

**Millersburg Borough Council Committee of the Whole  
Minutes**

Sept. 27, 2017

Millersburg Borough Council Chambers

Present: Committee Chairs Chris Dietz, Gary Ibberson (arrived 7:17 p.m.), Kathy Wolfe, and John Hoffman. Mayor Rick Ibberson (arrived 7:30 p.m.) and Borough Manager Chris McGann were also present.

Guests: Brianna Stansfield, communications student; Erick Wolochuk, owner of Max's Sports Bar and Grille (arrived 8:30 p.m.)

The meeting came to order at 7:05 p.m.

**Cintas Contract**

McGann reported that the Cintas contract is up and we have been asked to renew it. Based on our current billing, renting pants and shorts for the public works department will cost approximately \$3,200 per year. McGann believes that it will be less expensive to purchase these items annually rather than continuing with the contract. He also noted a drop off in quality of service since Cintas assigned a new driver to our route. Several clothing options were discussed and McGann was directed to submit a full proposal for the Business Meeting.

**Cell Phones**

McGann reported major service and billing issues with TracFone, with whom we currently have cell phone service for the public works department. He further reported that Verizon offers significant discounts for government contracts. He expects to have a full proposal for the Business Meeting. He was also directed to check pricing on the most durable phones that Verizon offers.

**Executive Session**

An executive session was called for employee matters at 7:30 p.m. McGann and Stansfield were excused. The meeting was called back into regular session at 8:10 p.m. with McGann returning.

**Comcast Franchise Agreement**

To date, Comcast has not contacted the Borough further regarding the franchise agreement. Since cable television is not classified as a public utility, the municipality may charge a fee for placing cable wires in the right of ways. This charge (currently the maximum allowable rate of 5 percent of gross revenue for cable television service) is reflected in customers' cable bills. The Cable Franchise Act further provides other services that the municipality may request during negotiations. McGann will prepare a list of all of the items that the Borough could request. He also mentioned that the Council should consider budgeting for specialized legal services to assist with the negotiating process in 2018.

### **Recycling Cans**

The Committee previously requested information on the feasibility of placing recycling cans in the parks as well as providing recycling cans for special events. McGann provided the Committee with a list of pros and cons. McGann was directed to have the public works department create cans with lids for special events at which the Borough typically provides trash service.

### **Voluntary Drop Off Recycling Center**

There was a brief discussion about the public recycling site on Keystone Street. Between the cameras and other investigating techniques, a number of violators have been cited by the illegal dumping enforcement officer for Dauphin County. McGann was asked to check on the legality of commercial use of the recycling bins. He will also look for a different location for the cameras to conceal them better.

### **Wine Festival**

Mr. Wolochuk attended the meeting to inquire about the availability of MYO Park for a proposed wine festival the second Saturday of May, 2018. That is the same standing date that WQLV has been requesting in recent years. Chairman Dietz explained that it is the policy of the Borough to hold standing dates for events. However there have been issues with delayed payments from the radio station for various events that they have hosted in Borough parks. The Borough's intent was to inform the radio station months ago that delayed payment could result in forfeiting the standing date. Unfortunately, this was not properly communicated to the radio station. The Borough Council has given WQLV until Oct. 11 to make full payment on the current outstanding invoice or the standing date could be forfeited. Mr. Wolochuk stated that he may use a different location for his proposed event and left the meeting.

### **State Aid Allocation**

Secretary Jackson provided a written report regarding the state aid allocation that is due to be forwarded to the Millersburg Fire Company Relief Association. The allocation for 2017 totals \$11,749.92. Payment of this amount will be an agenda item for the Business Meeting.

### **PMHIC Meeting**

The Employee Relations Committee asks that Secretary Jackson be authorized to attend this meeting on Oct. 12 in Lower Paxton Township and receive the appropriate mileage reimbursement. This will be an action item at the Business Meeting.

