOT. President Krall instructed Secretary McArthur to request that process be expedited so that the project may move forward.

Solicitor's Report: Solicitor Battersby commended Tim Wilson on his presentation of the Rail Trail Feasibility Study and suggested that Council motion the Borough's willingness to execute an easement to access Borough property should the project move forward. *Catherine Lockey motioned to allow an easement for passage through East Berlin Borough property for the Rail Trail Project; seconded by Jason Wood. Motion approved with all in favor.*

Committee Reports:

Finance: Council reviewed the Previous Year Financial Comparison Report and Summary of Accounts. President Krall reported that the Certificate of Deposit Account Registry Service (CDARS) has been initiated as previously approved by Council and should prove to be a lucrative investment of the Borough's funds.

Streets/Public Safety and Maintenance: Andrew Raymond discussed Robert Meminger's efforts in dealing with the Sidney Restaurant intersection truck issue. President Krall mentioned a possible request to PennDOT to prohibit large trailers of fifty-three foot (53') length from making turns at the intersection. Mr. Raymond reviewed the Maintenance Report including the replacement of a damaged stop sign at the intersection of Wagner Avenue and Harrisburg Street, and a pedestrian sign at the traffic signal was replaced due to a compliance issue with the signal permit. Fall street sweeping will take place before Thanksgiving, and snow removal equipment will be installed on the trucks this month. Mr. Raymond thanked Roberta Teal for assisting Mr. Meminger with a nighttime inspection of traffic signs to comply with requirements for maintaining minimum levels of sign reflectivity for regulatory and warning signs.

Planning/Zoning: None.

Personnel: James LeVan reported that the Personnel Committee met on October 8th to review applications received to fill an expired position on the Planning Commission from Melvin Riser, Francis Dudek, and John Schlaline. Secretary McArthur stated that she believes Mr. Dudek is currently an appointed member of the Commission. *Mr. LeVan motioned the appointment of Melvin Riser of 144 Branch Circle to fill the expired position; seconded by Catherine Lockey. Motion approved with no dissenting votes.* President Krall stated that his position on the Board of the Joint Authority will expire on December 31, 2014. Since he has applied for reappointment, President Krall is withdrawing from the Personnel Committee until the appointment is addressed. Either Donald Dixon or Jason Wood will stand in as a temporary member of the Committee.

Park and Recreation: Council was provided a copy of the Parks and Recreation Commission meeting minutes of October 9, 2014. President Krall requested that Tim Wilson keep the Parks and Recreation Commission informed of Rail Trail Project activities.

Unfinished Business: Regarding the proposal to include recycling as part of the Borough's trash contract in the 2015 Budget, Donald Dixon reported that he discussed the possibility of a ballot referendum with Adams County Commissioner Jim Martin. Commissioner Martin informed Mr. Dixon that the subject matter of a ballot referendum is restricted and recycling would not be allowed as a referendum. In a discussion of other methods to obtain resident opinion on the matter, suggestions were made to utilize the Borough's website, town sign, and encourage Council Members to reach out to the residents.

New Business: Catherine Lockey requested that Council consider providing a wireless internet connection for the purpose of researching issues before Council during meetings. President Krall stated his concern for the security of a wireless connection at the Borough office, and that internet research should be done before or after a Council meeting and not during the meeting. After further discussion of the matter, President Krall asked each Member of Council whether or not they feel that a wireless internet connection is needed for Council meetings. Roberta Teal, Donald Dixon, President Krall, and James LeVan stated that they feel it is not needed. Jason Wood stated that it does not matter to him either way. Andrew Raymond agreed with Catherine Lockey that a wireless internet connection should be available.

President Krall conveyed a request to Council from a Borough resident regarding her trash billing account. The account has not been paid in almost three (3) years due to circumstances provided by the resident and has accrued \$49.50 in late charges. The resident has requested a waiver of the late fee if the account is paid in full in a lump sum. Solicitor Battersby suggested that a deadline for payment be given if Council agrees to the waiver. *Andrew Raymond motioned to waive the late charge if the account is paid in full within ten (10) days; seconded by Catherine Lockey. Motion approved with no dissenting votes.*

Correspondence: Training and Webinars Available

President Krall reminded Council that the Work Session is scheduled for November 19, 2014, due to the upcoming Thanksgiving holiday.

Donald Dixon motioned to adjourn the meeting of the East Berlin Borough Council at 8:34 PM; seconded by Roberta Teal. Motion approved with all voting in favor.

Respectfully submitted,

Darlene McArthur
Secretary/Treasurer of Borough Council