



**Borough of Steelton  
Council Agenda  
December 15, 2014**

Mr. Wion

Resolution establishing the Police Pension Contribution for 2015

Mr. Wion

Ordinance establishing tax rates for 2015.

Mr. Wion

Resolution establishing rates and discounts under Ordinance 2014- \_\_\_\_\_

**Audience Participation**

**Council Concerns**

**Executive Session**

**Other Business**

**Adjournment**

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

**In Attendance:**

Michael Albert  
Maria Marcinko  
Brian Proctor  
Steve Shaver  
Jeffery Wright

Mayor Thomas Acri  
David A. Wion, Solicitor  
Sara Gellatly, Borough Manager  
Ken Klinepeter  
Chief John King  
Sylvie Brubacher

**Absent:**

Denae House  
MaryJo Szada

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

A motion was made by Mr. Albert to approve the schedules, seconded by Mr. Proctor and approved unanimously by all present.

**APPROVAL OF DEPARTMENT REPORTS:**

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

**Fire and Ambulance** – No report

**Police** -- A motion was made by Mr. Shaver that there was quite a bit of training that occurred and that a copy of the certificates for multiple police officers actually be put into their personnel files those training certificates be added to the officers' personnel files, seconded by Mr. Proctor and approved unanimously by all present.

**Code Enforcement** – No report

**NEDC** – No report

**Mayor's Report** – No Report

**Public Works** - Mr. Klinepeter stated that he would point out two quick things under Section 2, Item B of the written Public Works department report there were no events recently and wanted to publicly go on the record and thank the

employees for quick response and good effort to clear the streets. Section 3, under Water Filtration, if you haven't seen it by now you will all be getting a public notice about the drinking water. I will entertain any questions. Mr. Wright asked if there were any questions for Public Works, Council, or the Mayor.

**Borough Manager's Report** - Ms. Gallatly stated that today the Locust Street steps were cleaned again and that Chief King, Mr. Klinepeter have been meeting to discuss ideas and possible deterrents' for the future.

#### **PUBLIC COMMENT: AGENDA ITEMS ONLY**

None

#### **PRESENTATIONS:**

##### **Matt Cichy, HRG - Engineering Activities. November 15, 2014 through December 12, 2014**

Mr. Cichy provided an update on a few items on the engineer report for activities completed over the past month.

Project No. 1337.0446 (Pump Station Sewage Grinder Improvement Project) HRG continues to move forward on the design of that project to determine the size of the equipment needed for the various pump stations. HRG has been working with the Public Works Department regarding information from various manufacturers for their review. HRG is currently looking at that information and contacting references on determining which manufacturer and type of equipment to proceed with for this project. HRG has also been in contact with Solicitor Wion in regards to bidding of this project as it includes general, electrical, and HVAC work. Solicitor Wion had indicated to HRG that with revisions to the Borough Code enacted this year, dealing with the requirements for separate bids for plumbing, heating, HVAC, and electrical work, when a public building is erected or altered and the entire cost of the work exceeds approximately \$18,950, the Code allows for Council to determine whether to prepare and bid separate specifications on each of the branches of work involved and award the contract to the lowest responsible bidder. This project itself, is over the \$18,950 figure, but may, be bid as one prime contract, with subcontracts as indicated. Solicitor Wion had recommended that Council indicate their direction. From a bidding standpoint and contract administrative standpoint HRG would recommend to proceed with one contract with the electrical and HVAC components under one and would like Borough Council to acknowledge that. A motion was made by Mr. Shaver that Council let the professionals and staff develop one specification for one product contract and that the contract not actually be bid it as separate bids as recommended by our Solicitor and our Engineer, seconded by Mr. Proctor and approved unanimously by all present. Mr. Wion provided a clarification that he is not making a recommendation one way or the other because that is solely the Borough's prerogative. He simply pointed out that the laws changed that allows you to do that.

