

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

January 2, 2013

The first monthly meeting of the East Berlin Borough Council was held January 2, 2013, 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; Charles Eisenhart; Donald Dixon; and Andrew Raymond

**Members Absent:** Richard Cashman

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

**Adoption of the Minutes:** The minutes of the meeting of December 5, 2012, 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 December 19, 2012, were reviewed. *A motion to approve the minutes was made by Andrew Raymond; seconded by Roberta Teal. Motion approved with all in favor.*

**Payment of Bills:** A summary of bills for the month of January totaling \$18,207.01 was reviewed. *Andrew Raymond motioned to pay the bills for the month of January; seconded by Charles Eisenhart. Motion approved with no dissenting votes.*

**Constituents Addressing Borough Council:** David Richards inquired of the status of the sign at Liberty Fire Company and noted that the arrow had been removed from the top of the sign. President Krall stated that permit applications were picked for both the sign and the door widening project at Liberty Fire Company, and again noted the requirement for Liberty to achieve process compliance. Andrew Raymond reported the intention of the VFW to donate funds to Liberty Fire Company to replace the current noncompliant sign. President Krall encouraged that the sign replacement be postponed until updates to the current Zoning Ordinance are complete.

**Mayor's Report:** The police report for December was provided to Council. Mayor Hoffman reported that a citation was issued per Borough Code for a Jake brake violation that would result in \$300.00 fine monies for the Borough.

**Fire Company Report:** It was noted that reports through November were received but Mr. Thomas of Liberty Fire Company has been unable to attend Council meetings.

**Engineer's Report:** None.

**Solicitor's Report:** Regarding the possible use of Zinn Alley as access to Kuhn's Woods for the proposed cell tower project, Solicitor Battersby reported that a written agreement could be drafted to safeguard the condition of the existing asphalt.

**Committee Reports:**

**Finance:** Council was provided the Previous Year Financial Comparison Report and a 2012 profit and loss report for the Borough's various fund accounts. It was noted that a profit was realized in the General Fund of \$15,811.65, a loss in the Refuse Fund of \$3,945.74, and that there were very few expenditures from the Liquid Fuels Fund in 2012, resulting in an overall profit in

all funds of \$60,501.12. President Krall stated that local donation requests would be considered later in the meeting based on the profit of the General Fund.

**Streets/Public Safety and Maintenance:** Roberta Teal reported that a decorative lantern was removed from a utility pole scheduled for replacement on West King Street and replaced when the project was complete. Regarding Don Myers' vacation absence, arrangements were made with East Berlin Excavating for snow removal assistance. Various snow events occurred from December 24<sup>th</sup> through December 29<sup>th</sup> requiring the use of salt, antiskid, and man hours. East Berlin Excavating assisted with five (5) hours of service on December 29<sup>th</sup> at a cost of \$460.00. President Krall noted that the assistance from East Berlin Excavating was the best solution with Mr. Myers on vacation.

Andrew Raymond reported that a crack in a north bay garage door has been temporarily repaired and the fiberglass panel will need to be replaced at some point. Hydrant and roadside markers have been placed to prevent problems during snow removal. Two (2) stop signs, posts, and hardware have been ordered to replenish emergency replacement inventory. Robert Meminger met with representatives from GVM to research equipment needed for spraying and creating salt brine as an anti-icing agent for road surfaces. Mr. Raymond stated that a sidewalk repair is needed following a utility pole replacement on West King Street, and that contact attempts to Met Ed would continue.

**Planning/Zoning:** None.

**Personnel:** A request for member volunteers to the Borough's Commissions and Boards will be posted on the town's bulletin board at the square.

