

NEW BERLIN BOROUGH COUNCIL REGULAR COUNCIL MEETING

A regular meeting of the New Berlin Borough Council was held on February 13, 2019, at 7:00 pm at the New Berlin Borough Community Center located at 318 Vine Street, New Berlin, PA. Present were Vice-President Elaine Hopkins, Councilwoman Lisa Decker, Councilwoman Betty Kratzer, Councilwoman Meghan Shambach, and Councilwoman Barbara Stamm. Rebecca Witmer, Secretary/Treasurer and Wendy Cole, Solicitor were also present. President Julianne Finkbiner, Councilwoman Lynda Frederick, Mayor Bonnie Hamilton and Chief of Police L. Eric Hassenplug were absent from the meeting. New Berlin resident Barry Kuhns was present as a visitor.

The meeting was brought to order by Vice-President Elaine Hopkins with The Pledge of Allegiance.

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

Billy Allred – Union County Commissioner Candidate Billy Allred – Billy Allred is running for Union County Commissioner. He stopped by the meeting to introduce himself.

COMMITTEE REPORTS – Activities Committee – A contract for the 2019 fireworks was distributed to council via email. As is customary, the activities committee will pay for the fireworks. The cost of the fireworks is eight thousand dollars.

Motion – Fireworks Contract – Councilwoman Lisa Decker made a motion to sign the 2019 fireworks contract. Councilwoman Barbara Stamm made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

2019 Approved Events – Activities committee events the borough has on record for 2019 are:

Spring Yard Sales – May 4th
Fireworks – July 4th with July 6th Rain Date
New Berlin Day – August 24th
Fall Yard Sales – October 5th

The borough needs an all-inclusive list for council approval as soon as one is available.

If the activities committee wants to hold an event in the community center as it did last December, it would be best to get the date secured sooner rather than later.

Dumpster Day – John and Nancy Showers will be meeting with the activities committee to discuss having a dumpster day for New Berlin residents. The initial idea is that the event will only be open to those persons having a 17855 zip code on their driver's license. The suggested day for the event is May 11th due to the community yard sales being May 4th.

Council discussed whether the borough is paying for the dumpsters and then being reimbursed by John and Nancy Showers or if John and Nancy should be asked to pay for the dumpsters directly. If the borough is paying for the dumpsters up front, the borough workers should be the ones collecting the items to make sure the items dumped are allowed by the disposal company.

Either the activities committee or John and Nancy Showers will provide the borough a list of items forbidden to be placed in the dumpsters during the event, the disposal company to be used, the size of the dumpsters, and the quantity of dumpsters.

Council decided the best place for the event would be at the New Berlin Recycling Center.

Council decided the borough will make initial payment for the dumpsters. The activities committee should ask John and Nancy Showers if they have a cost limit to the amount they are willing to pay for the dumpsters.

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

New Hire Update – Background checks are being completed on the individuals who applied for the position of police patrol officer.

STREET SUPERVISOR REPORT – New Hire – The street department would like to hire Bradley Bilger as a street department laborer. The starting rate is \$9.50 per hour.

Motion – Councilwoman Barbara Stamm made a motion to hire Bradley Bilger as a street department laborer at a wage of \$9.50 per hour. Councilwoman Betty Kratzer made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

MAYOR’S REPORT – Mayor Hamilton was absent from the meeting.

SOLICITOR’S REPORT – Sidewalk Ordinance 2019-2 – The proposed sidewalk ordinance was advertised on January 22, 2019.

Motion – Sidewalk Ordinance 2019-2 – Councilwoman Betty Kratzer made a motion to adopt Sidewalk Ordinance 2019-2. Councilwoman Lisa Decker made a 2nd to the motion. Vote was taken on the motion with all in favor and none opposed. Motion carried.

Landlord Ordinance – Proposed Landlord Ordinance 2019-3 was advertised on January 17, 2019.

Motion - Landlord Ordinance – Councilwoman Betty Kratzer made a motion to adopt Landlord Ordinance 2019-3. Councilwoman Lisa Decker made a 2nd to the motion. Vote was taken on the motion with all in favor and none opposed. Motion carried.

Fee Schedule Resolution – Fee Schedule Resolution 2019-3 was distributed to council before the meeting.

Council discussed the landlord registration fee. Discussion ended with council agreeing to a landlord registration fee of \$25.00 per unit, per year.

