

**NEW BERLIN BOROUGH COUNCIL
REGULAR MEETING**

A regular meeting of the New Berlin Borough Council was held on September 14, 2022, 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, Vice-President Barry Kuhns, Councilwoman Julianne Finkbiner, Councilman David Wertz, Councilwoman Lynda Frederick, Councilwoman Barbara Stamm, and Councilman Michael Palermo. Wendy Cole, Solicitor; Rebecca Witmer, Secretary/Treasurer; and Curt Keister, Street Department Supervisor were also present. Joshua Dreisbach, Chief of Police, was absent from the meeting. Katie Kovalchik, Environmental Planning and Design was present to give a presentation regarding the feasibility study of the former New Berlin Elementary School building. Borough residents Mary Palermo, Edward Pilko, Philip Heggenstaller, Heather Heggenstaller, Sarah Ockershauren-Delp , Christine Benfer, David Farmer, Sally Farmer, and Ray Sassaman, were present as a visitors.

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

APPROVAL OF REGULAR MEETING MINUTES – August 10, 2022 – Motion – Councilwoman Julianne Finkbiner made a motion to approve the minutes. Councilman Barry Kuhns made a 2nd to the motion. Vote was taken with all in favor and none opposed. Councilwoman Barbara Stamm abstained due to not being present at the meeting. Motion carried.

VISITOR BUSINESS – Katie Kovalchik, PLA, ASLA, Director of Landscape Architecture and Marketing and Technology Manager with Environmental Planning and Design, Inc., was present to discuss the progress of the former New Berlin Elementary School feasibility study. Mrs. Kovalchik explained that a structural analysis was completed on the former elementary school as well as a market analysis of recreational opportunities in Union County and within a 20-minute drive of New Berlin. Several public engagements were also done which asked questions regarding preference of recreational opportunities and preference regarding future amenities of the site. The current stage of the feasibility study creating a concept design(s) for the site that coincide within the previous master plan created for the park.

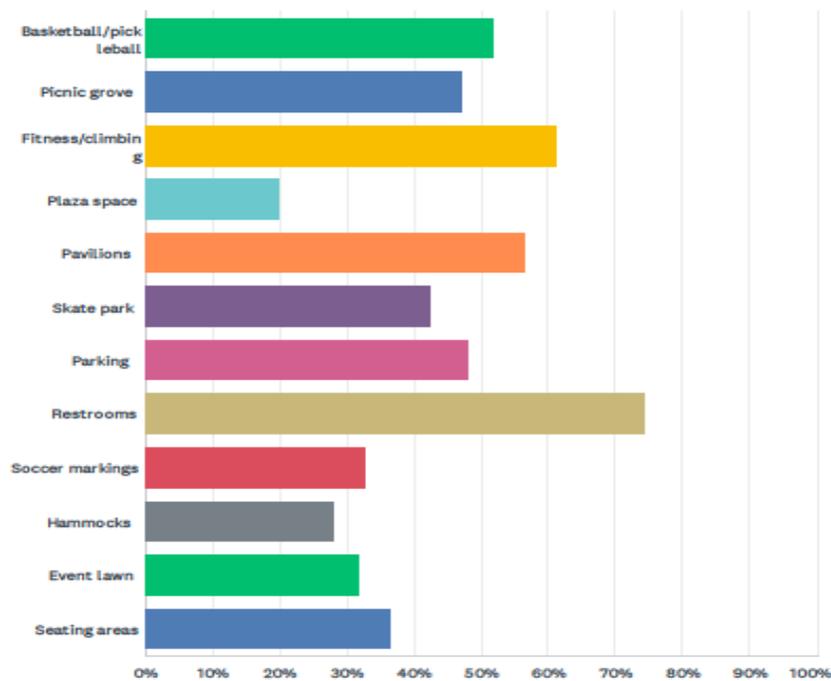
Mentioned was that all costs were also shown during the personal public engagements of residents, a public meeting, and a study committee meeting. The results of all those engagements showed that neither a complete renovation nor a partial renovation was desired, mostly due to the costs. A new recreational center was not desired due to operational, organizational, and staffing costs.

