

**NEW BERLIN BOROUGH COUNCIL
REGULAR MEETING**

A council meeting of the New Berlin Borough Council was held on February 12, 2020, at 7:00 pm at the New Berlin Borough Community Center located at 318 Vine Street, New Berlin, PA. Present were President Julianne Finkbiner, Councilwoman Lynda Frederick, Councilwoman Barbara Stamm, Vice-President Lisa Decker, Councilwoman Meghan Shambach, and Councilman Barry Kuhns. Wendy Cole, Solicitor; Mayor Bonnie Hamilton; Chief of Police L. Eric Hassenplug; and Rebecca Witmer, Secretary/Treasurer were also present. Street Department Supervisor Curt Keister; and Councilwoman Betty Kratzer were absent from the meeting. Visitors present due to interest in the Second Amendment Sanctuary Ordinance were Dean Zimmerman, Ron Henry, J.J. Sovic, Josh Snook, Scott Henninger, Troy Zimmerman, and Mike Fair. Visitors from the New Berlin Fire Company were Timothy Shaffer, Brandon Resseguie, and Brad Benfer. Other visitors present were Anjel Bakte and Jon D'Addario.

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

APPROVAL OF MEETING MINUTES – January 8, 2020 - Discussion was brought regarding the January 8, 2020 minutes. Vice-President Lisa Decker made a motion to approve the January 8, 2020 minutes. Councilwoman Lynda Frederick made a 2nd to the motion. A typo was corrected. Vote was taken to approve the minutes. Vote was taken with all in favor and none opposed. Motion carried.

APPROVAL OF THE REORGANIZATION METING MINUTES – January 6, 2020 Reorganizational Meeting – Discussion was brought regarding the January 6, 2020 reorganizational minutes. Councilwoman Meghan Shambach made a motion to approve the January 6, 2020 reorganization minutes. Councilman Barry Kuhns made a 2nd to the motion. A typo was corrected. Vote was taken to approve the minutes. Vote was taken with all in favor and none opposed. Motion carried.

VISITOR BUSINESS – Scott Henninger – Gun Owners of America – Scott Henninger, Gun Owners of America Group, was present to petition council to adopt a Second Amendment Sanctuary Ordinance. The ordinance will not affect any current laws but commits that the Borough of New

Berlin will not expend any resources to enforce what the local government deems to be Unconstitutional. Mr. Henninger explained several laws and issues being discussed or proposed by lawmakers that are unconstitutional, specifically against the Second Amendment. He also mentioned concerns that all citizens of the United States should be aware of and watching for regarding the Second Amendment.

The Gun Owners of America Group will be going to all the municipalities in the County to ask them to consider passing the ordinance. Buffalo Township was the first municipality in the State of Pennsylvania to adopt the sanctuary ordinance. If the Gun Owners of America Group gathers enough support from local municipalities in Union County, they will petition the Union County Commissioners to adopt a law.

New Berlin Fire Company Training – Timothy Shaffer, New Berlin Fire Company Chief; Brandon Resseguie, New Berlin Fire Company Assistant Fire Chief; and Brad Benfer, New Berlin Fire Company Captain were present to ask about training fire department personnel in the condemned building on Front Street. The Writ of Possession for the property has not yet been received. Once the Borough owns the property, the secretary/treasurer will contact the insurance company for details. If any other fire company joins in the training, it is likely they will need to sign liability waivers. Council would like more information and would like to receive the Writ of Possession received before making a decision.

Jon D’Addario – Complaint – Trees - Mr. D’Addario was present to make known his complaint about the trees at 103 Hilltop Lane. The tree limbs are growing over his property line and there are snakes on the property. Solicitor Cole stated she sent a letter to Mr. D’Addario regarding the complaint. Mr. D’Addario stated he has not yet received it. Solicitor Cole stated the police have looked at the complaint and the property in question several times. The issue is not covered by the Borough ordinances and is, therefore, a civil matter. The Borough has no authority to act on civil matters. Mr. D’Addario should talk to his neighbor or contact an attorney to resolve the issue with his neighbor.

Neighbor's Loud Muffler - Mr. D'Addario inquired what the police are doing about his neighbor's loud muffler. Chief Hassenplug stated if the person drives through town while the police are on duty and the police deem it to be illegal, they will deal with the situation. Mr. D'Addario stated he leaves for work everyday at approximately 2:30pm. Chief Hassenplug also stated that the police will deal with it if the criteria are met. However, Mr. D'Addario must also understand that when the police are on duty at 2:30pm they may be on a call for another other incident, assisting another police department, at the SUN Tech School for an issue, handling something else of a criminal nature. Mr. D'Addario stated everything on his neighbor's car is illegal. For example, the muffler, the covered license plate, and the tinted windows. Chief Hassenplug stated the police will address it if they deem it to be a violation.

