

MARTINSBURG BOROUGH COUNCIL MINUTES
NOVEMBER 6, 2023

The regular meeting of the Martinsburg Borough Council was held on Monday, November 6, 2023 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 Durban Metzler, Pro-tem Charles E. Kensinger, Councilman Edward L. Bennett, Councilwoman Janet E. Blattenberger, Councilman James C. Dell and Councilman Darin B. Meck

In addition to council, present were Manager Richard Brantner, Jr., Secretary/Treasurer Jane Staily, Chief Kerry Hoover, Attorney Nathan Karn, and Anna Miller of the Morrisons Cove Herald

*The **MINUTES** of the meeting of October 2, 2023 were approved on a motion by Charles Kensinger, seconded by Janet Blattenberger. The motion passed unanimously.*

*The **MINUTES** of the budget workshop on October 16, 2023 were approved on a motion by Janet Blattenberger, seconded by James Dell. The motion passed unanimously.*

The **FINANCIAL AND TREASURER'S REPORTS** for October 2023 were prepared and presented by Secretary/Treasurer Jane Staily.

Janet Blattenberger inquired about the **TEAM VIEWER** expense in the recycling account. This program expense is shared between the borough recycling program and the municipal authority. It is a software program that connects the garage computer to the computer in the borough office so the recycling program can be run from the borough office.

*The **LIST OF BILLS** for October 2023, check nos. 11171-11205 in the amount of \$144,443.90 (including a transfer of \$58,000 to the Reserve Fund) was approved on a motion by James Dell, seconded by Durban Metzler. The motion passed unanimously.*

MAYOR RICHARD BRANTNER presented his report as written.

Chief Kerry Hoover presented the **POLICE REPORT** as written. Janet Blattenberger inquired about the placement of political signs too near the intersection. Manager Rich Brantner, Jr. responded that the zoning ordinance already addresses this.

BOROUGH MANAGER Rich Brantner reported:

OCT 3 – the borough crew took down the Martinsburg **BANNERS** around town

OCT 6 – **RENEE GUNNETT** handed in her resignation notice that her last day as office clerk will be November 30th

OCT 16 – attended the borough's **BUDGET MEETING**

OCT 17 – had a devastating **FIRE AT BOBCAT OF MARTINSBURG** – our thoughts and prayers go out to the family that lost a loved one and to the owners of the business

OCT 25 – had to dig up and repair a **SEWER TAP** at 117 S. Ann Street

OCT 26 – helped patrol the streets during **TRICK OR TREAT** in the borough truck

OCT 26 – we had a new **CHLORINE ANALYZER** installed at the nitrate removal plant – it basically tells us how much chlorine is in the water

NOV 3 – started the **INTERVIEW PROCESS** for the full-time clerk position in the office

TRICK OR TREAT night went well. Durban reported giving out 200 treats. Chief Hoover handed out about 1,000 treats over two evenings. Charles Kensinger expressed his appreciation on how well everyone in the community works together to make Trick or Treat Night a safe experience here in town.

The **MONTHLY ORDINANCE REVIEW** covered Ordinance 1998-515 Animal Noises and Ordinance No. 2006-561 Pets and Dangerous Animals.

An **EXECUTIVE SESSION** was held from 7:25-7:45 to discuss personnel matters.

*Council on a motion by Charles Kensinger, seconded by Durban Metzler, approved to hire **AMY HOCKENBERRY** to the full-time position of **CLERK** at the starting rate of \$19.00/hr. for the first three probationary months then \$20/hour after the completion of the probationary period. The motion passed unanimously.*

Janet Blattenberger requested a discussion on Ordinance No. 2006-563 Section 2 Item 12 that deals with **MOTOR VEHICLE NUISANCES**. She was recommending that no vehicles be permitted on a property in the borough if it does not have a current registration. Attorney Nathan Karn advised that regardless of what the borough has on record case law states that vehicle registration is irrelevant and the courts say it is not a nuisance to have unregistered vehicles on your property. If the vehicles harbor insects, animals, critters or has broken glass that could cause injury might be a better way to have it removed as a nuisance or if it is a zoning issue. Registration is a non-issue. Attorney Karn does not recommend council spending money on repealing prior ordinances that conflict with this issue as they can't be enforced anyway. It was the consensus of council to just leave it as it is and move on.

