

**NEW BERLIN BOROUGH COUNCIL  
REGULAR MEETING**

A regular meeting of the New Berlin Borough Council was held on November 11, 2020, at 7:00 pm at the New Berlin Borough Community Center located at 318 Vine Street, New Berlin, PA. Those in attendance were Councilwoman Meghan Shambach, Councilwoman Betty Kratzer, Councilman Barry Kuhns, President Julianne Finkbiner, Vice-President Lisa Decker, Councilwoman Barbara Stamm, and Councilwoman Lynda Frederick. Wendy Cole, Solicitor; Rebecca Witmer, Secretary/Treasurer; and Gregory Drollinger, Officer in Charge of the Police Department, were also present. Mayor Bonnie Hamilton was absent from the meeting. Visitors were residents David Farmer and Sally Farmer.

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

**APPROVAL OF MEETING MINUTES – October 14, 2020 - Motion** – Vice-President Lisa Decker made a motion to approve the October 14, 2020 minutes. Councilwoman Betty Kratzer made a 2<sup>nd</sup> to the motion. Vote was taken with all in favor and none opposed. Motion carried.

**VISITOR BUSINESS – David Farmer** – David Farmer, borough resident, recapped some of the comments made at the special meeting sessions held on November 9, 2020, regarding police coverage and budget issues. He also said that council made several misleading statements at the meeting regarding their responsibilities and hid behind statements made by the solicitor.

Mr. Farmer also stated:

- He feels that a past council made an error when they eliminated the street and light committee.
- The present council made an error when enacting a procedure for people to fill out complaint forms.
- The present council has failed to put into place an effective mechanism to regularly address ordinance violations.
- Council illegally passed a resolution on the order of council business

- Reappointing Julianne Finkbiner as Council President broke three laws.
- Council has an opportunity to fix all these errors.

Solicitor Cole stated council should not base their actions on what was done in the past but what is correct now and moving into the future. Solicitor Cole stated the assertions Mr. Farmer is making regarding council breaking laws is incorrect. Solicitor Cole referred to regulations regarding time limits placed on council when filling of vacancies in office and permitted administrative actions of council when giving an explanation as to why the assertions were incorrect. In addition, Solicitor Cole explained that passing the resolution regarding the order of business was merely procedural and administrative, but council can rescind the resolution at this meeting and revisit it at the December meeting.

**Nancy Showers – Email** – President Finkbiner stated an email from Nancy Showers was disseminated to all of borough council, the mayor, and the solicitor. President Finkbiner stated the email agreed with Councilwoman Frederick’s lament at a recent meeting that there has been a lot of right-to-know requests submitted for which the borough has had to spend a lot of money but the email also noted that Nancy Showers has spent a lot money for the copies to be generated.

President Finkbiner stated that another message was received from Nancy Showers lamenting that she was misquoted with regards to her request for 24/7 police coverage and she wanted to reiterate that she did not ask for that.

David Famer raised objections that the email was not read into the minutes and that the contents were not accurately represented by the Council President.

After discussion, the Council President stated that minutes are going to be discussed later in the meeting, but the email can be entered into the minutes.

**COMMITTEE REPORTS – Fire Department Liaison- CARES Grant** – Councilwoman Meghan Shambach reported the fire company’s recently received CARES grant from Union County must be used for personal protective equipment for COVID-19.

**State Grant** – Councilwoman Meghan Shambach stated the fire department is getting acclimated with the breathing apparatus equipment they received with state grant funds.

**Community Aid Bin** – The fire company will be removing the Community Aid bins due to contract changes.

**Halloween Parade** – The Halloween parade was a success. There was an abundance of donations received for the parade. Thirty-five households signed up to receive candy and visits from first responders.

**Decorating for Christmas** – The borough will be putting the angels up on the light poles for Christmas. The activities committee will be decorating the gazebo, the outside of the community center, and possibly the pavilion at Plum Street Park.

**Animal Ordinance** – The Mayor is not present at the meeting so the animal ordinance discussion will be tabled until the next meeting. The solicitor sent the committee a few proposed changes to the ordinance including the addition of feral cat language should be added to the ordinance.

