

**NEW BERLIN BOROUGH COUNCIL
REGULAR MEETING**

A regular meeting of the New Berlin Borough Council was held on March 9, 2022, at 7:00 pm at the New Berlin Borough Community Center located at 318 Vine Street, New Berlin, PA. Those in attendance were President Meghan Shambach, Councilwoman Barbara Stamm, Vice-President Barry Kuhns, Councilwoman Julianne Finkbiner, Councilman Michael Palermo, and Councilman David Wertz. Rebecca Witmer, Secretary/Treasurer; Solicitor Wendy Cole; Mayor Scott Benfer; and Street Department Laborer Rex Solomon were also present. Councilwoman Lynda Frederick and Joshua Dreisbach, Chief of Police, were absent from the meeting. Teri Provost, SedaCOG, was present to discuss the American Rescue Fund allocation. Visitors present were residents David Farmer, John Showers, Mary Palermo, Christine Benfer, and Sharnel Pilko.

The meeting was brought to order by President Meghan Shambach with the Pledge of Allegiance.

APPROVAL OF MEETING MINUTES – January 12, 2022 – The Secretary/Treasurer stated that she reviewed the recording of the January 12, 2022 minutes. The recording reflects that she was to come up with the language of the motion in question at last month’s meeting. Solicitor Cole stated that the language should be kept since that is what was directed. After discussion, a motion was made.

Motion – Councilman Michael Palermo made a motion to amend the wording of the motion in question to “no longer retain Officer Bremigen’s Probationary Status” rather than “terminate”. The Secretary/Treasurer asked if the amended language of the motion was to only replace the word “terminate” and all other parts of the motion were to remain the same or not. It was answered that the remainder of the motion shall stand as written. Councilman Barry Kuhns made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

Motion – Councilwoman Barbara Stamm made a motion to approve the January 12, 2022, minutes as amended. Councilman Michael Palermo made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

February 9, 2022, Minutes – Vice-President Barry Kuhns made a motion to approve the February 9, 2022, minutes. Councilman David Wertz made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

VISITOR BUSINESS – Teri Provost – Seda-COG – American Rescue Funds - Teri Provost introduced herself and gave her credentials for those who didn't know her. She explained that the Borough's total allotment of American Rescue Funds is \$86,456.76. The Borough is required to operate under the US Treasury's Final Rule which allows standard allowance of the funds. Standard allowance permits New Berlin to utilize the funds for anything considered general government service with a few exceptions. The Secretary/Treasurer and Teri Provost will work closely with one another to complete the required reports to the US Treasury, the first of which is due April 31st.

Ms. Provost asked council to make some considerations. The first consideration and recommendation is to allocate \$74,456.76 of the funds to the standard allowance of revenue loss. That recommendation will give the Borough latitude to utilize that part of the allocation toward general government services. The second recommendation is to, as also recommended by the Borough Finance Committee, allocate \$12,000.00 to a premium pay allocation and develop a premium pay program. The Borough had essential workers who worked with in-person contact during the pandemic. That recommendation will compensate certain essential workers who had face-to-face interactions during the pandemic.

A draft premium pay policy was disbursed to council. The policy was explained to council stating that it included the US Treasury's regulations provided by the Final Rule including but not limited to the face-to-face interaction requirement, essential work performance, disqualification if an employee makes more than 150% of Pennsylvania's mean annual wage, and the definition of employees that qualify under the US Treasury's defined critical infrastructures as outlined in the final rule. Also explained were the Borough's regulations as per the policy, including but not limited to the number of hours employees must have worked during the timeframe outlined by the US Treasury in the Final Rule and that an employee must be a current employee of the Borough.

A checklist verifying premium pay eligibility will be completed by the Secretary/Treasurer and double checked by SedaCOG to ensure accuracy to safeguard the Borough and Secretary/Treasurer during the audit.

If council agrees with the recommendations, a Resolution will also need to be passed allocating \$74,456.76 in American Rescue Plan Act funds to the standard allowance of revenue loss to spend on government services during the period of performance and also allocating \$12,000.00 towards a premium pay program for eligible Borough employees as consistent with the regulations provided by the Final Rule and the Borough's ARPA premium pay policy and procedures.

Motion – Premium Pay Policy Adoption – Councilwoman Julianne Finkbiner made a motion to adopt the Premium Pay Policy as recommended. Vice-President Barry Kuhns made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

Motion – Resolution 2022-6 – Councilwoman Julianne Finkbiner made a motion to adopt Resolution 2022-6 allocating the funds as recommended. Vice-President Barry Kuhn made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

COMMITTEE REPORTS – Fire Company Liaison – FEMA Grant – Councilman David Wertz stated the Fire Company received its cascade refilling system for its air packs. The air packs still have not yet arrived.

