

September 15, 2014  
Middletown, PA 17057

The September 15, 2014 meeting of the Middletown Borough Council was called to order at 7:00 p.m. by Council President Christopher R. McNamara.

Following a moment of silence for Corporal Bryon Dickson, Pennsylvania State Police, for the loss his family has suffered and a tragic loss on law enforcement and also include Trooper Douglas for a speedy recovery and the Pledge of Allegiance, the following Council members answered roll call: John Brubaker, Anne Marino Einhorn, Tom Handley, Benjamin Kapenstein, Robert Louer, Victoria Malone, Christopher R. McNamara, and Sue Sullivan. Scott Sites was absent.

Also present were Mayor James H. Curry III, Borough Manager Tim Konek and Borough Secretary Amy Friday.

#### **PUBLIC COMMENT – Limited to items on the agenda**

##### **Mike Bowman, 100 Wilson Street**

Mr. Bowman asked about the public comment for items on the agenda. Council President McNamara stated items one and two are action items, the remainder of the agenda is committee reports. Mr. Bowman asked is public comment limited to action items on the agenda. Council President McNamara responded that is correct. Mr. Bowman suggests it be reworded on the agenda.

##### **Rachelle Reid, 448 Grant Street**

Ms. Reid asked are we still going to do the repeal of Chapter 33. Council President McNamara responded it is on the agenda. Ms. Reid stated she thinks it is wrong.

At 7:05 p.m., Council President McNamara stated Council is going to recess to Executive Session to discuss matters of personnel, potential litigation and real estate.

At 8:05 p.m., Council reconvened from Executive Session and Council President McNamara called upon Mayor Curry to report on the matter of personnel discussed.

Mayor Curry reported receiving a letter today from Officer Andrew R. Crone, which he read aloud to the public and states:

*Dear Chief Bennett:*

*I am submitting my resignation as a police officer in Middletown Borough, effective immediately. Thank you for the opportunity to serve as a police officer in the borough of Middletown. It was an honor to serve the residents of the borough in this capacity.*

*With gratitude,  
Andrew R. Crone*

Mayor Curry stated, I would submit that to Council and ask that it be accepted formally.

**Councilor Brubaker made a motion to accept the resignation of Mr. Andrew Crone.** The motion was seconded by Councilor Handley and approved by unanimous 8 – 0 vote. Councilor Sites was absent from vote.

**Councilor Malone made a motion to adopt Ordinance 1307 approving to repeal Chapter 33, Human Relations Commission** The motion was seconded by Councilor Louer.

Mayor Curry echoed thoughts from the last meeting, the increase of students at Penn State and the presentation at the last meeting showing a large influx of international students are reasons of importance to have a Human Relations Commission. Mayor Curry mentioned the fact the commission was not used in the past is not an argument to not use it now. He stressed it is worthwhile to keep it and use it for its purpose and Councilor Kapenstein concurred.

Councilor Malone asked how it was being used before and its purpose now. Mayor Curry responded, it was not being used. Council President McNamara, speaking on generalities, mentioned it is to receive a complaint and define whether or not there is substance there and refer it to the State.

Mayor Curry mentioned the commission is also a way to foster relationships between different sections in the community. He understands the argument that we have those types of things at the State and Federal level, but to him that argument is bogus. Mayor Curry stated then you shouldn't even have a local government. He stressed the commission is focused on our community and is an effective tool that should be used going forward.

Councilor Brubaker concurred the commission can foster relationships. He stated a person does not have to go to the local commission they can go directly to Harrisburg.

Council President McNamara reminded Council the repeal of Chapter 33 comes from the advice of our solicitor.

Councilor Handley commented he agreed with what the solicitor said, but after the ordinance was advertised and feedback was received from residents, who we are here to represent their will, that is how he is going to be looking at this.

Councilor Einhorn agreed with both Mayor Curry and Councilor Handley's comments on the repeal of Chapter 33. She stated, ultimately it may go to the State but she thinks it is important that it is personalized for people, just like how our other commissions are. Councilor Einhorn stated, it is important for relationships and the community.