Project No. 1337.0456 (Mohn Street Recreational Project) - Bids for this project were received via the Pennbid Program. They were opened last week on December 8<sup>th</sup>. Attached to the Engineers Report is a summary of the bids that were received. The Borough received nine bids. The apparent low bidder is TR Stoner General Contractor with a base bid amount of \$244,634.65. In reviewing this information with the Solicitor, the Solicitor caught that the Power of Attorney for the bid bond was not dated. So we are currently going to be taking a look at that information at this time. HRG recommended that no action be taken at this time but be considered at a future meeting, until HRG has a chance to review this and determine how to proceed. The apparent second low bidder is Flyway Excavating Inc. with a base bid amount of \$295,305. HRG will report back more after the Solicitor and HRG has a chance to discuss further and look into it. The alternate bid included some storm water improvement items on the adjacent street toward the river side of the project. In some further discussion with DCNR, which is providing plumbing for this project, HRG wanted to see what the costs came in at, but not to fund that component at this time. Ms. Gellatly asked that since they are only providing funding for half of the project, why couldn't the other funds that HRG has cover those costs? Mr. Cichy said that if the Borough has other funds to do it that is something that can be considered. Ms. Gellatly stated that the Borough had a total of \$300,000 why wouldn't the Borough spend the extra to improve other things also. Ms. Gellatly asked Mr. Cichy to talk to DCNR. Mr. Shaver suggested that we let staff review this and the solicitor and then bring us back a recommendation.

Project No. 1337.0460 (Street Scape Phase II) - The contractor was hoping to wrap that up prior to Thanksgiving, by the end of November, actually. But with the weather that we have been having that has pushed them back a little bit. HRG is working with them and PennDot to have them complete the remaining items to close out this work as quickly as they can. Since they have begun this project streetlights are not working. The contractor is aware and is working on resolving this problem.

Project No. 1337.0467 (Adams Street Development Storm Sewer Improvement Project) - HRG has been reviewing the contractors' product and material submittals for that project. HRG also had a meeting with the contractor this past Friday on site. The Public Works Director was there as well as representatives from UGI to discuss coordination of UGI's work. At that meeting the contractor indicated that he is proposing to start the work the week of January 5<sup>th</sup>. That week he is also proposing to do the water line relocation work as well. HRG is working with staff to get notifications out to staff about that week. The contractor indicated that he may start moving some equipment in, in between the Christmas and New Year holiday, so you may see some equipment on site. It is possible that UGI will not have to move their line. If they do not need to move the line the Borough should be reimbursed.

Project No. 1337.0470 (Swatara Street Retaining Wall) - The Borough has received the monitoring survey targets. HRG is working to identify some potential dates for installation of those targets. HRG will be coordinating with staff regarding this because of the need for Borough assistance for traffic control and the access to the retaining wall to position the targets. HRG has met with a representative from Keystone Block to look at the retaining wall. During that

meeting they suggested, as part of the monitoring program, that inlets along the top of the wall be cleaned out and the piping that connects those inlets to be inspected just to see if there are any extraneous water from inside the pipe getting down into the ground. HRG has been working with staff for cleaning of those inlets and completing the investigative work.

Project No. 0124.0432 (Harrisburg & Pine Streets Utility Improvements Project) - HRG continue to move forward on the survey of that project and processing of that data. HRG is also starting to work on the hydraulic model for the water main improvements associated with that job.

**Markis Millberry - Martin Luther King Day Celebration Ideas** - Mr. Wright stated that we had a resident, Mr. Markis Millberry, on the agenda to discuss the Martin Luther King Day Celebration Ideas. He is not here tonight but the Borough Manager spoke to Mr. Wright in regards to what Mr. Millberry's ideas were. Mr. Wright suggests that Mr. Millberry address this with the NEDC Committee as well.

**COMMUNICATION:**

None

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**Mr. Wion - Ordinance to adopt the 2015 General and Sewer Fund Budgets** - Mr. Wion stated that the Borough Manager, the Department Heads, and the Finance Committee have been working diligently, probably for at least three or four months to put the budget together this year. There were a number of meetings open to the public, where all of the potential matters, both receipts and appropriations, were discussed and reviewed in relation to the requirements for this year, including consideration of the bond issue with which the Borough is involved having passed the Bond Ordinance in November. Ordinance 2014-8 is the Budget Ordinance which has been advertised for consideration for this evening. The Ordinance begins first with the General Fund and its summary of estimated receipts, operations and maintenance capital outlay in total. The total estimated receipts and cash, which are from general receipts and receipts from taxes, are in the amount \$4,151,626.00. Next is the appropriation and the generalized category for each of the areas in which the Borough works, including general governance, legislative, executive, administration, tax collection, municipal building, police, fire, ambulance, protective inspections, emergency preparedness, highways, cleaning streets and gutters, snow removal, signs, signals, markings, street lighting, storm sewer and drains, street repairs, parks department, boat dock, neighborhood economic development, debt service, interest on the debt service, miscellaneous category, inter-fund operating transfers, contribution grants and subsidies, contributions to the Steelton Economic Development Corporation The total of all of those