Easter Egg Hunt – The Fire Company will hold an Easter Egg Hunt at the Sun Area Vo-Tech on April 16th at 1:30pm.

Mother's Day Dinner and Father's Day Dinners Cancelled - The Fire Company will not be having their Mother's Day Dinner or Father's Day Dinner this year.

Thermal Drone – The Fire Company is exploring the possibility of purchasing a thermal drone to aid in search and rescue and to identify hot spots.

Personnel Committee – The personnel committee met and discussed the assistant supervisor position for the street department. The checklist was drafted. They will meet again to discuss a job description for the position. The position will need to be posted after the job description is approved by council.

New Hires – Street Department – Two applicants were discussed but neither were hired.

Finance Committee – The finance committee met to discuss that which Teri Provost explained earlier in the meeting. Also discussed was the proposed assistant street department supervisor hourly wage rate. The finance committee will wait for the job description to be completed before recommending a wage rate for the position.

POLICE REPORT – February 2022 Police Report – The February 2022 Police Report was reviewed.

Updates and Requests – The Secretary/Treasurer read aloud a written report in Chief Dreisbach's absence. The report included the following:

DCED Communications Grant – Chief Dreisbach stated in his report that the Secretary/Treasurer and he were successful in receiving \$25,000 in grant monies to upgrade the police department radios.

Ford Explorer – The police department is currently waiting for the ordered equipment to arrive at Keystone Communications so it can be installed in the Ford Explorer.

New Ordinance Request Regarding Recreation Areas – The Chief's report asked Borough Council to consider creating a new ordinance concerning the hours the recreation areas are open and closed. Limiting the hours of the recreation areas will give Officers justification to have individuals leave after dark if they do not have a legitimate purpose for being there.

Junk Ordinance Request – The Chief requested in his report that Borough Council consider amending the junk ordinance to include abatement similar to that in the grass ordinance. Currently, the police department is unable to force someone to remove the junk from their property or have the junk removed.

Unused Police Department Equipment Request – The Chief requested in his report, permission from Council to sell unused police department property on Muncibid. Examples are unused light bars, desks, and other minor equipment located in various borough storage areas.

Motion – Muncibid – Councilman Michael Palermo made a motion to sell the unused police department property on Muncibid. Councilman David Wertz made a 2nd to the motion. Vote was taken with all in favor except Barbara Stamm who was opposed. Motion carried.

Junk Ordinance - Concern was raised about taking away the rights and freedoms of property owners as well as the definition of junk. It was stated that citations would first still be issued. It was explained that when a citation is filed, a judge determines if the item(s) in question are junk. The abatement would only be used in cases where citation(s) have been issued and the junk is still not being removed by the owner. The current ordinance does not allow for abatement of the junk.

Concerns were expressed regarding limiting park hours. It was discussed that Borough events, rentals, and organized recreational activities would be exceptions to park hours. It was stated that the recreation association should have a chance to review the proposed ordinance. President Shambach stated that the ordinance will be advertised and open for anyone to review.

Motion – Park Ordinance – Councilwoman Julianne Finkbiner made a motion to begin the process of writing an ordinance that contains park hours. Councilman David Wertz made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

Motion – Junk Ordinance – Councilman David Wertz made a motion to draft an amendment to the junk ordinance to include abatement similar to that in the grass ordinance. Councilwoman Julianne

Finkbiner made a 2nd to the motion. Vote was taken with all in favor except Councilwoman Barbara Stamm and Vice-President Barry Kuhns who were opposed to the motion. Motion carried.

Solicitor Cole will draft an ordinance regarding park hours and an amendment to the junk ordinance for council's review.

STREET SUPERVISORS REPORT – Rex Solomon, Street Department Laborer, gave a report in the Street Department Supervisor's absence.

Tree at Commons – The street department removed a large fallen tree from The Commons.

Hot Water and Lights Installed in Borough Shed – The Borough shed has not had hot water or lights since it was built. A hot water heater and lights were installed last month.

1984 Chevy Truck – The 1984 Chevy Truck is in need of an inspection but the wiring is causing issues such as inoperable windshield wipers, turn signals, and backup lights. In addition, the heat is intermittent and there are a few other minor issues. It was recommended by a garage that the truck get rewired. The approximate cost was \$1,000.00 for parts and approximately \$3,800.00 to install a wiring harness. The price of vehicles at this time is very high so it would be best to wait until vehicle prices come down before purchasing another truck. The street department would like to fix only that wiring which is causing the safety issues and needed for inspection. After discussion, council agreed with the street department to repair only that wiring which is causing the safety issues and that which is needed for inspection rather than rewiring the entire truck.

