



Approved and Official Minutes of the BERLIN BOROUGH COUNCIL MEETING

November 7, 2019 - 7:00 p.m.

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

ROLL CALL

Barbara Zerfoss	Present
Thomas L. Fisher	Present
Michael A. Lottig	Arrived 7:25pm
John Harding, Jr.	Present
Thomas W. Jones	Present
Mayor Joseph Krause	Present
Clifford E. Horner	Present
Charles E. Rhodes	Present

Also, in attendance is Thomas E. Glessner, Executive Borough Secretary and Jr. Council Member – Josh Bonadio.

Members of the public: **Please sign the Guest Registry:**

Executive Session proposed time. _____
The following have asked to address the Council:

Kevin Yoder and Chadd Sines– AEG – Presentation and update on the Main Street Project.

Kevin Yoder – explained the final plan submission 85% was to be completed and submitted, with 4ft stamp concrete and 5ft brushed. The drawings explained by page #.

P1. The electrical panel @ Riverside is in front and needs to be considered. The entrance at the Ice Cream area and the Scurfield House is bumped out. and curb at the Valero entrance is bumped out to accommodate a stop sign. Medical Ctr was to keep the sidewalk. P2. Lower Diamond to Vine and he addressed the handicap ramp opposite side of Vine. The Bike Lane is on the uphill side of Main St and only on 1 side. \$84,000 for the complexity in the lower diamond.

The Diamond st project goes from South St to Stewart, which the \$200K of CDBG money would be used around the Roger Clarke property. The timing of these funds should coincide with the major main st project.

Charles requested motion to approve the main street plans as presented by Kevin. Plans were signed that Kevin provided.

Motion by Tom Jones and seconded by Barb Zerfoss to approve the plans presented by Kevin Yoder and signed by council.

Ayes: 7

Nays: 0

Motion: Carried

Steve Spocart – was present and spoke briefly regarding the Diamond Street project and stated that the Borough would be receiving funds in the amount of \$200K from the Commissioners meeting in the next few weeks.

Steve Custer and Daryl Jones – no comment

Duck/Don Wellington is Pickle – cat issue.

Approval of Minutes:

Minutes of the October 3, 2019 Regular Borough Council Meeting were forwarded for review with the Council meeting packets. (*Exhibit 1*)

Motion by John Harding and seconded by Cliff Horner to approve and accept the minutes of the Regular Meeting of the Berlin Borough Council held at 7:00 P.M. and dated October 3, 2019.

Ayes: 6

Nays: 0

Motion: Carried

Minutes of the October 17, 2019 Committee of the Whole meeting of the Berlin Borough Council were forwarded for review with the Council meeting packets. (*Exhibit 2*)

Motion by Barb Zerfoss and seconded by John Harding to approve and accept the minutes of Berlin Borough Council Committee of the Whole Meeting held at 4:00 P.M. dated October 17, 2019.

Ayes: 7

Nays: 0

Motion: Carried

Minutes of the October 24, 2019 Berlin Borough Council – Special Meeting were forwarded for review with the Council meeting packets. (*Exhibit 3*)

Motion by Barb Zerfoss and seconded by Michael Lottig to approve and accept the minutes of Berlin Borough Council Committee of the Whole Meeting held at 4:00 P.M. dated October 24, 2019.

Ayes: 7

Nays: 0

Motion: Carried

President's Report

Census 2020 – Spread the word to residents to complete the Census information to be counted.

CCIS Activity Report – CCIS report for October 2019. (*Exhibit 4*)

Thank You – From JB Schrock Community Playground, Inc. for Donation. (*Exhibit 5*)

Thank You – From Berlin Youth Baseball/Softball – Donation of Time/Equipment. (*Exhibit 6*)

Somerset County Boroughs Association Dinner – November 21, 2019 Rizzo's Restaurant 6:30 and RSVP by November 14th to Cindy - Guest \$23. (*Exhibit 7*)

Somerset Trust Bank – Strategic planning program November 19, 2019 Anthony's Restaurant 6:00-8:00 pm and RSVP by November 12th – to Tom Glessner.

