



**Borough of Berlin  
700 North Street  
Berlin, PA 15530**

## **Regular Council Meeting**

**August 3, 2023 – 4:30 P.M.**

### **Approved and Official Minutes**

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The meeting was called to order by President Charles Rhodes

Pledge of Allegiance to the American Flag was quoted.

**Council Attending:**

Charles Rhodes – Present

Michael Lottig – Present

Clifford Horner – Present

John Harding – Present

Marshal Engleka – Present

Stephen Custer – Present

Thomas Fisher – Present

Mayor Joseph Krause - Present

Others Attending – Brian Coughenour; Bruce Landis; Darryl Maust; R. Clem Mulot, PMCA; Sharon Hamm, PMCA; Lois Witt Caton, Solicitor and Traci Horning, Executive Borough Secretary.

Lois Witt Caton, presented to the council board about creating an Ordinance for ATV's and Snowmobiles.

Lois Witt Caton, presented an Ordinance for ATV's and Snowmobiles that the council board is thinking about creating. There was a discussion about the Ordinance for ATV's and Snowmobiles and the council members having the solicitor do an ordinance that will be advertised and approved at the next meeting being held September 7, 2023.

A discussion regarding the Disciplinary Policy for the police department. Since there are only two (2) full-time police officers the Borough of Berlin falls under the Police Tenure Act the Borough is being advised not to create a disciplinary policy.

R. Clem Malot, Chief Code Officer for PA Municipal Code Alliance presented to council members what all the office has to offer to the Borough. The office is located at 510 Georgian Place, Somerset, PA 15501.

Bruce Landis, representing the Holy Trinity Lutheran Church at 525 Main Street, Berlin, PA 15530. A discussion about the building on the corner of Vine Street and Fletcher Street. The Borough of Berlin uses that building and has maintained the building for as

long as anyone can remember. The Church wants an agreement between them and the borough for the use of that building.

Darryl Maust presented to the council members a letter that was written and signed by Darryl and Michelle Maust and Colby and Victoria Slifco to permanently close the alleyway between their properties of 821 Diamond Street and 817 Diamond Street. Understanding is each homeowner will become owner of one half of the alleyway. Further discussion when the council gets to the streets, sidewalks and storm sewer on the agenda.

Motion by Michael Lottig, seconded by Stephen Custer, to approve the July 6, 2023, Regular Council Meeting. Ayes 7, Nays 0. Motion carried.

Motion by Marshal Engleka, seconded by Michael Lottig, to approve the Mayor and Police Department's Report for July 2023. Ayes 6, Nays 0. Motion carried.

#### Park and Planning

None.

#### Garbage

Garbage truck is still on schedule on being built.

#### Personnel and Finance

Motion by Stephen Custer, seconded by Thomas Fisher to approve the July 2023 bills. Ayes 7, Nays 0. Motion carried.

Motion by Michael Lottig, seconded by Clifford Horner to approve the Treasurer's Report for July 2023. Ayes 7, Nays 0. Motion carried.

Teeter Group of 1400 Eisenhower Blvd., Suite 102, Johnstown, PA 15904 has recommended Pollution Liability Insurance and Cyber Solutions Cyber Liability and Data Compromise Insurance. The council would like to have Teeter Group come to the next meeting September 7, 2023, to answer questions the council have.

Motion by Michael Lottig, seconded by Clifford Horner to approve the Resolution Authorizing the Disposition of Records. Ayes 7, Nays 0. Motion carried.

## **BOROUGH OF BERLIN**

### **RESOLUTION No. 08032023**

#### **A RESOLUTION AUTHORIZING THE DISPOSITION OF RECORDS**

WHEREAS, by virtue of Resolution No. 08032023, adopted this 3<sup>rd</sup> of August 2023. The Borough of Berlin Council declared its intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved December 16, 2008, and,

WHEREAS, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by resolution of the governing body of the municipality;

NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved, that the Borough of Berlin, Somerset County, Pennsylvania, in accordance with the above cited Municipal Records Manual, hereby authorizes the disposition of the public records as listed on the attached request to dispose of records.

ATTEST:

BOROUGH OF BERLIN

BY:

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Traci Horning  
Executive Secretary

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Charles E. Rhodes  
Borough Council President



### House

Community hall door has been ordered and will be 4 to 5 weeks till it arrives.

