



Official and Approved Minutes

BERLIN BOROUGH COUNCIL COMMITTEE OF THE WHOLE

January 17, 2019 – 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	Present
Michael A. Lottig	Present
John Harding, Jr.	Present
Thomas W. Jones	Present
Mayor Joseph Krause	Present
Clifford E. Horner	Present
Charles E. Rhodes	Present

Also in attendance:

Thomas D. Jones, Executive Borough Secretary and Jr. Council Member Cannon Hay

Members of the public in attendance: *please see the attached guest registry*

GUESTS: the following have requested to address the Council:

Kevin Yoder, AEG, LLC – provided an update on Cumberland Street Municipal Authority project, East Main Street Columbia Gas Project, Phase II Berlin Revitalization Project. 1) Cumberland Street – sidewalk and curb will be replaced from the south side of South Street extending south along Cumberland Highway to the upper intersection of the Max Stone driveway. An 8-inch high curb, 2-foot-wide stamped red brick pattern concrete strip, and a 5-foot-wide gray broom finished sidewalk is proposed. The existing grass strip between the walk and the curb will be eliminated and no trees are planned to be planted. *After discussion, Council asked Mr. Yoder to revise the plans and place lights in this area. Council also requested that he prepare preliminary drawings and cost estimates to replace the curbs and sidewalks from the north side of South Street extending down to the intersection of with Main Street.* 2) Preliminary plans were presented for the sidewalks and curb replacement on the north side of Main Street from the intersection of Cassel Drive extending east to the intersection of Hay Street. *Council requested Mr. Yoder to revise the plans to place decorative lights in front of the school and to widen the red stamped brick pattern leading to sidewalks and entrances at homes along the way. These will be presented for review at the February 7, 2019 Council Meeting.* 3) Phase I of the Berlin Revitalization Project – Upper

Diamond to Lower Diamond – the aerial and street surveying is complete. Mr. Yoder will prepare preliminary plans to present to the Council for review.

Items for Deliberation:

- Comcast Business Internet Service – Council Member Thomas W. Jones did some research and recommended that the Borough upgrade the business service to the Future Service (2) option at the rate of \$216.90 per month for three years.

Motion by Barb Zerfoss and seconded by Michael Lottig to upgrade the Borough business internet service with Comcast to plan costing \$216.90 per month for 2 years.

Ayes: 7

Nay: 0

Motion Passed

- Berlin Fire Department Annual Dinner – the dinner is scheduled for Saturday; January 26 all Borough officials are urged to attend.
- James Eutsey confirmed that he will serve as Berlin Auditor for 2019.

Motion by Michael Lottig and seconded by Thomas W. Jones to appoint James Eutsey as Auditor for the one-year term effective January 1, 2019 and expiring on December 31, 2019.

Ayes: 7

Nay: 0

Motion Passed

- First national Bank closing April 12, 2019 – Council directed Secretary Thomas D. Jones and Treasurer Cindy Flamm to contact Somerset Trust and Citizens National Bank for proposals to be reviewed at the February 7th regular Council Meeting.
- APPA Legislative Rally, Washington, DC – February 25-27, 2019 - no one expressed an interest in attending.
- PMEA Restructuring –

Motion by Barb Zerfoss and seconded by Thomas W. Jones to nominate the Borough of Berlin for one of the new Board of Directors positions.

Ayes: 7

Nay: 0

Motion Passed

- PowerSecure notifications list for generators – Council directed Secretary Thomas D. Jones to add Brian Wiedenhof, Cindy Flamm, and Thomas W. Jones to the notification list. The Executive Borough Secretary will be added when a replacement is hired.
- Fire Department reimbursement for ceiling panels for Community Room

Motion by Michael Lottig and seconded by John Harding to pay the invoice on behalf of the Berlin Fire Department to Berlin Lumber for \$493.49 for the costs to replace ceiling panels in the Community Room.

Ayes: 7

Nay: 0

Motion Passed

Pending and Unresolved Issues

- 1) Update on blighted properties and property maintenance follow-up letters – a) Secretary Thomas D. Jones sent blighted property notice letters to 12 property owners, and landlords where applicable, addressing Borough concerns on the condition of the properties. Several

have called in – 2 mobile homes are being torn down, building permits have been obtained to tear down a garage and a house, and others plan to take action as soon as the weather breaks. *Council directed Secretary Jones to send follow-up letters informing the owners that action must be taken to allow for an inspection and/or demolition or remodeling of the properties by March 31, 2019 or the Borough would take the next legal step in accordance with the Borough adopted International Property Maintenance Code.* b) Mayor Krause sent letters to 13 property owners, and landlords where applicable, addressing accumulated junk, tires, etc. This was a follow-up to the letters sent in March of 2018. The letter states that inspections will be made after April 30, 2019 and citations will be issued for those not in compliance.

