

**APPROVED AND OFFICIAL MINUTES OF THE BERLIN BOROUGH COUNCIL MEETING**

**September 5, 2019 - 7:00 p.m.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

* The President calls the meeting to order.
* 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 Absent

Clifford E. Horner Present

Charles E. Rhodes Present

Also, in attendance is Thomas E. Glessner, Executive Borough Secretary.

Proposed Jr. Council Member – Josh Bonadio – Interview.

**Executive Session proposed time. \_\_\_\_\_\_\_\_\_**

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

**The following have asked to address the Council:**

Ashley Stockwell – Electric Service – Property in Brothersvalley Township. **Did not Attend.**

Nathan Kleiner – Sidewalk removal. ***Addressed council and asked that he be permitted to remove the sidewalk in from of his House. He read in the paper regarding the project and asked if his sidewalk was included. He made mention that houses further down the street didn’t have any sidewalk. Mike Lottig – has black top sidewalk and G. McVicker has no maintenance on her sidewalk. The renter was to clear the sidewalk at winter, but didn’t happen. If the sidewalk was removed it would help with the opposite side of the road when it rains is so heavy and water drainage. To make a grade change may help eliminate water runoff down street as 1200 SF of roof water would not run-down road.***

***Thomas Fisher said existing walks can’t be removed.***

***Charles Rhodes – Commented that Cumberland St. – Didn’t need to replace sidewalk – Owners wanted it.? ordinance review – about the sidewalk***

 ***Discussion – Nathan thinks there is an ordinance and asked council to review and change in times – it should be addressed.***

***Nathan was asked to ask G. McVicker her thoughts on the sidewalk issue and obtain a possible letter. Drainage – issues out this way.***

***Ben Scheller – No discussion***

***Steve Custer-No discussion***

***Truck Bids were opened at 7:18 pm***

***Doug Horne $8,000 Eric Kent $6100***

***Tyson Wear $4,570 Center Rock $10,050***

***Mike Finz $2,607 Mike Custer $2,775.55***

***Bob Tataliba $7,150 Tom Glessner $6,700***

***Motion by Michael Lottig and seconded by Cliff Horner to accept and approve the bid received from Center Rock in the amount of $10,050.00 for the truck.***

***Ayes: \_7\_***

***Nays: \_0\_***

***Motion:*  Carried**

***Cumberland Street Sidewalk bid opening:***

***There was a single Bidder – Darr Construction - $87,049.00.***

***Council President Charles Rhodes – instructed the Streets committee to review the Bid and present recommendation at the September 19,2019 meeting.***

**Approval of Minutes:**

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

***Motion by Michael Lottig and seconded by Thomas Fisher to approve and accept the minutes of the Regular Meeting of the Berlin Borough Council held at 7:00 P.M. and dated August 1, 2019.***

***Ayes: \_7\_***

***Nays: \_0\_***

***Motion:*  Carried**

Minutes of the August 15, 2019 Committee of the Whole meeting of the Berlin Borough Council were forwarded for review with the Council meeting packets. *(Exhibit 2)*

***Motion by Cliff Horner 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 August 15, 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.

Newsletter - Content and information is due by September 15

Somerset County Boroughs Association Dinner Meeting – 6:30 pm September 19, 2019

Council members – No cost. Guest cost $13.00 Reservation/payment required by Friday 9/6.

JB Schrock Community Park Fundraiser - September 28- from 9am-2pm

CCIS Activity Report – CCIS report for August 2019. *(Exhibit 3)*

Property Maintenance & Building Code Complaints –

Harvey Brandt – 104 Orchard St. #5 Was fined $50.00 for code violation on July 30, 2019. Property has not been corrected, and 2nd warning letter has been sent 8/29/2019 by Code agency.

Rhonda Brandt – 104 Orchard St. #5 Has been scheduled for September 9, 2019 hearing.

Susan Bracken – 1911 Broadway Was fined $50.00 for code violation on July 30, 2019

Property has not been corrected, and 2nd warning letter has been sent 8/29/2019 by Code agency.

Property inspection at 294 5th Avenue on 9/3/2019 failed due to electrical boxes not up to code.

Property inspection at 737 North St. – Notice swimming pool leaning and full of stagnant water.

***Charles Rhodes – requested Council approval to attend PSAB Budget Seminar on 9/26 in Greensburg, PA at a cost of $125.00.***

***Motion by Michael Lottig and seconded by Thomas Fisher to approve Charles Rhodes attendance at the Budget Seminar on 9/26 by PSAB and in the amount of $125.00.***

***Ayes: \_7\_***

***Nays: \_0\_***

***Motion:*  Carried**

***Are there any questions or comments?***

 **Mayor’s Report: Mayor Joseph G. Krause**

From August 1through August 31, 2019:

Officers were dispatched for 72 calls.

