

MILTON BOROUGH COUNCIL
(Hybrid Meeting)

January 24, 2024
7:00 p.m.

The meeting was called to order by Vice President Morales. The following Councilpersons were in attendance: Mrs. Meckley, Ms. Fawess, Mrs. Mabus, Mr. Derr, Mr. Walker, Mr. Scheimreif, Mr. Swartz, Mr. Robol, and Mr. D Pfeil. Also in attendance were: Doug Diehl, Jessie Novinger, Mayor Aber, Sam Shaffer, Chief Zettlemyer, and Attorney Wiley.

Minutes: On motion of Mr. D. Pfeil, seconded by Ms. Fawess and carried, Council approved the minutes from the January 10, 2024, Council meeting.

Report of the Borough Manager: Mrs. Novinger asked for Council's consideration to allow the Borough and Milton Fire Department to jointly apply for a FEMA Assistance to Firefighters Grant Program (AFGP) for the purchase of a new ladder truck. The most recent price quote was \$2,116,800.00. This grant requires a five percent (5%) match (\$105,840.00). The application opens January 29 and closes March 8. This grant is the best option to proceed with updating this piece of apparatus. Assistance with the application process and review will be provided by Michael Shay of Congressman Meuser's Office. On motion of Mrs. Meckley, seconded by Mr. D. Pfeil and carried, Council approved this request. Mr. Derr abstained.

Next, she asked for Council's consideration to move \$1.2 million dollars from Susquehanna Community Bank's Eagle Premium fund to Edward Jones in a money market account. SCB interest rate for the Eagle Premium account is currently 4.75%. The Borough received a letter from the bank stating that the interest rate for this account would drop in February to 4.50%. Edward Jones' government money market account currently has an interest rate of 5.29%. Mrs. Novinger will be working with Sheri Marshall, our representative, to keep an eye on interest rates and future recommendations to Council as the National Prime Rate is anticipated to drop. On motion of Ms. Fawess, seconded by Mr. Derr and carried, Council approved this request.

Mrs. Novinger informed Council that she has compared bonding rates (had never been done before) and was able to find that Selective Insurance offers bonding for appointed positions and/or elected officials at a significantly better rate than our current provider, Travelers. The Treasurer bond through Travelers was \$630; Selective \$425 (savings \$205); The Borough Manager's bond through Travelers was \$1,091; Selective \$500 (savings \$591) for identical coverage. Travelers requires Council consensus to cancel the current bond(s). New bond(s) through Selective would be in place prior to the cancellation of the existing bond(s). Mrs. Novinger asked for Council's consideration to cancel bond coverage through Travelers Casualty & Surety Company of America once the Treasurer and Borough Manager bonds have been established with Selective Insurance Company. On motion of Ms. Fawess, seconded by Mr. D. Pfeil and carried, Council approved this request.

Mrs. Novinger then asked that the General Government and Finance Committee consider amending the agenda to add "Consideration for Attorney Wiley to prepare and advertise language changes to the existing Flat Occupational Tax Ordinance #1251". This is due to the language calling the tax a "flat" occupational tax, which DCED caps at \$10. It will remain \$50 but needs to

read that the taxation rate of 100% on the value of all occupations. The taxation in dollars and cents is \$50.00 based on said percentage of 100%. On motion of Ms. Fawess, seconded by Mrs. Meckley and carried, Council approved this request to amend the agenda.

Mrs. Novinger then informed Council that in their packets this evening, there is a proposed resolution to update the fee schedule for rental inspections. This fee schedule factors in multiple rental units within one building or structure. She asked for Council to review and let herself or Doug know if they have any questions or concerns. She then informed Council that they did speak with Pat Mack, of Northumberland County Housing and all of the Housing Authority's properties will also be apart of this rental process.

Report of the Mayor: Mayor Aber welcomed everyone to the meeting and had no report.

Report of the President of Council: Vice President Morales informed the Council that he was able to attend the football banquet this past weekend and congratulated Chief Zettlemyer on an awesome year.

Report of Chief of Police: Chief Zettlemyer reported that two officers attended Distracted Driver training today at Hemlock Township for a four-hour block. The training was free and put on by ILEA. They will be trying to use ILEA as much as they can as long as they're local for those types of trainings. Chief Zettlemyer informed Council that they're moving forward with our in-service training for the year and officers will occasionally be out using spike strips/simulated spike strips at the island and CSIU. If anyone happens to get a report asking what the police are doing there, they are training for the spike strips. We had officers go through that this afternoon as well.

