

**Borough of Steelton  
Council Agenda  
December 16, 2013**

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

**MOMENT OF SILENCE: Thomas F. Acri, Mayor**

**EXECUTIVE SESSION HELD BETWEEN MEETINGS: T**

**APPROVAL OF SCHEDULES OF BILLINGS, REQUISITIONS AND CHANGE ORDERS AS PRESENTED**

**COMMUNICATION:**

Matt Cichy

Engineering Activities

**APPROVAL OF DEPARTMENT REPORTS:**

Fire and Ambulance  
Police  
Public Works  
Code Enforcement  
Water Filtration Plant  
Borough Manager's Report  
Mayor's Report

**PUBLIC COMMENT: Agenda items only**

**PRESENTATION:**

Certificates of Achievement to Steelton Ponies and Pee Wee

Akin Adeseun

115 South 4<sup>th</sup> Street

Bill Murray

613 North 3<sup>rd</sup> Street

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

Borough Manager

Discussion the elimination of parking spaces on South 2<sup>nd</sup> Street

**Borough of Steelton  
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Mr. Wion

**Resolution 2031-R-15**, Police  
Pension Contribution

Borough Manager

**Ordinance No. 2013-3**, Adopting  
the 2014 General Fund and Sewer  
Fund Budget

Mr. Wion

**Ordinance No. 2013-4**, Fixing Tax  
Rates for the Fiscal Year 2014

Mr. Wion

**Resolution 2013-R-16**, Establishing  
Rates of Discounts Under Ordinance  
2013-4

**AUDIENCE PARTICIPATION:**

**COUNCIL'S CONCERNS:**

**EXECUTIVE SESSION:**

**OTHER BUSINESS:**

**ADJOURNMENT:**

The regular monthly meeting was called to order at 6:30pm, by President, Jeffery Wright, with the pledge of allegiance, followed by a moment of silence.

**In Attendance:**

Jeffery Wright  
MaryJo Szada  
Raymond Spencer  
Michael Albert  
Steve Shaver  
Maria Marcinko

Mayor Thomas Acri  
David A. Wion, Solicitor  
Sara Gellatly, Borough Manager  
Sylvie Brubacher, Code Enforcement Officer

**Absent:**

Denae House

**MOMENT OF SILENCE: Thomas F. Acri, Mayor**

**EXECUTIVE SESSION HELD BETWEEN MEETINGS:** There were no executive sessions held between meetings

**APPROVAL OF SCHEDULES OF BILLINGS, REQUISITIONS AND CHANGE ORDERS AS PRESENTED**

A motion was made by Raymond Spencer to approve the schedules, seconded by Steve Shaver and approved unanimously by all present.

**COMMUNICATION:**

**Matt Cichy, HRB—Engineering Activities**

Project No. 1337.0038 (Steelton Land Development Reviews) — Report on the Felton Lofts project, which had an Improvement Reduction #1 for the public works components of that project a couple months ago. Improvement Reduction #2 for this project is presented. Some of the identified items from previous correspondence that had remained to be completed have been done. However, there are two items that are still outstanding. That includes submission of as-built drawings for the project as well as correction for an ADA ramp at one of the corners within the project. With this it is recommended for an Improvement Reduction Guarantee #2 that reduces the balance and leaves a remaining balance of \$1, 925.00 for completion of these items. The original Improvement Guarantee

amount was \$143,954.25. Improvement Guarantee Reduction #1 reduced that amount to \$3,547.50 and Improvement Guarantee Reduction #2 will reduce it to \$1,925.00. A motion was made by Mr. Albert for the Improvement Guarantee for the Felton Lofts to be reduced to \$1,925.00 and seconded by Ms. Marcinko and approved unanimously by all present.

Project No. 1337.0430 (Blueberry Alley Storm Sewer Replacement) — Report of a recent meeting with the Borough public works staff to review the results of their camera investigation from inside the pipe as it relates to the existing storm sewer pipe and its alignment within Blueberry Alley. From this, proceedings with the design of the information are being made and revising the design as necessary to capture the flow from the existing pipe that comes down from Fourth street to Blueberry Alley. With this, updates of the design drawings are being made. Bidding for the project is anticipated to be in February 2014.

Project No. 1337.0434 (Pennvest Reimbursements) — This relates to the East End sewer separation project. The online requirements have been completed. HBG has been working with the borough manager to complete one final application for reimbursement from Pennvest for this project. The final reimbursement request amount for this project is \$7,338.14. It is recommended this request be approved. Once it is, this will be transmitted to Pennvest for review and approval. This is the last item for that project. A motion was made by Ms. Marcinko for the Pennvest investment amount of \$7,338.14, seconded by Mr. Albert and approved unanimously by all present.