Raises for the part-time patrol and part-time labor for 2024 were inadvertently missed in prior wage discussions. *Council on a motion by James Dell, seconded by Darin Meck, approved the rate of \$25 per hour for the **PART-TIME PATROLMEN** for 2024. The motion passed unanimously.*

*Council on a motion by Charles Kensinger, seconded by James Dell, approved the rate of a \$1.00 per hour increase for 2024 for the **PART-TIME LABOR RATE FOR JUSTIN DAVIS** (increasing it from \$18.48 to \$19.48 for 2024). The motion passed unanimously.*

*Council on a motion by Ed Bennett, seconded by Janet Blattenberger, approved to advertise the **2024-4 BUDGET** for the 10-day public inspection period to be considered for adoption at the December meeting. The motion passed unanimously. There is no tax increase in the 2024-4 Budget.*

The Borough Code was amended a few years ago approving that **REAL ESTATE TAX** can be adopted by resolution if there is no tax increase. Resolutions do not need to be advertised. A resolution for the 2024 Real Estate Tax with no increase for 2024 will be prepared for the December 2023 meeting:

- ***Resolution No. 2023-1204-01 REAL ESTATE TAX FOR 2024 as 1.967 mills***

Council on a motion by Janet Blattenberger, seconded by Charles Kensinger, approved to advertise the **2024 TAX ORDINANCES** as follows with **no** tax increases for 2024. The motion passed unanimously.

- ***Ordinance No. 2023-646 PER CAPITA TAX FOR 2024 as \$5.00***
- ***Ordinance No. 2023-647 EARNED INCOME TAX FOR 2024 as ½ of 1%***
- ***Ordinance No. 2023-648 LOCAL SERVICES TAX FOR 2024 as \$52***

Council on a motion by Janet Blattenberger, seconded by Charles Kensinger, approved to advertise the 2024 REORGANIZATIONAL MEETING for Tuesday, January 2, 2024. The motion passed unanimously.

Council on a motion by Janet Blattenberger, seconded by James Dell, approved to advertise the 2024 BOROUGH COUNCIL MEETING DATES as follows. The motion passed unanimously.

JAN 2 (Tue)	APR 1	JUL 1	OCT 7
FEB 5	MAY 6	AUG 5	NOV 4
MAR 4	JUN 3	SEP 3 (Tue)	DEC 2

Council on a motion by Janet Blattenberger, seconded by Durban Metzler, approved to donate \$500.00 to the 2023 COVE CHRISTMAS LOVE PROGRAM. The motion passed unanimously.

Council on a motion by James Dell, seconded by Charles Kensinger, approved to pursue renewing the new Police Agreement by resolution with HUSTON TOWNSHIP for the years 2024 and 2025 proposing the hourly rate from \$42.50 to \$47.50 for 2024 and \$48.50 for 2025 and using the annual IRS recommended mileage rates and the \$200 administration fee to remain the same. The motion passed unanimously.

Manager Richard Brantner, Jr. wanted to commend the MARTINSBURG VOLUNTEER FIRE DEPARTMENT and their employers for letting them respond to the devastating fire at Bobcat of Martinsburg. Over the past thirty-five years the required training for a volunteer fireman has increased from 24 hours to 112 hours of training a year. The membership has dwindled down over the past 35 years also.

The next SOUTH CENTRAL COUNTIES BOROUGH ASSOCIATION dinner meeting will be held on Monday, November 20, 2023 at Liberty Hall at the US Hotel & Tavern. Rob Dickson and James Dell are planning to attend.

The meeting ADJOURNED at 8:17 p.m. on a motion by Ed Bennett, seconded by Darin Meck. The motion passed unanimously.

Respectfully submitted,

M. Jane Staily
Borough Secretary