

Meeting Minutes of the Middletown Borough Council August 16, 2016

The August 16, 2016, regular meeting of the Middletown Borough Council was called to order at 7:02 p.m. in the MCSO Building by Council President Benjamin Kapenstein.

After the Pledge of Allegiance, the following Council members answered roll call: Anne Einhorn, Dawn Knull, Diana McGlone, Ian Reddinger, Damon Suglia and Benjamin Kapenstein. Also present were Mayor James H. Curry III, Borough Manager Kenneth Klinepeter, Solicitor Adam Santucci, and Borough Clerk Lori Smith. Robert Reid was absent from the meeting.

Report on Executive Session Held on August 3, 2016 – Mr. Kapenstein indicated that no action was taken as a result of the executive session held on August 3, 2016. He noted the fireworks display would be held on September 3 along with a Corn Hole tournament and Flag Football game. He further noted the next Council meeting will be held on September 6, 2016.

Recognition of National Night Out Volunteers - Chief John Bey and Officer Gary Rux were called upon to give the awards to volunteers for recognition of their efforts in organizing and carrying out the National Night Out event. Chief Bey thanked everyone who helped with the event. He stated that there were approximately 5,000 people in attendance at the event. Chief Bey and Officer Rux then presented numerous certificates to volunteers, businesses, and other organizations that assisted with and participated in the event. They also recognized several police officers from Middletown and surrounding communities who also participated in the same. Chief Bey also thanked Officer Rux for his dedication to the event noting his efforts began in March and included about 400 hours of planning for Middletown's National Night Out. He then presented Officer Rux with a Certificate of Appreciation.

Joseph Suple from the Press and Journal also made a presentation to Officer Rux from the House of Representatives, reading aloud the Certificate of Recognition that was presented. At this point the audience applauded Officer Rux for his work in bringing the community together with one of the largest National Night Out events in the area.

The meeting was recessed for a short break at 7:40 p.m. and refreshments were made available to those present. Mr. Kapenstein called the meeting back to order at 7:53 p.m.

Public Comment on Agenda Items – There were no comments on any agenda item.

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Appointments to the Human Relations Commission - **MOTION** by Ian Reddinger, second by Dawn Knull to appoint Mike Woodworth to a 5-year term and Rachelle Reid to a 4-year term on the Human Relations Commission. Motion carried by a vote of 6 to 0.

Approve Meeting Minutes – August 3, 2016 - **MOTION** by Ian Reddinger, second by Damon Suglia to approve Council meeting minutes for the August 3, 2016, meeting as submitted. Motion carried by a vote of 6 to 0.

Approval of Bills - **MOTION** by Ian Reddinger, second by Dawn Knull to approve payment of bills as shown on the Accounts Payable List dated August 12, 2016, for the period August 1, 2016 through August 12, 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.

Presentation by TEN – LED Street Lighting Upgrade Proposal - A presentation was made by Robert Campbell from TEN about the street lighting upgrade project.

Reports – Mr. Klinepeter highlighted the Manager and Public Works reports for the month of July.

Resignation – Borough Secretary – Mr. Klinepeter stated that after receiving 34 applications for the position of Borough Secretary, the field was initially narrowed to nine candidates, of which two declined the interview. A total of seven applicants were interviewed followed by a second interview with three candidates. Mr. Klinepeter reported the top candidate is Tonya Condran who is able to commence employment as of September 1, 2016. **MOTION** by Ian Reddinger, second by Dawn Knull to accept the resignation of Kenneth Klinepeter as Borough Secretary effective with the close of business on August 31, 2016. Motion carried by a vote of 6 to 0.

Appointment – Borough Secretary - **MOTION** by Damon Suglia, second by Ian Reddinger to appoint Tonya Condran as Borough Secretary effective September 1, 2016. Motion carried by a vote of 6 to 0.

Appointment of Additional Open Records Officer - **MOTION** by Dawn Knull, second by Anne Einhorn to appoint Tonya Condran as an additional Open Records Officer. Motion carried by a vote of 6 to 0.

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Approve Trick or Treat Night - **MOTION** by Dawn Knull, second by Damon Suglia to approve Thursday, October 27, 2016 as Trick or Treat Night from 6 p.m. to 8 p.m. Motion carried by a vote of 6 to 0.

Approve Assignment of License Fee for AT&T Cell Tower Lease - **MOTION** by Dawn Knull, second by Anne Einhorn to approve the Assignment of License Fee for the AT&T Cell Tower Lease. Motion carried by a vote of 6 to 0. It was noted the next two years' income from this lease will be allocated to the Elks project.