Officers investigated 10 incidents. Open 2 Closed 8.

Traffic Stops 4 were conducted. 4 Warnings were issued. 0 Citations was issued.

Parking tickets 0 were issued.

Non-Traffic citations issued. 0

Borough Ordinance Violations. 0

Criminal arrests. 1

***Motion by John Harding and seconded by Thomas Fisher to approve and accept the Police Report as presented.***

***Ayes: \_7\_***

***Nays: \_0\_***

***Motion:*  Carried**

**Committees:**

**GARBAGE COMMITTEE – John Harding – (Chair)**

* A dumpster caught fire at Berlin Lumber company – they took the dumpster to Jimmy Snyder for Repair, and Berlin Lumber was Invoiced $500.
* Berlin Lumber changed to 8yd service as there is always garbage on the ground.
* Monitoring of dumpster and review of Camera activity for June – August has been reviewed and police need to investigate and possible issue citations.
* Amount of garbage on this past weekend included demo material, carpeting, door and frame, need to pull camera activity.

***John Harding requested report costs associated with repairs on the second garbage truck.***

***Joe Krause said its expensive and cost a lot.***

***Equipment committee to review the costs provided by Tom G. and provide a recommendation and plan for the council.***

**FIRE & POLICE COMMITTEE – Thomas Fisher (Chair)**

* Update of Police reporting and meeting at the school August 23, 2019.
* Fire Siren – Hood sent to Miller and Rhodes for repair.
* Inner plate and cylinder require metal fabrication for replacement.
* Fire Siren – Motors sent to Tim’s electric for repair.
* Part-time officer Barry Barron resignation.

T***om Fisher explained the meeting on 8/23/19 with Superintendent Reeder and Brian Thompson. The Grant expires on 10/2019 and they are waiting on grant for next year. Waiting on the details for the Grants.***

***Thomas Fisher and Joe Krause – said let the school handle the person directly.***

***Brian Fochtman interested in working only at the school.***

***There was discussion on School Board – acceptance.***

***Joe Krause said let school deal direct.***

***Thomas Fisher – Need our Officers on the streets.***

***Joe Krause said Rodney is talking to guy for police. Joe said he didn’t know his name.***

***Charles Rhodes requested a meeting to be scheduled with the school and that Thomas Fisher, John Harding, Thomas Jones and Tom Glessner attend.***

***Sirens hope to get installed soon.***

***Tom G – said poles are installed and brackets ready to hang units, waiting on repairs.***

***Discussion and direction to Advertise for PT Police.***

***Charles Rhodes – asked Joe to check on Doorbell.***

***Barb asked why Barry resigned. Thomas Fisher explained.***

**ELECTRIC & EQUIPMENT COMMITTEE – Michael Lottig – (Chair)**

Generator Update – The generators operated for 4 hours and 49 minutes with load, Test mode operated 1 hour and 40 minutes. Load and testing increased 8/16-23rd due to scheduled repairs.

*(Exhibit 4)*

* Bid opening for Ford 2004 Utility Truck. – ***Center Rock Highest Bidder***.
* 1-set of switches have been placed at 1014 Main St. to minimize electric down time for the school and residents, and a 2nd set of switches to be installed near Lutheran Church to minimize outages. A 3rd and 4th set have been purchased and will be installed strategically to reduce the volume of outages.
* Fiber cabling to generators – Power secure, B. Wiedenhoft, and Tom G - meeting and Power secure approved to use old cable to pull a new cable for security system.
* P3 Generator block heater circulator pump replaced on 8/16/2019.
* The E-stop repaired for the generator on 8/22/2019 and procedures written.
* Charles Rhodes request for a backup generator cost analysis for the pumps is being handled by Joe Revesz.
* Accident on East Main St. – Larry Dietz accident – destroyed street amp – lamp has been ordered and it is 4-6 weeks for delivery for replacement. $1,428.00 + labor.
* Power outage required for the installation of a 4 gang meter boxes to supply electricity at trailers at/near 294 5th Avenue.
* Anixter – electric system inventory parts – approval for additional items at $4,500.00

***Motion by Michael Lottig and seconded by John Harding to approve the purchase from Anixter company the additional electrical system parts inventory in the amount $4,500.***

***Ayes: \_7\_***

***Nays: \_0\_***

***Motion:*  Carried**

***Electric system – ok***

***Larry Dietz – Heart attack and hit the electric pole, wall and one of the decorative poles on West Main street. Thomas Fisher brought up peak shaving and discussion not much, until winter.***

