

**May 13, 2015**  
**Regular Meeting – Council Chambers**  
**Millersburg, Pennsylvania**

**Call to Order** – President Dietz called the Council meeting to order at 7:00PM with CI’ms Boyer, Miller and Paden present. Manager McGann and Secretary Jackson were also present. Solicitor Kerwin arrived at 8:45PM. The invocation was given by President Dietz, followed by the Pledge of Allegiance.

**Guests** – Harry Bricker III, Mike and Kathy Dreese. John Orr arrived at 9:30PM.

**Approval of Minutes** – Motion by CI’m Paden, seconded by CI’m Boyer to approve the minutes from the April 8, 2015 meetings as presented. Motion carried.

**Public Comment**

**Mike and Kathy Dreese** – The Dreeses live next door to one of the fire damaged properties resulting from the March 2015 fire. They complained about an odor coming from a storage container in the rear yard of 260 Union Street, as well as pieces falling off the house creating a safety issue. They questioned the time line for the owner to make repairs to the house. President Dietz explained that Borough ordinance requires insurance money to be held in escrow until the owner demolishes or repairs the property to the Borough’s satisfaction and we are currently at that point. The matter is complicated by the possibility that the property may be sold. Regardless, the ordinance requires that the property be brought up to code. There is no specified time line in Borough Ordinance No. 2-11 and President Dietz suggested updating the ordinance with appropriate language. The complaint regarding the odor from the storage container holding (presumably) water soaked items is to be handled as a nuisance ordinance violation. Council directed Manager McGann to contact the Dreeses to keep them apprised of any subsequent developments.

**Financial Reports** – Reports on file. Motion by CI’m Paden, seconded by CI’m Boyer to approve the Financial Report as presented. Motion carried. Motion by CI’m Paden, seconded by CI’m Boyer to approve the Check Detail Report as presented. Motion carried with yes votes from CI’ms Boyer, Dietz, Miller and Paden.

**Committee Reports**

**Employee Relations**

**Child Abuse Background Clearances** – The Committee recommends obtaining clearances on all non-uniformed employees. Manager McGann reported the cost to be \$47.50 per person. Motion by CI’m Paden, seconded by CI’m Miller to create a new line item in the budget for this expense, to spend \$47.50 on each non-uniformed employee that does not have the certifications and to reimburse one employee for his expenses for the certifications to date. Motion carried with yes votes from CI’ms Boyer, Dietz, Miller and Paden.

**Finance and Risk Management**

**2013-2014 Liquid Fuels Audit** – An auditor for the State Auditor General’s Office performed the audit. CI’ms received a copy of the exit conference memo. There were no findings.

**Certificates of Deposit** – President Dietz reminded CI’ms to be aware that we have three CD’s coming up for renewal later this year and one in early 2016.

## **Parks and Recreation**

**Chairman's Comments** – Cl'm Boyer reported that the Public Works crew will be doing River front clean up. All work will be done in house except for the disposal of driftwood. The schedule work day for the Dauphin County Prison trustees was cancelled due to high water. Positive feedback was received for last weekend's Wine Tasting Festival at MYO Park. The police presence was well noted, but not overbearing.

**Facility Use Agreement – Wenner-Neiswender Wedding** – Applicant requests the use of Veterans' Park on May 30 from noon to 8:00PM for a wedding. Special requirements were reviewed. The user fee would be \$55.00, per the 2015 Fee schedule, Borough Resolution No. 14-08. Motion by Cl'm Paden, seconded by Cl'm Boyer to approve the agreement as presented. Motion carried.

**Event Agreement – Ned Smith Center Annual Wildlife Festival** – The Center requests the use of MYO and Riverfront Parks on July 25 for their annual wildlife festival. The user fee would be \$110 to cover both pavilion rentals. Motion by Cl'm Paden, seconded by Cl'm Miller to approve the agreement as presented. Motion carried.

**Event Agreement – VFW-American Legion Memorial Day Parade** – The VFW requests the use of Market Square Park and various Borough streets on May 25 from 9:00AM to 11:00AM for the annual Memorial Day parade. The user fee would be waived. Motion by Cl'm Miller, seconded by Cl'm Paden to approve the agreement and to waive the user fee. Motion carried.