Results of a survey taken of residents regarding their recreational desires was also presented.

Results were as follows:

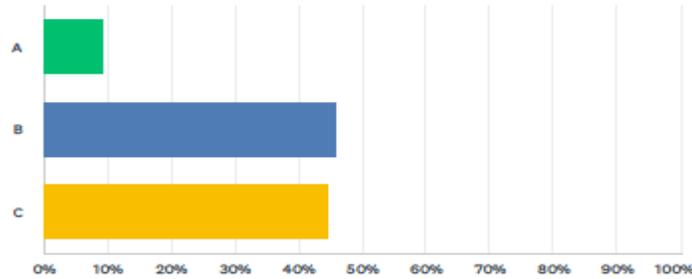
What type of changes at Plum Street Park would EXCITE you? (Check all that apply)

Answered: 85 Skipped: 2



The three concept designs for the site that were presented to residents during personal public engagements were shown. The results were shown as follows:

Of the three initial concept plans, which one do you like the most and feel Borough should further study.



ANSWER CHOICES	RESPONSES	
A	9.41%	8
B	45.88%	39
C	44.71%	38
TOTAL		85

Concept design options shown were labeled “A”, “B”, and “C”. Of the concepts, “A” had the least impact on the site without much change to amenities. Concepts “B” and “C” were more intense and included more amenities and programming. Of particular interest amongst people was adequate parking. Concept “C” showed more parking with 25 parking spaces as opposed to Concept “B” which showed 10 parking spaces. Option “A” does not show parking other than those

existing near the newest pavilion at the south end of the site. All options show recreational seating, table games, and both pickleball and basketball lines on the existing basketball court. Because restrooms were ranked the highest on the recreational survey, restroom facilities were added to Concepts "B" and "C" with Concept "C" showing the largest restroom facility in the center of the park at the "pavilion plaza". The skate park on Concept "C" was a concern to several people who participated in the survey. Unsupervised minors at the park were also brought up as a concern to those who participated in the survey. Several other minor differences between the concepts were presented and discussed. As shown on the graph, Concept "B" was the most popular amongst the residents by one vote.

Also presented at the meeting was a new concept plan which was designed based on discussions of the study committee after reviewing all concept plans and all survey results. The concept plan presented was very preliminary but showed additional climbing equipment due to the interested as per the survey results, a splash play area,

All designs took into consideration New Berlin event parking and the popular sled riding location on the site.

Concept design options are available by contacting the Borough Office.

Visitors and council made comment and had questions regarding the concept plans. All questions were answered. The most popular concerns were ensuring there would be proper lighting on the entire site and proper water conservation, and maintenance and operational costs if a splash play area were developed on the site.

Edward Pilko – Property - Mr. Pilko stated he is working on cleaning up the property and hopes to have it done soon. He recently had to abandon the work on his privacy fence in order to demolish his front porch. He takes it as a public responsibility to make his property look good so he will have it cleaned up and in good repair very soon. By the end of the fall season, he will have the property looking good and the projects done. He feels a great responsibility to put his best foot forward and make his property look good since it is in a very visible part of town.

Mr. Pilko stated that he has mentioned to council in the past that he has a strong feeling of need for public safety in town and is concerned about the speeders and noise in the Borough. Once his time permits, he will become more active in that realm. There is a certain love for the type of lifestyle and passion it takes to live in a town such as New Berlin. He further stated that he thinks those who live in New Berlin deserve better than what residents are subjected to umpteen times a day as far as trucks needlessly using their jake brakes and people speeding on Market Street. He is using the New Year as a goal to make New Berlin a safer place for New Berlin, especially for the children of New Berlin.

COMMITTEE REPORTS – Trick-or-Treat – Halloween Parade - President Meghan Shambach reported that 53 children have already registered for the Halloween Parade to be held on October 27th.

