

NEW BERLIN BOROUGH COUNCIL REGULAR COUNCIL MEETING

A regular meeting of the New Berlin Borough Council was held on January 9, 2019, at 7:00 pm at the New Berlin Borough Community Center located at 318 Vine Street, New Berlin, PA. Present were President Julianne Finkbiner, Councilwoman Lisa Decker, Councilwoman Betty Kratzer, Councilwoman Lynda Frederick, Councilwoman Elaine Hopkins, and Councilwoman Barbara Stamm. Rebecca Witmer, Secretary/Treasurer; Bonnie Hamilton, Mayor; and Wendy Cole, Solicitor were also present. L. Eric Hassenplug, Chief of Police was absent from the meeting. New Berlin resident Edward Pilko was present as a visitor. Jared Stumpff, Emergency Management Coordinator and his wife Kealy Stumpff were present as visitors.

The meeting was brought to order by President Julianne Finkbiner with The Pledge of Allegiance.

APPROVAL OF MINUTES – December 12, 2018 Council Meeting – Councilwoman Betty Kratzer made a motion to approve the minutes. Councilwoman Elaine Hopkins made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

VISITOR BUSINESS – Jared and Keeley Stumpff – Jared and Kealy Stumpff were present to discuss snow removal at the fire company, New Berlin EMS Service, and New Berlin's Emergency Operations Plan.

Snow Removal at Fire Company – The lot and ramp in front of the fire truck and ambulance bays have not had adequate snow removal and winter maintenance for the last two years. The street department will be made aware of the issue and asked to improve winter maintenance measures in front of the New Berlin Fire Company and EMS garage bays and ramp as per the request.

New Berlin EMS Service – New Berlin EMS Service is now available 24 hours a day / 7 days a week and is a paid service during the daytime hours due to contracting with a Lewisburg Area EMS Service.

Edward Pilko - Borough resident – Mr. Pilko stated that he and his wife purchased the property known as “the old jail” on the northwest corner of Plum and Market Street. He has become aware of complaints and statements made about the condition of his property. More specifically, complaints made about items on the front porch, the back yard, and in front of his garage. Mr. Pilko explained that he has been traveling back and forth from their old house in Connecticut to collect their belongings and move them into the New Berlin house. He hopes to get the property cleaned up as soon as he can. The children he and his wife adopted all have special needs and require a great deal of attention. Mr. Pilko stated he is working on cleaning up the property and hopes to have it done soon. If there is a town ordinance of which he is in violation, please let him know and he will make sure that matter is addressed and brought out of violation.

Councilwoman Frederick stated she is concerned more about the trailer parked on Plum Street. Mr. Pilko stated the police have told him it is legally parked. The Secretary/Treasurer confirmed that statement. Mr. Pilko also stated that once the garage is cleaned out and the items in front of his garage are moved, the trailer will be moved either into or in front of his garage. When it snows, he will move the trailer from the street to allow more efficient plowing.

Emergency Operations Plan (EOP) - Jared Stumpff reported to council that the New Berlin Emergency Operations Plan is updated electronically. The program used for the updates is administered by Union County and is having some issues. The New Berlin EOP will be updated as soon as the issues with program are fixed.

President Finkbiner requested Mr. Stumpff keep council updated on the issue through the Secretary/Treasurer or by coming back to a council meeting.

COMMITTEE REPORTS – Activities Committee – Mayor Bonnie Hamilton reported the activities committee has not yet met.

Animal Ordinance Committee – The committee did not meet. A replacement for Jared Busby will be considered.

Personnel Committee – A written report was sent via email to council and summarized at the meeting. The written report is as follows:

Notes on 12/19/18 meeting of the Personnel Committee and Borough workers

Present: Betty Kratzer, Lisa Decker, Elaine Hopkins, Curt Keister, Bill Stamm, Mike Mattocks

After introductions, I explained that the meeting had been called to discuss the street supervisor position and how the routine tasks would be taken care of since we will likely not have a street supervisor in place as of January 1. We asked whether any of the current workers would be interested and all three had reasons why it would not work for them. At the end of the meeting Curt expressed interest, but said he had had to go through a lengthy process, including getting a letter signed by the governor, before he could work even as much as he does now while also a PennDOT employee, so he wasn't sure if it would be allowed. He is going to check with Human Resources at PennDOT to see what he would need to do. They suggested another person who would be good and might be interested: Dan Jacobi, who lives in Vista Heights and is retired.