The motion failed by a 6 – 2 vote, with Councilors Louer and McNamara voting for. Councilor Sites was absent from vote.

Councilor Handley reported the breakers at the Spruce Street substation are in need of repair. He discussed the bid received from IETS and reported the cost will be \$5,000 per breaker. Councilor Handley reported any additional services needed beyond the services specified will be provided on a time and material basis. He reported rates will be \$115.00 per hour straight time, \$145.00 per hour overtime, \$175.00 per hour double time and material would be cost plus 15.

**Councilor Handley made a motion to authorize the Borough Manager to enter into a contract with IETS for the Allis Chalmers circuit breaker reconditioning.**

Councilor Kapenstein asked about the estimated total cost. Councilor Handley responded there are six breakers all together, so the figure would be \$30,000 to recondition each.

The motion was seconded by Councilor Brubaker and approved by a 7 – 1 vote, with Council President McNamara dissenting. Councilor Sites was absent from vote.

## **MAYOR REPORT**

Mayor Curry reported a letter he received from Mr. Earl Bright IV, President of the Middletown Area High School Alumni Association. He said the letter is a request for assistance with the Middletown Area High School Alumni Association Homecoming Parade, to be held on Saturday, October 25, 2014 regarding the change from their traditional staging area to Hoffer Park and altering their parade route. Mayor Curry addressed the proposed parade route with Council and stated he approves of the change and has already been take care of with Mr. Bright and the Borough Manager and he will alert the new Chief of Police as soon as he is on board. Mayor Curry reported the Alumni Association is in dire need of a work area for the high school students to construct their homecoming parade class floats. Discussions were held amongst Mayor Curry and Council regarding potential locations.

Mayor Curry gave a report on the July August 2014 police department calls. He stated there were 21.97 calls per day, .91 calls per hour.

Mayor Curry reported a lot of residents have reached out to him regarding staffing with the police. He stated the reason we have not acted on the part time police officers since it was approved was because the Chief of Police should be here to be part of that process. Mayor Curry reported Chief Bey's tentative start date is October 4<sup>th</sup> and his first order of business is to take a look at our numbers, call volume and staffing needs.

## **STAFF REPORTS**

### **MANAGER REPORT**

Borough Manager, Tim Konek reported a letter received from the Historic Restoration Commission, stating the Commission was reorganized at their September 4<sup>th</sup> meeting and plan to move forward in a positive manner. Mr. Konek stated the Commission took action to move forward with the planned museum at the Grosh Building by recommending the transfer of the

property from the Borough to the Middletown Area Historical Society and it was adopted unanimously. Mr. Konek presented the letter to Council for action.

Mr. Konek reported the Code's office is up and running and dealing with several cases pertaining to grass and weeds. He mentioned all their other organizational duties are coming along very well.

#### **SECRETARY REPORT**

Secretary Friday had nothing to report.

#### **COMMITTEE REPORTS**

##### **Community Development**

Councilor Handley reported receiving a letter from Tri-County HDC requesting to acquire the property at 336 Lawrence Street as alien free transfer from the Borough. He stated this request will go before the Community Development Committee at their next meeting on Wednesday, September 17, 2014.

Council President McNamara reported this property, some time ago, had code violations and approximately \$30,000 was utilized to gut the place. He mentioned the property has been sitting for approximately 7 – 8 years.

Councilor Handley stated Darrell Livingston from Tri-County HDC will be in attendance at the meeting on Wednesday night to discuss this property and possibly more properties.

Councilor Handley reported receiving a letter from Mr. Jason Kreider regarding Kids Kastle. He stated the issue in his letter has been raised before and we are going to continue to address it as needed.

Council President McNamara stated the Kids Kastle issue should be passed along to the Middletown ICDA. He reported all recreational areas, including playgrounds has been transferred to the ICDA for the purposes of what Mr. Kreider is suggesting.

##### **Administration/Personnel**

Councilor Sullivan reported their last meeting was cancelled. She mentioned attending a presentation on IQM2, a meeting management software package, which she plans to discuss with the committee at their next meeting. Councilor Sullivan stated she could forward the information to any council member if they have any questions. She mentioned the committee will take care of it at their next meeting and hopefully present at the next council meeting.

