

OFFICIAL AND APPROVED REGULAR MEETING MINUTES

BERLIN BOROUGH COUNCIL

March 6, 2014 - 7:00 p.m.

1. Call meeting to order at 07:06 PM
2. Pledge of Allegiance to the American Flag.
3. A moment of silence.

ROLL CALL: All of those listed below were present.

_____ Terry DePhillips	_____ Roger Clarke	_____ Kerrie Broderick
_____ Neil Scheller	_____ Eric Glotfelty	_____ Brett Custer
_____ Barb Zerfoss	_____ Mayor Joseph Krause	

Borough Employees in attendance:

Kerry Claycomb, Executive Borough Secretary

Terry Metzgar, Assistant Borough Secretary

Members of the public in attendance:

Former Mayor Lester Coslic representing the J.B. Schrock Community Playground

Journalist, Alyssa Choiniere representing the Somerset Daily American

4. Minutes of the February 6, 2014, Regular Borough Council meeting for review. (Exhibit 01)

Motion by Kerrie Broderick and seconded by Neil Scheller, to approve and accept the minutes of Berlin Borough Council Meeting dated February 6, 2014.

Ayes 7 Nays 0

5. Citizens' comments from Lester Coslic

Proposed Community Picnic

Mr. Coslic presented a plan for the J.B. Schrock Community Day. This is an effort to raise funds for a \$15,000 tennis court renovation at the community playground.

Mr. Coslic asked the following questions:

Does the borough insurance cover a community picnic in the Block Party Lot?

Is liability insurance coverage provided by the borough or school?

Will they need a certificate of insurance for the event?

Cover Insurance is the Borough Agency

According to Mr. Coslic, the proposed picnic will include the following features:

Inviting our local business organizations to rent space.

Selling pies and food along with fireman.

Women's Club participation.

PP&K competition.

People Powered Tractor Pull.
Sandbox coin hunt

Mr. Coslic can be reached at 267-3326.

Tentative Dates are:
062114 or
071214

Kerry Claycomb mentioned that Cover Insurance would cover the event under the school's policy with the borough listed as a supplementary policy.

The Berlin Block Party is scheduled for 081314 to 081614, which should not conflict with the Community Day Event.

Motion by Eric Glotfelty and seconded Brett Custer to reserve the Borough owned Block Party Lot for The J.B. Schrock Memorial Community Picnic on 062114 and 071214.
Ayes 7 Nays 0

President's Report (Terry DePhillips)

1. Executive session guidance.
President DePhillips reviewed the narrow confines by which executive sessions may be called. Generalities are not enough and specific reasons are required for an Executive Session.
2. Three weeks are left before Kerry Claycomb's retirement and as such, it is in the Borough's best interest to gather all the knowledge possible before he retires.

Council Member Brett Custer presented a discussion regarding Mr. Claycomb's possible continued employment at the borough and on the Municipal Authority. This as it relates to the Ethics Commission's written response.

Council Member Custer alluded to a telephone conversation with Ethics Commission Chief Counsel Robin Hittie on 022714. During this discussion, she verbally indicated that continued employment is not prohibited by Pennsylvania Ethics Law.

President DePhillips believes that we need to get this opinion in writing before any decision can be reached. He also mentioned that he and Municipal Authority Chairman, Scott Miller accompanied Mr. Claycomb to an Ethics Commission Appeal Hearing Harrisburg on 030714. The Commission denied Mr. Claycomb's request to continue as a consultant with both the Borough and the Municipal Authority. The Ethics Commission Appeals Board rejected both appeals and re-affirmed that Mr. Claycomb could not continue with either the borough or the authority for a period of one year after retirement.

Kerrie Broderick added the following statement:

Council Member Kerrie Broderick stated that the Ethics Commission ruling allows Kerry Claycomb to continue as an employee after retirement and only precludes him from being a consultant for the borough. He may continue as an employee for the Municipal Authority.