- 2) PA Historical Commission Update – Council Member Thomas W. Jones reported that Bill Callihan, the western Pennsylvania community preservation coordinator for the Pennsylvania State Historic Preservation Office, will attend the February 7th regular monthly Council meeting. Doug Bell, Roger Clarke and members from the Berlin Historical Society also have been invited to attend.
- 3) Generator operating results for calendar year 2018 – Secretary Jones presented operating results for the generators for calendar year 2019 – the generators were ran for an average of 122.34 hours; total expenses were \$102,644.81; Revenue was \$154,201 from capacity and demand response credits, plus \$32, 248.65 for kilowatts produced and sold through the grid, for a total revenue of \$186,449.65. Net income from the generator operations was \$83,804.83, or a net rate of return on investment of 42.5 million of 3.35%. Total revenue for 2019 is forecast to be \$306,000 and net income from operations of \$204,000, or 8.16% ROI.
- 4) Opening alley/street on the south end of Division Street – Secretary Jones provided information to Solicitor Brad Allison. Mr. Allison will research the process and make recommendations to Council.
- 5) 2018 Financial Disclosure Forms were given to Council to complete. They must be turned in by May 1, 2019.
- 6) The Family of Wayne Darr sent a Thank You card for the contribution by the Borough to the Berlin Food Pantry.
- 7) The Children’s Aid Home sent a Thank You card for the contribution by the Borough.
- 8) Berlin Brothersvalley School District – the school district wishes to utilize an officer from the Berlin Borough Police Department as a school resource officer. They have targeted February 1st as a start date. *Council directed Secretary Thomas D. Jones to advertise for a part-time police officer and to meet with the Mayor and police department to discuss scheduling. Secretary Jones will meet with the school district to discuss an agreement for this arrangement.*

Motion by Michael Lottig and seconded by Thomas Fisher to adjourn to executive session.

Ayes: 7

Nay: 0

Motion Passed

At 6:57 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 Thomas W. Jones and seconded by Thomas Fisher to reconvene the regular meeting.

Ayes: 7

Nay: 0

Motion Passed

At 7:07 P.M., the council reconvened the regular meeting.

Motion by Clifford Horner and seconded by Thomas Fisher to hire Thomas D. Jones at the rate of \$50.00 per hour, in an advisory and training capacity after the close of business February 8, 2019. Mr. Jones will perform Executive Borough Secretary tasks as is necessary and will assist in the orientation and training of a new Executive Borough Secretary

Ayes: 7

Nay: 0

Motion Passed

Motion by Michael Lottig and seconded by John Harding to adjourn to executive session.

Ayes: 7

Nay: 0

Motion Passed

At 7:08 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

NOTE: AT 7:20 P.M., COUNCIL MEMBER MICHAEL LOTTIG WAS EXCUSED FROM THE EXECUTIVE SESSION DUE TO A POTENTIAL CONFLICT OF INTEREST.

Motion by Thomas W. Jones and seconded by Thomas Fisher to reconvene the regular meeting.

Ayes: 6

Nay: 0

Motion Passed

At 7:44 P.M., the council reconvened the regular meeting.

Motion by Barb Zerfoss and seconded by Clifford Horner to advertise the Executive Borough Secretary position in the Johnstown Tribune Democrat and in appropriate on-line internet job search sites.

Ayes: 6

Nay: 0

Motion Passed

Motion by Barb Zerfoss and seconded by Clifford Horner to advertise for a part-time clerk position for the administrative office.

Ayes: 6

Nay: 0

Motion Passed

ADJOURNMENT

Motion by Thomas W. Jones and seconded by Thomas Fisher to adjourn the meeting.

Ayes: 6

Nay: 0

Motion Passed

The meeting was adjourned at 7:46 p.m.

Note: The next regularly scheduled monthly Council Meeting is Thursday, February 7, 2019 at 7:00 p.m.; the next Committee of the Whole meeting of the Berlin Borough Council is scheduled for Thursday, February 21, 2019, beginning at 4:00 p.m. at the Berlin Borough Council Conference/Meeting Room, 700 North Street, Berlin, Pennsylvania.



Executive Borough Secretary

January 17, 2019

