



**APPROVED AND ACCEPTED MINUTES OF THE  
BERLIN BOROUGH COUNCIL MEETING OF THE WHOLE  
September 16, 2021 - 4:00 p.m.**

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1. The President calls the meeting to order.
2. 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>Present</i>
Marshal J. Engleka	<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:**

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

United Way President, Karen Struble Myers  
United Way Community Relationship & Marketing Manager, Rick Kazmer

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

*Charles asked them to speak first.*

*Karen Myers – Presented their relationship with the school districts, and that they generated 1.5 million dollars toward various projects. She asked that the council be an ambassador to the various projects. Alice Project, Nurse Family, Parents are Teachers, Youth Family Plans for Drug and Alcohol, things done and activity in Berlin Borough.*

*Rick Kazmer – presented the local activity and that United Way is a non-profit organization. United Way was instrumental in assisting with installing a high fence on the McNally bridge for suicide prevention. This bridge is the second highest rate suicide following the Golden Gate Bridge.*

*Diaper Donation Program requires donations or monetary donations at work or directly. Somerset and Windber County programs*

*Snyder's – has a program to assist the United Way  
Promoting such things as dress down or Jeans Days as they try to raise a million dollars.  
UW has a board of 24 members 15 from Cambria County and 9 from Somerset County.*

### **Approval of Minutes:**

Minutes of the August 05, 2021, Regular Borough Council Meeting were forwarded for review with the Council meeting packets. (*Exhibit 1*)

***Motion by Michael A. Lottig and seconded by Stephen E. Custer to approve and accept the minutes of the Regular Meeting of the Berlin Borough Council held at 7:00 P.M. and dated August 5, 2021.***

***Ayes: 6 Nays: 0 Motion: Carried***

Minutes of the August 19, 2021, Borough Council Meeting of the Whole were forwarded for review with the Council meeting packets. (*Exhibit 2*)

***Motion by Clifford E. Horner and seconded by Marshal J. Engleka to approve and accept the minutes of the Borough of Berlin Council meeting of the whole held 4:00 P.M dated August 19, 2021.***

***Ayes: 6 Nays: 0 Motion: Carried***

### **President's Report**

CCIS report for August (exhibit 3)

Budget for 2022 will be initiated week of September 20, 2021.

Lower Diamond Area Plan/Update:

Property Easement Agreement - UPMC-has been approved and received 9/15.

Clockface – Women's Auxiliary is communicating and sending examples.

Donation requests – Suggestion to outsource to Municipal Marketing.

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

### **Committees:**

**GARBAGE COMMITTEE – John Harding – (Chair) Stephen E. Custer read**

1. One camera photo (AC unit) was printed for the week ending September 12, 2021. (Photo 1)
2. A Television was placed back at dumpster no photo available for that area.
3. The one camera only takes photo of 2 of the dumpsters, do we want additional cameras.
4. Recycling dumpster was scheduled for September 13, 2021.
5. Three residents have dumpsters in place and on contract.
6. Complaint received re: garbage at 307 Broadway email letter.

***Charles said something needs to be done regarding the continued complaints. Council agreed and suggestion was to send a letter to Mayor Joe Krause and Brian Fochtman the Chief of police to fine the residents at 307 Broadway. It has been months with no action. Council members agreed to sign the letter.***

***Council said to give Mayor Krause and COP Brian Fochtman 48 hours to issue fines and address this property regarding the ordinance violations.***

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

1. Treasurer's Report and Bills: - The report for August 2021 have been included in the Council meeting packets. (Exhibit 4 & 5)
2. Letters were issued to give the owner or the resident 60 days to establish a new account, 3 of the eight accounts have not paid their security deposit. One additional account is now noted.
3. Financial Requirement and Minimum Municipal Obligation for the year 2022 Borough (CB Plan) Pension Plan requires an administrative charge of \$80.00 (4 members X \$20.00).
4. The Financial Requirement and Minimum Municipal Obligation for the year 2022 current Borough Pension Plan requires funding at .1256 of 2021 wages and administrative charge for a total funding in the amount of \$37,883.00. Last Year the contribution was \$40,056.00. Notification to the governing body is required by Sept. 30, 2021. (Exhibit 6)
5. Personnel committee met on September 7<sup>th</sup> to discuss personnel issues, contract and AFRS.
6. Executive Session - Required Personnel, Contract, and Recommendation/Discussion.

