

**November 4, 2015**  
**Regular Meeting – Council Chambers**  
**Millersburg, Pennsylvania**

**Call to Order** – President Dietz called the Council meeting to order at 7:10PM with Cl’ms Boyer, Breach, Ibberson, Paden and Wolfe present. Mayor Ibberson, Manager McGann and Secretary Jackson were also present. Solicitor Kerwin arrived at 8:15PM. The invocation was given by President Dietz, followed by the Pledge of Allegiance.

**Guests** – John Hoffman

**Approval of Minutes** – Motion by Cl’m Wolfe, seconded by Cl’m Paden to approve the minutes from the October 7, 2015 meeting as presented. Motion carried.

**Public Comment** – President Dietz congratulated those present who were elected to serve on Council next year.

**Financial Reports** – Motion by Cl’m Paden, seconded by Cl’m Boyer to approve the Financial Report as presented. Motion carried. Motion by Cl’m Breach, seconded by Cl’m Paden to approve the Check Detail Report as presented. Motion carried with yes votes from Cl’ms Boyer, Breach, Dietz, Ibberson (abstained on check #12124 to the Millersburg Fire Relief Association due to serving as Treasurer), Paden and Wolfe.

**Committee Reports**

**Employee Relations**

**PMHIC Agreement Amendments** – Cl’m Wolfe reported that the amendments include meeting every two years instead of annually and that a member must have medical insurance through the consortium to be considered a voting member. Motion by Cl’m Wolfe, seconded by Cl’m Breach to accept the amendments to the PMHIC agreement. Motion carried.

**United Concordia Dental Insurance** – Cl’m Wolfe reported that the full time Borough employees currently have dental insurance through United Concordia, but the rates through PMHIC are much cheaper. Motion by Cl’m Wolfe, seconded by Cl’m Paden to authorize Secretary Jackson to begin the enrollment process to switch to United Concordia through PMHIC, Concordia Flex Plan Option II for December 1 start date if possible, otherwise January 1. Motion carried with yes votes from Cl’ms Boyer, Breach, Dietz, Ibberson, Paden and Wolfe.

**PMRS Pension Seminar** – Cl’m Wolfe reported that Secretary Jackson would like to attend a free seminar on pension plan administration for municipal employers. Cl’m Wolfe also plans to attend. Motion by Cl’m Wolfe, seconded by Cl’m Paden to allow Secretary Jackson to attend the PMRS seminar in Harrisburg on November 13. Motion carried with yes votes from Cl’ms Boyer, Breach, Dietz, Ibberson, Paden and Wolfe.

**Finance and Risk Management**

**Disposition of Mid Penn Bank Certificate of Deposit** – Council discussed the options for the CD which matures later this month; current value \$9,621.41. Motion by Cl’m Wolfe, seconded by Cl’m Paden to redeem the CD and to deposit the proceeds in the General Fund Reserve account, adding it to the amount earmarked for reinvestment. Motion carried.

**2016 Budget Draft** – Council continued to work on the drafts of the general fund, capital improvement and liquid fuels budgets.

Executive Session – President Dietz called an executive session at 8:15PM for legal updates. Mr. Hoffman left Council Chambers. President Dietz called the meeting back into general session at 8:25PM.

Braun Case Settlement – Solicitor Kerwin gave a report on the Kurt Braun lawsuit which has been pending in the Dauphin County Courthouse for a number of years. At trial settlement, pending Council action, it was decided that a total of \$75,000 would be paid to Mr. Braun; \$50,000 from the Borough and \$25,000 from the Borough's insurance carrier, with all related legal fees paid by the insurance carrier. Solicitor Kerwin's recommendation to the Council was that it would be in their best interest to agree to this settlement and get the case resolved. Motion by Cl'm Ibberson, seconded by Cl'm Boyer to approve the settlement offer of \$50,000 from the Borough and \$25,000 from the insurance carrier to be paid this calendar year and to allow Council President Dietz to sign any and all related documents. Motion carried with yes votes from Cl'ms Boyer, Breach, Dietz, Ibberson and Paden; Cl'm Wolfe voted no. Solicitor Kerwin will notify Attorney Anthony Sherr of Council's decision. Solicitor Kerwin then left the meeting. Motion by Cl'm Breach, seconded by Cl'm Ibberson to pay the \$50,000 settlement from the General Fund Reserve account, using a portion of the funds earmarked for reinvestment. Motion carried with yes votes from Cl'ms Boyer, Breach, Dietz, Ibberson and Paden; Cl'm Wolfe voted no.

