

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

November 6, 2019

The monthly meeting of the East Berlin Borough Council was held November 6, 2019 at the East Berlin Borough Hall. The meeting was opened with the Pledge of Allegiance at 7:00 PM.

**Members Present:** Roberta Teal; James LeVan; Charles Krall; Anne Geiger; Donald Dixon; David Meixner and Jason Wood

**Also Present:** Mayor Keith Hoffman, Solicitor Matt Battersby, Recording Secretary Cindy Smith and Hannelore Furst

**Approval of the Minutes:** The meeting minutes of October 2, 2019 were approved as presented *with a motion by James LeVan and a second by Anne Geiger. Motion carried.*

**Payment of Bills:** A summary of the bills for October totaling \$80,182.18 was reviewed. President Teal explained \$36,992.00 was the annual pension bill, \$20,481.99 was State Aid and balance of \$16,510.01 was paid by the Borough. *James LeVan motioned to pay the bills for October 2019; and seconded by Jason Wood. Motion approved unanimously to pay the bills.*

**Guest's Addressing Borough Council:**

- Judy Salomon and Sarah Diehl – 204 Beaver Street- requested approval to hold a Thanksgiving 2020 Turkey Trot, 5K/3.2 mile run/walk. She explained the details of the event and was advised to discuss this further with Officer Seitz. Council is in support of the event at this time.
- Emma Deal – 203 Beaver Street – concerns regarding traffic/speeding and requested Officer Seitz be present at the bus stops on Beaver Street. Roberta Teal deferred questioning to Mayor Hoffman. Mayor Hoffman confirmed his residency in East Berlin.
- Bill Powell- 541 West King – voiced concerns regarding ongoing speeding issues on West King Street. Requesting a lower speed limit.
- Jan Hoffman – 412 West King Street - Intends to submit a RTK request for speeding tickets issued in the past 10-12 years.
- Stephanie Hailey – 205 East King Street – reported excessive speeding while backing out of her driveway onto East King Street.

**Mayor's Report:**

Mayor Hoffman read the 12 incidents for October. Due to inclement weather, the rescheduled Trick or Treat festivities went well.

**Solicitor's Report:**

- Solicitor Battersby completed the preliminary review of the cell phone tower contract. He noted the following concerns with the proposed contract. The “contract language is ambiguous”; payment of property taxes – the cell phone tower company would be liable; site needs generator to provide back-up power for Emergency Services; service at no cost to Fire Department and Police; removal terms if technology changes and cell tower is no longer necessary; escalation clause with built in 3½% - 4% payment increase. The Solicitor would like to receive a “better lease proposal from the cell phone company”.

- Pennwood - He reviewed comments from both the Zoning Officer and the Variance that was granted by the ZHB. Plans need to be revised to reflect the requirements outlined by the Variance that was granted. He also mentioned the possibility of an additional EDU may be required through EBAJA for water or sewer.
- Anne Geiger expressed regret that the JB Buyright plan was not referred to the Zoning Hearing Board.

### **Committee Reports:**

**Finance:** President Teal presented the “Proposed Draft 2020 Budget” for discussion. Motion made by James LeVan and 2nd by Ann Geiger to advertise the Draft Budget as presented. With a role call vote, all voted in favor of advertising, “Proposed Draft 2020 Budget” and motion carried.

The main discussion was centered on Cultural and Recreation Contributions-

- East Berlin Senior Center – a motion Ann Geiger and second by Charles Krall to donate \$1500. Motion Carried.
- Northeast Adams Fire and Rescue – (TBD) To be determined; James LeVan requested additional reports from the company before making a decision.
- East Berlin Library - – a motion Ann Geiger and second by Jason Wood to donate \$2500. Motion Carried.
- East Berlin Community Center – a motion Jason Wood and second by Ann Geiger to donate \$4500. Motion Carried.
- East Berlin Historical Society – a motion Ann Geiger and second by Don Dixon to donate \$1000. Motion Carried.

The proposed budget will be advertised in the newspaper and on the Borough website for public review.

### **Streets/ Maintenance:**

Discussion on two reports from Bob Meminger, “Road maintenance and stormwater issues for 2020” and Road maintenance report dated Nov. 6, 2019

**Personnel:** James LeVan updated the Council on the two Park and Recreation Board vacancies. An application from Amy Burns, 209 Abbottstown Street was received. Darrin Youker recommended her to fill one of the vacancies. *A motion by James LeVan and second by Charles Krall to accept Amy Burns for a 3 year term on Park and Rec. Motion carried.*

**Planning/Zoning:** No report / no meeting / no quorum. There was discussion on changing from 5-7 board members. Previously it was noted there were 7 members and was reduced to 5 members. The Solicitor suggested having alternates.

### **Parks and Recreation:**

Ann Geiger stated a grant for \$8000 was requested and an extension on the end of construction of the restrooms was granted until May 2020 by Adams County. The restroom foundation has been started.

### **Communications:**

Anne Geiger reported receiving unpleasant e-mails and recited the “Code of Conduct” which the Council agreed to earlier this year. A discussion ensued. Dave Meixner commented on the “unproductive and unprofessional e-mail” and he believes in standing up for transparency. Jim

LeVan mentioned each committee has its own structures. He will be reviewing and giving recommendations on the Personnel Policy.

Jason Wood departed the meeting at 8:32pm for work.

**Unfinished Business:**

- Council was provided with a copy of the KPI ADA entrance options report. Roberta Teal explained the options. The Council requested an additional option with side parking and handicap ramp parallel with the building by the next meeting.
- Solicitor Battersby acknowledged the letter from the EB Historical Preservation Society of the intention to return the Old Firehouse Building to the Borough by November 20, 2019 and terminate their 99 year lease.

**New Business:**

- Roberta Teal explained the \$2200.00 Gingrich bill for the Stormwater Maintenance repairs on North Avenue at 3rd Street. This repair was completed while the street was under construction for a water leak.
- Anne Geiger read a letter acknowledging the death of Kenneth E. Young, a long time resident of the Borough.
- Rebecca Meixner publically thanked Anne Geiger on the continuing her support of the Meixner Family during Dave's injuries, rehab and recovery.

**Correspondence:**

- Training and Webinars Available
- Letter from EB Historical Preservation Society
- General Code
- ACBA meeting – November 18, 2019
- Rabbit Transit Annual report
- Northeast Adams Fire and EMS Report
- Jean Barnett Trone Library – “Giving Spree Info”
- KPI – ADA Compliant Entryway

The next meeting is scheduled for December 4, 2019 at 7 PM at the Borough Hall.

Having nothing further to report, *Don Dixon motioned to adjourn the meeting of the East Berlin Borough Council at 8:50; with a second by James LeVan. Motion approved with all voting in favor.*

Respectfully submitted,  
Cindy Smith, Recording Secretary