



## Approved and Official Minutes

### BERLIN BOROUGH COMMITTEE OF THE WHOLE MEETING

**March 15, 2018 – 4:00 P.M.**

1. The President called the meeting to order.
2. Pledge of Allegiance to the American Flag.

#### **ROLL CALL**

Barbara Zerfoss	Present
Thomas L. Fisher	Absent
Michael A. Lottig	Absent
John Harding, Jr.	Present
Thomas W. Jones	Present
Mayor Joseph Krause	Absent
Clifford E. Horner	Present
Charles E. Rhodes	Present

Also in attendance were:

Thomas D. Jones, Executive Borough Secretary

Members of the public in attendance: *See attached list.*

Personnel – interviews for the vacant part-time garbage truck/public works position were conducted in Executive Session as each candidate arrived.

***Motion by John Harding and seconded by Clifford Horner to adjourn to executive session.***

***Aye: 5***

***Nay: 0***

***Motion Passed***

At 4:01 P.M. 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.

## **Executive Session**

*Motion by John Harding and seconded by Thomas W. Jones to reconvene the regular meeting.*

*Aye: 5*

*Nay: 0*

*Motion Passed*

At 4:17 P.M. the council reconvened the regular meeting.

## **Items for Deliberation:**

- 1) Council Resolution required authorizing the application for Multimodal Transportation Funds through PennDOT:

## **BOROUGH OF BERLIN**

### **AUTHORIZED OFFICIAL RESOLUTION**

#### **RESOLUTION NO. 03152018-01**

Be it RESOLVED, that the Borough of Berlin, of Somerset County, PA, hereby requests a Multimodal Transportation Fund grant of **\$2,938,389.00** from the Pennsylvania Department of Transportation to be used for Phase II of the Berlin Revitalization Project to replace/improve the sidewalks, curbs, and streetscapes along Broadway Street, Main Street, and Diamond Street.

Be it FUTHER RESOLVED, that the Borough of Berlin does hereby designate Thomas D. Jones, Executive Borough Secretary, and Steven R. Spochart, Executive Director of the Redevelopment Authority of Somerset County as the official(s) to execute all documents and agreements between the Borough of Berlin and the Pennsylvania Department of Transportation to facilitate and assist in obtaining the requested grant.

I, Thomas D. Jones, duly qualified Executive Borough Secretary of the Borough of Berlin, of Somerset County, PA, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Borough of Berlin Council at a regular meeting held on March 15, 2018 and said Resolution has been recorded in the Minutes of the Borough of Berlin and remains in effect as of this date.

*Motion by Thomas W. Jones and seconded by John Harding to adopt Resolution No. 03152018-01 authorizing the request of the Borough of Berlin for a Multimodal Transportation Fund grant from the Pennsylvania Department of Transportation to be used for Phase II of the Berlin Revitalization Project to replace/improve the sidewalks, curbs, and streetscapes along Broadway Street, Main Street, and Diamond Street.*

*Aye: 5*

*Nay: 0*

***Motion Passed***

- 2) Noise Ordinance – included with Committee meeting packets for review (*Exhibit 1*). Council will review the ordinance and direct the Solicitor on what action to take at the April 5<sup>th</sup> regular Council meeting.
- 3) Police Department Scheduling – there was discussion on hours scheduled for the Police Department and the duties and responsibility of the Mayor. The Council directed Secretary Jones to schedule for all police department employees and the Mayor to attend the April 5<sup>th</sup> regular Council meeting to address the operations of the Police Department.

***Motion by John Harding and seconded by Clifford Horner to adjourn to executive session.***

***Aye: 5***

***Nay: 0***

***Motion Passed***

At 4:28 P.M. 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.

**Executive Session**

***Motion by John Harding and seconded by Clifford Horner to reconvene the regular meeting.***

***Aye: 5***

***Nay: 0***

***Motion Passed***

At 4:46 P.M. the council reconvened the regular meeting.

***Motion by Thomas W. Jones and seconded by John Harding to hire Samuel Livengood as a part-time employee with the garbage collection and public works departments, at a \$10.60 per hour rate of pay for 32 hours per week, subject to satisfactory background and fingerprint clearances.***

***Aye: 5***

***Nay: 0***

***Motion Passed***

- 4) Paving West Main Street and/or other streets – George Spinelli is scheduled for March 30<sup>th</sup> to inspect West Main Street for paving and compile a bid package. Council directed Secretary Jones to obtain bid packages for the different blocks of Mulberry Street that may need paved also. Council members are to notify Secretary Jones if any other streets need paved before March 30<sup>th</sup> so that additional bid packages may be obtained as well.
- 5) Columbia Gas – sidewalks from 12<sup>th</sup> Avenue to Hay Street – Columbia Gas has not offered any additional information. Secretary Jones will follow up with Paul Jackel at Columbia Gas.

- 6) Junior Council Position – Council member Thomas W. Jones will follow-up with the Berlin Brothersvalley School District.
- 7) Generator results – the hours operated report was included with the Council meeting packets for review. President Rhodes suggested that the Council may want to lower the PPA rate being assessed on the customer's monthly electric bills. He stated that the costs to install the generator have all been paid and the PPA money did not need to go into the Generation Account. Secretary Jones advised against making any adjustment to the PPA or the electric rates until at least after July 1<sup>st</sup>. By then the Borough would know with more certainty the savings to be realized during the last six months of 2018 and anticipated savings for 2019 from operating the generators during. President Rhodes asked what is happening with the money collected from the PPA. Secretary Jones stated that the budget Council passed for 2018 had appropriated for \$48,000 to go into the Electric Generation Savings account and various amounts to other savings accounts. Any action taken by Council to reduce revenues would also require a reduction in expenditures and/or savings appropriations. Secretary Jones will prepare a summary of the hours and operating costs for the generators for the April 5<sup>th</sup> regular Council meeting.
- 8) Notary renewal for Cindy Flamm, Treasurer – 4 year renewal at a cost of approximately \$436.00. This cost has been shared evenly with the Municipal Authority in the past.

