

**Meeting Minutes of Middletown Borough Council
November 15, 2016**

The November 15, 2016, regular meeting of the Middletown Borough Council was called to order at 7:01 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, Dawn Knull, Diana McGlone, Robert Reid, Damon Suglia and Benjamin Kapenstein. Ian Reddinger joined the meeting at 7:06 p.m. Also present were Mayor James H. Curry III, Borough Manager Kenneth L. Klinepeter, Director of Finance and Administration Bruce Hamer, Public Works Director Greg Wilsbach, Solicitor Esch McCombie, and Borough Secretary Grace Miller.

Executive Session - President Kapenstein noted no decisions were made during the Executive Session held on November 7, 2016.

Public Comment on Agenda Items – None

Approval Meeting Minutes – November 1, November 3 and November 7, 2016 – **MOTION** by Dawn Knull, second by Damon Suglia to approve the November 1, 2016, November 3, 2016 and November 7, 2016 meeting minutes as presented. Motion carried by a vote of 6 to 0.

Ian Reddinger joined the meeting at this point.

Approval of Bills – Councilor Knull questioned why the same two officers have been going to trainings over the last several months and others are not. President Kapenstein recommended opening an account with Autozone which is now open in Middletown.

MOTION by Dawn Knull, second by Anne Einhorn to approve payment of bills as shown on the Accounts Payable List dated November 15, 2016, for the period November 1, 2016 through November 15, 2016, to ratify approval of such bills already paid, and to ratify the Accounts Payable List for the Middletown ICDA dated November 15, 2016 for the period November 1 through November 15, 2016 and to authorize the appropriate officials to take required actions to make said payments. Motion carried by a vote of 7 to 0.

Reports – Mr. Kenneth Klinepeter stated Flyway Excavating is working on the Streetscape Project to resolve the matter of the decorative pole bolt patterns by putting in a temporary traffic light and will open up Union Street once PennDOT approves the plan. The delivery of the decorative poles is approximately 4 months out. Mr. Klinepeter noted the water line installation was completed between Wood Street and West Main Street with an unexpected delay due to Suez requiring last minute scheduling and documentation which resulted in an increase to the project of \$4,000. Mr. Klinepeter noted DCED was informed that the Borough does not desire to participate in the additional Hazard Mitigation grant projects.

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Mr. Klinepeter indicated meetings had been held with Suez and Londonderry regarding a Letter of Intent to serve the Lytle Farm with sanitary sewer service.

Mr. Klinepeter noted that Public Works Director, Greg Wilsbach, and Councilor Reid worked closely together to look at the parking situation downtown. Included in Council's packet is an existing Ordinance with suggestions regarding signage and permit parking. Mr. Wilsbach stated he created a "Downtown District" with a combination of 2-hour and permit parking. Mr. Wilsbach indicated his desire to ensure Council agrees with the suggested changes and asked Council how they would like to handle the loading zone at the Blue Room and if Council would like to change the fees. Councilor Suglia recommended talking to the owners to see if unloading can be done in the parking lot rather than the street. Councilor Reid noted he had spoken to the owners and they are not happy with 2-hour parking. Mr. Klinepeter recommended speaking to the owners before changing the Ordinance. After some discussion, Council directed Mr. Wilsbach to talk with the owners and give the Ordinance to the solicitor before next Council meeting so the Ordinance can be drafted and approval to advertise at the December 6 meeting.

Councilor Reid asked if there were ideas for beautification of the site near the train station. President Kapenstein noted there was a meeting regarding the train station tomorrow and questions could be raised there.

Mayor James Curry, III thanked Public Works for adding blinking lights and painting "SLOW" on the roadway around the college and that he has noticed a difference in traffic. Mayor Curry noted that one of the blinking red lights on Spring is no longer working. Mr. Klinepeter stated he will send an email to Chief Bey requesting additional patrols due to the high traffic and noise.

Councilor Knull stated the Crime Watch meeting is being held tomorrow at 6 p.m. at the Liberty Fire Hall with a public speaker from Harrisburg City presenting as well as police officers and firemen regarding what they are seeing occur in Middletown. Mayor Curry indicated Chief Bey had met with Harrisburg Police Department Community Relations to move forward with the Community Crime Watch. Mayor Curry and Councilor Einhorn noted that they also been in touch with Communities that Care and they will be presenting at the December 6, 2016 meeting.

Adopt Resolution No. 2016-26 Fund Balance Policy – Mr. Klinepeter stated Council was presented with implementing a Fund Balance Policy at its meeting on November 3, 2016 and this resolution formally adopts that policy. Motion by Ian Reddinger, second by Anne Einhorn to adopt Resolution No. 2016-26 Fund Balance Policy. Motion carried by a vote of 7 to 0.

