APPROVED AND OFFICIAL
MINTES OF BERLIN BOROUGH COUNCIL MEETING

January 6, 2020 - 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	***Present***
Clifford E. Horner	***Present***
John F. Harding, Jr.	***Present***
Michael A. Lottig	***Present***
Stephen E. Custer	***Present***
Thomas L. Fisher	***Present***
Thomas W. Jones	***Present***
Mayor Joseph Krause	***Present***

Also, in attendance is Thomas E. Glessner, Executive Borough Secretary, Jr. Council Member – Josh Bonadio, and Brad Allison – Borough Solicitor.

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

Executive Session proposed time. ***7:20 PM***

The following have asked to address the Council:

Dale and Mary Werner – 198 West Main St. – Street Variance request
Jason Huston- Builder - New Garage for Werner's
Adam and Richelle Powell – 194 West Main St.
Alexander Boose – Adam Powell's Attorney

Approval of Minutes:

Minutes of the December 5, 2019 Regular Borough Council Meeting were forwarded for review with the Council meeting packets. *(Exhibit 1)*

Motion by John Harding and seconded by Cliff Horner to approve and accept the minutes of the Regular Meeting of the Berlin Borough Council held at 7:00 P.M. and dated December 5, 2019.

Ayes: 7
Nays: 0 Motion: **Carried**

Minutes of the December 19, 2019 Committee of the Whole meeting of the Berlin Borough Council were forwarded for review with the Council meeting packets. *(Exhibit 2)*

Motion by Mike Lottig and seconded by Tom Fisher to approve and accept the minutes of Berlin Borough Council Committee of the Whole Meeting held at 4:00 P.M. dated December 19, 2019.

Ayes: 7
Nays: 0 Motion: **Carried**

NOTES:

Brad Allison explained ordinance 300 to the resident audience. He commented to Attorney Boose that the Borough code is not clear regarding the term "street" and includes the sidewalk. Street reference is not clear and undefined.
Powell commented they werner's didn't request the variance or take note to special exceptions.
Brad commented that the special exception regarding both properties are in non-conforming both buildings and owners.
Powell commented that it is light blocking on the lower level
Powell ?'d variance previously for resident across the street why not approved.
Mary Werner – Ask why – it was not until cement was installed that it was an issue.
Commented on prior place where Vickie's wall had to be moved.
Tom Fisher – explained paying for ½ of the cost of sidewalks for the Werner's in the past current and some others – Questioned who else had to pay – no names given.
Tom Asked how large is the lot behind house – Mary answered from the stop sign to 2nd ave belongs to Wayne Shaulis. The council has worked on the beautification project and the consistency of homes would be a positive. Mary Werner asked to stop.
Tom asked if the Powell's porch is on the RW and if so it isgrandfathered in.
Brad – Would request on advice from council. Based on language he will address with council setback are put in place.
Adam Powell – said he has waited since veterans day for contact on what set back info.
Brad – commented on Special exception – and explained what it is based on the ordinance 300
Adam Powell – had not been contacted
Brad-said the "street line" and "ROW" is not defined
Tom Fisher asked is there and amicable agreement for both parties to go to 16 FT
Adam commented he is not prepared to answer.
Mary – suggested to just fill it with shale.
Tom Fisher said the roof line will not tie in if it is set back from current building
Mary said they will fill with shale or get a new drawing.
Discussion ended at 8:40 pm
There were many comments with multiple people talking.

President's Report

Census 2020 – April 1, 2020 is Census Day. The U.S. Census Bureau welcomes municipalities attendance at the Grand Opening of the State College Area Census Office. The program begins at 10:00am **Tuesday January 14** with remarks from Census officials and Complete Count Committee leaders. Optional facility tours will be conducted tours at 10:30am, 11:00am and 11:30am. **The Census Office is located at 60 Decibel Rd., Suite 103, State College, PA 16801**

CCIS Activity Report – CCIS report for December 2019. (Exhibit 3)
Property Maintenance & Building Code Complaints –
Rhonda Brandt – 104 Orchard St. #5 received citation for unsafe building condition.
Nomination of Water Authority member to fill vacant position.

Police Report: - Mayor Joseph G. Krause

December 1 through December 31, 2019:
Calls dispatched: 68
Investigations: 4 Open 0 Closed 4
Traffic Stops: 2 Warnings 2 Citations 0
Parking tickets: 0
Borough Ordinance Violations: 0
Non-Traffic citations: 0

January 1 through December 31, 2019:
Calls dispatched: 857
Investigations: 97 Open 0 Closed 97
Traffic Stops: 69 Warnings 57 Citations 12
Parking tickets: 0
Borough Ordinance Violations: 12
Non-Traffic citations: 26

Criminal arrests: 3 Criminal arrests: 12

*Motion by **Mike Lottig** and seconded by **Cliff Horner** to approve and accept the Police Report as presented.*
Ayes: 7
Nays: 0 Motion: **Carried**
Are there any questions or comments?