### **Parks and Recreation**

Facility Use Agreement - MAWT Christmas Tree Lighting Event – Manager McGann reported that the organization has requested the use of Market Square Park, Veterans' Park and the bandstand for a Christmas lighting and concert program on November 27 from 4:00 to 10:00PM. The user fee would be waived. The organization has hired three fire police to assist during the event. Motion by Cl'm Breach, seconded by Cl'm Paden to approve the agreement as presented. Motion carried. McGann also reported that the organization has requested that the location of the horse and carriage be moved to the area in front of 1 and 2 Market Square for better visibility. Council approved. Manager McGann is to speak with the business owner and see that the parking meters in that area are bagged.

Facility Use Agreement - Healthy Kids Running Series – Manager McGann reported that the organization requests the use of MYO Park for a children's running program on Sundays from April 10 to May 8, 2016 from 5:00 to 7:00PM. The user fee would be waived. Motion by Cl'm Wolfe, seconded by Cl'm Paden to approve the agreement. Motion carried.

Stump Grinding Status Update – President Dietz questioned the status and Manager McGann responded that no calls have been made yet.

### **Property**

Kubota Repairs – Manager McGann reported that he received a quote from Messick's for \$1,000 for the repairs to the Kubota mower. Motion by Cl'm Breach, seconded by Cl'm Paden to approve the repairs at Messick's for \$1,000. Motion carried with yes votes from Cl'ms Boyer, Breach, Dietz, Ibberson, Paden and Wolfe.

### **Public Safety**

Millersburg Fire Company Service Contract Extension – Mayor Ibberson reported that the current contract (with a ten year term) will expire on December 31, 2015. The Fire Company and Upper Paxton Township have already agreed to a one-year extension as is, to allow sufficient time for negotiating the new contract. Motion by Cl'm Boyer, seconded by Cl'm Breach to extend the current contract for one year until December 31, 2016. Motion carried. Mayor Ibberson will see that a document for the extension is drafted for all parties to sign.

## **Streets**

Halloween Parade Detour Complaint – CI'm Paden reported that she responded to a complaint from a Borough resident regarding the detour. The resident was directed by an Upper Paxton Township employee who was not authorized by the Borough to direct traffic that evening.

Borough Ordinance No. 4-15 No Parking Zone 500 Block of Market Street – This ordinance finalizes the 90-day resolution which prohibits parking in the 500 block of Market Street. Motion by CI'm Ibberson, seconded by CI'm Paden to approve Borough Ordinance No. 4-15. Motion carried.

## **Economic Development**

Shop Small Event – President Dietz reported that the event this year will be November 27 and 28 and will be a raffle ticket type event. The 2016 promotion will feature punchcards which when filled will go into a quarterly drawing for a gift certificate. The tourism brochure has been finalized and is at the printer.

## **Mayor's Report**

New Part-Time Officer – Andrew Bath has been hired as a new part-time officer for the Borough.

Parking Ticket Payment Drop Box – The Public Works crew will be asked to modify the exterior display window at the Police Department doors on the Union Street side of the building to create a drop box for people to pay their parking tickets. Jon Strohecker will do the necessary welding. Council approved these arrangements for up to \$50.

CI'm Boyer complimented Mayor Ibberson's leadership, noting that Cpl. Wise and employee Rebecca Smith-Witmer have demonstrated compassion and sensitivity in dealing with a Millersburg resident who is an elderly veteran.

