

August 18, 2014
Middletown, PA 17057

The August 18, 2014 meeting of the Middletown Borough Council was called to order at 7:00 p.m. by Council President Christopher R. McNamara.

Following the opening prayer by Reverend Florence Abdullah 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, Scott Sites and Sue Sullivan.

Also present were Mayor James H. Curry III, Attorney Adam Santucci, McNeese, Wallace and Nurick, Borough Manager Tim Konek and Borough Secretary Amy Friday.

Mr. Courogen and Mr. Lanman presented Council with some findings relative to the condition of the Elk's Theatre building. Mr. Courogen presented a slide presentation and stated the photos in the slide presentation were all taken when Lobar and Andy Nelson of Commonwealth Codes came to do a due diligence for the ICDA for the purchase of the Elks Theatre. He discussed the location of each of the slide photos such as the electrical panel, emergency exit, ceiling, balcony area (left, right and rear), floors throughout, roof and the second floor women's restroom and all the issues/problems relative to those locations,

Mr. Lanman provided council with a background of the inspection of the building, stating they went in with Lobar to check the structural integrity of the building. He stated the roof located over the Theatre location was in decent shape and has recently been completed and sealed and Lobar was happy with the roof in there and stated structurally inside the Theatre looked pretty good as well. Mr. Lanman reported Lobar stated we are getting it just in time before mold has a chance to takeover and cause a lot of damage. He also reported Lobar stating the front side roof of the building needs to be completely redone.

Council President McNamara reported on a proposal from the Lobar Corporation to the ICDA and stated the ICDA has authorized the chairman of the ICDA to execute the proposal. He stated the proposal is for \$145,000 and the roof will be the first course of action. Council President McNamara stated the agreement of sale of the Elks Theatre has been signed by both the ICDA and GMEDC and the building continues to exist and the GMEDC continues to operate until at such a time there is another change. He reported the ICDA has not agreed to anything other than that and the intent of the ICDA is to not renovate it but to fix the violations and address the necessities.

Councilor Brubaker made a motion to amend the agenda to place the executive session to after the public comment for the good of the community.

Mr. Santucci recommends against moving the executive session to that end of the agenda since there needs to be an executive session to discuss some of the items on the agenda.

Councilor Handley stated since the solicitor is saying we have to discuss issues in an executive session prior to taking action then we need to agree with his opinion on this.

The motion was seconded by Councilor Louer and failed by an 8 – 1 vote with Councilor Louer voting in favor.

Councilor Einhorn made a motion to move the public comment for the good of the community to prior to the executive session. The motion was seconded by Councilor Sites and approved by an 8 – 1 vote with Councilor Louer dissenting.

PUBLIC COMMENT – Limited to items on the agenda

Dawn Knull, 123 State Street

Ms. Knull commented on the \$500,000 gaming grant application and asked what the money is being used for. Council President McNamara stated that money is being used for debt relief and the Elks Theatre.

Greg Wilsbach, 719 Spruce Street

Mr. Wilsbach commented on the authorizing of the \$500,000 draw, stating that has to do with the purchasing of the Elks Theatre and the report just given was mainly for code violations and that he was trying to put all the pieces of the puzzle together. Council President McNamara stated the slide show presentation as nothing to do with this \$500,000 draw and the council

approving anything here. He stated the presentation was a result of the ICDA signing off on the agreement of sale and authorizing Lobar to go in and inspect the building.

Mr. Wilsbach commented on the appointment to the Shade Tree Commission and asked where this appointment was advertised and who is responsible for advertising for the Borough. Council President McNamara reported it was advertised some time ago and he could not recollect where it was advertised and at times several parties can be responsible for advertising for the Borough. He recommended that Mr. Wilsbach file a right to know request if he would like to know where the appointment was advertised.

PUBLIC COMMENT – For the good of the community

Dawn Knull, 123 State Street

Ms. Knull reported on behalf of the community events committee that they did not raise enough funds for the fireworks. She reported they currently have \$650 with a \$2,000 grant. Ms. Knull asked Mr. Konek to please cancel the fireworks as we are not going to be able to do it.