functions in the categories, either of operation and maintenance or capital outlay is \$4,151,626.00, which is the amount of the total estimated receipts and cash making this portion of the budget, a balanced budget. The Sewer Fund is stated separately. Again, the Ordinance states the summary of estimated receipts under cash and receipts for appropriations and that is the total estimated cash and receipts, which is \$1,971,300.00. There is a likewise summary of appropriations under the Sewer Fund for the municipal building, garage, sewer operating, the plants, the administrative, the neighborhood economic development, debt service, interest payment, and inter-fund operating transfers. The total of all of those functions is \$1,971,300.00, which is balanced with the estimated receipts and cash of the same amount. That is basically the Borough's budget for 2015 and is set forth in Ordinance 2014-8 for Council's consideration. Mr. Wright stated that with a splendid example and explanation of our Borough budget funds for the year for 2015, Ordinance 2014-8, are there any questions. A motion was made by Mr. Albert to approve Ordinance 2014-8, seconded by Mr. Shaver and approved with four affirmative votes, and one nay vote.

**Mr. Wion - Resolution establishing the Police Pension Contribution for 2015** - Mr. Wion stated that the Borough has a police pension plan for its officers and members of the Police Department. In the Collective Bargaining Agreement with the Borough and Steelton Borough Police Association, adopted back in August 20, 2012, there is an Article that provides for officer contributions to their pension based on the determination of the plan actuary relating that to the general, municipal pension fund state aid that is received by the Borough. The Borough's consulting actuaries, who are the plan actuaries, have advised the Borough that the funds are insufficient to meet the municipal obligation. This means that there is a contribution required from the police members of 5% of their monthly compensation. Since the police pension plan requires that mandatory contribution, unless it is otherwise reduced actuarially, which it is not, the 5% is the mandatory amount. So the action taken under this resolution is that the monthly contribution of the participants of the Borough's police pension plan and fund is fixed at 5% of monthly compensation for the period of January 1, 2015 to December 31, 2015. That is Resolution 2014-R-17 for Council consideration. Mr. Wright asked if there were any questions regarding Resolution 2014-R-17. A motion was made by Mr. Shaver to approve Resolution 2014-R-17, seconded by Mr. Proctor and approved unanimously by all present.

**Mr. Wion - Ordinance establishing tax rates for 2015** - Mr. Wion stated that in as much as Council has now adopted the Budget Ordinance making the appropriations balance by estimated receipts, a portion of the taxes that are provided for on an annual basis for the consideration of Council are set forth in Ordinance 2014-9. The tax rate for general purposes is 15 mills on each dollar of assessed valuation on real estate classified as non-farm land and 15 mills on each dollar of assessed valuation on real estate classified as buildings on land pursuant to the Borough Code. The Ordinance also describes farm land as opposed to non-farm land. Again this year, Council will in the Ordinance enact a tax on all occupations which is a tax rate for general purposes of 20 mills on each dollar of assessed valuation pursuant to the Borough Code. Finally, taxes levied for the purpose of paying interest and principal on indebtedness under the Local Unit Debt Act and the provisions of the Borough Code, 2 mills on each dollar of assessed valuation. That is the Ordinance 2014-9 establishing the aforesaid taxes for the year 2015 for Council consideration. Mr. Wright asked if there were

any questions regarding Ordinance 2014-9. A motion was made by Ms. Marcinko to approve Ordinance 2014-9, seconded by Mr. Shaver and approved unanimously by all present.

**Mr. Wion - Resolution establishing rate and discounts under Ordinance 2014-9** - Mr. Wion stated that since the Council just passed Ordinance 2014-9 Council should also consider a Resolution establishing the discount provisions and penalties which are appropriately placed on the tax bills for the taxes just enacted. The Resolution states that if there is a payment of taxes under that Ordinance, there is a 2% discount if you make it within two months of the tax notice. If you don't pay within four months after that date you are subject to a penalty of 5% if it's paid within the period beginning four months after the tax notice and then in six months after the date of the notice. Thereafter, that is after six months, the penalty will be 10%. This is consistent with the Discount and Penalty Resolution that Council has consistently adopted. That is Resolution 2014-R-18 for Council's consideration. Mr. Wright asked if there were any questions regarding Resolution 2014-R-18. A motion was made by Ms. Marcinko to approve Resolution 2014-R-18, seconded by Mr. Shaver and approved unanimously by all present.

#### **AUDIENCE PARTICIPATION:**

##### **Mr. Powell, 321 Lebanon Street**

Mr. Powell stated that he thinks that at the last Council meeting you said that the trash on Lincoln Street would be removed. It has not been removed as of 6:00 p.m. this evening. You said at the last Council meeting it would be removed by the next Council meeting. Mr. Wright stated that this will be discussed in Executive Session.

