

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

Call to Order: The regularly scheduled monthly meeting of the East Berlin Borough Council began with the Pledge of Allegiance at 7:00 PM led by James LeVan, Council President on Wednesday, August 9, 2023, at the East Berlin Borough Hall.

Members Present: James LeVan, Roberta Teal, Charles Krall, Judith Salomon, Donald Dixon, Chris Warner, Heather Gentzler, and Mayor Stephanie Haley

Also Present: Administrator/Treasurer Cindy Smith, and Solicitor Matt Battersby

Approval of Agenda: Charles Krall motioned approval, second by Judy Salomon. Motion carried.

Solicitor's Report:

- Communication continues with the Redding's Auction Service in regards to disposition of the "Old Fire House Building".
- The Mayor has spoken with the Solicitor regarding public disorderly conduct in regards to the "loud BMW car".

Administrator's Report:

- Charles Krall motioned an estimated expenditure of \$2,575.00 for a land survey to be completed by Beyond All Boundaries at 405 North Avenue, second by Judy Salomon. Motion carried.
- Council acknowledged receipt of item number three of the Engineer's Report dated August 9, 2023, regarding the Zwingli Church final subdivision plan.
- As discussed during the June 14th Council Meeting and outlined in the Engineer's Report dated August 9th, item number five, James LeVan signed the proposal from McMahan dated July 29, 2023 for a traffic signal analysis noted as Phase I.
- Council acknowledged receipt of the Pennwood Products Development; PennDot Scoping Application Meeting Notes dated July 18, 2023.
- Council acknowledged receipt of Planning Commission Conditional Approval recommendations regarding the Zwingli Church final subdivision plan dated July 27, 2023.
- Council acknowledged the Planning Commission draft Meeting Minutes dated July 27th.
- Council acknowledged the East Berlin Park restroom door is scheduled to be replaced subsequent to vandalism.
- Council acknowledged informal "notes" from the Secretary / Treasurer's meeting with Greta Haley and Darrin Youker on July 26th related to the Dog Park.
- Council acknowledged that the trail-cam for the park has been received and Borough Maintenance will be installing.
- Council acknowledged the Treasurers Financial Bond has been renewed.

Approval of the Minutes:

- Roberta Teal motioned to accept the July 12, 2023, Meeting Minutes, second by Heather Gentzler. Motion carried.

Committee Reports:

Personnel – James LeVan:

- James LeVan noted the two youngest Borough Maintenance subcontractors will be leaving work to resume school during the month of August.

Finance: Roberta Teal:

- Council acknowledged receipt of the **Profit & Loss Statement** as well as the **Summary of Accounts**.
- Roberta Teal motioned to pay the **July bills in the amount of \$22,432.75**, second by Heather Gentzler. Motion carried.
- Roberta Teal motioned an expenditure of up to \$10,000.00 from the ARP Account / Funds, for a backhoe attachment with “thumb”. This attachment will be a shared implement with the East Berlin Area Joint Authority (EBAJA), second by Charles Krall. Motion carried.

Mayor Haley read / reported on the following:

- Park and Recreation report - none
- Police report(s)
- Mayor’s Report
- Judy Salomon motioned to authorize a letter be issued to PennDot in support of the Bermudian Springs Home Coming Parade on Wed., October 18th at 6 PM, second by Roberta Teal. Motion carried.
- Charles Krall motioned for approval of a one-time “Movie Night in the Park” on October 6th from 6–7:30 PM, the park hours will be extended after dusk for this event, second by Chris Warner. Motion carried.

Chris Warner– presented the following reports and information:

- Emergency Management Report.
- Emergency Services Report
- Work is continuing on the Special Event Notification Form

Constituents / Guests:

- John Schlaline spoke regarding the need to illuminate the Park Pavilion after dusk.
- Randy Tate spoke regarding the continuing Code violation(s) at 103 Water Street.
- Jenna Kahler spoke in support of the increased Borough Ordinance enforcement.
- Emma Diehl
- Barry Emig
- Dennis Kobiac complained regarding the noise from the black BMV car and that his friend Buffy Rice is being disturbed by the vehicle.
- Buffy Rice complained regarding the loud BMW car parked near her home. She stated that she is not willing to testify in court against the BMW car owner. She also stated that the owner of the BMW has physically confronted her regarding her complaints. During that confrontation an argument ensued between the BMW Owner and Buffy, at which point Buffy’s “witness” stated if the BMW Owner harmed a “hair on Buffy” he would “break the BMW Owner in half”. Buffy informed the witness that the BMW Owner “was not worth it”.

Correspondence: James LeVan

- Training and webinars available
- East Berlin Area Community Center (EBACC) Meeting Minutes

Executive Session: 8:24 PM – 9:13 PM

The Session was held regarding Buffy Rice’s complaints against the loud BMW vehicle and it’s Owner.

Executive Session Decision

- James LeVan indicated a letter would be sent to the residents related to contacting the Borough Police Chief. The Solicitor will draft the letter. The letter will be sent via a mass residential mailing.
- The Mayor will follow-up with Chief Seitz regarding the Owner of the BMW.

Closure

James LeVan motioned to adjourn the meeting at 9:18 PM, second by Heather Gentzler. Motion carried.

Respectfully submitted,
Cindy Smith, Administrator / Treasurer