



Approved and Official MINUTES of THE BERLIN BOROUGH COUNCIL MEETING OF THE WHOLE

August 20, 2020 - 4:00 p.m.

The meeting will be held in accordance with required face mask in public.

The President calls the meeting to order.

Pledge of Allegiance to the American Flag.

ROLL CALL

Charles E. Rhodes	<i>Present</i>
Clifford E. Horner	<i>Present</i>
John F. Harding, Jr.	<i>Absent</i>
Michael A. Lottig	<i>Present</i>
Stephen E. Custer	<i>Present</i>
Thomas L. Fisher	<i>Absent</i>
Thomas W. Jones	<i>Present</i>
Mayor Joseph Krause	<i>Absent</i>

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

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

President's Report

Budget review by Committee - Streets, House, Finance we can discuss as the meeting proceeds.

Roger Clark – Chimney repairs require approval from CCIS week of August 24th.

Roy Ogburn – Land Use agreed to remove hazardous Garage at 111 Cumberland by July 31.

It has been partially removed and is currently under demolition.

Water Authority requires an extension of time from the Berlin Borough for their loan application to be approved.

Weeds at 197 Broadway – Mayor Krause addressed with property owner.

Complaints-received for vehicle parked at 309 Cumberland St with flat tire – Mayor contacted.

Community Prayer services for “Schools to open safely” is scheduled for Sunday August 30th at 2PM in the Borough Lot. All are welcome to attend!

Roy Ogburn has completed a portion of the demolition – Council agreed to a 30-day extension of time to complete.

Tom G was unable to find the ordinance to extend the Water Authority and will have to investigate it further.

Weeds were addressed throughout most of town, mayor was not present to confirm it is complete at 197 Broadway.

Auto is still sitting at 309 Cumberland St. with flat tire.

The following have asked to address the Council:

Executive Session proposed time. _____

Are there any questions or comments?

Committees:

GARBAGE COMMITTEE – John Harding – (Chair)

Charles Read

1. Committee meeting and review of activity to be scheduled week of August 24th.
2. Mayor said we should issue citations to all residents that have been identified with ordinance violations – for demo material, tires, electronics, etc.
3. The recycling dumpster was emptied on August 14th and 6 Televisions were also picked up.
4. The second dumpster was labeled with a decal “ALUMINUM RECYCLING ONLY”.
5. An additional camera was purchased to monitor the recycling activity.

Cliff said the tags provided to the Mayor for lady dumpster diving.

The Mayor and Chair to cite the lady dumpster diving – Cliff, Steve, Mike agreed.

Committee meeting scheduled for next week to address dumpster diving and demo material, tires, TV's being placed in dumpster.

PERSONNEL & FINANCE COMMITTEE – Clifford Horner – (Chair)

1. The Pension Plan for the non-uniformed employees – Ordinance # 347 to amend the plan – this will need signed and returned to PMRS.
2. *Defined benefit adoption agreement* – This will need signed and returned to PMRS. This applies to employees hired on or before 12/31/02 as they were immediately vested in the plan. No substantive changes to the plan. We defined full time, part-time, identified the collective bargaining unit and identified what payment types are included for pension purposes.
3. *Cash balance adoption agreement* – this will need signed and returned to PMRS. This allows employees hired on or before 12/31/02 to make optional contributions if they wish.
4. *Defined benefit adoption agreement* – This will need signed and returned to PMRS. This applies to employees hired on or after 1/1/13 as they have a 5-year vesting period. Again, we made no substantive changes to the plan. We defined full time, part-time, identified the collective bargaining unit and identified what payment types are included for pension purposes.
5. *Cash balance adoption agreement* – this will need signed and returned to PMRS. This allows employees hired on or after 1/1/13 to make optional contributions if they wish.
6. The current frequency in employee % of contribution is annually, based on experience and other plans it should be quarterly. There is no plan change required for this change.
7. The plan does not provide for disability benefits, which the plan is one of the few that does not, to provide disability benefits a cost study will be required.
8. Hazard pay for employees in life-sustaining occupations during the coronavirus (COVID-19) pandemic, Tom G. submitted a grant request to DCED in July for those borough employees that fall in this category. No update has been received.
9. Disconnection notices were sent out on August 17th to 53 customers with past due balances for a total of \$4,339.81. No customers were more than 2 months past due. Any customer not paid by August 31, will be disconnected on September 1, 2020.
10. Personnel, Procedures and Recommendation/Discussion – Executive Session Required.
11. Budget review – and discussion of line items. (exhibit)

Budget review – pointed out the total percentage was as expected. The highest cost was printing for the spring newsletter. Worker's Comp rate increase was unexpected at

Motion by Mike Lottig and seconded by Cliff Horner to approve the ordinance # 347 to amend the Non-Uniform pension plan administered by the Pennsylvania Municipal Retirement System.

