

**MARTINSBURG BOROUGH COUNCIL MINUTES**  
**NOVEMBER 5, 2012**

The regular meeting of the Martinsburg Borough Council was held on Monday, November 5, 2012, in the municipal building. The meeting started at 7:00 p.m. with prayer by Randy Stoltz and the Pledge of Allegiance.

**ELECTED OFFICIALS PRESENT:** Mayor Rex L. Hartman, President Connie S. Lamborn, Vice-President Doreen K. Easley, Pro-Tempore Durban D. Metzler, Councilman Edward L. Bennett, Councilman Shawn D. Daughenbaugh, Councilwoman Linda K. Smith, and Councilman Daniel R. Smouse

**ALSO PRESENT:** Borough Manager Randy Stoltz, Borough Secretary Jane Staily, Chief Kerry Hoover, Rich Brantner, Jr., Attorney Frederick Gieg, Jr., Attorney Matt Gieg, Attorney Chris Jancula, Junior Councilman Aaron Kreider, Loy Kreider, John Frederick (*arrived 7:15 p.m.*) and Brian Hess of the Morrisons Cove Herald

An **EXECUTIVE SESSION**/workshop was held prior to the regular meeting to review the personnel employee pension checklist of items to be used to prepare the new pension ordinances.

**AARON KREIDER** was sworn in as Junior Councilman by Mayor Rex Hartman.

*The **MINUTES** of the regular meeting of October 1, 2012, were approved on a motion by Doreen Easley, seconded by Durban Metzler. The motion passed unanimously.*

*The **MINUTES** of the special meeting of October 15, 2012, were approved on a motion by Linda Smith, seconded by Doreen Easley. The motion passed unanimously.*

The **FINANCIAL AND TREASURER'S REPORTS** were presented for October 2012 as written.

*The **LIST OF BILLS** for October 2012, check nos. 6700-6733 in the amount of \$24,484.26 was approved on a motion by Doreen Easley, seconded by Ed Bennett. The motion passed unanimously.*

(John Frederick arrived at 7:15 p.m.)

Police Chief Kerry Hoover presented his **POLICE REPORT** as written. There was an unusually large amount of **TRICK-OR-TREATERS** out this year due to the nice weather – there were no trick-or-treating incidents to report. The county **NEIGHBORHOOD WATCH** meeting is coming up on Wednesday, November 14, from 6-7:00 p.m. at Penn State. Patrolman **ANDREW WYANDT** has resigned to take a full-time position with Greenfield Township. Patrolman **NATHAN HALE** is now full-time at Roaring Spring Borough which limits him to the hours he can fill for us. Chief Hoover was reviewing an application from **STEVEN WEYANT** of Altoona. He is twenty-one years old and just graduated from the police academy. Chief Hoover would like to hire him upon successful completion of his background check since we are down to only two part-time patrolmen now. *Council on a motion by Dan Smouse, seconded by Ed Bennett, approved to hire **STEVEN WEYANT** as a part-time patrolman subject to him passing all of the necessary background checks. The motion passed unanimously.*

The **NEW BOROUGH WEBSITE** through Charity Advantage is done but cannot be viewed by the public yet. Chief Hoover, Manager Stoltz and Secretary Staily worked on it on October 17 and it was done on October 22. Chief Hoover prepared a presentation of the website for the council to review before making it public. There will be a news release when the website goes live. Council seemed well pleased with the new look of the website.

Borough Manager Randy Stoltz reported that the first meeting of the **COMPREHENSIVE PLAN** was held on October 11 at 7:00 p.m. This meeting was for the Planning and Implementation Committee and there were 17 people in attendance. They got off to a good start with a lot of good discussion. The next meeting will be a community workshop held on Thursday, November 8 at the park. Manager Stoltz put out the invitation to those in attendance to come to the Booster meal for an \$11.00 registration fee. The meal is at 6:15 p.m. and the meeting starts at 7:00 p.m.

Manager Stoltz continued with his report. He attended the **BUDGET WORKSHOP** on October 15; he attended an **EMERGENCY MANAGEMENT MEETING** at the 911 Center on October 18; attended along with Gary Hooder an all-day **WATER/WASTEWATER CLASS** in Altoona on October 24 for six continuing education credits; **HURRICANE SANDY** hit on October 29 and 30 – Martinsburg had a total of 3.2 inches of rain – there were some shingle and tree damage with several houses losing power but we were very fortunate to have very little damage – there were no problems at the wastewater treatment plant; worked on the **BOROUGH WEBSITE**; and the **STREET SWEEPER** was run on October 31 to help keep the leaves out of the storm drains.

