



APPROVED AND ACCPTED MINUTES OF THE BERLIN BOROUGH REGULAR COUNCIL MEETING

February 3, 2022 - 7:00 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>Present – left the meeting at 8:35pm</i>
Marshal J. Engleka	<i>Present</i>
Michael A. Lottig	<i>Absent</i>
Stephen E. Custer	<i>Present</i>
Thomas L. Fisher	<i>Present</i>

Mayor Joseph Krause *Absent*

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

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

Executive Session proposed time. _____

The following have asked to address the Council:

Debbie Bittner

Charles asked Ms. Bittner if she would like to speak.

Debbie said she was a Maryland teacher for 43 years. She owns a farm.

She wanted to bring to the Boroughs attention that Children are being brought over to our Country and dropped off in our area.

Coyotes – steal these children.

Some are unable to speak English and their origin is unknown.

Research – shows that they are picking small towns with small airports

Plan ahead – if this happens

Ladies @ Quality group – Luther Church

Churches – Look into the situation first as there is a lack of housing and meals

Dangerous places to go

Tom Fisher said he would speak with the churches

Doesn't want to see kids smuggled or who knows what can happen if unaware

Police awareness

Schools to be notified

Asked if police coverage is 24/7

Governor DeSantis – wouldn't let them off buses in Florida

Council is not equipped to manage this situation to take children into our town

Approval of Minutes:

Minutes of the January 3, 2022, Reorganization meeting were forwarded for review with the Council meeting packets. (*Exhibit 3*)

Motion by Stephen E. Custer and seconded by Clifford E. Horner to approve and accept the minutes of the Reorganization Meeting of the Berlin Borough Council held at 7:00 P.M. and dated January 3, 2022.

Ayes: 6 Nays: 0 Motion: Carried

Minutes of the January 3, 2022, Regular Borough Council Meeting were forwarded for review with the Council meeting packets. (*Exhibit 1*)

Motion by Marshal J. Engleka 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 January 3, 2022.

Ayes: 6 Nays: 0 Motion: Carried

Minutes of the January 20, 2022, Committee of the Whole meeting of the Berlin Borough Council were forwarded for review with the Council meeting packets. (*Exhibit 2*)

Motion by Clifford E. Horner and seconded by Thomas L. Fisher to approve and accept the minutes of Berlin Borough Council Committee of the Whole Meeting held at 6:00 P.M. dated January 20, 2022.

Ayes: 6 Nays: 0 Motion: Carried

President's Report

CCIS report for January. (*Exhibit 4*)

Telephone list and Committee Report updated for 2022.

Lower Diamond Area Plan/Update:

Message/Map board, benches, and bike rack.

LED Bulb replacement for the decorative lights – estimate \$1,500.

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

Meeting held on January 25, 2022, update.

Appointment of Borough Auditors.

Resolution 02032022-01 Bank Signatures.

Motion by John F. Harding Jr. and seconded by Thomas L. Fisher to appoint Terry Dephilips as the Borough Auditor for the year ended December 31, 2022.

Ayes: 6 Nays: 0 Motion: Carried

Motion by Marshal J. Engleka and seconded by Clifford E. Horner to appoint Scott Gilmore as the Borough Auditor for the year ended December 31, 2022.

Ayes: 6 Nays: 0 Motion: Carried

Motion by Stephen E. Custer and seconded by Marshal J. Engleka to approve RESOLUTION 02032022-01 as required for bank signatures and authorization.

Ayes: 6 Nays: 0 Motion: Carried

Charles brought up a request from the Water Authority Meeting regarding a “Buried Utilities training session provided by Rural Water and Tom suggested we send Roger Platt.

Motion by Stephen E. Custer and seconded by Clifford E. Horner to approve and send Roger Platt to the Rural Water seminar in Altoona on April 5, 2022.

Ayes: 6 Nays: 0 Motion: Carried

Tom Glessner is working on a grant request for the lower diamond area. It is limited to park area. Tom explained the possible preparedness required by AEG in relation to the grant request. \$25,000 possible.

Tom Glessner spoke to the Fire department regarding the LED bulbs required for the snowflakes, and the comparison from main vs Broadway. Not sure if there is grant funds available for this type of project.

Police Report: - Mayor Joseph G. Krause - Unavailable at this time.

January 1 through January 31, 2022:

Charles said to notify the OIC.

