

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

October 5, 2016

The first monthly meeting of the East Berlin Borough Council was held October 5, 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; James LeVan; and Donald Dixon (7:20 PM)

**Members Absent:** Catherine Lockey; and Andrew Raymond

**Also Present:** Mayor Keith Hoffman; Solicitor Matthew Battersby; Secretary/Treasurer Darlene McArthur; Curt Mathews

**Adoption of the Minutes:** The meeting minutes of Council's Session on September 21, 2016, were reviewed. *A motion to approve the minutes was made by James LeVan; seconded by Charles Krall. Motion approved with no dissenting votes.*

**Payment of Bills:** A summary of bills for the beginning of October totaling \$9,091.00 was reviewed. *James LeVan motioned to pay the bills for the beginning of October; seconded by Jason Wood. Motion approved with no dissenting votes.*

**Constituents Addressing Borough Council:** None.

**Mayor's Report:** Council reviewed the police report for September. Mayor Hoffman stated that Trick or Treat would be held on Monday, October 31st from 6:00 to 8:00 PM, and requested that Chief Terry Seitz be on duty for the event.

**Solicitor's Report:** Solicitor Battersby stated that a quote for a structural inspection of the East Berlin Area Community Center (EBACC) was received from Burchart Horn at a cost of six thousand dollars (\$6,000.00), and suggested that Council authorize the inspection so that a lease agreement may be drafted between the Borough and EBACC. President Teal stated that the inspection includes structural, electrical, plumbing, and HVAC, and noted that EBACC may consider sharing this cost. *Charles Krall motioned to approve the quote for structural inspection; seconded by Jason Wood. Motion approved with all in favor.* Solicitor Battersby reported that revisions were made to the Police Chief Contract which was provided to Council for approval. Regarding the absence of Council Member Catherine Lockey from Council meetings since May of 2015, Solicitor Battersby suggested that a second letter be sent to Ms. Lockey requesting her resignation so that the position may be reappointed, and proposed that a document requiring only her signature be included with a stamped, self-addressed envelope. Secretary McArthur stated that she would draft the documents. There was some discussion of the State's 2012 amended requirement that a member may not be removed from office for reasons short of criminal activity, and that compensation must continue throughout the member's term. President Teal addressed the issue of reducing the membership of Council from seven (7) to five (5) members, and noted that a petition must be signed by at least five percent (5%) of the registered voters in the Borough to be submitted to the Court of Common Pleas for a public hearing. The membership would then be reduced in two (2) sequential election cycles by one (1) member each. Secretary McArthur stated that she would draft a petition and obtain a list of registered voters from the County.

**Committee Reports:**

**Finance:** Council reviewed the Previous Year Financial Comparison Report and Summary of Accounts. President Teal reported that the 2008 Dodge Charger police cruiser was sold on Muncibid for six thousand dollars (\$6,000.00) and was picked up and paid for in cash. President Teal discussed the necessity to increase real estate tax millage to cover escalating expenses and identified upcoming projects, and noted that there has been no increase since 2009. Council was provided a list of revenues generated by various rates from the current 1.3 mills to 1.8 mills. It was noted that the average of Borough municipal mills in Adams County is

2.3 and that East Berlin Borough currently has next to the lowest millage rate of the thirteen (13) Boroughs in the County, with the lowest being Bendersville Borough. In response to Mr. LeVan's request, Secretary McArthur provided a proposed draft of the Borough's 2017 budget as reviewed by the members of the Finance Committee showing a projected shortfall of \$34,311.00. President Teal noted that a deficit budget cannot be advertised. *Jason Wood motioned to advertise Ordinance No. 2016-1 increasing the real estate tax mills from 1.3 to 1.8 effective January 1, 2017, to be considered for adoption at the October 19th meeting of Council; seconded by Donald Dixon. Per roll call vote, members voted as follows: James LeVan, no; Jason Wood, yes; Charles Krall, yes; Donald Dixon, yes; Roberta Teal, yes. Motion approved by a vote of four (4) to one (1).*

**Streets/ Maintenance:** Council was provided a Borough maintenance report. President Teal noted that the EBACC roof project pre-bid meeting was held today at EBACC and bids are due by October 14th. The bids will be provided to EBACC for review at their Board Meeting on October 17th.

**Planning/Zoning:** James LeVan reported that the Planning Commission reviewed a land development plan submitted by Pennwood Products for a warehouse expansion project along with the Borough Engineer and Pennwood's Engineer. The plan was given conditional approval with several issues to be addressed per Borough Engineer Vince Wayne.

**Personnel:** James LeVan provided amended copies of the Police Chief Contract for Council's review. *James LeVan motioned to approve the Police Chief Contract; seconded by Jason Wood. Motion approved with all in favor.* President Teal discussed holidays observed per the Borough's Personnel Policy and noted that it does not include Martin Luther King Day. Secretary McArthur stated that Martin Luther King Day is observed by Federal, State, and County Offices, as well as surrounding municipalities, local school districts, banks, and the post office. *Charles Krall motioned to add Martin Luther King Day as a holiday observed per the Personnel Policy; seconded by Jason Wood. Motion approved unanimously.*

**Park and Recreation:** President Teal reported that a request was received from a local Cub Scout group for an overnight camping event in the Borough Park on November 5th. After communicating this to Parks and Recreation Commission Chairman Phil Keener, Mr. Keener stated that if Council wishes to allow this activity, they must grant an exception to the Park rules of hours from dawn to dusk, the requirement to have the portable restroom available, and permission to have an open fire at the Park. Mr. Keener also stated that scout camping is consistent with the original Park plans. President Teal noted that this activity is similar to the previous allowance of the overnight stay of the Civil War re-enactors with campfires. *Charles Krall motioned to allow the Cub Scout overnight camp at the Park including approval of the issues as stated by Mr. Keener; seconded by Jason Wood. Motion approved with all in favor.*

**Unfinished Business:** None.

**New Business:** None.

**Correspondence:**

- Gettysburg Chamber of Commerce October Newsletter
- Adams County Boroughs Association September Newsletter
- Training and Webinars Available

*James LeVan motioned to adjourn the meeting of the East Berlin Borough Council at 7:55 PM; seconded by Donald Dixon. Motion approved with all voting in favor.*

Respectfully submitted,

Darlene McArthur  
Secretary/Treasurer of Borough Council