Council discussed the fee for returned checks. Discussion ended with council agreeing to a returned check fee of \$30.00.

All other fees were affirmed.

Motion – Fee Resolution 2019-3 - Councilwoman Betty Kratzer made a motion to adopt Resolution 2019-3. Councilwoman Meghan Shambach made a 2nd to the motion. Vote was taken on the motion with all in favor and none opposed. Motion carried.

CKCOG Update – Council was forwarded an email from Jim Emery, CKCOG, notifying the borough that it has been 152 days since the notice of condemnation was given to the property owner at 608 Spangler Street. Council discussed moving forward with the condemnation proceedings on that property.

The status of 407-411 Front Street, which has also been in code violation, was discussed. Council asked the solicitor and the secretary/treasurer to meet with Jim Emery, CKCOG, and make a plan to move forward with condemnation and/or any other necessary proceedings regarding 407-411 Front Street and 608 Spangler Street.

Motion – Councilwoman Barbara Stamm made a motion for the CKCOG and Borough Personnel to proceed with any necessary paperwork to condemn the properties at 608 Spangler Street and 407-411 Front Street. Councilwoman Meghan Shambach 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 \$73,067.80.

2018 Budget vs. Actual Report – A report was distributed to council showing actual spending vs. what was budgeted in 2018. No questions were raised regarding the report.

2018 Profit/Loss Statement – A report was distributed to Council showing total revenue and expenditures for the year 2018. The report showed a borough net income of \$9,829.38 for the year. Numbers are subject to change if the auditors find something that needs to be corrected. No questions were raised.

Payroll Audit - An audit of the 2018 payroll was completed.

Fire Escrow Account – The Borough’s Fire Escrow Account is at First National Bank, the closest of which is in Middleburg. When an insurance check is to be deposited in that account, the secretary/treasurer drives to Middleburg to deposit the check. The secretary/treasurer requested the account be moved to a bank closer in proximity to the borough office.

Motion – Fire Escrow Account - Councilwoman Barbara Stamm made a motion to move the Fire Escrow Account to a bank closer in proximity to the borough office. Councilwoman Lisa Decker made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

Auditor Appointment – Motion – Councilwoman Barbara Stamm made a motion to appoint Michael Palermo as an auditor for the 2018 Borough General Fund Account. Councilwoman Betty Kratzer 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 Lisa Decker 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 – January Checking Service Charge	25.00
M&T Bank – February School Payment	1,994.26
A-1 Lock and Key	250.80
H.A. Thomson Company	350.00
Hometown Disposal	201.55
Kathy A. Diehl	10.00

PRIMA	8,781.00
PP&L	564.95
CH Waltz Sons, Inc.	1,895.00
Tri County Tag	70.00
Union County Commissioners	8.00
Union County Commissioners	1.00
PA Dept. of Revenue	132.80
US Treasury	1,040.82
AT&T Mobility	134.85
Martin's Small Engine Repair	75.40
Paul Kuhns	45.00
Richard's Portable Toilets	80.00
Seda-COG	110.00
Curt Keister	204.72
Jackson Stroup	76.27
Jacob A. Shipman	149.81
Leif E. Hassenplug	501.65
Michael H. Mattocks	518.65
Rebecca A. Witmer	2,153.72
Rodney E. Styers	213.07
William Stamm	982.27
Cardmember Service	589.39
Coles Hardware	63.47
Fisher Auto Parts	334.81
Hometown Disposal	74.07
Kathy A. Diehl	75.00
Kim Barton	35.00
Postmaster	196.00
PP&L Electric	951.21
Windstream Buffalo Valley, Inc.	260.89
H.A. Thomson Company	118.00
PP&L	714.98
M&T Bank – February Checking Service Charge	25.00
M&T Bank – March School Payment	1,994.26
Bilger Automotive	598.00
H.A. Thomson Company	324.00
Bilger Automotive	72.80
PA UC	112.16
PA Department of Revenue	185.46
US Treasury	1,390.26
AT&T Mobility	134.85
Michael Snook	625.00
PP&L	71.26
Richard's Portable Toilets	80.00
The Daily Item	205.65
Union County Treasurer	435.00