Ms. Meckley questioned the Chief on who had their tires punctured and Chief responded that they're actually weather stimulated ones with the sticks that fold over with the cars.

Report of Public Works Director: Sam Shaffer reported that since the last meeting, they were out four times for snow and ice related incidents. Everything went well and we had enough product. A few minor repairs needed to be made to the equipment afterwards. It is now all taken care of and everything's back in service, ready to go for the next storm.

Sam reported that crews were out as part of their compliance with PennDot for our street signs, keeping everything up to date and retro-reflective. Crews have been out reinspecting signs and reinstalling signs. They have consolidated a lot of our signs. Instead of having three signposts in a row, one for each sign, they started consolidating a lot of things, trying to eliminate a lot of confusion and a lot of clutter on corners and intersections. Crews got the entire Borough done with that and now they are going to evaluate what signs next need replaced. They are going to start doing more of our informational signs, street signs, street name signs, and working with Jess and Curt to go over the traffic ordinance that we're looking to increase, more signage for the "No Trucks over 45" and things of that nature, as they have gotten a lot of complaints about the truck traffic on streets they don't belong on.

Sam informed the Council that it was brought to his attention that after the last snowstorm, there was an incident at Brown Avenue where somebody was spinning doughnuts wherever they could find open space. The old pool parking lot and pretty much every parking lot we have, somebody was in. They were out in the Panther Cub field, the parking area for the Panther Cub. Sam stated he had spoken with Jess and would like to get Council's opinion on closing the road going back Veteran's Field to the Housing Authority. It is a private road and he spoke with Doug, that is not open to vehicular traffic. It is owned by the Borough and considered a park road. He would like Council's thoughts on closing that road for the winter and then reopen it back in the summer when sports are in.

Mr. D. Pfeil stated that this is something that he wanted to speak with Sam about as he talked to Jess about possibly just doing a simple chain across the road. It's not going to prevent trucks from hopping that little curb right there, but if we did the wooden posts that we have along Brown Avenue and that turnabout that prevents people from driving off into the grass. Just a couple ideas, but Mr. D. Pfeil thinks this is an excellent idea and that access road is not needed outside of Spring to late Fall. And, in the wintertime, those sport facilities don't need to utilize it at all.

Sam informed Council that after the last snowfall, DPW purposely did not plow, hoping it would deter people from going back through there, but the Housing Authority plowed. Sam needs to talk to them to ask them not to do that. He knows it is easier for them to have their garbage trucks go in and come right back around and come out the other way, but that road was not designed for that type of traffic and there are a couple areas that are in bad shape. So that alone will help eliminate some of that excessive traffic on it and try to preserve it a little bit longer, so it doesn't need to be paved immediately. If Council is okay with it, Sam will figure something out to do there. Mr. D. Pfeil responded that he would like to discuss options so this way when we do put it on the agenda to vote we have a viable solution.

Next, Sam informed the Council that the truck that we put on MuniBid has another week left on it and is currently up to \$30,000.00.

Report of the Fire Chief: Assistant Fire Chief Heddings reported for the Fire Department that so far in January the Fire Department has responded to 21 calls for service. The volunteer EMS staff has responded to 34 calls for service. The Micu 15 has responded to 863 calls for service.

Public Comments: No comments from the Public.

Public Works and Cemeteries: No report.

Public Safety: No report.

General Government and Finance: At this time, 7:13 p.m., Solicitor Wiley opened the Public Hearing for a proposed transfer of a restaurant liquor license (R-10602) as pursuant to the applicable law, there's a requirement that we have a hearing when we're looking to move a license from one municipality into the Borough of Milton. Rob Antanitis, the applicant, introduced himself, representing Wellington, LLC, the property owner at 221 Lower Market Street. Next, Shane Erb, the current license holder, and the applicant, introduced himself. Solicitor Wiley put both under oath. Mr. Antanitis explained to Council, using the visuals they had brought, that they have been planning this for two years to bring a brewery to Milton, one big enough to be an anchor brewery. Road's Mill, also known as Custer's Mill, on 221 Lower Market Street is going to be converted for the whole first floor to have a brewery in the back, warehouse storage area, and then retail up towards the front. They have talked to Doug as well about what their plans are for it, and he has seen more detailed sub-plans as well. The idea now would be to transfer the liquor license to Watson Theatre, LLC, to the property so that after that they can add on the brewery license. Next, Shane Erb spoke, he has owned the license for a while and COVID basically took out their business.

