Borough of Steelton
Minutes of Council Meeting
Monday, August 17, 2015

Present:

Jeffery L. Wright, President
Maria Romano Marcinko, Vice President
Michael Albert, Pro Tem
Steven J. Shaver, Councilman
Brian Proctor, Councilman
MaryJo Szada, Councilwoman

Absent:

Denae House, Councilwoman
Thomas Acri, Mayor

Administrative Staff:

Sara Gellatly, Borough Manager
David Wion, Esq., Solicitor
Ken Klinepeter, Public Works Director
John King, Chief of Police
Willis Shrauder, Code Enforcement Officer

Call to Order:

The August 17, 2015 meeting of the Steelton Borough Council was called to order by Council President Jeffery Wright at 6:31 p.m.

Pledge of Allegiance and Moment of Silence:

Council President Wright led the audience in the Pledge of Allegiance followed by a moment of silence led by Mayor Thomas Acri.

There were no Executive Sessions held between meetings.

Approval of schedules of billing, requisitions, and change order as presented:

A motion was made by Councilman Proctor, seconded by Councilwoman Marcinko to approve the schedules of billing, requisitions and change orders as presented for July 2015. Motion carried unanimously.

Approval of minutes of previous meetings as presented:

A motion was made by Councilman Proctor and seconded by Councilwoman Marcinko to approve the minutes of the August 3, 2015, Council Meeting. The motion carried unanimously.

Approval of Department Reports:

President Wright announced that he was going to read all department reports but before any Chair speaks he would want to hear from any Department Head who is present first.
Borough Manager Gellatly asked to speak about the Firehouse. Ms. Gellatly stated Assistant Fire Chief Vance brought to her attention this morning that there is a sink hole forming in the

parking lot of the Firehouse. HRG went to the Firehouse and reported that it is about 2 feet in diameter and 2 feet down and HRG will have a recommendation to the Borough by August 8, 2015. Ms. Gellatly stated that she will be in contact with Chief Vance with the recommendation. Ms. Gellatly will be in charge of this project due to the resignation of Mr. Klinepeter, in the event that it changes the scope of the Firehouse project. HRG reported that there nothing that the Borough needs to do at this time but HRG will be coming back with a recommendation.

Ms. Gellatly stated she did have a comment about the Police Report. President Wright asked that the Police Chief would be allowed to speak first. Chief King stated that he had no comment on the report. Ms. Gellatly asked about certification to be put in the report. Chief King responded that they will come at a later meeting.

NEDC: NEDC Chair, Councilman Brian Proctor, reported that he wanted to discuss with Chief Vance the possibility of a cookout for the first responders to show our appreciation for all those that helped during the recent fires that occurred in Steelton.

Public Works Report: Ken Klinepeter, Public Works Director reported that the emergency power generator was placed so that project is about 70% complete with no problems. PSI has installed two of the pump grinders at two of the stations and the Felton Street well and the project is moving along quickly without any interruption to our staff and their operation.

Public Works Chair Councilwoman Marcinko reported that in the East End where the sewer separation project was completed she noticed a sink hole near a catch basin in the 2700 Block of South Second Street. She reported it to the Borough's Engineer Joshua Fox, HRG, and to Ken Klinepeter, and Mr. Fox did come and look at it and determined what needed to be done and it was filled. HRG will continue to monitor the area to determine if it is a larger problem than observed. Councilwoman Marcinko also reported that many of the yards on west side of Second Street, since the project, are experiencing sunken areas.

Councilman Proctor inquired about the dip in the road in front of Family Dollar. Ms. Gellatly reported that the project is still ongoing and PennDot is monitoring the road. Once UGI is completely finished the road will be fixed.

Councilman Proctor also brought up the spring issue on Harrisburg Street near Stone Funeral Home. He asked that issue could be resolved before PennDot repaves the road next year. Ms. Gellatly will discuss this matter with Joshua Fox, HRG. It is not in the scope of work right now, she stated. The spring at Bailey and Bessemer street will be addressed during budget discussions.

