

**Borough of Steelton
Council Agenda
November 4, 2013**

CALL MEETING TO ORDER: President Wright with the Pledge of Allegiance

MOMENT OF SILENCE: Thomas F. Acri, Mayor

NO EXECUTIVE SESSIONS WERE HELD BETWEEN MEETINGS.

PUBLIC COMMENT: Agenda items only

PRESENTATIONS: None

COMMUNICATION: None

UNFINISHED BUSINESS:

Borough Manager

138 Lincoln Street – Special Purpose
Parking

NEW BUSINESS:

Mr. Wion

Resolution 2013-R-14, adopting a
market value method to determine
the actuarial value of assets for the
Police Pension Plan

Borough Manager

Approval of the contract between the
Borough and RT General
Contractors for the Borough
Building's roof

Mr. Spencer

Discussion of Request for Assistance
from DCED

AUDIENCE PARTICIPATION:

COUNCIL'S CONCERNS:

EXECUTIVE SESSION:

OTHER BUSINESS:

(if necessary)

ADJOURNMENT:

**Borough of Steelton
Council Meeting
November 4, 2013**

Present:

Thomas Acri, Mayor
Michael Albert
Sara Gellatly, Borough Manager
Maria Marcinko

Steve Shaver
Raymond Spencer
David Wion, Solicitor
Jeffrey Wright, Council President

Absent:

Dr. MaryJo Szada

Denae House

Call Meeting to Order:

President Wright called the November 4, 2013, Steelton Borough Council Meeting to order at 6:30 p.m. followed by the Pledge of Allegiance.

Moment of Silence:

Mayor Acri led a moment of silence.

Executive Sessions between Meetings:

Mr. Wright announced that there were no executive sessions held between meetings.

Public Comment on Agenda Items:

There were no comments on agenda items only.

Presentations:

Mr. Wright announced that there were no presentations.

Communications:

Mr. Wright announced that there were no communications.

Unfinished Business:

Ms. Gellatly, 138 Lincoln Street Special Purpose Parking

Ms. Gellatly shared that during the first Council meeting in October, Council received an application for the resident at 138 Lincoln Street who requested special purpose parking. According to the study, the resident had off-street parking and the special purpose parking was unallowable. The resident attended a Borough Council meeting and asked Council to review the case again. Council then asked the Police Committee to look into the request. The Police Committee reviewed the request at their last meeting and recommended that Council follow the established policy pertaining to special parking and not grant the special parking request due to the fact that the resident has off-street parking.

President Wright entertained a motion to deny the appeal for special purpose parking for the resident at 138 Lincoln Street which was made by Ms. Marcinko and seconded by Mr. Spencer. The motion carried unanimously to deny special purpose parking for the resident at 138 Lincoln Street.

New Business:

Mr. Wion, Resolution 2013-R-14, adopting a market value method to determine the actuarial value of assets for the Police Pension Plan

Mr. Wion stated that the actuary that handles the Police Pension has communicated to the Borough the fact that, previously the Borough had utilized the smoothing method to determine the method of investment rather than the fair market value. Due to performance using the smoothing method and looking to the impact it will have in the future, the actuary is recommending that the Borough return to the fair market value method. Future costs will be assisted by returning to that valuation and because it is the recommendation of the actuary, Resolution 2013-R-14 establishes the market value to determine the actuarial valuation of assets effective with the January 1, 2013, actuarial valuation report.

Mr. Wright entertained a motion which was made by Mr. Shaver and seconded by Ms. Marcinko. The motion carried unanimously.

Ms. Gellatly, Approval of the Contract between the Borough and RT General Contractors for the Borough Building's Roof

Ms. Gellatly presented to Council the contract for RT General Contractors to begin the replacement of the Borough building's roof for \$38,000.

Mr. Wright entertained a motion which was made by Mr. Albert and seconded by Mr. Spencer. The motion carried.

Mr. Spencer, Discussion of Request for Assistance from DCED

Mr. Spencer discussed surrounding cities and counties utilizing consultants and outside entities to review finances. Mr. Spencer shared his view that working from a strategic or long range plan provides the best results.

Mr. Spencer indicated that he has heard multiple times that the Borough needs redevelopment and economic development. Mr. Spencer shared that previous Council thought that the *New Steelton* plan would be that vehicle. Mr. Spencer shared that the idea needs revisited.

Mr. Spencer shared that Council agrees that there is a need to expand the tax base in order to spur economic development. Mr. Spencer shared that Council needs to rethink how it can be done and review what the Borough has already started.

Mr. Spencer shared that DCED does provide technical assistance to local governments. Mr. Spencer stated that he reviewed DCED's Formal Request for Assistance and that the application states that the applicant would like to explore the possibility of technical assistance. Mr. Spencer said that it may be beneficial to have a third party come to the Borough, with public input, without any agendas or preconceived notions of where the Borough wants to go. Mr. Spencer shared his belief that General Fund priorities should be public safety, infrastructure, and administration. The input of DCED may be very beneficial.

Mr. Spencer pointed towards the East End Sewer Separation Project that would need to be addressed in 2015. Mr. Spencer shared that guidance from DCED could be helpful through the process.

Mr. Wion expanded upon what Mr. Spencer stated and shared that Council may discuss their potential intent with DCED. Mr. Wion stated that on the official letter of intent you must indicate specifically what project the applicant is seeking technical assistance for. Further, an applicant needs to be specific with regards to the project.