Property Maintenance & Building Code Complaints –

Harvey Brandt – 104 Orchard St. #5 received 2nd citation and called and said he is cancelling his rental agreement and trailer will be responsibility of Rhonda Brandt.

Rhonda Brandt has been issued a citation and was fined \$300.00

Randy Probst 1402B Main Street – Received 2nd Citation for his property – he called and said he was going to move the trailer.

Resident complaint received regarding the number of Feral cats around Bingmans.

Thank You - Laura Sutton – she took down her swimming pool to eliminate possible danger.

Are there any questions or comments?

Mayor's Report: Mayor Joseph G. Krause

From October 1 through October 31, 2019:

Calls dispatched: 78

Investigations: 8 Open 2 Closed 6

Traffic Stops: 5 - 4 Warnings 2 Citations

Parking tickets: 0

Borough Ordinance Violations: 0

Non-Traffic citations: 0

Criminal arrests. 1

Motion by Michael Lottig and seconded by John Harding to approve and accept the Police Report as presented.

Ayes: 7

Nays: 0

Motion: Carried

Committees:

STREETS, STORM SEWERS & SIDEWALK – Barb Zerfoss (Chair)

1. Cumberland Street Update.

- a. Change order required for Saw cutting road and was performed by Pitt Service Center to continue project. (invoice to be approved) (exhibit 8)
- b. PennDOT reviewing ADA ramp at Cumberland St. TIF Doc. submitted by AEG.
- c. Invoice has been received from Darr Construction – for approval.
- d. Invoice for ADA Ramp received – for approval.
- e. Landscaping has been completed for residents.

2. Columbia Gas Street project update.

- a. Streets committee meet on November 5, 2019 to discuss Phase II direction and project timing with MandB Services Superintendent Bryan, PennDOT – Bernie, Council – Charles Rhodes, Tom Jones, and Tom Glessner. Discussion to HOLD project until Spring to complete.
- b. Phase I – discussion that Columbia Gas may be considering replacing gas line from the school to 12th street, which sidewalks would be replaced in the spring for that project also. Engineering has been completed in anticipation of project.
- c. Waterline replacement – The Borough has completed the installation of the 4 water lines – at a cost \$8,290.68

3. West Main Street project.

- a. Streets committee meet on November 5, 2019 to discuss Main Street Phase II direction and project timing with MandB Services Superintendent Bryan, PennDOT – Bernie Nanna, Redevelopment authority-Steve Spocart, AEG – Kevin Yoder and Chadd Sines, Council members – Charles Rhodes, Tom Jones, and Tom Glessner.
- b. Roger Clarke – Requested his letter regarding not disturbing area in front of his house be presented to Council.
- c. Phase II A was submitted for Broadway to Diamond St. the \$1,200,000 grant money has been approved to continue to Vine St.
- d. Cost estimate is to be prepared by AEG – for Main Street.

- e. PennDOT safety meeting suggestion to extend curb at Upper Diamond.
 - f. Funding for water line replacement-Grant does not pay for utilities.
- 4. East Main Street – project**
- a. DCED –Project was submitted 07/31/2019. Grant to be awarded in November.
- 5. Diamond street project** – Estimated cost of 1,097,000 – Berlin Borough had received funds last year in the approximate amount of \$37,000 and Berlin Borough is expecting to be awarded additional funds this month by county commissioners.
- 6. Ashley Stockwell** – request for water and sewer lines to cross Shady Lane at two defined locations. Contractor to bore under the road, and only if they are unable will excavate and return to asphalt. Taps have been installed by the Borough. (Exhibit 9)
- 7. Jane Scurfield** – Petition request – Borough has determined that Sewer lines are in the rear of the properties and continue along proposed alley to a manhole located on High St.. The water lines are connected in front of properties at Main St. The alley is used during the winter to haul snow when necessary.

Tom Jones read the letter presented by Roger Clarke.

Discussion regarding Lower Diamond area and that it has to conform to the plan and is not getting deviated from as it is in the ROW. Mike Lottig, John Harding, Cliff Horner, Barb Zerfoss, Tom Jones all agreed.