##### **Labor Relations**

Councilor Brubaker had nothing to report.

##### **Public Works/Utilities**

Councilor Louer reported on a meeting with Gettle to look at telephone poles on Ridge Road needing to be removed or replaced. He stated fifteen of those poles belong to Verizon, who will be notified. Councilor Louer reported it is a major job which may need to be subbed out.

Councilor Brubaker reported from the September 2<sup>nd</sup> Public Works Committee meeting, discussions were held regarding the trees on Wilson Street. He stated we need to get with the Shade Tree Commission prior to taking the trees down.

Councilor Brubaker reported problems with testing with the rubber line hoses and asked Met Ed to borrow some and they said we could not. He said he understands the last time the line hoses were tested was 2002. Councilor Brubaker reported sleeves and gloves are tested every 6 months, blankets are tested yearly and are all up to date. He said the Borough uses plastic sleeves for drop on wires and Gettle lineman prefer rubber hose. Councilor Brubaker reported the rubber hose was cleaned and tested and some hot sticks were used. He said all those out of certification were checked, and all but three passed. He does not think they will need those three. Councilor Brubaker reported two vehicles have been out of certification since 2012 and both have been recertified. He reported the single bucket truck needs a part which is being addressed and the other bucket truck is in the process of being recertified.

Councilor Brubaker reported Verizon is working on pole replacements for three poles in the area of Union Street between Oak Hill Drive and Roosevelt. He stated the Borough's work is finished and all Verizon has to do is transfer their lines onto the new poles.

Councilor Brubaker reported the pump casing in the wastewater treatment plant sprung a leak and a representative was due here on Thursday, September 4, 2014 to find a new pump casing. He spoke to Assistant Public Works Supervisor, Lester Lanman and they were able to pump the tank low enough to remove the piping from the valve to the pump casing. Councilor Brubaker stated the replacement pump casing will be delivered in three to four weeks from Sweden and will come with a warranty.

Councilor Brubaker reported the aerosol shield fell into the oxidation tank and there have not been any problems reported. He stated staff would like to remove the shield mounting under the walkway and mount the new hanger flush with the face of the walkway.

Councilor Brubaker reported curb painting in the square is complete.

Councilor Brubaker reported Borough Public Works employees completed a pretty trip inspection class for CDL license holders on Friday, September 12, 2014. He said the training was by Penn Prime.

Councilor Brubaker reported one hundred tons of road salt has been ordered from Costar. He said they will hold sixty to eighty more tons, if needed. Councilor Brubaker reported CAPCOG does not give the same option, but the prices are similar.

Councilor Brubaker reported an action item directed to the Administration and Personnel Committee. He would like the Administration and Personnel Committee to review the job description for line supervisor and working foreman for the Electric department.

Councilor Brubaker reported twenty-five feet of underground wire and pad mounts has to be installed at Nittany Place and at the Spruce Street project. He reported Mr. Wilsbach was to prepare paperwork for this project and none has been found. Councilor Brubaker asked who is going to put in these pad mounts and underground piping for the wires to be coded (marked) and pulled.

Councilor Handley commented the primary lines are installed by the electric company, which would be us and depending on how the metering is setup, the secondary duty is taken care of by the contractor. Councilor Handley mentioned there is an electrical standards policy book Council approved many years back, which includes specifications and policies. He stated, unless other arrangements are made, this is typically how it works and the transformers belong to the power company.

Councilor Brubaker asked if they were ordered. Council President McNamara responded if the previous guy did not do it, then Lester is telling you he is working on it.

Councilor Brubaker would like the handouts of the substation upgrade feasibility study discussed at the October Committee of the Whole meeting. Councilor Brubaker requests doing something about the Mill Street substation and recommends it be relocated.

Council President McNamara provided history of the 2011 flood and funding to pay for repairs on the Mill Street substation. As part of the relief effort, He stated Dewberry provided a feasibility study and the Mill Street substation was identified as one of those spots.

