

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

January 30, 2013 – Work Session

The second monthly meeting of the East Berlin Borough Council was held January 30, 2013, at the East Berlin Borough Hall. The meeting was opened with the Pledge of Allegiance at 7:00 PM.

Members Present: James LeVan; Roberta Teal; Charles Eisenhart; Richard Cashman; and Andrew Raymond

Members Absent: President Charles Krall; and Donald Dixon

Also Present: Secretary/Treasurer Darlene McArthur; Donna Kreiser and Timothy Horstmann of McNees, Wallace & Nurick, LLC; Borough Engineer Eric Mains; and David Richards

In the absence of President Charles Krall, Vice President James LeVan chaired the meeting. Vice President LeVan reviewed a letter from President Krall stating that he would be unable to attend Council meetings for approximately ten (10) weeks due to medical reasons.

Constituents Addressing Borough Council: None.

Topics of Discussion:

- Donna Kreiser, as legal representation for the East Berlin Area Joint Authority, addressed Council to request approval from the Borough to advertise an Ordinance to guarantee a one million six hundred thousand dollar (\$1,600,000.00) Pennvest loan to perform upgrades to the Joint Authority's water system. Vice President LeVan inquired if Reading or Hamilton Townships would also be guaranteeing the loan. Ms. Kreiser responded that only the Borough is being asked to make the guarantee, and that she does not represent the Joint Authority on this issue. Vice President LeVan stated that he could not support the loan guarantee on behalf of the citizens of East Berlin. Charles Eisenhart explained that the loan would enable the Joint Authority to install water lines to a new well. David Richards mentioned the necessary timeframe to access the well or lose rights to make the connection. Vice President LeVan accepted the explanation for the necessity of the Borough's guarantee. Ms. Kreiser noted that the loan is self-liquidating as it is covered by the income of the Joint Authority, and that the guarantee would not affect the Borough's ability to borrow funds. Ms. Kreiser stated that she would be present the February 6th meeting for Council's approval of the Ordinance to guarantee the loan. *Andrew Raymond motioned to advertise Ordinance No. 2013-1; seconded by Charles Eisenhart. Motion approved with no dissenting votes.*
- Eric Mains addressed Council to introduce himself as the Borough's new engineer, stating that he has been in engineering for nineteen (19) years and would assist Council by guiding them through technical issues. Regarding a request from GHI Engineering to waive the requirement of a Preliminary Land Development Plan for the Pennwood Products project, Mr. Mains explained that typically a two (2) phase commercial project such as this would not require a separate Preliminary and Final Plan as would a

multi-phase residential development. It was also noted that issues could arise from a possible disconnect between the plans if two (2) are submitted. Mr. Mains stated that he reviewed the plan last week with the Planning Commission and that Gerry Funke from GHI was also present. There was some discussion of the details of the plan to construct a forty-five thousand (45,000) square foot warehouse with new office space and additional employee parking. Mr. Mains explained the proposed consolidation of the property parcels and discussed storm water issues and methods of addressing water quality. Mr. Mains recommended that Council grant the request to waive the requirement of a Preliminary Plan, and that the submittal should be a Preliminary/Final Plan. *Andrew Raymond motioned to grant the waiver if submitted as a Preliminary/Final Plan; seconded by Charles Eisenhart. Motion approved with no dissenting votes.*

- Vice President LeVan requested input from Council on the scheduling of a Conditional Use Hearing for Chesapeake Towers to erect a cell tower on Borough-owned property in Kuhn's Woods. There was some discussion of the timeframe to respond, advertise, and provide notices to adjoining property owners. *Andrew Raymond motioned to schedule the Hearing for February 25, 2013, at 7:00 PM; seconded by Richard Cashman. Motion approved with all in favor.* On the issue of an alternate access point to Kuhn's Woods, Council requested that Secretary/Treasurer McArthur contact the property owner regarding a right-of-way to extend Park Avenue. Council reviewed a recommendation from the Planning Commission to accept the Conditional Use noting the possibility of an alternate access point.
- Vice President LeVan reported the completion of the municipal audit on January 15th and noted that a report is forthcoming.
- Regarding a recent meeting of the Personnel Committee with Officer Grim, Vice President LeVan explained that action is required by Council to include the Deferred Retirement Option Plan (DROP) in the Uniformed Pension Plan. Roberta Teal inquired if cost would be incurred to include this option. Vice President LeVan stated that the Uniformed Pension Plan is fully funded and noted the advantage to the Borough in retaining Officer Grim for a transition period prior to the end of his service. David Richards stated that the former Council decided against the DROP and felt that it gave no advantage to the Borough. It was noted that there is no disadvantage, and that Officer Grim has devoted almost thirty-four (34) years of service to the Borough. Council requested that Secretary/Treasurer McArthur contact James Allen at the Pennsylvania Municipal Retirement System to confirm that there would be no additional cost to the Borough to include DROP, so that an amended plan could be adopted by Ordinance.
- Roberta Teal reported that she and Robert Meminger met with Representative Will Tallman and his assistant to discuss a submittal from the Borough for Infrastructure Project Funding, and noted that Representative Tallman was impressed with the thorough documentation of the requested project to replace the traffic signal loop sensors with a camera video detection system. There was some discussion of the history of problems with the loop sensor system and the advantages of the camera system. The cost of the proposed project was noted as approximately \$22,000.00. Borough Engineer Eric Mains stated that a video detection system would improve the dynamics of the operation of the traffic signal in addition to preventing costly repairs.

- Council was provided with the Park and Recreation meeting minutes of December 13, 2012. Vice President LeVan commented on the success and commitment of the Commission Members.
- The Planning Commission meeting minutes of December 6, 2012, were provided to Council. It was noted that the minutes are helpful in tracking the activities of the Planning Commission.
- The Borough Council was copied on a letter from Reading Township to USDA and DEP regarding the state mandated development of a sewer system for the Lauchman's Bottom area of Reading Township. The letter stated, "The East Berlin Area Joint Authority made it perfectly clear that they do not have the capacity to accommodate the Lauchman's Bottom project." David Richards stated that Attorney Battersby was instructed to respond to the letter on behalf of the Joint Authority. Charles Eisenhart stated that approval will likely be given to provide sewer to the Conewago Park area of Reading Township and possibly Lauchman's Bottom in the future.
- A newsletter was received from the Adams County Association of Boroughs.
- A letter was received from the East Berlin Food Pantry thanking Council for a recent donation.
- An invitation was received from the Community Library to a fundraiser dinner for the Library's Expansion Project.
- David Richards reported on his attendance at the meeting of the York Adams Tax Bureau on January 28, 2012. Topics included several issues that were referred to the By Laws Committee for their determinations. Mr. Richards inquired if any progress was made by the Fire Company in obtaining permits for the door widening project and the non-compliant sign. It was noted that permit applications were obtained but not yet submitted.
- Andrew Raymond reported that the recent meeting of the Council of Governments was cancelled due to inclement weather. Mr. Raymond commented that the VFW is selling raffle tickets to fund a \$20,000.00 rubber roof project, and Liberty Fire Company needs a rooftop heating system at a cost of \$20,000.00 to \$30,000.00.

Roberta Teal motioned to adjourn the meeting of the East Berlin Borough Council at 8:15 PM; seconded by Andrew Raymond. Motion approved with all in favor.

Respectfully submitted,

Darlene McArthur
Secretary/Treasurer of Borough Council