Tom Jones – Explained MandB postponed the East main st project to spring and need signs from MandB if needed for sidewalk they will provide.

Motion by Michael Lottig and seconded by John Harding to approve Extending the East main str project for MandB until Spring.

Ayes: 7

Nays: 0

Motion: Carried

Motion by Michael Lottig and seconded by Thomas Fisher to approve invoice from Pitt Service Center in the amount of \$725.00 relation to the saw cutting required for Cumberland Street in the progress.

Ayes: 7

Nays: 0

Motion: Carried

Motion by Michael Lottig and seconded by Barb Zerfoss to approve the use of Liquid Fuels money in the amount of \$1,800 to fund the ADA ramp on Cumberland St. West Main St. – Revitalization project.

Ayes: 7

Nays: 0

Motion: Carried

Motion by Michael Lottig and seconded by Cliff Horner to approve Ashley Stockwell’s request for water and sewer lines to cross Shady Lane.

Ayes: 7

Nays: 0

Motion: Carried

Motion by _____ and seconded by _____ to approve Jane Scurfield petition Request to Vacate the unnamed alley extending Fletcher St.

Ayes:

Nays: Motion:

Discussion regarding the Alley was to place on hold for more information. This motion for Jane Scurfield put on Hold until additional information regarding water and sewer service.

GARBAGE COMMITTEE – John Harding – (Chair)

1. Review of services and fees – continue to evaluate correct customer rates.
2. Meadowview dumpsters moved to accommodate employees in anticipation of bad weather.
3. Car Wash - Owner requested use of cans and review volume and activity next month. He asked if he could sit bags across the street for pickup.
4. Dumpster at Coalfield pickup service and rate changed.

PERSONNEL & FINANCE COMMITTEE – Clifford Horner- (Chair)

1. Personnel Recommendations – Executive Session.
2. Customers billing change in July 2019 – Required customer to pay current bill and past due bill if they received a disconnect letter. In July and prior months there were **120** customers who received disconnect letters and 3-4 customers had been disconnected each month for non-payment. In October 2019 as a result of the policy change the disconnect letters had been reduced to **50** customers and for the first time there were **NO disconnects**.
3. The 2020 Budget presented for review. (Handout Packet for review). Summary page highlights major account concerns and changes. If there are questions or suggestions, please let us know by the next meeting? The Budget must be presented to public by 11/21 for review and prepared for approval at our 12/5 meeting.
4. Property Maintenance Complaints & Right to Know Law Requests Cost Summary:
 - a. One RTK request received and time spent on Property Maintenance Complaints and Issues total cost of \$35.00 for the month of October 2019, YTD total \$2,777.50.
5. Treasurer's Report and Bills: – The reports for October 2019 have been included in the Council Meeting Packets (Exhibit 10,11).

Are there any questions or comments?

Motion by Thomas Fisher and seconded by John Harding to approve the bills and Treasurer's Report as specified for October 2019 on Exhibit 10 & 11.

Ayes: 7

Nays: 0 Motion: Carried

ELECTRIC & EQUIPMENT COMMITTEE – Michael Lottig – (Chair)

Generator Update – The generators operated for 1 hour and 30 minutes in Test Mode 30 minutes of the time was test with load. (exhibit 12)

1. Power Secure is on-site this week completing scheduled technical maintenance on the Generators. Tom G. – communicates with them daily regarding service updates.
2. Last week an alarm was noted for Unit 5, it did not start properly. That unit is getting addressed during maintenance this week while technicians are on site. Discussion with maintenance - cause is fuel pressure related, details on Friday.
3. A power outage on October 27th on Main Street was the result of a blown fuse in a transformer. Brian Wiedenhoft was called out to service. It is an area of town that we are working on separating the load in conjunction with poles that have been replaced and switches being installed.
4. AMP – scheduled Repair for November 7, 2019 communication equipment to be replaced.
5. An additional pole has been identified in conjunction with the Main Street project to be installed at the corner of 4th avenue. Permit now must be processed through PennDOT.
6. Ford F550 – is in shop for warranty work Oil Pan leak scheduled 2 weeks ago. The oil pan is to be replaced.
7. GMC C5500 – Transmission line replacement taken to Legacy in Somerset – in the shop the same day for repair.

