

Council Agenda November 7, 2016

Call Meeting to Order: President Jeffrey Wright

Pledge of Allegiance: President Jeffrey Wright

Moment of Silence: Mayor Thomas F. Acri

Executive Sessions between meetings:

Approval of minutes from previous meeting: October 17 Regular Meeting;
October 25 Budget Meeting

Public Comment of Agenda items only:

Presentations:

Justin Medinsky, Herbert, Rowland and Grubic, Inc. Monthly Engineer's Report

Communication:

Stephen J. Shaver Memorandum HB 1683 Fire & EMS Tax Credit Bill

Letter from Arcelor Mittal Submission of application to the PA Department of Environmental Protection for an Air Quality Permit

Letter from Sarah Leeper Invitation to attend Reservoir Park Master Plan Focus Group, various dates and locations

Letter from Amercomm, LLC. Comcast Cable is submitting an application for Wire, Conduit and Cable Occupancy of Norfolk Southern property.

Dauphin County Office of Tax Assessment Change of Assessment Notice for one property

Dauphin County Office of CED CDBG Disaster Recovery Funds Expenditure Deadline

BNY Mellon Investment Review, Borough Steelton Police

Dauphin County Industrial Development Authority Local Share Municipal Grant Application Hearing on Aguas Para La Vida 11/21/16m 8:00 p.m.

Moody's Investors Service Steelton Borough Bond Rating Report

Exelon Generation

Invitation to Three Mile Island Informational Luncheon, November 16, 2016.

Unfinished Business:

New Business:

Mr. Wion

Approval of Resolution 2016-R-__ Sewer Truck Lease Agreement

Mr. Proctor

NEDC Recommendation to Auction Borough Personal Property on December 10, 2016 and Approval of Auction Contract

Mr. Brown

Approval of Change Order #1 Codification for the addition of new ordinances for \$1,584 (General Codes Publishers)

Mr. Singh

Quick Ticket for Ice/Snow Removal

Mr. Brown

Appointment of Steelton Skate Park Committee

Ms. Marcinko

Permission to advertise for Part-time Property Maintenance Officer Position

Mr. Wion

Approval of Resolution 2016-R-__ Special Parking Permit – Lorraine Gould, 522 N. 2nd St.

Approval of Resolution 2016-R-__ Special Parking Permit – Mr. Aram Riley

Approval of Resolution 2016-R-__ Special Parking Permit – Jannette Wright – 321 Ridge Street

Mr. Brown

Approval of Municipal Park Skate Park Project Agreement with HRG

Public Concerns:

Council Comments:

Executive Meeting: To discuss potential litigation and personnel issues.

Other Business:

President Wright

Acceptance of Resignation of Officer Casey McMillan Effective November 6, 2016

President Wright

Plan to Replace Officer Position

Adjournment:

Council Meeting Minutes November 7, 2016

Present:

Jeffrey Wright, President
Brian Proctor, President Pro Tem
Michael Albert
Keontay Hodge
Michael Segina

Thomas Acri, Mayor
Douglas Brown, Borough Manager
Dave Wion, Solicitor
Justin Mendinsky, Engineer
Anthony Minium, Police Chief
Amender Singh, Codes Officer
Thommie Leggett-Robinson, Exec. Asst.

Absent with Cause:

Maria Marcinko, Vice President
Kelly Kratzer

Call Meeting to Order:

The meeting was called to order by President Jeffrey Wright at 6:30 p.m.

Pledge of Allegiance:

President Jeffrey Wright led the body in the recitation of the Pledge of Allegiance.

Moment of Silence:

Mayor Thomas F. Acri requested the body bow their heads in a moment of silence in respect of lost loved ones.

Executive Sessions between meetings:

Mr. Wright announced that there was no Executive Session held between meetings.

Approval of minutes from previous meeting:

Mr. Albert moved and Mr. Segina seconded the motion that the minutes from the October 17, 2016 Regular Meeting and the October 25, 2016 Budget Meeting be approved as written. The motion carried by a unanimous vote of the Council.

Public Comment of Agenda items only:

Mr. Joshua Monighan, 30 Pine Street, had questions regarding the Quick Ticket for Ice/Snow Removal. Mr. Singh, Codes Officer explained that the Borough's Code under section 94-22 requires the snow/ice on sidewalks be removed within 24 hours of the end of the snow fall. According to the ordinance, persons who do not comply with the ordinance will receive a citation, which requires an appearance before the Magistrate Judge, which usually results in a \$300 – 600 fine. Mr. Singh proposes to issue a Quick Ticket to the property owner, with the notice being posted to the property and mailed to the owner. The Quick ticket, in amount of

which will be set by Council (suggested \$ 50-75 fine) will be used first instead of filing a citation in court. If the snow has not been cleared 48 hours after the end of the snow fall, the Codes Department would then issue a citation, which would require the property owner to appear before the District Judge. The appearance before the Judge would include the court fine, \$300 – 600 plus the Quick Ticket fine (\$50-75). **The purpose of the Quick Ticket** would be to **1.)** ensure the safety of the community since snow and ice on the sidewalk is a safety hazard **and 2.)** save the citizen money by paying a fine to the Borough rather than making an appearance before the District Judge 2-4 weeks down the road from the date the violation was noted and pay a larger fine plus court cost.