## **Manager's Report**

Cohen Law Group – Manager McGann reported on his discussion with Dan Cohen regarding the Borough's cable TV franchise agreement with Comcast. Cohen will perform an audit of a two year period to ensure that the Borough is receiving all the fees it is entitled to. The cost quote is \$3,900. Council directed Manger McGann to extend the offer to Mr. Cohen that if the audit recovers up to \$3,900, the money would go to them and if more than \$3,900 is found, the Borough would pay the \$3,900 fee and retain the excess. Council further directed Manager McGann to forward information on a local office to COG secretary Robyn Loesch. Lastly, McGann reported that high-speed mini cell towers were discussed and he was directed to make sure that the draft zoning ordinance addresses this.

## **Unfinished Business**

Final Approval on Millersburg Area School District Subdivision Plans – Manager McGann requested that this matter be tabled until December's meeting.

BL Companies Invoice – Millersburg Ferry Boat Association Gaming Grant – Council reviewed the invoice for \$640 for the ferry wall study. Motion by CI'm Wolfe, seconded by CI'm Paden to authorize sending the invoice to Dauphin County for payment. Motion carried.

TFEC Lorena Lemons Estate Bequest – Motion by CI'm Breach, seconded by CI'm Wolfe to request that TFEC release this year's funds to be used towards the 2016 MYO grant match. Motion carried.

State Street Storm Sewer Project Easement – Manager McGann reported that he and Brinjac representative Anne Anderson met recently with property owner Dawn Lisi to discuss obtaining the easement. Ms. Lisi requests that the proposed project realign the pipe which goes through her property. This will cause the Borough to incur additional engineering and approval fees. The options are to request that Dauphin County increase the engineering fees within the grant by \$15,000 or to ask Dauphin County to buy out the property.

### **New Business**

PA Fairness Act Letters – Council reviewed draft of letter composed by President Dietz to be sent to Representative Sue Helm and Senator Rob Teplitz. Motion by Cl'm Paden, seconded by Cl'm Breach to send the letter to both Helm and Teplitz. Motion carried.

**Communications** – All communications were made available to Cl'ms. Secretary Jackson called Cl'ms attention to the legal notice from the Upper Dauphin Industrial Development Authority. Council would like to know how the Borough's debt affects UDIDA's lending ability and directed Secretary Jackson to invite a member to attend a future Committee meeting to explain.

### **Organization Reports**

Upper Dauphin COG – President Dietz attended. There was discussion on the Upper Dauphin Income Tax Office case. Manager McGann was directed to research other municipalities' zoning variance fees.

Millersburg Planning Commission – Cl'm Wolfe reported that they continued to work on the zoning ordinance draft. Council directed Manger McGann to see if member Andrew Baniias would agree to being reappointed to another term.

Millersburg Fire Company – Cl'm Ibberson reported that they did not meet yet.

Millersburg Area Authority – President Dietz referred Cl'ms to their meeting minutes. There will also be a reappointment to the Board.

Dauphin County Tax Collection Committee – Secretary Jackson reported that they will meet later this month.

Property Maintenance Ordinance Committee – President Dietz reminded Cl'ms of the meeting on November 11 to continue review of the draft.

Millersburg Ferry Boat Association – President Dietz referred Cl'ms to their meeting minutes.

**Next Meetings** – President Dietz announced that the next meeting will be November 11 to work on the Property Maintenance Ordinance draft. The November Committee meetings will be held on November 24.

Legal Advertisement – Motion by Cl'm Breach, seconded by Cl'm Ibberson to authorize advertisement of the 2016 proposed budget, the 2016 tax ordinance and the rescheduled date for December Council meeting which will be December 10, one time in the Upper Dauphin Sentinel. Motion carried with yes votes from Cl'ms Boyer, Breach, Dietz, Ibberson, Paden and Wolfe.

President Dietz recessed the meeting to the Call of the Chair at 10:20PM.

Respectfully submitted,

Ann Bowman Jackson  
Borough Secretary

**November 11, 2015  
Council Chambers  
Millersburg, Pennsylvania**

**Call to Order** – President Dietz reconvened the Council meeting on Wednesday, November 11, 2015 at 7:10PM with Cl' ms Boyer, Breach and Paden present.

**Property Maintenance Code Ordinance Proposal** – Cl' ms continued their review of the draft.

Motion by Cl' m Breach, seconded by Cl' m Paden to adjourn the meeting at 9:00PM. Motion carried.