### **Well Drilling Ban Ordinance**

As previously discussed, this ordinance would ban drilling for wells in the "Frogtown" area north of Bowman Street. After extensive research, McGann could not find a situation in which such a ban resulted in monetary compensation for affected property owners. Therefore, he calculated a figure of \$11,500 as a lost potential cost savings from a geothermal system. Geothermal systems cannot be installed without drilling a well. This figure will be forwarded to the company handling the remediation. Additionally,

McGann expects to have a final draft ordinance ready for review by Council prior to the Business Meeting.

### **Open Burning Ordinance**

McGann outlined several issues with the current ordinance. Specifically, the Ordinance constitutes a total burning ban within the Borough with no exceptions for food preparation or campfires, though these practices are generally permitted. Pennsylvania DEP has a model ordinance for municipalities, and McGann asked the committee to consider several issues as he tailors the model ordinance to Millersburg Borough.

1. The Committee would like to revise the current Ordinance.
2. The Committee would like to allow for food preparation and burning common fuel such as firewood and charcoal. Burning of trash would be prohibited.
3. Fires would need to be set back from property lines and structures. Additionally, they would have to be positioned to avoid setting fire to trees.
4. Fires would need to be contained in grills or commercially-available fire pits.
5. The Borough Police would be assigned enforcement of the Ordinance rather than the Codes Officer. Violation or other courtesy letters would not be required in the Ordinance.

The intent is to have an Ordinance ready for advertisement at the next Business Meeting incorporating these items.

Chairwoman Wolfe left the meeting during this discussion.

### **2017 Paving Project**

McGann reported that the paving project is substantially complete. Borough Engineer Anne Anderson visited the site and developed a punch list for New Enterprise to complete. The punch list items include cleaning out catch basins and fixing the concrete around a curb stop. This work is scheduled for tomorrow.

### **Storm Sewer Marker Project**

McGann showed a proposed design for the committee's approval. The concept was approved by the committee and it will be forwarded to the Ned Smith Center for their review and approval. The Center will be sponsoring the purchase of the markers, which will be installed on catch basins within the Borough. The markers are reminders not to dump pollutants into the storm sewers.

### **Status of Apple Alley**

After discussion, it was decided that the Borough will not actively maintain the stretch of Apple Alley between Chestnut Street and Walnut Street as it is not listed on the Liquid Fuels street list.

### **New Website**

Due to some technical issues with the domain name, the new website has not launched yet. McGann expects to launch by the end of this week.

**Facility Use Request: VFW Auxiliary – Veterans Day**

The VFW Auxiliary has requested the use of Veterans Park and Market Square Park on Saturday, Nov. 11 for the Veterans Day ceremony. Approval of the request will be an action item at the Business Meeting.

**Ned Smith Center Invoice**

The Borough has received an invoice from the Ned Smith Center. This invoice is for signage on the Rail-Trail. Payment was authorized by Council in 2015. Due to the project delays, this invoice just arrived. Since this approval was in a different budget year, Council should revisit approval at the next Business Meeting. This will be an agenda item.

**Trick or Treat Night**

There was a discussion about possible safety precautions for Trick or Treat night. Specifically, concerns were raised on the Borough’s Facebook page regarding traffic control during the event. McGann was directed to find some appropriate signage that could be deployed, particularly around the firehouse. Mayor Ibberson will contact fire police to assist with traffic control.

**Stop Signs**

Chairman Dietz requested that stop signs be placed on Union Street at the intersection with Wiconisco Street. McGann added that we had a request for stop signs on Cherry Street at the intersection with Lincoln Street. McGann will draft the appropriate Ordinance language for consideration at the Business Meeting.

**The following action items will be on the agenda for Oct. 11 meeting:**

**Employee Relations: Cintas Contract**

**Employee Relations: PMHIC Meeting**

**Employee Relations: Public Works Cell Phones**

**Finance and Risk Management: State Aid Allocation**

**Parks: Facility Use Request – VFW Auxiliary**

**Public Safety: Ordinance No. \_\_\_\_ -- Open Burning**

**Streets: Ordinance No. \_\_\_\_ -- Stop Signs**

**Unfinished Business: Review of proposed well drilling ordinance**

**New Business: Ned Smith Center Invoice**

There being no further business, the meeting adjourned at 9:43 p.m.

Respectfully Submitted,

Christopher McGann  
Millersburg Borough Manager