

**[MARTINSBURG BOROUGH COUNCIL MINUTES
SEPTEMBER 3, 2024**

The regular meeting of the Martinsburg Borough Council was held on Tuesday, September 3, 2024 in the municipal building. The meeting started at 7:00 p.m. with prayer by Richard Brantner, Jr. and the Pledge of Allegiance.

ELECTED OFFICIALS PRESENT: Mayor Richard A. Brantner, President P. Robert Dickson, Vice-President Ed Bennett, Pro-Tem Charles E. Kensinger, Councilwoman Janet E. Blattenberger, Councilman James C. Dell, Councilman Neil E. Gartland and Councilman Darin B. Meck

In addition to council, present were Borough Manager Richard Brantner, Jr., Secretary/Treasurer Jane Staily, Chief Kerry Hoover, Attorney Nathan Karn, Reba Stuller, Tom Lykens and Amy Hockenberry.

TOM LYKENS, an applicant for a part-time patrolman position, was present to introduce himself. He currently works for the Sheriff's Department; lives in Williamsburg; and has been out of the Army since 1995. He will be available to work on weekends. Chief Hoover reported that his background check came back excellent and is anxious to get him started working. Council appreciated him coming to introduce himself.

*The **MINUTES** of the meeting of August 5, 2024 were approved on a motion by Charles Kensinger, seconded by Janet Blattenberger. The motion passed unanimously.*

The **FINANCIAL AND TREASURER'S REPORTS** for August 2024 were prepared and presented by Secretary/Treasurer Jane Staily.

*The **LIST OF BILLS** for August 2024, check nos. 11453-11477 in the amount of \$109,996.36 was approved on a motion by Janet Blattenberger, seconded by Charles Kensinger. The motion passed unanimously.*

MAYOR RICHARD BRANTNER presented his report as written.

Police Chief Kerry Hoover presented the **POLICE REPORT** as written.

BOROUGH MANAGER Rich Brantner reported:

AUG 9 – we received about 4-inches of **RAIN** from tropical storm Debby – had some minor flooding at the wastewater plant

AUG 14 - we had a **WATER LEAK** on W. Allegheny Street on a service lien

AUG 15 – Dusty went to a water/sewer class for his **CONTINUING EDUCATION** hours

AUG 20 – Canary Labs put an **ALARM CALL-OUT SYSTEM** for the wastewater treatment plant – sends out a text/phone call for any pump fails or high flows

AUG 21 – had a **STREET SWEEPER** demonstration

AUG 22 – had a **WATER LEAK** on the 6-inch main on Spring Street

Rob Dickson reported for the Finance Committee his appreciation for Manager Rich Brantner, Jr. and Secretary/Treasurer Jane Staily for monitoring the **INTEREST RATES** on the borough's various accounts.

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The Personnel Committee met after last month's council meeting to discuss Dustin Russell's potential to move up to the position of **FOREMAN** and to hire a **LABORER** for when Brian Miller retires this fall. *Council on a motion by Rob Dickson, seconded by Charles Kensinger, approved to promote DUSTIN RUSSELL to the position of Foreman the day after Brian Miller's last work day when Brian Miller vacates his job and to increase Dustin Russell's hourly rate to \$22.50 per hour at that time. The motion passed unanimously.* A Help Wanted ad for the laborer's position has been advertised twice in the Morrisons Cove Herald on August 15 and 19 for applications to be accepted until September 13, 2024.

Council on a motion by Charles Kensinger, seconded by Janet Blattenberger, adopted the 2025 MMO for the NON-UNIFORMED PENSION PLAN PMRS Plan No. 07-045-3N in the amount of \$41,014.00. The motion passed unanimously.

Council on a motion by Janet Blattenberger, seconded by Neil Gartland, adopted the 2025 MMO for the UNIFORMED PENSION PLAN PMRS Plan No. 07-045-3P in the amount of \$16,856.00. The motion passed unanimously.

Attorney Nathan Karn prepared a resolution in response to the Auditor General's finding that we did not adopt the proper document for the **PENSION ACT 44 REQUIREMENT**. The act requires municipal pension systems to adopt policies regarding conflicts of interest that impose a restriction of not less than one year upon the participation of former officials or employees of the applicable pension system in the submission of applications to provide professional services. *Council on a motion by Charles Kensinger, seconded by Darin Meck, adopted Resolution No. 2024-0903-01 adopting the process and procure for procuring professional services for the Martinsburg Borough pensions under the Pension Contract Provision of PENNSYLVANIA ACT 44 OF 2009. The motion passed unanimously.*

Manager Rich Brantner, Jr. reported that the **ISUZU STREET SWEEPER** company stopped making the street sweepers with two steering wheels since there is an air bag issue. That second steering wheel makes sweeping close to the curb so much easier. He found a place called Bortek that still has two sweepers left with the second steering wheel. A letter of intent to purchase to the street sweeper company would hold it for 30 days. There was mention of maybe just looking for a used street sweeper. Charles Kensinger felt the expense of a new street sweeper should be looked at as a long-term investment for the community. It may seem like a large expense up front but will last for years to come. The current street sweeper is thirty-three years old but we purchased it used and had it nineteen of those thirty-three years. Manager Rich Brantner, Jr. hopes to hear the results of the grant awards the borough applied for the sweeper in a few weeks. Janet Blattenberger suggested using the \$65,000 American Rescue Plan money towards a new sweeper if we do not receive the grant. *Council on a motion by Neil Gartland, seconded by Charles Kensinger authorized Manager Rich Brantner, Jr. to purchase the NEW STREET SWEEPER from Bortek if the grant for 100% of the cost of the sweeper is awarded to Martinsburg Borough. The motion passed unanimously.*

Gary Calvert geologist for the 114 W. Penn Street lot submitted another invoice. This one is for \$17,515.64. *Council on a motion by Charles Kensinger, seconded by Janet Blattenberger, approved to pay the invoice to Gary Calvert in the amount of \$17,515.64 to be*

paid for from the Reserve fund for work done at 114 W. PENN STREET. The motion passed unanimously. The Zimmermans agreement is to refund the borough for one-half of the invoice.

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Council on a motion by Janet Blattenberger, seconded by Darin Meck, approved Thursday, October 31, 2024 from 6-8 p.m. as TRICK-OR-TREAT NIGHT. The motion passed unanimously.

Manager Rich Brantner, Jr. reported that while Brian Miller's letter of resignation names November 22, 2024 as his last day. He will be taking the two weeks prior as vacation time so his actual last work day will tentatively be November 8, 2024. Dustin Russell's first day as **FOREMAN** will begin the day after Brian Miller's last *work* day. Applications will be accepted for the **LABORER** position up to September 13th and then interviews will be conducted. Plans are for the new laborer to start on November 12, 2024.

Copies of the minutes for the **MARTINSBURG VOLUNTEER FIRE COMPANY** for their regular meeting on August 12, 2024 were included in the agenda packet. Tickets are now on sale for the fire company's **DUTCH MEAL** on October 5th.

Chief Hoover inquired if he still had permission to **HIRE PART-TIME PATROLMEN** before getting council approval. Attorney Nathan Karn advised council that if that has always been the procedure it can be continued but the Sunshine Act does require that council still must vote to hire the new patrol officers after the chief hires them to make it official or it is a violation of the Sunshine Act. A motion to hire cannot be made this evening since it was not on the agenda. It can be put on the agenda for next month.

*The meeting **ADJOURNED** at 8:05 p.m. on a motion by James Dell, seconded by Darin Meck. The motion passed unanimously.*

Respectfully submitted,

M. Jane Staily
Borough Secretary