**Police Committee** – No report.

**Finance Committee – Police Coverage Survey Results** – Results of the survey, letters, and emails received regarding police coverage were calculated and announced as follows:

- 92.52% of respondents chose the option of keeping the police department coverage as it is currently with part-time coverage.
- 7.476% of respondents chose the option of a full-time officer with one part-time officer.
- 2.8% chose the option of contracting with Buffalo Valley Regional Police Department.
- 0% of respondents chose a 24/7 coverage.

Comments on the survey were distributed to council and were available at the meeting for visitors.

**Budget** – The budget was presented. The revenue under real estate taxes went down approximately \$400.00 for the year. Total revenues remained the same due to making up that decrease with cash. None of the employees received raises. Insurance and supplies under general government building were both increased due to cost of living. Under general government buildings, some money was moved from repairs and maintenance services and placed under capital construction and repairs to be used for matching grant funds. The general government building section decreased by \$6,600.00. All other line items remained the same. Total revenues and expenses balanced at \$293,066.91. No tax increase was needed.

**Motion** – Councilwoman Meghan Shambach made a motion to advertise the budget. Councilwoman Betty Kratzer made a 2<sup>nd</sup> to the motion. Vote was taken with all in favor and none opposed. Motion carried.

**Walnut Street Culvert** - Discussed was the needed repairs to the Walnut Street Culvert and funding options.

**Tax Enactment** – The 2021 tax enactment should be able to be done by resolution this year because there is no tax increase. The appropriate document will be prepared for the next meeting.

**Personnel Committee** – The personnel committee worked on the form that will be used to submit complaints against non-uniformed employees. Suggested changes were:

- Add more lines for additional witnesses
- Change “Name” to “Complainant”
- Add “non-uniformed” to the title of the form.

**POLICE REPORT** – Council reviewed the police report. Officer Drollinger is getting acclimated to the police department and the town.

**STREET SUPERVISORS REPORT – Community Center Outside Paint** – The street supervisor was made aware of the updated quote for painting the outside of the community center. Unfortunately, it was found that the updates done to inside of the cupola years ago did not include

wood and material conducive to the time period or native wood. The outside of the cupola appears to be the only historical part. The grant language for the painting of the outside of the cupola and any needed repairs to the wood will need to be drafted and submitted accordingly.

**Roof on Pavilion at Commons** – A new metal roof was placed on the pavilion at the commons in accordance with council's motion several months ago.

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

**SOLICITORS REPORT – 608 Spangler Street** – The check was received for the 608 Spangler Street property. The deed could not be filed due to the Union County Recorder's Office being moved on the day the solicitor planned to file it. The deed will be filed tomorrow, making everything final.

**407-411 Front Street** – Solicitor Cole reported that the 407-411 Front Street property is scheduled to go up for auction on November 17<sup>th</sup>. A short executive session should be held at the end of the meeting to discuss the reserve amount council is willing to accept for the property.

**Minutes** – Solicitor Cole stated the law does not require the borough to keep detailed minutes. She suggested council consider having the secretary/treasurer do more of a summary of the minutes. After discussion, council agreed that the secretary/treasurer should do more of a summary of the meeting for the minutes.

**NEW BERLIN MUNICIPAL AUTHORITY - Minutes** – No questions or comments were made regarding the NBMA minutes.

**Sewer and Water Budget** – Councilwoman Shambach reported that the New Berlin Municipal Authority Board completed the water and sewer budget. There were no changes from last year.

**Grant – Waterline Replacement** - Councilwoman Shambach reported that the municipal authority will start bidding the Walnut and Vine Street waterline replacement sometime this year.

**2022 NBMA Budget - Sewer Line Replacements and Upgrades** – In preparation for the 2022 NBMA budget, the NBMA has plans to begin assessing which sewer lines need replaced and upgraded.

**Leak at Reservoirs** – Municipal Authority personnel found the source of the leak by the reservoirs. Reservoir #3 was overflowing which caused issues with Reservoir #2. Parts have been repaired and replaced to remedy the issue. The street department had a big part in helping find the source of the problem.

**SECRETARY/TREASURER REPORT - Balance – General Fund** – The secretary/treasurer reported the balance in the general fund as \$97,960.10.

