

**Meeting Minutes of Middletown Borough Council  
October 4, 2016**

The October 4, 2016, regular meeting of the Middletown Borough Council was called to order at 7:06 p.m. in Council Chambers at 60 W. Emaus Street, Middletown, Pennsylvania by Council President Ben Kapenstein.

After the Pledge of Allegiance, the following Council members answered roll call: Anne Einhorn, Diana McGlone, Ian Reddinger, Robert Reid and Damon Suglia. Absent: Dawn Knull. Also present were Mayor James H. Curry III, Director of Finance and Administration Bruce Hamer, and Borough Secretary Grace Miller.

Report on Executive Session - President Kapenstein indicated that no action was taken as a result of the executive session held on September 20, 2016.

Public Comment on Agenda Items – None

Swearing in of Part-time Police Officer – Mayor James Curry performed the swearing in ceremony of Officer Adam Tankersly as a part-time police officer with the Middletown Borough Police Department and Sergeant Hiester presented Officer Tankersly with the badge of authority.

Be Kind Project – Holly Criniti, a teacher at Robert Reid Elementary School, was in attendance to request Council's permission to post signs made by 2<sup>nd</sup> grade students of Reid Elementary at the Square in Middletown, Hoffer Park and the Police Station through the month of October. Ms. Criniti explained that the students were learning about being good citizens and created the "Be Kind" signs to post in the community. **MOTION** by Robert Reid, second by Anne Einhorn to authorize the posting of "Be Kind" signs at the Square in Middletown, Hoffer Park and the Police Station through the month of October. Motion carried by a vote of 6 to 0.

Approve Meeting Minutes – September 20, 2016 – Councilor Diana McGlone indicated the minutes should be amended to reflect under the title "Make Middletown Beautiful" that Councilor Einhorn, not Councilor McGlone, made the remarks regarding the landscaping business. **MOTION** by Robert Reid, second by Ian Reddinger to approve Council meeting minutes for the September 20, 2016, meeting as amended. Motion carried by a vote of 6 to 0.

Approval of Bills - **MOTION** by Ian Reddinger, second by Damon Suglia to approve payment of bills as shown on the Accounts Payable List dated September 30, 2016, for the period September 17, 2016 through October 1, 2016, to ratify approval of such bills already paid, and to authorize the appropriate officials to take required actions to make said payments. Motion carried by a vote of 6 to 0.

Bruce Hamer, Director of Finance and Administration, referenced payments on the Accounts Payable list payable to the Middletown Fireman's Relief Association, the

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Police Pension Fund and the Non-Uniform Pension Fund noting these payments are a pass through from funds received from the Commonwealth of Pennsylvania that are designated and restricted for use in the fireman's relief fund, police and non-uniform pension funds.

Councilor McGlone questioned why employees are not using the Borough vehicle and are getting reimbursed for mileage. Mr. Hamer noted that Mr. Klinepeter uses the Borough vehicle.

Website Design – Nicholas Carson and Abhishek Jain of Strawberry Box Media were in attendance to announce that the website design for the Borough is structurally complete. Once additional information is received and updated, the website can be incorporated onto the Borough's server. Mr. Jain indicated the website is also capable of having live feed at council meetings and online bill pay capability. President Kapenstein requested a proposal be sent outlining costs of online bill pay and for live streaming. Due to certain equipment being unavailable, the design could not be viewed and Council will review the website at another time.

Financing Options for LED Streetlights – President Kapenstein stated that 8 banks had responded to the finance RFP with 1<sup>st</sup> Columbia being the lowest with an interest rate of 2.84%. TENS proposal was a rate of 3.17% interest. President Kapenstein stated the next step in the process after reviewing the proposals would be to approve moving forward with the project. TENS has guaranteed that savings will pay for the debt service and that the project will take 4 weeks to complete. Council will review the proposals and make a decision at the next meeting.

Tree Trimming Services – President Kapenstein stated this item will be tabled until after the Executive Session.

**MOTION** by Ian Reddinger, second by Anne Einhorn to authorize the advertising of the proposed Property Maintenance Code Ordinance. Motion carried by a vote of 6 to 0.

**MOTION** by Ian Reddinger, second by Diana McGlone to authorize the advertising of the proposed Chapter 114 Construction Code Ordinance. Motion carried by a vote of 6 to 0.

**MOTION** by Diana McGlone, second by Anne Einhorn to authorize the advertising of proposed Code Enforcement Revision Ordinance. Motion carried by a vote of 6 to 0.

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**MOTION** by Anne Einhorn, second by Robert Reid to ratify and approve Resolution No. 2016-25 congratulating Royalton on its 125<sup>th</sup> Anniversary. Motion carried by a vote of 6 to 0.

Internal Control Procedures – Mr. Bruce Hamer indicated there are current Internal Control Procedures in place and that he recommends the proposed revision to the Accounts Payable section regarding approval and payment as well as certain minimal information such as time spent, description of service, etc. being required for professional services such as legal, engineering and financial service invoices. Mr. Hamer also noted that other policies such as Purchasing, Billing/Collection and Investment Policies need revised and/or created. **MOTION** by Robert Reid, second by Ian Reddinger to approve the amendment to the Internal Control Procedure as presented. Motion carried by a vote of 6 to 0.

