

**NEW BERLIN BOROUGH COUNCIL  
REGULAR COUNCIL MEETING**

A regular meeting of the New Berlin Borough Council was held on November 13, 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, President Pro-Tem Betty Kratzer, Councilwoman Barbara Stamm, Vice-President Elaine Hopkins, Councilwoman Lisa Decker, Councilwoman Lynda Frederick, and Councilwoman Meghan Shambach. Wendy Cole, Solicitor; Curt Keister, Street Department Supervisor; and Rebecca Witmer, Secretary/Treasurer were also present. David Farmer, Sally Farmer, John Showers, and Nancy Showers were present as part of the New Berlin Citizens' Group; Sharnel Pilko and Barry Kuhns, residents of New Berlin were present; Ross Stephens and Sherri Stephens future residents of New Berlin were present as visitors. Chief of Police L. Eric Hassenplug 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 –October 9, 2019** - Discussion was brought regarding the October 9, 2019 minutes. Vice-President Elaine Hopkins made a motion to approve the minutes. Councilwoman Betty Kratzer made a 2nd to the motion. Several typos and clarifications were corrected. Vote was taken with all in favor and none opposed. Motion carried.

**VISITOR BUSINESS –Ross and Sherri Stephens – Future New Berlin Residents** – Ross and Sherri Stephens are purchasing the property at 513 Vine Street. The closing is currently set for December 11<sup>th</sup>. They expressed interest in starting several businesses on that property. They have already spoken with the secretary/treasurer and the zoning officer about having a zoning hearing. Council expressed a desire for more businesses to be established in the borough and gave their support.

**COMMITTEE REPORTS - Activities Committee – Christmas Angels** – Councilwoman Stamm inquired if the street department supervisor was going to arrange the hanging of the Gabriel angels on the light poles for the Christmas Season. The street department supervisor stated he would arrange it. The secretary/treasurer stated she needs the date the angels are hung and the date they are taken

down. That information is used in the report sent to PP&L every year and is how PP&L generates the bill for the holiday electric.

**Christmas Tree** – Councilwoman Barbara Stamm inquired if the street department would be hanging Christmas lights on the tree between the churches on Market Street as been done in the past. The street department supervisor stated it would be done. Councilwoman Barbara Stamm stated it would be nice to place a Christmas Tree inside the pavilion at Plum Street Park as well. The street department supervisor explained that the picnic tables are stored in the pavilion and covered with a tarp for the winter season. Councilwoman Stamm stated the activities committee may have volunteers willing to hang the lights on the Christmas tree between the churches and would let the street department supervisor know at a later time.

**NBES Property Committee – Penn State Environmental Program Conference** – Councilwoman Shambach stated she received an email from the woman who directs the Penns State Environmental Program stating there is a conference on December 11<sup>th</sup> at which the property committee can look at projects the students have completed in the past. In addition, the director and a few others would like to look at the property sometime before Thanksgiving or in the beginning of December. Councilwoman Shambach will contact the committee about the dates.

**Resident Survey** – Councilwoman Shambach stated council was sent a draft survey for consideration. The secretary/treasurer stated there were a few minor changes to the survey but nothing substantial. Councilwoman Stamm stated she thought the table was a little confusing. She also gave each council person a copy of written comments she generated as follows:

*“I realize the school building is a dismal subject in its’ current condition. However, I think the public needs to be informed of ALL the elements, not just the bad ones.*

*I think the sharing of this information should occur in an open forum “townhall-type” meeting before the survey is presented to the citizens for a vote.*

**Facts or Points of Interest:**

*The school building is approximately 11,000 sq. feet.*

*The Borough Council knew at the time of purchase that the roof leaked and found out quickly how profuse the leak really was.*

*The heat was shut off fairly soon after New Berlin took possession because the heating system used approximately 400 gallons of fuel in 10 days. The building was winterized - meaning the water systems were drained, etc.*

*The primary reason New Berlin Council could not get funding to repair the roof or other repairs was the fact that no one could agree how we should repurpose the building.*

*The property will be paid off in the next few months.*

*Unfortunately, with no heat in the building and the continued leaking roof, the atmosphere became a haven to grow mold.*

*A local construction company was contacted to provide an assessment of the building's basic structure and possible needs for revitalization of the structure. Some key points of their assessment are:*

