

**NEW BERLIN BOROUGH COUNCIL  
REGULAR MEETING**

A regular meeting of the New Berlin Borough Council was held on January 8, 2020, at 7:00 pm at the New Berlin Borough Community Center located at 318 Vine Street, New Berlin, PA. Present were President Julianne Finkbiner, President Pro-Tem Betty Kratzer, Councilwoman Barbara Stamm, Councilwoman Lisa Decker, Councilwoman Meghan Shambach, and Councilman Barry Kuhns. Wendy Cole, Solicitor and Rebecca Witmer, Secretary/Treasurer were also present. Nancy Showers, David Farmer, and Sally Farmer were present as visitors. Chief of Police L. Eric Hassenplug; Street Department Supervisor Curt Keister; and Mayor Bonnie Hamilton were absent from the meeting.

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

**APPROVAL OF MINUTES – December 11, 2019** - Discussion was brought regarding the December 11, 2019 minutes. Councilwoman Lisa Decker made a motion to approve the December 11, 2019 minutes. Councilwoman Lisa Decker made a 2<sup>nd</sup> to the motion. Vote was taken to approve the minutes. Vote was taken with all in favor and none opposed. Motion carried.

**VISITOR BUSINESS –Nancy Showers** – Resident Nancy Showers stated that she was present to invite council to see a movie at The Campus Theater in Lewisburg followed by a meal at The Towne Tavern in Lewisburg.

**COMMITTEE REPORTS – NBES Property Committee – Survey** – Council was given another draft of the New Berlin Elementary School survey intended for residents to complete. Councilwoman Shambach stated the only thing modified on the survey was original table as was requested. There will be modifications to the language at another date.

**Meeting with the Penn State Program Director** – Councilwoman Shambach stated the committee met with the Sustainable Communities Program Director at Penn State. Certain parts of the feasibility study can be completed through many of the students attending courses at Penn State. A handout explaining the program was distributed to council.

Councilwoman Shambach also stated the Penn State Program can help with the landscaping at the community center and the school property.

**Bucknell** – Bucknell is also interested in working with the borough on the environmental center project but she needs a summary of the project before Monday. The summary will be the project scope for that building and also for the community. Councilwoman Shambach stated she would write up a summary and give it to council for approval before sending it to the program director by Monday.

**Butterfly/Pollination Garden Update** - Councilwoman Shambach stated that Eric Nyerges from Union County Soil Conservation will help with the butterfly garden planning, design, and planting in the spring.

**Fire Company Liaison Report – 2019 Callouts** - The New Berlin Fire Company had a total of 342 EMS callouts for 2019 and Fire Department callouts were 95 for 2019.

**Applications** - There was an application for a new fire fighter and an application for a new fire police officer.

**Fire Company Siren** – The fire company obtained a quote to upgrade the current fire company siren to the capability of sending out storm warnings and making it digitally accessible. The quote is approximately \$4,900.00. If it is found that the current siren is not in working order, the quote will increase.

**STREET SUPERVISOR’S REPORT** – The Street Department Supervisor was absent due to other work obligations. There was no report given in his absence.

Council inquired if the street department was keeping track of the winter maintenance hours spent in Limestone Township. Ms. Witmer stated she has not received any reports or hours for that service but isn’t certain if they are waiting until the end of the season. It would be best to ask the

street department supervisor.

**VISITOR QUESTION** – Sally Farmer stated she noticed there wasn't a police committee report and asked if there would be one. President Finkbiner stated they did not meet and they only meet as needed. David Farmer inquired if the citizens' group is being told that the police committee has no pending duties. President Finkbiner stated the police committee meets if there is an issue before them but there are no issues before them at this time so they did not meet in December. Mr. Farmer stated that the citizens' group was under the impression that the police committee was meeting to talk about possible ways to address code enforcement issues. They further understood that the police committee had met briefly to discuss those matters but has not resolved anything so therefore was going to meet again and inquired if he was mistaken in that.

