



APPROVED AND ACCEPTED MINUTES OF THE BERLIN BOROUGH COUNCIL MEETING OF THE WHOLE

January 20, 2022 - 4:00 p.m.

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:

Kevin Yoder – Appalachian Engineering.

Charles asked if Kevin wanted to speak, and he said he was here to support Tom Glessner and discuss the sidewalk project. Tom Glessner presented a chronological list of the occurrences associated with the project 210197. The delays and issues that were encountered through Columbia Gas, PennDOT, the borough and how it affected construction. Kevin confirmed the timing and supported the issues that have been encountered. Kevin explained the increase in material costs from 2020 to 2021 as well as the surface of the sidewalks. Tom presented the timing of the issues and the coordination required to complete the project. A Maintenance bond would be required.

Executive Session proposed time. _____

President's Report

CCIS report for December. (Exhibit 1)

The January 3 council meeting was conducted without the mayor previously being sworn into office. He as Mayor, according to the law is authorized to Swear in Council members. Those council members that were sworn in should sign the oath of office form provided for the borough record.

The borough solicitor's review - according to Section 1002 of the Borough Code, states that the Council members must take and subscribe to the oath before undertaking the duties of their office and that the mayor can give the oath. It says nothing about the mayor having to take the oath before swearing in the council members. Therefore, without any further guidance under the law, it will be fine; however, for future reference the mayor needs to take the oath and sign it before undertaking mayoral duties.

Appointment of Auditors: *Tom Glessner has confirmed Terry Dephillips would accept and is working on additional auditor. If it's OK, Council can make the appointment next meeting.*

Committee assignments:

Charles said committees would stay the same. Charles asked for an updated phone list of everyone.

Lower Diamond Area Plan/Update:

Planning committee held on Monday 01/17/2022 to discuss layout of the park area.

Statement of Financial Interests forms please complete and return to Tom Glessner.

Tom will obtain copies of last year and prepare for next meeting.

Are there any questions or comments?

Motion by Stephen E. Custer and seconded by Thomas L. Fisher to acknowledge the January 3, 2022, council meeting and acceptance of the borough solicitor's review according to section 1002 of the Borough Code.

Ayes: 6 Nays: 0 Motion: Carried

Committees:

GARBAGE COMMITTEE – – (Chair)

1. Camera photos only a few for the week ending December 27, January 3rd, and January 10th.
2. Recycling dumpster is scheduled for exchange week of January 24, 2022.
3. TVs were picked up by JVS.
4. Information was printed on mailer to notify residents to call the borough re: TV/Monitors disposal.

Tom Glessner said no calls have been received regarding the acceptance of TV's or Monitors.

FIRE & POLICE COMMITTEE – – (Chair)

1. PT officers provided 19.5 hours week ending January 1, and 15 hours week ending January 8 and 24 hours week ending January 15, 2022.
2. PT officer completed paperwork necessary to be entered into MOPEC system.
3. Amendment to the SRO agreement to be finalized with the school.
4. Parking on streets have hindered plowing and access.
5. CAD system upgrade required for the cars and the computers.
6. School SRO time and planning.
7. January schedule is posted on the board at the police station.

Tom Glessner said last meeting it was agreed to make Willie Gonzalez the OIC. Motion is required.

Council agreed to follow the contract regarding assignment of responsibility and pay.

Motion by Michael A. Lottig and seconded by Stephen E. Custer to make FT Officer Willie Gonzalez the OIC effective January 1, 2022.

Ayes: 6 Nays: 0 Motion: Carried

The upper diamond has snow piled high on sidewalks and it needs to be removed.

New signs for no parking during winter months signs will be installed as needed. Tom will address.

Dr Reeder from the school said the School board and staff are pleased with Tim Sprowls and his responsibility as SRO.

Tom Glessner reviewed the requested dates for SRO at the school and council agreed that Tom G. should contact Mark Craig and Kevin Huzsek directly to fill the required time at the school.

ELECTRIC & EQUIPMENT COMMITTEE – – (Chair)

1. Generator Update – Generators operated for 1 hour TEST MODE. (Exhibit 6)
2. Work order to correct decorative light on West Main Street.
3. Committee meeting to discuss infrastructure projects, planning and timing.
4. Requested Verizon again to move their lines up on Main Street.
5. Garbage truck # 2 required repairs to rear springs, drums and cam.
6. Pole order delayed due to inclement weather January 21, 2022.
7. Police car alignment to be scheduled week of January 24, 2022.
8. Decorative Lamp to be installed after final lines are raised.
9. 710/712 Shady Lane electric underground.

Tom Glessner said the Poles were delivered today 1/20/2022.

Date for Committee meeting Monday 1/31.

PERSONNEL & FINANCE COMMITTEE – – (Chair)

1. Treasurer's Report and Bills: - The reports for December 2021 have been included in the Council meeting packets. (Exhibit 2 & 3)
2. Annual Treasurer Report 2021. (Exhibit 4)
3. Property Maintenance Complaints & Right to Know Law Requests Cost Summary:
 - a. One RTK/Appeal received in December. The 2021 YTD total \$907.00.
 - b. RTK requests for January.
4. The disconnection notices were issued on January 19th and on January 31st Muni-link notification by phone call or txt to those customers who still show unpaid at that time. Those customers unpaid as of February 3rd, 2022, will receive disconnection on February 4, 2022.
5. The Dept of the Auditor General Bureau of Municipal Pensions Audits completed their audit for the period January 1, 2017, to December 31, 2020.
6. Resolution # 01202022-01.
7. Executive Session - Required Personnel, Contract, and Recommendation/Discussion.