Ms. Knull commented on the Nixle system and asked why the Borough isn't using this system to its full potential. She stated we could have used Nixle for the detours, National Night Out and the recent gas leak evacuation.

Ms. Knull commented on a tip line link administered through Nixle the police asked to have placed on the Borough website stating it has not been placed on the website.

Ms. Knull asked if OSHA looked at the accident that happened out on Union Street during the infrastructure repair. Council President McNamara stated that is not within this body's hands, that is between the contractor and the insurance company and it falls under contractor liability and responsibility.

Jack Still, 37 W. Emaus Street

Mr. Still commented on a meeting where the committee for the fireworks stated the Borough has some money through a beautification fund.

Mr. Still commented on parking on Wood Street, painting the curbs yellow from the middle of Church to Nissley Streets and put bags over the two no parking signs on Wood Street between Detweiller and Nissley Streets.

Mr. Still commented on the current signs, to get people around town during the infrastructure project, is almost none existent. He recommends signs with the business name and arrow directing them to the location of the business.

Brian Williams, 112 North Catherine Street

Mr. Williams commented, prior to this meeting last Friday night, on an encounter he had with a police officer in this Borough. He stated this was not the first encounter with this officer and that he (officer) clearly has an agenda and vendetta, stating he was wrongfully arrested and deprived of his rights. Mr. Williams stated the encounter started at the 711 while he was pumping gas and ended when the police officer pulled him over after exiting the 711 parking lot. Council President McNamara highly suggests he see the Borough Manager and/or the Mayor to fill out a complaint form and council will be able to act on that complaint and the Mayor is in direct control of the police department.

Greg Wilsbach, 719 Spruce Street

Mr. Wilsbach asked how the investigation is going for the misappropriation of funds for the trees that were trimmed as a favor. He commented on his recent resignation due to issues in the Borough and he understands his email is being gone through and he would like to know if they got the emails from all the times he asked the Borough Manager to apply for the FEMA extensions for the substations.

Mayor Curry responded to Mr. Wilsbach's first question stating it is in the hands of the District Attorney.

Cortez Jackson, 202 South Lawrence Street

Mr. Jackson commented on the problems with the electric bills and the Borough not wanting to work with people who have problems paying their bills. He recommends the Borough find a way to work with people.

Mr. Jackson addressed Mayor Curry and stated he was disappointed with him as he did not return a call regarding an event he invited him to. He reported he had Representative John

Payne, who is a Republican; send him a proclamation for his church. Mr. Jackson stated he worked extremely hard to get the Mayor elected and the Mayor did not even give him the benefit of the doubt to return his call.

Mike Bowman, 100 Wilson Street

Mr. Bowman commented on off campus student housing stating the ideal home is not a two story wood frame structure without any fire escape, walls or doors. He said this is being done all around town and there is no way to check into it.

At this time council discussed a hardship program for the electric. Council President McNamara reported the previous council decided to suspend the shutoffs and this council decided to put them back into place by recommendation through the Finance Directors EIP program. He stated this responsibility lies within the Borough Manager and Councilor Malone recommends this should be discussed within one of the council committees.

At 7:50 p.m., Council President McNamara stated Council is going to recess to Executive Session to discuss matters relating to personnel and potential litigation.

At 9:17 p.m., Council reconvened from Executive Session and Council President McNamara stated several items were discussed and no decisions were rendered.

Councilor Kapenstein made a motion to approve the modification of the debt structure with the PNC Bank interim financing by way of ordinance provided. The motion was seconded by Councilor Louer and approved by unanimous 9 – 0 vote.

Councilor Sites made a motion to authorize the submission of a \$500,000 Dauphin County Gaming Grant Application. The motion was seconded by Councilor Sullivan and approved by an 8 – 0 vote with Councilor Handley abstaining.

Councilor Malone made a motion to approve and authorize a \$500,000 draw from the ICDA's Line of Credit for the purposes of the \$500,000 will be repayment to the Borough to satisfy the terms and conditions of the mortgage document as it relates to the Elks Theatre Building and that the Borough then place the \$500,000 dollars in the ICDA's Downtown Revitalization project fund per the terms and conditions of the contract with the Anchor Building loan through the Commonwealth of Pennsylvania, Department of Community and Economic Development. The motion was seconded by Councilor Louer and approved by a 4 – 3 vote, with Councilors Einhorn and Handley abstaining and Councilors Brubaker, Kapenstein and Sites dissenting.

