

# OFFICIAL AND APPROVED MINUTES

## BERLIN BOROUGH COUNCIL

**May 7, 2015 - 7:00 p.m.**

1. The President calls the meeting to order.
2. Pledge of Allegiance to the American Flag.
3. President Kerrie Broderick offers a non-denominational prayer.

### **ROLL CALL**

Barb Zerfoss

Thomas Fisher

Roger Clarke

John Harding, Jr

Eric Glotfelty

Mayor Joseph Krause

Brett Custer

Kerrie Broderick / President

Also in attendance were:

Terry Metzgar, Borough Executive Secretary

Members of the public:

See Attached Roster

Citizen Comments:

4. Minutes of the April 2, 2015 Borough Council meeting for review. (Exhibit P6)

*Motion by Brett Custer and seconded by Roger Clarke to approve and accept the minutes of Berlin Borough Council Meeting dated April 2, 2015.*

*Ayes: 7*

*Nays: 0*

*Motion Passed*

## **President's Report**

Our auditor's report suggests that we establish an overtime approval process. In order to comply with the auditor suggestion the following motion:

*Motion by Brett Custer and seconded by Tom Fisher to have all borough overtime confirmed and approved by the chair of the finance committee as part of his weekly bill approval process.*

*Ayes: 7*

*Nays: 0*

*Motion Passed*

Our auditor also suggests that we formally extend and direct our PPA funds into a specific account.

*Motion by Eric Glotfelty and seconded by Roger Clarke to extend the existing \$0.01 PPA until such time as energy prices stabilize as determined by the council and to place all PPA funds in an account designated as the Generation Fund.*

*Ayes: 7*

*Nays: 0*

*Motion Passed*

*Motion by Roger Clarke and seconded by Tom Fisher to move funds from the banner fund to the Police Account. This in accordance with the auditor's suggestion.*

*Ayes: 7*

*Nays: 0*

*Motion Passed*

In an effort to improve pedestrian safety, we performed a field trial of the new reflective heat-shrink crosswalk striping. Initial results appear positive with both increased visibility and durability in evidence. As a result, we would like to purchase the tools and material to replace painted crosswalks with the reflective heat-shrink material.

*Motion by Barb Zerfoss and seconded by Brett Custer to purchase heat-shrink crosswalk striping material and application tools using MLF funds at a cost not to exceed \$5,500 .*

*Ayes: 7*

*Nays: 0*

*Motion Passed*

*Motion by Eric Glotfelty and seconded by John Harding to purchase reflective rain gear and safety T-Shirts for borough workers at a cost not to exceed \$1,300 .*

*Ayes: 7*

*Nays: 0*

*Motion Passed*

*Motion by Eric Glotfelty and seconded by John Harding to approve the leakage repair on the Truck Two EZ-Packer so that we may be in compliance with the DEP Citation. Using Factory Authorized EZ-Packer Repair at Total Equipment Solutions at a price of \$9239.08.*

*Ayes: 7  
Nays: 0  
Motion Passed*

We are down to our last three electric meters and as such, need to replenish our stock.

*Motion by Brett Custer and seconded by Barb Zerfoss to purchase Itron electric meters at a cost not to exceed \$11,000.*

*Ayes: 7  
Nays: 0  
Motion Passed*

The BVFD has a yearly Independence Day Fireworks display and the borough typically contributes to this function.

*Motion by Eric Glotfelty and seconded by Tom Fisher to contribute \$800 to the BVFD Independence Day Fireworks display.*

*Ayes: 7  
Nays: 0  
Motion Passed*

SCBA Meeting Invitation (Exhibit P13)

*Motion by Brett Custer and seconded by John Harding authorizing payment for the cost of borough council members, mayor, borough secretary, treasurer, clerk, and their respective guest's attendance at the SCBA Meeting on May 21, 2015 at 6:30 PM*

*Ayes: 7  
Nays: 0  
Motion Passed*

## **Mayor's Report: Mayor Joseph Krause**

Police Report (Oral Report from the Mayor)

Mayor Krause reported that The Berlin Police Department answered 35 calls in December.

33 were cleared with 2 still pending.

2 people were arrested.

2 non-traffic citations were issued.

6 traffic stops were conducted.

*Motion by Barb Zerfoss and seconded by Brett Custer to approve and accept the Police Report as presented.*

*Ayes: 7  
Nays: 0  
Motion Passed*

## **Committee Reports:**

### **Electric & Equipment**

Brett Custer (Chair)

Internal Generation Update.