MAYOR'S REPORT – Mayor Benfer stated that he desires to mend relationships between the public and the elected officials. One of the suggestions made by someone in the community was that council should have nameplates at the meeting to identify those who are sitting at the table. Utilizing nameplates is a step to say to the community “here is who we are and we want to listen to you”. Therefore, he is requesting that council use nameplates at the council meetings. The Mayor has a very small budget and will purchase the nameplates with the money in his budget. He stated that he is not only requesting the nameplates be used but also asked for input. Councilman

Michael Palermo stated he thinks it's a great idea and that, even if the nameplates aren't used, names could be written on paper and folded in such a way as to show the name to the public. Council agreed that the nameplates are a good idea and agreed to use them.

SOLICITORS REPORT – No Solicitor's report was given.

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

The NBMA liaison reported the following:

Visitor Selling Meters – A visitor who sells water meters was present at the last NBMA Meeting. The visitor explained the difference between plastic water meters and brass water meters. If plastic meters freeze, they are not repairable. The salesperson also sells repair kits for the meters that he sells. The NBMA Board had discussion regarding the meters since they are soon replacing several water meters as reported in previous meetings.

Logging – Some logging has started on the mountain. The NBMA has a forester coming to mark trees for its logging.

NBMA Board Appointment – There is still a vacancy on the NBMA Board.

SECRETARY/TREASURER REPORT - Balance – General Fund – The Secretary/Treasurer reported the balance in the general fund as \$60,677.66.

DCNR Feasibility Study Update – A meeting was held with the study committee to review the results of a building site assessment done on the former New Berlin Elementary School. Discussed at the study committee meeting was plans for future study committee meetings, public meetings, the survey, key interviews, the condition of the building, and approximate costs for each building option presented. The feasibility study is still in its very preliminary stages. The Secretary/Treasurer has also been working with the consultant regarding other information pertaining to the property and the building which are also needed to complete the study.

Several questions were asked regarding the condition of the building. Main issues discussed is that there is water coming in through the walls as well as some from the roof, there is mold in the building, and that some of the insulation and ceiling tiles are falling onto the floor in most of the classrooms. The foundation is not cracked and appears to be in overall good condition.

DCED Keystone Communities Grant – As reported earlier in the Chief’s police report, he and the Secretary/Treasurer secured \$25,000.00 in grant funds for upgrading the police department’s radio communication systems. The grant is a reimbursable grant which means that the Borough will pay for the radio upgrades then submit a payment request to DCED for reimbursement.

Reports – End of Year 2021 – Beginning of 2022 – All reports for the end of 2021 and beginning of 2022 have been completed and sent to the required State and Federal agencies.

General Fund Audit – The 2021 general fund audit is starting tomorrow evening.

Liquid Fuels Audit – The Secretary/Treasurer reported that the Liquid Fuels Audit was completed with no findings. A copy was sent to council and is available at the Borough Office for public inspection.

READING AND SIGNING OF BILLS/PAYROLL – Councilwoman Julianne Finkbinder 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 – GENERAL FUND

M&T Bank – Service Charge	25.00
WEX Bank	290.38
Curt Keister	418.43
George Geise	506.49
Jason Engleman	390.11
Joshua Dreisbach	645.15
Martez Faulkner	215.41
Michael Mattocks	394.45
Rebecca Witmer	2,536.26
Rex Solomon	331.91

Rodney Styers	31.63
Cardmember Service	1,210.14
Coles Hardware	105.88
Kim Barton	110.00
Martin’s Small Engine Repair	186.04
Topp Business Solutions	19.96
Union County Treasurer	433.75
PA Department of Revenue	272.35
US Treasury	1,870.12
Joshua Dreisbach	1,655.40
Curt Keister	1,564.40
George Geise	1,678.94
Michael Mattocks	1,651.40
Rebecca A. Witmer	1,494.40
Rex Solomon	1,514.40
Aurand’s Auto Service, LLC	59.00
DE LANGE Landen Financial	79.57
Hometown Disposal	85.36
PP&L	1,452.72
Windstream Buffalo Valley, Inc.	428.53
AT&T Mobility	131.20
Wendy Yoder, Tax Collector	248.50
TOTAL	22,037.28

OLD BUSINESS – Community Center Fence – The community center fence installation has been completed.

NEW BUSINESS – PennDOT Traffic Counting – PennDOT enlisted the services of Southern Traffic Services to conduct traffic counts between March 7th and November 17th 2022. There are several streets located within New Berlin which are slotted for traffic counts within that time.

ADJOURNMENT – Motion – Councilwoman Julianne Finkbiner made a motion to adjourn the meeting. Vice-President Barry Kuhns 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