We went down the list of routine tasks that Rebecca had sent me and essentially Bill and Mike will see that everything gets done. Curt volunteered to open and close the mountain gate on Saturdays and to participate in the maintenance of vehicles. Here is a list of what they said they will need in order to carry out these tasks efficiently:

- 1. Easy access to the borough credit card Lester Hummel has been using to buy gas or other things that are needed immediately. They suggested keeping it in a drawer in the office or in the truck.*
- 2. Keys to the mountain gate. Betty and Lisa suggested that they and others on the council who currently have keys should return them to Rebecca, who might then issue them to Bill, Mike, and Curt.*
- 3. Easy access to the key to the Community Center.*
- 4. A copy of the list of tasks and each of their cell phone numbers to hang in the office.*
- 5. A white board for the office so they can leave notes for each other.*
- 6. A list of the accounts Lester had with local businesses so they will know when they need to use the credit card and when they can just charge to an account. Rebecca will need to notify the businesses that Curt, Bill, and Mike have authority to charge to those accounts.*

Several other topics came up, mostly having to do with issues of safety and things that they will need to be able to do their jobs. They said that Lester used a lot of his own tools for maintaining the trucks and that he has that expertise and they do not. They suggest that the trucks should be taken to a local garage for maintenance. They could change oil, but have no jacks or ramps to prop up the trucks and no

place to recycle the used oil since they can't take it to DJ's. They suggested it would be best to have all regular maintenance performed at a garage.

A big topic was snow removal and the challenges that presents. One safety issue was putting the snow blower or other heavy equipment onto the back of the trucks. It's too high to do it safely, so we asked what would be a solution. They suggested a low trailer and ramps that would be able to handle also the weight of the lawn mower and other heavy equipment. They currently have to pay to get help to move some equipment, so while it would require an initial outlay of money to buy a trailer, it would end up paying for itself fairly quickly.

We asked them to make a list of the things they need right now to operate safely and a list of things that would be helpful but are not urgent.

Submitted by Elaine Hopkins

Motion – Credit Cards – Councilwoman Elaine Hopkins made a motion to obtain credit cards on the New Berlin Borough account for Curtis Keister, William Stamm, and Michael Mattocks.

Councilwoman Lynda Frederick made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

Street Department Trailer - Council reviewed three written quotes for a trailer for street department use. The trailer from CH Waltz is six (6) inches wider and has other advantageous features. The street department would prefer the trailer from CH Waltz over the others.

Motion – Trailer Purchase – Councilwoman Lisa Decker made a motion to purchase a trailer from CH Waltz for an amount of \$1,895.00. Councilwoman Barbara Stamm made a 2nd to the motion.

Vote was taken with all in favor and none opposed. Motion carried.

Motion – Trailer Transfer – Councilwoman Elaine Hopkins made a motion for the Secretary/Treasurer to complete and sign all documents relating to the trailer purchase, title transfer, and municipal license plate. Councilwoman Lynda Frederick made a 2nd to the motion.

Vote was taken with all in favor and none opposed. Motion carried.

Fence at Mountain Brush Site - Council agreed that the fence at the mountain brush site should be fixed when the weather is appropriate for the project.

Street Supervisor Job Posting – Solicitor Cole stated a Street Department Supervisor job availability post should be placed at the time clock in the Borough Street Department office. Persons interested should contact Councilwoman Elaine Hopkins by January 31st.

Councilwoman Stamm inquired how notification should be made to those street department laborers who only work a few days out of the year. Solicitor Cole stated providing the job post notification at the time clock is legally sufficient but if someone would like to call those who may not see the posting, it is also legally permitted.

The personnel committee shall continue with the same three council members who met with the street department laborers after the retirement of the Street Department Supervisor until it is known if William Stamm is interested in the position.

DCNR Study Committee – The study committee met to pick the style and color of the picnic tables for the Plum Street Pavilion. There were two different styles chosen. Council was given copies of the magazine pages showing the preferred tables. The committee decided that the preferred purchase depends on which style of table comes in a 6 or 8 foot ADA accessible table. The pavilion will hold 12 standard size picnic tables. The number of picnic tables purchased will depend on the recommended amount of ADA Accessible tables and the size difference of those tables. The consultant and the Secretary/Treasurer are working on the details of the amount of tables to be purchased and the configuration.