Committees:

GARBAGE COMMITTEE – John Harding – (Chair)

1. Tires and TV's placed at dumpsters – issues to be addressed by the Mayor, with notices, letters, and citations.
2. Jimmy Snyder has returned 4 Dumpsters and we sent him 3 more to repair. We have 14 dumpsters in stock.
3. The 34 customers with ash accounts were audited this month, 1 new customer was added, and follow-up will be made on 8 customers to confirm continuation of service.

PERSONNEL & FINANCE COMMITTEE – Cliff Horner – (Chair)

1. Contract and Personnel Recommendation/Discussion – Executive Session.
2. Property Maintenance Complaints & Right to Know Law Requests Cost Summary:
    a. There were zero RTK requests received in December and some time spent on Property Maintenance Complaints. The YTD total $2,922.50.
3. Treasurer's Report and Bills: – The reports for December 2019 have been included in the Council Meeting Packets (Exhibit 4,5).
    Are there any questions or comments?

*Motion by **Tom Fisher** and seconded by **John Harding** to approve the bills and Treasurer's Report as specified for December 2019 on Exhibit 4 & 5.*
Ayes: 7
Nays: 0 Motion: **Carried**

FIRE & POLICE COMMITTEE – Tom Fisher – (Chair)

1. Fire Sirens – have been returned to the borough by John Walker. (Photos to present)
2. Meeting on January 1, 2020 with the VFD and Tom Glessner – include base station installation in the radio room, antenna, installation of the sirens, and upstairs electric room.
3. VFD – will accept the Christmas Sleigh built by the school, and will display it next year.
4. Discussion with Brian Wiedenhoft regarding installation of the sirens and scheduled within the next two weeks, weather permitting.
5. Jerry Perry to communicate with Joel Landis and Tom Glessner on siren test and written procedures.

*Motion by **John Harding** and seconded by **Tom Fisher** to approve the payment for the repair of fire sirens by John Walker in the amount of **$665.00**.*
Ayes: 7
Nays: 0 Motion: **Carried**

ELECTRIC & EQUIPMENT COMMITTEE – Mike Lottig – (Chair)

Generator Update – The generators operated for 1 hour and 59 minutes in Test Mode and 40 minutes of that time was test with load, and on 12/18 we operated 1 hour and 8 minutes with load management. (exhibit 6)

1. PowerSecure on site 12/10 - unit P2 service call – Replace overflow valve and pressure relief valve, due to hard starting.
2. PowerSecure and their Service partner HVM performed Transformer PM's and Switchgear PM's on 12/20.
3. The Motorola Radio approved on 12/19 from Bearcom in the amount of $3,468.60 received a discount and was purchased for $2,922.08
4. Brian Wiedenhoft, Mike Lottig and Tom Glessner reviewed the customers with A-Base meters and to perform inspections and give notice of future Red-Tag customers in lieu of installing adapters. Suggest letter with 6 months to comply.
5. Police car is at TeamForce getting upfitted.
6. Decals and installation for the new police car have been quoted by Mid Atlantic Signs, which provided the decals on the last car.
7. Pole replacement on 12/09 at 800 Main St – requires new pole to be setback from sidewalk.
8. Pole replaced at 908 North Broadway on 01/03.
9. Utility Customers accounts that are in non-resident names - list.
10. PJM has a new requirement for our behind the meter generation which dictates some new procedures. We must now operate during PJM max generation emergencies or face a reduction in our peak shaving savings. *(Note that the last max gen emergency was in March 2014).* Tom will review procedures and present at next meeting.
11. Participant Certificate – AMP requires signature for Fremont Energy Center and provider Tax-Exempt Obligations for GAS prepayment. (exhibit 7)

Motion by Mike Lottig and seconded by Cliff Horner to proceed with notifying customers with A-base meters to perform upgrade of service to be compliant with NEC, by July 31, 2020.
Ayes: 7
Nays: 0 *Motion:* **Carried**

Motion by Cliff Horner and seconded by Tom Fisher to proceed with the purchase of decals for the police car from Mid Atlantic Signs in the amount of $375.00.
Ayes: 7
Nays: 0 *Motion:* **Carried**

HOUSE COMMITTEE – Stephen Custer – (Chair)

1. Epson printer installed and tested for printing utility bills – Notices can be printed on bills.
2. Flagpole received and marked behind the entrance sign, for installation by the Borough employees.
3. Verizon service and costs documented and compared to Comcast service for cost savings. Including savings for Water Authority.
4. Act 2000 County/Municipality Hazard Mitigation Plan-Jan, 21,2020 Meeting. (exhibit 8) ***Tom Jones read this section – until chairs are appointed at the next meeting.***

STREETS, STORM SEWERS & SIDEWALK – Tom Jones – (Chair)

