

MILTON BOROUGH COUNCIL
(Hybrid Meeting)

May 24, 2023
7:00 p.m.

The meeting was called to order by President Walker. The following Councilmembers were present: President Walker, Mr. Robol, Mrs. Meckley, Ms. Fawess, Mr. John Pfeil, Vice President Moralez, Mr. Swartz, and Mr. Dale Pfeil. Also in attendance were Jess Novinger, Sam Shaffer, Doug Diehl, Mayor Aber, Solicitor Wiley, Seth Heddings, Chief Zettlemoyer, and Amy Day. Mr. Derr and Mrs. Mabus were absent.

Minutes: On motion of Mr. Dale Pfeil, seconded by Mr. John Pfeil and carried, Council approved the minutes from the May 10, 2023 meeting.

Report of the Borough Manager: Mrs. Novinger informed Council and the public that we have been experiencing a high number of vandalism incidents in Brown Avenue Park. Everything from graffiti and breaking of electrical outlets within the pavilions to garbage and rubbish being removed from cans and strewn about the park. She reminded everyone, if you see something, say something. The parks are to be closed to the public after dark. Chief Zettlemoyer reminded everyone to call 911, not the department and all this vandalism is costing the borough a lot of money.

Next, Mrs. Novinger stated that Northumberland County awarded the Borough its full \$50,000.00 ARPA grant request. This money will be used for security upgrades, IT updates and removal of bricks/re-paving both the PD and Borough parking lots and addressing the drainage concerns with paving. The money is anticipated sometime in July.

Mrs. Novinger then informed Council she had attended the KMIT (Keystone Municipal Insurance Trust) annual and quarterly Trustees meeting in Pittsburgh Sunday into Monday (May 21 & 22). It was very informative, and she gained a better understanding of how the Trust operates. She was also elected to the Executive Committee as the Secretary for the Board of Trustees.

Mrs. Novinger will be attending the PSAB conference in Hershey June 4-7. She will be available by cell phone or email during that time.

Mrs. Novinger requested that the General Government and Finance Committee meet to review the LERTA DRAFT ordinance and map that she and Doug and prepared so they may move forward with the process. Ms. Fawess asked how fast she'd like them to set it up. Mrs. Novinger stated after the holiday weekend with President Walker commenting for those to enjoy their vacation.

Report of the Mayor: Mayor Aber commented that he judged the 4Paws Sake Festival Doggie Fashion Show at Brown Avenue Park and said it was quite awesome and he never did anything like it.

Mayor Aber prepared a proclamation to designate the week of May 21-27, 2023, as Emergency Medical Services Week, with the EMS Strong theme, "EMS WEEK: Rising to the Challenge". He will present the proclamation to the group next week. President Walker read the proclamation to Council.

Report of the President Walker: President Walker had no report other than his son hit his first homerun!

Report of the Chief of Police: Chief Zettlemoyer stated that a truck hit a transformer and knocked down power. The officers were able to find him, and he is facing charges.

Next, he stated that the individual that hit the decorative light pole on Front Street was found in Sunbury and is facing charges as well.

Chief Zettlemoyer stated that they had recovered a ghost gun the other evening in the borough, and it is under investigation.

Mr. Zettlemoyer then informed Council that the commencement ceremony is going to be outside and after the meeting he was going there to help make sure everything is safe for the evening's events.

President Walker asked Chief Zettlemoyer about Brown Avenue and Chief Zettlemoyer responded that there is increased patrol in the parks, and they are making sure no one is in the parks at night.

Report of the Public Works Director: Sam Shaffer reported that the crew has been out street sweeping and they should be done by the end of the week. Every street in town has been swept at least once.

He informed Council that he was able to get cold patch since the last meeting as he was informed New Enterprise did get some on May 2nd and the potholes around town have been taken care of.

The crews are out getting the cemeteries all taken care of for the holiday weekend.

Report of the Fire Chief: Seth Heddings reported that the Fire Department has responded to 20 calls for service. The volunteer EMS staff have responded to 21 calls. MICU-15 has responded to 152 calls for service.

Seth Heddings stated that they will be dedicating the month of May to Water Rescue.

Public Comments: Kris Lavanish, of 521 Center Street, also the Milton Public Library director, reminded Council that the library is having their 25th anniversary ceremony tomorrow. She then presented Council with a 100th anniversary pamphlet commemorating the library. Kris then informed Council that in 2022, the people who used the library and their services saved over \$500,000. President Walker asked Kris how the Campaign was going, and she responded that it's going great.

Next, Judy Forbes, mother, and MaKaley Forbes, of 481 Columbia Avenue, proposed the idea to Council of a donation box in the Borough. She stated it would be a give and take thing, with hygiene products, food, etc. and she would keep track of it. Mr. Dale Pfeil asked if it was something similar to what is in West Milton and her mother, Judy Forbes, responded that it would be much smaller. President Walker asked MaKaley what led her to come here, and she stated she wanted to do something for the community and her religious beliefs led her here. President Walker recommended that they come in and meet with Jess, the Borough Manager and Sam, the Department of Public Works Supervisor and come up with an idea and then together they can present it to Council. President Walker commented that he thinks this is an outstanding idea!