Councilor Louer made motion to authorize the draw down to pay the closing costs for the Line of Credit. The motion was seconded by Councilor Malone and approved by a 6 – 2 vote, with Councilor Handley abstaining and Councilors Sites and Brubaker dissenting.

Councilor Sites made a motion to move at the recommendation of the Public Safety Committee to appoint John T. Bey to the position of Chief of Police in Middletown Borough, upon successful completion of all required background checks and Civil Service Commission certification and that furthermore, the Council President and Solicitor be authorized to execute an agreement with John T. Bey with a starting salary of no more than \$72,500 and no benefits. The motion was seconded by Councilor Brubaker and approved by unanimous 9 – 0 vote.

At this time, John T. Bey thanked everyone for his appointment as the Chief of Police of Middletown and he looks forward to getting on board and helping the police department evolve into everything that it can be and asked for everyone's help.

Council President McNamara opened up the floor for nominations for the Civil Service Commission.

Councilor Brubaker would like to nominate Mr. AB Shafaye and Mr. Lewis Whittle to the Civil Service Commission.

Councilor Handley would like to nominate Ms. Rachelle Reid to the Civil Service Commission.

A roll call vote to appoint Mr. AB Shafaye to the Civil Service Commission was taken and carried by a 6 – 3 vote with Councilors Sites, Kapenstein and Handley dissenting.

A roll call vote to appoint Mr. Lewis Whittle to the Civil Service Commission was taken and carried by an 8 – 1 vote with Councilor Einhorn dissenting.

A roll call vote to appoint Ms. Rachelle Reid was not taken since there were no open seats on the Commission to fill.

Council President McNamara opened up the floor for nominations for the Middletown Borough Authority.

Councilor Sullivan would like to nominate David Rhen to the Middletown Borough Authority.

Councilor Einhorn would like to nominate Rachelle Reid to the Middletown Borough Authority.

Ms. Reid withdrew her name from the nomination.

A roll call vote to appoint Mr. David Rhen to the Middletown Borough Authority was taken and carried by a 5 -4 vote with Councilors Handley, Sites, Kapenstein and Einhorn dissenting.

Council President McNamara opened up the floor for nominations for the Shade Tree Commission.

Councilor Malone would like to nominate Lester Lanman to the Shade Tree Commission.

Councilor Sites would like to nominate Danielle Kapenstein to the Shade Tree Commission.

A roll call vote to appoint Lester Lanman to the Shade Tree Commission was taken and carried by a 5 – 4 vote with Councilors Sites, Kapenstein, Einhorn and Handley dissenting.

Council President McNamara opened up the floor for nominations for the Vacancy Board.

Councilor Brubaker would like to nominate Mr. Russell L. Bechtel to the Vacancy Board.

A roll call vote to appoint Mr. Russell L. Bechtel to the Vacancy Board was taken and carried by an 8 – 1 vote with Councilor Sites dissenting.

Council President McNamara opened up the floor for nominations for the Zoning Hearing Board.

Council Louer would like to nominate Michael R. Bowman, 100 Wilson Street and Mr. Donald Graham, 415 Maple Road, to the Zoning Hearing Board.

Council President McNamara stated Mr. Bowman and Mr. Graham's seats are vacant due to their terms being expired and they have expressed an interest in being reappointed. He stated Rachelle Reid is currently an alternate already appointed by the council and there is another alternate to be proposed following. Council President McNamara reported the Chairman of the Zoning Hearing Board can select as many alternates as he/she wants.

It was discussed that Ms. Reid can be nominated as a regular member, but she stated she does not want to.

A roll call vote to reappoint Mr. Michael R. Bowman to the Zoning Hearing was taken and carried by a 7 – 2 vote with Councilors Einhorn and Handley dissenting.