*Motion by Michael A. Lottig and seconded by Thomas L. Fisher to approve the Bills and Treasure's Report as presented for the month of August 2021 as presented at the meeting.*

*Ayes: 6 Nays: 0 Motion: Carried*

*Motion by Stephen E. Custer and seconded by Thomas L. Fisher to receive notice and accept the transmittal notice for the borough pension plans (exhibit 6).*

*Ayes: 6 Nays: 0 Motion: Carried*

*Motion by Marshal J. Engleka and seconded by Michael A. Lottig to approve and accept the Minimum Municipal Obligation for the Borough pension plan 56-015-3-n1 in the amount of \$37,883.00.*

*Ayes: 6 Nays: 0 Motion: Carried*

*Motion by Marshal J. Engleka and seconded by Clifford E. Horner to approve and accept the Minimum Municipal Obligation for the Borough pension plan 56-015-3-n2 in the amount of \$80.00.*

*Ayes: 6 Nays: 0 Motion: Carried*

*Council said to work out a payment plan for Landis account.*

*Council asked when the AD for a supervisor would be in the paper. It is scheduled for Friday.*

*Council agreed to send Jeff Novotny to SRO training.*

*Sam Popovich was driving and broke the antenna from the garbage truck.*

*Grievance was addressed from step 1 and 2 and council agreed to deny the request for step 3 and proceed.*

### **ELECTRIC & EQUIPMENT COMMITTEE – Mike Lottig – (Chair)**

1. Generator Update – The generator report is unavailable currently.
2. Fueling required in August was \$16,214.25, resulting in a gain of 2 CPs for the month.
3. PowerSecure is scheduling repairs on the door hinges, structures, and seals around the doors.
4. J and J is scheduled on 9/16/21 to inspect the leak on the hydraulic pump on the packer.
5. Planned 2-hour outage required to move additional lines on Broadway, not scheduled.
6. Multiple electric line repair required before Comcast or Verizon can complete their transfers.
7. Residential underground service to be installed at 1124A Broderick Street.
8. Electric meter box requested by resident at 182 West Main Street.
9. Reliable Meter Service – Presentation material, review and demand meters identified.
10. Three more electric demand meters ordered and will require installation in addition to one identified previously.

*Council requested Tom G to obtain a schedule from Brian Wiedenhoft for work to be completed for poles, switches, etc. in town.*

*Tom to provide a summary of the Amp history, billing, and credits. As well as a forecast of the ROI on the generators. Tom G to review Rates in accordance with Budget.*

*The Rate for electricity is one of the lowest in the area and amongst AMP members.*

### **FIRE & POLICE COMMITTEE – Tom Fisher – (Chair)**

1. The school board approved & provided a signed SRO contract for the upcoming school year.
2. PT officers provided 28 hrs. week ending Sept. 4th and 28 hrs. week ending Sept. 11<sup>th</sup>.
3. Painted marking of speed lines and crosswalks require permanent markings and will be scheduled after road repair has been completed due to current construction projects.
4. Property Maintenance complaints - 307 Broadway directed to the police.
5. PT officer to be scheduled for SRO training.
6. September schedule is posted on the board at the police station.

*Motion by Clifford E. Horner and seconded by Michael A. Lottig to approve and accept the SRO Contract as presented.*

*Ayes: 6 Nays: 0 Motion: Carried*

### **HOUSE COMMITTEE – Stephen Custer – (Chair)**

1. Property owners request for signage or reduced speed on Glade View Drive. (Exhibit 7)
2. Signage for Fox's Pizza has been submitted for review.
3. Website notification requires agenda to be posted 24 hours in advance of scheduled meeting.
4. LTAP training scheduled upstairs for November 30, 2021.
5. Itron Erts that connect to water meters backlog is 3-to-4-month on orders.
6. Tom G. has requested an update on the 2021-2022 Road Salt contracts.
7. The United Way will conduct a presentation for the borough council.

*Fox's Pizza sign presented and approved by council as it does not affect an ordinance.*

*United Way we heard from them initially.*

*Discussion regarding the American Rescue Plan funds distribution and suggestion for the employee pay and possible use for engineering or suggestion on meters.*