***Motion by Barb Zerfoss and seconded by John Harding approving for the Borough to pay one-half of the cost for the renewal of a notary license for Cindy Flamm, Borough Treasurer. The Municipal Authority will be asked to pay for the other half.***

***Aye: 5***

***Nay: 0***

***Motion Passed***

- 9) Garbage service at 3065 Brotherton Road – President Rhodes stated that he had received another complaint from Jillian Kroon about the garbage crew causing damage to their garbage cans and not putting them back where they are supposed to. President said this is not the first complaint he has received from her and he had discussions with the crew about this before. Council members discussed this and directed Secretary Jones to write a letter to Ms. Kroon informing her that effective April 1, 2018, the Borough would no longer pick up garbage at 3065 Brotherton Road. After April 1<sup>st</sup>, she would have the same option as other local out of the Borough resident to either bring the garbage to the dumpster at the maintenance shed for a current fee of \$14.60, or to contract with one of the private garbage companies that service that area.
- 10) House Bill 1405 – an email update on this bill was received from Dave Woglom, Executive Director of PMEA. He requested that PMEA members call their state representatives in opposition of a new bill Representative Berstine introduced and now is in the House Appropriations Committee. Council directed Secretary Jones to make the appropriate phone calls and to draft a letter for President Rhodes to sign on behalf of the Borough.

- 11) President Rhodes reported that the Borough owns property adjacent to the IOOF cemetery along Cumberland Street and there is an area behind the cemetery that comes to a huge drop off. There was some discussion on if the Borough may need to plant some trees or bushes or if a fence of some type be needed. Secretary Jones will have Chad Lowery go with him to check out the area and make some recommendations for the April 5<sup>th</sup> Council meeting.
- 12) Reel Time Entertainment is not available for movie night on August 3, 4, and 10<sup>th</sup>. John Harding suggested using the block party lot for the movie and use the Community Room in the event of inclement weather. Secretary Jones will contact Reel Time to schedule a Saturday night at the end of July and see if the Fire Department will assist with the event.
- 13) Council Member John Harding suggested that bids be obtained to paint the maintenance shed Quonset hut. Secretary Jones will solicit price quotes.
- 14) Council member Thomas W. Jones said that he had submitted some questions about the Borough IT equipment and software from Neil Boyer. He will meet with Mr. Boyer and Secretary Jones to come up with a plan of action and the associated costs.
- 15) Fieg Brothers Coal Company sent a thank you and a donation of \$200.00 for the street sweeping on Station Hill Road.

**Pending and Unresolved issues:**

- 1) Purchase of park benches for outside of Community Building and plaque honoring Doyle Paul – some pricing on benches was reviewed. Council directed Secretary Jones to obtain firm quotes from at least 3 vendors on a 6 or 8 foot similar to a Northgate bench with an arched back. The Fire Department could purchase a plaque if they wish to.
- 2) Meeting with Lions Club, Historical Society, and Pius Springs Women’s Club on a community park – Council members Thomas Fisher, Thomas W. Jones, and Secretary Jones attended a meeting on March 5<sup>th</sup>. There is a memorial at the entrance to the VFW and one at the Berlin Community Grove. The consensus from the meeting was that another veteran’s memorial is probably not needed; however establishing a Berlin community park with a pavilion, etc. would be a nice addition to the community. Possible sites discussed were the lot across from the Historical Society storage barn on Mulberry Street and the vacant lot on Main Street owned by Custer Holdings. Thomas Fisher volunteered to speak to Brett Custer about the lot on Main Street. Action to be taken is dependent on Mr. Fisher’s findings
- 3) Mobile home ordinance – 2018 International Property Maintenance Code forwarded to Solicitor for review. Meyersdale Council adopted their ordinance on Tuesday, March 13<sup>th</sup>. Secretary Jones forwarded the 2018 International Property Maintenance Code and Berlin Ordinance No. 321 to Solicitor Allison for review. The name and phone number for the Meyersdale Solicitor was sent also. Mr. Allison will review the Berlin ordinance and the Meyersdale ordinance and will make recommendations.

- 4) Update on property maintenance code violations – approximately 80 letters were sent to residents and 20 letters to landlords. Secretary Jones has received 39 responses back so far with a plan of action or notification that the problems have been taken care of already. Additional time may be necessary to clean up outside at the residences due to inclement weather.

## **ADJOURNMENT**

*Motion by John Harding and seconded by Clifford Horner to adjourn the meeting.*

*Aye: 5*

*Nay: 0*

*Motion Passed*

The meeting was adjourned at 5:52 p.m.

Note: The next Committee of the Whole meeting of the Berlin Borough Council is scheduled for Thursday, April 19, 2018, beginning at 4:00 p.m., at the Berlin Borough Council Conference/Meeting Room, 700 North Street, Berlin, Pennsylvania.



Executive Borough Secretary

March 15, 2018





## Guest Registry

### Berlin Borough Council Committee of the Whole Meeting

March 15, 2018 – 4:00 P.M.

Name	Address	Telephone	Email
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NO ONE WAS IN ATTENDANCE

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

Thank you for coming to the meeting. Your input is both welcomed and appreciated. Please follow the rules for speaking as follows:

- Please state your name for the record when it is your time to speak
- Identify the agenda item or topic you wish to address
- Limit your comments to Five (5) minutes
- Please avoid foul language or derogatory remarks
- REMEMBER THAT YOU COMMENTS ARE PART OF THE PUBLIC RECORD!