Attorney Frederick Gieg, Jr. reported that the **DAVID AND LINDA BANASZAK** real estate assessment appeal has been withdrawn. The Martinsburg Municipal Authority has completed the real estate transaction of the purchase of ten lots at **EDGEWOOD ACRES** as protection around the well field. Attorney Gieg attended the **PENSION MEETING** with Anthony Pinto of PMRS as well as the executive session to discuss the employee pension plan. Council is now in the position to update the pension plan ordinances tentatively to be adopted in January. Another ordinance will need to be passed regarding the police agreement we have with **HUSTON TOWNSHIP** to provide them service. This has been done every two years. Changes done between ordinances can be done by resolution.

Ed Bennett reported that the borough crew was out cleaning **STORM DRAINS**.

Connie Lamborn would like to review the **EMPLOYEE MANUAL** next year and make the necessary changes and updates taking into consideration any changes made in the new Borough Code that apply.

Linda Smith reported on the activities of the **REVITALIZATION COMMITTEE**. The **PLANTERS** were taken care of thanks to Dale Mellott; the committee has plans to decorate at the post office before the **WINTERFEST** on November 17; and the Winterfest banner and Christmas lights will be put up before the Winterfest.

Manager Randy Stoltz reported that he spoke with our trash haulers and several other municipalities. There are no concrete plans as of yet for how or if the **RECYCLING** will continue. Plastic seems to be the biggest problem with recycling. Haulers cannot make any money on it. Paul Kane can pick up plastic for a fee. A lot of the people he has spoken with here in town seem to want recycling in some fashion even if they have to pay extra and some who do not want to be forced to recycle. Most want to stay with their own trash haulers. Manager Stoltz had the idea for a fenced in area for recycling that could be controlled with the sale of swipe cards for entry to help pay for the dumpsters. The specifics would need to be looked at as to how much to charge and who to allow purchase the swipe cards. John Frederick thanked council for researching recycling ideas. He felt that one of the problems in Pennsylvania is that municipalities think someone else should take care of the problem of trash and recycling. The county may have some grants available for the purchase of recycling bins but the time frame for receiving the bins would be about 1 ½ years. Affordability and

convenience are the key issues to recycling. A recycling survey could be put on the borough website. Attorney Frederick Gieg commented on the Blair County case regarding tipping fees that put their recycling out of business just to make the borough aware. He will check further into the case.

Manager Stoltz reported that posters have been put up around town to inform the community about the **COMPREHENSIVE PLANNING MEETING** on November 8.

*Council on a motion by Ed Bennett, seconded by Doreen Easley, approved to advertise the **2013 BUDGET** for a **10-DAY PUBLIC INSPECTION** period for consideration for adoption at the regular meeting on December 3, 2012. The motion passed unanimously.*

*Council on a motion by Ed Bennett, seconded by Durban Metzler, approved to advertise the **2013 REAL ESTATE TAX ORDINANCE** as Ordinance No. 2012-589 to remain at 20.5 mills for consideration for adoption at the December 3, 2012 meeting. The motion passed unanimously.*

*Council on a motion by Dan Smouse, seconded by Lind Smith, approved to advertise the **2013 PER CAPITA TAX ORDINANCE** as Ordinance No. 2012-590 to remain at \$5.00 for consideration for adoption at the December 3, 2012 meeting. The motion passed unanimously.*

*Council on a motion by Durban Metzler, seconded by Ed Bennett, approved to advertise the **2013 EARNED INCOME TAX ORDINANCE** as Ordinance No. 2012-591 to remain at 5 mills for consideration for adoption at the December 3, 2012 meeting. The motion passed unanimously.*

*Council on a motion by Doreen Easley, seconded by Ed Bennett, approved the prepared **CHECKLISTS** for the Martinsburg Borough **NON-UNIFORM AND POLICE PENSION PLANS** with the Pennsylvania Municipal Retirement System to be used to update the new pension plan ordinances tentatively to be considered for advertisement at the December council meeting. The motion passed unanimously.*

*Council on a motion by Linda Smith, seconded by Dan Smouse approved to increase the **MAXIMUM OPTIONAL CONTRIBUTION** from 10% to 20% of compensation for the employees of the **NON-UNIFORMED PENSION PLAN**. The motion passed unanimously. Voluntary contributions are not permitted in the Police Pension Plan.*

A letter to the editor was printed in the Morrisons Cove Herald from Andrea Kanode, a resident of the Borough of Martinsburg, requesting consideration for **BANNING THE PRACTICE OF BURNING** leaves and other yard waste based on some experiences she recently had with neighbors burning. Although burning is not banned here in town the borough does already have the nuisance ordinance that address burning problems that can be enforced by our police department but a complaint must first be received by the department. Since most of the leave burning is done for this fall, council will take the request into consideration and will be thinking about the pros and cons of burning before next fall.

*The meeting **ADJOURNED** at 8:44 p.m. on a motion by Doreen Easley, seconded by Ed Bennett. The motion passed unanimously.*

Respectfully submitted,

M. Jane Staily  
Borough Secretary