### **Public Safety**

In Councilor Sites absence, Councilor Brubaker reported from the meeting of September 3, 2014. He mentioned Mr. Still asked about painting crosswalks on Main Street across from Hardees. Councilor Brubaker stated they will find out. He said they are going to pave the road and does not know if it can be done. He also mentioned the Northside of the road is in Lower Swatara territory. Councilor Brubaker reported discussions took place on street lighting in that area and including the PENNDOT area for the train station.

Councilor Brubaker reported on a recommendation by Mr. Bowman to place "kids at play" signage in the areas of Wilson & Catherine Streets, to alert motorists. Councilor Brubaker reported on a recommendation by Mr. Still to place bags over the no parking signs on both sides of Wood Street to allow for weekend parking. He stated putting the bags on Friday evening and removing on Sunday evening.

Councilor Kapenstein reported on a fire cracker incident at one of the bus stops.

Councilor Brubaker asked if the study was completed on the stop signs at Spring and High Streets. Mayor Curry responded the order was made for it to be done.

At this time, discussions were held on parking at Kuppys and the train station as well as Penn State students parking on Oak Hill Drive. Councilor Kapenstein mentioned a letter from Kuppys received by Councilor Sites. Councilor Brubaker provided details of a visit to a neighboring town, Elizabethtown, and how their parking compares to Middletown. He stated parking has been an ongoing problem for 30 years. Councilor Louer asked if Kuppys talked to the owners of the old post office to utilize a corner section of their lot for parking. In closing, Councilor Brubaker stated this is something that we are all going to need to give a lot of thought to.

At 8:35 p.m., Councilor Louer sat in for Council President McNamara who had to leave the meeting.

#### **Finance Committee**

Councilor Kapenstein reported the Finance Committee met last week and discussed a resolution for a twenty-five percent increase in fees. Councilor Kapenstein asked Borough Manager Tim Konek on the resolution's status. Mr. Konek reported, the resolution is not available tonight, but if the Finance committee approves the resolution to be presented to council at their next finance committee meeting, the resolution should be put on the agenda and brought to the full council for adoption at the council meeting following their finance committee meeting.

Councilor Kapenstein reported on a minimum municipal obligation for 2015 provided to him by Mr. Mark Morgan of Susquehanna Group. Councilor Kapenstein provided a copy to Council and reported the minimum obligation for the police pension plan is \$352,095.78 and for the non-uniform pension plan is \$450,848.38 and both have increased by 13% since last year.

Councilor Kapenstein reported an update on the budget was to be presented tonight, but due to an illness in Mark Morgan's family, Mark could not attend tonight's meeting. Councilor Kapenstein stated hopefully Mark will be able to attend the next meeting to provide this update, so that the Finance Committee can start working on the budget since it is about that time.

#### **Councilor Kapenstein made a motion to authorize the transfer of \$80,000 from the electric fund to the general fund and then to the water/sewer fund to be used as collateral for the PENNVEST Bridge financing with PNC.**

Councilor Kapenstein provided an explanation of the previous motion. Councilor Handley mentioned we should state very clearly it is the electric operating fund not the trust fund.

The motion was seconded by Councilor Sullivan and approved by unanimous 7 – 0 vote. Councilors McNamara and Sites were absent from vote.

Mayor Curry asked Councilor Kapenstein for an update from the Finance Committee on the scheduled monthly bills. Councilor Kapenstein responded this was discussed at the last Finance Committee meeting. He said at that meeting Tim Konek reported Linda is establishing a process for it. Councilor Kapenstein said hopefully next month we will be able to get the bills at the Finance Committee meeting and bring them to this meeting. Tim Konek stated it will essentially be a report we can provide for you and stressed if you want to change how we pay bills, it will take more than that.

Councilor Handley commented every council meeting in the past had the approval of the scheduled bills on the agenda. He said this is a routine item that all towns and boroughs in Pennsylvania do and possibly other states as well. Councilor Handley stated he is unsure why we don't approve the bills and cited the ICDA and other entities of the Borough approve all their bills at their meetings.