Councilman Proctor also brought up the brush and weeds on Swatara Street and along the canal on Front Street. Councilman Proctor said he knew that Mr. Klinepeter contacted Swatara Township about borrowing a piece of equipment that we don't have to do this. Ms. Gellatly addressed the issue that some of the plants along the canal were done with grant money and they are there to keep the canal intact. Councilman Proctor said he believed that there was some trimming that could be done. Councilman Marcinko stated that she thought Arcelor Mittal was responsible for the area around the canal. President Wright tasked this to the NEDC/Public Works Committees.

Mayor's Report:

Since the Mayor was not present, Ms. Gellatly gave this report. The Mayor was very pleased with National Night out this year. There were many changes including the location. The Borough was prepared for 150 kids and 300 kids attended. She reported that it was nice to do it at the Multigenerational Park this year and once DCNR acknowledges the park is complete, we are going to do a grand opening.

Councilman Proctor asked Ms. Gellatly to bring up that there were several things that came up on the punch list in the walk through with HRG regarding the park and they are being taken care of. The Borough did receive the Trailways Grant so the grassy area will have playground equipment installed. TR Stoner who was the contractor on the site recommended some equipment. HRG will review and we will try to get completed by the end of the year. The portable potty is not in the location where it should be but it may remain in that location for this year and place it properly next year.

Councilwoman Marcinko asked the Police Chief to report on the earlier issues of the use of the tennis courts for other than the playing of tennis. The Chief reported that he believed that the misuse has subsided and the Borough will be discussing different possibilities of securing the courts from dusk to dawn. Councilwoman Marcinko stated that in the next water bill we should make residents aware that if they want to rollerblade they should go to Municipal Park and use the roller hockey court.

Borough Managers Report:

Ms. Gellatly reported that she met with County Economic Development Officials in regard to CDBG money. The 2012 CDBG money in the amount $57,942 that was previously allocated for a wood chipper, beautification, and the midget baseball field needed to be reallocated due to the fact that the purchase of a wood chipper is not allowable under CDBG. The amount of money allocated for the wood chipper will go towards beautification. Ms. Gellatly stated that the reallocation requests will go to the County so that the agreements could be drawn up.

Ms. Gellatly stated she is working on the job postings for advertisement in the newspaper. Mr. Michael Miller, our labor attorney, made his revisions. The ad will be in the Patriot News on Thursday and Sunday and also on the Borough's website. The Personnel Committee will be interviewing the applicants who applied for the highway labor position Wednesday of this week.

Councilwoman Marcinko asked Ms. Gellatly if the bollards will be replaced with the 2012 CDBG money. Ms. Gellatly said that was correct.

Councilwoman Marcinko made a motion, seconded by Councilman Proctor to accept the Committee reports. Motion carried unanimously.

Public Comment on Agenda Items Only: None

Presentation:

A presentation was given by George Connor, Deputy Director, Dauphin County Economic Development and Michael Musser, Community Networking Resources regarding the Adams Street Project. Mr. Musser discussed the Memorandum of Understanding the Borough previously entered into with the Redevelopment Authority regarding the Adams Street project.

He further reported that the project was bid out numerous times and he believed at one point there was a bid but it was unacceptable at the time. The issues the Borough had when they bid the project out are related to the Borough Code and the lowest responsible bidder and the Borough could not define exactly how the project would be done. Under the Borough Code, a redevelopment authority or an economic development corporation or organizations of that nature if they own the land they would run the project and would fall under different parameters than the Borough. That allows for more flexible negotiations with developers and contractors. Recently two developers have shown interest in the property. Mr. Musser further reported that since all of those properties were purchased with CDBG funds the County will need to recapture those funds because it is looked at as program income. There would be no income benefit from the sale of the properties. The benefit is the development of the properties, the returning tax base, personal income taxes and things of that nature that will be generated from the development of the property. The recommendation is to turn the land over to the Redevelopment Authority, which is an arm of Dauphin County, who will run the project and will work with the Borough. In order to do this, the property must be deeded to the Redevelopment Authority. Mr. Musser stated he believed that there could be deed restrictions placed on the property or a reverter provision. Mr. Musser believes with proper guidelines we would have a good project that could bring the tax base back into that area. Mr. Musser also stated, and it is only preliminary, that he met with another developer who may be interested in the 8 acres on Front Street. He stated that is a long way off but he is starting to see interest.

