

**NEW BERLIN BOROUGH COUNCIL
REGULAR COUNCIL MEETING**

A regular meeting of the New Berlin Borough Council was held on December 12, 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 Elaine Hopkins, and Councilwoman Barbara Stamm. Rebecca Witmer, Secretary/Treasurer; Bonnie Hamilton, Mayor; L. Eric Hassenplug, Chief of Police, and Wendy Cole, Solicitor were also present. Councilwoman Lynda Frederick was absent from the meeting. New Berlin resident Barry Kuhns was present as a visitor to observe the meeting. New Berlin resident William Bachorski was present to voice a complaint.

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

APPROVAL OF MINUTES – November 14, 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 – Barry Kuhns - Borough resident Barry Kuhns was present to observe the meeting.

William Bachorski – Complaint – Borough resident William Bachorski stated the owners of the house at the corner of Plum and Market Streets have household items and junk stacked out into the roadway on Plum Street. The secretary/treasurer stated other complaints about junk on the property were received and referred to the police who are taking care of the matter. Mr. Bachorski inquired if the borough still had a junk ordinance. The Police Chief stated it does but whether or not the ordinance covers it depends on the items in question. President Finkbiner stated the borough has a complaint form that can be filled out in the future should Mr. Bachorski have any other complaints but does not want to come to a meeting.

COMMITTEE REPORTS – Activities Committee – Mayor Bonnie Hamilton reported the new activities held during the Christmas season this year went well and were well attended. The activities committee is considering the new events a success. The tree lighting was not that well attended but some changes can be made in the hopes to make it a better attended event.

POLICE REPORT – November Police Report – The November Police Report was reviewed.

SUN Area Technical Institute Resource Officer – The police committee met and discussed the possibility of providing a school resource officer to the SUN Area Technical Institute. It was clear that the New Berlin Police Department does not have the man power to provide that service to the school at the present time.

New Hire Applications – Chief Hassenplug reported one application was received for the position and another application was sent to an interested candidate.

STREET SUPERVISOR REPORT – Cherry and Market Street Culvert – The engineer looked at the culvert at Cherry and Market Street because the structural integrity appears to be compromised. The engineer is going to contact PennDOT to discuss the project because it is likely within PennDOT's right-of-way. The project will need to wait until spring because the repair will involve the pouring of concrete.

Street Department Supervisor Retirement - The Mayor thanked Mr. Hummel for his 15 years serving as street department supervisor and the wonderful job he's done. Council agreed.

MAYOR'S REPORT – Mayor Hamilton had nothing more than the report already given for the activities committee.

SOLICITOR'S REPORT – Green Street Pond - Letter to Homeowners - Solicitor Cole stated she sent a draft letter to council for review. The letter will be sent to several homeowners regarding the Green Street Pond invoice reimbursement. The one correction received back was made. Council was in agreement with sending the letter with no further changes.

Sidewalk Ordinance Amendment – A draft amendment to the sidewalk ordinance will go out to everyone via email for review.

Landlord Ordinance – Since council has not yet decided on whether or not to include a nuisance tenant section in a landlord ordinance, the solicitor proposed drafting a landlord ordinance that addresses tenant registration only. That way, the police department and office personnel have the information they need on tenants within the borough. Council agreed. Several details regarding the proposed ordinance were discussed.

407-411 Front Street Property - Central Keystone COG sent notice to the property owner of the property at 407-411 Front Street requiring him to bring it up to Code within 60 days.

Solicitor Cole reported a lien was filed on the property known as 407-411 Front Street for mowing and trimming done on his property by the street department.

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 \$94,583.76.

PLGIT – The end of the year PLGIT transfers will be made the last few days of the year. Council will see an addition to the bills in the December minutes showing the PLGIT transfer.

End of Year Accounting - Council will receive several spreadsheets and reports on the finances sometime in January or February once all the bank account statements are received showing interest earned and service charges.

Liquid Fuels Audit - An audit of the 2017 liquid fuels account will be held at the borough office on January 9th. The audit report will be received several months later and will then be distributed to council.

DCNR Grant Phase II - The consultant agreed with council's idea to do part of the walkway as Phase II of the Plum Street Park. Should New Berlin apply for a DCNR Small Community Grant, \$20,000 will be the required borough contribution with \$40,000 being funded from DCNR. The application should be submitted by April 1st of 2019 for 2020 funding in 2020.

Right-to-Know Policy – Upon looking into the recent Right-to-Know Law changes, it was found that New Berlin’s Right-to-Know policy has parts that are not compliant. Research and Administration fees are not permissible. There was discussion about raising the copy fees. The new law would need to be looked at since it provides thresholds for allowable fees. Council will revisit the fees next month after knowing the thresholds.

Motion – Councilwoman Elaine Hopkins made a motion to bring New Berlin’s Right-to-Know Policy into compliance by deleting the research and administration fees. Vice-President Jared Busby made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

Community Center Policy – A draft of the Community Center Rental Policy reflecting the changes discussed at the last meeting was distributed to council before the meeting.

It was discussed whether the statement “New Berlin Borough is committed to creating a more diverse community; as part of that process, the Borough welcomes people from historically underrepresented groups to rent the community center.” is necessary in the Community Center Policy. The statement makes it sound as if some people may not have been welcoming to certain groups in the past. Solicitor Cole stated it may have been placed in the policy because the statement underneath it says that New Berlin Borough reserves the right to deny any rental.

The wording to the statement in question could be changed since it doesn’t seem to be the best choice of words.

