

**Millersburg Borough Council Minutes**  
**March 8, 2017**  
**Millersburg Borough Council Chambers**

**Call to Order** – President Dietz called the Council meeting to order at 7:05PM with Cl'ms Boyer, Breach, Hoffman, Ibberson and Paden present. Manager McGann and Secretary Jackson were also present. Solicitor Kerwin arrived at 8:05PM. The invocation was given by President Dietz, followed by the Pledge of Allegiance.

**Guests** – Fred Bednar, Sharon Brickner, Roman Brickner, Colby Challenger, John Heckert, Karen Heckert, Vince Heckert, Debbie Hershey, David Sassaman, Todd Shaffer, Brett White, Skip Wingard, Erick Wolochuk.

**Approval of Minutes** – Motion by Cl'm Breach, seconded by Cl'm Paden to approve the minutes from the February 8 and February 22, 2017, meetings as presented. Motion carried.

**Public Comment**

**Complaint** – President Dietz recognized Sharon Brickner of 859 Union Street. Ms. Brickner complained about the potholes on her block and drivers speeding through the area. Manager McGann reported that the Public Works crew had just repaired four potholes and that he will inspect the area. President Dietz stated that we will try to address the speeding issue.

**Comments on the Property Maintenance Ordinance**

Brett White questioned whether or not the Property Maintenance Ordinance deals with the property's exterior only. Cl'm Boyer responded that the Ordinance deals primarily with the exterior with a few interior regulations, such as infestations and structural issues.

Karen Heckert requested clarification on which ordinances the Property Maintenance Ordinance will replace. President Dietz explained that the Property Maintenance Ordinance will replace property nuisance ordinances only. Other nuisance ordinances will remain in place.

Fred Bednar of 264 Center Street stated that he is totally in favor of the Property Maintenance Ordinance since he has seen property deterioration taking place in the Borough.

Erick Wolochuk, who owns a business at 146 West Center Street, stated that he is in favor of the Ordinance.

Skip Wingard of 312 Market Street stated that he served for two years on the Ad Hoc Committee which drafted the Property Maintenance Ordinance and that the Committee put together the best document they could. The Ordinance will need to be fairly and consistently enforced.

Debbie Hershey of 936 Union Street stated that she is in favor of the Ordinance and that she appreciates that the Committee considered effects on the elderly and financially strapped property owners.

Cl'm Boyer stated that the responsible party under this Code is the property owner and that the Committee tried to set reasonable and attainable goals for the Code.

President Dietz thanked everyone for their comments and all guests except for Mr. Sassaman then left Council Chambers.

**Financial Reports** – Motion by Cl'm Paden, seconded by Cl'm Ibberson to accept the Financial Report as presented. Motion carried. The Capital Improvement Report was reviewed. Motion by Cl'm Paden,

seconded by Cl'm Boyer to approve the Check Detail Report as presented. Motion carried with yes votes from Cl'ms Boyer, Breach, Dietz, Hoffman, Ibberson and Paden.

## **Committee Reports**

**Employee Relations** – No report.

## **Finance and Risk Management**

**Accident Insurance Policy (Volunteer Insurance)** – Council reviewed a proposal for renewal from Aegis Security Insurance Company. Council directed Manager McGann to question our agent regarding the stated age restriction and the matter was then tabled.

**Zelenkofske Axelrod LLC Invoice** – Council reviewed a progress billing invoice for \$6,000 for the 2016 audit. Motion by Cl'm Breach, seconded by Cl'm Paden to pay the invoice. Motion carried with yes votes from Cl'ms Boyer, Breach, Dietz, Hoffman, Ibberson and Paden.

**Auditor Request For Proposal** – Council reviewed the draft RFP for auditing services for 2017-2019. Motion by Cl'm Breach, seconded by Cl'm Paden to advertise the RFP in the Patriot News and the Upper Dauphin Sentinel around May 1, 2017. Motion carried with yes votes from Cl'ms Boyer, Breach, Dietz, Hoffman, Ibberson and Paden.

President Dietz called an executive session at 8:07PM for legal and real estate matters. Mr. Sassaman left Council Chambers. Solicitor Kerwin left the meeting at the conclusion of the executive session. President Dietz called the meeting back into regular session at 8:51PM with Mr. Sassaman returning to Council Chambers.