**Park and Recreation:** President Krall requested a motion to reappoint Raeann Hamon to the Parks and Recreation Commission for an additional three (3) years. James LeVan stated that Mrs. Hamon has made commendable contributions to the Commission. *Andrew Raymond motioned to reappoint Raeann Hamon; seconded by Roberta Teal. Per roll call vote, all Council Members approved the motion.*

**Unfinished Business:** President Krall reported that a meeting is scheduled with Zoning Officer Robert Thaeler at 10:00 AM on January 9<sup>th</sup> to discuss updates to the Zoning Ordinance. President Krall stated that he hopes to attend the meeting depending on upcoming medical appointments. Regarding a proposal for engineering services from Buchart Horn, Council discussed the possible savings and services included in the retainer fee. The proposed contact engineer from Buchart Horn, Eric Mains, was highly recommended. There was some discussion of current and upcoming projects in the Borough. *Andrew Raymond motioned to accept the proposal from Buchart Horn; seconded by Charles Eisenhart. Per roll call vote, all Council Members approved the motion.*

President Krall reported that a response was received from the property owner at Subway regarding a possible right-of-way to Kuhn's Woods for the proposed cell tower project, but no response was received from the property owner at Danner's Insurance. With an existing Borough right-of-way at Zinn Alley, President Krall stated that this might be the simplest solution, but a written agreement would be needed with Chesapeake Towers to maintain the existing macadam. Solicitor Battersby suggested that photographs be taken of the current condition of the paving. *Andrew Raymond motioned to allow the use of the Zinn Alley right-of-way; seconded by Roberta Teal. Motion approved with one (1) dissenting vote.* James LeVan stated that other access options should be left open.

**New Business:** In response to President Krall's inquiry, David Richards stated that he is willing to continue as the Borough's representative to the York Adams Tax Bureau and the Adams County Tax Collection Committee. Mr. Richards noted that he was appointed to this position for a four (4) year term by Council in 2012, and recommended that Council appoint an alternate representative to this position. *Donald Dixon motioned to continue the appointment of Mr. Richards as the Borough's representative to the YATB and ACTCC; seconded by Andrew Raymond. Motion approved with all in favor.*

Regarding local donation requests based on the Borough's 2012 income, President Krall suggested donations be made to Liberty Fire Company toward the purchase of a new fire truck, the East Berlin Community Library toward the expansion project, the Senior Center, and the Food Bank. David Richards commented that donations should be withheld from the Fire Company until their permits are in order. President Krall stated that he did not wish to delay assistance to benefit the community. In a discussion of the Borough's mowing service at the Community Center, Donald Dixon requested that the Borough provide snow plowing as well. President Krall responded that the Borough has always done the mowing, but plowing is the responsibility of the Community Center. Regarding the payment of electricity for the Christmas lanterns, President Krall stated that this would no longer be shown as a donation to the Lion's Club, but would be entered as part of the Borough's electricity usage as in years before. *Charles Eisenhart motioned to donate a total of \$3,500.00 based on the Borough's 2012 revenue to local organizations; seconded by Andrew Raymond. Per roll call vote, the motion was approved unanimously. Roberta Teal motioned to donate \$1,000.00 to Liberty Fire Company, \$1,000.00 to the Community Library, \$500.00 to the Senior Center, and \$1,000.00 to the Food Bank; seconded by Charles Eisenhart. Motion approved with no dissenting votes.*

Mayor Hoffman requested that Council consider allowing the Deferred Retirement Option Program (DROP) as part of Officer Grim's retirement pension plan. Charles Eisenhart stated that this option was previously considered by Council and decided against since there is no benefit to the Borough and the option would incur additional expense to the Borough. There was some discussion of the details of the DROP option. President Krall suggested that Officer Grim meet with members of the Personnel Committee to discuss the matter.

**Correspondence:**

- Adams County Economic Development Corporation Membership Request
- PSAB January, 2013 Update
- Adams County Boroughs Association Meeting, 1/21/13, 6:30pm, Pike Restaurant
- Water Resources Advisory Committee 2013 Meeting Schedule

President Krall stated that he would be contacting the Youngs and Nevin Nell regarding drainage issues on Beaver Street affecting their properties. Regarding an accumulation of refuse at a property along Abbottstown Street, Solicitor Battersby suggested sending a certified letter notifying Kellett Property Management of Borough Code compliance and penalties.

*James LeVan motioned to adjourn the meeting of the East Berlin Borough Council at 8:20 PM; seconded by Andrew Raymond. Motion approved with all voting in favor.*

Respectfully submitted,

Darlene McArthur  
Secretary/Treasurer of Borough Council