**Amendment to Millersburg High School Baseball Facility Use Agreement** – Council reviewed the amendment to permit ticket sales at playoff games on May 13 and 18, if Millersburg High School is selected to host the games. Motion by Cl'm Paden, seconded by Cl'm Miler to approve the amendment. Motion carried.

**Amendments to WQLV Wine Festival Event Agreement** – Council reviewed a number of amendments to the original agreement. The user fee increased from \$500 to \$750 and includes rental charges for both MYO Park pavilions. Motion by Cl'm Boyer, seconded by Cl'm Miller to approve the amendments. Motion carried.

**Borough Ordinance No. 2-15 Boat Docking** – Motion by Cl'm Boyer, seconded by Cl'm Paden to adopt Borough Ordinance No. 2-15 as presented. Motion carried.

**Borough Resolution No. 15-01 Boat Docking Regulations** – Motion by Cl'm Boyer, seconded by Cl'm Paden to approve Borough Resolution No.15-01 and give 30 days grace period from May 19, 2015 for owners to register boat and dock. Motion carried. Mr. and Mrs. Dreese left the meeting.

**Millersburg Boat Club Sign** - Wording shall be "Millersburg Boat Launch/River Access. Maintained and supported by the Millersburg Boat Club. Optional Annual Membership (\$10). Contact (phone number)." Motion by Cl'm Boyer, seconded by Cl'm Miller to permit the Boat Club to install a sign with this wording. Motion carried.

**Millersburg Ferry Boat Association BL Companies Invoice** – Motion by Cl'm Paden, seconded by Cl'm Miller to approve forwarding the invoice for \$800 to Dauphin County for payment. Motion carried.

**Swinging Bridge Repairs** – Manager McGann reported that the bridge has a loose support beam. He has been trying to locate someone to make the repair and do a full assessment but has been unsuccessful so far. President Dietz advised him to continue searching.

**Property** – There was no report.

**Public Safety** – There was no report.

## **Streets**

**2015 Street Paving Project Bid Opening** – Manager McGann reported that we received one bid from Eastern Industries. Motion by CI'm Paden, seconded by CI'm Miller to award Alternate C Walborn Lane, Light Street to Lebo Street, to Eastern Industries for \$59,422.00, pending review of documentation by Borough Solicitor and Engineer. Motion carried with yes votes from CI' ms Boyer, Dietz, Miller and Paden. President Dietz suggested that CI' ms keep the other projects quoted in mind as possibilities to be financed by the certificates of deposit that mature later this year. Manager McGann suggested the Dauphin County Infrastructure Bank as another possible funding source.

**Heim's Disposal Invoices for Street Cleaning Debris** – Manager McGann reported that Council previously approved \$692.30 for disposal of the street sweeper debris. The total amount invoiced is \$2,379.89. Motion by CI'm Boyer, seconded by CI'm Paden to approve payment of \$2,379.89 to Heim's Disposal, from the equipment rental line item of the budget. Motion carried with yes votes from CI' ms Boyer, Dietz, Miller and Paden.

**Driveway Permit – 118 Ridgewood Drive** – Property owner Craig Rosche has applied for a driveway permit. Manager McGann reported that there are no obstructions and that the Millersburg Planning Commission recommended approval. Motion by CI'm Paden, seconded by CI'm Miller to approve the application. Motion carried.

**Event Agreement – Dockey Auction 758 Church Street** – Dockey Auction Service requests the closure of the 700 block of Height Street between Bowman and Light Streets on June 20 from 5:00AM to 5:00PM for a public auction. Manager McGann will notify neighboring property owners and emergency services. Motion by CI'm Boyer, seconded by CI'm Miller to approve the agreement as presented. Motion carried.

**Event Agreement – St. Paul's Youth Carnival** – St. Paul's requests the closure of a portion of Congress Street on August 1 from 8:00AM to 6:00PM to hold a children's carnival. Manager McGann will notify neighboring property owners and emergency services. Imposition of the \$25 user fee shall be determined by checking Hillside Church's October 2014 application. Motion by CI'm Boyer, seconded by CI'm Miller to approve the agreement. Motion carried.

**Event Agreement – Tour de Millersburg Bike Race** – Applicant requests the use of the gazebo, Market Square, MYO and Seal Parks and various streets for the annual bike races on August 8 and 9 from 6:00AM to 7:00PM. The user fee would be \$115. Motion by CI'm Boyer, seconded by CI'm Paden to approve the agreement. Motion carried with one abstention by CI'm Dietz.

