

**MARTINSBURG BOROUGH COUNCIL MINUTES**  
**SEPTEMBER 4, 2012**

The regular meeting of the Martinsburg Borough Council was held on Tuesday, September 4, 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, Councilman Daniel R. Smouse, and Councilwoman Linda K. Smith

**ALSO PRESENT:** Borough Manager Randy Stoltz, Borough Secretary Jane Staily, Chief Kerry Hoover, Sgt. Justin Davis, Rich Brantner, Jr., Attorney Matt Gieg, and Brian Hess of the Morrisons Cove Herald

*The MINUTES of the regular meeting of August 6, 2012, were approved on a motion by Linda Smith, seconded by Durban Metzler. The motion passed unanimously.*

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

*The LIST OF BILLS for August 2012, check nos. 6609-6649 in the amount of \$86,717.70 was approved on a motion by Doreen Easley, seconded by Ed Bennett. The motion passed unanimously.*

Police Chief Kerry Hoover presented the **POLICE REPORT** as written. Arrests have been down this month but the department still has been extremely busy. **TRICK OR TREAT NIGHT** will be on Thursday, October 25, this year from 6-8:00 p.m. in all municipalities in Blair County except Williamsburg; the **NEW POLICE CAR** arrived last Monday – Chief Hoover thanked council for going the extra step and approving to purchase an **EXPLORER** – the radios were installed in it on Friday – had one custodial arrest since the arrival of the new car and found it was much easier getting them in and out of the Explorer – the graphics will be done by the end of the week; have been attending **WEBINARS** 1-2 days a week reviewing the new Borough Code; and participated in a **DUI CHECKPOINT** in Tyrone – the location of this checkpoint attracted many spectators.

Linda Smith reported that the **DUCK POPULATION** was increasing and becoming problematic especially when neighbors feed them.

Manager Randy Stoltz reported that on August 7 the Community Fund Council met and set a goal for the **2012 COMMUNITY FUND CAMPAIGN** at \$39,700 – they are planning to stuff envelopes for their annual mailing on Tuesday, September 11 at 7:00 p.m. at the park dining hall – this would be an opportunity for high school students to donate some time for community service since they are now required to volunteer a certain amount of hours each year; Manager Stoltz attended **WEBINARS** with Kerry Hoover, Secretary Jane Staily, and Connie Lamborn concerning the **NEW BOROUGH CODE** which by Act 43 of 2012 went into effect on July 16, 2012 – the original code went into effect in 1966; on August 29 met with Mike Bowser of PennDOT's municipal services department to review our completed **2012 PAVING PROGRAM** – the grand total was \$32,096.84 which included Borough Way, North First Alley and South Market Alley – everything was in order and approved – one ADA ramp installed did not meet the street so had to change the street to meet the ramp – there have been nothing but positive comments on taking over and paving Borough Way – it is now a safer throughway especially since it was lined; Manager Stoltz applied for

MARTINSBURG BOROUGH COUNCIL MINUTES  
SEPTEMBER 4, 2012 – PAGE 2

\$235,000 from the **TRANSPORTATION ENHANCEMENT PROGRAM** - he is scheduled to give a 15-minute oral presentation at the PennDOT office in Hollidaysburg on September 6<sup>th</sup> at 2:15 p.m.

Manager Stoltz inquired which direction from the square council felt would be the most beneficial to renovate first with the **STREETSCAPE PROJECT** money. This has been a hard project to plan thus far since it is still unknown exactly how much money will be available. It was the consensus of council that S. Market Street be considered first since due to the large elderly population that reside at Homewood and The Village at Morrisons Cove. Dan Smouse was concerned about using the grant money for improvements for some and not for others. Since there will not be enough money to do all four directions from the square the S. Market Street side could be considered as Phase I and as more money is obtained more phases could be planned.

Attorney Matt Gieg reported that **ATLANTIC BROADBAND** was granting consent to transfer the control over cable television franchise to Cogeco Cable II, Inc. A sample resolution was included in the council packets. Attorney Gieg recommended the resolution be passed in its current form. Attorney Matt Gieg reported that if council decides to abolish the **ELECTED AUDITOR** position and appoint an auditing firm that this action would be required to be done by ordinance. Attorney Matt Gieg reported that his firm does get updates in their law library and was aware of the **NEW BOROUGH CODE**. They receive statutes as they are modified through West Law online in real time. He hasn't heard of any major changes that will directly affect Martinsburg. Connie Lamborn mentioned that the one change that would affect us would be that residency forms now need to be filled out before elected officials are sworn in.

