

**NEW BERLIN BOROUGH COUNCIL
REGULAR MEETING**

A regular meeting of the New Berlin Borough Council was held on April 14, 2021, at 7:00 pm at the New Berlin Borough Community Center located at 318 Vine Street, New Berlin, PA. Those in attendance were Councilman Barry Kuhns, President Julianne Finkbiner, Councilwoman Barbara Stamm, Vice-President Lisa Decker, Councilwoman Betty Kratzer and Councilwoman Lynda Frederick. Wendy Cole, Solicitor; Rebecca Witmer, Secretary/Treasurer and Bonnie Hamilton, Mayor were also present. Councilwoman Meghan Shambach and Officer in Charge Joshua Dreisbach were absent from the meeting. Visitors present were residents Mary Palermo, Michael Palermo, Frances Blatchley, John Showers, Edward Pilko, Christine Benfer, David Farmer, and Sharnel Pilko. Brian Kerstetter, Candidate for Judge, was also present as a visitor.

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

APPROVAL OF REGULAR MEETING MINUTES – March 10, 2021 – Vice-President Lisa Decker made a motion to approve the meeting minutes from the March 10, 2021, council meeting.

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

VISITOR BUSINESS – Edward Pilko and Sharnel Pilko – Edward and Sharnel Pilko spoke regarding a Trap, Neuter, and Release Program in which several borough residents are participating to help decrease the amount of feral cats in certain areas of the borough. The efforts to reduce the population of feral cats has been successful and has been at the residents own expense. If the efforts are to continue, they hope to raise money for the cause. Mr. Pilko stated that if anyone would like to donate to the cause, please let him know or send the money to the Lewisburg Vet Hospital to be placed under his account.

Brian Kerstetter, Esquire – Candidate for Judge – Brian Kerstetter, Esquire, spoke regarding his candidacy for judge. He spoke about his education, other qualifications, and endorsements regarding the position.

COMMITTEE REPORTS – Fire Company Liaison – Workers Compensation – The secretary/treasurer gave a report in the liaison’s absence. The fire company and the secretary/treasurer engaged in several emails with the insurance company regarding the newly passed worker’s compensation regulations reported to council last month. The insurance company gave the fire company the option of purchasing accident insurance for its social members. The fire company asked the liaison to inquire of council who would be responsible to pay the accident insurance. With no quotes generated for council to consider, there was no discussion amongst council. Solicitor Cole stated she would not think council is legally obligated to provide or pay for any insurance other than that which is already required.

Animal Ordinance Committee – Animal Ordinance - Motion – Councilwoman Lynda Frederick made a motion to pass Animal Ordinance 2021-1 as advertised. Councilman Barry Kuhns made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

Community Center Landscaping – The secretary/treasurer reported in Councilwoman Shambach’s absence. Councilwoman Shambach inquired if council wished to solicit the help of other organizations when planting the community center landscaping. Council decided and directed that the plants be purchased and planted by the street department. A list of plants chosen will be provided by the community center landscaping committee.

Study Committee – Approval of Members – Council was asked to approve a DCNR Study Committee consisting of the following members: Sally Farmer, Logan Roush, Dee Collier, Meghan Shambach, Rebecca Witmer, Cub Snook, Chuck Ritter, Tina Fern, and Wayne Resseguie.

Study Committee Members - Motion – Vice-President Lisa Decker made a motion to approve the study committee members as presented. Councilman Barry Kuhns made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

Students Working with Consultant – Council discussed whether Penn State or Bucknell students should be asked to work on the feasibility study with the hired consultant. Council decided against the idea as to not interfere with the hired consultant’s process.

Police Committee – Cell Phone – At the request of OIC Dreisbach and the recommendation of the police committee, council discussed reinstating the cell phone policy into the Police Department Rules and Regulations. The costs of implementing the policy are very minimal and it will aid in officers having a better response time to non-emergency complaints while on patrol.

Police Committee – Cell Phone – Councilwoman Barbara Stamm made a motion to reinstate the cell phone policy into the Police Department Rules and Regulations. Vice-President Lisa Decker made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

POLICE REPORT – March 2021 Police Report – OIC Dreisbach was absent from the meeting due to obligations at his full-time employment. The March 2021 Police Report was reviewed. It was commented that it was nice to see some police hours on the report again.

STREET SUPERVISORS REPORT – Street Sweeper – Street Department Supervisor Curt Keister reported that he received quotes for street sweep services. RC Young, Inc. gave a quote of \$175 per hour with a \$250.00 per day daily travel charge; Steve Cvejkus gave a quote of \$1,500.00 to service all of the New Berlin streets; and Gutelius gave a quote of \$112.00 per hour, with it taking approximately 2 days, the total price would be approximately \$1,792.00.

Street Sweeper Motion – Councilwoman Barbara Stamm made a motion to contract with Steve Cvejkus for street sweeper services in the amount of \$1,500.00. Councilwoman Betty Kratzer made 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

Paint - Borough Offices – Street Department Supervisor Curt Keister stated that he has no one employed who is willing to paint the inside borough office building. It was discussed that maintenance of borough buildings is in the street department job description. Council discussed contracting with a paint contractor and taking it from the borough street department salaries.

Several visitors volunteered to paint the borough offices. Also discussed was the needed repairs to the drywall since there are cracks the entire way around the inside perimeter of several of the offices due to the building settling. Quotes will be obtained for the needed work and volunteers will also be considered.

Brush and Limb Clean-Up – Spring Brush and Limb Clean-Up was scheduled for April 24, 2021.

