



APPROVED AND ACCEPTED MINUTES OF THE BERLIN BOROUGH COUNCIL MEETING OF THE WHOLE June 17, 2021 - 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 *Present*

Clifford E. Horner *Present*

John F. Harding, Jr. *Absent*

Michael A. Lottig *Present*

Stephen E. Custer *Present*

Thomas L. Fisher *Present*

Marshal J. Engleka *Present*

Mayor Joseph Krause *Absent*

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

Ashley VanGilder – Jr. Council Member. *Ashley was not present.*

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

Executive Session proposed time. _____

The following have asked to address the Council:

John Noble – Presentation on Berlin VFD Insurance. (Exhibit 1) – *John did not participate or send documentation.*

Jay Whipkey – addressed council regarding a property line dispute with Donna Huston. He claimed it has taken place in the past and now she has sprayed the fence and killed grass on his side of the fence. Fences are in accordance with the height and placement regulations of ordinances. The dispute was given to the mayor to address, and the police have been out to see and review the issue. This matter is a legal issue and Jay would have to get legal advice.

President's Report

Presentation on behalf of the Borough Council – Ashley VanGilder. *Ashley was not present.*

American Rescue Plan Act - submission was completed on June 11, 2021.

Resident notification on Brubaker St.

ARPA – Charles signed the required documents for the submission, that will provide \$203K to the borough for specific approved uses. The specific uses will be investigated and presented to council upon the award of funds.

Charles asked Tom G to address the resident complaint on Brubaker Street regarding the complaint. Tom has been to the residence 2 times with no answer at the door. Tom will continue to address the issue. Discussion over what the next step is to address the resident or send letter to the person.

Charles signed the agreement letter for Columbia Gas \$84,312.53. Tom Glessner said the invoice would be completed next week.

Are there any questions or comments?

Committees:

GARBAGE COMMITTEE – John Harding – (Chair) Steve Custer read.

1. Recycling dumpster and TV removal is scheduled to be replaced on June 16, 2021.
2. The Borough has accumulated 10-TVs with no ordinance violations and growing.
3. Dumpster Divers identified in Photos, no ordinance violation.
4. Jimmy Snyder to return repaired dumpster week of June 14.
5. Two quotes received for 6yrd Dumpster current rate of \$1,625 has a 10-week lead time.
6. Dump access and use for residents – follow-up and discussion. Current procedure is working.
7. Cameras are being returned from warranty replacement from CMS.
8. Three dumpsters are placed at residents on contract and positive response from residents.

COP - Brian informed Tom Glessner that ordinance violations were written today.

Garbage cans that are the property of the borough currently stacked down at the salt shed.

There are also several cans that residents and various locations in the borough that have the cans in their possession. The cans are the property of the borough and are extremely heavy. The issue for the number of cans located at the apartment building, and discussion over what the next step is to address removal and possible sale of the cans.

Steve to speak to Dan Suder regarding the use of a dumpster at the apartment building.

The dump is for use by Berlin Residents per the sign.

The 6yr dumpster was returned from repair and further purchase of dumpster not required.

PERSONNEL & FINANCE COMMITTEE – Clifford Horner – (Chair)

1. Treasurer's Report and Bills: - The reports for May 2021 have been included in the Council Meeting packets. (Exhibit 2&3)
2. Property Maintenance Complaints & Right to Know Law Requests Cost Summary:
 - a. There was one property maintenance complaint and zero Right-to-know requests received in May.
 - b. The YTD total cost for RTK and property complaints is \$96.00.
3. There were zero disconnects on June 3rd due to past due balances.
4. Insurance proposal for the Volunteer Fire Department, presented by John Noble.
5. Accounts in the name of a deceased owner, utilities are not in the tenant's name. (Exhibit 4)
6. Personnel, Procedures and Recommendation/Discussion – Executive Session Required.

Motion by Mike Lottig and seconded by Cliff Horner to approve the Bills and Treasure's Report as specified for May 2021 as presented at the meeting.

Ayes: 6

Nays: 0

Motion: Carried

There are a few electric and utility accounts that service is still in a prior account name and the person is deceased. Council agreed to send a letter to those with service at the location and notify them they have 60 days to put the account in their name. The resident will be required to put the account in their name and pay the deposit as a new customer.

Motion by Cliff Horner and seconded by Steve Custer to issue a letter and give people with utility services in a deceased individual's name 60-day notice to establish an account in their name.

Ayes: 6

Nays: 0

Motion: Carried

Steve Custer questioned the use and purpose of the Beautification Fund and why there was \$103K in the Street Light fund. Tom G – explained the items budgeted and purpose of the funds.