Councilor Kapenstein said he was told last year the Borough did this at the end of the year. Council Vice President Louer responded the end of the year is when we accept the budget for the following year and approve the scheduled bills. He stated that is why we do not vote on the schedule bills every month. Councilor Kapenstein said he was advised by Council President the reason for doing it this way was finances were not in order yet and Council President wanted everything in order. Councilor Kapenstein said it is important we see all bills every month instead of waiting until the end of the year. Borough Manager Tim Konek commented if you want to change the procedure on how the Council operates it will need to be accomplished by the passing of a motion. He said we have adopted the method Council Vice President Louer mentioned, adopting the budget at the beginning of the year sets the spending for the entire year. Councilor Handley commented he understands the budget, but it is not an approval of a check. Councilor Kapenstein stated he will address this issue with Mr. Mark Morgan of Susquehanna Financial Group at the next Finance Committee meeting. Councilor Handley

recommends addressing this issue prior to the next Finance Committee meeting to report at that meeting.

### **Planning Committee**

Councilor Handley reported receiving a letter from RGS Associates, on behalf of Frey Village, in regards to an expansion plan and getting approval on this plan of a 5600 square feet addition. He stated this will be discussed at Wednesday night's Planning Committee meeting. Borough Manager Tim Konek explained this is different than the plan the Planning Committee had come with before. He stated this one is a radically different scheme.

### **Water/Sewer Exploration Lease of System**

Councilor Kapenstein reported they will be receiving the financial proposals for the water and sewer lease on Friday. He said the proposals will be evaluated by the Lease Committee on Monday. Councilor Kapenstein reported a special meeting will be held at 7:00 p.m. on September 29, 2014 in the MCSO Building with Council and the Authority to approve or disapprove of the lease.

Resident Rachelle Reid stated the public is allowed to attend the opening of the bids and asked what time they will be opened. Councilor Kapenstein stated he will ask the solicitor about the time and let Ms. Reid and everybody else know.

Councilor Brubaker commented on the letter addressed earlier by Mayor Curry, from Mr. Bright regarding the parade route and location for floats. He stated we are going to have to discuss this at our next Public Safety committee meeting. Mayor Curry responded he can approve the parade route as per his Mayoral duties. He stated on record he is telling Borough Manager, Tim Konek he is ok with the parade route. Councilor Brubaker stated he is ok with the parade route too, but he is concerned with the location for the floats. Discussions amongst Council and the Mayor took place on suggestions and recommendations of areas for the float storage. Councilor Brubaker reported by the next meeting we should be able to give them an answer. Council Vice President Louer stated he has written down to contact the Cemetery Association.

### **Old Business**

Councilor Kapenstein gave a report on the Recreation Board stating Olmstead basketball is having signups soon. He stated he will put the exact dates out for everyone and it is open to children between the ages of 8 – 14.

Councilor Kapenstein asked what the process is for transferring the Grosh Building. He stated having a resolution and does anybody object to voting on it tonight. Councilor Kapenstein stated the Historical Society and Restoration Commission came together to do what needed to be done and presented their letter to council.

Council Vice President Louer said he cannot answer that and Borough Manager Tim Konek announced adoption is needed by a formal resolution. Mayor Curry responded, he has the resolution.

Councilor Kapenstein stated Solicitor Adam Santucci or someone gave him the resolution and he needs to know the next step, since Borough Manager, Tim Konek, reported on the letter in his manager's report. Mayor Curry stated the resolution Councilor Kapenstein has, he believes, was draft by Borough Solicitor, Adam Santucci and Councilor Kapenstein concurred. Vice President Louer recommended putting this item on the agenda for the next Council meeting. Councilor Kapenstein gave the Borough Secretary the resolution and Councilor Sullivan requested to have the resolution scanned and emailed to all of council.

Mayor Curry stated the Grosh Building transfer needs to happen, that was the purpose when this body purchased it. He said the resolution shows the purpose and he is a little aggravated the Grosh property is still on the Borough books. Mayor Curry commented the Grosh Building was not purchased to be an investment for the Borough and it is not right to have the building sitting on the Borough books for nearly a year, when we told the tax payers it was going to be transferred.

Councilor Sullivan responded to Mayor Curry they were told they could move into that building at any time. Mayor Curry responded yes, but the promise was for immediate transfer and not a song and dance. He said if he has to, he will bring Mr. Grosh to a meeting to confirm the price he gave was with the understanding the property was going to that non for profit organization.