**Economic Development** – CI'm Dietz had nothing to report.

President Dietz called an executive session at 8:45PM for Council to discuss legal issues. Mr. Bricker left Council Chambers. The meeting was called back into regular session at 9:30PM with Solicitor Kerwin present. Upper Paxton Township Supervisor John Orr entered Council Chambers.

**Chelton Avenue Repair Project Update** – Mr. Orr gave an updated presentation to the Council. Gannett Flemming is the engineer. Pat Aungst Construction will bid the project and will have 60 days to complete construction under the emergency permit. Project description was reviewed, including one feature that is on private property which is situated within the Borough. Motion by CI'm Miller, seconded by CI'm Boyer to give approval to Upper Paxton Township to proceed with the repair as presented, upon conditional approval from the Borough's engineer, Anne Anderson. Motion carried. Solicitor Kerwin and Mr. Orr then left the meeting.

260 Union Street Complaint – Motion by CI'm Miller, seconded by CI'm Paden to request that Light-Heigel perform an evaluation of the property. If the structure is deemed to be a dangerous structure, Manager McGann is to proceed under the dangerous structure ordinance, sending the letter to the property owner giving them 30 days to begin to remedy the situation. McGann is also to send notice to the property owner that the storage container needs to either be cleaned out or removed. Motion carried.

Manager's Report – Manager McGann offered to answer any questions on his written report. President Dietz directed Manager McGann to get an updated timeline from Dauphin Precision Tool regarding the clean-up efforts. McGann is getting quotes to repair the Riverfront Park pathway from Eastern Industries and Flyway Construction. McGann has been invited to speak to Millersburg Area High School ninth grade Civics class throughout the day on May 20. Council gave permission to do so on Borough time.

### **Unfinished Business**

Chelton Avenue Project – CI'm Boyer stated that he will be calling Anne Anderson with Brinjac Engineering to discuss Upper Paxton Township's planned repair.

### **New Business**

Rhoads & Sinon LLP Invoice for Police Contract Arbitration – CI'ms reviewed the invoice for services through March 31, 2015. Motion by CI'm Boyer, seconded by CI'm Miller to pay the Rhoads & Sinon invoice for \$4,346.00. Motion carried with yes votes from CI'ms Boyer, Dietz, Miller and Paden.

Borough Resolution No. 15-07 Assessment Permits – This resolution sets the process for issuing permits for new development. The Millersburg Planning Commission has approved the draft document. President Dietz tabled the matter to allow time for review.

Release of Escrow Funds – 258 Union Street – The house has been demolished and the lot cleared. President Dietz reported that Manager McGann has all the required documentation. Motion by CI'm Paden, seconded by CI'm Boyer to release the funds held in escrow to Mr. Cruz. Motion carried with yes votes from CI'ms Boyer, Dietz, Miller and Paden.

**Communications** – All communications were made available to CI'ms.

### **Organization Reports**

Upper Dauphin COG – No report.

Millersburg Planning Commission – Manager McGann reported that Leah Pearlman-Storch was not present, so they did not work on the zoning ordinance. They reviewed three building permits. Mr. Andrew Baniias has submitted a letter of interest in filling the vacancy. Motion by CI'm Boyer, seconded by CI'm Paden to appoint Andrew Baniias to fill the balance of Craig Zimmerman's term. Motion carried.

Millersburg Area Pool Association – CI'm Boyer had nothing to report.

Millersburg Fire Company – No report.

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

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

Property Maintenance Ordinance Committee – CI'm Boyer reported that the draft document has been distributed to the full Council and Attorney Susan Smith. Ms. Smith will be reviewing front end legalities.

CI'ms are to provide their comments at the upcoming Committee meetings. President Dietz directed that the PMOC to continue meeting.

Millersburg Civil Service Commission – President Dietz referred CI'ms to their reorganization meeting minutes.

Next Meetings – President Dietz announced that the Committee meetings will be May 27. Main topics will be the Property Maintenance Code and the Borough Employee Manual.

Adjournment – Motion by CI'm Miller, seconded by CI'm Paden to adjourn the meeting at 10:10PM. Motion carried.

Respectfully submitted,

Ann Bowman Jackson  
Borough Secretary