Mr. Robol questioned their timeframe. Mr. Antanitis informed Council that their time frame is still up in the air but they are working as fast as they can. They are going to convert, within 90 days of the approval of this project, one section of this to a useable retail space that can be as small as 400 square feet, the minimum size per bar. But for the whole rest of it, moving brewery equipment and everything, the LCB will have to go through a three-phase inspection process of the equipment to make sure it's set up correctly to code, sanitary, and approved brewing processes. So, this could take a little while. Mr. Robol questioned if they were talking 2 years? Mr. Antanitis replied definitely less than that to which Mr. Robol questioned 18 months? Mr. Antanitis said hopefully less than that and he would say less than a year. Mr. Robol asked if this is the finished project that we'll see. Mr. Antanitis confirmed that yes, they already thought about changing some of the colors and they did

get all the windows in that are all to the exact spec but they are looking at some sections of the garage doors that are going to be all glass rather than normal style garage doors. Mr. Robol questioned whether before it's open to the public if it will look like the visuals provided. Mr. Antanitis responded yes. Mr. Robol then questioned if it will be family friendly? Mr. Antanitis said that is the whole concept of what they're doing here and moving the liquor license in here is not to run a dive bar, moving the liquor license is to be able to have a California wine or Italian wine to go alongside a Pennsylvania beer. We want to attract people traveling on Interstate 80 to jerk the wheel, come in and sit down with their family, have a grass-fed beef burger, have a Pennsylvania beer, and then a nice glass of wine or a Manhattan made with Tennessee whiskey or Kentucky bourbon, rather than what their license would allow, which is just Pennsylvania stuff. Mr. Robol questioned if the timeframe for this was within a year, sixteen (16) months, and Mr. Antanitis confirmed that they bought this building two years ago and they want it to be done in one year but then they couldn't get their windows for seven months, so the supply chain is their enemy right now.

Next, parking was brought up by Mr. Robol. Mr. Antanitis stated that they've already spoken with Doug about this and there's different ways to set up the parking. There's a front parking lot and a rear parking lot, they have to make sure their handicap ramp in the back is next to the handicap spaces. That has to be set up correctly for this to go through, even in the early stages of first having the liquor license in there. So, there will be parking in the back next to the ramping area, but right now the nicest parking is in the front.

Solicitor Wiley stated that apart from the size of the operation, they have to maintain the license and questioned ultimately how big of a footprint does the building represent and how large of an operation is coming to the business and having beer and eating there. Mr. Antanitis responded that there's going to be 6,500 square feet dedicated to the restaurant brewery. The liquor license will just be overlapping with a brewery. The whole property itself is 13,000 square feet.

Solicitor Wiley questioned their hours of operation. Mr. Antanitis stated they could see them doing a late dinner with the kitchen open until 9 or 10 o'clock but then being closed before midnight every day of the week.

Solicitor Wiley then questioned in terms of the brewing operations, how many employees will there be versus the restaurant group portion. Mr. Antanitis responded that the initial estimate is eight (8) people that will be employed as brewers, they won't be there at the same time, because it's a two-brew schedule. So, if we have an early brew schedule in the day and a late brew schedule in the day, it will be a team of six (6) and two (2) the way it's structured. So not a lot of employees on site for that group schedule. The front of the house is variable, on Thursdays and Fridays it's going to be double what it is Monday, Tuesday, Wednesday.

Solicitor Wiley stated the beer that is going to be brewed there will be consumed there but questioned if they anticipated some sales into the community as well. Mr. Antanitis stated they will also be doing distribution. Solicitor Wiley then questioned if that was individual or if they were going to do commercial. Mr. Antanitis replied that they would be doing contract distribution. Mr. Antanitis elaborated that right now he is a brewer in Lewisburg and prior to that he was a brewer in Columbia County, and he always did self-distribution and it's a very easy process to do. With contract brewing, you sign on the dotted line and the LCB inspects all your tax paid items and it's a tightly run process.