A roll call vote to reappoint Mr. Donald Graham to the Zoning Hearing was taken and carried by a unanimous 9 – 0 vote.

Councilor Louer would like to nominate Thomas A. Germak as an alternate to the Zoning Hearing Board.

A roll call vote to appoint Thomas A. Germak as an alternate to the Zoning Hearing was taken and carried by an 8 – 1 vote with Councilor Brubaker dissenting.

Councilor Kapenstein made a motion to direct the Borough Manager to implement the recommendation as per the EIP plan as it pertains to Code Enforcement and that recommendation in the EIP plan calls for one full time code officer and two part time property maintenance positions.

Council President McNamara reported this action was recommended by Mr. Mark Morgan in the EIP plan. He applauded Councilors Sullivan, Malone and Kapenstein along with Borough employee Jonathan Hicks for putting together a spreadsheet compiling all of the recommendations of the EIP plan and divided up into the respective committees. Council President McNamara stated he was told all of council received a copy of the spreadsheet and if they did not he recommends doing so, since the recommendations should be discussed at the committee level and then if need be, be brought to the full council for adoption.

Council President McNamara stated we will still be retaining Commonwealth Codes from a building codes official standpoint.

The motion was seconded by Councilor Malone and approved by a unanimous 9 – 0 vote.

MAYOR REPORT

Mayor Curry reported his police call report will have to be given at the next meeting, since he has not received it.

Mayor Curry wanted to know if a comparison was completed between the Press and Journal and the Patriot News based on rates he shared at a February meeting. The Borough Manager, Tim Konek stated he did not look at a comparison and thinks he would have delegated that responsibility over to the Director of Communications, Chris Courogen and will get an answer for council.

STAFF REPORTS

MANAGER REPORT

Mr. Konek apologized for his tardiness as he was taking care of a code enforcement issue.

Mr. Konek reported on the Borough identifying two junk cars/vans that have been parked in the Borough, in which one of the vehicles, a van, was sitting up by the square for well over ten years full of junk and another van parked at the lower end of town sitting on a piece of overgrown/trashed property. He reported both of these vehicles have expired registrations and licenses and both vehicles were posted with a posting of Chapter 210 of the Borough Code. Mr. Konek stated a towing company came in today and both vehicles were extracted from the properties.

Mr. Konek reported the electric shutoffs are continuing and we are almost completed with the second month and we can start to focus on the water/sewer only accounts. He stated accounts consisting of electric, water/sewer and trash on one bill will be turned off for whatever was not paid.

Mr. Konek reported the encode billing system software is ready, setup and tested should a rate ordinance be passed, we are ready to go.

Councilor Kapenstein asked about payment arrangements. Mr. Konek stated we have the ability to setup payment arrangements and it is better to do this before the shutoff occurs, since a turn on fee would be required.

SECRETARY REPORT

Secretary Friday reported and advised the council at the conclusion of the last council meeting which took place on July 21, 2014, Mayor Curry handed back to her Ordinance 1303 with his veto and she asked this get placed on the record for this evening's meeting. She stated it is council's discretion if they want to consider overriding the Mayor's veto.

Councilor Louer made a motion to override the Mayor's veto of the sewer/rate Ordinance 1303. Council President McNamara stated Ordinance 1303 is the water and sewer rate increase based upon a study by HRG.

Councilor Handley clarified this is option A that we voted on.

Mr. John Patton commented on negotiating a contract with Royalton for water service in which the rate would be raised and PENNDOT telling us they were going to pave Route 230 next summer and through the efforts of the President it was put off until the following summer. He stated that is a big project and as you know last winter we had to dig up several parts of Main Street/Route 230 because of water main breaks due to frozen pipes. Mr. Patton stated there were surveys completed and they know there are substantial deficiencies in both the water and sewer pipes both in capacity and leakage throughout all of Main Street. He stated they have

been active with HRG in applying for PENNVEST loans and PENNVEST looks very heavily at how much the Borough is doing to help itself. Mr. Patton reported it is important that we demonstrate to PENNVEST that we have an interest in getting this done and he highly recommends that you approve and override the veto.