Old Business

Mayor's Report (Mayor Joseph Krause)

1. Mayor's Association membership...the mayor stated that he probably would not join.
2. Perform marriage ceremonies.
Mayor Krause agreed to notify the council well in advance before performing any marriage ceremony.
3. Police report. (See Packet Addendum)

Police Committee (Kerrie Broderick)

1. The police sign for the Miller Memorial building has been delivered and will be placed next week.
2. Car decals must be placed before next Tuesday per Council Member Kerrie Broderick

Personnel & Finance Committee (Neil Scheller)

1. Recognition Program – continuation and revisions

Council Member Neil Scheller would like to honor all full time borough, police, council and municipal authority member service anniversaries with five and ten year increments. Recognition will be in the form of an award luncheon at the borough building. Guests to include borough employees, council members, and police. This recognition will include a service award plaque.

2. Superintendent of Outside Work – recruiting status.
Ten applications have been received with interviews scheduled for Saturday 030814, Monday 031014, and concluding on next Saturday, 031514. Council members were reminded that Mr. Countryman's last day of work will be 050214.
3. Plaques for former Council members. (Exhibit P3) Pending with Mr. Craig.

Fire & Garbage Committee (Roger Clarke)

1. Update on the distribution of the tote containers.
Council Member Roger Clark mentioned that Garbage Truck Seven has a chronic hydraulic cylinder leak.
Mayor Joseph Krause said that using the Totes garbage container doubles the time required to collect the garbage.

House Committee (Kerrie Broderick)

1. Carpet estimate is pending
2. Chair for Tammy (Completed).
3. Security cameras pending
4. Replacement of the natural gas service line serving the Berlin Community Building. A determination of the size of the line and the location of the meter need to be addressed. (Exhibit H1)

Council directed that this gas line be replaced with a new four inch line when weather conditions permit. It was also suggested that an additional spare duct be placed while the ditch is open. This in an effort to provide redundancy and avoid future disruptions.

Building Permit & Property Maintenance Committee (Neil Scheller)

1. Ordinance updates (UCC, IPMC). A work-in-progress draft of a proposed new IPMC Ordinance is provided for review. (Exhibit B1)

Motion by Council Member Barb Zerfoss and seconded by Council Member Neil Scheller to approve sending the updated UCC / IPMC Code Ordinance to the solicitor for his review.

Ayes 7 Nays 0

2. The contract between Berlin Borough and Commonwealth Code Inspection Service was signed on 021214.
3. President DePhillips emphasized that CCIS needs to speedily resolve outstanding permits held by the previous IBTS Enforcement Agency.
4. Application process for building permits.
5. Building code and property maintenance complaint forms are now available at the Borough Office.

Council Member Neil Scheller emphasized how important is the use of the property maintenance complaint form and following the process and procedure that includes the signed complaint form along with a channel through the property committee.

Streets, Storm Sewers & Sidewalks Committee (Eric Glotfelty)

1. Speed limit sign on Hay Street. This per the attached letter from PENNDOT requiring that the borough purchase and install an additional 35 MPH sign on Hay Street.
2. Sign Inventory Plan.
As preparation for the sign inventory, the borough has enrolled in a PSATS webinar titled “**The Importance of a Traffic Sign Inventory**” scheduled for 040914 at 12:00 PM. This is open to all council members.
3. Replace mirror at Main and Hay?
The council directed that this mirror is no longer needed because the parking situation that once obstructed the view has been resolved by re-positioning the vehicles. As such, we should remove the old mirror frame.

