

**MARTINSBURG BOROUGH COUNCIL MINUTES
OCTOBER 2, 2017**

The regular meeting of the Martinsburg Borough Council was held on Monday, October 2, 2017 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 Douglas D. Smith, Pro-Tem Durban D. Metzler, Councilman Edward L. Bennett, Councilwoman Janet E. Blattenberger, Councilman P. Robert Dickson, and Councilwoman Linda K. Smith

In addition to the council, present were Manager Randy Stoltz, Rich Brantner, Jr., Borough Secretary/Treasurer Jane Staily, Chief Kerry Hoover, Sgt. Justin Davis, Attorney Chris Jancula and Attorney Mike Gieg of Gieg Law Offices, Lois Kaneshiki, and Brian Hess of the Morrisons Cove Herald

LOIS KANESHIKI, chairperson for the Blair County Republican Committee, was present to thank council for their service to the community and for donating their time to local government. She wanted to encourage everyone to vote in the big upcoming election this year. There was a great turn out in the primary election. There are seven judges and several superior court judges up for election.

*The **MINUTES** of the regular meeting of September 5, 2017, were approved on a motion by Linda Smith, seconded by Janet Blattenberger. The motion passed unanimously.*

The **FINANCIAL AND TREASURER'S REPORTS** were presented for September 2017, as prepared by Treasurer Jane Staily.

*The **LIST OF BILLS** for September 2017, check nos. 8927-8958 in the amount of \$83,441.38 was approved on a motion by Janet Blattenberger, seconded by Rob Dickson. The motion passed unanimously.*

President Connie Lamborn announced that there would be an **EXECUTIVE SESSION** for personnel matters following the adjournment of the meeting.

Chief Kerry Hoover presented the **POLICE REPORT** as written. Chief Hoover participated in the **ACTIVE SHOOTER DRILL** at Nason Hospital on August 30; on August 31 went to the **CENTER FOR CHILD JUSTICE** which is a positive thing for Blair County and it saves our police department trips to Harrisburg; the **FIRE ARMS TRAINING** is complete; the department is hoping to get the **IN CAR COMPUTERS** before the end of 2018; and Chief Hoover asked everyone to pray for **OFFICER H. T. FOWNES** of Allegheny Township who recently suffered cardiac arrest and was shocked and revived – he is currently in a medically induced coma at UPMC.

Attorney Chris Jancula contacted Tri Star regarding the **CARBON MONOXIDE ISSUE** with the new police car. The issue is not a Ford problem but rather an issue created by the vendor they contacted to install the grommets by not sealing up the holes correctly where the wires run through. Tri Star felt that if we weren't already having carbon monoxide issues then we probably won't. They are doing the fixes on the issue and will service our car if it is detected.

Manager Randy Stoltz reported that on September 20 he, Linda Smith, Connie Lamborn, and Rich Brantner met with Mark Ickes representing **EXPLORE ALTOONA** and Rick Viglione representing PA Downtown – the mission of Explore Altoona is to market Blair County as a visitor destination and to promote economic development – the group walked a portion of the Martinsburg History Hike route and the men were impressed with how clean the borough is and with the Morrisons Cove Memorial Park's history and facilities; on September 11 met with Rich Brantner and our engineers at **114 W. PENN STREET** – they explained the lab results from the six test wells that were drilled on the site; on September 22 Stiffler & McGraw Associates estimated that there would be approximately

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\$50,000 of additional testing to be able to obtain a Pa DEP release of environmental liability for the site under Act 2 – made a request to the realty company that they contact the owner of the property and request that they consider another reduction in the selling price of the property; on September 29 had a conference call along with two representatives from the realty company, a representative of the bank, Stiffler & McGraw Associates, Rich Brantner – Josh Chestney of Stiffler & McGraw explained the entire testing procedure that has been performed and what would be required in the future – Manager Stoltz explained the dollar value that will be needed to complete the testing – the bank called back and said they would be willing to sell the property for \$175,000; on October 2 received a written report listing the work that has been performed on the site to date and a speculative budget of \$41,659 for the future testing and \$6,500 for the asbestos abatement for a total of \$48,159 – we can apply for another amendment to the Industrial Sites Reuse Program which would be a 75%/25% split: \$36,119 grant share and \$12,040 Borough share;

Linda Smith reported that the **REVITALIZATION COMMITTEE** replaced the petunias with mums at the square. The Boosters have donated \$200 to the Revitalization Committee. The committee has been wanting to replace the temporary plaque on the block planter at the square.