The motion was seconded by Councilor Kapenstein and approved by a 7 – 2 vote with Councilors Einhorn and Handley dissenting.

SOLICITOR REPORT

Mr. Santucci reported reviewing Chapter 33 of the Borough's Code of Ordinances which establishes a Human Relations Commission and has since learned the Commission is essentially defunct and has been for a number of years. He stated the Commission performs the same duties as Commissions at the State and Federal level. As a result and given the Borough's financial status, Mr. Santucci recommends repelling Chapter 33 of the Borough's Code of Ordinances.

Councilor Louer made a motion to eliminate Chapter 33 in its entirety of the Borough Code of Ordinances. The motion was seconded by Councilor Kapenstein and approved by a unanimous 9 – 0 vote.

COMMUNICATION DIRECTOR REPORT

Mr. Courogen addressed the question earlier regarding the use of the Nixle system to alert residents of the gas leak stating it was not used because the gas leak effected one block on Union Street and by the time the Borough staff was aware of the gas leak the first responders had already evacuated all of those buildings and people who were effected.

Mr. Courogen commented and addressed the problems with inaccurate information being spread to the public. He stated the Borough has a communications policy in place and one of the biggest reasons council passed that policy was to make sure the public is given accurate and factual information. While this policy doesn't apply to Borough council members when they are speaking their minds politically, Mr. Courogen stressed it is important for council members to know the facts have to be accurate when they speak on matters of Borough business.

Mr. Courogen commented on a recent column written in the local newspaper by one of our council members stating significant portions of the column were factually inaccurate. He reported areas of the column so the public has the facts and are informed accurately about the reality of the situation.

Mr. Courogen read a part in the column regarding representation by certain council members and business owners that Penn State was involved in the planning or discussion of the possibility of bringing a Barnes & Noble bookstore to Middletown as an official bookstore for the public and the involvement of Penn State was denied by a representative of the University.

Mr. Courogen reported attending a council meeting where Barnes and Noble was brought to the attention of council by Councilman Sites by reporting that he attended the meeting where the Penn State Chancellor, Representatives from various levels of Government and downtown business people attended and the concept of a downtown bookstore similar to what Barnes & Noble in Lewisburg, PA was presented and all the attendees were intrigued by the concept and did not discourage exploring the idea.

Mr. Courogen reported Mr. Nick DeFrancesco, Lower Swatara Commissioner, was present at the council meeting and validated Councilman Site's comments that Penn State representatives were present when the bookstore concept was discussed and everyone thought the idea was worth investigating.

Mr. Courogen reported there was an exploratory meeting with representatives of the Borough and the head of Barnes and Noble's Penn State bookstores division. He said the representative from the bookstores division had contacted his counterpart from the University to let them know and invite them to the exploratory meeting at University Park and they were interested.

Mr. Courogen reported on a Facebook post by Mayor Curry regarding the Mayor not being informed of the spillage at Hoffer Park. He stated that a half hour before Mayor Curry's Facebook post the Mayor was issued an email about the spillage. Mr. Courogen stated everyone who read the Mayor's Facebook post now thinks the Mayor was not informed about the spillage.

Mr. Courogen stated we have let things like this go on for the past two years and as a result we have a public in this town that is very poorly informed.

Mr. Courogen reported on the ownership of the Elks building stating there is an agreement of sale between the GMEDC and ICDA and it is premature to discuss what businesses might be in place but is worth noting the GMEDC's plans for the building included very significant changes to the floor plan in the business section of the building and no doubt they would have to displace businesses and at least one at which had to be displaced due to problems caused by the buildings leaky roof.

Mr. Courogen read a part in the column regarding the grants/funds being held up because the GMEDC is impeding the completion of the Borough audit by not cooperating with the Borough and refusing to turnover its financial records and the fact the GMEDC provided some of these records in 2010, where they went no one seems to know. Despite their original compliance, Executive Director, Stefan Klosowski, volunteered his time to help the Borough restore the documentation and the GMEDC has continued to provide information to the Borough despite the fact they are being portrayed as uncooperative.