Electric & Equipment Committee (Brett Custer)

1. Update on reclosers switches, fuses, disconnect switches, and load meters.
2. Copy of an e-mail from Gary Shultz with AMP regarding the AMP Pennsylvania Conference scheduled for March 19, 2014, at the Cabala’s Conference Rooms, Hamburg, Pa.
3. Subaru estimate received from East End Auto for the amount of \$584.49.
4. Municipal Authority contribution of \$652.50 toward the purchase cost of the Subaru.
5. Final cost of conference room multi-media updates:
The Borough Council members acknowledged that the cost, to date, of the renovations to the Berlin Police Department offices is \$8,018.00; and the cost, to date, of the renovations to the Berlin Borough Municipal Offices is \$12,737.66.
6. Reminder from AMP of their upcoming Technical Services Conference scheduled for March 25 & 26, 2014, in Columbus, Ohio. (Exhibit E1)

7. Borough to split the cost with the Municipal Authority of the pole related sewer damage at Diamond and North Streets which amounts to \$403.32

Motion by Eric Glotfelty and seconded by Kerrie Broderick, to pay 50% cost of the pole related sewer damage at Diamond and North Street which equates to \$403.32.

Ayes 7 Nays 0

Planning & Project Management Committee (Barb Zerfoss)

1. Old business?

Miscellaneous

1. Reminder: The next meeting of the Somerset County Boroughs Association is scheduled for March 20, 2014, at the Berlin Community Building.

Motion by Barb Zerfoss, seconded by Brett Custer, to approve Borough Council Members and Borough Officials attendance at the Somerset County Borough's Association Meeting on 032014 at 06:30 PM with related costs to be paid by the Borough of Berlin.

Ayes 7 Nays 0

Treasurer's Report

Motion by Brett Custer and seconded by Eric Glotfelty, to approve Treasurer's Report dated 022814 (See exhibit on Packet Addendum)

Ayes 7 Nays 0

New Business

Police Committee (Kerrie Broderick)

1. Chairwoman Kerrie Broderick mentioned that a meeting with Teamster Representative Rick Keller, Berlin Borough Police Committee members, Mayor Krause, and Attorney Dan Rullo is scheduled at a date yet to be determined. This to discuss police matters of mutual concern.

Personnel & Finance Committee (Neil Scheller)

1. Annual audit and recommendation from the Chairperson of the Borough Auditors. (Exhibit P2)
2. Informational: Copy of a letter recently received from Cover Insurance regarding the possibility of additional dividends in coming years.
3. Copy of proposed COBRA Services Agreement between CW Breitsman and Berlin Borough. (Exhibit P3)

Motion by Brett Custer and seconded by Neil Scheller to submit to our solicitor the proposed COBRA Administration Contract with CW Breitsman. This for his review and recommendation. Exhibit E-2

Ayes 7 Nays 0

Motion by Barb Zerfoss and seconded by Kerrie Broderick to add Verizon Voicemail to our main POTS line.

Ayes 7 Nays 0

Fire & Garbage Committee (Roger Clarke)

Council Member Neil Scheller suggested that we develop a standardized form letter to address garbage and rubbish related issues. That form should then be sent via registered mail along with a copy of Ordinance 106 to those customers who may be in violation.

President Terry DePhillips also asked that the Fire and Garbage Committee re-visit and update garbage Ordinance 106 so that it better reflects and anticipates changing practices.

House Committee (Kerrie Broderick)

Chairwoman Kerrie Broderick suggested that, considering our recent upgrade to a paperless office environment, we make an effort to find Clean and Green grant sourcing for our efforts. Kerrie also mentioned that we should explore a voicemail option for the borough POTS line.

Building Permit & Property Maintenance Committee (Neil Scheller)

1.

Streets, Storm Sewers & Sidewalks Committee (Eric Glotfelty)

1.

Electric & Equipment Committee (Brett Custer)

1. Copy of the January 2013, billing from AMP determination of the PPA to be included in the preparation of next municipal billing.