Motion – Councilmember Lisa Decker made a motion to purchase picnic tables for the Plum Street Park with the total purchase not to exceed \$15,000.00. Councilwoman Elaine Hopkins made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

POLICE REPORT – December Police Report – There was no comment or questions about the December Police Report.

New Hire Applications and Update – The police department is completing background checks on those that submitted applications for police patrol officer. The background check done on one individual had unfavorable results. The other background check is not yet completed.

STREET SUPERVISOR REPORT – No report due to the retirement of the Street Department Supervisor.

MAYOR'S REPORT – Mayor Hamilton had nothing to report.

SOLICITOR'S REPORT – Proposed Revised Sidewalk Ordinance - Solicitor Cole stated council was sent a proposed revised sidewalk ordinance. The only change was making the language more clear that only those sidewalks abutting State Routes in New Berlin are required to follow the guidelines and specifications set forth by PennDOT. Homeowners replacing and repairing sidewalks abutting State Routes in New Berlin are required to contact PennDOT to inquire about their permit process.

Motion – Councilwoman Betty Kratzer made a motion to advertise the sidewalk ordinance. Councilwoman Lisa Decker made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

Landlord Ordinance – Council discussed the proposed Landlord Registration Ordinance. In keeping with what council discussed, the landlord ordinance is only requiring the registration of tenants and does not include a nuisance tenant section.

Council discussed that the ordinance should require a yearly registration due sometime in January. Any changes must also be reported within ten (10) days.

The landlord is responsible to register his or her tenants every year and report any changes. The tenant is responsible for coming into the borough office to provide the required identification. Neither Council nor the Solicitor saw a need for the tenants to provide the borough with the required identification every year unless there was a change.

The registration fee language should state that the fee will be determined by Resolution of Borough Council. A ten dollar (\$10.00) registration fee should be included in the 2019 Fee Resolution.

Motion – Councilwoman Elaine Hopkins made a motion to advertise the proposed landlord registration ordinance. Councilwoman Lisa Decker made a 2nd to the motion. Vote was taken with none opposed. Motion carried.

Limestone Township Winter Maintenance Agreement/Contract – Limestone Township sent a Winter Maintenance Agreement to New Berlin Borough for signature.

Solicitor Cole recommended signing the agreement as is this year since it was already signed by the Limestone Township Supervisors. It will be suggested to Limestone Township that next year's agreement include a definition of winter maintenance for clarification purposes.

Motion – Councilwoman Betty Kratzer made a motion to sign the Limestone Township Winter Maintenance Contract. Councilwoman Elaine Hopkins made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

Resolution 2019-1 – Council reviewed for consideration Resolution 2019-1 providing for a fee schedule to be passed by resolution every year. The Resolution does not outline the specific fees to be adopted but provides for the allowance of fees to be changed by resolution of Borough Council.

A proposed resolution with the actual fees listed will be distributed to council for review before the next council meeting.

Motion – Councilwoman Lynda Frederick made a motion to pass Resolution 2019-1. Councilwoman Lisa Decker made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

NEW BERLIN MUNICIPAL AUTHORITY – Minutes – There were no questions or discussion regarding the New Berlin Municipal Authority Minutes.

Board Appointment - Michael Palermo – The New Berlin Municipal Authority (NBMA) is requesting the reappointment of Michael Palermo to the NBMA Board for the full 5 year term beginning the first day of January 2019 and ending on the last day of December 2023.

Motion – Councilwoman Elaine Hopkins made a motion to appoint Michael Palermo to the NBMA Board for the full 5 year term beginning the first day of January 2019 and ending on the last day of December 2023. Councilwoman Lynda Frederick made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

SECRETARY/TREASURER REPORT - Balance – General Fund - The secretary/treasurer reported the balance in the General Fund as \$54,279.27.

PLGIT – A PLGIT Report via spreadsheet was distributed to council for review. The PLGIT balance after the transfers listed is \$56,104.69. No questions were raised.