MISO Zone Four (Southern Illinois) sees a 900% increase in capacity prices.....PJM Capacity Auction delayed until FERC investigation is completed. (Exhibit P15)

Network Congestion Charges year to date.

As part of our effort to get the best bargain for the borough, we have been meeting with a variety of generator vendors. (P17)

Delinquent bill collection process enhancements through the new Muni-Link Software.

Network Congestion

We have not yet received April's Invoice but year to date 033115 we spent \$40,663.74 on Network Congestion Charges.

Delinquent Bills

As part of our effort to save borough funds, we're taking a fresh look at delinquent bills. What we found is somewhat surprising in that only 8/10th of one percent of our total electric revenue (See Note One) is turned over to collection agencies. This is most commendable and considerably lower than we had anticipated.

But on the other side of the coin involving late payments, we did find room for improvement that coincidentally dovetails nicely with the new Muni-Link billing software just now coming online.

It works like this.

Under the old Flexi-Bill software, disconnection notices were only sent out when the customer became 60 days in arrears. Then it went another 15 days until the actual dis-connect took place. Some of our customers have learned to anticipate this pattern and simply stopped paying for 75 days. Roughly 60 customers fall into this category.

As a result, we now have an outstanding late bill balance in excess of \$70,000!

Fortunately, Muni-link automates the late bill notification which will enable us to send the disconnect notice at 30 days rather than 60 which should have a very positive effect on our late bill balance.

We will, of course, need to educate our customers that the 75 day grace period will shorten to 45 days. I think most people would agree that this is still far more generous and forgiving than any Investor Owned Utility.

*Note One:*

*Total Sales \$2,018,335: Amount turned over for collection \$16,171.50 or .8% of sales.*

The council agreed to use the new Muni-Link software to shorten the late bill notice cycle to 30 days.

The Council also instructed the borough secretary to explore other alternatives related to landlord / tenant delinquent utility bill collection procedures.

## **PERSONNEL & FINANCE**

Thomas Fisher (Chair)

Tom Fisher mentioned that Regarding Resolution Number 5-15, this is simply something that the municipal pension auditor requires us to do in order to document that the Police are no longer contributing to their KIA benefit.

We have \$40,000 excess in the Refuse Account and at some point we may wish to transfer that to the garbage truck account which now stands at \$265,000 .

Treasurer's Report and Bills:

*Motion by Roger Clarke and seconded by John Harding to approve the bills and Treasurer's Report as specified on Exhibit P19.*

*Ayes: 7*

*Nays: 0*

*Motion Passed*

## **RESOLUTION NO. 5-15**

BERLIN BOROUGH

A RESOLUTION ELIMINATING POLICE OFFICERS' CONTRIBUTIONS TO THE BERLIN POLICE PENSION PLAN FOR THE YEAR 2013.

WHEREAS, Act 600 previously provided for the elimination of members contributions if certain criteria were met, and

WHEREAS, Act 30 amended Act 600 by eliminating certain criteria for the elimination of contributions, and

WHEREAS, the only criteria for the elimination of contributions according to Act 30 is: Any reduction or elimination of contributions shall be authorized on an annual basis by resolution or ordinance, and;

WHEREAS, Berlin Borough has reviewed this amendment and criteria and unanimously approves the elimination of members' contributions by the Police Pension Plan members for the year 2015.

NOW, THEREFORE, BE IT RESOLVED, that Berlin Borough does hereby ratify and affirm the elimination of members' contributions to the Berlin Police Pension Plan by its members for the year 2015.

BE IT, AND THE SAME IS HEREBY RESOLVED, this 7th day of May, 2015.

*Motion by Roger Clarke and seconded by Tom Fisher to adopt Resolution 5-15 providing for the elimination of members' contributions to the Berlin Police Pension Plan by its members for the year 2015.*

*Ayes: 7*

*Nays: 0*

*Motion Passed*

## **FIRE & GARBAGE**

Roger Clarke (Chair)

Roger mentioned that people are bringing decking material to the dump which is forbidden. The Council directed the borough secretary to place a larger sign and trail cameras in an effort to deter violations.

## **BUILDING PERMIT & PROPERTY**

John Harding (Chair)

John Harding mentioned that Randy Baltzer has been working with the committee to clean up maintenance code issues in his court.

CCIS Activity Report. (Exhibit P24)

Choosing a Third Party Agency for UCC Enforcement: Stay with CCIS or move to PMCA?  
Letter from Clem Malot. (Exhibit P25)

The council agreed to remain with CCIS for the immediate future.