Solicitor Wiley then asked if any other members of Council had any questions. Mr. Scheimreif questioned the occupancy and how many people they'd be able to serve once they're at full capacity? Mr. Antanitis responded that on the first floor they're at 75 indoor and they have a certain amount of handicap bathrooms already there, but they will have to increase that and their total bathrooms to get a larger occupancy amount. It will be a two-phase process to see what they can get to. With the porch they have scheduled on that drawing, it doubles their retail room size with outdoor space, and as shown on the visual, a lot of the porch is under a roof. They hope to be able

to serve a lot of people on site. Mr. D. Pfeil questioned that Mr. Antanitis kept referring to the first floor and asked if he planned to have a second floor. Mr. Antanitis responded that yes, but only one part of the building, the second floor will be accessible to customers. Mr. D. Pfeil questioned the occupancy on the second floor. Mr. Antanitis responded that it is 50 on the second floor, 75 on the first indoor. Solicitor Wiley questioned the outdoor capacity. Mr. Antanitis responded that the outdoor capacity will be 75.

Mr. Robol questioned the impact to the residential area around the business. Mr. Antanitis responded that there is on-street parking on the roads around it. Mr. Robol further expanded his question in regard to the noise or people who disregard the residents. Mr. Antanitis responded that the front of the building is the main retail ramp where the roof goes out towards Lower Market Street. So, if you're opening doors where there might be music coming from or noise from the interior, it opens into a wide expanse of grass and pavement. The west side of the building is employee access only and the other side of the building has one rental house next to it and she is excited for them to open. Mr. Robol confirmed that behind the building is residential and Mr. Antanitis confirmed that yes that would be employee access only there too.

Solicitor Wiley questioned the hours of operation for the outside piece as well in terms of the noise component if he would have events or amplified music out there or anything along those lines. Mr. Antanitis responded that at this time they didn't apply for the entertainment portion of the license, so legally they cannot have anything raucous on the site as it is now. The concept would be to always be available for lunch and dinner for families so they aren't looking to hold concerts at this location or outdoor events that would involve bands and stuff like that. He doesn't see anyone on the porch other than folks eating and drinking.

At this time, Solicitor Wiley asked the general public if there was any questions. With no questions being asked, Solicitor Wiley proposed we have a motion to close the hearing. On motion of Mr. D. Pfeil and carried, the hearing was closed at 7:27 p.m.

On motion of Ms. Fawess, seconded by Mr. D. Pfeil and carried, Council approved Resolution 24-01 authorizing the transfer of restaurant liquor license (R-10602) from Watsontown Borough. Mrs. Meckley was opposed and Vice President Morales abstained.

On motion of Ms. Fawess, seconded by Mrs. Meckley and carried, Council approved Resolution 24-02 authorizing the Borough to hire CBIZ INR to provide fiduciary advisory services for the investment management of the 457(b) plan for eligible employees.

On motion of Ms. Fawess, seconded by Mrs. Meckley and carried, Council approved the purchase of a 2023 Dodge Durango Pursuit Vehicle with upfitting for a not to exceed cost of \$64,278.23.

On motion of Ms. Fawess, seconded by Mr. D. Pfeil and carried, Council approved allowing the Borough Manager to list the 2019 Dodge Charger on MuniBid.

On motion of Ms. Fawess, seconded by Mr. D. Pfeil and carried, Council approved the employment for the Secretary/Treasurer position to Jennnifer Lamoreaux at an annual salary of \$55,000.00 and ten (10) days vacation upon successful completion of a six (6) month probationary period.

On motion of Ms. Fawess, seconded by Mrs. Meckley and carried, Council approved paying the bills from General Fund, Reserve, Payroll, Liquid Fuels, and Cemetery accounts in the amount of \$175,390.13.

On motion of Ms. Fawess, seconded by Ms. Meckley and carried, Council approved authorizing Attorney Wiley to prepare and advertise language changes to the existing Flat Occupational Tax Ordinance #1251.

There being no further business, on motion of Mr. D. Pfeil, seconded by Ms. Fawess and carried,
Council adjourned at 7:31 p.m.

Submitted By:

Amy Day
Borough Clerk