



Approved and Official Minutes

BERLIN BOROUGH COMMITTEE OF THE WHOLE MEETING

January 18, 2018 – 4:00 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	Absent at roll call – arrived at the meeting at 4:30 p.m.
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 were:

Thomas D. Jones, Executive Borough Secretary

Members of the public – no one from the public was in attendance.

Explanation and Discussion of “Committee of the Whole” – President Charles Rhodes

President Rhodes suggested that Council adopt a “Committee of the Whole” that would be authorized to meet, to deliberate agency business, and to make recommendations for action to the Borough of Berlin Council as a whole. This Committee would replace all of the committees established and utilized by prior Councils. All current members of Council and the Mayor would be members of the “Committee of the Whole”. Secretary Jones presented the following from Shelley Houk from PSAB and Borough Solicitor Brad Allison: 1) The Council President is not authorized by the Borough Code to determine what committees there will be, the Council as a whole decides this. 2) The Council President is not permitted to take action on his own. 3) The Council President appoints members to committees. 4) The Council as a whole establishes times that meetings will be held. 5) A resolution is needed to establish the “Committee of the Whole” and the meeting times and dates. This resolution would need to be considered at the regular monthly Council meeting.

Items for Deliberation:

- 1) PA House Bill 1405 – the House Local Government Committee has scheduled a hearing on HB 1405 PN 1765 at 10:00 a.m. February 13, 2018. Council Member Thomas W. Jones and Executive Borough Secretary Tom Jones expressed an interest in attending the hearing.
- 2) Thermal graphic analysis of electric distribution system was performed by Cody Crose from AMP on Tuesday, January 16th. Approximately 35 “hot spots” were identified. Photos of

- the analysis will be forwarded to Secretary Jones for presentation at the February 1st Council meeting.
- 3) Meter socket recorder – a quote was received to repair the one owned by the Borough for \$990.96. Secretary Jones is checking with AMP for pricing to purchase a new one.
 - 4) Generator results – the generators operated for 22.25 hours during December. The 1CP time was captured several times during December. The December 28th peak was eclipsed during January on several occasions. The 1CP time of record is now HE 18 on January 5th, 2018. The generators were running during that period and captured the 1 CP hour.
 - 5) “A” base meter replacement – there are still 14 “A” base meters in the Borough that need replaced. Council directed Secretary Jones to send letters notifying customers that the “A” base meters still in used need replaced by June 20th, 2018.
 - 6) 2018 bid limits and advertising requirements for purchases – purchasing and contracts below \$10,900 require no formal bidding or written/telephonic quotations; purchases and contracts between \$10,900 and \$20,100 require three written/telephonic quotations; purchases and contracts over \$20,100 require formal bidding.
 - 7) State Ethics Statement of Financial Interests Forms – must be filed by May 1, 2018.
 - 8) Council Berlin Borough email accounts – Neil Boyer, IT consultant, advises Council to change passwords on Borough email accounts. Council member Thomas W. Jones suggested that an inventory of all Borough owned computers, I pads, other hardware and software be done so that a review could be done to check for security concerns and safeguarding of information. Secretary Jones and the administrative staff will conduct the inventory.
 - 9) Berlin Fire Department Banquet Invitation – the banquet is set for January 27th. All Council members, the Mayor, and administrative office are invited to attend. Secretary Jones and Council members Rhodes, Lottig, Horner, and Harding stated they will attend.
 - 10) Roger Clarke request to purchase I pad – Council directed Secretary Jones to have Mr. Clarke make an offer amount to purchase the I pad he has had since 2014.
 - 11) New Municipal Officials Training Reminder – February 9th & 10th – Secretary Jones and Council members Lottig, Horner, Zerfoss, and Jones are registered to attend.
 - 12) Property Maintenance Complaint – 171 Vine Street – there is leakage from the sewer pipe from the mobile home before it connects to the underground sewer pipe. The occupant made an attempt to correct the problem, however, the leak still exists. Secretary Jones requested permission from the Municipal Authority to turn the water off at that address but the request was denied. Secretary Jones discussed this with Solicitor Allison and suggested a certified letter, return receipt requested, be sent to the mobile home owner, occupant, and the mobile home court owner advising of the situation and demanding corrective action be taken within 10 days of receipt of the letter. Additional legal action could then be pursued. Council President Rhodes stated that he would contact Calvin Henry about repairing the sewer line. He requested the letters not be sent until he has a chance to talk to Mr. Henry.
 - 13) Building Permit Complaint – 705 Meadow Street – the complaint filed on January 10th alleged that structural remodeling was being done and no building permit had been obtained. Council member Thomas W. Jones stated that he was the one that filed the complaint. Secretary Jones checked with CCIS to see if a permit was applied for. The owner of the property, BA Real Estate, submitted remodeling plans to CCIS for review before remodeling began. CCIS advised that no building permit was required for the remodeling per the plans submitted. Marty Steach from CCIS visited the property on January 12th and left a field correction notice on site. From his inspection, he did not note anything being done that would require a building permit. Mr. Latshaw from BA Real Estate visited the Borough Office on January 15 and told Treasurer Cindy Flamm that no structural remodeling was being done. Repairs included changing out countertops, refinishing the hardwood floors, painting, and replacing one window with the same size, installed some drywall, and the back deck was not over 30 inches high, so not permit was required. The plastic covering around the front porch was to keep snow and ice away so that they can stain the concrete in early spring. Mr. Latshaw stated he would follow up with CCIS on January 16th. Secretary Jones