Motion – Vice-President Jared Busby made a motion to adopt the draft New Berlin Community Center Policy as a final version. Councilwoman Lisa Decker made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

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 – November Checking Service Charge	25.00
M&T Bank – December School Payment	1,994.36
PA Dept of Revenue	138.90
US Treasury	1,081.12
AT&T Mobility	140.11
Atlantic Tactical	685.30
New Berlin Fire Company	867.31
Schlegel Excavating	2,400.00
Cole & Varano	1,075.00
Lester Hummel	4.00
PA Department of Revenue	173.07
US Treasury	1,333.64
Barbara Stamm	150.00
Betty Kratzer	150.00
Bonnie Hamilton	150.00
Elaine Hopkins	150.00
Jared Busby	150.00
Julianne Finkbiner	150.00
Lisa Decker	150.00
Lynda Frederick	150.00
Curt Keister	186.55
David Mull	136.19
Jacob Shipman	128.86
Leif E. Hassenplug	373.46
Lester O. Hummel	1,119.79
Michael Mattocks	435.58
Rebecca A. Witmer	1,630.00
Rodney E. Styers	68.31
William Stamm	436.43
Assoc. of Mayors of the Boroughs of PA	50.00
Cardmember Service	2,099.41
Coles Hardware	20.88
Kathy A. Hummel Diehl	75.00
Kim Barton	35.00
PP&L	968.44
Richards Portable Toilets	80.00

The Daily Item	673.10
Union County Commissioners	1.00
Willie's Auto Body	655.71
PLGIT	15,463.71
Union County Commissioners	2.00
Bonnie Hamilton	27.82
Hometown Disposal, Ip	67.00
Phillips Office Solutions	124.30
PP&L	524.81
Willie's Auto Body	25.00
Windstream Buffalo Valley, Inc.	260.90
PA Department of Revenue	178.61
US Treasury	1,343.14
A&T Mobility	134.85
Berkheimer	324.18
Berkheimer	104.00
PA UC	9.59

TOTAL **\$38,881.43**

PLGIT AACCOUNT

Wire Transfer to M&T General Account	\$20,000.00
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TOTAL **\$20,000.00**

DCNR GRANT ACCOUNT

YSM, Inc.	1,350.00
Schlegel Excavating, Inc.	8,064.00

TOTAL **\$9,414.00**

OLD BUSINESS – Auditor – There is still one auditor seat open to fill. The audit can be performed with just two auditors. The question came up as to whether or not Solicitor Cole looked at the Borough code to see if NBMA board members were allowed to serve as auditors for the borough. Solicitor Cole stated borough employees, council members, and a few others were mentioned as a conflict in the Borough Code but it didn't mention municipal authority board members.

Councilwoman Betty Kratzer stated she asked several people to fill the borough auditor position but they declined. However, Rawlin Swanger stated he would fill in but it was not known at the time that being a borough employee is a conflict and disqualifies him from the position.

Council Vice-President – Borough council will need to fill the vacant seat at the as well as the Council Vice-President vacancy at the next meeting.

Councilwoman Stamm mentioned putting a statement on the Facebook page and the website about the borough needing an auditor and a council person. Since the website doesn't seem to get that much traffic, it was agreed that only posting on the Facebook page would be acceptable.

Vacancy Board – As an update to the discussion at the last meeting regarding the vacancy board, an email was distributed with a copy of the page from the Borough Code explaining the vacancy board. The vacancy board consists of one person appointed by council and the members of council. The vacancy board person comes up for consideration at each reorganization meeting of council which is every two years.

Street Department Supervisor – There was discussion about advertising the need for a street department supervisor and what to do with the duties in the interim. It was stated that the current street department laborers should be asked if they are interested in filling the position before it is advertised to the public. The personnel committee will meet with the three main street department workers to inquire if they are interested in the position and come up with an interim plan until the position is filled. Council discussed with the current street department supervisor which of the laborers typically do which duties. Councilwoman Elaine Hopkins will take the place of Vice-President Jared Busby on the personnel committee. Councilwoman Lisa Decker will temporarily take the place of Councilwoman Barbara Stamm on the personnel committee due to a conflict of interest. Councilwoman Barbara Stamm will be placed back on the personnel committee once the matter of the street department supervisor is completed. The solicitor will research whether or not the position must be advertised even if a current employee is interested in the position.

Limestone Township Winter Maintenance Update – Limestone Township is interested in pursuing a winter maintenance agreement with New Berlin Borough for the cost of \$5,000.00. A contract and payment from Limestone Township will be forthcoming.

2019 Budget – Motion – Vice-President Jared Busby made a motion to pass the 2019 Budget as advertised. Councilwoman Betty Kratzer made a 2nd to the motion. Vote was taken with all in favor with none opposed. Motion carried.

2019 Tax Ordinance – Councilwoman Elaine Hopkins made a motion to pass the 2019 Tax Ordinance as advertised. Vice-President Jared Busby made a 2nd to the motion. Vote was taken with all in favor with none opposed. Motion carried.

Playground Equipment at Plum Street Park – Councilwoman Stamm stated the playground equipment located on the east side of the school driveway doesn't look the greatest next to the newly placed amenities. There was discussion about whether or not the equipment is to stay on the premises according to the master park plan.

2019 Council Meetings - Councilwoman Betty Kratzer made a motion to advertise the 2019 council meetings for the 2nd Wednesday of every month at 7pm at the community center. Councilwoman Lisa Decker made a 2nd to the motion. Vote was taken with all in favor with none opposed. Motion carried.

ADJOURNMENT – Motion – Councilwoman Elaine Hopkins 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.

Respectfully Submitted,

Rebecca A. Witmer,
Secretary/Treasurer

MAYOR