

**MARTINSBURG BOROUGH COUNCIL MINUTES
SEPTEMBER 6, 2022**

The regular meeting of the Martinsburg Borough Council was held on Tuesday, September 6, 2022 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 D. Metzler, Pro-tem Charles E. Kensinger Councilman, 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, and Attorney Matt Gieg

The MINUTES of the meeting of August 1, 2022 were approved on a motion by Janet Blattenberger, seconded by Durban Metzler. The motion passed unanimously.

The FINANCIAL AND TREASURER'S REPORTS for August 2022 were prepared and presented by Secretary/Treasurer Jane Staily.

The LIST OF BILLS for August 2022, check nos. 10788-10806 in the amount of \$114,800.82 was approved on a motion by Janet Blattenberger, seconded by Charles Kensinger. The motion passed unanimously.

MAYOR RICHARD BRANTNER (Sr.) presented his report as written.

Chief Hoover presented the POLICE REPORT as written. Every three years the police department is audited by two agencies and there were no issues at this recent audit. The cat problem on Locust Street has been solved thanks to Charles Kensinger. He located a lady that runs a no kill cat sanctuary and is willing to trap them and take them. Council discussed possibly making a donation to the shelter.

Chief Hoover responded to Janet Blattenberger's inquiry that all those people that received letters to CLEANUP their properties took advantage of the spring cleanup and no violations were ever issued.

BOROUGH MANAGER Rich Brantner reported:

AUG 2 – replaced a FIRE HYDRANT on Railroad Street and had to put about 35 residents on a boil water notice

AUG 11 – we received the COMMUNITY MAPS

AUG 12 & 13 – Renee Gunnnett delivered the COMMUNITY MAPS to the residents of Martinsburg Borough

AUG 15 – talked with Pete at PennDOT the Assistant County Manager regarding the roadway WASH BOARDING around the signal light – he was going to talk with his boss to see what they can do to take care of the problem and get back to me

AUG 18 – SOUTH FIRST ALLEY COMMITTEE met to review the options to make the alley safer

AUG 26 – met with Megan Zimmerman on the 114 W. PENN STREET property

SEP 6 – Everett Marble and Granite Works installed the W. GENE HENRY MEMORIAL

The borough received an INSURANCE DIVIDEND check from The Teeter Group in the amount of \$3,361.49.

Blair County is doing a drill at the airport on Saturday, September 17th and may need our conference room as the **EMERGENCY OPERATIONS CENTER**.

Charles Kensinger reported that the W. Gene Henry Memorial was installed today by Everett Marble and Granite Works. The other landscaping and concrete work will be done later. ***Council on a motion by Charles Kensinger, seconded by James Dell, approved to schedule an unveiling of the W. GENE HENRY MEMORIAL when it is all complete – date to be announced. The motion passed unanimously.***

The **SOUTH FIRST ALLEY SAFETY COMMITTEE** met on August 18th to discuss the options on controlling/slowing down the traffic in the alley. The committee came up with three options:

1. Put up “Slow Children at Play” signs at each end of the alley from Walnut Street to Park Street and one at Centennial Ave and South First Alley facing Centennial Ave.
2. Making the alley one-way going east up to Centennial Ave.
3. Putting stop signs at the intersection of Centennial Avenue and South First Alley.

A motion was made by Janet Blattenberger to put up three Slow Children at Play signs on SOUTH FIRST ALLEY and make the alley one way from Walnut to Centennial travelling east and put two stop signs at Centennial and Park as well as two Do Not Enter signs. James Dell made the second; the VOTE DID NOT PASS – it ended up being one yay by Janet Blattenberger and six nays. Council was not in favor of initially making it one way inconveniencing the residents that live there if other options will work.

After a lengthy discussion on the options, council on a motion by Durban Metzler, seconded by Ed Bennett, approved to put up two stop signs - one at Centennial Avenue going east on SOUTH FIRST ALLEY; and one at Centennial Avenue going west on South First Alley; three Children at Play signs - one at each end of the alley and one at Centennial Avenue – and one stop sign going east on South First Alley at Park Street. The motion passed with 6 yays and 1 nay from Janet Blattenberger.

Council on a motion by Ed Bennett, seconded by Darin Meck voted to advertise Ordinance No. 2022 – 639 to approve to amend the stop sign ordinance by adding two stop signs: one at Centennial Avenue going east on SOUTH FIRST ALLEY; and one at Centennial Avenue going west on South First Alley. The motion passed unanimously.

[Attorney Matt Gieg arrived at 7:58 p.m.]