cautioned about the filing of inaccurate and/or unfounded complaints. This causes the Borough to incur unnecessary time and expenses for needless inspections and investigation, in addition to agitating residents. There was discussion on charging people to file complaints. If the complaint is valid, the fee would be refunded. If the complaint has no validity, the fee would be forfeited to the Borough.

Council Member Thomas W. Jones stated that the Borough needs to change code enforcement agencies and handed out fee schedules from CCIS and PMCA. He stated that the fees were essentially the same and PMCA should replace CCIS. Secretary Jones stated that he had received an email from CCIS alerting him that Council Member Jones had been in their office asking for information and that “*they (referring to the Borough Council) were looking at all companies and want information to look at.*” Secretary Jones asked Council member Jones why he did not ask him for the CCIS fee schedule and other information when he met with the Secretary on Wednesday, January 10th at the Borough offices. Council members have previously been told and encouraged to seek out information and/or answers to questions from the Secretary, Treasurer Cindy Flamm, and Clerk Tammy Werner first before contacting third party agencies. **Secretary Jones advised all Council members that no individual Council member should be contacting third party agencies on their own without direction from the Council. This was done in the past and had created a lot of problems and controversy, and unnecessary expenses to the Borough. Per powers granted under the Borough Code, Council makes the decisions and gives direction as a whole, not by individual Council member’s actions or intentions.** CCIS could possibly send an invoice for services for the field inspection and notice posted. Secretary Jones reminded Council of the unsubstantiated stop worker order issued by PMCA on the generator project last year and of the time and costs required to resolve the alleged violation. There was discussion on the Borough building permit and code enforcement policies.

- 14) An Act 8 meeting with Berlin Volunteer Fire Department – Greg Croner, Brad Flick, Tim Rhodes, Julie Leydig and Joann Dively represented the Fire Department and the Ladies Auxiliary. A summary of expenses by category was submitted by Mr. Croner. Brad Flick expressed the appreciation by the Fire Department for the good working relationship between the Borough Council and the Fire Department. The public address system in the Community Room may need replaced in 2018. The Fire Department is exploring options and pricing. There between 40-50 active members, however, there are many more on the membership list. The Block Party will be held June 5-9th of this year. The newly revised rental rates for the Community Room have not presented a problem that they are aware of.
- 15) Berlin Alliance Church request to waive rental fee – the church had water damage and requests to use the Community Room free of charge for Sunday services until the repairs from the water damage is completed. After discussion, the normal rates will apply for the use of the Community Room.
- 16) Council member Thomas W. Jones requested that Josh Miller from the Somerset Economic Development Council be allowed to speak at the February 1st regular Council meeting. Secretary Jones will add him to the public comments list. Those speaking are asked to limit their presentation to five minutes.

President Charles Rhodes adjourned the meeting at 6:30 p.m. Any topics from the agenda for this meeting not covered in this meeting were held over until the next meeting of the Committee of the Whole.

ADJOURNMENT

Note: The next Committee of the Whole meeting of the Berlin Borough Council is scheduled for Thursday, February 15, 2017, beginning at 4:00 p.m., at the Berlin Borough Council Conference/Meeting Room, 700 North Street, Berlin, Pennsylvania.



Executive Borough Secretary
January 18, 2018



Guest Registry

Berlin Borough Council Committee of the Whole Meeting

January 18 , 2018

Name	Address	Telephone	Email
NO ONE ATTENDED			

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



Thank You for attending the Berlin Borough Council Meeting.
Your input is both welcomed and appreciated.