Kevin Hill, of 273 Walnut Street, resident of 22 years informed Council that he has six (6) chickens that are confined and contained with their compost being recycled into his garden. He gives his neighbors his eggs freely and is now being fined for having chickens. He stated he wanted to understand why he's being fined for being nice to his neighbors. Code Enforcement Officer, Doug Diehl responded that he and Mr. Hill have already talked at length about that and he was not being fined but that he would be fined if he did not rectify the situation and have his chickens re-homed by the date on the letter. He then elaborated on Ordinance 1247 regarding The Keeping of Animals within the Borough, residents are unable to have chickens because of the close proximity to their neighbors and the diseases chickens can carry that can then be carried onto humans/birds and can then contaminate other farms. Discussion carried between Doug and Mr. Hill regarding the keeping of chickens and wife of Kevin Hill, Judith Hill, of 273 Walnut Street, spoke regarding a conversation they had recently with Doug regarding the spreading of disease among chickens. Doug again clarified the notice that was sent to the Hills. Mrs. Hill informed Council that dogs carry more diseases than chickens and that she was speaking on behalf of the critters.

President Walker read a letter aloud to Council on behalf of Rey Santiago, of 35 Rose Street and requested Council's consideration to allow his son to keep his four (4) support chickens. Mr. Moralez requested to deny the consideration and Mrs. Novinger stated that this resident cannot meet the lot size regardless, so he is unable to keep the chickens and that his request was read out loud for the record.

Next, Andrew McNeal Jr, of 602 Lincoln Street, Head Tennis Coach of (MASD) Milton Area School District, stated that at the last meeting his previous Assistant Boys Tennis coach, Joanna Johnson, spoke in favor of lining all the tennis courts with pickleball lines, instead of just two (2) courts previously. He did not want all the tennis courts lined with pickleball lines. He then presented a handout to Council displaying the PIAA guidelines and guidelines from the (USTA) United States Tennis Association as well as correspondence between himself and the USTA Manager of Middle States Junior Competition stating that USTA Junior Sanctioned tournament (ranking level tournaments) cannot be held on tennis courts with Pickleball lines on them. He stated that he was unsure of the agreement between the Borough and the MASD in regard to the usage of the tennis courts but that they utilize these courts as they do not have their own. He reiterated the previous Council decision in 2021 of only painting two (2) courts with pickleball lines and that he has issued a public statement, included in his handout. He stated that the

views of Ms. Johnson are contrary to the beliefs of the Milton Tennis Program as pickleball lines are not permitted on tennis courts used for competitive play as it is a USTA ruling. He then requested that if the Revitalization Committee would decide to resurface these courts that no pickleball courts are placed on the courts and that future pickleball courts be located elsewhere. (In addition, yesterday he met with Dr. Bickhart, the MASD Superintendent and Rod Harris, the MASD Athletic Director and they confirmed their stance on this issue as well.) He then read a statement from Milton Senior Varsity Tennis player, Gavin Russell, as he was attending his graduation and unable to attend the meeting. Mr. McNeal read the letter which addressed Gavin's comments and concerns over the future of both tennis in the district as well as in the community. He stated the pickleball lines remove the ability for any competitive tennis play on the courts, and this would result in MASD not being able to play tennis matches on their home courts which could result in a decline of youths participating in the sport in the local area. After reading Gavin's statement Mr. McNeal proceeded to talk about the Revitalization Committee and President Walker clarified that there is no committee, it is the Brown Avenue Complex Committee. President Walker asked if Mr. Dale Pfeil, his committee, and Jess, the Borough Manager could meet with him to discuss this issue as council does understand what he is saying but there is a lot of people packing our parks playing pickleball, but we certainly do not want to take tennis away from the MASD either. Mr. McNeal also offered his services to assist on a USTA grant towards resurfacing the courts.

Joan Warburton, of 309 Walnut Street, had a question concerning chickens spreading disease and how we can control whether it is a chicken or random bird being contaminated. Council members reiterated that chickens are not allowed in the borough because we cannot control contamination. Attorney Wiley then interjected that this Council will certainly listen to any comments that come from anyone, but this issue is quite frankly simple, the law in the Borough is you cannot have chickens and Mr. Diehl has gone through the process with making people aware of that and providing residents in violation the opportunity to cure the issue until fines will be assessed upon. The Borough will hear any comments or questions from residents concerning this issue, but the background of this ordinance was grounded in health concerns. Mr. Hill questioned the process to change the ordinance and Attorney Wiley stated it would start with a request but that the Borough spent a considerable amount of time evaluating this ordinance and it was recently amended. Mr. Dale Pfeil suggested that Mr. Hill speak directly to his Council representatives and have them come back to Council. President Walker commented that Mr. Hill did the right thing and spoke up and now it is on public record and that we appreciate the comments, but we are not doing anything tonight.

Sara Barcoksi also commented to Council in favor of Mr. Santiago's son having four (4) support chickens.