FIRE & POLICE COMMITTEE – Tom Fisher – (Chair)

1. The SRO contract for the 2021-2022 school year waiting on proposed agreement.
2. Car 10 headlight replacement problem corrected at K&D electric.
3. Police order similar standard shotgun \$359 quoted and ammunition supply order placed.
4. Gun rack required for car 10. COP received 2 quotes, lowest \$204.00 from Galls, waiting on a quote for installation from PA Police Supply.
5. Request for speed lines to be placed on Berlin Plank Rd. at the Dollar General where Willy always sits and the lower diamond from the cross walk 100 ft south and on the East Side of Diamond St to the Borough line.
6. PT officers provided 31 hours week ending June 5th and 67.5 hours week ending June 12th.
7. Gonzalez was on vacation the week of June 12th and Jeff booked 38 hours activity.
8. Proposed schedule is posted on a board at the police station.

Motion by Steve Custer and seconded by Marshal Engleka to approve the purchase of a gun rack for car 10 from Gall in the amount \$204.00.

Ayes: 6

Nays: 0

Motion: Carried

The council agreed to install white lines as listed for speed monitoring. Tom Glessner confirmed with PennDOT that the Borough is permitted to install the lines in the borough to control traffic. Tom will speak to COP to determine specific locations.

Request to put the crosswalk signs up at the Pharmacy center line and other locations previously located.

ELECTRIC & EQUIPMENT COMMITTEE – Mike Lottig – (Chair)

1. Generator Update – The generators operated for 3 hour and 29 minutes, in test mode. On May 27th, they operated under load for 30 minutes due to onsite repair test. (Exhibit 5)
2. PowerSecure was on site June 8th for an error code received on P1 Generator. The unit had a burned voltage regulator.
3. Penelec is reviewing grid diagram regarding fencing around the switch equipment.
4. The FCS software training on equipment has been postponed while Joe is in hospital with Covid. Training will be scheduled for July or August.
5. Electric Demand meters we have 3 more required to be installed, on June 25, 2021.
6. Verizon was on site on June 14th to review lines that have not been transferred and poles not removed. Comcast has 5 poles that require transfer of their service. We have multiple lines that need to be moved prior to Comcast and Verizon.
7. The walk behind cement saw requested quotes for replacement.
8. Waiting on quotes for Truck #2 hydraulic hoses on the packer.
9. Truck #2 - transmission is leaking, suggest send it to Penn Power transmissions.
10. Pole struck by automobile on April 11 on Cumberland St.-COP notified that we are waiting on police report.

Motion by Mike Lottig and seconded by Cliff Horner to approve the purchase and replace the walk behind cement saw from EDCO in the amount of \$2,151.00.

Ayes: 6

Nays: 0

Motion: Carried

HOUSE COMMITTEE – Stephen Custer – (Chair)

1. Pennsylvania confirmed covid cases total of 1,012,193 and deaths at 27,490. Somerset County has 5,792 cases confirmed and 216 deaths. Berlin-15530 has 485 confirmed cases.
2. COVID-19 caseloads are plummeting in Pennsylvania. Deaths have plateaued. Restrictions such as mask mandates are lifting across the nation, for fully vaccinated people.
3. Census 2020 – the states, as well as the public, will receive the data they need to begin redistricting by August 16. The Census Bureau will also deliver the final redistricting data toolkit to all states and the public by September 30. More 2020 Census population results will be available later this year including statistics on age, sex, race and ethnicity, and details about the center of population.
4. The American Rescue Plan – the borough has submitted the required documentation to receive an update or notice regarding receipt of the awarded \$203K amount.
5. Senate Bill 283 – Requires PennDOT to maintain all surface and subsurface drainage facilities connected with the state highways within boroughs and incorporated towns with populations equal to or less than 2,500 people.
6. House Bill 1154 is providing a path for restaurants to sell cocktails and other alcohol to-go legally and permanently in the future, and Wolf is pushing for the state Senate to pass that bill, hoping to make one of the pandemic's biggest takeout pivots permanent.
7. Salt Shed area the trees were cut around it and the area cleared. The roof is to be cleared of debris and has some holes in the roof.
8. Website will be updated for announcements: July 4th refuge collection, Recycle electronics, and construction progress.

The senate bill 283 is important for the borough. Tom Glessner pointed out that it affects various streets and areas that have been problematic for drainage.

STREETS, STORM SEWERS & SIDEWALK – _____ . Tom Glessner read.