Ayes: 5

Nays: 0 *Motion: Carried*

Motion by Mike Lottig and seconded by Stephen Custer to approve the change in frequency for employee contribution % from annual to quarterly.

Ayes: 5

Nays: 0 *Motion: Carried*

Motion by Mike Lottig and seconded by Cliff Horner to approve the study for disability benefits to be provided in the plan.

Ayes: 5

Nays: 0 *Motion: Carried*

The two below listed Motions were enacted after the executive session.

Motion by Mike Lottig and seconded by Cliff Horner to approve hiring Terry Raupach on a part time basis for the borough as the crossing guard and flagging, and as to be directed, based on successful completion of the required background checks and paperwork

Ayes: 5

Nays: 0 *Motion: Carried*

Motion by Mike Lottig and seconded by Stephen Custer to approve hiring Brady Landis on a part time basis for the borough as needed for flagging and as directed, based on successful completion of the required background checks and paperwork

Ayes: 5

Nays: 0 *Motion: Carried*

FIRE & POLICE COMMITTEE – Tom Fisher – (Chair) Stephen Custer Read

1. The school update continues to plan for opening September 1st.
2. The police had a 2nd Tractor trailer on 10th avenue, which had to be directed out of residential area. Proposed signage on Shady lane to restrict trucks.
3. Fire hydrant testing is scheduled for Saturday August 22nd for the Water Authority.
4. Main Street – Upper Diamond - flashing light Stop Sign request
5. Cars stop at the STOP sign on West Main as they proceed east and then proceed through the flashing red light without stopping. Request for a STOP marking on the pavement closer to the flashing light for people to stop.

Motion by Stephen Custer and seconded by Mike Lottig to approve the purchase and installation of STOP pavement markings from Ennis–Flint, in accordance with PennDOT requirements, at the intersection of West Main and Broadway.

Ayes: 5

Nays: 0 *Motion: Carried*

Motion by Cliff Horner and seconded by Tom Jones to approve the purchase and installation of NO PARKING signs at Shady Lane and one sign installed at the entrance of 10th avenue on the back of the stop sign.

Ayes: 5

Nays: 0 *Motion: Carried*

ELECTRIC & EQUIPMENT COMMITTEE – Mike Lottig – (Chair)

1. Generator Update – The generators operated on August 10th to obtain and log the 3rd CP for the season, after operating for 12 days in July.

2. The generators have produced multiple warnings over the past 2 months. Unit 1 received repairs on August 10th for the fuel filter assembly and flow valves. On August 18, 2020 Unit 6 had the fuel filter assembly replaced. Volvo is looking into an alternative.
3. Electric poles were installed on Grand View Drive to extend electric service.
4. Protective sleeves were placed on lines on 700 Main St to accommodate tree trimming.
5. The Electric contract for Movilla was addressed in June as our solicitor sent Robert Croner a letter notifying him that the borough is only responsible for supplying electricity to the pole. The solicitor nor the Borough has received any communication from Mr. Croner.
6. T&R Electric Quoted- Pole Mount Transformers 1-100 KVA - \$1,250. 4-50KVA Transformers at \$750.00 each and 2-15KVA at \$425. Total quote for transformers \$5,100. (exhibit 1)

Motion by Mike Lottig and seconded by Cliff Horner to approve the purchase of 7 transformers from T&R Electric in the amount of \$5,100.00.

Ayes: 5

Nays: 0

Motion: Carried

Discussion regarding the repair service and underground at Movilla and the prior letter sent to Robert Croner. Decision to send a registered letter to follow up. Tom G – to speak to solicitor.

