

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

February 5, 2020

The monthly meeting of the East Berlin Borough Council was held February 5, 2020 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; Anne Geiger; Donald Dixon; Jason Wood, David Meixner and Charles Krall

Absent: Mayor Keith Hoffman and Secretary Cindy Smith

Approval of the Minutes: The meeting minutes of January 6, 2020, were approved by Donald Dixon and a second by James LeVan with the minor correction under Unfinished Business it should read: Anne Geiger mentioned the street light is out at Jacobs Street and East King Street. Motion carried to accept the minutes as corrected.

Payment of Bills: A summary of the bills for January totaling \$ 12,444.53 was reviewed. A motion was made to pay the bills for January by Donald Dixon with a second by Anne Geiger. Motion carried.

Guest's Addressing Borough Council: None

Mayor's Report: Council President Robbie Teal read the report in the Mayor's absence. There were 10 incidents for January from the Police report.

Solicitor's Report:

- Solicitor Battersby reminded the Council members the flood plain ordinance needs to be done by end of June. Flood Maps have been published. Rob Thaeler is working on a county wide template.
- Pennwood-Gerry Funke of GHI presented plans for the Pennwood expansion. They changed the plans to preliminary plans, so the money is not tied up in a bond. They are delaying construction at this time because business has declined. In the latest letter from KPI Engineering dated 01/22/2020, there was a list of items to be completed. Leah Hime of KPI presented a copy of that letter. Solicitor Battersby mentioned that there were things that needed to be added to the general notes of the plan. One of the items was making sure EBAJA is able to review the plan for any sewer or water related items. The Borough's engineer mentioned there were minor changes in the wording of the NPDS permit portion. The time limit to the preliminary plan is five years. The engineer mentioned they are using the boiler plate form for the Borough's Stormwater Management Ordinance. She suggested the name of the plan should be labeled as the Post Construction Stormwater Management Plan; instead of Operation and Maintenance Plan. This becomes an exhibit of the NPDS Permit. Gerry Funk, GHI requested permission to do preliminary site work prior to Final Plan Approval and Bond posting. Council denied request.

Mr. Funke is requesting conditional approval on the plans at this meeting. *A motion was made by Charles Krall to give "Conditional Approval" of the Preliminary Plans with the conditions as stated by Solicitor Battersby; with a second by James LeVan.* There was a brief discussion on whether there would be

additional employee(s), since the original plan stated there would not. Mr. Funke will confirm if there will be any additional employee(s). ***By roll call vote-Motion carried with all voting in favor.***

- Solicitor Battersby mentioned the Borough received a letter from Vertical Bridge to terminate the land lease agreement of the cell tower lease. It will have to be notarized and filed at the courthouse. *On a motion by James LeVan to prepare and execute appropriate documents to release Vertical Bridge from the cell tower lease, and authorizing the Council President to sign the paperwork, pending advise from counsel on whether the \$10 fee is sufficient, at the courthouse; with a second by Jason Wood. Motion carried.*
- Solicitor Battersby reported there has been an interest to purchase the “Old Fire House” by Keith Strine. No price was mentioned. Solicitor Battersby requested an Executive meeting to discuss the offer and the legal options.
- Solicitor Battersby reported he has been checking rights-of-way of Park Road at the courthouse, for Stormwater Management. He suggested surveying the road way and contacting the property owners and paying for the easements.

Committee Reports:

Finance: - Profit and Loss statement was provided.

Streets/ Maintenance: Charles Krall read the Borough Maintenance Report. Leslie Rhodes from FEMA reviewed the Borough’s Flood Plain Ordinance 2008-10 and it is very good. The only recommendation that would need to be added is Recreational Vehicle (RV) parking in the flood plain. It was suggested contacting Rob Thaeler to find out where the flood plain map is. Anne Geiger suggested making Cindy Smith the Flood Plain Administrator.

Planning/Zoning: David Meixner reported Pennwood was discussed earlier in the meeting. Lake Road project is on hold, because the new commissioners need to review the previous commissioner’s plan. Stormwater issued were discussed earlier, and the road safety audits continues.

Personnel: James LeVan reported he recommends appointing Janet Noel of 203 Kuhn Drive; as an alternate on the Planning Commission. *A motion was made by James LeVan to appoint Janet Noel as an alternate to the Planning Commission; with a second by David Meixner. Motion carried.* Mr. LeVan also stated he has received two applications he has not reviewed yet; one for Park & Rec Commission and one for Planning & Zoning Board.

Parks and Recreation: Anne Geiger reported the purpose of the dog park donation is unchanged. The removal of invasive plants will continue in the spring. The Commission will be looking into grant opportunities for park projects in the Borough. Gerald L. Mummert will continue coordinating the Golf Tournament fundraiser.

Communications: Anne Geiger gave Council members a form to complete providing their emergency contact information. She will be meeting with Cindy to update the website and the official emails. David Meixner brought up updating the personnel manual and performance reviews. Anne reported she has been appointed as an alternate to Adams County Transportation & Planning Organization (ACTPO). Ms. Geiger also reported that the PA House of Representatives passed a Bill requiring public agencies to post meeting agendas 24 hours prior to the meetings. *A motion was made by Anne Geiger to make the agenda available 24 hours prior to meeting on the website meeting, posted at the office, and available at the meeting with a second by Jason Wood. Motion carried.*

Unfinished Business: Pennwood-discussed earlier in the meeting.

New Business: None

Correspondence:

- Received a letter from Keith Strine inquiring about the possibility of purchasing Old Fire House
- Training and Webinars Available
- Northeast Adams Fire & EMS Reports
- EBACC January 2020 Report

The regular meeting closed at 8:22 PM

EXECUTIVE SESSION: To discuss legal matters. Executive Session closed at 8:50 PM.

The next meeting is scheduled for March 4, 2020, 7PM at the Borough Hall.

Donald Dixon moved to adjourn the meeting at 8:50 PM with a second by James LeVan. Motion approved unanimously.

Respectfully submitted,
Hannelore B. Furst,
Interim Secretary