President Wright asked Solicitor Wion what needed to be done in order to get this property deeded to Dauphin County. Mr. Wion reported that he did not recall exactly where the project is at the moment. The Borough started out with exactly what Mr. Musser described. We entered into a MOU with the Housing Authority which was executed and the Housing was going to get from the Borough a deed for this entire tract of land and there was some indications that it was going to be used for a certain purpose and as he recalled the Borough went through and adopted and filed a subdivision and land development plan for the 10 townhouse units, which was on the record. Mr. Wion does not know if the deed was ever transferred because the developer backed out and the project fell apart so what Mr. Musser discussed was going to happen. The money for the sale of the property was structured to be $8000 per property that had to go back to the Redevelopment Authority, the Housing Authority as reimbursement for the CDBG monies. Mr. Wion stated that he was not hearing anything different than what the Borough has done before with the potential exception of having to relook at the subdivision and land development plan and perhaps terminate that plan and put another subdivision and land development plan on that would accommodate whatever the present indication of how that land was going to be developed is and he didn't know whether it was going to be different than 10 townhouses. Since the Borough didn't know what the developers would be looking at to do, that would be the procedure. Mr. Wion stated he didn't know if we have to change the MOU and he would have to go back and look at that but it is basically the same concept. Mr. Wion did not believe the deed was actually transferred the Authority. He stated that the subdivision and land development plan was adopted and put on record. That will need to be corrected or the Borough will have to look at what the use of that tract will be. If the Borough Council is interested in moving forward along the lines of Mr. Musser's recommendation, Mr. Wion will have to go back and look at the documentation that already exists and see what has to be done for its modification. Councilman Shaver stated he wanted to make a motion that the NEDC Committee and staff to look at what we prepared previously to insure that documentation meets what was discussed tonight and Borough move forward with that concept. Councilman Shaver made that motion, seconded by Councilman Albert. Councilman Shaver amended his motion to include to move forward with whatever is necessary to get this accomplished, seconded by Michael Albert. Motion carried unanimously.

Councilman Proctor said he would have an update on this by next meeting.

Mr. Conner wanted to discuss the 2012 CDBG funds as previously discussed by Ms. Gellatly. Mr. Conner stated that those funds must be spent before September 30, 2015 or it would be recaptured by the County. Ms. Gellatly asked if it was appropriate to start spending those funds before the new agreements were written. Mr. Connor reported that once we receive the applications, we have to get an environmental review exemption for the projects and then the agreement will be issued and once the Borough Council signs off on the Agreements and the County Commissioners sign off on the Agreements then we can draw down the funding. Mr. Connor believed the entire process should take about two or three weeks before spending can begin. Mr. Connor asked Ms. Gellatly if all of the invoices were in place. Ms. Gellatly stated that she did not sign off on any project because if CDBG funds would not be authorized general funds could not support those projects.

Mr. Connor and Mr. Musser had one more issue to discuss regarding the 2012 Gaming Grant extension. Ms. Gellatly stated that there was an issue brought up at a recent meeting that the County granted the Borough an extension to spend it by November 2015, however, the usage was still in question. Ms. Gellatly stated that she has found it difficult to get the project going when the usage has not been approved. President Wright reiterated that he did not want to see any CDBG funds lost for any reason. Ms. Gellatly said the reallocation for the 2012 CDBG money would be hand carried to Mr. Connor on Wednesday. President Wright stated he wanted himself and Vice President Marcinko to be copied on all of the correspondence on this. Councilman Proctor, as Chair of the NEDC committed asked that he be copied on this correspondence. Ms. Gellatly then reported on the 2012 Gaming Funds. The balance is $98,149.79. These monies were already to have been spent. These funds were to be used for streetscape and when Penndot took over the project the Borough did not have any expenses to allocate other than a few up front expenses to HRG. Ms. Gellatly said that Mr. Musser assisted her in writing the extension and reallocation request for the 2012 Gaming Funds. Ms. Gellatly said since she did not have approval on the usage, she could not expend the funds. Ms Gellatly and Mr. Connor stated that they would work together to resolve this. Councilwoman Marcinko asked what these funds would be used for. Ms. Gellatly reported that it will be used as a match grant for Mohn Street park.

