

**NEW BERLIN BOROUGH COUNCIL  
REGULAR COUNCIL MEETING**

A regular meeting of the New Berlin Borough Council was held on November 14, 2018, at 7:00 pm at the New Berlin Borough Community Center located at 318 Vine Street, New Berlin, PA. Present were President Julianne Finkbiner, Vice-President Jared Busby, Councilwoman Lisa Decker, Councilwoman Betty Kratzer, Councilwoman Linda Frederick, and Councilwoman Barbara Stamm. Rebecca Witmer, Secretary/Treasurer; Bonnie Hamilton, Mayor; and Wendy Cole, Solicitor were also present. Councilwoman Elaine Hopkins and L. Eric Hassenplug were absent from the meeting. New Berlin resident Barry Kuhns was present as a visitor to observe the meeting.

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

**APPROVAL OF MINUTES – October 10, 2018 Council Meeting** – Councilwoman Betty Kratzer made a motion to approve the minutes. Councilwoman Lisa Decker made a 2<sup>nd</sup> to the motion. The secretary/treasurer stated two checks, one to YSM, Inc. in the amount of \$750.00 and one to Schlegel Excavating Inc. in the amount of \$7,437.60 should be added under the bills to be paid from the DCNR Grant account along with a “total” line of \$8,187.60. The checks were reported on last month’s agenda under the DCNR grant account but were missed when the checks were copied over to the draft minutes. Vote was taken with all in favor and none opposed. Motion carried.

**VISITOR BUSINESS – Barry Kuhns** - Borough resident Barry Kuhns was present to observe the meeting.

**COMMITTEE REPORTS – Activities Committee - Response Letter to Johnson Family** – A response letter was sent to the Johnson family as per the last meeting. The activities committee will meet and discuss the Christmas activities at their November meeting. Activities will be held at the community center on December 8th. The talent show will not be held this year. A flyer will be made and sent to the office.

**Finance Committee – Budget** – The finance committee completed a proposed budget. Council was sent a copy via email to review before the meeting. Taxes will increase from 3.3 to 3.6 mills. Raises were given to all employees. Some expenses were cut.

If council approves, the finance committee would like to offer Limestone Township winter road maintenance services for \$5,000.00. The roads maintained would be Front Street, Briar Lane, Teaberry Street, and Vista Heights. After discussion, council agreed to offer Limestone Township winter road maintenance services for an amount of \$5,000.00.

Several questions about the budget were asked and answered.

**Motion - Budget** - Vice- President Jared Busby made a motion to advertise the 2019 budget as proposed and discussed. Councilwoman Barbara Stamm made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

**Motion - Tax Ordinance** - Vice President Jared Busby made a motion to advertise Borough Tax Ordinance 2019-1 as presented affixing the real estate taxes at 3.6 mills. Councilwoman Lisa Decker made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

**POLICE REPORT – October Police Report** – The October Police Report was reviewed.

**STREET SUPERVISOR REPORT – Retiring January 1, 2019** - President Finkbiner reported council is in receipt of a letter from the street department supervisor indicating that he is retiring from his position on January 1, 2019. His last day working for the borough will be December 31, 2018.

**Motion - Resignation** - Vice-President Busby made a motion to accept the resignation of the street department supervisor. Councilwoman Lisa Decker made a 2nd to the motion. Vice-President Busby expressed his thanks for Mr. Hummel's years of service to the borough and wished him well in his retirement. Council as a whole expressed the same. Vote was taken with all in favor. Councilwoman Barbara Stamm opposed. Motion carried.

**MAYOR'S REPORT – Christmas Season Events** - Mayor Hamilton reported on several new events planned by the activities committee for this Christmas season. A flyer will be made and sent to the borough in time for printing and distribution by the post office.

**Trick-or-Treat** - Mayor Hamilton reported the Vo-Tech students helped with trick-or-treat night. The police did not have the required school approved clearances but the Mayor had the required clearances so she helped escort the students. The traditional pizza party was held at the office afterward.