Next, Seth Heddings, 25 Stanton Avenue, commented that the Borough of Milton is a residential community and not an agricultural community. He made his stance known that a residential community is no place for farm or agricultural animals.

President Walker then stated we were taking one more comment concerning chickens and then moving on.

Mrs. Hill commented that chickens are domesticated and can recognize more than 500 faces, are empathic, and beneficial. Attorney Wiley advised Mrs. Hill this is not a debate and to please direct comments to the Borough Council. She then stated her beliefs of the benefits of chickens as pets.

At this time, 7:42 p.m., Council entered into an Executive Session to discuss personnel matters. Council reconvened at 8:05 p.m.

And, at that time, President Walker closed the regular meeting and opened a Public Hearing for the Community Development Block Grant (CDBG) funds. Ms. Linda Sterling from SEDA-COG announced she will be retiring and introduced her replacement in training, Tonya Troup. Ms. Sterling then provided Council and the public with a packet of information. She informed Council that this years allocation has not yet been released but our 2023 projected allocation is slightly less than previous and is estimated to be \$123,562. The administrative cost of the Grant Project is \$20,250 and is paid directly to SEDA-COG. She then reviewed the application schedule and advised the Borough to select the projects by June 28, 2023 as that is the due date for project selection. Milton's projects will formally be approved at the July 11, 2023 meeting. The public meeting will be held on August 1, 2023 at the County Administration Building. Ms. Sterling outlined the application schedule and what are eligible and ineligible CDBG activities. Next, she reviewed the Fair Housing Notice, Anti-Displacement Plan, Section 3 Preference, and Section 504 Outreach notice for CDBG regulations and use.

Lynn Yocum, of 314 High Street, spoke with Ms. Sterling regarding surveys for possible projects and inquired about a possible map of areas that could be considered for a project. It was stated by Ms. Sterling that SEDA-COG would assist but it would be up to volunteers in the community to complete the survey. Ms. Meckley made the comment that we tried that in the past, but it is very difficult to get people to open their door. Ms. Sterling answered the question regarding how many surveys would need to be done and she informed us that they enter the number of the population on a calculator, and it will generate the number of how many surveys must be received. Ms. Novinger commented that it was previously discussed that they needed 67 surveyed with 12 community volunteers and income information is required. To be able to complete community projects, 51% of your survey respondents need to be income eligible. Mr. Yocum then questioned the library receiving funding, Ms. Sterling informed him that since the library services other residents than Milton therefore it would need to consider other funding. Ms. Sterling stated that the CDBG program is the only grant program ruled by Federal Legislation and is very difficult, but you get government tax dollars to use. Ms. Meckley questioned the removal of blighted properties and what we are permitted to do with a vacant lot. Ms. Sterling informed her we are to hang on to it until the state closes out the contract, which is between 3-5 years. Ms. Sterling said you can sell the property in any way where people have the opportunity to bid on it and then the proceeds from the sale would go back into the CDBG project fund to be used for further projects.

President Walker closed the Public Hearing at 8:29 p.m. and the regular Council meeting resumed.

Public Works and Cemeteries:

- A. On motion of Mr. John Pfeil, seconded by Mr. Dale Pfeil and carried, Council authorized the Borough Manager to sign the settlement agreement between Well's Fargo, N.A. for the Elva M. Heffelfinger Trust and the Borough of Milton.
- B. On motion of Mr. John Pfeil, seconded by Mr. Morales and carried, Council authorized the Borough manager to sign the settlement agreement between Well's Fargo, N.A. for the William C. Dickerman Cemetery Trust and the Borough of Milton.

Mrs. Novinger noted that both of those funds will be put into separate Edward Jones CDs. President Walker asked how many years the funds will be locked for. Mrs. Novinger stated that our Financial Advisor, Sheri Marshall recommended to go out 3 years and she will review anything with the financial committee.

Public Safety:

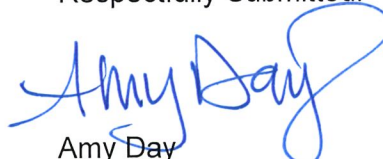
- A. On the request of Mr. Dale Pfeil, the consideration to approve the Recreational Usage Agreement from the North Branch Baseball league was tabled for a future meeting, until he could speak to Mr. Tim Walter (applicant).

General Government and Finance:

- A. On motion of Ms. Fawess, seconded by Mrs. Meckley and carried, the agenda was amended to add the offer of employment for the Secretary/Treasurer position to Brittnee Vann at an annual salary of \$55,000.00.
- B. On motion of Ms. Fawess, seconded by Ms. Meckley and carried, Council approved to add Technical School Use to the Conditional Use list for the Manufacturing Zoning District. Mr. John Pfeil abstained.
- C. On motion of Ms. Fawess, seconded by Mrs. Meckley and carried, Council approved paying the bills from General Fund, Reserve, Payroll, and Cemetery accounts in the amount of \$149,977.78.

There being no further questions or business, on motion of Mrs. Meckley, seconded by Mr. Morales and carried, Council adjourned at 8:37 p.m.

Respectfully Submitted:


Amy Day
Borough Clerk