Mr. Powell asked what happened to the refund we were supposed to get from the water bill. At one meeting it was said that all Borough residents would get a refund. Ms. Marcinko stated that we did not say that residents would get a refund. It was stated that the Borough would receive a refund and that money would go back into the Sewer Fund to make improvement on our sewage system.

Mr. Powell stated that the first statement about the budget was that the public was notified. How was the public notified? Mr. Wright stated that it was advertised. Ms. Marcinko added that it was advertised and open for the last thirty days. It was also announced at the second Council meeting in November.

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

**Mr. Proctor** - on November 24<sup>th</sup> we had a turkey give away. He thanked Dauphin County Commissioners, George Hill, and some Steelton Borough employees who helped out.

**Mr. Shaver** - Wished everyone, depending on what religion you are, a Merry Christmas, happy New Year, happy Hanukah, happy Kwanza, and to have a good holiday season

**Mr. Acri** - wished everyone a very Merry Christmas and a safe and happy New Year.

**Mr. Wion** - wished everyone a Merry Christmas and a safe and happy New Year.

**Ms. Gellatly** - wished everyone a Merry Christmas and a safe and happy New Year.

**Ms. Marcinko** - as far as the budget goes, Ms. Marcinko congratulated the Borough staff, who kept us in check for those many meetings we had regarding it. In this holiday season, the residents of the Borough of Steelton should be very thankful that we didn't raise anything but we kept your services as they were. In regard to snow removal, the one snow that we had this season so far, she congratulated the public works staff for a job well done. Where the people in Middletown are suffering because they are not going to have their roads plowed this year. We need to be very grateful, we went down to the nitty gritty, no furloughs, keep your same services and no raising of everything. Ms. Marcinko thanked all the people in the Borough of Steelton. She has gotten hundreds of emails, phone calls and texts. The support that you have shown me during this time has been phenomenal. Ms. Marcinko congratulated the Mayor on his retirement. Ms. Marcinko wished everyone a happy holiday season, Merry Christmas and a blessed New Year.

**Mr. Wright** - Maria you know you have our love and everything we can do to still support you. Mr. Wright stated that for the last 3 or 4 years the Borough staff have really saved the tax payers, because they have really tightened their expenditures, from direction from Council and the Mayor, had asked those Borough department heads to tighten up those pencils and don't spend when they don't have to spend. So that has been the biggest plus why the Borough of Steelton is not raising taxes, because of our department heads staff. Not because of the seven Council Members, it's because of our staff. To the Chief, you are doing a terrific job, your staff is doing a terrific job under your leadership. There is things that I hear out on the streets, that I never heard before and I have been up here a long-time and I want to tell you in your face, thank you for what you are doing. Continue to do what you are doing and we will support you as we always support that position. Mayor Acri congratulations, I'd like to come right behind you soon. To my colleagues, Merry Christmas, happy New Year, Happy Kwanza, happy Hanukah. We love you guy, please come to these meetings. Mr. Powell, you don't miss any meeting and when you are not here we are always wondering about you, so if there are things that we miss sometimes, you have the green light, come down and talk to our Borough Manager, talk to her staff if there is anything that she can do to correct any Council miscommunication, I'm sure that she and her staff will provide you that right information. If there is anything we say that is wrong, sometimes we do forget, sometimes we don't have meetings that we probably should have meetings, but that is the way of life right now. Once again, I want to thank everyone for coming out I am going to ask to recess into Executive Session to speak on land litigation.

**EXECUTIVE SESSION:**

Council, on a motion made by Mr. Albert, seconded by Mr. Shaver, and approved unanimously, recessed into an Executive Session for potential litigation.

A motion was made at 7:50 pm by Mr. Shaver, seconded by Ms. Marcinko, to go back into regular session. Motion carried unanimously.

**OTHER BUSINESS:**

A motion was made by Mr. Proctor, seconded by Mr. Albert, to adopt Resolution 2014-R-19 making a Declaration of Emergency in relation to the collapse of the structure located at 235 Lincoln Street and retaining JVE Enterprises of Mechanicsburg to mitigate the emergency situation. Motion carried unanimously.

**ADJOURNMENT:**

A motion was made by Mr. Albert, seconded by Mr. Shaver, to adjourn the meeting at 8:00 pm. Motion carried unanimously.

Respectively Submitted:

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Sara Gellatly  
Borough Secretary