POLICE REPORT – August Police Report – The August 2022 Police Report was reviewed. There were no questions or comments from council.

Officer Engelman – Probationary Period – Officer Engleman’s probationary period has ended and he will be retained by the police department.

Narcan – Narcan has been obtained as per the suggestion at the last meeting. It will be carried by the officers while on duty.

Radios Received & Installed - The upgraded radios have been received and programmed. Two mobile radios were installed in the police cars, the portables will be carried by the officers while on duty.

STREET SUPERVISORS REPORT – Purchase of 2006 Ford F-350XL - The Street Department Supervisor recommended the purchase of a 2006 Ford F-350XL Truck with accompanying plow for a purchase price of \$10,000.00.

Motion – Purchase of 2006 Ford Truck – Councilwoman Barbara Stamm made a motion to purchase the purchase of a 2006 Ford F-350XL Truck with accompanying plow for a purchase price of \$10,000.00. Councilwoman Julianne Finkbiner made a 2nd to the motion. Vote was taken with all in favor and none opposed. Motion carried.

Leaf Pick-Up – The Borough’s annual leaf pick-up will start in October and run until November 22nd. The Street Department Supervisor explained that the dates are approximate. The start and end dates largely depend on when the leaves start and cease to fall off the trees.

MAYOR’S REPORT – Mayor Benfer apologized for not being at the last meeting, a family matter came up that needed his attention.

The Mayor reported that he spoke at a 70th anniversary Q&E Luncheon held in July.

The Mayor thanked everyone who helped make New Berlin Day happen.

SOLICITORS REPORT – Amendment to Junk Ordinance – Solicitor Cole distributed to council the existing New Berlin junk ordinance and the proposed amendment to the existing junk ordinance. The solicitor called attention to the sections that were amended for council’s consideration at the next meeting. The main amendment was to allow for the Borough to remove junk vehicles from private properties after proper notice and a certain time of noncompliance. Any comments or questions should be directed to Wendy before or at the next meeting.

Animal Ordinance – Two different animal ordinances were presented to council for consideration. One of the animal ordinances permitted feeding of feral cats, with conditions, and the other ordinance prohibited the feeding of feral cats. There were a few minor typos the solicitor pointed out at the start of the discussion. Council had a lengthy discussion regarding both ordinances and there was confusion as to whether the ordinances were an amendment to the current ordinance or whether one of the ordinances would replace the current ordinance. It was explained that a past motion of was to completely redo the animal ordinance rather than amend it.

There was discussion about not allowing animals to run at large versus allowing animals to run at large and rehoming feral cats versus releasing them. The Council President cited the Borough Code regarding the responsibility council and animals running at large. The Endangered Species act was also mentioned as well as the behavior and proper care of feral cats. Varying concerns and thoughts were discussed about both draft ordinances. The Council President reminded everyone that the draft ordinances were a starting point for discussion and not the final ordinances. Solicitor Cole stated that President Shambach was correct and that the ordinances were for discussion as to what council wants in the ordinances and what they don't.

Also discussed was the responsibility of the health and safety of cats versus the health and safety of residents and which one should be a priority.

The Council President began going over one of the ordinances line-by-line and asked if there was discussion for each line. The line-by-line discussion was not completed.

Motion – Councilman Michael Palermo made a motion to not do anything, go back to the old ordinance, and discontinue any discussion about changing the animal ordinance. Motion died for lack of a second.

There was discussion about whether council wanted to amend the ordinance or continue to look at an entirely new ordinance.

There was discussion about the job and responsibility of elected officials.

Motion – Councilman Michael Palermo made a motion to amend the original ordinance to allow feeding of feral cats. Motion died for lack of a second.