Union County Treasurer	24.00
Curt Keister	263.21
Jacob A. Shipman	142.11
Leif E. Hassenplug	515.73
Michael H. Mattocks	472.90
Rebecca A. Witmer	1,451.34
Rodney E. Styers	102.86
William Stamm	654.25
A-1 Lock and Key	60.00
B.S.& B. Repair, Inc.	59.61
Cardmember Service	445.31
Coles Hardware	17.08
Diane Lengle	120.00
H.A. Thomson Company	13,205.00
Horning’s Attachments, LLC	625.00
Kathy A. Diehl	52.50
Kim Barton	35.00
Matthew Hamilton	120.00
Michael Palermo	120.00
Mifflinburg Lumber	10.99
PP&L Electric Utilities Corporation	923.18
Union County Treasurer	23.00
Windstream Buffalo Valley, Inc.	260.89
Hometown Disposal, Inc.	71.34
Kathy Diehl	18.00
NAPA Auto Parts	76.49
Quill Corporation	183.49
PA Department of Revenue	138.70
US Treasury	1,027.18

TOTAL **\$51,456.27**

OLD BUSINESS – Community Center Policy – A final draft of the Community Center Rental Policy was reviewed by council. The only change to the policy was removal of the 2nd paragraph stating “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.”, due it being a truism as discussed in previous meetings.

Motion – Community Center Policy – Councilwoman Lisa Decker made a motion to adopt the most recent draft of the Community Center Rental Policy as the final version. Councilwoman Barbara

Stamm made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

DCNR Grant Phase II – Plum Street Park Walking Trail – YSM, Inc., the Borough's Plum Street Park consultant, drafted two projects from which council could choose as the next phase of Plum Street Park. Both projects are for a walking trail and qualify for the DCNR Small Community Grant for which council plans to apply. The grant will require a \$20,000 contribution from borough funds and \$40,000 will be funded through DCNR. The matching funds will be required in the year 2020.

One project shows completion of the east/north boundary walking trail along with a smaller section of walking trail from Plum Street to the Plum Street Park Pavilion. Total estimated probable cost is \$72,434.00. The other project shows completion of the east/north boundary walking trail only without the smaller section of walking trail from Plum Street to the Plum Street Pavilion. Total estimated probable cost is \$57,569.00.

Concern was raised by a councilmember regarding spending money on recreation when the Walnut Street Bridge needs repairs. The Walnut Street Bridge will not likely be repaired for some time. The borough recently received a grant to repair the Liberty Street Bridge and that bridge project will need to be commenced first due to the required grant timeline. If the borough repairs both bridges at the same time, there will not be access to the homes in that area nor the New Berlin Cemetery. The Walnut Street Bridge will need to wait until the Liberty Street Bridge Project is completed. It is also likely that liquid fuels funds will be used for a Walnut Street Bridge Project.

Concern was raised by the same councilmember about the current state of the New Berlin Elementary School Building and what the borough is planning to do with that building in the future. The councilmember was not comfortable spending money for recreation when the building needs repairs. There was discussion about the possibility of DCNR providing grant funds for the building in the future. Several other grant possibilities for the building were discussed. A building purpose and a feasibility study will need to be completed before the borough applies for any grants for the building. The people on New Berlin Elementary School Property Committee should be the ones to initiate a feasibility study regarding the building.

There was discussion regarding the larger walking trail project being preferred over the smaller project. There was concern expressed by a councilmember regarding the removal of the ball field at the north side of the property to make room for the walking trail. The concern was addressed in that the plan still shows the ball field despite the construction of the walking trail. The councilperson expressing concern was not convinced that there would be adequate room for both the walking trail and the ball field in that area. Their concern was about the walking trail's interference with the ball games to be played. After brief discussion referring to discussions about the same topics at meetings held when developing the master site plan for Plum Street Park, it was decided that the secretary/treasurer will forward minutes regarding those discussions to council for reference.

Motion – Plum Street Park Project – Councilwoman Lisa Decker made a motion to apply for a DCNR Small Community Development Grant for completion of the east/north boundary walking trail including the smaller section of walking trail from Plum Street to the Plum Street Park Pavilion which has a total estimated probable cost is \$72,434.00. Councilwoman Betty Kratzer made a 2nd to the motion. Vote was taken with all in favor and Barbara Stamm opposed. Motion carried.

Statement of Financial Interests – A reminder about filing the Statement of Financial Interest forms was given.

Municipal Election - Julianne Finkbiner, Meghan Shambach, Barbara Stamm, and Lynda Frederick should contact the Union County Board of Elections by the end of the month if they wish to run in the next municipal election.

