

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

October 3, 2018

The monthly meeting of the East Berlin Borough Council was held October 3, 2018 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; Donald Dixon; James LeVan; Anne Geiger; David Meixner; and Jason Wood

Members Absent: None.

Also Present: Mayor Keith Hoffman; Solicitor Matthew Battersby; Walt Geiger; Steph Haley; Emma Diehl; Jan Hoffman; and Robin Heyser

Adoption of the Minutes: The meeting minutes of Council's Session on September 5, 2018, were reviewed. *A motion to approve the minutes was made by Donald Dixon; seconded by James LeVan. Motion approved with no dissenting votes.* The meeting minutes of Council's Special Session on September 12, 2018, were reviewed. *A motion to approve the minutes was made by Jason Wood; seconded by Anne Geiger. Motion approved with all in favor.*

Payment of Bills: A summary of bills for October totaling \$29,234.82 was reviewed. Donald Dixon questioned the higher than usual cost of legal services for September. Solicitor Battersby explained the additional services provided including the September 12th special Council meeting and negotiations for the new trash contract. *James LeVan motioned to pay the bills for October; seconded by Jason Wood. Motion approved unanimously.*

Constituents Addressing Borough Council: President Teal noted that Robin Heyser, EBACC Board President, wishes to address Council but she will be in later. Stephanie Haley addressed Council to request better communication to the residents of information, such as the new trash service, as in utilizing a Facebook page.

Mayor's Report: Council reviewed the September police report. Mayor Hoffman mentioned that Police Chief Terry Seitz has been dealing with the issue of a homeless man in the Borough in an attempt to relocate him. Mayor Hoffman stated that Trick or Treat is scheduled for October 31st from 6:00 to 8:00 PM.

Solicitor's Report: Regarding Council's consideration of repealing Chapter 37 of the Borough Code mandating trash collection procedures, Solicitor Battersby requested a motion to approve Ordinance No. 2018-2. There was some discussion of repealing mandatory trash service. Solicitor Battersby explained that mandatory service is in conflict with the County requirements of the new joint contract for trash collections. *Jason Wood motioned to adopt Ordinance No. 2018-2; seconded by James LeVan. Per roll call vote; all Members of Council approved the motion.*

Solicitor Battersby presented the joint municipal contract for trash collection for the Adams County Southeast Group (Abbottstown Borough, Straban Township, and Cumberland Township), and explained the details of the contract. The existing contract with service provided by Waste Connections began January 1, 2018 through December 31, 2021, with the option of a

one year extension. Charles Krall stated his concern of the Borough relinquishing the billing duties to the contractor due to their procedure to discontinue service for nonpayment creating the possibility of trash accumulation. Solicitor Battersby stated that there are other regulations in place to deal with trash accumulation, and that the contractor has an efficient method of obtaining payment. Anne Geiger reported that she received notice from Waste Connections of a slight increase in cost beginning January 1, 2019, due to the increased expense of recycling. The increase would be \$2.40 per year, or 60¢ per quarter. *Jason Wood motioned to accept the Southeast Group Contract; seconded by James LeVan. Per roll call, votes were cast as follows: James LeVan, yes; Jason Wood, yes; David Meixner, yes; Charles Krall, no; Anne Geiger, yes; Donald Dixon, yes; and Roberta Teal, yes. Motion carried by a vote of six (6) to one (1).*

Regarding a drainage issue on Branch Circle, Solicitor Battersby stated that he has researched the existence of a right-of-way deed of dedication to the Borough at the Adams County Courthouse and has found that none exists. Although the right-of-way is shown on the final land development plans, the documentation does not exist. Solicitor Battersby is working with the Borough Engineer and Robert Meminger to establish a right-of-way to make repairs to a collapsing pipe to improve drainage.

Constituents Addressing Borough Council: Robin Heyser, EBACC Board President, reported to Council the success of the recent Fall Festival event, stating record food sales, positive feedback from vendors, and an attendance of approximately 1,500 people even with the inclement weather. EBACC is planning another Fall Festival next year possibly in conjunction with Colonial Day if that event is held. Ms. Heyser requested that Council consider forming a committee to continue activities at the Park including the horse and wagon rides.

Committee Reports:

Finance: Council reviewed the Financial Comparison Report and Summary of Accounts. President Teal reported that the Finance Committee will meet later this month to review the 2019 budget.

Streets/ Maintenance: Council was provided the Maintenance Report for their review.

Planning/Zoning: James LeVan reported the Planning Commission is awaiting updates on the two (2) proposed bridge closures on Lake Road in Paradise Township and the status of the vacant former Nell's building on West King Street.

Personnel: James LeVan reported that Melvin Riser's membership on the Planning Commission expired on September 30th, and that Mr. Riser is willing to continue in the role. *James LeVan motioned to reappoint Melvin Riser to another four-year term on the Planning Commission; seconded by Jason Wood. Motion approved unanimously.* Mr. LeVan stated that an application was received from Andrea Everhart to fill a vacancy on the Parks and Recreation Commission and that she is highly recommended by Commission Chairman Phil Keener. Anne Geiger stated that Ms. Everhart is very enthusiastic to be involved in service to the Borough. *James LeVan motioned to appoint Andrea Everhart to a three-year term on the Parks and Recreation Commission; seconded by Donald Dixon. Motion approved with no dissenting votes.*

Parks and Recreation: Anne Geiger reported that Doug Sheaffer is working on the plans for the proposed restroom facility at the Park, and that the golf tournament went very well.

Unfinished Business: Anne Geiger reiterated the comments of Stephanie Haley regarding communications to the Borough residents and suggested website improvements and social media, as well as improving communications between Council Members and with other municipalities. Mrs. Geiger read a prepared statement to stress her desire to assist the Borough by improving processes and methods when needed.

New Business: Anne Geiger reported on her attendance at the recent ACCOG meeting and their discussions of improved stormwater management. Charles Krall discussed the requirements of MS4 communities, should the Borough be designated, and the steps that have been taken in advance of the required mandates. Mr. Krall also discussed a recent article in the PSAB magazine regarding municipal use of social media and suggested the adoption of policy guidelines to avoid any associated issues. Donald Dixon reminded all to vote on Election Day.

Correspondence:

- Adams County Announces Emergency Incident Program, 11/6 at 6:30 PM at EOC, Gettysburg
- ACCOG Announces Watershed Implementation Plan and Bridge Repair Program
- Adams County Boroughs Association September Newsletter
- Adams County SPCA Announces Trap, Neuter, Release Program for Cats
- Gettysburg Chamber of Commerce September Newsletter
- Training and Webinars Available

Council entered Executive Session at 8:15 PM to discuss a personnel matter. Council re-entered Regular Session at 9:15 PM

Charles Krall motioned to adjourn the meeting of the East Berlin Borough Council at 9:15 PM; seconded by Jason Wood. Motion approved with all voting in favor.

Respectfully submitted,
Darlene McArthur, Secretary