Tom Glessner said the RTK amount for the YTD is corrected from the last meeting.

Executive session required.

Motion by Michael A. Lottig and seconded by Marshal J. Engleka to approve the Bills and Treasure's Report as presented for the month of December 2021 presented at the meeting.

Ayes: 6 Nays: 0 Motion: Carried

Motion by Michael A. Lottig and seconded by Clifford E. Horner to approve and accept resolution #01202022-01 for the Berlin Borough specific rates as presented.

Ayes: 6 Nays: 0 Motion: Carried

HOUSE COMMITTEE – – (Chair)

1. The American Rescue Plan – received additional detail regarding the use and disbursement.
2. MEI systems mobile camera was removed from the borough lot.
3. Additional quotes required for independent camera system.
4. Waiting on AMP follow up regarding the project development agreement on the tower.
5. Request from local business regarding possible electric fixture grant money available.
6. Commonwealth Code Somerset Office to close January 31, 2022 – relocate to Bedford office.
7. AMP investigating possible grants relating to the business request.
8. Keystone collections group request notice for earned income for residents and businesses be placed on the borough website. (Exhibit 5)
9. Effective January 1, 2022- Somerset County Subdivision and Land Development Ordinance.

Tom said he has yet to review the details on the disbursement of the ARPF.

Charles asked about the possible issues with the change in address for CCIS, Tom has addressed the issue and the inspector will still be local to Somerset county. That will not change. Any request from residents can be scanned and sent to the Commonwealth office.

STREETS, STORM SEWERS & SIDEWALK – – (Chair)

1. Grant requests

- a. Support letter to Director Somerset County Parks and Trails, for 911 trail Grant request.

2. Columbia Gas project - Phase I - *application 210197* 12th Street to Cassel

- a. Kevin Yoder prepared CS forms on January 16, 2022, Tom G. sent to PennDOT.
- b. Brian reviewed electric bases in front of the school to prepare for installation.
- c. Work order issued to Wiedenhoft for underground and decorative lights.
- d. Crilon request payment submitted with a 5% retainer for grass and seeding.

3. Main Street Revitalization - *MPMS-111482*.

- a. There is a single Decorative Lantern to be installed on Main St. when lines are raised.
- b. Street signage to be completed in accordance with the project.
- c. Paving is planned for 2022, Determination of parking lane required.
- d. Re-development Authority request to complete the project in \$2,681.74
- e. Cement construction repair request at 543 Main Street – spring 2022.

4. Cumberland street and Main to Ash. *application 252790*

- a. Agreement for sidewalk replacement to be completed.
- b. MandB plans to initiate construction in the spring - April.
- c. Cemetery association deposit received.
- d. Notification to proceed timing based on weather - April anticipated.

5. Columbia Gas project Phase III – SR160 Cumberland St. to 10th.

- a. Columbia Gas scheduled to complete sidewalk and paving in the spring.
- b. Request sent to Verizon to transfer lines and remove poles.

6. Diamond street project – *Application 215945*

- a. Diamond and Main Street water accumulation addressed and will review in the spring.

7. Street activity.

- a. Sewer backup at 1105 Main Street requires discovery of utility access holes on Main.
- b. Main Street sewer line flush in conjunction with Randy Yunkin. Additional flushing to be scheduled with the Water Authority.

Paving for Route 2030 will be this year and PennDOT is coordinating with the borough. Tom G. said he has communicated the future construction projects with PennDOT and listed the possible issues at the intersection of Cumberland and Main.

Motion by Thomas L. Fisher and seconded by Michael A. Lottig to approve the balance on the Main Street project payable to the Redevelopment Authority in the amount of \$2681.74.

Ayes: 6 Nays: 0 Motion: Carried

~~Motion by _____ and seconded by _____ to approve parking move to the _____ bound side of Main Street.~~

~~Ayes: _____ Nays: _____ Motion: _____~~

Motion by Marshal J. Engleka and seconded by Stephen E. Custer to issue payments to Crilon re: job # 210197 as discussed. Based on the agreed contract amount and to hold 5% for seeding in the spring, and to receive a Maintenance Bond on the project prior to issuing payment.

Ayes: 6 Nays: 0 Motion: Carried

Executive Session

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

Motion by Michael A. Lottig and seconded by Thomas L. Fisher to recess to executive session.

Ayes: 6 Nays: 0 Motion: Carried

At **5:46** 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 Stephen E. Custer 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 Clifford E. Horner to adjourn this Meeting of the Berlin Borough Council at **6:17** P.M.*

Ayes: 6 Nays: 0 Motion: Carried

Note:

The next regular meeting of the Berlin Borough Council is scheduled for Monday February 3, 2022, at 7:00 p.m. The next scheduled meeting of the Berlin Borough Council Committee of the Whole is scheduled for Thursday February 17, 2022, at 4:00 p.m., at the Berlin Borough Council Conference/Meeting Room, 700 North Street, Berlin, Pennsylvania.