Mr. Musser asked about the usage for the 2015 Gaming Funds. The usage is allocated for storm sewer projects. We are also sponsoring grants for the Firehouse and Jump Street. Mr. Musser stated that the County has stated that there is a letter signing on as co-applicants for the Jump Street and the Firehouse but none has been submitted for the sewer project. It is now the 17th of August and all applications have to be in by September 1. Ms. Gellatly stated that the County has received the letter in question. Mr. Connor asked if that letter was emailed to the County. Ms. Gellatly responded yes and Mr. Connor asked that from this point forward that he be copied on all correspondence related to this matter.

Councilwoman Marcinko asked, for the purpose of edification for the public, when the Borough talks about projects such as Jump Street and the Firehouse, this money is not coming out of Borough funds but the Borough is only sponsoring them on paper. Mr. Connor explained that the Gaming Grant rules require that when an organization within a municipality wants to apply for gaming funds the municipality must write a letter of sponsorship for the organizations application. Ms. Gellatly stated that the County will ask that she prioritize all of the projects the Borough has sponsored when she attends the meeting with the County. Councilman Proctor explained Jump Street to the public. He stated it is the School Districts Aguaponics program.

Communication: None

Unfinished Business: None

New Business:

Mr. Wion announced that the next few matters are determinations where special purpose parking spaces are not needed any longer.

The first resolution is Resolution 2015-R18 eliminating the special purpose parking reserved for Sarah Mull on Mulberry Alley and a portion of a side at 35 North Third Street. She has indicated that she has moved from the area so this resolution will eliminate that parking space. President Wright asked if there were any questions on the Resolution. Hearing no questions he called for a motion. A motion was made by Councilman Albert, seconded by Councilwoman Marcinko to adopt Resolution 2015-R-18. Motion carried unanimously.

The second resolution is Resolution 2015-R-19 eliminating the special purpose parking space for Betty R. Wall, who moved and no longer needs the space. The space is at 42 South Harrisburg Street and a portion of the frontage of 40 South Harrisburg St. President Wright asked for questions on the resolution. Hearing no questions he called for a motion. A motion was made by Councilman Albert, seconded by Brian Proctor to adopt Resolution 2015-R19. Motion carried unanimously.

Councilman Proctor stated that in regard to special purpose parking was there a previously approved special purpose parking for a resident on Lincoln Street for their work van. The van is sitting in the Elks parking lot is rundown and is unable to be moved. He further reported that the resident is using a different vehicle and is parking it in that special purpose parking space. Councilman Proctor stated he wanted to know what can be done about this sort of situation. Councilwoman Marcinko asked if the van had a PA handicapped license plate. Councilman Protor confirmed that it did. He further reported that the car now parked in the special purpose parking does not have the required license plate. President Wright stated that the van is not parked on Elks property that it is parked on the Borough's property. President Wright told Councilman Proctor that he should follow this up with the Police Chief.

Councilwoman Marcinko stated that she thought that when we wrote the special purpose parking policy about a year and half ago, that there was a provision in there that if someone is abusing this benefit, the parking space would be pulled.

President Wright suggested that we reached out to the the individual who has the approved special purpose parking and show them the ordinance and if they are violating the ordinance their special purpose parking permit will be taken away.

The third resolution is Resolution 2015-R-20 which removes or eliminates the Angle Alley parking space that had been reserved for the Fire Department's Chief and since he is no longer employed as the Property Maintenance Officer that would eliminate that special purpose parking space. Council President Wright asked for questions on the resolution. Hearing no questions he called for a motion. A motion was made by Councilman Albert and seconded by Councilman Proctor. Motion carried unanimously.

Mr. Wion stated that in a similar situation, since Brian Handley is no longer the Assistant Fire Chief the special purpose parking on Locust Street for the the Assistant Fire Chief being at 355 Locust Street, should be eliminated and that is Resolution 2015-R-21 for consideration. President Wright asked for questions on the resolution. Hearing no questions he called for a motion. A motion was made by Councilwoman Marcinko and seconded by Councilman Albert. Motion carried unanimously.

The next resolution is the establishment of a special purposes parking permit which is as a result of a traffic study conducted for Irene B. Gillis at 142 Lincoln Street and the Police Department has determined through their study that a special purpose parking permit is appropriate for a portion of 142 Lincoln Street, that being Resolution 2015-R-22 for the Council's consideration. President Wright asked for questions on the Resolution. Hearing no questions he asked for Motion. A motion was made by Councilman Albert, seconded by Councilwoman Marcinko. Motion carried unanimously.