1. *"The exterior walls are sound from grade level to the roof being of block inside with brick outside and some EIFS over the window".*
2. *"The existing roof must be replaced. It is currently a major problem"*
3. *The inside of the building has started to deteriorate due to the roof leaking. The inside of the building would need to be addressed by removing all the asbestos flooring under the carpet. (possible cost of \$98,000)*
4. *A Mold Remediation Contractor should be employed to address mold and ensure the inside of the building is completely dried out. (possible cost of \$96,000)*
5. *Estimated restoration costs to make the building useable again: \$1.3 million for a 6,000 to 10,000 sq. ft. building. (This does not include the asbestos and mold remediation costs.)*

*Currently the Borough Council is focusing on trying to make the property a Community Education Center. This center would be used for environmental education where public, private, and home-schooled children can come and learn about our local environment. We also hope this can be place where small groups and clubs can meet weekly such as gardeners, birdwatchers, knitters, book readers, knitters and exercise classes, etc. . WE hope to reach out to local organizations, groups, foundations, educators and government sectors to help support this Community Education center.*

Some groups which we have already made connections with are the union County Conservation District, Penn State, and the DCNR.

The restoration expenses seem high and unreachable to bring the building up to code and in prime usable condition. The Borough must decide how to proceed with the property, restoration or possible demolition/new.

Estimated demolition costs are: \$150,000 to \$200,000 plus asbestos remediation expense of \$98,000.

The estimated cost of a new 6,000 sq. foot building is \$800,000.

Please keep in mind that a building on the school property site will serve as a home for public Toilets that can be used when people are utilizing the Plum Street Park.

It is hoped we receive as many grants, donations, and perform as much fundraising as possible to help fund this project.

So now that you have been provided with the above information the Council needs to know what would you like to see?

1. Would you like to see the current external foundation saved and restored? Yes No  
Comment: \_\_\_\_\_
2. Would you like to see the current structure demolished and a new structure replace it?  
Yes No Comment: \_\_\_\_\_
3. Would you like to see the current structure demolished and nothing replace it?  
Yes No Comment: \_\_\_\_\_

Additional Comments:

Survey completed by: \_\_\_\_\_

Address of Resident: \_\_\_\_\_

Optional: Age of survey taker \_\_\_\_\_

Years of residency: \_\_\_\_\_

11/2019"

The secretary/treasurer asked that council email thoughts and comments regarding what information from the suggestions they would like to see in the survey. If they are received early enough and council comes to a consensus or near consensus about them, she can generate

another draft survey before the next meeting.

**Police Committee** – Vice-President Elaine Hopkins reported that the police committee met and was looking into a few things. The committee discussed and is working on a letter and an educational flyer about burning. The committee will eventually present the flyer and the letter to council with a recommendation they be sent to the residents of New Berlin.

**Union County Local Emergency Planning Committee** – Councilwoman Meghan Shambach stated that in a meeting of the Union County Local Emergency Planning Committee, it was stated discussed that government buildings are unprepared for active shooter and other emergencies. There will be a networking meeting in January or February to discuss how and what local governments can do to make their buildings and personnel more safe and secure.

**Finance Committee – Budget** - The finance committee presented a proposed budget to council and recommended it be advertised as opened for inspection as required by law. Each councilmember received a copy of the proposed budget to review. President Finkbiner reported the highlights and proposed changes to the budget for 2020 as follows:

- \*The revenue and expenses are balanced as required by law, each at \$293,066.91;
- \*The real estate taxes were raised .15 mil, bringing the total mils to 3.75 for 2020;
- \*Line 363.20 was raised to \$7,500 because council asked Limestone Township for \$8,000 for the winter maintenance next year in the hopes that it will receive \$7,500 at the end of negotiations;
- \*The secretary/treasurer received a 50 cent per hour pay raise since she was the only one not given a raise last year;
- \*The secretary/treasurer has also been working more hours so that part of the budget has increased;
- \*The borough building employees need a new copier and that was accounted for in the budget;
- \*The police patrol officers received a pay raise to \$23.00 per hour;
- \*The Chief of Police received a pay rate to \$24.00 per hour;

\*The raise is to attract more officers to the borough which has been an issue due to the low pay rate per hour and it being a part-time position;

\*Code 409.37 was raised \$7,000 for needed community center painting and landscaping;

\*Code 409.60 consists of funds to be mostly utilized for the Plum Street Park DCNR grant match of \$20,000, the borough building HVAC, and sound boards for the community center;

\*The loan for the New Berlin Elementary School Property, now Plum Street Park, will be paid off in December of this year bringing line 471.40 and 472.40 to zero for 2020.