Project No. 1337.0459 (Borough Building Roof Replacement) — Contractor (RT General Construction) is working on the project. It is anticipated by tomorrow they should have the first half of the roof done. It will take another one to two weeks to finish the rest of the project. Per the terms of the contract the work was to be potentially complete by Friday, December 20<sup>th</sup>. Progress on the project has been slower than anticipated. Because of this, HBG is anticipating the contractor will be asking for a time extension to complete his work as a result of the weather.

#### **APPROVAL OF DEPARTMENT REPORTS:**

A motion was made by Mr. Shaver to approve the presented department reports, seconded by Mr. Albert and approved unanimously by all present.

#### **Fire and Ambulance**

#### **Police**

**Public Works** — Ms. Marcinko commended the Public Works Department for having the streets cleared in an efficient manner.

#### **Code Enforcement**

#### **Water Filtration Plant**

#### **Borough Manager's Report**

**Mayor's Report** — A ribbon cutting ceremony is scheduled for Thursday, December 19, 2013 at 6:30 pm at Pete's East End Pub.

**PUBLIC COMMENT: AGENDA ITEMS ONLY**

**Denise Anders, 574 South 2<sup>nd</sup> Street** — Ms. Anders lives on the corner of 2<sup>nd</sup> & Washington and came before the Council to ask for the effect on the residents that have a necessary usage for the parking spaces that may possibly be eliminated. The Borough Manager explained that the gentleman who owns and lives at 728 South 2<sup>nd</sup> Street is interested in purchasing 732 South 2<sup>nd</sup> Street and converting it into a garage for his vehicles. According to the Borough Manager, this alteration would result in the elimination of four parking spaces on South 2<sup>nd</sup> Street. The Borough Manager explained that in order for this transformation to occur the Council must first discuss this process, which will occur later in the meeting. Ms. Anders clarifies that this process is isolated to the 700 block of South 2<sup>nd</sup> Street and expresses that such a fact should have been emphasized.

**PRESENTATIONS:**

**Councilman Albert, Certificates of Achievement to Steelton Ponies and Pee Wee**

On behalf of Borough Council, Mr. Albert thanked the 2013 Super Bowl winning football team and coaches who competed at the Pee Wee and Ponies levels from August to November for its dedication and achievement. On Monday, December 16, 2013 the Steelton Borough Council and Steelton Borough Mayor presented an award to the Pee Wee team for their dedication and achievement of winning the 2013 CFA Super Bowl Championship.

**Akin Adeseun, Personal Property Concerns**

Mr. Adeseun came before the Borough in regards to his property, located at 115 South 4<sup>th</sup> street. Mr. Adeseun bought the property in the year 2000. In that year, Mr. Adeseun added three levels to the back of the house with the purpose of renting the space out. This space was added before the Borough of Steelton passed an ordinance that prevents renting a portion of a house as apartments. Mr. Adeseun believes that his situation qualifies for the grandfather clause, which would allow him to convert the space to apartments. The space did not have exits until he applied for permission to add them last year. Once added, he expressed desire to rent the space out to a parolee. Mr. Adeseun stated that he called the Borough concerning this and they informed him that in order to rent the space out he needed to apply for a certificate of occupancy for the price of \$5.00. Mr. Adeseun expressed that he had delayed sending in the application because of the need to paint his house and change the carpeting. When Ms. Brubacher learned of this, she sent Mr. Adeseun a letter stating that Steelton will not permit renting the individual house. Mr. Adeseun expressed that he explained to her that this was not a new project, but something that was done in the year 2000 and what he wanted to do now was to rent the space. Mr. Adeseun claimed that,

at the time, he never received a certificate of occupancy from the code enforcement officer, who was Donna Zeiner. Mr. Adeseun goes on to explain that Ms. Brubacher did not complete the certificate of occupancy and advised Mr. Adeseun to go before the borough to seek permission to be able to rent the space that he has.

Ms. Brubacher claimed that even if the certificate of occupancy had been issued in 2000 this use of space still would not have been permitted. Ms. Brubacher also claimed that she has no documentation from the previous code enforcement officer, Donna, nor has Mr. Adeseun shown any letter from Donna granting him permission to rent the space out and convert the building. Therefore, Mr. Adeseun's situation cannot be considered for the grandfather clause

According to Mr. Wion, under both the old and new zoning, the authorization of conversion of apartments was terminated well before 2000. Mr. Adeseun came in 2011 to apply for a building permit to build a fire escape through the property, which was acceptable. According to Ms. Brubacher, it was never noted in his file that he was planning to use the space to rent. Ms. Brubacher claims that she decided to look into Mr. Adeseun's situation when she learned of the parolee planning to rent the space. Ms. Brubacher stated that the parole officer was not going to allow the gentlemen to move in, which was the catalyst in the situation.