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Adopt 2017 Tentative Budget - Mr. Klinepeter noted the proposed 2017 Borough Budget was prepared by the Borough Manager and the Finance Director and reviewed at a meeting of Borough Council as a Committee of the Whole on November 3 and November 7, 2016. This proposed budget requires no tax increase in order to meet projected expenses. Mr. Klinepeter requested authorization to advertise the availability of the proposed 2017 Borough Budget for public inspection as provided for in the Borough Code and that formal adoption be scheduled for the regular meeting on December 6, 2017. Councilor Damon Suglia stated he would like the Capital Projects Budget to reflect \$20,000 to revamp Council chambers. President Kapenstein concurred. Councilor Einhorn questioned what specifically is being done to cost \$20,000. Councilor Suglia and President Kapenstein recommended replacing the table. President Kapenstein asked Mr. Wilsbach to look into costs. Councilor Einhorn indicated new paint would be in order.

Mr. Hamer stated the proposed Capital Budget for police was based on an estimate of \$65,000 for replacing and outfitting vehicles. Mr. Hamer noted that \$30,000 was set aside for the two current vehicle leases leaving \$35,000 for the 2017 vehicle purchase. Based on the new cost information provided by Chief Bey, the budget will be short for vehicles and camera purchases as well. Councilor McGlone questioned the budgeted amount of funds for the Fire Department. Mr. Hamer stated \$150,000 has been budgeted.

Mayor Curry requested \$10-12,000 be allocated for the maintenance, upkeep and replacement of decorations. Councilor Einhorn raised the question regarding the allocation of funds for beautification. Mr. Klinepeter noted those funds have been set aside for large flower planters for downtown and the 5-year Capital Improvement Plan denotes the replacement of overhead lights. Councilor Einhorn stated her appreciation of how Public Works decorates the town. President Kapenstein indicated \$10,000 should be set aside for the maintenance of decorations. MOTION by Dawn Knoll, second by Damon Suglia to authorize the advertisement of the 2017 Tentative Budget with the two amendments made of \$20,000 for the rehabilitation of council chambers and \$10,000 set aside for decorations and that formal adoption be scheduled for the Regular Meeting on December 6, 2017. Motion carried by a vote of 6 to 1.

Authorize Advertisement of Ordinance No. 1333-2017 Real Estate Tax Rate – Mr. Klinepeter stated Ordinance 1333 has no increase to the tax rate in 2017, keeps the millage rate at 5.631 and asked for Council's approval and authorization to advertise Ordinance No. 1333. Mayor Curry asked how many years it has been since real estate taxes were increased. Councilor McGlone noted taxes have not been increased since 2008 or 2009. President Kapenstein noted he and Mr. Hamer are putting together a document showing where resident tax monies are spent. MOTION by Ian Reddinger,

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second by Anne Einhorn to authorize the advertisement of Ordinance 1333 approving the 2017 Real Estate Tax Rate. Motion carried by a vote of 7 to 0.

Approve Investment Services Manager – Mr. Klinepeter stated that Council, at its meeting on November 1, 2016, heard the presentations from 3 investment management firms and rated them accordingly with President Kapenstein recusing himself from the complete process. A breakdown of those ratings was included in the Board packet with PFM being the firm that ranked the highest. Mr. Klinepeter asked for Council to appoint PFM Asset Management, LLC, as the Borough's Investment Services Manager for the Non-Uniform Defined Benefit Plan, the Police Pension Plan, Defined Contribution Plan and the OPEB Funds combined. Motion by Anne Einhorn, second by Ian Reddinger to appoint PFM Asset Management, LLC, as the Borough's Investment Services Manager for both the Non-Uniform Defined Benefit Plan, Police Pension Plan, Defined Contribution Plan and the OPEB Funds. Motion carried by a vote of 4 to 2 with President Ben Kapenstein abstaining.

Approve IT Services – Mr. Klinepeter stated staff met with 4 different IT companies who provided proposals for IT services to the Borough. Mr. Klinepeter recommended awarding the IT Services Contract to IntermixIT for the monthly fee of \$4,268.35 for the period of December 1, 2016 through December 31, 2017. MOTION by Dawn Knull, second by Damon Suglia to award the IT Services Contract to IntermixIT in the amount of \$4,268.35 per month for the period of December 1, 2016 through December 31, 2017. Motion carried by a vote of 7 to 0.

Ratify Emaus Street Water Line Additional Cost of \$4,000 – Mr. Klinepeter noted this additional cost was due to a delay in making the connection due to the need to meet Suez requirements. **MOTION** by Dawn Knull, second by Damon Suglia to ratify and approve the payment of \$4,000. change order to re-route the water line for the contribution agreement with PennDOT for Emaus Street water line. Motion carried by a vote of 7 to 0.

Ratify ICDA Appointments to Middletown Business Association – MOTION by Damon Suglia, second by Dawn Knull to ratify the ICDA appointments of Carol Kupp, Robin Pellegrini, Scott Sites, Scott Miller, and Joe Suple to the Middletown Business Association. Motion carried by a vote of 7 to 0.