COMMITTEE REPORTS – NBES Property Committee – DCNR Grant – Bucknell Students – The Bucknell instructor contacted Councilwoman Shambach to inform her that there were some students who would like to help with the grant writing for experience but not as part of the project. A motion would need to be made if council wants to move forward with applying for the grant. Councilwoman Shambach is willing to help with the grant writing if none of the Bucknell students follow through. The consultant cost to do the feasibility study will be approximately \$30,000 to \$50,000. The Borough will be responsible for a 50% of that cost.

Motion – DCNR Grant – Councilwoman Meghan Shambach made a motion to apply for the DCNR Grant to hire a consultant to do a feasibility study and to commit 50% of the cost needed to hire the consultant for the feasibility study. Councilwoman Lisa Decker made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

Meeting with Penn State Program Director – Community Center Landscaping – Councilwoman Shambach stated she, Councilwoman Betty Kratzer, and Councilwoman Lisa Decker met with the a professor at Penn State who stated the horticulture class can design and plant the landscaping at the community center. President Finkbiner stated she understood that the landscaping would be a few bushes and flowers and inquired if the horticulture class would be providing the plants for free. Councilwoman Shambach stated she will inquire about that and let council know.

Councilwoman Barbara Stamm stated there is a plaque attached to the community center front porch that was put there by the Lion's Club in honor of someone's memory. Councilwoman Shambach stated she will check with the individual's family regarding the plaque. There is a possibility that one or several of the plantings were paid for in the individual's memory as well. President Finkbiner stated she remembers a committee being formed to design and pick the landscaping plants and flowers. She does not remember the Lion's Club having anything to do with the landscaping choices but they may have wanted to donate some funds and the plaque.

It was stated that more research needed to be done before committing to have Penn State Horticulture class do the project. However, Councilwoman Shambach can proceed with asking more information regarding what materials and services the horticulture program will provide and how much of a cost, if any, it will be to the Borough.

Personnel Committee – The personnel committee met with the street department supervisor. His impression is that things are going well with the street department and is pleased with the newly purchased equipment; it seems to be working well.

Winter Maintenance Hours in Limestone Township - It was confirmed that the street department is keeping track of the winter maintenance hours spent in Limestone Township.

Winter Snowplow Schedule - The street department supervisor plans to speak with other employees to inquire if one of them wants to be in charge of snowplow scheduling during the winter months.

Borough Building Construction - The street department supervisor now feels it would be better for the Borough to hire a contractor to build the partition and foyer area inside the Borough Office.

Fire Company Liaison – Councilwoman Meghan Shambach stated council was already informed about the possible future training opportunity at the condemned building on Front Street.

Grant – There is extra grant money available from PEMA for which the Fire Company may apply.

Fire Company Event Approval – The fire company event list was before council. The list included fire company dinners, carnival, New Berlin Day, and the open house and fire truck rides.

New Berlin Day – Councilwoman Barbara Stamm stated this may be the last year for New Berlin Day because the activities committee consists of many older members who are doing a lot of manual labor. With no younger people joining to help, it may not be able to continue.

Activities Committee Event Dates – The Borough needs a written list of 2020 event dates for council approval for insurance purposes.

Fire Company Carnival 2020 - The carnival is one day shorter this year and there is a different ride vendor due to scheduling conflicts.

New Firefighters and Fire Police – The fire department is conducting background checks on several prospective firefighters or fire police.

Motion – Councilwoman Meghan Shambach made a motion to approve the fire company 2020 event list. Councilman Barry Kuhns made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

POLICE REPORT – Council reviewed the January Police Report. No questions were asked.

Police Department Personnel – Chief Hassenplug stated he spoke with a few officers from other departments who may be interested in coming to work for New Berlin. The pay rate change will help as far as police department hours and recruiting new hires.

STREET SUPERVISOR'S REPORT – The Street Department Supervisor was absent due to other work obligations. There was no report given in his absence.

MAYOR'S REPORT – Mayor Hamilton stated that the animal ordinance drafted approximately a year and a half ago was never adopted. There are some parts of the ordinance for which the Borough has no resources to enforce such as stray or loose dogs. The Borough does not have an animal control officer nor does it have a licensed kennel to keep animals. A draft of the aforementioned ordinance will be sent out before the next meeting.

Complaint from Citizen – The Mayor received a complaint from a citizen. The citizen complained that her neighbor is filling potholes with ash. When it rains, the ash then runs down and makes her driveway dirty. The complainant would not give her neighbor's name, location, or describe the house in which they live. The Mayor told the complainant that she would bring it up at the meeting. Council discussed several aspects of the complaint. The Borough does not have an ordinance addressing such an issue.

SOLICITORS REPORT – Writ of Possession – 407-411 Front Street – Solicitor Cole stated she will file for the Writ of Possession for 407-411 Front Street. The Borough will start gathering information regarding the cost of local Auctioneers. Council should consider a reserve amount for the property.

608 Spangler Street - Solicitor Cole stated she will file the lien for 608 Spangler Street.

NEW BERLIN MUNICIPAL AUTHORITY - Minutes – There were no questions regarding the NBMA minutes.

Letter to NBMA – As directed by council, the solicitor sent a letter to the NBMA asking them to consider changing its practice of listing in their minutes the names of people who have delinquent accounts.