Approve Deed Conveying Reservoir - **MOTION** by Dawn Knull, second by Anne Einhorn to approve the deed conveying the reservoir property to the Borough of Middletown and the Assignment and Assumption Agreement on the same. Motion carried by a vote of 6 to 0.

Approve Assignment of Loan Agreement with Tattered Flag - **MOTION** by Ian Reddinger, second by Damon Suglia to approve assignment of the Loan Agreements with Tattered Flag to the Borough of Middletown. Diana McGlone inquired as to what fund the payments would be deposited to after payments commence in January 2017. Motion carried by a vote of 6 to 0.

Approve Reassignment of Streetscape Project - **MOTION** by Damon Suglia, second by Ian Reddinger to approve reassignment of the Streetscape Project to the Borough of Middletown. Motion carried by a vote of 6 to 0.

Award Capital Improvement Plan Development Contract – EIP Phase 4 - **MOTION** by Ian Reddinger, second by Damon Suglia to award the Capital Improvement Plan Development Contract to the firm of Herbert, Rowland and Grubic, Inc. in accordance with their proposal dated July 29, 2016. Motion carried by a vote of 6 to 0. It was noted this project will be funded by a grant covering 75% of the expense up to a maximum of \$37,500.

Approve Hiring Engineer and Issuance of RFP for Uncompleted Work on Water and Sewer System - **MOTION** by Ian Reddinger, second by Dawn Knull to authorize the Borough Manager to hire an Engineer to assist with the uncompleted work and with the administration of the concession agreement following a review of qualified candidates. Motion carried by a vote 6 to 0.

Resignation from Planning Commission – Raymond Jones - **MOTION** by Dawn Knull, second by Anne Einhorn to accept the resignation of Raymond Jones as a member of the Planning Commission. Motion carried by a vote of 6 to 0.

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Discussion on PA DCED Buyout Program – Mr. Klinepeter provided information concerning Pennsylvania Department of Community and Economic Development and CDBG-DR Buyout Program. He inquired about Council's willingness to participate in the buyout program noting he will provide flood plain maps as additional information for discussion.

Approve Alternate Members for Civil Service Commission - **MOTION** by Anne Einhorn, second by Dawn Knull to approve alternate member seats for the Civil Service Commission. It was noted there may be up to three alternates, one of which may be a member of Council. Motion carried by a vote of 6 to 0.

Website Update – It was reported that Mr. Klinepeter and Greg Wilsbach, Public Works Director, met with representatives from Strawberry Box Media regarding development of the website. It was noted the representatives are willing to meet with Council concerning this project.

RFP for the Purchase of Power for 2017 and Beyond – Mr. Klinepeter stated he is seeking Council action to receive RFP's to be received by the end of October as rates are very low at this time. He noted the price quotes when given are valid only for a 24-hour period. **MOTION** by Damon Suglia, second by Ian Reddinger to authorize the Borough Solicitor to prepare and advertise a Request for Proposals for the purchase of electric power with a fixed energy fee rate with transmission and capacity pass through with options for a three year, four year, and five year contract. Motion carried by a vote of 6 to 0.

Approve Proposal to Extend Engineering Services Agreement on Streetscape Project - It was reported the engineering services agreement with Herbert, Rowland and Grubic, Inc. for construction administration and observation services on the Streetscape project had expired on June 8, 2016. A proposal was submitted to extend this agreement through October 8, 2016. It was noted an engineer is required to be on site during construction activities.

MOTION by Dawn Knull, second by Damon Suglia to approve the extension of the construction administration and observation services agreement with the firm of Herbert, Rowland, and Grubic, Inc. for the Streetscape project on a time and materials basis for an estimated fee of \$98,500. Motion carried by a vote of 5 to 1 with Ian Reddinger voting no.

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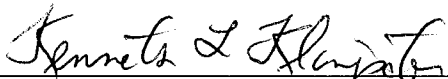
Public Comment

Bob Hauser, 37 B Brown Street expressed concern as to whether the Borough Manager would have the latitude to approve the proposal for the purchase of electric power. He also opined the MCSO is a terrible place to have the meetings because it is difficult to hear the participants.

Billy Nolen, 507 Lincoln Street inquired whether the lighting is the same as in Harrisburg and whether the Borough tests the water similar to what is done in Steelton. It was noted that Suez tests the water in Middletown.

Executive Session – Mr. Kapenstein announced an executive session would be held at this time. The meeting was recessed at 9:02 p.m. The meeting reconvened at 10:15 p.m. Mr. Kapenstein announced that matters of personnel, litigation and real estate were discussed in the executive session but no action was taken.

Adjournment - **MOTION** by Ian Reddinger, second by Dawn Knull to adjourn the meeting. Motion carried unanimously and the meeting was adjourned at 10:16 p.m.


Kenneth L. Klinepeter
Borough Secretary