Motion by _____ and seconded by _____ to approve and accept the Police Report as presented.

Ayes: ____ Nays: ____ Motion: ____

Are there any questions or comments?

Committees:

GARBAGE COMMITTEE – John Harding – (Chair)

1. Camera photos for the week ending January 16 and 23, 2022, are printed for review.
2. Recycling dumpster is scheduled for exchange week of January 31, 2022.
3. Dump access unlocked during the winter season? ***April meeting***
4. There were no TV's placed at dumpsters.
5. There have been no requests for TV or electronic recycling from residents.

Charles asked if there were any issues at the dump?

Tom G. said he visits the site weekly and there were not any at this time.

Suggestion to bring it back up at the April meeting.

PERSONNEL & FINANCE COMMITTEE – Clifford Horner – (Chair)

1. Treasurer's Report and Bills: - Unavailable at this time.
2. Property Maintenance Complaints & Right to Know Law Requests Cost Summary:
 - a. There was one RTK requests received in January.
3. The disconnection notices were issued on January 19th and on February 1st Muni-link notified by phone call or txt those customers who still show unpaid at that time. Those customers unpaid as of February 3rd, 2022, will receive disconnection on February 4, 2022.
4. For review is the annual maintenance agreement for the FCS software and Mobile Collector 3 Lite System is due May 2022. (Exhibit 5).
5. Committee to review and discuss financial projections for the Borough.
6. Executive Session - Required Personnel, Contract, and Recommendation/Discussion.

Tom Glessner asked if the council would agree to provide the \$30.00 glove allowance to each laborer in the form of a check in lieu of provided them with gloves. The borough purchased an abundance of gloves last year as a close out from the supplier and there is stock at this time. If employees wish to purchase gloves directly, they can.

Motion by Marshal J. Engleka and seconded by Clifford E. Horner to approve payment in the form of a check to each laborer for the \$30.00 dollar glove allowance.

Ayes: 6 Nays: 0 Motion: Carried

FIRE & POLICE COMMITTEE – Tom Fisher – (Chair)

1. PT officers provided 15hrs. week ending January 22nd and 25hrs. week ending January 29th.
2. Committee Meeting held on 02/01.
3. No Parking signs installed on electric poles throughout town.
4. NASRO Online training scheduled for February 2022, first available.

Tom said the snow and cars on Diamond Street were a problem with Verizon and PennDOT plowing. Officer Huzsek was notified by Tom Glessner, and he addressed the issue.

Both companies had employees stop in the office to address the issue.

*Tom Fisher addressed the committee meeting held on 02/01
Marshall explained that the meeting held on 02/01 got a little heated.
Tom Fisher said Police don't want to do paperwork or have any problems.*

*Tom Glessner explained that it was more than a little heated. That he explained the actions from the prior week, and this was more than about MOPETC.
Tom Glessner said he took notes from the meeting and would like to read the notes to council.
Notes as read: from documentation.
January 16/17 – winter storm*

January 19, 2022

*Tim Sprowls SRO sent me an email with the pertinent dates that he was going to be out of the school.
I told him I would confirm with council and let him know how to approach his substitutions.*

January 20, 2022

Council Meeting – Authorized Tom Glessner to contact Mark Craig and Kevin Huzsek to see if they could cover the SRO position, while Tim was away from the school.

January 21, 2022

January 21, Dave Nightingale – asked Kevin to go check on him as a call came to the borough regarding his well-being.

*January 24, 2022 – Kevin msg – not able to fill in at the school this week
Mark Craig – Tom sent him the email with dates to substitute*

January 25, 2022- spoke to willie about coverage in the afternoon on 1/26 – just a walk through.

January 26, 2022 – 6:33 am – Mark Craig planning on coming in to school around noon or so that way they will have coverage till end of day

*6:48 am, I ask Mark to TXT Willie and let him know
I told Mark I think Kevin is on until 2pm today. Any of the other days' work for you let me know.
Thanks
Mark – txt 11:27 am Sorry just got up I talked to Kevin. I'll be going in for the rest of the day.*

*Tom at RTTC – Altoona Driving Home.
Tom called to confirm coverage at the school.*

January 26 2022

Willie came to my office and said he was the OIC, and I didn't need to call his officers. I explained that it was approved by council on 01/20/2022 to contact them directly to fill in as SRO. They are qualified. Willie said I am not to contact them directly everything has to go through him now that he is OIC. He did it when Rodney was here, and he was an asset to the borough. There is a chain of Command that I need to follow. I said that the SRO position is not a police officer any longer and council said for me to get substitute for Tim.