Right-to-Know Policy – As per the last council meeting, council was distributed a fee sheet showing the Right to Know Law allowable fees. Fees were compared with New Berlin’s Policy. The Secretary/Treasurer gave a summary of the Right to Know Law regarding production of records, redaction of records, and standardized forms.

Motion – Councilwoman Elaine Hopkins made a motion to change the fee for color copies from forty cents (\$.40) to fifty cents (\$.50). Councilwoman Betty Kratzer made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

Community Center Policy – As per discussion at the last council meeting, council wished to consider revising the second paragraph of the Community Center Rental Policy. The

Secretary/Treasurer will redistribute the policy via email for consideration; council will make suggestions, and then discuss it at the next meeting of council.

Cherry Street Culvert – Engineering Cost for HOP - The Engineer and PennDOT both agreed that the Cherry Street culvert project can be done by the New Berlin Street Department. The street department workers looked at the project and agreed that the project wouldn't be difficult to complete. The project will include placing jacket forms inside the culvert and pouring concrete reinforced with rebar.

A PennDOT Highway Occupancy Permit will need to be completed. The engineer cost for completing the permit is \$700.00 as shown on the email from the engineer which was distributed to council.

After discussion it was decided the Secretary/Treasurer should contact PennDOT to inquire about the permit, the level of application completion difficulty, and if assistance to complete the application is available to municipalities.

Special Event Permits for 2019 Road Closures – The Secretary/Treasurer reported that the PennDOT applications for closing the State Routes for certain borough events in 2019 are to be completed. One application each will be completed for New Berlin Day and the Fireman's Parade. The borough has not had notification that the Memorial Day Parade will be reinstated this year. If the Memorial Day Parade is reinstated, a permit will need to be obtained.

The activities committee will inform the Secretary/Treasurer soon after their February meeting if the street set-up for New Berlin Day will remain the same for 2019 so the permit can be completed.

Motion – Councilwoman Elaine Hopkins made a motion to complete and submit the required special event permits. Councilwoman Barbara Stamm made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

CKCOG – A representative from CKCOG had a meeting with the New Berlin Fire Company to introduce their fire program and inform them of how the program will be useful to the entity. After that meeting took place, a fire company representative reported to the borough that they have not changed their position about the program. As reported in a past council meeting, the fire company sees how the program could be useful but they do not have a strong opinion as to whether or not council should pass an ordinance entering into the program.

The borough was subsequently contacted by Jim Emery, Code Enforcement Supervisor at CKCOG to state he would like to attend the next meeting of council to move forward with updating New Berlin's Property Maintenance Codes, find out what council wants to do about a rental ordinance, and discuss the Front and Spangler Street Properties which are being administered by CKCOG for code violations.

Council discussed that Mr. Emery has been to several previous council meetings to inform council about the code and programs and they have been discussed at length. Council recalled its last conversation with Mr. Emery telling him the borough would contact him if interested in adopting CKCOG's version of a property maintenance code, fire program, and/or the landlord program.

Council welcomed an update regarding the properties within the borough which have Code violations.

The Secretary/Treasurer will contact Mr. Emery to inform him of council's position about the CKCOG Property Maintenance Code and Fire and Rental Programs. Mr. Emery will also be informed he is welcome to come to the next meeting to discuss those properties within New Berlin which have code violations.

SIGNING OF BILLS/PAYROLL – Motion to Pay Bills – Councilwoman Betty Kratzer made a motion to pay the bills with any additions. Councilwoman Elaine Hopkins made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

BILLS TO BE PAID FROM M&T GENERAL FUNDS ACCOUNT

M&T Bank – December Checking Service Charge	25.00
M&T Bank – January School Payment	1,994.26
B.S. & B. Repair, Inc.	16.54
Kim Barton	35.00
Curt Keister	109.07
Jacob A. Shipman	171.87
Leif E. Hassenplug	415.94
Lester O. Hummel	685.27
Michael H. Mattocks	36.13
Rebecca A. Witmer	1,655.91
Rodney E. Styers	130.13
William Stamm	188.35
A+ Office Outlet	143.84
AMTRUST NORTH AMERICA	14,128.00
Cardmember Service	169.52
Coles Hardware	20.38
Kathy A. Hummel Diehl	105.00
PP&L	956.96
Richard’s Portable Toilets	80.00
Windstream Buffalo Valley	260.89
Law Cole & Varano	1,337.50
TOTAL	\$22,665.56

OLD BUSINESS – Councilmember Appointment – Council discussed the three letters of interest received for the council seat which became vacant upon the resignation of Jared Busby. The three interested persons were Jeffrey Swanger, John Smith, and Meghan Shambach. All persons were thoughtfully considered.