HOUSE COMMITTEE – Stephen Custer – (Chair)

1. The laptop computer was restored on August 14, 2020 with the data that was retrieved. There is still PST files missing from the hard drive retraction. George and Bob are communicating with the company that performed the recovery to determine if the data is still present on the hard drive.
2. Color printer was received for the police department and is scheduled to be installed week of August 24th.
3. Coronavirus (COVID-19) on July 8th the number of cases were at 67 and 1 death. As of August 18th, the confirmed case count has almost doubled at 128 cases and currently there are 3 deaths in the county. The state has 125,527 confirmed cases and 7,499 deaths.
4. Census 2020 has approximately 45 days remaining in self-response. Somerset county is at 64.4% compared to 2010 of 64.8% response. Berlin fell from ranking 12th in self response to 14th as the rate is at 71.7% compared to 2010 rate of 78.5%. Please let anyone and everyone know we need them to respond.
5. Budget review – and discussion of line items. (exhibit)

Budget review – pointed out the total percentage was less than expected. Switch from Verizon to comcast savings. Minimal repair cost and copier has not been purchased.

STREETS, STORM SEWERS & SIDEWALK – Thomas Jones – (Chair)

1. **Columbia Gas project – Phase II** – East Main St. to 12th St.
 - a. MandB to schedule reconstruction of ADA ramps in accordance with PennDOT request and AEG resubmission.
 - b. MandB will initiate construction in conjunction with the Diamond Street project.
2. **Columbia Gas project - Phase I** - 12th Street to Cassel in front of school
 - a. Permit has not been received by Columbia Gas as of August 14, 2020.
 - b. Borough uploaded Response letter and CS files for cycle 4 to PennDOT.
3. **Columbia Gas project Phase III** – SR160 Seg0370 Offset 0700 to Seg0380 Offset 2700.
 - a. Columbia Gas – has not received permit as of August 14th, for this section, which includes phase I in front of the school.
 - b. Columbia Gas has asked for the borough to communicate with them regarding the delays at PennDOT's district 9 permitting department.

4. **Diamond street project** — Redevelopment authority project funds \$244,405.
 - a. August 11, 2020 Let date produced the following bidders.
 - i. Cottle Asphalt - \$351,662.67
 - ii. Excavating Associates - \$411,252.00
 - iii. **MandB construction - \$224,671.00 – Low Bidder**
 - iv. Darr Construction - \$268,033.00
 - v. Bianco Construction - \$325,900.00
 - b. Roger Clarke requested salvage of brick sidewalk.
 - c. Borough submitted application on 7/22 waiting on PennDOT response.
 - d. Redevelopment authority to award contract to M&B on August 19 or 20, 2020.
5. **Main Street Revitalization.**
 - a. Addendum #5 was published August 17, 2020, contractors can no longer submit questions. So, there should not be any more questions or addendums to address.
 - b. The LET date is scheduled for August 20, 2020.
 - c. PennDOT -90 days to award the contract – notice to proceed November 11, 2020.
 - d. Construction Start date Scheduled for April 20, 2021.
6. Paving of water line repairs and replacements should be completed this week.
7. School contracted Tom Croner to complete drainage issues at the school. Tom contacted the borough regarding drainage work at the end of the football field. The drainage ditch was cleaned and cleared of debris deposited and piled up by residents. Mike Fogle was contracted to do the work in June 2020. Request to install additional pipe after the ditch.
8. Budget review – and discussion of line items. (exhibit)

Budget review – pointed out the total percentage was in accordance with budget. The sidewalk project created exceptions as funding was provided through the beautification fund not the sidewalk construction account as budgeted. A portion of the expense was offset by the revenue account as funds were received in conjunction with the Columbia gas project. Roger Clark requested salvage of bricks from the sidewalk – which was communicated with the redevelopment authority.

Executive Session

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

Motion by Mike Lottig and seconded by Cliff Horner to recess to executive session.

Ayes: 5

Nays: 0

Motion: Carried

At **4:50 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 Mike Lottig and seconded by Cliff Horner to reconvene the regular meeting.

Ayes: 5

Nays: 0

Motion: Carried

At **4:56 PM**, the council reconvened the regular meeting.

*Motion by Stephen Custer and seconded by Mike Lottig to adjourn this Meeting of the Berlin Borough Council at **4:59 PM**.*

Ayes: 5

Nays: 0

Motion: Carried

Note: The next regular meeting of the Berlin Borough Council is scheduled for Thursday September 3, 2020. The next scheduled meeting of the Berlin Borough Council Committee of the Whole is scheduled for Thursday September 17, 2020 at 4:00 p.m., at the Berlin Borough Council Conference/Meeting Room, 700 North Street, Berlin, Pennsylvania.