

December 29, 2014
Middletown, PA 17057

The December 29, 2014 meeting of the Middletown Borough Council was called to order at 7:00 p.m. by Council President Christopher R. McNamara.

Following the Pledge of Allegiance, the following Council members answered roll call: John Brubaker, Benjamin Kapenstein, Robert Louer, Victoria Malone, Sue Sullivan and Christopher R. McNamara. Tom Handley was absent from the meeting.

Mayor Curry stated for the record Councilor Sites will be a few minutes late for the meeting.

Anne Marino Einhorn and Scott Sites were present after the roll call.

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

Mr. Matt Tunnell, Chairman of the Industrial and Commercial Development Authority, made a presentation on the final design and budget for the above ground portion of the downtown streetscape project. Mr. Tunnell stated the ICDA is managing the project on the Borough's behalf.

Mr. Tunnell presented Council with a funding matrix for the South Union Street infrastructure improvements. He discussed knocking down a building; which currently houses three rental properties on the corner of Emaus and Union Streets, and replacing the building for what the design calls for an open community gathering space with a trellice. Mr. Tunnell reported the demolition of the building for the open space should cost around \$20,000, and that is not included in the budget. He said the ICDA bid the demolition contract with the borough, which was bidding for demolition for other properties downtown.

Mr. Tunnell discussed the lighting and electrical costs for the project. Discussions were held amongst Council, Mayor Curry and Mr. Tunnell regarding utility relocation, conduit and the costs associated.

Mr. Tunnell reported the final budget shows the funding sources from four entities, including a \$1.5M low-interest loan from the Dauphin County Infrastructure Bank, \$250,000 from a Dauphin County Gaming Grant, liquid fuels funds that the Borough has accrued and funding from the Borough's ICDA. He talked about the \$1.5M loan and told Borough Council the Gaming Advisory Board reviews infrastructure bank applications and recommends how the county distributes the revenue it receives from the Hollywood Casino.

Mr. Tunnell stated, we feel pretty comfortable these numbers have been vetted well, and the project should remain within this budget. He said the goal is to get most of the project completed by the end of 2015.

Public Comment – Action Items on Agenda

Diana McGlone, 805 Adelia Street

Ms. McGlone reported on the Holiday house decorating contest and shared photos of the homes that were nominated and received prizes. She stated there was an anonymous donor of \$50.00; on Mr. McNamara's behalf, to award a prize for the "Martha Stewart" category. Ms. McGlone commented she hopes Council will support this effort again next year. She reported there was a total of \$540 in prizes awarded out and donated by citizens, businesses and/or individuals.

Ms. McGlone commented on Mr. Tunnell's streetscape project presented earlier. She is concerned as a business owner and a citizen that actual design plans and input was not afforded to other businesses outside of the downtown area. Ms. McGlone commented she is concerned as a citizen of the \$3M project that was conceptually put together by a small select group of downtown business owners and the entire businesses throughout the town were not asked to participate in the design plans. She mentioned her concern with the \$300,000 green space across from the Brownstone in addition to the \$325,000 that was spent which totals to a \$625,000 expenditure for basically grass, trellice and pavilion. Ms. McGlone stated she does not see the return on our Borough's investment going forward. She offered the Borough \$20,000 for the three rental properties included in the demolition for the open green space included in the design of the streetscape project.

Mike Bowman, 100 Wilson Street

Mr. Bowman commented on the bids for the underground sewer lines throughout town stating the reason for the increase was due to the lowest bidder backing out of the contract. Council President McNamara responded that coupled with HRG's engineering fees, but you would need to talk to the Authority.

Councilor Einhorn thanked everyone who had assisted with the Holiday decorating around the town, the Holiday house decorating contest and the Historical Society for the Santa Claus decoration.

Councilor Sullivan made a motion to adopt Ordinance #1310 for 2015, setting the millage rate at 5.631. The motion was seconded by Councilor Kapenstein and approved by a unanimous 8 – 0 vote. Councilor Handley was absent from vote.

Councilor Malone made a motion to authorize the advertisement of the regular monthly Borough council meetings as the first Monday of the month and the monthly Committee meeting of the Council of the Whole as the third Monday of the month. The motion was seconded by Councilor Sullivan and approved by a unanimous 8 – 0 vote. Councilor Handley was absent from vote.

Councilor Kapenstein made a motion to move the January 2015 Council meeting from the 19th to the 20th. The motion was seconded by Councilor Malone and approved by a unanimous 8 – 0 vote. Councilor Handley was absent from vote.

Council President McNamara stated if the meeting for January 5, 2015 does not get advertised, the meeting will be on January 20, 2015 in light of the Holiday on the 19th.

New Business

Borough Secretary, Amy Friday, presented Council with Councilor Tom Handley's resignation from Council letter and stated it is effective December 22, 2014.

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

Council President McNamara stated the next order of business with accepting Councilman Handley's resignation per local law under our Borough code 88-2 subchapter C should a Councilor tender his/her resignation, the Borough Secretary shall place an advertisement, in a newspaper of general circulation, soliciting resumes from qualified citizens interested in being appointed as Councilor from the ward where said opening exists. The Borough Council shall interview prospective applicants. Pursuant to State law, a majority of the remaining members shall vote to install a citizen to serve as Councilor until the next municipal election may be held.

Council President McNamara asked for a motion to advertise in accordance with the law the vacancy that has been created with the acceptance of his resignation.

Councilor Kapenstein made a motion to advertise in accordance with the law the vacancy that has been created with the acceptance of Councilor Handley's resignation with a deadline of Friday, January 9, 2015. The motion was seconded by Councilor Louer and approved by a unanimous 8 – 0 vote.

Councilor Sullivan made a motion to advertise an administration and personnel meeting for Monday, January 12, 2015 at 6:30 p.m. in Council Chambers for the purpose to interview potential candidates for vacant council seat. The motion was seconded by Councilor Einhorn and approved by a unanimous 8 – 0 vote.

Old Business

Mayor Curry asked for the status of the email and telephone listing on the website. Borough Manager Tim Konek responded the website is still under construction and does not know the status of when it will be completed. Mayor Curry asked if there was a way to get this message passed along to get those items updated on the website for the council members that are serving. Mr. Konek responded ok.

Mayor Curry asked for the status of the Grosh Property. Borough Manager Tim Konek responded as he understands the sales document was presented to the Historical Society for

their review. Members of the Historical Society in attendance stated the document was reviewed by them and forwarded back to McNees, Wallace & Nurick.

Mayor Curry stated he spoke with Dauphin County PENNDOT today and our exhibit A of the contract is not signed and would like to know when that would be done. Borough Manager Tim Konek responded he is sure after the closing of the water/sewer lease deal tomorrow we can get to work on that. Mayor Curry noted, according to the PENNDOT Director, if we signed it today we would still get the full amount of money, but the longer we drag our feet that amount diminishes and asked it be done as soon as possible. Mr. Konek stated as soon as we have completed the \$43M deal we will work on the \$7,000 deal.

Councilor Kapenstein made a motion to adjourn. It was seconded by Councilor Malone and approved by unanimous consent. At 7:50 p.m., the meeting was adjourned.

Amy J. Friday
Borough Secretary

DRAFT