Council Vice President Louer inquired with Mayor Curry about a motion made after that to get a listing of all the items that belong to the Middletown Borough. Mayor Curry responded no and

Ms. Arnold who served on your council at that time will speak up to that. He added it is not stated in any of the minutes or the resolution drafted by the solicitor. Mayor Curry stated these people are a talented group who are willing to do the right thing for the Restoration Commission and the Historical Society let them do it and you will get your accounting. He stated it is inappropriate to have them paying \$500 a month in rent to store their crap. In closing, Mayor stated, give them the opportunity to establish what they are trying to establish and do the inventory the right way.

Council Vice President Louer stated if it is on the agenda, there will be a vote.

Ms. Robin Pellegrini reported the reason they were offered to move in was to share it with someone and that was never their intent. She said they lived through that before above the Library and it became problematic. Ms. Pellegrini said they were originally offered to put things above the now police department, but they would have had to move again. She said we are not dragging our feet and we are not going to move a collection again to find out we have to move again. Ms. Pellegrini stated, Tom Grosh made that deal for the Historical Society.

Councilor Sullivan and borough resident, Rachele Reid, made a few remarks to a conversation they had on the amount of space in the building and there being not enough room. Ms. Reid commented, you can't hold the Historical Society hostage over something like that and why delay it until next meeting, it should be voted on now.

Borough resident, Mike Bowman asked what if the Historical Society decides to disband at some point in the further, will they be able to sell that property. He stated, if the Mayor is so concerned about tax payers' money is he willing to give away property to a private enterprise.

Mayor Curry stated this situation is frustrating because that previous comment is incorrect. Clarifying what was stated, he said as the Mayor of this town, he was not for the transfer of that building just free and clear and there had to be a stipulation in the deed if the entity did not use the building for the intended purpose of the transfer.

Councilor Kapenstein stated we need to make sure the stipulation is stated in the resolution. Mayor Curry said it is something Mr. Santucci can easily add before the next meeting. Councilor Handley recommended a motion be made for the resolution to be prepared so that it is available for the October council meeting.

**Councilor Handley made a motion to direct the solicitor to prepare a resolution for the transfer of the Grosh property to the Historical Society with the condition that if they ever disband or fail to operate under the current scope of their duties, that it be transferred back to the Borough at no cost.** The motion was seconded by Councilor Kapenstein and approved by unanimous 7 – 0 vote. Councilors McNamara and Sites were absent from vote.

Ms. Jenny Miller reported the Historical Restoration Commission plans to work on having an office in the Grosh building so that they can have a location for files and facts. She said the files have not been received yet and she knows of an application submitted for a plaque that is owned and we don't know where anything is.

Councilor Kapenstein asked if a letter has been issued to Bonnie. Borough Manager Tim Konek responded he would have to check on that. Councilor Kapenstein stated Tim is going to write a letter to try and get that back.

Councilor Brubaker reported on a letter received from Representative Payne regarding a Transportation Summit meeting on October 3, 2014 at 9:00 a.m., at the Hummelstown Fire Company. He stated the meeting is an informational meeting on the road work that is to be done in the next couple years. Councilor Brubaker stated he will be attending the meeting.

PUBLIC COMMENT – For the good of the community

**Diana McGlone, 805 Adelia Street**

Ms. McGlone commented on the Finance report that Councilor Kapenstein requested. She stated during her term on Council and as Council President, a report was generated monthly and listed by category all of the accounts payable for who the checks were written and the amounts. Ms. McGlone said the report was generated by Linda Houser. She said councilors would sign a sign in sheet upon every council meeting, which confirmed their review of the scheduled bills. Ms. McGlone stated, the schedule of bills went out approximately the Thursday before each council meeting in a packet of information for all council members. She said it is something that can be obtained easily and quickly.

Ms. McGlone commented, during her time on council, the actual balances of funds were read during every council meetings so that the public was aware. She would like to see this process returned council.