Councilwoman Barbara Stamm stated the police committee met in October of last year to discuss current enforcement of the burning and other ordinances. A written report was given to council saying there were several ideas discussed and one being pursued. Mr. Farmer inquired if the police committee has met since then because the report indicates there are issues they wanted to keep discussing. Councilwoman Stamm stated the last time the police committee met was in October. The police committee has not met since then because the recommendation was made to give the police officers a pay raise. That process takes time because the finance committee had to meet to discuss that as part of the budget that is passed at the end of each year. That budget has since been passed and the officers received a pay increase. Councilwoman Shambach stated an advertisement was placed for an additional police patrol officer as well. Mr. Farmer inquired if the police committee will be meeting in January to discuss the issue of uneven Code enforcement as reported by the police committee. Councilwoman Stamm stated she just explained that the police were given a pay increase to be more competitive with other departments.

Sally Farmer inquired if it was a true statement that the problem of uneven Code enforcement that was brought to council is being addressed by increasing the pay rates of the police officers. Solicitor Cole stated that council never determined there was uneven Code enforcement. That is a statement of the group, not council. Solicitor Cole reminded the citizens' group of a letter she wrote to them which stated the Borough Codes were being enforced equally. It was an issue raised and questioned by the citizens' group but not determined by council. Mr. Farmer stated Solicitor

Cole was not present at the meeting when the citizens' group rebutted the letter and stated that it is an issue and it should be addressed. Solicitor Cole stated that Mr. Farmer and the group was able to raise what they thought was an issue but then council determines if it is an issue. Solicitor Cole inquired if the issue was given to the police committee. It was collectively stated by council that the issue was not given to the police committee. Mr. Farmer stated the group understood the police committee was considering some kind of new ticketing system to replace the current way of enforcing ordinances. Councilwoman Shambach stated there is no other update on that. The council gave a pay increase to the police officers to be competitive with other departments. The police department is enforcing the ordinances evenly; it just appears to the group that they are not being enforced evenly. It was recommended by the police committee and council made a decision to increase the pay; no other suggestions have been officially raised to council by the committee. The pay increase started January 1<sup>st</sup> of this year when the new budget started.

Mr. Farmer inquired how he can find out when the police committee is meeting, what they are planning to discuss at those meetings, and also inquired if they are public. Solicitor Cole stated they are not public meetings so when they are meeting and what they are meeting about is not shared. Mr. Farmer inquired if the police committee is meeting in January. Solicitor Cole stated that is still to be determined and it's up to the committee if they have business to discuss.

Mr. Farmer stated every time the group has come before council, council has failed to respond to the group's concerns. All council is doing is refusing to say whether or not they are actively thinking about other options. Councilwoman Stamm stated it was just stated that council increased the pay of the police officers to be more competitive with the pay rate of other departments. Mr. Farmer stated he gave council several chances to state they are aware there are other issues to discuss and are planning to discuss them but council has not responded that way.

Mrs. Farmer inquired if she understands correctly that council increased the rate of pay for the police officers in the hopes that will in turn cause them to work more hours in New Berlin. Councilwoman Shambach stated that was correct. Solicitor Cole stated that the group should be reminded that council has not determined that there is an issue as the group is seeing it. Further, council does not see it to be a problem because the police are enforcing the ordinances evenly

even though the group does not see it that way. The police are doing their job in enforcing the ordinances. The group continues to insist there is a problem when council has not determined there is a problem. Mr. Farmer stated he did not think the group is getting straight answers and now they have. Mr. Farmer also stated he does not feel that that council's action is a solution to the issue. Mr. Farmer stated he was also trying to get a straight yes or no as to whether the police committee is meeting to discuss other possible solutions to the problem. Solicitor Cole stated it is the wording used when posing the question in that the group continues to ask if the police committee is meeting to discuss the problem but council has not determined that there is a problem. The police committee met and looked into it; there has not been determination made that there is a problem. Mrs. Farmer inquired if council thinks there is a problem or not. Councilwoman Betty Kratzer stated they understand there is a problem with the police department hours because the town couldn't pay a competitive pay rate so they were working elsewhere. Taxes were raised on January 1<sup>st</sup> to raise their rate of pay to be a bit more competitive than they were. Mrs. Farmer stated more coverage on Tuesdays, Thursdays, and Saturdays would be great.

**MAYOR'S REPORT** – Mayor Hamilton was absent from the meeting. No report was given in her absence.

**SOLICITORS REPORT – 608 Spangler Street** – Solicitor Cole stated she spoke with another attorney who has done a lot of condemnations. That attorney told her the property can be auctioned off. Solicitor Cole will also review Chapter 12 of Title 8 which has information regarding how PA Boroughs may sell real property.

