

April 6, 2015
Middletown, PA 17057

The April 6, 2015 meeting of the Middletown Borough Council was called to order at 7:00 p.m. by Council President Christopher McNamara.

Following the invocation by Pastor Jerry Cowan of Valley Baptist Church and the pledge of allegiance, the following Council members answered roll call: Mike Bowman, Anne Marino Einhorn, Benjamin Kapenstein, Robert Louer, Victoria Malone, Christopher McNamara and Scott Sites. Councilors Brubaker and Sullivan were absent from the meeting.

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

Councilor Bowman presented a certificate of appreciation to a representative of the international order of the Odd Fellows in recognition for renovations made to their building located at 51 – 55 W. Emaus Street in the Borough.

At this time, the representative of the international order of the Odd Fellows provided a brief history of the Odd Fellows and their connection to the Middletown Home. She also mentioned once the work at the W. Emaus Street property is completed inside, there will be an open house.

Councilor Bowman made a motion to approve the February 17, 2015 and March 2, 2015 council meeting minutes.

Mayor Curry asked that his remarks regarding his opposition to the Code of Conduct Resolution passed at the February 17, 2015 meeting be reflected in those minutes.

The motion was seconded by Councilor Malone and approved by a unanimous 7 – 0 vote.

Councilor Kapenstein made a motion to amend the meeting agenda for the purpose of public comment for the good of the community. The motion was seconded by Councilor Sites and approved by a 6 – 1 vote with Councilor Louer dissenting.

PUBLIC COMMENT – For items on the agenda

Cathy Winter, 154 W. Water Street

Ms. Winter commented on not getting answers from the Borough Manager when she comes into the Borough office with her concerns.

Ms. Winter commented on the Borough website stating she has noticed some things have begun to be updated. She mentioned her concern with the homepage pertaining to the ongoing projects and feels this type of homepage is inappropriate for getting businesses to locate to the Borough.

Ms. Winter commented on the Borough website stating the content is negative and private citizens have been called out in an inappropriate manner. She also stated the website should not be a place to continue personal wars against the GMEDC.

Dawn Knull, 123 State Street

Ms. Knull commented on Nixle stating it is not being used to its full potential and mentioned that no one was notified regarding the power outages on Friday evening and Sunday morning over the past weekend. She stated we have three salaried employees who have access to Nixle and there should be no reason why an alert wasn't sent.

Ms. Knull commented on the power outage Friday evening and its effects on the Frey Village residents.

Ms. Knull commented on public safety committee meeting dates being scheduled at the same time of a council meeting and the general election and she is wondering if they will be changed and to please let her know. Councilor Louer responded yes.

Mark & Debbie Fuller, 327 S. Catherine Street

Ms. Fuller commented on the large tree in front of their home needs to be taken down stating last March 2014 during the ice storm a large branch broke off taking down the power lines. She stated over the course of a year a large crack has now appeared down through the main trunk of the tree, the sidewalk is now hooved up due to the root system of the tree and the tree is leaning into the street.

Council President McNamara stated we have abolished the shade tree commission and recommended they make a request via letter to the Borough Manager to have the tree brought down.

Ms. Fuller commented on the home at 329 S. Catherine Street stating it has been the site of two criminally charged arsons. She said the house has not only become an eyesore but a haven for animals and has been vandalized on several occasions and they would like to have something done to it.

Council President McNamara stated we are in the process of acquiring it and once acquired it is on the demolition list.

Ms. Fuller commented on the two foot walkway between the two homes stating there is a rod iron gate attached into the brick on both homes in the front and would need something done structural to their home when the other home is demolished otherwise they are going to have a two foot rod iron gate sticking out of their property.

Borough Manager Tim Konek responded that will happen once the contractor gets mobilized and those details will get worked out.

Earl Bright III, 513 S. Catherine Street

Mr. Bright commented on a letter received from Mr. Miller in regards to a vehicle parked on their lot and stated they contacted Mr. Miller to have more time to get it removed due to the snow. He stated Mr. Miller gave them until April 1st to have it removed and he reports to Mr. Miller and council it has been removed.

Mr. Bright stated he can't understand why they received a letter when there are many abandoned vehicles, trailers and trash throughout the Borough for the past ten to fifteen years and nothing has been done about them. He provided council with pictures of these vehicles, trailers and trash and stated that he wanted to know if these owners were given a time limit to have them removed from their property. On behalf of his wife, Mr. Bright asked for everyone to be treated equally.

Greg Wilsbach, 719 Spruce Street

Mr. Wilsbach commented on planning commission documents given to the Borough Manager earlier today and that the Borough had to resign and date since the Borough had them for over a year and they should have been signed and given to him within thirty days and was now invalid. He stated the simple lot add on plan has been going on for two years and he would like to know if the two signatures are now on the plans that he dropped off earlier in the day so that his wife can take them up to Harrisburg tomorrow to be filed.

Borough Manager Tim Konek responded yes and we will get them to you after the meeting.

Mr. Wilsbach stated that he have them now since he was not planning on staying until the end of the meeting.