**PERSONNEL & FINANCE COMMITTEE – Clifford Horner- (Chair)**

* Property Maintenance Complaints & Right to Know Law Requests Cost Summary:
* One RTK request received, 30-day extension requested – waiting on solicitor.
* Time spent on Property Maintenance Complaints and Issues total cost of $105.00 for the month of August 2019. The total year to date for 2019 is $2415.00.
* School Crossing guard Jim Etris has not been replaced. School Principal Martin Mudry approved not replacing this position on stadium street.
* Insurance claim for new borough truck accident $500 deductible paid to resident.
* First National Bank
* Refuse, Electric, and Payroll Accounts require additional signers to close accounts, requested the Bank prepare a letter for signature approval.
* General account required to stay open until November 2019.
* Treasurer’s report for July – revised due to delay in transfer of funds not entered. (Exhibit 4a)
* Treasurer’s Report and Bills: – The reports for August 2019 have been included in the Council Meeting Packets (Exhibit 5,6).
* Presentation and Approval of the 2020 MMO – contribution to the employee’s Pension plan. (Exhibit 7) and the Financial requirement for the police Pension Plan. (Exhibit 8). Money will be received from the State commonwealth pension, the borough will fund the residual.

**Are there any questions or comments?**

***Motion by Thomas Fisher and seconded by John Harding to approve the REVISED Treasurer’s Report as documented for July 2019 Exhibit 4a.***

***Ayes: \_7\_***

***Nays: \_0\_***

***Motion:*  Carried**

***Motion by Michael Lottig and seconded by Barb Zerfoss to approve the bills and Treasurer’s Report as specified for August 2019 on Exhibit 5 & 6.***

***Ayes: \_7\_***

***Nays: \_0\_***

***Motion:*  Carried**

***Motion by Michael Lottig and seconded by John Harding to approve the 2020 MMO and the POLICE PENSION PLAN, and Fund the residual to each after State funds have been received. Exhibit 7 & 8.***

***Ayes: \_7\_***

***Nays: \_0\_***

***Motion:*  Carried**

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

* Signs have been placed @ 203 and 215 West Main St. – NO TRUCKS.
* Signs have been placed @ 541 and 827 Diamond St. – SCHOOL CROSSING.
* Street paving rescheduled for the week of September 2, 2019.
* Cumberland Street Update.
* Bids for construction to be opened 7:00 PM - September 5, 2019.
* Application cycle 7 was resubmitted on 8/20 – PennDOT has until 9/20 to review.
* (1) pole still needs to be set at the corner of south Street – outage required 6-8 hours.
* Driveway entrances may need to be adjusted prior to construction, based on AEG.
* Required stormwater drains and manhole are being built as needed.
* Brubaker and Penn Mar- 3-drain risers completed and to be installed week of 9/9/19.
* All drains and manhole risers have been measured and are on order.
* Columbia Gas Street project update.
* Application for PHASE II has 2nd request on 08/30/2019.
* Property agreement for Cory Suder has been obtained – requires Charles signature.

Property agreement for William Meyers requires execution after 6pm.

* Columbia Gas communication with Tom G to establish agreement Columbia Gas thinks estimate and mobilization costs are high, waiting on response. ***Tom G said From Cole Haines***
* Waterline replacement application 195108 request to PennDOT 8/21/2019.
* Borough and Water authority to share cost of Fixing 4 lead water lines.
* Customer responsible for their portion of line. ***Replacing.***
* Main Street Project.
* Phase IIA was submitted for Broadway to Diamond St. only for the $1,200,000 grant. Currently AEG plan and engineering has been prepared to Vine St. – A Cost estimate is to be prepared. If the Bid exceeds 1.2million the Borough will be held financially responsible and PennDOT will enforce “Letter of Commitment” per Chris Hull.
* Meeting with Chris Hull from PennDOT on Main Street – 60% complete on engineering and scheduled ADA requirements meeting in Altoona on 9/11. ***Tom G. said the Meeting has been changed to 9/17/2019***
* Funding for water line replacement-Grant does not pay for utilities.
* Water line connections/cost are to be documented for Main St. connections.
* Stormwater runoff on sidewalks and storm drains to be addressed.
* Street - shoulder repairs.
* Broderick and Brubaker - Rebuild shoulder Completed.
* Broderick St. stormwater drain project to eliminate the ice and washout on Broderick St. and section of Main St. to make roadway safe during winter. - Cost Estimate of $19,500. This project is based on property owner’s approval, access, and timing. ***Project has been tabled until we get more detailed cost and approvals.***
* East Main Street – Project
* DCED – has requested additional information and pictures relating to East Main Street project that was submitted 07/31/2019.
* Rodney Hill at PennDOT has been promoted to Senior Civil Engineer Supervisor.
* Jane Scurfield – requested information on Vacating 1st Avenue and proposed alleys. She will petition neighbors.
* Joe Bingman has requested council address Ben Scheller furnace is encroaching on the variance to the property line. Ben has a variance approved by council in 2012 of 5 Ft and Joe said furnace is within 2 ft. of his property line.