## **Parks and Recreation**

**Donation to Parks & Rec.** – Chairman Boyer reported that we recently received a \$500 donation from the Millersburg Moose earmarked for Parks & Rec. Boyer would like to price lights for the swinging bridge and research installation of same. Council directed Manager McGann to provide the cost of operating the white lights on the gazebo and also directed that they be left on through April 12<sup>th</sup>.

**Welcome Center Concession Stand Lease** – Council reviewed the lease at the last Committee meeting. Motion by Cl'm Breach, seconded by Cl'm Ibberson to approve the lease. Motion carried.

**MYO Compost Site** – Chairman Boyer reported that the Public Works crew has been doing clean-up work there.

**Amendment to Little League Facility Use Agreement** – The date for the Little League Opening Day Parade in the original agreement was April 8<sup>th</sup>. This amendment restates the date of the parade as April 22<sup>nd</sup>. Motion by Cl'm Hoffman, seconded by Cl'm Breach to approve the agreement amendment. Motion carried.

## **Property**

**Fire-Proof Filing Cabinet** – Council previously reviewed choices for a new fire-proof filing cabinet. There is \$2,500 budgeted for this item in the Capital Improvement budget. Motion by Cl'm Hoffman, seconded by Cl'm Paden to approve the purchase of a FireKing Patriot 4-drawer fireproof vertical file cabinet from Quill for \$1,947.69. Motion carried with yes votes from Cl'ms Breach, Dietz, Hoffman, Ibberson and Paden. Cl'm Boyer had stepped out of Council Chambers.

**Facility Use Agreement – DiSanto Mobile Office** – Tabled.

**Public Safety** – Chairman Ibberson had nothing to report.

## Streets

Complaint – Chairman Paden asked Manager McGann to update the Council on a complaint filed by Mark Hoffman regarding the condition of the intersection of Seal and North Streets. McGann reported that the Public Works crew repaired potholes at that intersection and that he advised Mr. Hoffman that he will find the intersection in much better condition.

2017 Paving Project – Council reviewed the budget numbers provided by New Enterprise Stone & Lime. The work to be performed was milling and repaving of the 300 block of Cherry Street and installation of two ADA curb ramps, totaling \$72,440. Council discussed the unknown condition underneath the street. Council directed Manager McGann to have Anne Anderson reassess the project and investigate with a core sample. Anderson is also to inspect the culvert at Cherry and Race Streets.

In reference to Ms. Brickner's complaint regarding the condition of the macadam in the 800 block of East Union Street, Anderson is to price applying a wearing course as an alternate. Installation of a stop sign on Union Street at Wiconisco Street was also suggested as a possibility to help with the speeders.

Brinjac Engineering Contract for 2017 Paving Project – Tabled.

Street Sweeper Rental – Council reviewed the Rental Agreement provided by Golden Equipment for \$2,500 for the week of April 3<sup>rd</sup>. Manager McGann reported that Solicitor Kerwin has reviewed it and had no objections. Motion by Cl'm Ibberson, seconded by Cl'm Paden to approve the rental agreement for the street sweeper for \$2,500. Motion carried with yes votes from Cl'ms Boyer, Breach, Dietz, Hoffman, Ibberson and Paden.

Facility Use Agreement – Tour de Millersburg Bike Race – The organization requests the use of the gazebo, Market Square, MYO and Seal Parks, and various streets for the Tour de Millersburg on August 5<sup>th</sup> and 6<sup>th</sup>. The user fee was set at \$110 to cover the rental of the gazebo and Seal Park pavilion #1. Motion by Cl'm Breach, seconded by Cl'm Paden to approve the agreement as presented. Motion carried.

Kimberly Schlegel Request for Marked Parking Stalls – Council directed Manager McGann to respond to Ms. Schlegel that her request for the Borough to paint parking stall lines in the 400 block of Market Street is denied. It was confirmed that a ticket can be issued for an operator not parking a vehicle completely within the lines of a designated parking stall.

Post Office Request for Reserved Parking – Council is monitoring the situation regarding the Post Office's request for three reserved stalls on Union Street for the rural route carriers.

## Economic Development

Website Design Proposal – Susquehanna Design & Printing Creative provided a website design and hosting proposal for the Borough's website. Council directed Manager McGann to confirm the website can be hosted on the allocated disk space. Motion by Cl'm Breach, seconded by Cl'm Ibberson to approve the proposal for \$1,000 for the first year. Motion carried with yes votes from Cl'ms Boyer, Breach, Dietz, Hoffman, Ibberson and Paden.