Mr. Wion stated that every 5 years Penndot comes to the various municipalities in the Commonwealth who provide actually snow removal services on the State Highways, and, since it has been 5 years since we have last done this, we have received from the Commonwealth Department of Transportation another letter with a 5 year agreement that would take us through 2019-2020. The format is basically the same as we signed the last time with a couple of additional addenda to the agreement. Contract provisions under the Right to Know law have been added. It is basically the same agreement with those few modifications. It is now before the Council for approval. Councilman Shaver made a motion we approve the 5 year Winter Highway Maintenance Agreement with PennDot for the years 2016 through 2020, seconded by Councilman Albert. President Wright asked for questions on the motion. Councilman Proctor asked how much we charge Penndot or how much to we get from PennDot for these maintenance services. Borough Manager Gellatly stated we do not charge them. Penn Dot notifies the Borough on how much reimbursement will be returned to the Borough. For the period of 2015-2016 PennDot will be reimbursing the Borough $8,244.36. Motion carried unanimously.

Councilman Shaver made a motion that we approve Resolution 2015-R-23 authorizing Council President Wright to sign the 5 year Winter Maintenance Agreement with PennDot (2016-2020), seconded by Councilman Proctor. Motion carried unanimously.

Mr. Wion stated that although not on the agenda the Borough Manager is requesting the consideration of a Resolution for the Borough authorizing the filing of an application for a local share municipal grant request of $457,800 to be used for the Blueberry Alley/Washington Street storm sewer repairs project. Mr. Wion stated the the Borough Manager would advise Council of the necessity for this. Borough Manager Gellatly stated that HRG sent this request today. She believed that in the past we did not have to pass a Resolution regarding the Gaming Grant application. President Wright asked if Mr. Wion had an opportunity to take a look at what HRG is requesting. He said that it is an application as Ms. Gellatly indicated for that particular project and would authorize the filing of the application. Mr. Wion said he knows nothing about the timing of it or anything else but the Resolution would approve the application. However, if in the review the Borough Manager determines that there is some issue about it, we can simply hold it but if there is some time element, the Council would want to be in a position to move on it. Ms. Gellatly stated the gaming grant is due within the first week of September. Since the amount is not going to change, it is her recommendation that the Council take action on it. A motion was made by Councilman Albert to take the recommendation of the Borough Manager to approve Resolution 2015-R-24, approving the filing of the local share municipal grant request of

$457,800 to be used for Blueberry Alley/Washington Street storm sewer repairs project, seconded by Councilman Proctor. Motion carried unanimously.

Audience Participation:

1. Iris Brown, 236 Lincoln St., Steelton, PA 17113

Ms. Brown stated she has been at that address all her life. She is now retired. She asked what is the procedure for maintaining properties in the Borough. Why are residents not being held accountable. President Wright asked Ms. Brown to be more precise. She discussed how her neighboring properties are not being taken care of. She stated lawns are not being cut, weeds all over the neighbors property which are coming into her property. She has paid to have them removed. She said the properties look like a forest in the backyards. She is unable to have cookouts or gatherings in her yard because of the conditions of the neighbors yards. She said there are snakes, groundhogs, and skunks continuously. There is a garage where there is a tree that is growing overtop. Both neighbors do not keep their yards kept up. The addresses are 234 and 238 Lincoln St. in the rear. She also asked about grills on front porches and if it was a fire hazard. Code Officer Shrauder stated he would check the ordinances regarding this issue. Ms. Brown stated that since Council discussed developing new properties in town, we really need to look at the old properties which are unkept because no one will want to move here with the neighboring properties in that condition. She stated the properties on Front Street and 120 Lincoln Street are deplorable. President Wright asked Councilman Proctor to get with Ms. Brown. Councilwoman Marcinko stated to Ms. Brown that she did ask a question and no one answered her. The question is what is the procedure for maintaining properties. Councilwoman Marcinko stated that when Property Maintenance Officer Gray comes to your house tomorrow morning, he will tell you that procedure. Councilwoman Marcinko explained that the process is not simple and there are private property issues involved.