***Brad Allison Solicitor – direction on vacating streets, and differences on properties.***

***Ben Scheller – said Joe B has installed a 4 ft wall within inches.***

***Joe Bingman – has no notice regarding variance.***

***Larry Gindlesperger and Mrs. Knepper – regarding vacating that portion of the alley, is not advised by solicitor for the Borough to get involved.***

***Motion by Thomas Jones and seconded by Michael Lottig to approve the cost of 4 lead lines located at (1219, 1301, 1309, 1311 East Main St.). The borough to provide Water Curb Box and labor.***

***The Water Authority to assume copper line and new tap on the Columbia gas project on East Main St.***

***Ayes: \_7\_***

***Nays: \_0\_***

***Motion:*  Carried**

***~~Motion by \_\_\_\_\_\_\_\_\_and seconded by \_\_\_\_\_\_\_\_\_\_\_to approve installation of storm drain on Broderick street.~~***

***~~Ayes: \_\_~~***

***~~Nays: \_\_~~***

***~~Motion: \_\_\_\_\_\_\_\_\_\_~~***

**HOUSE COMMITTEE – Thomas W. Jones – (Chair)**

* New computer prepared and AutoCAD software installed.
* Electronic recycling JVS – October 26th advertisement – newspaper AD, newsletter.
* Welcome Sign – Borough Crew reinstalled.
* Flagpole at the welcome sign and Alliance Church approval.
* Whitehorse Brewing – Ovarian Cancer fundraiser 9/7/2019 12-10:30 pm - Mayor notified.
* Computer equipment donation – from Thomas Jones. (exhibit 9)
* Business activity behind 710 diamond street – on 5th avenue business activity.
* Fencing around switching equipment – working on quotes.
* Shredder replacement was approved 2 years ago, and unit continued to work so it was not replaced. Now it doesn’t work and needs to be replaced. Tri-County Office quoted.
* Wireless microphone required for Borough Building purchase from Commercial Sound and Music in the amount of $164.75. 1/2 cost to firemen and 1/2 to Borough.

***AutoCAD system is prepared and Barb Humberson – Is able to proceed with work. Waiting on clearances.***

***Zoning has been brought to attention of Council.***

***Tom Jones – Presented pictures – from behind his property of work being performed and the disturbances since they have moved in there.***

***Thomas Fisher questioned zoning in PA. And asked about the ordinance.***

***It was discussed and that Brett Straight owns the property and that Steve Cahill wishes to purchase the property.***

***Fencing needs to be constructed around the switching equipment on top of the hill. The guys can do the install if we purchase material and time allows. May have to contract out.***

***Dell Printer is not working properly it prints the bills need to address soon. Cindy presented with options.***

***Motion by John Harding and seconded by Michael Lottig to approve the purchase of DAHLE Office Shredder Model 51414 from Tri-County Office Machines in the amount of $1,599.00.***

***Ayes: \_7\_***

***Nays: \_0\_***

***Motion:*  Carried**

***Motion by John Harding and seconded by Barb Zerfoss to approve the purchase of Microphone from Commercial Sound and Music, Inc. in the amount of $164.75 and borough assume $82.37.***

***Ayes: \_7\_***

***Nays: \_0\_***

***Motion:*  Carried**

**Executive Session**

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

***Motion by John Harding and seconded by Cliff Horner to recess to executive session.***

***Ayes: \_7\_***

***Nays: \_0\_***

***Motion:*  Carried**

At ***8:50*** 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 Thomas Fisher to reconvene the regular meeting.***

***Ayes: \_7\_***

***Nays: \_0\_***

***Motion:*  Carried**

At ***9:36*** P.M., the council reconvened the regular meeting.

***Motion by Michael Lottig and seconded by Thomas Fisher to adjourn this Meeting of the Berlin Borough Council at 9:38 P.M.***

***Ayes: \_7\_***

***Nays: \_0\_***

***Motion:*  Carried**

**Note:** The next regular meeting of the Berlin Borough Council is scheduled for Thursday, October 3, 2019, beginning at 7:00 p.m., and the next scheduled meeting of the Berlin Borough Council Committee of the Whole is scheduled for 4:00 p.m., Thursday, October 17, 2019 at the Berlin Borough Council Conference/Meeting Room, 700 North Street, Berlin, Pennsylvania.