

MARTINSBURG BOROUGH COUNCIL MINUTES
JUNE 1, 2015

The regular meeting of the Martinsburg Borough Council was held on Monday, June 1, 2015 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 Durban D. Metzler, Councilman Edward L. Bennett, Councilwoman Janet E. Blattenberger, and Councilwoman Linda K. Smith (*Councilman Doug Smith was excused; one council vacancy*)

In addition to the council, present were Manager Randy Stoltz, Borough Secretary/Treasurer Jane Staily, Chief Kerry Hoover, Richard Brantner, Jr., Attorney Frederick Gieg, Jr., Attorney Chris Jancula, and Brian Hess of the Morrisons Cove Herald.

The MINUTES of the regular meeting of May 4, 2015, were approved with a spelling correction on a motion by Janet Blattenberger, seconded by Linda Smith. The motion passed unanimously.

The FINANCIAL AND TREASURER'S REPORTS were presented for May 2015 as prepared by Treasurer Jane Staily.

The LIST OF BILLS for May 2015 check nos. 7988-8012 in the amount of \$195,603.44 (including a transfer of \$180,000 to the Reserve Fund) was approved on a motion by Janet Blattenberger, seconded by Durban Metzler. The motion passed unanimously.

Chief Kerry Hoover presented the POLICE REPORT as written. The week of May 11th was NATIONAL POLICE WEEK. Lamar Advertising in Altoona presented the police department with a MINI BILLBOARD in recognition of police services within the county – the department also received one from the DUI Task Force; PROJECT CHILDSAFE renewed their contract – free safety kits were made available to be handed out – the kits included a free gun safety lock; the Martinsburg Police Department will be hosting a FIRE ARMS INSTRUCTION CLASS next week with an attendance of 14 participants – Sgt. Davis will receive his training free since Martinsburg is hosting the class; Chief Hoover commended the Morrisons Cove Herald for the nice article they printed reminding the community of various ORDINANCES; there is no news on the NEW POLICE CAR – the interest rate went up since the borough passed the 2015 budget making the cost of the 2016 vehicle over budget; SPEED CHECK LINES have been painted on Spring Street; Chief Hoover thanked the borough crew for repainting the various speed lines, traffic lines and crosswalks; Linda Smith inquired if there was room at the square for the PEDESTRIAN CROSSING SIGNS – with the large trucks that turn there it is not possible to erect them at the square.

Manager Randy Stoltz reported that they finished putting up the 22 street BANNERS by May 6; SPRAYED WEEDS along the street curb lines on May 19 and will do it again before the Fourth of July; on May 20 PLANTED FLOWERS at the Veterans Memorial at the Triangle of Locust Street and S. Market Street – flowers were donated by an anonymous donor – the VFW Ladies Auxiliary is not able to continue caring for the plantings around the memorial – the borough mows the grass; on May 28 PAINTED CROSSWALKS, parking spaces, stop bars, arrows and the police speed lines; and on June 1 received an email from the Everett Railroad with information for tickets to ride the PARADE TRAIN – tickets will be available at www.everettrailroad.com starting June 8; a ZONING HEARING will be held on June 11 at 7:00 p.m. for a possible new bakery on Oakdale Road for wholesale purchases only – that street is zoned Residential Sub-Urban and requires a hearing for home occupation; about 20 more SOLAR LIGHT POLES need to be installed; the BANNERS were

placed a little lower on the poles this year – State law requires them to be at least 14' above the roadway – there are 2 or 3 more requests for solar light pole purchases but 12 need to be ordered to get the free shipping; Chief Hoover really likes the idea of a **TRAIN RIDE** for the Agricultural Parade – he commended Manager Stoltz for coming up with the idea.

Secretary/Treasurer Jane Staily reported that **YOUNG, OAKES, BROWN AND COMPANY** were just in for almost one week auditing the 2014 authority books. Secretary Jane Staily responded to a question about a new tax law. **HOUSE BILL NO. 160** is intended to amend the **LOCAL TAX COLLECTION LAW** to prohibit tax payments to an account in an individual's name if it passes. The new law will require the payment of tax bills to be written out to the municipality for which the tax collector was elected.

Attorney Frederick Gieg, Jr. prepared an opinion on the **2015 PAVING BID** award. The award of the paving bid to Grannas Bros. came before a review of the bid revealed an error in the calculation of the bid. Even with the unit prices recalculated their proposal was still low bidder which makes it appropriate to accept it at the recalculated amount. After review of the school district's bleacher agreement, Attorney Gieg noted the strong language on the indemnification. He recommended the borough contact their insurance carrier regarding insurance coverage which Manager Stoltz will report on this evening. After an inquiry about the start of the paving project, Manager Stoltz reported that while a start date has not been chosen there are various dates that were stated in the bid documents that the contractor cannot pave on (e.g. can't start before school is out; the Agricultural Parade date; bargain days, etc.).

Manager Stoltz will be meeting with the stenciling supplier on Friday to see how to do the **SIDEWALK STENCILING**.