1. **Columbia Gas project - Phase I - application 210197** 12th Street to Cassel
 - a. Service crews began week of June 7th to complete the resident connections.
 - b. This section the individual service connections should be completed by June 30th.
 - c. Reconstruction cost agreement was approved by Columbia Gas invoice to be sent.
 - d. There are 2 water line replacements to be completed one the week of June 14 and one the week of June 21.
2. **Main Street Revitalization - MPMS-111482.**
 - a. Construction is at the upper diamond and will proceed across Broadway and around the Diamond on the west side of Main.
 - b. Due to the sign erected at Valero the walking surface and stamped portion will be adjusted to 2 feet stamped north on Broadway from the electric pole and steel bollard for approximately 12 ft to the end of the project.
 - c. Broadway street addition for Columbia Gas to reimburse the borough for 40+ feet of sidewalk replacement. Council approved reconstruction on May 6th.
 - d. Cost analysis and Columbia Gas proposed agreement forthcoming.
 - e. Sidewalk and curb adjustment on the west side of the diamond to include reduction of stamped and removal of existing curb to tie into proposed new curb.
3. **Cumberland street to Main and 40ft of Main.**
 - a. Cumberland St. project Curb, Sidewalk, and 2 ft stamped from the graveyard area to Main St. and Curb and sidewalk east on Main St. to Parishes driveway. Approved May 20, 2021.
 - b. Additional project from Parish to Ash St. curb and sidewalk. Approved June 3, 2021.
 - c. AEG – initiated Surveying on June 14 to create application for Permitting and Bid process.
 - d. Propose bidding additional Columbia gas project in conjunction with Cumberland St. A.
4. **Diamond street project — Application 215945**

- a. Construction almost complete apart from blacktop final coat, reseeding along the sidewalks and decorative poles to be set.
5. **Columbia Gas project Phase III** – SR160 Cumberland St. to 10th.
 - a. NPL has completed gas line replacement from Cumberland to North St. and scheduled to proceed east to connection point at 1002 Main St.
 - b. Request Comcast and Verizon change service lines and remove replaced poles.
 - c. Columbia Gas completed and did a walk through to re-evaluate the requirements and discuss options to raise sidewalk to curb level.
 - d. Project includes 10th avenue from Shady Lane to Stewart St. the main gas line connection, which will be in the roadway.
 - e. Service connections for 10th Ave. residents and several residents on Stewart St.
 - f. NPL to make connection across main street and west on North St to Pine St. to connect service at 745 North St. In lieu of disturbing the roadway, Columbia Gas has agreed to place the line in the sidewalk. The sidewalk replacement of 75 ft to be replaced by Columbia Gas. The curb is nonexistent in this area, and there is pooling of water in this area. A cost analysis would be for the borough to add curb in conjunction with Columbia Gas. (Exhibit/Photos)
6. **Street activity.**
 - a. Waterline replacement on East Main St. to be completed week of June 14 and 21.
 - b. Storm drains throughout town to be cleared when possible.

Tom Glessner explained that Columbia Gas agreed to place their new main line in the sidewalk vs cutting the road and bringing it west on North St. The North St. sidewalk will be replaced by Columbia Gas, and the curb height is minimal and water pools in that area. If the council would approve this area to install curb at 6" height agreement would be completed with Columbia Gas to share in the cost. Tom also suggested to install an ADA ramp at Pine St. entrance for future enhancements.

There are bushes in the ROW going down Valley Road, that need to be cut back. Tom Glessner will contact Darlene Hillegas if she wants to cut them back herself.

Motion by Mike Lottig and seconded by Steve Custer to approve sidewalk and curb at North St and Main. as presented.

Ayes: 6

Nays: 0

Motion: Carried

Executive Session

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

Motion by Tom Fisher and seconded by Marshal Engleka to recess to executive session.

Ayes: 6

Nays: 0

Motion: Carried

At **5:18 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 Mike Lottig and seconded by Cliff Horner to reconvene the regular meeting.

Ayes: 6

Nays: 0

Motion: Carried

At **5:22 P.M.**, the council reconvened the regular meeting.

Motion by Steve Custer and seconded by Mike Lottig to adjourn this Meeting of the Berlin Borough Council.

At 5:37 P.M.

Ayes: 6

Nays: 0

Motion: Carried

Note: The next regular meeting of the Berlin Borough Council is scheduled for Thursday July 1, 2021, at 7:00 p.m. The next scheduled meeting of the Berlin Borough Council Committee of the Whole is scheduled for Thursday July 15, 2021, at 4:00 p.m., at the Berlin Borough Council Conference/Meeting Room, 700 North Street, Berlin, Pennsylvania.