Mr. Wilsbach commented on the A B chance cutout switches visible on the council table. He stated that he understands Councilor Louer used his name earlier today in the Public Works meeting in regards to missing documentation on the fuses. Mr. Wilsbach mentioned his department was moved three times, his staff was laid off and his records were out and available for the public most of the time. He reported to the public works committee, while employed with the Borough, where he changed the fuses that have been blowing. Mr. Wilsbach stated when you have no employees, you can't change them anymore. He stated do not bash me since I am running for council.

Jaime Rishar, 122 N. Catherine Street

Ms. Rishar commented on the two new dugouts at Oak Hills ballpark stating they cost more than most of the homes for sale in the Borough.

Rachelle Reid, 448 Grant Street

Ms. Reid commented on a rumor she heard regarding money built into the budget for fireworks. Council President McNamara responded not to his knowledge and asked wasn't that the purpose of the recent Mayoral Madness. Ms. Reid wanted to know how council was going to allocate the money for fireworks and made a recommendation to utilize the salaries from the former Superintendent of Public Works and Electric Department Supervisor for the fireworks.

Kay Wealand, 131 Keystone Avenue

Ms. Wealand commented on the Code of Conduct stating it was not utilized tonight with an instance or with past instances at prior meetings. She stated the public has the right to get up and speak negatively and positively and that flag (referencing the United States flag) gives us that opportunity.

Ms. Wealand commented on the recent renovations to the Oak Hills ballpark. She mentioned there are other parks in the area that could have benefited from the \$43,000, especially Hoffer Park. Ms. Wealand asked if the Borough will have enough staff to clean up Hoffer Park for the Historical Society's event and other parks throughout the Borough. She stated this is something this council and this Borough can do for the community.

Councilor Sites addressed Council President McNamara's behavior at the March 16, 2015 council meeting and demanded he apologize to Mr. Wealand.

Council President McNamara stated he does not believe the tone Councilor Sites insinuates was what he delivered and if you want to continue with the personal attacks, it will continue.

Councilor Sites stated to Council President McNamara you delivered the personal attacks by digging up information on her.

Michael Swartz, 122 N. Catherine Street

Mr. Swartz asked why the Borough washed their hands of all the other ball fields in town and why the Borough no longer prepares the fields for their opening day. He stated he was told this by the MABA.

Council President McNamara stated he does not believe the Borough has washed their hands of the other ball fields.

Over the past couple years, the operations of the Borough has changed reported Borough Manager Tim Konek. Due to the limited number of staff, he stated we have to allocate those resources accordingly and at the same time there has to be a little bit of cooperation between the Borough organizations and staff to get things done.

Mr. Swartz commented on borrowing Borough equipment to maintain the fields and work hand in hand with the Borough and it was denied. Borough Manager Tim Konek stated he is not aware of this specific decision, but he can see any number of reasons why we would not let non Borough employees use our equipment for liability and insurance reasons.

Mr. Swartz commented on why the MABA wasn't consulted about the Oak Hills dugouts and why the \$43,000 couldn't be allocated to the other ball fields in the Borough. Borough Manager Tim Konek explained last year the Borough Council allocated \$10,000 to the MABA and only spent \$4800. At the end of the day, he stated the Borough owns the facilities and council makes the decisions.

Councilor Einhorn asked for a breakdown of the costs associated with the work that was done with the \$43,000. Borough Manager Tim Konek reported the final numbers are not in yet, but he reported the cost of the project was reduced by approximately \$7,000.

Sean Vaccarino, 202 S. Lawrence Street

Mr. Vaccarino commented on people bringing up things in the past and multiple people have mentioned it is election time stating that everyone one of us with our names on the ballot is being watched in some way or another. He stated there are clear signs of favoritism of who is with whom and who is on what side.

Jaime Rishar, 122 N. Catherine Street

Ms. Rishar commented on the Main Street gym stating the roof is still leaking. She stated the gym was built for use by the entire community to share not just the Middletown teams and she understands it not being used that way.

Borough Manager Tim Konek stated he received reports on the water that came down at the Main Street gym was traced to condensation on some of the pipes. He stated the roof is new and it is not the roof that is leaking and the roof is under warranty. Mr. Konek stated we will try and rectify the pipe situation.

Kay Wealand, 131 Keystone Avenue

Ms. Wealand commented on whatever involvement she may have had back in 2006 with the GMEDC was strictly as a resident.

Jack Still, 37 W. Emaus Street

Mr. Still commented on a recent article in the Patriot News stating if you think that article was good for Middletown you are a bunch of fools.

Rachelle Reid, 448 Grant Street

Ms. Reid commented on attending a Middletown Republican Committee meeting back in February comprised of Middletown committee people. At that meeting, she stated she was told to give up her seat as a republican committee woman because she spoke out against republican council members. Ms. Reid stated back in 2008, Councilor Bowman did that to her when she sat on council. She reported she is not going anywhere and will be beside Councilor Louer every time there is an election.

Councilor Bowman made a motion to adjourn. The motion was seconded by Councilor Louer and at 8:07 p.m. the meeting was adjourned.

Amy J. Friday
Borough Secretary