Mayor Scott Benfer stated he realizes he is not a voting member of council but wanted to say something to council and ask a question. He first stated that he loves animals. He further stated that he has a dog and put a fence around his yard to keep it safe and also so his dog does not become a nuisance to his neighbors. Therefore, he has taken responsibility for his animal. Mayor

Benfer continued by stating that he does not want to see any animal suffer. However, if an animal comes onto his property and he doesn't want that animal living in his home but he decides to continue to feed that animal and then the animal goes across the alley and lives in his neighbor's garage and makes a mess of his property; should that be fine with him because the animal is not making a mess on his own property? Mayor Benfer inquired how it got to the point where people will put animals above the rights of our people. He further stated that there are citizens in town who are having their property destroyed and everyone is arguing back and forth about whether or not they want to feed an animal. He then asked what would be done about the damages that are happening. Councilman Michael Palermo inquired if the restrictions on all the feeding would stop the damages from happening. Councilman Barry Kuhns stated that if council doesn't allow feeding and doesn't allow TNR then the cat population will increase and become out of control. Mayor Benfer stated that he does not have a problem with people taking care of animals. If he sees an animal out on the street and he decides to take pity on that animal and take it into his home, then he is taking responsibility for that animal but he is not going to release it back into the community where it can destroy someone's raspberry bushes or other property. Councilman Barry Kuhns stated he did not think council should prohibit the TNR group. President Shambach stated council is not talking about prohibiting the TNR group. There is nothing wrong with the TNR group trapping and providing medical care and neutering the cats. However, there is a big difference between putting enough food into a trap for TNR purposes versus putting a large bag of cat food out without regulating the amount at a time or the time available. There was more discussion about the TNR group and feeding cats.

Motion – Councilman David Wertz made a motion to go back to the original ordinance and stop working on the new ordinances. Motion died for lack of a second.

The ordinances will be revisited again at the next meeting.

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

Meters – The meters spoken about in some previous meetings are almost done being replaced.

Waterline Breaks - Some recent waterline breaks were mentioned at Hilltop Drive, Vista Heights, and Hazel Street.

Voids at Lutheran Church – The voids mentioned during previous meetings were recently filled.

Paving on Route 304- Councilman Michael Palermo inquired what was happening with the paving that PennDOT was going to do on Route 304 this summer. The street department supervisor stated that it will no longer be paved this year due to lack of PennDOT funds.

SECRETARY/TREASURER REPORT - Balance – General Fund – The Secretary/Treasurer reported the balance in the general fund as \$131,937.27.

READING AND SIGNING OF BILLS/PAYROLL – Councilwoman Julianne Finkbiner made a motion to pay the bills with any additions. Councilman Barry Kuhns made a 2nd to the motion. Vote was taken on the motion with all in favor and none opposed. Motion carried.

BILLS TO BE PAID – GENERAL FUND

M&T Bank – Service Charge	25.00
H.A. Thomson Company	200.00
Horning’s Attachments	988.22
Kim Barton	125.00
Mifflinburg Bank and Trust Company	20.00
WEX Bank	452.78
Casey Zimmerman	21.65
Curt Keister	507.10
George Geise	69.81
Jason Engleman	201.94
Joshua Dreisbach	786.78
Martez Faulkner	138.47
Michael H Mattocks	364.84
Rebecca A. Witmer	2,669.74
Rex Solomon	344.62
Rodney E. Styers	151.34
A+ Office Outlet	42.91
Cardmember Service	947.23
Hometown Disposal Ip	103.31
Mifflinburg Lumber	38.98

NAPA Auto Parts	320.27
PP&L	906.55
Richard's Portable Toilets	160.00
Nicholas Gummel	10,000.00
AT&T Mobility	131.37
DE LANGE LANDEN Financial Services	75.57
PP&L	283.49
Windstream Buffalo Valley, Inc.	419.40
Martin's Small Engine Repair	32.98
New Berlin Fire Company No 1	4,152.05
Susquehanna Fire Equipment	170.90
PA Department of Revenue	232.40
US Treasury	1,646.04

TOTAL 26,730.74

OLD BUSINESS – No old business was brought before council.

NEW BUSINESS – Trick-or-Treat is scheduled for October 31st from 6pm-9pm.

ADJOURNMENT – Motion – Councilman Michael Palermo made a motion to adjourn. Councilman 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