**READING AND SIGNING OF BILLS/PAYROLL** – Councilman Barry Kuhns made a motion to pay the bills with any additions. Councilwoman Barbara Stamm made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

**BILLS TO BE PAID FROM THE GENERAL FUND**

M&T Bank – Service Charge	25.00
AmTrust North America	1,468.00
DE LANGE Landen Financial Services, Inc.	75.57
Hometown Disposal, Ip	71.34
PA State Association of Boroughs	171.00
PP&L	256.86
Share Corporation	164.38
Star Seal of Pennsylvania	996.00
Union County Treasurer	6.00
B.S. & B. Repair	292.50
Bobby’s Repair	68.19
AT&T Mobility	53.50
Rogers Uniforms	151.56
Watson Excavating, Inc.	19,260.75
Fairchild Brothers, Inc.	500.00
Kim Barton	125.00
Richard’s Portable Toilets	160.00
PA UC	137.63
Raymond Sampsell	2,450.00
Rogers Uniforms	300.00
Bradco Supply	902.49

Cardmember Service	784.41
Gregory Drollinger	7.00
Middleburg Pistol and Rifle Shooting Club	135.00
SJ Eaton Plumbing and Heating	130.00
Quill	200.67
Curt Keister	549.55
Gregory F Drollinger	1,037.77
Michael Mattocks	730.59
Rawlin Swanger	169.64
Rebecca A. Witmer	2,315.80
Rodney Styers	198.88
William Stamm	933.65

TOTAL \$34,828.73

**OLD BUSINESS – Walking Trail – Southeast Exit** – Council discussed the exit at the southeast corner of the walking trail. Different yield signs and other possibilities that could be placed at that exit were discussed. Also discussed was placing signs by the road in that area indicating that drivers should watch for children. Permitted use of the walking trail started to be discussed but the conversation went off topic and council did not complete the discussion.

**NEW BUSINESS – New Hire to Street Department** – The street department supervisor recommended council hire his son, Brayden Keister, as a street department laborer.

**Motion** – Councilwoman Barbara Stamm made a motion to hire Brayden Keister as a street department laborer. 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 – Real Estate – 407-411 Front Street** – An executive session was called at 8:38pm to discuss a real estate matter regarding an auction reserve amount for the property at 407-411 Front Street. All council members, Solicitor Cole, and the secretary/treasurer were in attendance. Executive session ended at 8:52pm and the regular session resumed.

**Nancy Showers – Email – Visitor Business** - President Finkbiner read aloud Nancy Shower’s email which was referred to at the beginning of the meeting. The email was read aloud as follows:

*“In lieu of my absence at this evening’s meeting, please read this letter to New Berlin Borough Council at this evening’s November borough council meeting (Wednesday, November 11th, 2020). I’m asking that it be read aloud and then incorporated into this month’s minutes.*

*To members of New Berlin's borough council, its lawyer, and its staff:  
John & I will be unable to attend this evening’s meeting due to self-quarantining until Sunday after having driven through several states with recent covid surges. We have never experienced symptoms, yet are choosing this protocol out of caution & respect for others.*

*To begin, I was unable to attend either of the town’s meetings on Monday evening, November 9th, 2020, yet I have been apprised of the many points expressed in those hours. At this time, I want to express my sincere thanks to Lynda Frederick for making the point that—in her words—thousands of dollars have been spent on Right-to-Know requests. My assumption is that she believes these monies to be negative expenditures and a waste of resources.*

*I, too, lament the need for these expenditures. Many town concerns continue to loom: enforcement of ordinances, facts and figures regarding the budget, and more. These expenditures of taxpayer monies can be avoided by council members communicating directly with residents.*

*Please note that I personally have written checks for over \$125.00 to the borough to obtain these Right-to-Know responses. The insights of residents coupled with the lack of discernment of council members have proven invaluable. Once again, I thank Lynda for bringing this issue to the forefront.*

*Right-to-Know requests are a signal that residents want information and that New Berlin’s borough council is not providing it.*

*There is indeed a better way.*

*Very sincerely,  
Nancy Showers”*

**ADJOURNMENT – Motion** – Councilwoman Meghan Shambach made a motion to adjourn the meeting. Vice-President Lisa Decker 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