Jane Staily reported that a meeting with PMRS was being planned for the end of September or early October to review the necessary changes needed for the **"KILLED IN SERVICE"** policy for the Uniformed Pension Plan as well as other items of concern.

Linda Smith reported that the **REVITALIZATION COMMITTEE** met on August 27; discussed Randy's meeting with **PENNDOT** and the letter that was received regarding the **COMPREHENSIVE PLAN** representatives; the committee is still **WATERING** the flowers; and their **NEXT MEETING** is scheduled for September 27, at 3:30 p.m. at the municipal building.

Connie Lamborn reported that the Blair County Commissioners are concerned about the funding needed to continue **RECYCLING**. Mayor Rex Hartman reported that Burgmeier Haulers already offers recycling pickup to their customers

There is still an **ELECTED AUDITOR VACANCY** for Joe Hinish's resignation. Borough council needs to decide whether to continue to let the elected auditors do the annual audit at \$45 per year (\$15 x 3 auditors = \$45) or abolish the elected auditors and budget for \$3,000 per year for an auditing firm to do the audit. Jane Staily reported that Young, Oakes, Brown and Company is offering to help us file our annual DCED audit electronically for about \$100/hour if we continue to use the elected auditors. The topic was tabled until the budget workshop.

The school has been advertising for a **JUNIOR COUNCIL PERSON**.

A letter was received from Atlantic Broadband. On July 18, 2012 Atlantic Broadband and Cogeco executed a stock purchase agreement pursuant to which control over the Franchisee will be transferred to Acquisitions Cogeco Cable II, Inc. *Council on a motion by Doreen Easley, seconded by Ed Bennett, adopted Resolution No. 2012-0904-01 granting consent to the transfer of control of*

*the ATLANTIC BROADBAND cable television Franchisee to Acquisitions Cogeco Cable II., Inc. The motion passed unanimously.*

Rick Truscello of the EADS Group is requesting that Martinsburg Borough and North Woodbury Township put together a Planning and Implementation Committee for the COMPREHENSIVE PLAN. He listed in his email suggestions the types of civic volunteers to consider. A list of suggested members will be compiled.

Manager Randy Stoltz was in contact with CHARITY ADVANTAGE regarding a new web page for the borough. The one we are currently using is not user friendly. This company offers their services to non-profit organizations at a very reasonable cost. They propose to set up and maintain our web page for \$597.00 for 60 months. Chris Brooks of PPCS was contacted to review this company's proposal and felt it was reasonable. Council had a few questions regarding what all the cost covered. Manager Stoltz will be in contact with them again to ask more questions.

Jane Staily prepared the annual MINIMUM MUNICIPAL OBLIGATION for the Non-Uniformed and Uniformed pension plans for insertion into the 2013 budget as a requirement of Act 205 of 1984.

*Council on a motion by Durban Metzler, seconded by Doreen Easley, adopted the 2013 MMO for the NON-UNIFORMED PENSION PLAN in the amount of \$14,281. The motion passed unanimously.*

*Council on a motion by Linda Smith, seconded by Dan Smouse, adopted the 2012 MMO for the UNIFORMED PENSION PLAN in the amount of \$17,010. The motion passed unanimously.*

Manager Randy Stoltz reported that he received a price estimate of \$51,000 from Stuckey's for inclusion of a NEW BOROUGH TRUCK in the 2013 Equipment Fund Budget. Manager Stoltz was asked to check further into lease and loan options.

A letter was received from the LOCAL ECONOMIC ACTIVITY DISCUSSION GROUP (LEAD) regarding an upcoming meeting scheduled for Monday, September 10, 2012. President Connie Lamborn is unable to attend that meeting. Anyone interested in attending should contact Jane Staily.

The next meeting of the SOUTH CENTRAL COUNTIES BOROUGH'S ASSOCIATION is scheduled for Thursday, October 18, 2012, at the Huntingdon Regional Fire & Rescue building. Deadline for reservations is October 8<sup>th</sup>.

*The meeting ADJOURNED at 8:30 p.m. on a motion by Dan Smouse, seconded by Doreen Easley. The motion passed unanimously.*

Respectfully submitted,

M. Jane Staily  
Borough Secretary