**SOLICITOR'S REPORT – Green Street Pond** - Solicitor Cole gave an update regarding her research into the Green Street Pond matter. The maps at the courthouse do not indicate the borough has an easement or any other right to access the pond areas.

As per motion of council at the last meeting, the solicitor wrote a letter to the owner of the property on which the work was performed by Gessner Excavating.

The solicitor asked council for clarification as to their intentions and purpose of writing a letter to the other homeowners in the development asking for contribution to the invoice. Council agreed that they wanted the letter to include language asking those property owners to consider reimbursing the Green Street Pond homeowner a portion of the invoice because their basement drains ultimately go to the pond. The solicitor is to also include language that it is not the borough's responsibility to clean out the pond in the future.

**Sidewalk Ordinance** - The recently passed sidewalk ordinance includes language that requires all new sidewalks as well as any replacement and repairs to be in accordance with PennDOT standards. After discussion, it was stated that council's intent was to require only those sidewalks abutting State Route 204 and State Route 304 to be in compliance with PennDOT's standards. The solicitor will draft an amendment to the sidewalk ordinance to be reviewed by council and approved for advertisement at the next meeting.

**Sidewalk Permit** - A draft sidewalk permit was reviewed by council. The sidewalk ordinance requires a permit be acquired but there is no charge for the permit.

**Motion - Sidewalk Permit** - Vice-President Jared Busby made a motion to approve the sidewalk permit. Councilwoman Betty Kratzer 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.

**SECRETARY/TREASURER REPORT - Balance – General Fund** - The secretary/treasurer reported the balance in the General Fund as \$97,033.16.

**2019 Liquid Fuels Allocation** - The estimated 2019 Liquid Fuels allocation is \$32,883.43

**SIGNING OF BILLS/PAYROLL – Motion to Pay Bills** – Councilwoman Barbara Stamm made a motion to pay the bills with any additions. Councilwoman Lynda Frederick 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 – October Checking Service Charge	25.00
M&T Bank – November School Payment	1,994.36
Son Mountain Fellowship	297.50
PAUC	10.49
Berkheimer	351.40
AT&T	140.11
Cardmember Service	551.32
Ebright’s Garage & Auto Sales, Inc.	681.90
Hometown Disposal, Ip	64.50
Kim Barton	35.00
PA State Association of Boroughs	201.00
PP&L Electric Utilities Corp	244.06
Richard’s Portable Toilets	80.00
Union County Commissioners	1.00
Windstream Buffalo Valley, Inc.	256.60

Curt Keister	289.75
Jackson Stroup	98.07
Jacob Shipman	214.90
Leif Hassenplug	428.45
Lester O. Hummel	957.11
Michael H. Mattocks	227.34
Rebecca A. Witmer	1,943.08
Rodney E. Styers	102.63
William Stamm	183.75
Kathy A. Hummel Diehl	82.50
Coles Hardware	2.84
Fisher Auto Parts	9.56
H.A. Thomson Company	683.00
Hometown Disposal, Ip	64.50
L/B Water Service Inc.	327.98
PP&L Electric	1,308.42
Rebecca Witmer	107.03
Town & Country Advertising	72.00
Windstream Buffalo Valley, Inc.	260.33
Schlegel Excavating, Inc.	20,000.00
<b>TOTAL</b>	<b>32,297.48</b>

**DCNR GRANT ACCOUNT**

YSM, Inc.	1,200.00
YSM, Inc.	3,300.00
Schlegel Excavating, Inc.	34,185.40
<b>TOTAL</b>	<b>38,685.40</b>

**OLD BUSINESS – DCNR Grant - Pavilion** – The secretary/treasurer stated the pavilion at Plum Street Park will need picnic tables if it is to start being reserved in the spring. Council's intention is to purchase and have placed the 12 tables the pavilion can accommodate by spring. It was decided that the study committee should to get together as soon as possible after the holidays to pick the type and color of picnic tables to be purchased and give that recommendation to council.

