

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

April 6, 2016

The first monthly meeting of the East Berlin Borough Council was held April 6, 2016, at the East Berlin Borough Hall. The meeting was opened with the Pledge of Allegiance at 7:00 PM.

**Members Present:** President Roberta Teal; Charles Krall; Jason Wood; Andrew Raymond; and Donald Dixon

**Members Absent:** James LeVan; and Catherine Lockey

**Also Present:** Solicitor Matthew Battersby; Mayor Keith Hoffman; Secretary/Treasurer Darlene McArthur; Robin Heyser; and David Richards

**Adoption of the Minutes:** The meeting minutes of Council's Session on March 16, 2016, were reviewed. *A motion to approve the minutes was made by Charles Krall; seconded by Jason Wood. Motion approved with no dissenting votes.*

**Payment of Bills:** A summary of bills for the beginning of April totaling \$9,565.15 was reviewed. In response to Donald Dixon's inquiry of the number of police shoulder patches purchased, Secretary McArthur stated that a considerable price break is offered if one hundred (100) pieces are ordered. *Donald Dixon motioned to pay the bills for the beginning of April; seconded by Andrew Raymond. Motion approved with no dissenting votes.*

**Constituents Addressing Borough Council:** David Richards discussed difficulties involved with the proposed transfer of the Community Center property from the Borough to EBACC, and noted that EBACC could not afford property tax if imposed. Robin Heyser, Board President of EBACC, stated that she was informed by Attorney Shultis that the property must be utilized for government purposes or the Borough could owe back taxes for its previous years of ownership. Charles Krall suggested that this issue be discussed later in the meeting as unfinished business.

**Mayor's Report:** The police report for March was provided to Council. Mayor Hoffman reported that Officer Terry Seitz began his position on Monday and is doing very well.

**Solicitor's Report:** Solicitor Battersby stated that he would address the issue of the Community Center later in the meeting.

**Committee Reports:**

**Finance:** Council reviewed the Previous Year Financial Comparison Report and Summary of Accounts. President Teal stated that copies of the 2015 municipal audit were provided to Council from Rotz & Stonesifer, and noted that the audit went well. Comments to Council included the concern of segregation of duties, which is common in smaller municipalities due to limited staff, but must be reported.

**Streets/ Maintenance:** Andrew Raymond reported that electricity is currently being installed at the Park pavilion and Robert Meminger is researching a possible Met Ed rebate for energy efficient lighting. Donald Myers saved the Borough substantial expense by making bodywork repairs to both the F250 and the street sweeper. Mr. Meminger is continuing with temporary repairs to the EBACC roof with Donald B. Smith Roofing completing the edge repair to the upper roof. Pedestrian crosswalk signs were placed on the streets last week with additional signs requested from PennDOT. A significant sinkhole opened along the curb at 140 Branch Circle due to the deteriorating condition of the storm drainage pipe under the street. The observable cavity has been filled but additional work is needed for the long term. Mr. Meminger estimates the cost to make the repairs at twenty to thirty thousand dollars (\$20K to \$30K) and reported that Borough Engineer Eric Mains will be inspecting the site on April

15th. Additional pothole patching will begin this week. The outfall security bars on the Branch Circle drainage culvert will be reconfigured to allow debris to flow through alleviating blockage which can lead to flooding on Branch Circle.

**Planning/Zoning:** Council was provided the Planning Commission meeting minutes of February 25, 2016.

**Personnel:** Charles Krall reported that Tom Burger's membership on the Planning Commission expired on March 31st, and that Mr. Burger is willing to continue in this position. *Charles Krall motioned to reappoint Thomas Burger as a Member of the Planning Commission; seconded by Jason Wood. Motion approved with all in favor.* Mr. Krall reported that Zoning Hearing Board Alternate Member Dodie Brehm is willing to fill the vacant Member position on the Zoning Hearing Board, and noted that this will leave an opening for another Alternate Member. *Charles Krall motioned to appoint Delores Elicker-Brehm as a Member of the Zoning Hearing Board; seconded by Andrew Raymond. Motion approved with all in favor.*

**Park and Recreation:** Council was provided the meeting minutes of March 10, 2016. Secretary McArthur reported that recent donation drive efforts have been successful, and several letters of support have been received for the grant application to DCNR.

**Unfinished Business:** Regarding previous comments received from Robin Heyser, Solicitor Battersby stated that Borough-owned properties are not subject to property tax, and that the Community Center owned by the Borough fulfills the requirement of a recreational facility as allowed by the PA State Borough Code. Solicitor Battersby reported that he and Attorney Shultis discussed the issue of a property transfer with County Solicitor Jim Hartzel and that Solicitor Hartzell stated that EBACC as a property owner would probably not be exempt from property tax. Ms. Heyser inquired if a Municipal Commission would be exempt as the property owner. Solicitor Battersby responded probably not, and discussed similar situations in Adams County of multi-municipal efforts and noted that the facilities are owned by a municipality. Solicitor Battersby stated that the real stumbling block is the lack of sufficient financial support from the participating municipalities and suggested a per capita tax be enacted. Ms. Heyser stated that funding is received from some of the municipalities, but could not recall specific amounts. There was some discussion of the benefits of lease options. Ms. Heyser reported that the meeting at EBACC originally scheduled for tomorrow has been delayed to April 28th in order to provide questionnaires to the participating municipalities, but that date may change due to conflicting events.

**New Business:** President Teal reported that a Designation of Agent Resolution is needed to assign a representative for the Borough to apply for reimbursement of expenses for the January 22 – 23 snowstorm. Secretary McArthur stated that the snowstorm has been declared a disaster by FEMA so funding will be available to qualified applicants. Secretary McArthur stated that she filled the roll of Designated Agent for the Borough for the 2010 snowstorm and is familiar with the application process. Secretary McArthur noted that the requested reimbursement will be in excess of \$4,000.00 for the forty-eight (48) hour claim period. *Jason Wood motioned to designate Darlene McArthur as the Borough's agent to request reimbursement for the January snowstorm; seconded by Donald Dixon. Motion approved with all in favor.*

**Correspondence:**

- Gettysburg Chamber April Newsletter
- Training and Webinars Available

*Donald Dixon motioned to adjourn the meeting of the East Berlin Borough Council at 7:45 PM; seconded by Jason Wood. Motion approved with all voting in favor.*

Respectfully submitted,

Darlene McArthur  
Secretary/Treasurer of Borough Council