## **HOUSE**

Barb Zerfoss (Chair)

## **STREETS, STORM SEWERS & SIDEWALKS**

Eric Glotfelty (Chair)

Broadway Decorative Sidewalk Discussion (Exhibit P27)

Municipal Liquid Fuels (MLF) Funding Discussion.

Up to 20% of our MLF may be used for equipment which gives us a total of \$12,129.36 available for major tools plus last year's remainder of \$7,389.88 = \$19,519.24 available for a skid-steer.

*Motion by Eric Glotfelty and seconded by John Harding to remain with the standard concrete sidewalk as specified in Berlin Borough Ordinance 319A on the Broadway Columbia Gas Excavation Project.*

*Ayes: 7*

*Nays: 0*

*Motion Passed*

*Motion by Eric Glotfelty and seconded by Brett Custer to purchase a New Holland L220 Skid-Steer at the state approved COSTARS discount price of \$37,557.96. (Exhibit P53)*

*Ayes: 2*

*Nays: 5*

**ROLL CALL**

No: Barb Zerfoss

No: Thomas Fisher

No: Roger Clarke

No: John Harding, Jr

Yes: Eric Glotfelty

Yes: Brett Custer

No: Kerrie Broderick

*Motion Defeated*

*Motion by Roger Clarke and seconded by Barb Zerfoss to place a moratorium on paving and save our MLF funds.*

*Ayes: 7*

*Nays: 0*

*Motion Passed*

**POLICE**

Brett Custer (Chair)

All is well with our Police Force operating in an exemplary fashion.

**PLANNING & PROJECT**

Barb Zerfoss (Chair)

Flea Market Parking Request from Lutheran Church for Food Pantry (Exhibit P37)

Flight 93 Bike Trail Update (Exhibit P38)

*Motion by John Harding and seconded by Roger Clarke to recommend and refer to the mayor a request from The Holy Trinity Church Mission Group for parking restrictions along Main Street on 071115 as specified on Exhibit P46.*

*Ayes: 7*

*Nays: 0*

*Motion Passed*

At 08:55 PM the council adjourned to executive session to review and discuss agency business which, if conducted in public, would violate a lawful privilege or lead to the disclosure of information or confidentiality protected by law, including matters related to the initiation and conduct of investigations of possible or certain violations of the law and quasi-judicial deliberations.

*Motion by Eric Glotfelty and seconded by Roger Clarke to adjourn to executive session.*

*Aye: 7*

*Nay: 0*

*Motion Passed*

*Motion by Roger Clarke and seconded by Eric Glotfelty to reconvene the regular meeting. Aye: 7*

*Nay: 0*

*Motion Passed*

At 10:08 PM, the council reconvened the regular meeting.

*Motion by Roger Clarke and seconded by John Harding to engage PMEA Attorney Tony Adonizio as a special counsel for utility related matters.*

*Ayes: 7*

*Nays: 0*

*Motion Passed*

*Motion by Brett Custer and seconded by Tom Fisher to accept and execute the deed of dedication for the storm water bio-retention pond and Glade View Drive located in the Shady Lane Subdivision from Tommy Croner. This acceptance is contingent upon the completed construction of a security fence around the bio-retention pond to be built by Mr. Croner and at his expense.*

*Ayes: 7*

*Nays: 0*

*Motion Passed*

*Motion by Roger Clarke and seconded by Barb Zerfoss to terminate with regret the employment of Michael Oakes on this the second week of his probationary period.*

*Aye: 7*

*Nay: 0*

*Motion Passed*

*Motion by Roger Clarke and seconded by Barb Zerfoss to adjourn this Meeting of the Berlin Borough Council at 10:13 PM.*

*Aye: 7*

*Nay: 0*

*Motion Passed*

Note: The next regular meeting of the Berlin Borough Council is scheduled for June 4, 2015, beginning at 7:00 p.m., at the Berlin Borough Council conference/meeting room, 700 North Street, Berlin, Pennsylvania.

*Terry L Metzgar*

**Terry L. Metzgar**  
**Executive Borough Secretary**  
**May 8, 2015**





# Guest Registry

## Berlin Borough Council Meeting

May 7, 2015

Name	Address	Telephone	Email
Ant Glotfelty	Berlin		
Nancy Glotfelty			
Deegan Huston			
Eric Kieta	Daily American		
Tom ZERFOSS			
Jessy Bied	Berlin		
Annabale Miller	Berlin		

If you would like to address the Council, please enter your name and the subject that you wish to discuss here:

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Thank You for attending the Berlin Borough Council Meeting.

Your input is both welcomed and appreciated.