Street Department Trailer Purchased – The approved trailer was purchased for the street department. The current insurance coverage for the trailer is liability only. Council discussed and decided against comprehensive insurance for the trailer.

Cherry Street Culvert Highway Occupancy Permit – PennDOT is not requiring the borough to make application for a PennDOT Highway Occupancy Permit before completing the repair on the Cherry

Street Culvert this spring. Contact information and other information regarding the conversation with PennDOT regarding the subject is noted in the file.

NEW BUSINESS – Plum Street Park Rental Agreement and Policy – There was discussion about a draft Plum Street Park Rental Agreement and Policy previously distributed to council.

Park Smoking, Alcohol, and Pets - Council discussed and decided to place a no-smoking and no-alcohol statement in the park documents. The document will note that pets are permitted in the park but clean-up of dog waste is required.

There was discussion about the borough providing a dog waste station and accompanying dog waste bags at Plum Street Park. Council decided to purchase a dog waste station and single pull dog waste bags for the Plum Street Park. Single pull dog waste bags should also be provided at the Recreation Complex.

Pavilion Rental Fee, Security Deposit, and Rental Hours – The rental fee for Plum Street Park Pavilion Rental was discussed. Lawn volleyball reservation is included with the pavilion rental. The rental fee was set at \$50.00 per day. The security deposit was set at \$100.00.

Pavilion Rental Hours – The time set for pavilion rentals was 6:00 am to 9:00 pm.

Rental Blackout Dates - There was discussion about rental blackout dates. There should be no pavilion rentals allowed the day of the town-wide yard sales, New Berlin Day, or the week of the Fireman’s Carnival. Council will allow rentals on the 4th of July. More blackout days may be added at another time, if the need arises.

Park Amenities to be Purchased - Charcoal ash disposal bins, lids, and shovels should be purchased and chained to the charcoal grills.

NIMS - Councilwoman Meghan Shambach will need to complete NIMS Training either through a Union County Workshop or online. Union County Emergency Services will notify the borough when

they plan to hold training.

Jay Egli - Zoning Hearing Board Resignation – Council received a resignation letter from Jay Egli, Zoning Hearing Board Member. Mr. Egli needs to resign due to his wife’s failing health.

Motion – Acceptance of Resignation Letter – Councilwoman Lisa Decker made a motion to accept Jay Egli’s Zoning Hearing Board Resignation. Councilwoman Betty Kratzer made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

Old Bank Building on Market Street – The borough was approached and asked to consider purchasing the old bank building on Market Street. A link to the property was sent to council via email.

Hand Up Foundation Clothing Bin – Hand Up Foundation would like to place a clothing collection bin at the recycling center. If the bin is permitted to be placed on the property, the borough will get a check every quarter based on the weight of the clothing collected. Hand Up will be responsible for cleaning up any garbage or items placed outside the clothing bin.

There is currently a Community Aid clothing bin at the recycling center and the borough is paid according to the same terms. The solicitor reviewed the contract between New Berlin Borough and Community Aid regarding the bin. There is not a “no competition” clause in the agreement preventing a Hand Up bin from being placed.

The solicitor also reviewed the Hand Up Agreement for placement of the bin and saw no cause for concern. Council discussed and agreed to permit Hand Up to place a clothing bin at the recycling center.

Motion – Hand Up Clothing Bin Agreement – Councilwoman Meghan Shambach made a motion to allow placement of a Hand Up clothing bin at the recycling center and to sign the agreement with Hand Up for the same. Councilwoman Lisa Decker made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

Brush and Limb Clean-Up Day – The Brush and Limb Spring Clean-Up Day was discussed. The borough street department workers were previously consulted about possible dates and their availability. A date of April 27th was agreed upon for the event.

Contact List – A borough contact list was distributed to council before the meeting. If there are any changes to the information listed, please notify the borough office and a new list will be distributed after the changes are made.

APPROVAL OF MINUTES – January 9, 2019 Council Meeting – Councilwoman Betty Kratzer made a motion to approve the minutes. Councilwoman Lisa Decker made a 2nd to the motion. A minor correction, adding the word “the” to a sentence on page 7 was made. Vote was taken with all in favor and none opposed. Motion carried.

Executive Session – An executive session was held at 9:55 pm to discuss a borough street department personnel matter. Council, the solicitor, and the secretary/treasurer were in attendance. Executive session ended at 10:00 pm and the regular session of council resumed.

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