Mr. Wion advised Mr. Adeseun to go to the Zoning Hearing Board and asked for a land use variance. Mr. Wion, however, believes that Mr. Adeseun may not be able to meet the requirements that the Board would have to consider in order to secure the variance. Mr. Wion states that the Council does not grant waivers in the form that Mr. Adeseun is asking. According to Mr. Wion, the only act that the Council could perform in this situation is change the zoning for the whole district, which is something that probably would not be entertained.

Mr. Adeseun asked if he was allowed to lease the property to family members because he has a relative coming that is related to him by marriage. Mr. Adeseun stated that this family member has to contribute to the expenses of the house. Mr. Wion states that contributing money is not necessarily the same as paying rent. The Council decided that it should not be an issue to allow his family member to stay with him and contribute to the expenses of the house. Concerning the situation of renting the property to a third party, the Council advised Mr. Adeseun to go to the Zoning Hearing Board. The Council will also allow the borough solicitor to investigate the situation more, possibly providing additional information with regards to the language in the zoning ordinance.

### **Bill Murray, Neighborhood Town Watch**

Mr. Murray lives on 613 North 3<sup>rd</sup> street and came before the Council to discuss two different matters. While living in Philadelphia Mr. Murray owned a Champs Gym where he

trained kids to box. Mr. Murray met a boxing trainer that lived in Steelton and invited Mr. Murray to bring any kids that wanted to box. Mr. Murray stated that he decided against the idea because of location and transportation. When Mr. Murray moved to Steelton and his gym in Philadelphia closed, he wanted to look for an abandoned building in Steelton and create a gym that would train kids to box. Mr. Murray stated that he hoped to be sponsored by the same people that sponsored his gym in Philadelphia. Mr. Murray believes that boxing teaches kids to settle arguments without using weapons and helps them build character. Mr. Murray expresses that he has come before the Council to request if the Council has any abandoned buildings that can be offered for the opening of a new gym for boxing. Mr. Murray declared that if given the opportunity to build the gym, he and some volunteers would oversee the renovations of the project. If successful in the completion of the project, Steelton could have an amateur boxing team instead of a team from Harrisburg.

Mr. Murray also discussed a second issue in which he advocated for a neighborhood town watch. Mr. Murray believes a neighborhood town watch is a necessary means of home security and helps relations among neighbors and civilians and creates an all around better community. The police chief invited Mr. Murray to a crime watch meeting that works for the same goals as the neighborhood watch that Mr. Murray was promoting.

In regards to Mr. Murray's boxing idea, the President recommended that Mr. Murray come back after the Council's reorganization. The borough manager will reach out to Mr. Murray and set it up so that he can attend the meetings and once again express the ideas about boxing that were earlier presented to the Council.

#### **UNFINISHED BUSINESS:**

None

#### **NEW BUSINESS:**

**Borough Manager, Discussion of the elimination of parking spaces on South 2<sup>nd</sup> Street** — The Borough Manager received a proposal from a gentleman who lives on and owns 728 South 2<sup>nd</sup> Street. The gentleman is looking at purchasing 732 South 2<sup>nd</sup> Street next door to him. The property under consideration for purchase contains a house that, if approved, the gentleman would like to tear down and replace with a garage. Mr. Wion stated that assuming that buying a property in a community and replacing it with a parking lot or garage is appropriate and permitted in that zoning district, the individual has every right to go forward in his or her plan to place a garage on that property. If permitted, the Borough's job would be to control the zoning and assure that he or she follows the requirements of the zoning. Mr. Wion stated that if this gentleman buys the property and is permitted to put a garage on the property he is allowed access to the road and the Council would be required to eliminate the parking spaces. Therefore, it would just be a matter for the police department to determine which of the spaces need to be eliminated. According

to Ms. Brubacher, this gentleman is allowed, under the zoning requirements, to put a garage in the intended location.

Mayor Acri is most concerned with losing another house in Steelton, which would result in the loss of the tax base, but acknowledged that there is nothing that can be done because the gentleman has every right to put a garage on the property.

Ms. Marcinko asked if 732 South 2<sup>nd</sup> Street was attached to any other locations. Ms. Brubacher answered that 732 South 2<sup>nd</sup> Street was indeed attached to 734 South 2<sup>nd</sup> Street. The gentleman knows that he must pay for the detachment of those two properties.

The gentleman does not want parking in front of his house or his garage. This would result in the elimination of four parking spaces, two in front of his house and two in front of the garage. Mr. Shaver believes that it is not necessary to eliminate the parking spaces in front of the house and also acknowledge the complications that would arise if the basements on 732 South 2<sup>nd</sup> Street and 734 South 2<sup>nd</sup> Street were connected.

A motion was made by Mr. Shaver to table the discussion and send it back to the committee for more review and brought back to the next Council meeting, seconded by Mr. Albert.