**Writ of Possession – 407-411 Front Street** – Solicitor Cole stated she will file for the Writ of Possession for 407-411 Front Street. It was recommended to her by another attorney that she file for a hearing for the possession due to the issues that have happened through the course of the condemnation.

**NEW BERLIN MUNICIPAL AUTHORITY - Minutes** – The NBMA minutes were not discussed due to being discussed at the recent reorganization meeting of council.

**Letter to NBMA** – After discussion about the proposed letter that the solicitor drafted and sent to council for review, council directed the solicitor to send the letter as drafted.

**SECRETARY/TREASURER REPORT - Balance – General Fund** - Rebecca Witmer reported the balance in the General Fund as \$56,025.08.

**PLGIT Report** – The secretary/treasurer directed council’s attention to a written PLGIT Report showing the allocated and unallocated funds going into the year 2020. The only money not included in the report was the December interest which has not yet been received. The amount of the interest, once it is known, will go into the unallocated funds column. The amount of interest generated from the current balance is typically between \$60 and \$100 for the month depending on the rate fluctuation.

**READING AND SIGNING OF BILLS/PAYROLL** – Councilwoman Lynda Frederick made a motion to pay the bills with any additions. Councilwoman Betty Kratzer 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             |
| Kathy Diehl                                 | 60.00             |
| Hackenburg’s Garage                         | 510.47            |
| Curt Keister                                | 226.64            |
| Jacob Shipman                               | 30.18             |
| Leif E Hassenplug                           | 277.38            |
| Michael Mattocks                            | 509.41            |
| Rebecca A. Witmer                           | 1,772.86          |
| Rodney E. Styers                            | 69.82             |
| William Stamm                               | 550.22            |
| <b>TOTAL</b>                                | <b>\$4,031.98</b> |

**NEW BUSINESS – Recycling Grant** – Union County Planning contacted the office to make them aware that a recycling grant round has opened up. The grant will reimburse 90% of the cost

expended for recycling related projects or items that qualify. Council decided to get quotes to place wireless surveillance cameras at the recycling center, a hard drive system for the cameras, a monitor, and installation to include whatever is needed to place the cameras at the recycling center.

**Motion** – Councilwoman Barbara Stamm made a motion to get quotes to place the wireless surveillance cameras, system, accessories, and installation. Councilman Barry Kuhns made a 2<sup>nd</sup> to the motion. Vote was taken with all in favor and none opposed. Motion carried.

**Tax Collector Resolution 2020-1 – Motion** – Councilwoman Lisa Decker made a motion to pass a resolution appointing Union County as the real estate tax collector for New Berlin. Councilwoman Barbara Stamm made a 2<sup>nd</sup> to the motion. Vote was taken with all in favor and none opposed. Motion carried.

**CKCOG Resolution 2020-2 – Motion** - Councilwoman Lynda Frederick made a motion to pass a resolution appointing Julianne Finkbinder as the CKCOG representative for the next three years. Councilwoman Meghan Shambach made a 2<sup>nd</sup> to the motion. Vote was taken with all in favor and none opposed. Motion carried.

**Zoning Hearing Board Member Resolution 2020-3 – Motion-** Vice-President Lisa Decker made a motion to pass a resolution affirming the members of the zoning hearing board. Councilwoman Betty Kratzer made a 2<sup>nd</sup> to the motion. Vote was taken with all in favor and none opposed. Motion carried.

**General Fund Auditor Approval – Michael Palermo Appointment – Motion** – Councilwoman Barbara Stamm made a motion to appoint Michael Palermo as auditor for the 2019 General Fund. Councilwoman Betty Kratzer made a 2<sup>nd</sup> to the motion. Vote was taken with all in favor and none opposed. Motion carried.

**Intersection Drainage Issue** – A drainage issue at the main intersection has been reported to PennDOT. The water is not draining properly at the intersection which creates the need for

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pedestrians to walk outside of the crosswalk to avoid puddles. It also creates a slipping hazard during cold weather because the water freezes. PennDOT has been very prompt at looking into the issue and take whatever measures necessary to fix the issue.

**ADJOURNMENT – Motion** – Councilwoman Betty Kratzer made a motion to adjourn.

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

Respectfully Submitted,

Rebecca A. Witmer,  
Secretary/Treasurer

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MAYOR