RACP Grant Award Letter – President Kapenstein noted the Borough received a letter from RACP awarding a matching funds grant of \$500,000 for the rehabilitation of the Elks Building. President Kapenstein stated that he and staff met with CREDIC and recommended using CREDIC to handle the grant for a cost of \$15,000. Mr. Klinepeter noted the Borough has not been granted \$500,000. The monies have been set aside and the Borough needs to apply for the grant. President Kapenstein cautioned Council about the grant's stringent guidelines, the quickness in which the Borough would need to make

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decisions, the need to come up with the matching \$500,000 and that the project may cost more in the end. Councilor Reddinger asked what the role of ICDA would be. President Kapenstein noted ICDA would have to facilitate the response letter as ICDA did give conditional approval based upon Council's approval at the meeting beforehand. Mr. Klinepeter noted that a lot of items are on the Capital Improvement Plan including the maintenance of the library, community pool, and the gyms as well as an aerial truck and pumper truck needed for the Fire Company. President Kapenstein stated the Borough could utilize the grant, match the funds and then wash their hands of the building. Councilor Knull and Mayor Curry questioned how residents would feel about taxes being raised to rehab a theater. Mr. Hamer noted that Council needs to look at the big picture indicating there are other capital needs to be addressed that require a considerable sum of money. After some discussion, President Kapenstein stated a decision needs to be made tonight.

Rachelle Reid (448 Grant Street) – Ms. Reid asked if the funds from the Authority could be used. President Kapenstein stated those funds need to be used for water/sewer projects as they came from rate payers.

Robin Pellegrini (38 N. Union Street) – Ms. Pellegrini noted fund raising could be done. She would purchase a row of seats for her family. Councilor Reddinger stated he tried to put together a fund raising committee but no one was interested and it's too late now. Mayor Curry noted the previous owners of the theater had difficulty raising funds to get a projector. President Kapenstein indicated if Council says yes to the grant tonight there would be no penalty if it then decided to back out; however the Borough would still be responsible for costs incurred for the architects and engineers. Councilor Reddinger expressed concern about the Borough outfitting the building and it not being what the end user wants. Councilor Reddinger stated the Borough is not in the theater business.

MOTION by Diana McGlone, second by Ben Kapenstein to approve sending a response to the grant in a manner which will reserve the award for future application. The motion failed by a vote of 2 to 4 with Councilor Anne Einhorn abstaining.

Holiday Tree and Disposition of Borough Property – Mr. Klinepeter indicated he has been approached by residents requesting the hay bales around town that the Borough will be disposing of after Thanksgiving. Mr. Klinepeter recommended the hay bales be taken to the Woody Waste site and anyone who would like one can come and pick up a hay bale until they are gone. MOTION by Dawn Knull, second by Ian Reddinger to approve disposal of the hay bales to the public on a first come, first serve basis after the bales have been taken to the Woody Waste site. Motion carried by a vote of 7 to 0.

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Mr. Klinepeter indicated he was approached about the possibility of using Borough equipment to help set up the Holiday Tree. Mayor Curry stated the Holiday Home Tour, St. Peters Kierch sing along, tree lighting and Santa Claus is being looked at being combined into one event this year. Mayor Curry indicated he has a tree that is being donated and is requesting input from Council as to where it should be placed noting that St. Peters Kierch is willing to have the tree there as it is in the middle of the festivities. Councilor McGlone suggested Hoffer Park with Councilor Suglia suggesting the McNair property as the site for the tree. After some discussion, Council directed Mayor Curry and Mr. Wilsbach to put the donated tree at the McNair property and purchase five trees approximately 12 feet high from the Fire Company putting four trees up at the square and one tree up at Hoffer Park.

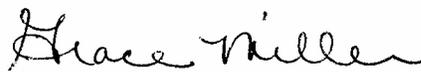
Public Comment

Jenny Miller (227 W. Water Street) – Ms. Miller informed Council the Historical Homes Tour will be held December 10 along with the tree lighting. Mrs. Miller expressed her gratitude to Greg Wilsbach, Public Works Director, stating he has gone above and beyond in an effort to make people aware of the One Way on Nissley Street. Ms. Miller requested police enforcement as that is the only way to make people aware.

Rachelle Reid (448 Grant Street) – Ms. Reid complimented Mayor Curry and the police department on catching the copper thief in town. Ms. Reid recommended checking with the DA's office as it is her belief that funds are set aside each year to help in the purchase and outfitting of police vehicles as well as trying to jump on the State piggyback for body cams and cruisers. Ms. Reid asked the solicitor if he was with McNees Wallace and if she could speak with him after the meeting.

Robin Pellegrini (38 N. Union Street) – Ms. Pellegrini thanked Council for allowing the Middletown Business Association to move forward.

Adjournment - President Kapenstein stated Council will be adjourning to Executive Session after the meeting to discuss personnel and litigation issues. **MOTION** by Dawn Knull, second by Anne Einhorn to adjourn the meeting. Motion carried unanimously and the meeting was adjourned at 9:04 p.m.



Grace Miller
Borough Secretary