Records Management Policy – Mr. Hamer noted that Council had passed an Ordinance for Records Disposition and Retention Schedule following Act 428 as a basis for Records Management. Mr. Hamer opined that with the Right to Know requests, it is necessary to research previous years and is important to have on record that Council passes a Resolution prior to disposing of records. Mr. Hamer noted that records need to be stored in the appropriate locations where information will be readily accessible. Paper currently needs organized prior to moving to electronic storage of files. President Kapenstein stated that he was given a tour whereby records and maps are stored everywhere and need organized. **MOTION** by Robert Reid, second by Anne Einhorn to approve the Records Management Policy as presented. Motion carried by a vote of 6 to 0.

Mr. Hamer noted that he spoke with Greg Wilsbach, Public Works Director, who expressed an interest in having an intern organize and catalogue maps and subdivision plans. President Kapenstein noted that Councilor McGlone had previously suggested acquiring the services of a Penn State intern and directed that Authority Manager, Ken Klinepeter, contact the Chancellor at Penn State to see if there are interns available.

Mr. Hamer informed Council that he is endeavoring to have a first draft of the budget to Council by October 28<sup>th</sup> as the first budget meeting is scheduled for November 4<sup>th</sup>.

Councilor Dawn Knull joined Council via teleconference at 7:45 p.m.

Annual Renewal of Nixle – Councilor Knull stated she was investigating the Dauphin County Crimes website through the District Attorney's Office. Councilor Knull indicated the DA's Office will pay half the cost and is requesting all municipalities use this service. Councilor Knull recommended looking into this program prior to renewing the Nixle

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agreement. Council Knull noted her concern that this program does not have the capability of processing robo calls. Vice President Damon Suglia asked that this item be tabled until further information has been collected. Councilor Diana McGlone requested Nixle Alerts be placed on the Borough's Facebook page with President Kapenstein concurring.

Councilor Knull disconnected from the teleconference at 7:50 p.m.

Neighborhood Dispute Donation for 2017 – President Kapenstein recommended making a donation to this cause as a good service to the community. **MOTION** by Ian Reddinger, second by Anne Einhorn to authorize the donation of \$2,400. to Neighborhood Dispute Settlement for the year 2017. Motion carried by a vote of 6 to 0.

Overlay Zoning – President Kapenstein stated in order to meet the grant requirements, a presentation will need to be given Tri-County Regional in November with the final plan. Mr. Hamer stated the Borough Manager spoke to Tri-County Regional who stated that the final plan and presentation made in November would fulfill the grant requirements. President Kapenstein recommended the final plan and presentation be made to Tri-County Regional as well as sending the Overlay to the Planning Commission to review and make recommendations to Council. Councilor McGlone agreed that the Planning Commission should review the plan and further stated the plan is too cumbersome as it is currently and recommended it be scaled back to certain streets such as Union and Main.

Homestead Loan Program – Councilor McGlone indicated she is looking at an expansion of the Homestead Loan Program that may provide financial assistance to residents and business owners for improvements to be made to their properties.

Mr. Hamer noted that Councilor Reid has suggested that President Kapenstein read Resolution No. 2016-25 out loud for the benefit of residents. President Kapenstein read the Resolution congratulating Royalton on its 125<sup>th</sup> anniversary.

Middletown Square Update – Councilor Anne Einhorn noted that Dave Thompson will be starting to clear the square area and she will be contacting businesses for sponsors for the different quadrants.

Public Comment

Jack Still (37 W Emaus Street) – Mr. Still asked what the life expectancy is of the LED streetlights. Councilor Reddinger indicated the lights are to last 50-60 years. President

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Kapenstein stated TENS has guaranteed certain savings and will pay the difference if that savings does not occur.

Rachelle Reid (448 Grant Street) – Ms. Reid asked how many cases had been reviewed by Neighborhood Dispute Settlements in 2015. President Kapenstein indicated 6 cases have been reviewed so far in 2016, but is not aware of the number prior to that.

Ms. Reid expressed her concerns that Council members are attending Planning Commission meetings and acting as if they are in charge of the meeting. Ms. Reid requested Council look into this.

Mike Bowman (109 W Emaus Street) – Mr. Bowman asked when Ann Street would be paved and why the contractor was not required to come back and make the repairs. President Kapenstein indicated there is a plan to repair the street and it will take time. Councilor Reddinger recommended Borough staff complete the paving repairs prior to cold weather and back charge the contractor. President Kapenstein stated the engineer and attorney would need to be contacted to see if that would be acceptable. Councilor Reid stated the area between Lawrence and Grant Streets is the Borough's responsibility and has needed repairs for the last 5-6 years. It was suggested that Public Works be contacted to see if repairs could be made.

Darnell Nolen (507 Linden Street) – Mr. Nolen informed Council that his sister, Maria, formerly in the 2004 Miss Pennsylvania Pageant and Penn State graduate would be in the Penn State Homecoming Parade on Friday at 6 o'clock.

Executive Session – President Kapenstein stated Council would recess to Executive Session to discuss litigation, personnel and labor relation issues and then reconvene the meeting. Councilor Knull arrived at 8:10 p.m. to join Executive Session.

President Kapenstein reconvened the Council meeting at 9:46 p.m. stating that the following decisions had been made in Executive Session.

**MOTION** by Robert Reid, second by Anne Einhorn to authorize RKL to perform a Forensic Audit. Motion carried 7 to 0.

**MOTION** by Ian Reddinger, second by Damon Suglia to authorize a 5-day suspension for Officer Laugenslager based on information presented. Motion carried 6 to 1 with Robert Reid dissenting.

Adjournment - **MOTION** by Ian Reddinger, second by Damon Suglia to adjourn the meeting. Motion carried unanimously and the meeting was adjourned at 9:50 p.m.



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Grace Miller  
Borough Secretary