January's consumption bill from AMP discussion as follows:

Berlin Purchase Power Adjustment (PPA) Calculations on 030314

This in response to the \$112,000 increase on our February 2014 AMP Bill

48% There are roughly 1059 Residential Customers with an average monthly consumption of 789 kWh out of a total per year of 10,036,888

34% There are 84 commercial customers with an average monthly consumption of 7177 kWh out of a total per year of 7,234,542

17% There is 1 Industrial Customer with an average monthly consumption of 297,5000 out of a total monthly consumption of 3,570,000 kWh

Raising the PPA by \$0.01 will raise the average 789 kWh residential customer's bill by \$7.89 per month. This will only raise \$8355.51 for the borough or roughly 7% of the \$112,000 billed to the borough.

2,177,894 kWh per month = \$21,778 at \$0.01 PPA

Payback the \$112,000 deficit in 5.14 months

If we were to directly pass along the cost to our customers in a single month, it would cost the average residential customer \$50.76

If we were to directly pass along the cost to our customers in a single month, it would cost the average commercial customer \$453.33

If we were to directly pass along the cost to our customers in a single month, it would cost the average industrial customer \$19,040

In 2011, we sold 20,841,430 kWh of energy

Based on that figure, One Cent (\$0.01 PPA) generates \$208,414 in a year.

Every increment of 1/10 cent (\$0.001 PPA) generates a yearly revenue of \$20,841

Without PPA, Berlin Borough charges:

.0855 kWh for residential customers over for anything over 500 kWh

For comparison purposes, SREC charges \$0.093 per kWh

Motion by Brett Custer and seconded by Kerrie Broderick, to set Berlin Municipal Power PPA at \$0.01. Effective 030714 Exhibit E-2

ROLL CALL

Yes Terry DePhillips

No Roger Clarke

Yes Kerrie Broderick

Yes Neil Scheller

Yes Eric Glotfelty

Yes Brett Custer

Yes Barb Zerfoss

Motion Passed

2. Computer replacements for Cindy and Tammy / \$1000 of Liquid Fuels money eligible for computer upgrades. (Exhibit E3)

Motion by Neil Scheller, seconded by Barb Zerfoss, to approve the expenditure not to exceed \$1800 for computer replacements

Ayes 7 Nays 0

Planning & Project Management Committee (Barb Zerfoss)

1. Bike Trail Discussion

Miscellaneous

1. Draft letter of support for a route to connect a trail from the Great Allegheny Passage trail to the Flight 93 National Memorial (per R. Clarke). (Exhibit M1)
2. Invitation from the Cambria Somerset Association of Realtors, Inc., to a Lunch and Learn event for Senate Bill 76 – Property Tax Reform.
3. Consideration of approving the payment of the February 2014, bills.

Motion by Roger Clarke and seconded by Neil Scheller, to approve the payment of pending and previously paid bills as presented.

Ayes 7 Nays 0

- 4. Request for disposal of outdated records (Exhibit M5)

Motion by Roger Clarke and seconded by Neil Scheller, to approve the disposal of outdated records. Exhibit M5

Ayes 7 Nays 0

- 5. Borough Auditors are recommending that the Council give the treasurer approval to make fund transfers between systems in amounts up to a \$15,000 and anything over \$15,000 with approval of the Personnel and Finance Committee Chair. (Exhibit M6)

POSTPONED Motion

- 6. Recommendation from the Chairperson of the Borough auditors:
See Exhibit M7

Motion by Roger Clarke and seconded by Barb Zerfoss to designate the Chair of the Finance Committee as the Single Point of Contact authorized to approve change orders on Borough Projects. Changes not to exceed \$2000. Anything greater than \$2000 requires approval from the majority of the Borough Council.

Ayes 7 Nays 0

Motion by Barb Zerfoss and seconded by Neil Scheller to adjourn the meeting at 10:23 PM

Other Items:

Any other New Business?

Note: The next regular meeting of the Berlin Borough Council is scheduled for April 3, 2014, beginning at 7:00 p.m., at the Berlin Borough Council conference/meeting room, 700 North Street, Berlin, Pennsylvania.