### Streets, Sidewalks, Storm Sewers

Discussion among council members and the solicitor regarding an ordinance for side-by-sides in Berlin Borough. A request was made to set a curfew of midnight to 6:00 am to not be able to ride. The council would like to have the Borough solicitor do an ordinance that will be advertised and approved at the next meeting being held September 7, 2023.

Motion by Michael Lottig, seconded by John Harding to approve the solicitor to do an ordinance for side-by-sides in Berlin Borough and have the ordinance advertised before the next meeting September 7, 2023. Ayes 7, Nays 0. Motion carried.

Motion by Marshal Engleka, seconded by Clifford Horner to approve Brothersvalley Township to tar and chip on Station Hill Road from South Street to the Berlin Borough line. Estimate cost of \$1,310.00. Ayes 6, Nays 1. Motion carried.

The Borough received a call with a complaint due to someone getting a parking ticket for parking on Main Street in front of the chiropractic office. It was explained to her that the No Parking signs are due to the bike lane being on that side of the street. This individual wants the council to have these No Parking signs removed. Council members discussed the No Parking signs on Main Street from Broadway Street to Diamond Street. The signs can't be removed due to Main Street is a PennDOT state road and part of the grant money to do the sidewalks for that section PennDOT proposed a bike lane to be placed and No Parking signs to be put up.

Local Share Account Statewide Grant is open September 1, 2023, and closes November 30, 2023. This grant can be used for sidewalks. The council discussed where to use this grant if the Borough is awarded the money. Need to contact Kevin Yoder of Appalachian Engineering Group LLC to get an estimate on the cost to replace the sidewalks.

Per email from Enviro Trac they are requesting public utility maps to show underground utilities, a letter to state all borough residents are connected to borough water due to installing underground monitoring wells for Diamond Mini Mart on Broadway Street. The council wants an agreement with Enviro Trac to put these underground monitoring wells in the right of way.

Darryl Maust resident of 821 Diamond Street, Berlin presented a letter to the council wanting the alley closed between Darryl & Michele Maust of 821 Diamond Street, Berlin and Colby & Victoria Slifco of 817 Diamond Street, Berlin with the understanding that each property owner will become owner of one half of the alleyway.

Motion by Michael Lottig, seconded by John Harding to approve the closing of the alley way between Darryl & Michele Maust of 821 Diamond Street, Berlin and Colby & Victoria Slifco of 817 Diamond Street, Berlin with the understanding that each property owner will become owner of one half of the alleyway. Ayes 7, Nays 0. Motion carried.

#### Electric & Equipment

Discussion among council members regarding the white building on the corner of Vine Street and Fletcher Street. Have Lois Witt Caton, Solicitor to do an agreement between the Borough and the church.

#### Fire & Police

Police Coverage hours:

June 25 – July 1

FT hrs = 60 (W. Gonzalez 60)

PT hrs = 6 (M.Craig 6)

July 2 - July 8

FT hrs = 50 (W. Gonzalez 50)

PT hrs = 4.5 (M.Craig 4.5)

July 9 – July 15

FT hrs = 50 (W. Gonzalez 50)

PT hrs = 4.5 (M.Craig 4.5)

July 16 – July 22

FT hrs = 50 (W. Gonzalez 50)

PT hrs = 4 (M.Craig 4)

July 23 – July 29

FT hrs = 80 (W. Gonzalez 40, R. Norman 40)

PT hrs = 0 (M.Craig 0)

The police department union contract is set to expire December 31, 2023. A meeting is scheduled for August 9, 2023, for negotiation.

Full-time police officers of 3 or more must follow the civil service. Currently under the Police Tenure Act with less than 3 full-time officers' recommendation to stay with the Police Tenure Act.

The fire whistle at the Berlin Pharmacy was fixed on July 31, 2023, it had a blown fuse.

#### Other Information

The council requested to get the cost for PA Municipal Code Alliance to provide service to the borough.

Version sent a letter of notice of proposed broadband deployment project pursuant to the covid-19 ARPA Capital Project Fund Broadband Infrastructure Program.

First Energy sent a letter of notice of Communication Cable Installation Allegheny Berlin Project.

J.B Schrock Community Park on 700 South Street is celebrating its 75<sup>th</sup> Anniversary Celebration on Saturday September 2, 2023, from 10 a.m. to 2 p.m.

#### Municipal Authority Update

None.

#### Adjournment

At 6:13 P.M. a motion was made by Michael Lottig, seconded by John Harding to adjourn this meeting. Ayes 7, Nays 0. Motion carried.

Traci Horning

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Submitted By: Traci Horning, Executive Secretary