Willie said Council asked him to be the chief of Police, I said I didn't know the council offered him the position, he said yes, they did, and I asked him who on council offered him the position, because I didn't know. He said again Council offered him the position and he contacted the union and decided against it, and he decided he would be the OIC instead. I said I will bring that up at the next meeting, because I didn't know he was offered the position. I asked him again who offered him the position, and he said he didn't have to tell me. He said he has been doing the job and not Brian Fochtman who was only at the school. I said Well that also needs to be at the next council meeting.

January 30, 2022

Tom working on Sunday – John Harding stopped to pay his bill, asked what was going on?

He was called about a committee meeting.

January 31, 2022

Tom Fisher stopped asked what was on the agenda? It Should be short meeting. He said he was having a committee meeting on Tuesday at 4:30 at the police station. I said I had Joe install signs on the poles for parking. Regarding plowing or parking on the street? He said Joe asked him that Tom G – not be invited to the committee meeting. I explain the issue with Willie from last week and Tom F said we should talk about it. He said I should come, and we need to discuss this.

Committee meeting on February 1, 2022.

Tom Fisher, Joe Krause, Willie, Marshal and myself.

TF called TG to come down.

Meeting started about discussing MOPETC. Willie said he didn't want me to direct his officers. He is the OIC.

I said is this meeting more than just about that, I explained the situation and discussion with Willie from the week prior.

Willie said he didn't say that Council offered him the COP position multiple times, I said yes you did, and he tried to back pedal out of it.

I began to take notes because I could see this was not going to be good.

He said only Joe the Mayor can direct the officers and we need to follow the chain of command.

Willie finally said that he did say Council offered him the COP position. I asked again who on council offered him the position.

"Willie said he doesn't need to tell me who offered him the COP position.

He called me a "Back stabber" and I said at least I'm not a liar.

He brought up MPOC and said I was not authorized to enter data and should not be doing the entry. That on June 14, 2021, the police background was to be completed by the police department and not the borough.

Willie said before the borough hires an officer, he has to do the Background check, and Tom is not allowed to do the background check.

*I said I've been doing it for some time and MPOC has not told me that I can't.
I told Tom Fisher that I didn't have a problem with them doing the data entry.*

Willie said Tom should not be involved in Police activity, and that the Chief badge needs to be returned to the police station, it should not have been given to Tom.

Willie said he is tired of the mayor being treated the way he is with no disregard for his position.

Willie said I think he is #@!!&, and he speaks 2 languages and holds 2 degrees.*

*Willie brought up and said that 3yrs ago, he accused me of claiming he should be discharged for job abandonment. I didn't know what he was referring to until Tom Fisher said that is when his brother was killed, and he was off work for 30days. I asked who told him that and again and he would not tell me who said that, but he said it was a reliable source. * Note to self - This incident and his employment was discussed in exec session. I asked again and he said he didn't have to tell me. Willie said Joe instructed him to remove me Tom Glessner from the MPOC system authorization.*

TF said police and Joe mayor are to deal with ordinance violations and he has been trying to get them to do this all along for years. Brought up letters to residents, and I said it's been 3 years and it has not been done. I said sidewalks haven't been shoveled and Joe said Custer just told him today that was the first he heard about it. I said it snowed weeks ago, and it was discussed in the council meeting and Steve told me about again. I said so nothing gets done until someone brings it to your attention. Marshal jumped in and made note about the 3 notices given to mayor and brian about ordinance violations.

*Willie said
Council could take the application
Hiring is OK
Background – police had to do
TF would ask council to involve the police*

*TF would ask if the council would allow willie to be involved
The law says the police have to interview and talk to 3 references.*

You-tube – willie locked up a computer

*ACT 57 – unknown law
SRO - Issues
Cars- Tom
Maintenance - Tom
Computer updates - Tom
Certifications – Tom input
Breath – stolen another issue from Willie
Ammunition- Brian and Tom spoke to council
Guns – Brian and Tom*

Discussion continued – Council agreed to contact the solicitor

Marshal said there are a lot of ordinances that don't apply or need to be corrected.

