

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

December 6, 2017

The monthly meeting of the East Berlin Borough Council was held December 6, 2017, 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; James LeVan; Andrew Raymond; and Donald Dixon

Members Absent: Jason Wood; and Catherine Lockey

Also Present: Mayor Keith Hoffman; Solicitor Matthew Battersby; Secretary/Treasurer Darlene McArthur; David Richards; Laura Ferrara; and Phil Keener

Adoption of the Minutes: The meeting minutes of Council's Session on November 1, 2017, were reviewed. *A motion to approve the minutes was made by Charles Krall; seconded by James LeVan. Motion approved with no dissenting votes.*

Payment of Bills: A summary of bills for December totaling \$67,498.62 was reviewed. President Teal noted that the bills detail includes payment for the new F350 truck in the amount of \$36,709.00 paid by General Reserve funds. *James LeVan motioned to pay the bills for December; seconded by Donald Dixon. Motion approved unanimously.*

Constituents Addressing Borough Council: Laura Ferrara introduced herself to Council as a Board Member of the East Berlin Historical Preservation Society (EBHPS) to request permission to close a section of Locust Street for Colonial Day on September 8, 2018. Ms. Ferrara explained that Colonial Day could no longer be located on W. King Street due to the excessive cost of PennDOT requirements including the use of Flagger Force for closing a State road. Locust Street would be closed from Second Avenue to Kuhn Drive, and Third Street would be closed from Locust Street to W. King Street. Parking for vendors would be permitted at the Chowdown Restaurant with additional parking arrangements underway. Ms. Ferrara stated that she is working with Robert Meminger to address adequate signage. Solicitor Battersby stated that the Mayor could permit the closure by Resolution even one week before the event to be enforced by the police. There was some discussion of vendors and yard sales not registered with EBHPS for Colonial Day, which could be addressed by Ordinance.

Phil Keener, Chairman of the Parks and Recreation Commission, addressed Council to discuss the Restroom Facility Project slated for early next year. Stating his concerns of nighttime activity at the Park, Mr. Keener requested guidance from Council regarding the open hours of the restroom facility. President Teal mentioned the possibility of a timed device to lock the restroom at night. With Park hours open from dawn to dusk, Council concurred that the restroom should be locked when the Park is closed.

Mayor's Report: Mayor Hoffman reviewed the police report for November.

Solicitor's Report: Solicitor Battersby discussed Pennsylvania Legislative Act 42 which allows Category 4 casinos to operate within the State and explained the option for the Borough to prohibit the casino by Resolution delivered to the Pennsylvania Gaming Control Board by December 31, 2017. Solicitor Battersby provided a Resolution for Council's consideration, and noted that Act 42 would override the Borough's Zoning Ordinance. *Donald Dixon motioned to approve Resolution No. 12-2017-7 to prohibit a casino within the boundaries of the Borough; seconded by James LeVan. Per roll call vote, all Members of Council approved the motion.*

Committee Reports:

Finance: Council reviewed the Previous Year Financial Comparison Report and Summary of Accounts. In a review of the proposed 2018 Budget, President Teal discussed the inclusion of new garage doors in the extended section of the Borough garage and much-needed improvements to be made to the town bulletin board at the square. The budget includes the Stoner Avenue Pavement Reconstruction Project to

be paid by Liquid Fuels Funds. Council entered Executive Session at 7:37 PM to discuss a personnel issue. Council returned to Regular Session at 7:50 PM. *Charles Krall motioned to approve the proposed 2018 Budget to include a total expense of \$6,000.00 to cover employee pay raises; seconded by James LeVan. Motion approved with all in favor.* President Teal reviewed Resolution No. 12-2017-5 increasing the quarterly cost of trash service to \$52.00 per quarter beginning January, 2018. It was noted that the excess funds in the Refuse Account have become depleted. *James LeVan motioned to approve Resolution No. 12-2017-5; seconded by Charles Krall. Per roll call vote, the motion was unanimously approved.*

Streets/ Maintenance: Andrew Raymond reported that the new furnace has been installed in the north bay of the garage. The 2017 F350 with plow has been delivered and reflective tape was applied along the sides and rear to increase nighttime visibility. Reflective “East Berlin Borough” signs will be placed on the doors. The salt spreader controls and hopper will be installed on the F350. The F250 will be outfitted with a brine dispenser purchased from GVM. The F750 is being prepped for winter work. Donald Myers has been working to resolve electrical issues with the street sweeper.

Planning/Zoning: Council was provided the Planning Commission meeting minutes of October 26th. James LeVan reported that the next meeting is scheduled for December 14th.

Personnel: Council reviewed a resignation letter from Anne Geiger from her membership on the Zoning Hearing Board. The letter states that with her write-in election win as a member of the Borough Council, she may no longer serve on the Zoning Hearing Board per the Pennsylvania Municipalities Planning Code. James LeVan stated that with Mrs. Geiger’s resignation, two (2) of five (5) seats are now vacant on the Zoning Hearing Board with no alternate members, and that efforts will be made to fill the openings. *James LeVan motioned to accept Anne Geiger’s resignation from the Zoning Hearing Board; seconded by Charles Krall. Motion approved unanimously.*

Parks and Recreation: Council was provided the meeting minutes of November 9th.

Unfinished Business: President Teal reviewed Ordinance No. 2017-1 as publicly advertised to amend Appendix E (No Parking Zones), Chapter 67 of the East Berlin Borough Code. The Ordinance will add no parking 145 feet north of the entrance of 407 Abbottstown Street (East Berlin Manor) to allow better visual access when entering the street. *Charles Krall motioned to adopt Ordinance No. 2017-1; seconded by James LeVan. Motion approved with no dissenting votes.* President Teal reviewed Resolution No. 12-2017-4 authoring fees of the Tax Collector as required by the State. *James LeVan motioned to adopt Resolution No. 12-2017-4; seconded by Andrew Raymond. Motion approved with all in favor.*

New Business: President Teal reviewed Resolution No. 12-2017-6 adopting procedures to govern the procurement of professional services contracts regarding the uniformed and non-uniformed employees’ pension plans. Secretary McArthur explained that this resolution is required by the Auditor General and would only be utilized in the event that administration of the pension plans is transferred from PMRS to another service provider. If the Resolution is not in place, it is considered a minor infraction or verbal warning during the audit process. *Donald Dixon motioned to adopt Resolution No. 12-2017-6; seconded by James LeVan. Motion approved with all in favor.*

Correspondence:

- Gettysburg Chamber of Commerce December Newsletter
- Adams County Boroughs Association November Newsletter
- Training and Webinars Available

President Teal reminded all that the next meeting of Council would be the Reorganization Meeting on Monday, January 8, 2018. *Donald Dixon motioned to adjourn the meeting of the East Berlin Borough Council at 8:08 PM; seconded by Charles Krall. Motion approved with all voting in favor.*

Respectfully submitted,

Darlene McArthur
Secretary/Treasurer of Borough Council