**Limestone Township Winter Maintenance Contract** – The secretary/treasurer has not heard from Limestone Township regarding the proposed \$7,500.00 contract price for 2020.

**Motion – Advertise Budget** – Councilwoman Lisa Decker made a motion to advertise the budget as open for inspection. Vice-President Elaine Hopkins made a 2<sup>nd</sup> to the motion. Vote was taken with all in favor and none opposed. Motion carried.

**Motion – Advertise Tax Ordinance** – Councilwoman Meghan Shambach made a motion to advertise the 2020 Tax Ordinance showing a real estate millage of 3.75. Councilwoman Lynda Frederick made a 2<sup>nd</sup> to the motion. Vote was taken with all in favor and none opposed. Motion carried.

**POLICE REPORT- October Police Report** - Council reviewed the October police report. There were no questions regarding the report.

**Officer Bustin** – It had been previously reported that Officer Bustin was resigning from the New Berlin Police Department due to obtaining a full-time job located a great distance away from where he currently resides. Officer Bustin has since changed his mind about resigning from New Berlin and will remain on staff as a part-time police officer.

**STREET SUPERVISOR’S REPORT – Crosswalks** - The Street Department Supervisor referred to a handout he obtained from PennDOT and stated crosswalks in town which are painted on state

roads must be up to the specifications on the handout. Further, any crosswalk to be painted must have an engineer study to be painted on a state road. After discussion, it was clarified that council is only directing the street department to repaint and maintain the crosswalk at the main intersection as required. PennDOT placed the crosswalk there years ago and the borough is required to maintain it. The street department can buy the required reflective paint at one of the several local stores that sell it. The solicitor stated it is a liability issue for the borough and should be considered a top priority to maintain them by painting them before they fade and are difficult to see.

**Dirt and Gravel Training** – The street department supervisor completed dirt and gravel road training on October 30<sup>th</sup> and 31<sup>st</sup>.

**Fall Brush Pick-up** – It was discussed that at a previous meeting there was discussion about checking the minutes to see if council made a motion to do a fall brush pick-up event. Past minutes of record indicate that council did make a motion for that event to be done in 2019. The street department supervisor stated he doesn't think there is time to do it this year.

**Motion to Rescind Fall Brush Pick-Up** – Vice-President Elaine Hopkins made a motion to rescind the earlier motion of council to do a fall brush pick-up event for 2019. Councilwoman Lynda Frederick made a 2<sup>nd</sup> to the motion. Vote was taken with all in favor and Councilwoman Barbara Stamm opposed. Motion carried.

**Community Center Paint** – The street department supervisor reported he received one quote for painting the outside of the community center. The quote included two coats of paint, fixing dry rotted wood, caulking, and any other needed services needed to fix and paint the wood and totaled \$17,815.00. Several other quotes were sought but none of the contractors put in a submission. Due to the total of the quote received, the borough will need to receive at least two more quotes. A log listing the dates, times, and names of the contractors called must be on file at the borough office if no other quotes are submitted.

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

**SOLICITORS REPORT – 608 Spangler Street** – The Spangler Street house was demolished. All costs and fees are being calculated in order to file a lien to cover all those costs. The solicitor is also researching how the borough is required to sell the property and will let council know at the next meeting.

**Motion - Lien 608 Spangler Street** – Councilwoman Barbara Stamm made a motion to file a lien on 608 Spangler Street once all costs and fees are calculated. Vice-President Elaine Hopkins made a 2<sup>nd</sup> to the motion. Vote was taken with all in favor and none opposed. Motion carried.

**407-411 Front Street** – The solicitor reported a letter was sent to Attorney Showalter stating the borough's position about 407-411 Front Street as discussed at the last council meeting.

**Statement of Value – 407-411 Front Street** – The borough has a realtor who was working on a statement of value for 407-411 Front Street. The realtor has not yet obtained a written statement from the realtor but has been told one will be in the mail soon. If a written statement of value is not soon obtained from that realtor, the secretary/treasurer will seek a statement of value from another professional.

**Writ of Possession – 407-411 Front Street** – Solicitor Cole stated she is ready to file the Writ of Possession for 407-411 Front Street once the statement of value is received and is the file.

**Motion – Writ of Possession** – Councilwoman Lisa Decker made a motion to file the Writ of Possession for 407-411 Front Street. Councilwoman Betty Kratzer made a 2<sup>nd</sup> to the motion. Vote was taken with all in favor and none opposed. Motion carried.