Mr. Courogen reported any information turned over in 2010 wasn't for this audit, the audit did not start until 2012 and Mr. Klosowski's time was never volunteered. He stated at a gathering by downtown business owners, Gordon Einhorn a member of the GMEDC told the business owners it would cost \$500 for Mr. Klosowski's services and the GMEDC did not have the funding to pay for it. Mr. Courogen stated the business owners offered to donate the \$500, but the GMEDC never followed up.

Mr. Courogen stated the lack of cooperation of the GMEDC is legendary. He reported the information that was turned over in 2010 for the 2010 audit was rejected by the State the first time because it did not include all the records needed from the GMEDC at the time. Mr. Courogen said when it was finally submitted it contained adverse findings from the auditor about the poor record keeping and insufficient records from GMEDC and ultimately, the Borough had to pay a \$9,000 penalty for the delays in filing the audit.

Mr. Courogen reported around the time the auditors were struggling to gather information for the 2010 grant audit another accountant penned a letter withdrawing its services from the GMEDC due to their inability to gather documents needed to file the GMEDC's IRS form 990 return and its State Borough of Charitable Organizations (BOC) filings. He said the GMEDC's IRS form 990 for 2010 was not filed until 2013 when it was done by another accounting firm and the Department of the State reports they do not have a BCO filing for 2009 or 2010 for the GMEDC and that this non filing has been consistent with the GMEDC since 2008.

Mr. Courogen reported the IRS form 990 for years 2009 and 2011 have never been filed by the GMEDC and the filings for 2008 and 2012 were filed several months late. He mentioned the 2013 filing was due in May and as not yet been filed. Mr. Courogen stated this information is all according to Guide Star which is an organization that promotes non-profit transparency.

In August of 2012, the Borough was told it was their right, according to the GMEDC's Bi-Laws, to nominate two representatives to sit on the Board of Directors of the GMEDC and the GMEDC refused to seat those two nominated representatives and provide a copy of the Bi-Laws, according to Mr. Courogen.

Mr. Courogen read a part in the column regarding the negotiation between the Elks Building, GMEDC and ICDA and stated we need to call attention to the dates. He said the threat of eminent domain was in 2012 and the GMEDC first announced they were going to have a fundraising plan in 2007 and that never started.

Mr. Courogen stated the GMEDC paid a consultant \$8,000 to plan a fundraiser campaign and that never started and in 2009 Mr. Klosowski wrote a memo deciding to delay another fundraising effort (\$4.9M) even though he said at the time we need to find funding to replace the building's roof. Mr. Courogen reported in 2012 there was a modest effort to raise \$200,000 for digital conversion and a new marquee outside of the building and was the only the only fundraising effort that came timeframe relevant to the eminent domain talk.

Mr. Courogen talked about the Borough's refusal to place ads in the Press and Journal even as the rates are comparable to the Patriot News stating there is a claim that their "new" rates are competitive and those rates came about after we exposed the way the Press and Journal was overcharging the Borough for years.

Mr. Courogen reported if you look at the legal ads in the Press and Journal to other publications, you will notice one big difference in the spacing, it is double spaced type. He said when you look at a rate card for most newspapers, they charge you so much per line for a legal ad and on the

Press and Journal's rate card it states this charge for a line based on sixteen lines per inch. Mr. Courogen said take a ruler and measure a legal ad and find me one that measures sixteen lines per inch. He reported doing an analysis on the Press and Journals "new" rates stating they would be roughly equivalent to the Patriot News but would not be a tremendous savings.

Councilor Einhorn thanked Mr. Courogen for bringing more attention to her article and hopefully now more people will read it.

Mayor Curry stated based on that representation the rates are not much different between the Press and Journal and Patriot News and he asked council to reconsider the Press and Journal. He said there is something to be said for keeping business locally and most of our residents get the Press and Journal and not the Patriot News.

COMMITTEE REPORTS

Community Development

Councilor Handley stated there is nothing to report at this time.

Administration/Personnel

Councilor Sullivan stated there is nothing to report at this time.

Labor Relations

Councilor Brubaker reported a September 16, 2014 meeting with the teamsters.