Community Center Paint – The only person willing to submit quotes for painting the outside of the community center was Merroth Enterprises, LLC in the amount of \$16,000.00. The restoration of the finial, which fell off the building during a storm, is not included in the quote. Record of the other contractors who were called but did not give quotes will need to be obtained and placed on record with the secretary/treasurer for audit purposes.

MAYOR'S REPORT – Mayor Hamilton had nothing to report aside from that which was already reported.

SOLICITORS REPORT – Zoning Ordinance – Proposed Amendments – Solicitor Cole reported she received a telephone call from New Berlin's Zoning Hearing Board Attorney regarding some proposed amendments to the zoning ordinance.

The current zoning ordinance is approximately about 30 years old. Attorney Kay indicated to Solicitor Cole that recently there has been a flurry of variance hearings due to the required setbacks required in the borough zoning ordinance. The current side setbacks are 8 feet from the side property lines. The setbacks apply to buildings such as sheds, other out buildings, pools, etc. Given that many properties are only 15-20 feet wide; this setback amount has become onerous, necessitating the numerous hearings. Each hearing costs each applicant \$450.00 due to the notices, advertising, attorney's fees, required court reporter, and other fees expended by the borough. He believes that the Zoning Hearing Board could cut down the number of hearings by 75% if this setback figure was changed to a more practical and reasonable number. Attorney Kay suggested a 5 feet setback.

He also indicated that the current ordinance does not address the allowance or placement of solar panels which definitely is an up and coming issue.

Discussed is that there is also a matter regarding impervious surfaces. There is only so much of a property area that can be covered with gravel, asphalt, and buildings so as to allow for rain water runoff and drainage. Since gravel is included in this calculation even though most types of gravel would allow drainage through it. This also may be another issue to address.

Fences and setbacks for them should also be specifically addressed in the zoning ordinance so it would be beneficial to look into that also.

Council directed Solicitor Cole to work with Attorney Kay on some amendments to propose to council.

Kline Property – Undeveloped Alley – Solicitor Cole met with Rodney Kline, Water Street, to look at the property matter he spoke to the street department supervisor and Councilwoman Stamm about several months ago. Mr. Kline wanted the borough to abandon an undeveloped borough alley and deed it to him. Solicitor Cole explained to Mr. Kline that, if the borough would be willing to abandon the alley, the law states it must be split evenly between the adjacent property owners. Mr. Kline no longer wants to proceed with the matter. Mr. Kline had several other property issues he addressed with Solicitor Cole but, ultimately, they were not borough matters for council to consider.

Petition for Confirmation of Tax Claim Distribution – A Petition of Confirmation of Distribution was received for a property in New Berlin known as parcel 011-022-034.00000. The property was sold by Union County Tax Claim Bureau due to delinquent taxes not being paid. The property sold for an amount of \$8,000 with \$1,205.98 of that amount being owed to New Berlin Borough. The borough office does not have a dispute as to the amount of delinquent taxes owed. Council does not have any objections to the amount.

Motion – Councilman Barry Kuhns made a motion to agree with the amount as set forth as delinquent tax without dispute. Councilwoman Betty Kratzer made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

NEW BERLIN MUNICIPAL AUTHORITY – Minutes – There was no question regarding the minutes.

The liaison was absent from the meeting. There was no report in her absence.

SECRETARY/TREASURER REPORT - Balance – General Fund – The secretary/treasurer reported the balance in the general fund as \$88,195.13.

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 – GENERAL FUND

M&T Bank – Service Charge	25.00
AT&T Mobility	53.50
B.S. & B. Repair, Inc.	111.71
The Daily Item	438.15
American Rock Salt Company LLC	1,625.27
Cardmember Service	415.62
Family Practice Center PC	175.00
Kathleen Bergeson, Ph.D.	200.00
Curt Keister	521.15
George Geise	97.25
Joshua Dreisbach	994.68
Martez Faulkner	71.37
Michael Mattocks	899.49
Rawlin Swanger	38.10
Rebecca Witmer	2,703.86
Rodney Styers	124.07
William Stamm	882.74
A+ Office Outlet	149.99
Coles Hardware	73.12
Kim Barton	125.00
The Daily Item	124.95
Windstream Buffalo Valley, Inc.	412.95
Martin’s Small Engine Repair	295.23
Michael Mattocks	12.71
Hometown Disposal	72.42

PP&L	917.53
Union County	144.00
TOTAL	11,704.86

OLD BUSINESS – Pollination Gardens – New Berlin Signs – Discussed was if council wished to again pursue planting pollination gardens under three of the four Welcome to New Berlin signs as discussed approximately a year and a half ago. PennDOT approved the application submitted by the borough but that was just before COVID-19 shut things down for almost a year. It is uncertain if PennDOT is still moving forward with the program. Council decided to proceed with making an inquiry of PennDOT to see if they are still moving forward with the program and grant. If so, the borough will then proceed with planting simple pollination gardens under three of the four Welcome to New Berlin signs.

NEW BUSINESS – Girl Scouts – Recycling Mural – The recycling mural created and donated by the New Berlin Girl Scout Troop several years ago is weathered and in need of repair. The Girl Scout Troop does not want to repair the mural and asked that the borough dispose of it.

Drollinger – Officer Drollinger expressed a desire to be reinstated into his former position with the New Berlin Police Department. Discussion died for lack of a motion.

Borough Calendar – A New Berlin business inquired how to go about getting their business events listed on the borough calendar. The solicitor recommended the borough calendar not be used for private business events. Council agreed.

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ADJOURNMENT – Motion – Vice-President Lisa Decker made a motion to adjourn the meeting. Councilwoman Lynda Frederick 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