Flushing of Lines – The NBMA will be flushing lines in the spring.

NBMA Weed Control – The NBMA inquired if the street department could start to spray weeds on the NBMA property. In the past, the NBMA has hired a contractor for those services.

Well 6 – The NBMA will be closing Well #6 but that well will remain in working order.

SECRETARY/TREASURER REPORT - Balance – General Fund - Rebecca Witmer reported the balance in the General Fund as \$61,730.32.

PLGIT Report – The secretary/treasurer stated the December 2019 interest for the PLGIT Account was \$73.75 which will go into the unallocated funds.

Payroll Audit – The payroll audit is complete. The audit went well.

Liquid Fuels Audit Report – The Liquid Fuels Audit Report was received and sent to council.

Permits to Close State Roads for Activities – The State Road Closure Applications will soon need to be submitted to PennDOT. If any of the event setups have changed, the Borough should be informed because they are mapped out along with detour routes and submitted with the application.

READING AND SIGNING OF BILLS/PAYROLL – Vice-President Lisa Decker 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 – January Checking Service Charge	25.00
Amanda Heath	85.00
A+ Office Outlet	3.90
AT&T	53.50
Bilger Automotive	80.00
Cardmember Service	218.15
CH Waltz Sons, Inc.	383.81
Horning’s Attachments LLC	26.25
Kim Barton	177.50
New Enterprise Stone & Lime Co, Inc.	432.82
PP&L	22.25

Stephenson Equipment, Inc.	319.29
Union County Commissioners	7.00
Andrew K. Bustin	148.20
Curt Keister	312.30
Jacob Shipman	40.86
Leif E. Hassenplug	419.09
Michael H Mattocks	754.55
Rebecca A. Witmer	1,894.66
Rodney E. Styers	137.63
William Stamm	754.53
PA Department of Revenue	133.59
US Treasury	1,021.74
Coles Hardware	219.60
PP&L	1,484.76
ProNet Systems	60.00
SEDA-COG	110.00
Windstream Buffalo Valley, Inc.	265.66
Postmaster	196.00
The Daily Item	289.40
TOTAL	\$10,077.44

OLD BUSINESS - Cherry and Front Street Trucks – Councilwoman Stamm stated that Mr. Bridge told her that trucks continue to encroach upon his yard when turning the corner of Cherry and Front Street. She also stated that she knew the Borough had issues with trucks knocking down the stop sign at the same corner. Councilwoman Stamm inquired if the Borough could sponsor a sign directing trucks to turn down Front Street for deliveries. Playworld has a sign placed at the corner of Front and Route 304 directing trucks to turn down Front Street for deliveries. Mr. Bridge has remedy for trucks going into his yard and causing damage through his insurance company. It may be advantageous for him to place a camera on his property.

Feral Cats – Mayor Hamilton stated that the feral cats in the area of town in which she lives have mostly become a problem because they are living in the condemned house on Front Street. A person in that area was trapping the cats, having them fixed, and then trying to find homes for them. That person recently moved so the Mayor has since taken over that cause. The section of the existing animal ordinance requiring that all cats must be indoor cats has been removed in the newly drafted ordinance for council’s consideration.

Pollination Gardens - Councilwoman Shambach stated there is grant money available for the pollination gardens but it is not available until June of this year. The funds would pay for the wood and other material around the gardens and any butterflies to release, if the Borough holds such an event. The pollination garden on the NBMA property cannot have wood or any landscaping other than the plants themselves. Councilwoman Shambach stated she would write the grant but the Union County Soil Conservation District would need to design the gardens and submit the grant because they are a non-profit organization.

Motion – Councilwoman Barbara Stamm made a motion to apply for the PP&L grant for the pollination gardens. Councilwoman Lisa Decker made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

PennDOT Drainage Issue at Intersection – An update was given regarding the drainage issue discussed at the last council meeting. PennDOT determined the drainage issue was due to clogged storm drains in that area. They have since been cleaned by PennDOT.

NEW BUSINESS – YSM, Inc. Professional Services Proposal & Survey for DCNR Walkway Grant – Council was given a proposal from YSM, Inc. for professional services to consult and help administrate the bidding and construction of the DCNR Walkway Grant. The cost of the services, including the survey, is \$13,000.00.

Motion – Councilwoman Shambach made a motion to accept the professional services agreement with YSM, Inc. in the amount of \$13,000.00. Councilwoman Lynda Frederick made a 2nd to the motion. Vote was taken with all in favor and Barbara Stamm opposed. Motion carried.

Governor Wolfe's Proposal State Police Fee – Governor Wolfe's proposal regarding municipalities needing to pay a fee for State Police Services was briefly discussed. The proposal requires that all municipalities pay a fee for State Police coverage and services regardless if they have their own police department.

ADJOURNMENT – Motion – Councilwoman Meghan Shambach made a motion to adjourn. Councilwoman Barbara Stamm made a 2nd to the motion. Vote was taken with all in favor. Motion carried. Meeting adjourned.

Respectfully Submitted,

Rebecca A. Witmer,
Secretary/Treasurer

MAYOR