**Phase 2 Plan - Plum Street Park** - At the October meeting of council, interest was expressed in moving forward with another phase of the Plum Street Park. The secretary/treasurer attended a DCNR grant workshop on November 7th to get more information on funding. Applications for a

next phase will be due at the beginning of April 2019 with funding being released in 2020 to those awarded. Most funding opportunities require a 50% match. The borough could use other grants and private sources to make the 50% required match. There is a possibility for future funding for something recreationally oriented to be done with the old elementary school building. However, ideally, the roof repairs and inside building cleanup should be done first. There will also need to be a feasibility study done showing the borough could continue to financially sustain any building use proposals.

Possible projects for the next phase of the project were discussed. The secretary/treasurer will speak with the consultant for some direction on the ideas discussed and update council next month.

**CKCOG Code** - The secretary/treasurer reported that the CKCOG Fire Safety Program information was given to the fire company chief and another fire company representative for review. It was determined by the fire company that while having some uniform standards in place may be helpful, there's not an urgent or heavy need for those standards to be put into place in New Berlin at this time. Therefore, they have no objections if council would like to implement the program. If council decides not to implement the program that was equally acceptable.

**NEW BUSINESS – Meetings** – There was discussion as to whether or not council should meet twice a month in 2019 since the majority of meetings have been longer this year. It was decided to keep the meetings to once a month.

**Community Center Policy** – Recommendation was made to change the community center cancellation and payment policy. There is a growing number of people reserving the facility months in advance only to cancel the reservation without penalty due to the very generous allowable cancellation timeframe.

After discussion, it was determined that payment must be made within 5 days of a reservation to secure that reservation. A 30 day notice of cancellation requirement will be added into the policy and will replace the current tiered cancellation policy. If the renter fails to give the required 30 day

notice, they will forfeit their rental fee.

There was discussion about possibly raising the community center rental fee. It was decided to keep the rental fee at \$85.00.

There was discussion about a recent facility user putting scotch tape on the wall rather than the allowable adhesive material. The borough will inform the recent user so they are aware of the allowable material for their next event.

**Auditor** – Jay Egli is not able to help with the 2018 audit. There are two auditors of record. The Borough Code allows the audit to be completed by two auditors. However, it is easier for the auditors when three people perform the audit. Anyone interested in being an auditor must submit a letter of interest in the position.

There was an inquiry made as to whether or not the Borough Code says it is a conflict for a member of the municipal authority board member to serve as an auditor. Solicitor Cole will research the matter and inform the secretary/treasurer of the answer.

**Vice – President Jared Busby Council Seat** – President Finkbiner read into the minutes the following letter from Vice-President Jared Busby:

*Dear New Berlin Borough Council,*

*I will be resigning from Borough Council effective Dec. 31, 2018. My wife has accepted a job with Nicholls State University in Thibodaux Louisiana and we will be moving to Thibodaux January 1<sup>st</sup>.*

*Warm regards,  
Jared Busby*

**Motion** – Councilwoman Betty Kratzer made a motion to accept the resignation of Vice-President

Jared Busby, effective December 31, 2018. Councilwoman Barbara Stamm made a 2<sup>nd</sup> to the motion. Regret for losing Vice-President Busby as a council member was expressed. Vote was taken with all in favor and none opposed. Motion carried.

Council has 30 days to fill the seat before it goes to the vacancy board. A letter of interest must be received for council consideration. The person appointed will be required to run in the next municipal election to fill the term.

**Vacancy Board** – Council should consider appointing new people to the New Berlin Vacancy Board. The only current person on the board may not be able to fulfill the duty much longer due to health reasons. A letter of resignation from the current person on the board should be received before she is replaced. The secretary/treasurer will look at how many people and who should be on the board.

**ADJOURNMENT – Motion** – Councilwoman Lisa Decker made a motion to adjourn the meeting. Vice-President Jared Busby made a 2<sup>nd</sup> 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