**Mr. Wion, Resolution 2013-R-15** — Mr. Wion presented Resolution 2013-R-15, an annual resolution pursuant to the Collective Bargaining Agreement with the police relating to the Police Pension Plan. According to Mr. Wion, the Police members' contribution to their pension plan is determined. It is based not only on the contract, but the determination by the Actuary that the funds are insufficient to meet the Borough's obligation and, in that case, Act 600 requires contribution from the Police members and the agreement fixes that at 5% of their monthly compensation. A motion was made by Mr. Albert to approve Resolution 2013-R-15, seconded by Ms. Marcinko and approved unanimously by all present.

**Borough Manager, Ordinance No. 2013-3** — The Borough Manager presented Ordinance No. 2013-3, adopting the 2014 General Fund and Sewer Fund Budget. A motion was made by Mr. Shaver to approve Ordinance No. 2013-3, seconded by Mr. Albert and approved unanimously by all present.

Mr. Shaver thanked the staff for the work that they put into this budget and Mr. Spencer, the Chair of Finance, for the excellent job he did during his tenure on Council and the work he did on this budget.

**Mr. Wion, Ordinance No. 2013-4** — Mr. Wion presented Ordinance No. 2013-4, Fixing Tax Rates for the Fiscal Year 2014. A motion was made by Mr. Albert to approve Ordinance No. 2013-4, seconded by Ms. Marcinko and approved unanimously by all present.

**Mr. Wion, Resolution 2013-R-16** — Mr. Wion presented Resolution 2013-R-16, Establishing Rates of Discounts Under Ordinance 2013-4. A motion was made by Ms. Marcinko to approve Resolution 2013-R-16, seconded by Mr. Albert and approved unanimously by all present.

#### **AUDIENCE PARTICIPATION:**

**Diane Miller, 448 Swatara Street** — Discussed a dilemma occurring on the middle of the block where Ms. Miller lives, which contains teenage kids whom Ms. Miller considers to be juvenile delinquents. According to Ms. Miller around midnight she hears firecrackers loud enough to wake everyone. Ms. Miller also claims that these teenagers set the firecrackers off on Catherine Street. Ms. Miller has reported it every time and complimented the police department for their efficient work on the situation. Ms. Miller also declares that she plans to join Crime Watch. She came before the Council to ask for help.

**Natasha Woods, 181 South Front Street** — She was asked by Ms. House, who was absent from this meeting, to present the idea by Ms. Patty Kim to start a boys and girls club within Steelton. Ms. Woods handed out a flyer that provided contact information for anyone who had questions about the club. Ms. Marcinko addressed that she did meet with the Superintendent Castagneto talking about what needed to be done around the Borough. Ms. Marcinko confirmed that something will be done probably within the year.

**Markis Millberry, 349 Spruce Street** — Wondering about the website, the minutes and the agenda. Mr. Millberry desired to know if there were any updates and when those updates would occur. Mr. Millberry also asked if he could get the budget for 2014 and asked if he could fill out a right to know. The Council stated that Mr. Millberry had that opportunity at previous Council meetings and advised him to get the information from Ms. Gellatly.

#### **COUNCIL'S CONCERNS:**

**Ms. Szada** – Wished everyone a Merry Christmas, a Happy New Year, and thanked everyone for coming out.

**Mayor Acri** – Wished Mr. Spencer luck and expressed appreciation for his great work. Mayor Acri also congratulated Mr. Spencer on his work on the budget.

**Ms. Marcinko** – Congratulated staff and Mr. Spencer for their great work on the budget. Ms. Marcinko also wished Mr. Spencer luck and expressed her appreciation for his great work on Council. Ms. Marcinko also wished everyone a Happy Holidays.

**Mr. Albert** – Thanked everyone and wished everyone a Happy Holidays.

**Mr. Shaver** – Wished everyone a Happy Holidays, thanked Mr. Spencer for his work on Council, and expressed his appreciation for the work the staff did on not just the budget but for their work overall.

**Mr. Wion** – Expressed appreciation for Mr. Spencer’s work on Council and the staff overall.

**Ms. Gellatly** – Thanked Mr. Spencer for his work on Council.

**Ms. Sylvie** – Wished everyone a Happy Holidays and expressed appreciation for Mr. Spencer’s work on Council.

**EXECUTIVE SESSION:**

Mr. Wright informed Council that an Executive Session is needed to discuss litigation issues relating to Harrisburg sewer rates and personnel issues.

On a motion by Mr. Shaver, seconded by Ms. Albert, the Council meeting recessed into executive session at 7:59pm.

**ADJOURMENT:**

There being no other business before Council, on a motion made by Mr. Shaver and seconded by Mr. Spencer, the meeting immediately adjourned at 8:35pm.

Respectively Submitted:

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Sara Gellatly  
Borough Secretary