8. Backhoe Hydraulics seals replaced – at Foster and Wineland in Ebensburg.
9. Police cars have been identified – it will take weeks to get in and upfitted as we near the end of the year.

Motion by John Harding and seconded by Thomas Fisher to proceed with the purchase of a police car from Tri-Star in the amount of \$25,395.

Ayes: 7

Nays: 0

Motion: Carried

Tom G- Made comment that this was the first month ever that there were no disconnects, and proud of the ladies in the office.

Tom G-was asked to get upfit cost of Car for the police.

FIRE & POLICE COMMITTEE – Thomas Fisher (Chair)

1. Fire Sirens - System Box and controller equipment installed on the poles.
2. Fire Sirens – Inner cylinder fabricated and sent to Ziggy and the Outside cylinders have been sand blasted, but he was unable to powder coat the units, so they were sent to John Walker to touch up fiberglass and paint Fire Engine Red.
3. Joel Landis informed us that county- reviewed activation codes for sirens and ready to test.
4. Waiting on Agreement from School solicitor and direction from Borough solicitor.
5. Police radio batteries need to be replaced.

Tom G. said he overheard Rodney telling Cindy and put it on the agenda. Joe K. said Rodney got quotes.

#4 – Discuss in Exec Session.

Motion by Barb Zerfoss and seconded by Michael Lottig to approve the repair and painting of the fire siren by John Walker in the amount of \$500.00.

Ayes: 7

Nays: 0

Motion: Carried

HOUSE COMMITTEE – Thomas W. Jones – (Chair)

1. JVS recycling on October 26th was a huge success 2 full trucks of electronics were collected. Residents asked if we can do this in the spring?
2. Fall Clean-up on October 24th was also very positive as many customers on all the routes received pick up.
3. Alliance Church Pastor Kunes– signed agreement to install Flagpole within the easement area, which is a 10’X10’ area. He also stated we could install additional light. (exhibit 13)
4. Flagpole purchased amount changed from \$538 to \$738 due to “High Wind” requirements and shipping cost added at \$450.
5. Computer equipment for Water authority operating system updated and in place.

Motion by Michael Lottig and seconded by Cliff Horner to approve the purchase of Flagpole in the amount of \$738 and shipping of \$450.

Ayes: 7

Nays: 0

Motion: Carried

Tom Jones commented that JVS was very pleased with the volume and thanked those council members who participated. Cliff Horner, Barb Zerfoss, and Mike Lottig.

The computer for the Water Authority was updated by Tom Jones and functional. Kerri Claycomb requested the prior computer, and council agreed to pull the Hard Drive and store in the Safe, for future reference if needed.

Executive Session

There are contractual and personnel matters that Council needs to discuss privately.

Motion by Barb Zerfoss and seconded by Michael Lottig to recess to executive session.

Ayes: 7

Nays: 0

Motion: Carried

At **8:23** 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.

Motion by John Harding and seconded by Michael Lottig to reconvene the regular meeting.

Ayes: 7

Nays: 0

Motion: Carried

At **8:45** P.M., the council reconvened the regular meeting.

Motion by John Harding and seconded by Tom Jones to approve Hiring Brian Fochtman as the Chief of Police.

Ayes: 7

Nays: 0

Motion: Carried

Motion by John Harding and seconded by Michael Lottig to adjourn this Meeting of the Berlin Borough Council at _____ P.M.

Ayes:

Nays:

Motion:

Note: The next regular meeting of the Berlin Borough Council is scheduled for Thursday, December 5, 2019, at 7:00 p.m., and the next scheduled meeting of the Berlin Borough Council Committee of the Whole is scheduled for Thursday December 21, 2019 at 4:00 p.m., at the Berlin Borough Council Conference/Meeting Room, 700 North Street, Berlin, Pennsylvania.