Council inquired if the **RECYCLING PROGRAM** will be refunding the municipalities this year. Manager Stoltz did not want to disburse the balance because hauling prices have been volatile. The increase in cost of recycling has already caused the Claysburg and Freedom Township to close their recycling program. Taylor Township still has a recycling program with Roaring Spring Borough.

A **DRAFT MUTUAL AID AGREEMENT** was received from Attorney Lashinsky. This agreement is completely different from the original one. There are a lot of issues with this new agreement one being the creation of a new emergency management arrangement listed in Item No. 5. This agreement is requesting financial support per capita. It also requires us to help out where the original agreement had it as voluntary. This new agreement requires hiring full-time employees and also crosses county lines. It was the consensus of council and our solicitors to request that we go back to the original mutual aid agreement as the new agreement has too many unwanted issues.

Janet Blattenberger didn't want it to be council dragging their feet on the dedication of a street for **TROOPER LANDON WEAVER** but there is not much more council can do at this point until someone comes up with a name to be considered.

The issue of a **BOROUGH NOTARY** was discussed. A notary must be renewed every four years at a cost of about \$450. There used to be a need for a notary in the police department back when they had to produce ten juvenile petitions for each incident all to be notarized. Council is not sure that it will be feasible to continue to renew a notary. They felt we could try having notaries done elsewhere for the time being and see how that works out.

Manager Randy Stoltz presented a Business In Our Sites Timeline of things to be done on the project at **114 W. PENN STREET**.

*Council on a motion by Ed Bennett, seconded by Durban Metzler, voted to **PURCHASE** the property at 114 W. Penn Street for a cost of \$175,000. The motion passed unanimously.*

*Council on a motion by Ed Bennett, seconded by Rob Dickson, voted to sign the Business In Our Sites contract agreement for the 114 W. Penn Street property for \$143,097 including a check to be executed for **\$10,000 AS A NON-REFUNDABLE LOAN COMMITMENT FEE** to be returned prior to October 31, 2017. The motion passed unanimously.*

*Council on a motion by Ed Bennett, seconded by Janet Blattenberger, voted to **EXECUTE THE BUSINESS IN OUR SITES GRANT AGREEMENT** for the 114 W. Penn Street property for \$81,045 and return it prior to October 31, 2017 allowing forty-five (45) days for processing. The motion passed unanimously.*

*Council on a motion by Ed Bennett, seconded by Linda Smith, voted to request a **\$70,000 LOAN FROM THE MORRISONS COVE INDUSTRIAL DEVELOPMENT CORPORATION** for the 114 W. Penn Street property. The motion passed unanimously.*

*Council on a motion by Ed Bennett, seconded by Durban Metzler, voted to request an **AMENDMENT TO THE ISRP AGREEMENT** for the 114 W. Penn Street building for \$48,159.00 to facilitate future testing and asbestos removal that of which \$12,040 would be the borough share. The motion passed unanimously.*

*Council on a motion by Ed Bennett, seconded by Rob Dickson, authorize **GIEG LAW OFFICES TO DO THE NECESSARY PAPER WORK** to get the whole transaction for the 114 W. Penn Street property underway including the Counsel to Borrower Sheet and the Sales Agreement. The motion passed unanimously.*

The other items that did not require motions for were:

- Fax “Counsel to Borrower” sheet to Commonwealth Financing Authority
- Attorney to prepare an “Agreement of Sale” in place with seller and provide to Commonwealth Financing Authority with contract
- Obtain general liability, property damage and workmen’s compensation insurance policy for the site and include with CFA submission
- Prior to closing all Schedule C Closing Conditions must be satisfied

Items for consideration for the November council meeting included:

- vote to put out for bid the demolition work estimated at \$30,000
- meet with prospective buyers/leases to establish lot lines
- vote to bid water/sewer main work

Council approved to advertise the **2018 BUDGET MEETING** scheduled for Monday, October 16, 2017 at 6:30 p.m.

A thank you note was received from Audrey Hite for the flowers sent to former Borough Manager **JACK HITE’S** funeral.

Minutes of the September 11, 2017 meeting of the **MARTINSBURG VOLUNTEER FIRE COMPANY** were included in the council agendas.

*The meeting **ADJOURNED** at 8:30 p.m. on a motion by Janet Blattenberger, seconded by Doug Smith. The motion passed unanimously.*

Respectfully submitted,

M. Jane Staily
Borough Secretary