Ms. McGlone commented about the orders of the meeting and wanted to draw everybody's attention to the first amendment where you are giving individuals a certain allotted time period to speak during the public comment. She said public comment is to be used for items pertaining to the community and is not to be used to individually target or harass certain individuals that served on prior councils and/or audience members because documentation will be forthcoming to council regarding that as well.

Ms. McGlone would also like to comment for the record, Mr. McNamara did not bang the gavel and there was no public disruption and felt targeted by Ms. Malone for the sole purpose to be harassed and/or embarrassed in asking her to be quiet. She said other people, during the course of the meeting, were back there whispering and commenting about the reporter banging loudly on the keyboard, however; they were not subject to being individually target by a councilor member.

#### **Rachelle Reid, 448 Grant Street**

Ms. Reid commented on the line painting and PENNDOT's rule for line painting. Discussion between Mr. Reid, Councilor Brubaker and various council members relating to the lines in Lower Swatara Township and the time frame and delay of the Route 230 Highway project.

Councilor Brubaker read a letter Council President received from Representative Payne regarding the Route 230 Highway project, highlighting updated information the Representative received from PENNDOT stating the work was to take place in 2015, but due to the Borough pursuing more significant sewer upgrades, the job could be delayed for a year and the purpose of the letter is to request the Borough provide status updates to ensure that the Route 230 project is not delayed past 2016.

Ms. Reid concurred with Ms. McGlone's comments regarding the scheduled bills. Councilor Sullivan stated the Finance department will take care of that. Councilor Kapenstein stated the Finance Committee will not rest until this happens.

#### **Mike Bowman, 100 Wilson Street**

Mr. Bowman asked council, if Councilman Louer and Brubaker were corrupt over the police chief hiring in which Scott Sites made the motion to hire the police chief and the Mayor went along with it, would they be accessories after the fact of this corruption charge the Mayor made public to the Penn Live, the Harrisburg newspaper.

Mr. Bowman asked council to direct the Borough Manager to cooperate with the zoning and hearing board chairman. He stated he has asked the Borough Manager on numerous occasions for the balances on the budget and to contact the solicitor, Tony Nestico, of the zoning and hearing board. Mr. Bowman said he refuses all my efforts to have this done. Mr. Bowman said he would like Mr. Nestico to come here and speak at a council meeting on the seriousness of several three story buildings without a fire escape. He said the code requires the fire escapes and one of these days we are going to pay a price for this. In closing, Mr. Bowman said he would appreciate if you would direct the Borough Manager to cooperate with the zoning and hearing board.

Mayor Curry stated directly to Mr. Bowman, with all due respect, this is the second time tonight that you said something that I said and you don't know what you are talking about. Mayor Curry said the first was the Historical Society and I told you what the provision was that I wanted it to be. Mr. Bowman responded are we done with public comment. Mayor Curry stated just like Council President addresses people, I am addressing your comment about the PENNLIVE article, which is now water under the bridge. Mr. Bowman responded it is not water under the bridge, **until you give a public apology. Mayor Curry asked Councilor Louer to verify after** speaking with the solicitor in executive session, we were going to let this situation go. Councilor Louer responded that is correct. Mayor Curry commented to Mr. Bowman, you were not behind the scenes with any of the process and I told you last time, if you want me to sit here after the meeting when I come out of executive session and let you know every reason I called that process corrupt I would and you were not here after the last meeting. Mayor Curry asked Mr. Bowman, were you, yes or no and Mayor Curry stated no, so don't accuse me of something if you are not going to be willing to sit here and hear the truth. Mayor Curry said he is willing to let it go based on the advice of the solicitor, but if you are going to continually berate me over something that you don't know anything about, I will make sure that I come out here publically and I can guarantee you the solicitor is not going to be unhappy with me he is going to be

unhappy with you for making me state it publically. Mayor Curry suggested to Mr. Bowman to just let it go and don't speak if you don't know what you are talking about. Mr. Bowman commented he would take his suggestion with a grain of salt.

**Councilor Handley made a motion to adjourn.** It was seconded by Councilor Sullivan and approved by unanimous consent. At 9:25 p.m., the meeting was adjourned.

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Amy J. Friday  
Borough Secretary