**NEW BERLIN MUNICIPAL AUTHORITY - Minutes** – No questions were raised regarding the New Berlin Municipal Authority minutes.

**NBMA Liaison** - Councilwoman Shambach inquired if anyone attended the last meeting of the New Berlin Municipal Authority. The secretary/treasurer stated there is a liaison to the New Berlin Municipal Authority but the liaison has not attended their meetings.

**NBMA Billing** - Councilwoman Shambach inquired if the New Berlin Council is required to approve the New Berlin Municipal Authority budget. It was answered that the council is supposed to approve their budget but has not yet received it.

**NBMA Billing** - Councilwoman Shambach stated she does not understand how the New Berlin Municipal Authority invoices its customers or determines the billing. Some of the billing was explained to the best of council's ability but Councilwoman Shambach should direct questions to the municipal authority for a more thorough explanation.

**SECRETARY/TREASURER REPORT - Balance – General Fund** - Rebecca Witmer reported the balance in the General Fund as \$88,110.13.

**Motion to Pay Bills** – Councilwoman Betty Kratzer 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 Payment	1,994.26
Fisher Auto Parts	19.62
Hometown Disposal	71.34
PA State Association of Boroughs	201.00
PP&L	1,321.83
Windstream Buffalo Valley, Inc.	266.93
Benjamin Pilko	13.12
Curt Keister	698.14
Jackson Stroup	11.44
Jacob Shipman	176.84
Leif E. Hassenplug	237.17

Michael Mattocks	659.21
Rawlin Swanger	174.61
Rebecca A. Witmer	1,374.58
Rodney E. Styers	139.96
William Stamm	839.70
PA Department of Revenue	182.31
US Treasury	1,328.56
AT&T Mobility	133.70
Cardmember Service	1,086.95
Coles Hardware	12.13
Fisher Auto Parts	448.59
H.A. Thomson Company	683.00
Kathy A. Diehl	90.00
Kim Barton	35.00
NAPA Auto Parts	159.99
PA UC	117.20
PP&L	957.94
Richard's Portable Toilets	160.00
Schlegel Excavating	10,220.40
Union County Commissioners	2.00
Windstream Buffalo Valley, Inc.	266.96
CKCOG	688.00
Martin's Small Engine Repair	699.00

TOTAL \$25,496.48

**OLD BUSINESS – Pollination Garden Easement** – Councilwoman Shambach received the signed and sealed application for the pollination gardens and will submit it soon. The plan is to ask a local school or civic organization to help with the planting next year.

**201 Vine Street** – As a follow-up to discussion about the apartment livability at 201 Vine Street after a fire there this summer: As per council's request several months ago, CKCOG has inspected the apartment. The apartment passed inspection and approved habitation.

**Liberty Street Bridge Design** – Livic Civil, the engineer hired to do the design for the Liberty Street Bridge, inquired via email if the borough has any issues with the culvert design providing for a galvanized pipe similar to the one recently put in at Walnut and High Street rather than a concrete culvert box as it exists now. Putting in a pipe culvert will avoid the need to get a crane and

operator and also avoid the need to disconnect utility lines. The street department supervisor stated he thinks the galvanized pipe is a better option for maintenance and longevity. Council agreed with the comments of the street department supervisor. The secretary/treasurer will relay the information to Livic Civil.

**Bulletin Board** – Approximately two years ago the Sun Area Technical Institute agreed to take on the project of building a town bulletin board for New Berlin. Due to various reasons, the school now cannot fulfill the agreement to complete the project for New Berlin. The best they can offer is to dig the holes and cement footers in the ground if New Berlin purchases a bulletin board. Council was given a copy of a page from an online catalog showing a bulletin board with the same design as was chosen years ago. After discussion, it was decided that council was not certain they wanted to purchase a bulletin board at the current time. The topic will be placed on the agenda to be revisited in February or March of 2020.

**Motion- Bulletin Board Project** – Councilwoman Barbara Stamm made a motion to cancel the bulletin board project with the Sun Area Technical Institute. Councilwoman Lynda Frederick made a 2<sup>nd</sup> to the motion. Vote was taken with all in favor and none opposed. Motion carried.

**NEW BUSINESS – Waiver of Community Center Fee** – A request for a waiver of the community center fee was submitted by the WIC Program for consideration. The WIC Program is using the New Berlin Community Center on November 21, 2019 for a clinic. The clinic will provide free services for certain individuals in New Berlin and surrounding areas.