The borough is waiting on the bill of sale for \$18,500 to be prepared by Attorney Andrew Blattenberger, attorney for the W. Gene Henry Estate, for the sale of the tractor from the estate to the borough. Once the tractor is received the borough will be selling the old tractor and will advertise for bids and will also place the advertisement on Face Book Market Place. ***Council on a motion by Darin Meck, seconded by Charles Kensinger, approved to advertise the SALE OF THE OLD TRACTOR once the tractor from the W. Gene Henry Estate is received, for a minimum bid of \$3,000. The motion passed unanimously.***

Council on a motion by Darin Meck, seconded by James Dell, approving Thursday, October 27, from 6-8 p.m. as TRICK-OR-TREAT NIGHT. The motion passed unanimously.

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DEP is requesting that a plan be submitted regarding the 114 W. PENN STREET property that Jonathan and Megan Zimmerman now own. The question remains as to who will pay for the plan being drawn up by Gary Calvert the geologist. Manager Rich Brantner, Jr. met with Megan Zimmerman and they are willing to pay half the cost to get the plan done. As per the borough minutes of September 13, 2019 council approved to move forward and do what DEP mandates us to do with the environmental issue at 114 W. Penn Street and pay the necessary cost including drilling more wells to keep the issue moving. The cost is unknown. Gary Calvert says there could be grants available but the issue would be that the borough does not own it anymore and the grants may not be available to the Zimmermans. The Zimmermans have permission to build but DEP just wants to know their environmental plan. *Council on a motion by Ed Bennett, seconded by Durban Metzler, authorized Gieg Law Offices LLC to prepare an agreement between the Borough of Martinsburg and Jonathan and Megan Zimmerman defining that the Borough of Martinsburg will pay 50% and Jonathan and Megan Zimmerman will pay 50% for all costs and fees from the Geologist Gary Calvert for his services needed to obtain compliance with Act 2 cleanup standards for 114 W. PENN STREET as required by DEP whereas Mr. Calvert will invoice the borough and the borough will in turn bill out 50% to the Zimmermans to pay. The motion passed unanimously.*

Manager Rich Brantner, Jr. is recommending council consider purchasing four more SECURITY CAMERAS for inclusion in the 2023 Budget. With an attempted break in at the mill just recently he would like to see three cameras installed out at the borough garage and one more here at the municipal building. Manager Brantner, Jr. was asked to get prices on what it would cost.

Council on a motion by James Dell, seconded by Charles Kensinger, accepted the 2021 FINANCIAL AUDIT for the Borough of Martinsburg as prepared by Ritchey, Ritchey and Koontz. The motion passed unanimously.

Borough Secretary/Treasurer reported that DRAFT NO. 1 OF THE 2023 BUDGET was prepared. A budget workshop will be scheduled in October.

Council on a motion by Charles Kensinger, seconded by Durban Metzler, adopted the 2023 MMO for the NON-UNIFORMED PENSION PLAN PMRS Plan No. 07-045-3N in the amount of \$33,579.00. The motion passed unanimously.

Council on a motion by Charles Kensinger, seconded by James Dell, adopted the 2023 MMO for the UNIFORMED PENSION PLAN PMRS Plan No. 07-045-3P in the amount of \$21,092.00. The motion passed unanimously.

Minutes of the August 8, 2022 meeting of the MARTINSBURG VOLUNTEER FIRE COMPANY were received.

An invitation was received for council and mayor to attend the 90TH ANNIVERSARY CELEBRATION of Homewood Retirement Centers on October 12, 2022 from 1:00-3:00 p.m.

Attorney Matt Gieg requested an EXECUTIVE SESSION for legal matters but was informed by President Rob Dickson that the issue was being resolved.

Attorney Matt Gieg presented copies of the TWO ORDINANCES that were properly advertised.

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Council on a motion by Janet Blattenberger, seconded by Darin Meck, to adopt ORDINANCE NO. 2022 – 637 REGULATING THE PLACEMENT OF WASTE DUMPSTERS upon any public street in the Borough of Martinsburg establishing a permit system and establishing regulations of waste dumpsters and providing penalties for violations. The motion passed unanimously.

Council on a motion by Janet Blattenberger, seconded by James Dell, adopted ORDINANCE NO. 2022 – 638 TO PROVIDE A PROGRESSIVE WARNING SCHEDULE to violator of the tall weeds and grass covered in Section 9 of Nuisance Ordinance No. 2006-563. The motion passed unanimously.

The meeting ADJOURNED at 8:34 p.m. on a motion by Ed Bennett, seconded by Janet Blattenberger. The motion passed unanimously.

Respectfully submitted,

M. Jane Staily
Borough Secretary