1. **Cumberland Street Update.**
   a. Project sidewalk – PennDOT requested to review and approve on 01/02.
   b. Darr construction, request payment for work completed, Tom G. notified Rick we are waiting on approval from PennDOT.
   c. Darr construction request payment for the Additional saw cutting of cement by Pitt Services in the amount of $725.00.
2. **East Main St – Columbia Gas project** – Phase I - 12th Street to Cassel in front of school.
   a. Tom Glessner notified school to review plans, waiting on school to select a date.
   b. Steve Dratter – to be contacted after school review, with possible plan.

c. Waterlines in this area – Water Authority notified of approval for shared cost, waiting approval from meeting.
d. permit requested to replace 9 lines identified - weather permitting.
e. Columbia Gas Phase II agreement to be signed.

3. **Diamond street project —**
   a. Somerset County Commissioners awarded funding in the amount of $210,420 to be combined with the $33,985 from 2018 CDBG funds for the Diamond Street project.
   b. AEG proposal for Diamond St. project to be prepared and completed for it to be bid in concurrence with the Main St. project. (Exhibit)
   c. Redevelopment authority to determine if this project must go out to bid, Tom G communicating with Steve.
   d. AEG to determine more accurate cost estimate for lower diamond section.
   e. AEG to Survey lower diamond area for $800 in conjunction with proposal.
4. **West Main Street project.**
   a. Cost estimate is to be prepared by AEG – for Main Street.
   b. PennDOT safety meeting suggestion to extend curb at Upper Diamond.
   c. Funding for water line replacement-Grant does not pay for utilities.
5. **Main Street Revitalization**.
   a. Committee Meeting 01/02/2020 –AEG, Tom Jones, and Tom Glessner reviewed proposed Budget of $1,550,000 for the project, vs Grant of $1,200,000.
   b. The overage of $350,000 and how it is affected by the Diamond Street project.
   c. AEG to provide Diamond St Cost estimates that affect Main St. project.
   d. Tree cutting on Main Street – to be scheduled by borough Employees.
   e. 5 of the 6 poles have been replaced in preparation of the project.
   f. Lights form American Gas have not been approved, Reviewing options.
6. **Columbia Gas project Phase III** – PennDOT and AEG notes from 12/23 meeting.
   a. Project Limits: SR160 Seg 0370 Offset 0700 to SR160 Seg0380 Offset 2700.
   b. Need to verify Ash Street's name & ROW width.
   c. The pole that was recently replaced will require relocation.
   d. The gas line is to be replaced on the south side of 160 until the historic house after Valley Road. The gas line will come out into the East bound Lane for approximately 60 feet, turn again and go across the West bound lane and end around address 903. After the historic brick sidewalk, the gas line will come back into the sidewalk and continue the newer sidewalk in front of 908 Main street. At that point they will tie into the newer line installed a few years ago. Tom G will contact Columbia Gas to setup meeting to discuss project timing and sidewalks.
6. **Dale Werner Variance request** at 194 West Main St. to build a garage, adjacent to his current structure that is within the ROW. The structure is setback 15ft from the edge of the road and is 5 ft from his property line to the west.

Motion by Mike Lottig and seconded by Cliff Horner to approve the additional saw cutting of the street to continue construction of curb and sidewalk on Cumberland St. by DARR Construction in the amount $725.00.
Ayes: 7
Nays: 0 Motion: Carried

~~***Motion by_____ and seconded by_____ to approve the proposal by AEG for the engineering of Diamond St. project, in the amount $13,926.00.***~~
Placed on HOLD until next meeting.

~~***Motion by_____ and seconded by_____ to approve the proposal by AEG for the Surveying of the lower Diamond Area, in the amount $800.00.***~~
Placed on HOLD until next meeting.

~~*Motion by_____and seconded by_____ to approve Street variance request by Dale Werner at 194 West Main St.*~~

Placed on HOLD until more information is obtained.

Executive Session

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

Motion by Stephen Custer and seconded by Mike Lottig to recess to executive session.

Ayes: 7
Nays: 0 *Motion:* **Carried**

At*7:20* 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 Tom Fisher and seconded by John Harding to reconvene the regular meeting.

Ayes: 7
Nays: 0 *Motion:* **Carried**

At*7:57* P.M., the council reconvened the regular meeting.

Motion by Mike Lottig and seconded by Cliff Horner to adjourn this Meeting of the Berlin Borough Council at 9:52 P.M.

Ayes: 7
Nays: 0 *Motion:* **Carried**

Note: The next regular meeting of the Berlin Borough Council is scheduled for Monday February 6th, 2020. The next scheduled meeting of the Berlin Borough Council Committee of the Whole is scheduled for Thursday January 16, 2020 at 4:00 p.m., at the Berlin Borough Council Conference/Meeting Room, 700 North Street, Berlin, Pennsylvania.