Mr. Wion suggested that a committee meet with DCED along with the Borough Manager to discuss concept, design, and implementation of the existing *New Steelton* project and share the work thus far. The committee can discuss with DCED the project and then they will be able to recognize what is identified in the actual letter of intent.

Mr. Wright shared the idea that the NEDC Committee take up this work and return to Council with recommendations.

Mr. Spencer agreed with Mr. Wion and Mr. Wright and that discussion with DCED before the submission of the formal request for assistance and letter of intent is the necessary first step.

Therefore, Mr. Wright authorized the NEDC Committee to contact DCED in order to discuss their potential assistance. Members of Council were in agreement.

Audience Participation:

Ms. Natasha Woods, 181 South Front Street

Ms. Woods thanked those individuals who attended Candidates Night at the Felton Lofts on October 29, 2013. Ms. Woods stated that a total of 52 residents attended the meeting and also shared that the feedback has been positive.

Mr. Wright thanked Ms. Woods for her participation in the event.

Ms. Michelle Shehan, 2047 South Third Street

Ms. Shehan stated that Ms. Marcinko was aware of the concerns she would be bringing before Council this evening. Further, Ms. Shehan presented questions relating to the Hempt Quarry that is located behind her house.

Ms. Shehan shared that her concerns are not in regards to the sound but rather the magnitude of the blast that is felt in the home. Ms. Shehan asked if there was an ordinance in place or any sort of limitation to restrict the blast. Ms. Shehan stated that last Thursday the house shook and it felt like an earthquake.

Ms. Marcinko provided information on the details of the blast. Ms. Marcinko stated that she did share the issue Ms. Shehan discussed with her with the other members of Council via email. Ms. Marcinko stated that she spoke with Hempt Brothers and that they will be providing notice to residents in the future.

Ms. Susan Spangler, who lives at the same residence, shared that she spoke with Hempt Brothers two years ago when this first became an issue. Ms. Spangler indicated that Hempt Brothers asked if it would be beneficial if they provided notice prior to a blast. Ms. Spangler questioned what good that would actually provide. Ms. Spangler stated that the blasts are actually affecting the structure of the houses.

Ms. Marcinko stated that she provided the recommendation to Ms. Shehan and Ms. Spangler that they contact State Representative Patty Kim. Further, Hempt Brothers shared that the magnitude of the blast was strengthened by the specific atmosphere on that particular day. Hempt Brothers applies for permits and the law specifies that blasts can only be so intense, so often. If they go beyond those restrictions, then permits are pulled. The residents are able to contact the PA Department of Environmental Protection (DEP) to file a complaint.

Ms. Shehan questioned how often they are allowed to blast because they feel the blasts quite often. Ms. Marcinko stated that this falls under state regulation. Further, Representative Kim's office will be able to provide further information because the issue falls under state regulation rather than local ordinances.

Ms. Shehan asked Council to consider an ordinance because there is a cost to the residents.

Ms. Marcinko asked if they have proof that the blasts caused physical structural damage to the residence, which the residents stated they did. The residents were unaware if it was DEP that actually came in to do an evaluation at the home but Ms. Shehan indicated that her father did

repairs to the home during the late 1990's. Ms. Shehan believes that they may have documentation for the repairs or the evaluation.

Ms. Spangler stated that she understands there are state laws with regards to the situation but it is also a Borough issue. Ms. Marcinko questioned the authority of the Borough and that she believes the only option would be to refer residents to DEP.

Mr. Wion clarified that Ms. Marcinko is correct and that the Borough has jurisdiction only over certain things. Further, the Borough Code, which is state legislation, provides the Borough of Steelton with jurisdiction and control over what the Borough can and cannot do. The Borough has no power, other than the power provided by the Borough Code. Mr. Wion stated that this issue is preempted by the state. The issue resides at the state level, not the local level. The local level can provide some governance of noise, but this situation is specific to the state.

Ms. Marcinko shared that she is happy to meet along with Ms. Shehan and Ms. Spangler and State Representative Patty Kim to discuss the issue and set up a meeting.

Mr. Shaver suggested reaching out to DEP to learn their thoughts on the issue as well as to learn more about the governing statute.

Mr. Wright indicated that the Borough Manager as well as Council would be available to work with Ms. Shehan and Ms. Spangler on the issue and to help facilitate a meeting with DEP and Representative Kim.

Ms. Spangler shared that they receive a call from Hempt Brothers around 4 times a month.

Ms. Shehan thanked Council for hearing their concern.

Council Concerns:

Ms. Marcinko

Ms. Marcinko reflected on her request to have a cross walk study for Chambers Street by Colecrest for the seniors to go to the Dollar Store. Public Works did put a cross walk at Front and Chambers Street and Second and Chambers Street. Ms. Marcinko shared that the seniors were so happy for the crosswalks; however, recently a senior was struck by a car while on the crosswalk and received hospital care.

Mr. Albert

Mr. Albert stated that the Peewees and the Ponies would be competing in their 'Superbowl' this weekend and encouraged attendance.

Mr. Shaver

Mr. Shaver wished good luck to election candidates.

Mr. Wright

Mr. Wright thanked residents for their participation in the Council meeting.

Executive Session:

Mr. Wright entertained a motion to recess into executive session at 7:13 p.m., which was made by Mr. Shaver and seconded by Mr. Albert. Council voted unanimously to move into executive session to discuss personnel issues.

Adjournment:

Council returned from executive session at 7:33 p.m. with a motion made by Mr. Albert and seconded by Mr. Spencer.

Mr. Wright entertained a motion for adjournment at 7:34 p.m. which was made by Mr. Shaver and seconded by Mr. Albert. The motion carried.