Public Works/Utilities

Councilor Brubaker reported at the August 4, 2014 meeting the public works committee was informed by Lester and Kenny that the breakers at the Spruce Street substation are in need of repair or replacement. He wants to know why we were not alerted to this problem sooner.

Councilor Handley stated you are looking at an easy \$1M project to replace the entire substation. He also said we may be able to get retro fits, if they are still available and they would be a temporary fix. Councilor Handley stated the substation at Mill Street can handle the whole town, if you have to do away with Spruce Street. He stated the discussion on replacing the Spruce Street substation has been on the books for many years. Councilor Brubaker stated this is the first he is hearing about it.

Councilor Handley made a motion directing the Borough Manager to investigate the possibility of purchasing retro fit breakers for the Spruce Street substation. The motion was seconded by Councilor Kapenstein and approved by an 8 – 0 vote. Councilor Sites was absent from vote.

Councilor Brubaker reported on primary work to be done on squirrel guards. He said they would like to get some quotes for electrical maintenance from Hinkle McCoy, Abel and Gettle and will report on that at a later time.

Councilor Brubaker asked about the snow removal behind the deli and press and journal and the payment arrangements that were made. He stated he directed Mr. Konek to find out what agreement we had on file with both of those businesses and are we still removing snow.

Councilor Brubaker reported on the job descriptions located for the supervisor of the electric department and asked Mr. Konek to turn these job descriptions over to the Administration and Personnel committee for their review.

Mr. Konek stated he has the job descriptions and he will distribute them to the committee before the next meeting.

Councilor Handley reported on the apprentice training requirements needed to train the two lineman currently employed by the Borough. He stated he met with both of them and they have expressed their desire to move forward with training. Councilor Handley discussed his recommendations for the training from Global Live Line and costs associated.

Public Safety

Councilor Brubaker reported the public safety item was taken care of tonight regarding the Chief of Police hire.

In Councilor Sites absence, Councilor Kapenstein reported that he has some information on the parking problems at Brown Street and Kuppy's Diner and he will discuss at the next meeting.

Finance Committee

Councilor Kapenstein reported the committee is recommending the Borough Manager draft a resolution updating the fee schedule that will include fees across the board increased by 25%, which is recommended in the EIP plan. Mr. Konek stated he has a draft underway.

Council President McNamara recommends all council members get a copy of the EIP plan and break it down by your committee as to what actions need to be implemented and acted upon. He stated Jonathan Hicks has database and is in charge of making the changes/updates to the database. Councilor Kapenstein asked Jonathan to send an electronic copy to all of council.

Councilor Kapenstein reported the committee is recommending the Borough Manager to adopt a purchasing policy to achieve the economies of scale for purchasing supplies amongst various departments and have Amy involved in the process.

Councilor Kapenstein reported on discussions held regarding idea for the Woody Waster user fee.

Planning Committee

Councilor Handley had nothing to report. Mr. Konek reported the Planning Committee meeting is scheduled for Wednesday at the regular time and there are not development plans but there are development letters that need to be adopted.

LIASON REPORTS**Rec Board**

Councilor Kapenstein reported there are good things happening with the Rec Board. He stated they have held a couple meetings to get everything back in order and hopefully turn things around.

GMEDC

Council President McNamara thanked Mr. Raudenbush for everything that has happened over the last 45 – 60 days regarding the agreement of sale. He stated the ICDA authorized Mr. Tunnell to execute the agreement and there was no decision made by the ICDA to turn it over to somebody else. Council President McNamara reported the Theatre continues to operate as it is and the GMEDC continues as the operator.

New Business

Councilor Kapenstein stated he would like to schedule a meeting with the Historical Restoration Commission, Historical Society, Council and the Solicitor to figure out what we are doing with the Grosh House.

Discussions amongst council took place on the Grosh House property regarding the way the meetings should be done and by whom, the inventory never being completed, sharing of the building between three entities, the placement of a museum, as well as council taking action on the property and the idea to transfer it to the Historical Society.

Councilor Kapenstein made a motion to adjourn. It was seconded by Councilor Handley and approved by unanimous consent. At 10:40 p.m., the meeting was adjourned.

Amy J. Friday
Borough Secretary