The Martinsburg Municipal Authority met in May. **CURRYVILLE** continues to have water issues. They will be signing another consent order with D.E.P. Curryville has decided to try doing an income survey to see if they are eligible for any free money.

Manager Stoltz reported that he has not heard anything yet on the grant money for the **A.D.A. RAMPS**.

Secretary Jane Staily reported that it is now mandatory to receive state funding for the pension plan and the firemen's relief through **DIRECT DEPOSIT**. The State apparently will no longer be mailing out checks for those plans. PMRS has been contacted to see if Renee Gunnett is still eligible to receive annual **PENSION CONTRIBUTIONS** to her plan and also to see if she can continue voluntary contributions since the new pension ordinance of 2013 discontinued any future part-time employees from belonging to the pension plan. Betty Burns and Renee Gunnett would have been grandfathered into the plan at that time.

Linda Smith reported that the **FLOWERS** at the square were donated by various local flower shops. The Revitalization Committee has set up a watering schedule for the flowers for each day of the week except Sunday.

Manager Stoltz reported that Renee Gunnett will be calling the **RECYCLING MEMBERS** to remind them that they are all on the same renewal date now. All recycling fees are due January 1st of each year instead of everyone having their own renewal dates. This simplifies the billing for the office.

Durban Metzler reported that the **GULF STREAM CAFÉ** building may soon be changing ownership at the July scheduled sheriff sale.

The **VACANT HOUSE** located on W. Allegheny Street is still owned by Bank of America and the bank will not let anyone buy it.

The Keystone Ag house located at 209 W. Allegheny Street has been **DEMOLISHED**.

Durban Metzler spoke with Mike Miller about the **ONLY IN THE COVE** web cam live stream for the Agricultural Parade. Mr. Miller is losing interest in the town center web cam. The topic will be removed from the council agenda under old business.

A math error was found in the paving bid from **GRANNAS BROS.** The quantities and the unit price of the super-pave wearing course were correct but when they multiplied they bid \$29,279.25 instead of the correct amount of \$38,405.25. The other line item for scratch and leveling totaling \$990.00 was correct. Since the State bid sheet states that unit price prevails, the total bid amount needed to be revised to \$39,395.25 which is still low bid as New Enterprise Stone & Lime Company's bid amount was \$41,325.00.

*Council on a motion by Ed Bennett, seconded by Janet Blattenberger, **RECINDED** last month's motion to award the 2015 Paving Bid to Grannas Brothers in the amount of \$30,269.25. The motion passed unanimously.*

*Council on a motion by Janet Blattenberger, seconded by Ed Bennett, accepted the **2015 PAVING BID** from Grannas Brothers in the corrected amount of \$39,395.25. The motion passed unanimously.* Scott Grannas was satisfied with the new total bid amount per Manager Stoltz. Attorney Gieg requested a letter from Scott Grannas stating the same.

In search for bleachers to be used for the passengers of the train to the Agricultural Parade this year Manager Stoltz was able to use **BLEACHERS** at no cost from the Spring Cove School District. All other rental companies wanted as much as \$10 per person for the bleachers. The main concern now over the use of the bleachers is to make sure the borough's insurance would cover it. *Council on a motion by Janet Blattenberger, seconded by Linda Smith, approved to increase the borough's liability aggregate to \$2,000,000 for a cost of \$82.00 to the policy. The motion passed unanimously.*

Council on a motion by Durban Metzler, seconded by Janet Blattenberger, authorized to execute a bleacher agreement with the Spring Cove School District. The motion passed unanimously.

President Connie Lamborn offered to **VOLUNTEER** to help out with the Agricultural Parade train tour and/or bleacher arrangement.

One letter of interest was received from **ROB DICKSON** for the position of council for the remainder of Dan Smouse's term. *Council on a motion by Linda Smith, seconded by Durban Metzler, appointed Paul Robert Dickson to fulfill the remainder of Dan Smouse's council term ending January 1, 2016. The motion passed unanimously.*

Chief Kerry Hoover reported that if **PA HOUSE BILL NO. 709** passes, the Pennsylvania State Police will be imposing a fee on municipalities for patrol services they provide. Martinsburg Borough should be exempt because of the number of man hours our department covers but a lot of the surrounding townships with none or limited coverage will have to pay. The cost will be \$56 per resident the first year; \$113 per resident the second year; and \$156 per resident the third year. This bill will also give our police department the authority to bill other municipalities if we take part in an incident that the state police cannot respond to. Council would like Attorney Gieg to look into the bill in case it passes.

Minutes for the May 11, 2015 meeting of the **MARTINSBURG VOLUNTEER FIRE COMPANY** were included in the agenda packet.

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*The meeting **ADJOURNED** at 8:05 p.m. on a motion by Ed Bennett, seconded by Janet Blattenberger. The motion passed unanimously.*

Respectfully submitted,

M. Jane Staily
Borough Secretary