2) Dennis Heefner, 337 Swatara Street, Steelton,PA 17113

Mr. Heefner wanted to follow up on the work permits for Arcelor Mittal. Borough Manager Gellatly stated the Borough has been working on several projects and permits and unfortunately Eckert Seamans who is helping us with those issues had a conflict when it came to the Mill project. The Pittsburgh Office of Eckert Seamans actually represents the Arcelor Mittal and the Borough reached out to someone else and they had conflicts. The Borough just acquired Counsel in this matter on Friday and the Codes Officer is going to be working with that attorney. Mr. Heefner asked if they are going to submit plans to the planning commission and are they going to want approval on a project they already did. Ms. Gellatly stated that this is potential litigation so she could not answer those questions.

Mr. Heefner commented on Councilman Proctor's previous statement regarding borrowing an arm for a piece of equipment to cut the weeds on Swatara Street. Mr Heefner stated that Council tried that years ago and it makes the ground unstable so he would not suggest that be done.

3) Natasha Woods, 171 South Front St., Steelton, PA 17113

Ms. Woods wanted clarification on the CDBG Funds discussed tonight. Ms. Gellatly responded that about 3 years ago she met with County to review the Borough's CDBG funds. To summarize the history, the Borough had to submit applications for reallocations to the

County when monies were left from approved projects and it needed to be reallocated to be spent. She stated that the 2013 allocation was used for the storm sewer line on Adams Street.

Council Concerns:

Councilwoman Szada asked the residents to assist in getting the children off the streets. She said she has observed many skateboarding and playing in the streets and we should get them to use the parks.

Councilman Albert: Councilman Albert announced the midget football season would be opening up on Sunday, August 23, 2015 at Cottage Hill at 12 p.m.

Councilman Shaver: Councilman Shaver was concerned about the design for the entry way to the new building at Dura Bond in the East End. He noticed they brought the curb line the whole way out to the macadam on Route 230. His concern is, and he understand we may have approved that, however, from a safety standpoint that if people go too far off to the right they will go airborne right into the parking lot. He knows PennDot approved it and he is not an engineer and he is just concerned. He said we might want to look at it.

Councilman Proctor: Nothing

Borough Manager Gellatly: She reported that Mr. Connor left the meeting and checked our CDBG funding. Mr. Connor stated that we needed to vote on the new usage of the 2012 funding since Council took out the wood chipper. $57,942, of which $18,000 will be spent on the midget baseball field and $39,942 will be used for beautification. She is asking for motion for the use of the $57,942 for those specific reasons. A motion was made by Councilwoman Marcinko and seconded by Councilman Albert to reallocate the 2012 CDBG funds of $57,942 of which $18,000 is allocated for the midget baseball field and $39,942 is allocated for beautification and authorize the filing of applications and execution of agreements with the County. Motion carried unanimously.

Ken Klinepeter - nothing

Mick Shrauder - He announced the he attended training for Flood Plane managers.

Chief Vance - Nothing.

Chief King - Nothing

Mr. Wion - Mr. Wion stated he was asking for an executive session to discuss legal matters and personnel matters.

Councilwoman Marcinko - She stated that she is sure that everyone has read on facebook about the Fire Department's loss of the metal grates they use for their chicken BBQ's. She stated that our Fire Department is volunteer and they need this source of income. She asked anyone that can donate should.

She also stated that minutes will be done prospectively every two weeks. Two Councilwoman have volunteered to clean up the backlog and it will take time to catch them up but it will get done.

President Wright thanked everyone for coming out tonight. He stated that the minutes have been a big issue and we are moving forward with that and there is no cost to the Borough because they are being done by two Council Members. He also stated that we have been advised that it is legal for them to do those minutes.

President Wright announced that Council was going to recess into executive session to discuss legal and personnel issues at 7:55 p.m. The motion to recess was made by Councilman Albert and seconded by Councilwoman Szada. Motion carried unanimously.

A motion was made by Councilman Proctor and seconded by Councilman Shaver to return to regular session at 8:29 p.m. Motion carried unanimously.

Adjournment:

A motion was made by Councilman Proctor and seconded by Councilman Shaver to adjourn at 8:30 p.m.

Respectfully submitted,

Sara Gellatly
Borough Manager

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