Manager's Report – Written report provided to all Cl'ms.

Christmas Lights Purchase – Council reviewed a quote from Display Sales for an additional 300 LED lights. The cost would fully reimbursed by the Lions Club. Motion by Cl'm Paden, seconded by Cl'm Ibberson to spend up to \$1,200 for 300 LED Christmas bulbs. Motion carried with yes votes from Cl'ms Boyer, Breach, Dietz, Hoffman, Ibberson and Paden.

2017 Truck Loan Update – Manager McGann reported that he is still trying to get the correct finalized documents from Mid Penn Bank.

### **Unfinished Business**

Borough Ordinance No. 1-17 Property Maintenance Code – Motion by Cl'm Hoffman, seconded by Cl'm Paden to approve Borough Ordinance No. 1-17 with the effective date of June 1, 2017. Motion carried.

Borough Resolution No. 17-02 – This resolution establishes the Appeals Board, effective June 1, 2017. Members are Frederick W. Bednar whose term will expire December 31, 2017; Erick G. Wolochuk whose term will expire December 31, 2018; and Deborah M. Hershey whose term will expire December 31, 2019. Alternate is Larry Conley whose term will expire December 31, 2019. Motion by Cl'm Hoffman, seconded by Cl'm Boyer to approve Borough Resolution No. 17-02, as amended. Motion carried.

Borough Resolution No. 17-03 – This resolution adopts the Appeals Form and applicable fees. Motion by Cl'm Hoffman, seconded by Cl'm Boyer to approve Borough Resolution No. 17-03, effective June 1, 2017. Motion carried.

Borough Resolution No. 17-04 – This resolution establishes the Property Maintenance Code fee schedule. Motion by Cl'm Hoffman, seconded by Cl'm Paden to approve Borough Resolution No. 17-04, effective June 1, 2017. Motion carried.

Property Maintenance Administration Standard Operating Procedure – This will be adhered to and changed as needed.

HRG Invoice – Council reviewed an invoice for \$3,288 for the State Street Storm Sewer Project. Motion by Cl'm Paden, seconded by Cl'm Breach to forward the invoice to Dauphin County for payment. Motion carried.

### **New Business**

Millersburg Reamer Property – Nikki Moyers of Med Staffers in Carlisle presented a proposal at the February Committee meeting to establish a medicinal marijuana dispensary on the former Millersburg Reamer property. Only 27 licenses will be issued state-wide. The facility would also be coupled with a vocational training center for adults with mental disabilities. Solicitor Kerwin drafted a letter of intent. The dates are based on December 31, 2017. Rent would be \$1,000 per month with a 3% annual increase. Additional real estate taxes assessed on a valuation over \$100,000 would be due to the Borough. Motion by Cl'm Hoffman, seconded by Cl'm Ibberson to approve the letter of intent incorporating the aforementioned particulars. Motion carried with one no vote from Cl'm Paden.

Communications – All communications were made available to Cl'ms. There was nothing requiring Council action.

### **Organization Reports**

Upper Dauphin COG – President Dietz reported that Jerry Feaser from the Dauphin County Elections Bureau was the guest speaker. COG will not be pursuing the calcium chloride bulk purchase.

Millersburg Planning Commission – Manager McGann reported that a façade wall was permitted.

Millersburg Fire Company – President Dietz reminded Cl'ms about the Meet & Greet event.

Millersburg Area Authority – President Dietz referred Cl'ms to their meeting minutes.

Dauphin County Tax Collection Committee – Secretary Jackson reported that the Committee will meet next week.

Millersburg Ferry Boat Association – President Dietz referred Cl'ms to their meeting minutes.

Dauphin Lebanon County Boroughs Association – President Dietz announced that the next meeting will be in April.

**Next Meeting** – President Dietz announced that Committee meetings will be March 22<sup>nd</sup> at 7:00PM.

President Dietz thanked the Council for hearing all the public comments and commended Cl'm Boyer for his extensive work on the Property Maintenance Ordinance.

Motion by Cl'm Ibberson seconded by Cl'm Paden to adjourn the meeting at 10:10PM. Motion carried.

Respectfully submitted,

Ann Bowman Jackson  
Borough Secretary

DRAFT