The person appointed will be required to run in the next municipal election, which is this year, if that person desires to remain on New Berlin Borough Council.

Nominations were made to fill the council seat and voted upon.

Motion – Councilmember Appointment - Resolution 2019-2 – Councilwoman Lisa Decker made a motion to adopt Resolution 2019-2 appointing Meghan Shambach to the vacant council seat. Councilwoman Lynda Frederick made a 2nd to the motion. Vote was taken with all in favor and

none opposed. Motion carried.

Council discussed that it would be a benefit to contemplate how those persons interested in the council seat, but were not appointed, could become involved with the community.

Council Vice-President – The position of Borough Council Vice-President is vacant due to the resignation of Jared Busby and needs to be filled.

Vice- President Nomination – President Julianne Finkbiner opened nominations for Vice-President of Council. Councilperson Lisa Decker nominated Councilperson Elaine Hopkins for Vice-President. Councilperson Elaine Hopkins accepted the nomination. No other nominations were made. Vote was taken with all in favor and none opposed. Nomination affirmed.

Complaint – 512 Vine Street – Waterspout Issue – The borough received a complaint from the resident at 512 Vine Street regarding his neighbor who recently rerouted his waterspout towards the complainant's property. The water coming out of the spout is now washing away soil around his tree roots. The complainant explained the problem to his neighbor and asked him to reroute the spouting back to its original configuration. The neighbor refused to do so which is why the complainant contacted the borough. Typically, complaints are handled by the appropriate borough personnel but this complaint varies from complaints normally received.

The International Property Maintenance Code addresses drainage and waterspout issues but it refers to a public nuisance. Solicitor Cole and the Secretary/Treasurer would rather council decide if the borough get involved in this particular issue. The property has not yet been looked at or examined by the borough. The solicitor suggested that council consider that a public nuisance is typically something that affects more than one person or property owner and is also typically not a matter only between two neighbors or people. However, it is ultimately up to council to decide if they want the borough to get involved.

It was discussed and decided that considering it a public nuisance would be a stretch of the

wording in the International Property Maintenance Code. The issue is a civil issue between two neighbors rather than a code issue.

Fire Company 2019 Events – A list of Fire Company Events for 2019 were submitted as follows:

Saturday, February 23 rd – Pot Pie Supper	4:30 PM
Saturday, March 23 rd – Chicken and Waffle Supper	4:30 PM
Saturday, April 20 th – Easter Egg Hunt at SUN Tech	1:30 PM
Sunday, May 12 th – Mother’s Day Dinner	10:30 AM
Sunday, June 16 th – Father’s Day Dinner	11:00 AM
Tuesday, June 18 th through Saturday, June 22 nd – Carnival	
Parade on Thursday, June 20 th	7:00 PM
Saturday, July 20 th - Chicken BBQ	10:00 AM
Saturday, August 24 th – New Berlin Day – Food at Fireman’s Field	9:00 AM
Saturday, September 28 th – Pot Pie Supper	4:30 AM
Tuesday, October 8 th – Open House and Fire Truck Rides	7:00 PM

Motion – Councilwoman Lisa Decker made a motion to approve the Fire Company’s 2019 events. Councilwoman Betty Kratzer made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

The list of events with details about council’s approval will be sent to the insurance company to ensure coverage.

Activities Committee Events - The New Berlin Activities Committee will send a list of 2019 events to the Secretary/Treasurer for council approval. The list will also include events and dates thereof that will take place at the New Berlin Community Center to ensure availability of the facility.

Statement of Financial Interests – The Secretary/Treasurer stated the Statement of Financial Interest forms are available and must be filed with the borough office by the date listed on the back of the form.

ADJOURNMENT – Motion – Councilwoman Betty Kratzer made a motion to adjourn the meeting. Councilwoman Lisa Decker made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried. Meeting adjourned.

January 9, 2019

Respectfully Submitted,

Rebecca A. Witmer,
Secretary/Treasurer

MAYOR