Solicitor could be contacted for recommendations.

Tom Glessner suggested PSAB – regarding ordinance redacting.

Charles suggested solicitor review ordinance 300.

Tom Fisher said someone is interested in purchasing property on Station hill and what would need to be done to sell. Are there maps here? Tom G said deeds should be and will ask solicitor what is required.

Tom Fisher has his IPAD and interested in purchasing – Tom Glessner will look at the resale price online.

Joe Krause installed-no parking signs example of sign shown to council.

ELECTRIC & EQUIPMENT COMMITTEE – Mike Lottig – (Chair)

1. Generator Update – Generator report unavailable.
2. Peak shaving has been actively monitored during the month due to extremely low temperatures. The generators have been in operation multiple days.
3. Committee meeting held 1/31 to discuss projects, pole requirement and planning.
4. Notified Kiem regarding update of electric meter box.
5. Notified Custer regarding Pole installation at 710 and 712 Shady Lane.
6. Work order to correct decorative light on West Main Street sent on January 18, 2022.
7. Replacement Equipment for Meter Reading – Quote. (Exhibit 6)
8. Computer system required for FCS/PT position.
9. Wiedenhoft to schedule decorative lamp on main Street.
10. Decorative Light stock required.

Motion by Marshal J. Engleka and seconded by Clifford E. Horner to approve the purchase of the Itron equipment handheld meter reader in the amount of \$ 7,237.07.

Ayes: 5 Nays: 0 Motion: Carried

Quote on car, tires, and inspection for Subaru.

Computer for Jessica and the FCS software system – It was not updated previously Cindy old computer Tom G to get a quote.

Wiedenhoft requested Deco lights for stock. We still have 4 in stock for in front of the school.

Tom prepared a schedule of poles and discussion from the committee meeting held on 1/31.

HOUSE COMMITTEE – Stephen Custer – (Chair)

1. Covid-19 Testing at the Friedens Lutheran Church February 1 – 12, 2022. (Exhibit 7)
2. The American Rescue Plan – received additional detail regarding the use and disbursement.
3. AMP follow up regarding the project development agreement on the tower.
4. Citizens Power is an active company located in Pittsburgh.
5. AMP provided information for grants relating to business lighting and street lighting.
6. Fuel Tank inspection scheduled for February 8, 2022.
7. Additional quotes requested for independent camera system.
8. Department of General Services Salt contract Due for 2022-2023. Same as last year.
9. APPA Legislative rally scheduled for February 28 – March 2, 2022. (Exhibit 8).

Tom to read detail of ARFP Plan document. Webinar is coming next month.

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

1. Grant requests

- a. January 26, 2022, Southern Alleghenies RPO Joint RTCC & RTTC Meeting.
- b. Recreational Grant request to be submitted to the SAPDC.
- c. Grant requirements – request to be provided by AEG prior to submission of the grant.
- d. Lighting fixture grant request determination and possibilities.

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

- a. Crilon provided maintenance bond for the project.
- b. Payments issued less 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. Cement construction repair request at 543 Main Street – spring 2022.
- c. Paving is planned for 2022, determination of parking and bicycle lane required.
- d. PennDOT has been contacted regarding bicycle lane and parking.

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

- a. Agreement for sidewalk replacement to be completed in March.
- b. MandB plan updated is to initiate construction in March based on weather.
- c. Notification to proceed timing based on weather - March 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 spring.

7. Street activity.

- a. A list of the borough Signage is completed and available for discussion and review.
- b. Street closed 5th avenue from Main to the bank drive through. due to the danger associated with the enormous ice cycles.
- c. Main Street requires discovery of utility access holes on East Main.
- d. Sewage backup at 1105 Main Street.

Executive Session

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

Motion by _____ and seconded by _____ to recess to executive session.

Ayes: ___ Nays: ___ Motion: _____

At _____ 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 _____ and seconded by _____ to reconvene the regular meeting.

Ayes: ___ Nays: ___ Motion: _____

At _____ P.M., the council reconvened the regular meeting.

Motion by Stephen E. Custer and seconded by Thomas L. Fisher to adjourn this Meeting of the Berlin Borough Council at 9:21 P.M.

Ayes: 5 Nays: 0 Motion: Carried

Note: The next regular meeting of the Berlin Borough Council is scheduled for Thursday March 3, 2022. 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.