**Motion - Community Center Fee Waiver** - Vice-President Elaine Hopkins made a motion to waive the community center rental fee for the WIC Program to be held on November 21, 2019. Councilwoman Lisa Decker made a 2<sup>nd</sup> to the motion. Vote was taken with all in favor. Councilwoman Lynda Frederick and Councilwoman Barbara Stamm were opposed. Motion carried.

**320-322 Front Street** – The secretary/treasurer stated there was a fire at 320-322 Front Street on July 14, 2019. The secretary/treasurer explained the process for fire escrow as per the ordinance

and has been working with the insurance company. As of yesterday, the insurance company and the owner of the home have not come to an agreement as to the amount of the claim. The issue before council is that the property has been in almost the same state since the fire. There are a few windows boarded up but there are others which are still broken out. There is debris from the fire in the yard, some household junk in the yard, and various other Code issues.

**Motion – 320-322 Front Street – Code Enforcement** – Councilwoman Lynda Frederick made a motion to contact Central Keystone COG to enforce the Building and Property Code. Councilwoman Lisa Decker made a 2<sup>nd</sup> to the motion. Vote was taken with all in favor and none opposed. Motion carried.

**Community Center Janitorial Services** – The person currently cleaning the community center is resigning on December 31, 2019 due to health issues. The secretary/treasurer was directed to ask the person cleaning the borough office if she is willing to fill that position. If not, the secretary/treasurer was directed to advertise the position in the newspaper and on the New Berlin, PA Facebook page.

**Motion** – Councilwoman Lynda Frederick made a motion to advertise janitorial services in the Union County Times if the person currently cleaning the community center does not want the position. Councilwoman Betty Kratzer made a 2<sup>nd</sup> to the motion. Vote was taken with all in favor and none opposed. Motion carried.

**Hazard Mitigation Plan** – Union County is revising its Hazard Mitigation Plan which is done every 5 years. New Berlin submitted the usual paperwork. Council's comments were also submitted to the engineering firm hired to revise the plan.

**2020 Contact List** – Council was given a copy of the 2019 Borough Contact List to review and submit any changes to their information to the secretary/treasurer for 2020.

**Election Results & Paperwork** – With regard to council seats, the 2019 election results show Barry Kuhns, Barbara Stamm, and Lynda Frederick as winning the election for a full four year term.

Meghan Shambach was required to run in the election to fulfill the term of Jared Busby to which she was appointed by council on January 9, 2019 by Resolution 2019-2. Meghan Shambach won the election and will fulfill the term ending in 2021.

All councilpersons elected should provide the borough with a copy of their election certificate when it is received. Soon after, the borough will provide an affidavit of residency that each newly elected official will be required to complete and sign in front of a notary. Once the affidavit of residency is completed, each councilperson must be sworn in by the Mayor or a District Justice in order to take their seat at the reorganization meeting of council on January 6, 2019. Typically, all newly elected officials, the Mayor, and the secretary/treasurer meet 15 minutes prior to the reorganization meeting to complete the affidavit and oath of office. The borough provides for a notary to be present at that time upon the decision of council. Council agreed to arrange for a notary to be present on January 6<sup>th</sup>.

**2020 Meetings** – Council discussed meeting dates and times for 2020. By law, the reorganization meeting is required to be January 6, 2020. It was decided that the 2020 regular meetings of council will be held each month on the 2<sup>nd</sup> Wednesday at 7pm at the New Berlin Community Center.

**Motion to Advertise 2020 Meetings** – Councilwoman Elaine Hopkins made a motion to advertise the 2020 meetings as decided by council, including the required reorganization meeting. Councilwoman Betty Kratzer made a 2<sup>nd</sup> to the motion. Vote was taken with all in favor and none opposed. Motion carried.

**Executive Session – Personnel Matter** – An executive session was called at 9:20pm to discuss a personnel matter. Executive session ended at 10:02pm and the regular meeting of council resumed.

**Referral to Personnel Committee** – Council agreed to acknowledge a personnel complaint was received, refer it to the personnel committee, and write a letter notifying the complainant of such.

November 13, 2019

**Winter Maintenance** – The chair of the personnel committee will confirm with the street department that they are prepared for winter maintenance.

**ADJOURNMENT – Motion** – Councilwoman Lisa Decker 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