*Tom G. to request quote for next meeting.*

### **STREETS, STORM SEWERS & SIDEWALK – Marshal Engleka – (Chair)**

- 1. Grant request completed for projects in the Berlin Borough.**
  - a. Three grant requests have been submitted to date.
  - b. A new grant request for a PennDOT Multimodal Transportation Fund (MTF) is forthcoming. PennDOT is requesting applications for quality projects of significant value. Awarded projects typically range between \$100,000 and \$3,000,000. **Awards require a 30% local match.**
- 2. Columbia Gas project - Phase I - *application 210197*** 12<sup>th</sup> Street to Cassel
  - a. AEG to prepare a time extension letter of agreement for Crilon.
  - b. AEG to prepare a change order for the sidewalk removed by Columbia Gas.
  - c. Contacted Crilon – Brian said he is committed to September 20<sup>th</sup> for the start of the reconstruction project 12<sup>th</sup> to Cassel and will begin in front of the school and make accommodations for auto and bus ingress and egress as required.
- 3. Main Street Revitalization - *MPMS-111482*.**
  - a. Construction continues past the lower Diamond and will continue East on Main St.
  - b. Eastside of Broadway postponed as a change order for the construction company.
  - c. Cost analysis to be prepared by AEG for Columbia Gas sidewalk.
  - d. Construction cost for Park area, Clock may require borough cost.
- 4. Cumberland street and Main to Ash. *application 252790***
  - a. Tom G. submitted application to PennDOT 8/25 and is under review.
  - b. Kevin prepared plan, estimate, and bid documents. (Exhibit 8)
  - c. Council approval required to place Ad to Bid project and schedule special bid opening.
  - d. North St section to be bid as an addition and cost agreement to be written.
- 5. Columbia Gas project Phase III – SR160 Cumberland St. to 10th.**
  - a. Columbia Gas line replacement on Stewart St. in ROW, off the cartway.
  - b. Columbia Gas waiting on borough Bid process.
- 6. Diamond street project — *Application 215945***
  - a. This project will close in conjunction with the Main St. project.
- 7. Street activity.**
  - a. Columbia Gas and NPL have completed all activity in the borough.

- b. PennDOT sign to be corrected on White Horse Road.
- c. Check Sewer Manholes multiple locations and days for the Authority.
- d. Water line repair White Horse Road on September 4, 2021.
- e. Water line repair on Stadium Street on September 8, 2021.
- f. Waterline repairs prepared assistance from Mike Fogle.
- g. Street sweeper sent to Main St. for coal cleanup.
- h. Sewer tap for Walsh postponed due to rain.
- i. Catch basin cleaning initiated.

*Council agreed that new owners at 198 Main St. could install a parking area as presented. There is not an ordinance relating to parking access on borough street. Council agreed to place children at play on both ends of Glade View drive. Storm drain catch basin cleaning has been initiated and it has been years since.*

*Discussion pertaining to the water line break and those that responded and the issues that continued. Flares were to be set to assist based on the location. Stephen Custer commended Cliff Horner for working on the water line break.*

*Motion by Thomas L. Fisher and seconded by Marshal J. Engleka to approve the proposed project plan, estimate, and bid for Cumberland Street application 252790.*

*Ayes: 6 Nays: 0 Motion: Carried*

*Motion by Marshal J. Engleka and seconded by Michael A. Lottig to approve the proposed bid opening and special meeting, at 4:00 P.M., in relation to Cumberland Street application 252790.*

*Ayes: 6 Nays: 0 Motion: Carried*

*Motion by Clifford E. Horner and seconded by Marshal J. Engleka to approve the purchase of a case of Flares for the work crew.*

*Ayes: 6 Nays: 0 Motion: Carried*

*Motion by Michael A. Lottig and seconded by Clifford E. Horner to Hire Roger Platt as Part-time as directed for activity for the borough office and report to Tom Glessner.*

*Ayes: 6 Nays: 0 Motion: Carried*

*This motion was made at the previous meeting.*

### **Executive Session**

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

*Motion by Michael A. Lottig and seconded by Clifford E. Horner to recess to executive session.*

*Ayes: 6 Nays: 0 Motion: Carried*

At 5:36 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 Michael A. Lottig and seconded by Thomas L. Fisher to reconvene the regular meeting.*

*Ayes: 6 Nays: 0 Motion: Carried*

At 6:16 P.M., the council reconvened the regular meeting.

*Motion by Michael A. Lottig and seconded by Stephen E. Custer to adjourn this Meeting of the Berlin Borough Council at 6:16 P.M.*

*Ayes: 6 Nays: 0 Motion: Carried*

**Note:**

The next regular meeting of the Berlin Borough Council is scheduled for Thursday October 7, 2021. The next scheduled meeting of the Berlin Borough Council Committee of the Whole is scheduled for Thursday October 21, 2021, at 4:00 p.m., at the Berlin Borough Council Conference/Meeting Room, 700 North Street, Berlin, Pennsylvania.