Mr. Emmuel Powell, 321 Lebanon Street, asked about snow removal in those area where the sidewalks are brick. He stated that in the past, persons with brick sidewalks did not have to remove the snow. Mr. Singh clarified that the ordinance does not provide exclusions that the snow removal policy covers all sidewalk surface to ensure safety of persons walking on the sidewalk. Mr. Powell asked if the ordinance will be changed and persons in the community informed about the change. The response was, yes. President Wright stated that if the Council agrees with the proposal which will be discussed latter in the meeting, Mr. Wion will prepare the ordinance ready to present at the next Council Meeting.

Shyia Johns, 22 Adams Street asked for a reconsideration on the denial of her request for a Special Needs Parking Permit. The application was denied because her parking space would have to be across the street from her house since there is no parking on her side of the street. Mr. Brown asked Ms. Johns to bring in the updated registration with her proper address as per the traffic study. After this, Ms. John's request will be considered for approval at the November 21 Council meeting.

Presentations:

Justin Medinsky, an Engineer with Herbert, Rowland and Grubic, Inc. presented the monthly Engineer's Report. Since he prepared a written document, he presented highlights contained in the report:

- ✓ The manhole frames, covers and final wear course pavement has been completed on Harrisburg Street. PennDOT will complete their inspection of the work November 8, 2016.
- ✓ Phase I of the Fire House construction for the initial project is completed. The building inspection was conducted September 12, 2016 and there were no issues noted.
- ✓ The design for Phase II of the Fire House project is in progress and the anticipated date to request Counsel's authorization to accept bids is December 5, 2016, with possible bid opening January 9, 2017.
- ✓ The contracted date for completion of the Storm & Sanitary Sewer Inspection & Cleaning Project has passed. Video Pipe Services was unable to complete the work because they had difficulty reaching some of the pipes that scheduled to be cleaned and miscalculated the size of the pipe liners and had to wait for delivery of correct

size. The problems have been resolved and they are close to completing the work, which will include evening and late night work on Front Street. The work is now scheduled for the week of December 5, 2016. The company has requested additional payment for time spent, not for the purchase of new pipe lining. HRG is also requesting additional payment for the administrative time used to work with the company to get things in order. All payments requested will be covered by the grant that funded the project. President Wright requested Mr. Brown and Mr. Mendinsky closely monitor the project.

- ✓ The Trewick Street Pump Station project - the replacement of pump impellers and re-installation of all three pumps has been completed.
- ✓ Midget Baseball Field -The new infield sod and seeding of the outfield was completed. Demolition and asbestos abatement work for the steel equipment storage building has begun.
- ✓ Mulberry Alley & Bessemer Street project - The contract for the completion of the utilities improvement project was awarded to RIII Construction, Inc. The company is scheduled to start work November 14, 2016. The \$75,890 cost of the project will come from the Borough's Sewer Fund.
- ✓ 2016 Sewer Rate Study - HRG is completing the study of the current sewer rate and how it can be restructured to provide the necessary revenue and support an equitable allocation of costs based on the use of the sewer system. The company expects to submit a proposal to Council at the December 5, 2016 meeting.
- ✓ Storm Water Management Program - Work continues to find an acceptable compromise with regards to the cash settlement for violations cited relative to the EPA's Clean Water Act.
- ✓ A feasibility study for the completion of the Adams Street Townhomes has been submitted to the Council for review and action.
- ✓ HRG is working to complete a Project Manual for public bidding for the Mohn Street Tot Lot Project.

Ms. Hodge had a question regarding the Storm & Sanitary Sewer Inspection and Cleaning Project. She asked why the Borough should be responsible to pay for additional RPR hours to HRG for the contractor's error. Mr. Mendinsky explained that the additional fees for the RPR are to cover additional time needed to complete the project. Mr. Mendinsky stated that the contractor would ultimately pay the costs through either liquidated damages or a proposed credit to the contract amount. Mr. Mendinsky also clarified that the additional costs would be covered with CDBG-DR grant funds.

Following the presentation and discussion of the Engineer's Report, Mr. Albert moved and Ms. Hodge seconded the motion to accept the report as presented. The motion passed unanimously by vote of the Council.

Communication:

The Council acknowledged receipt of the following correspondence:

Stephen J. Shaver Memorandum regarding HB 1683 Fire & EMS Tax Credit Bill.

Letter from Arcelor Mittal informing the Borough that they have applied for an Air Quality Permit.

Letter from Sarah Leeper inviting Borough Council to participate in Reservoir Park Master Plan Focus Groups.

Letter from Amercomm, LLC. Stating that Comcast Cable has submitted an application for Wire, Conduit and Cable Occupancy of Norfolk Southern property.

Dauphin County Office of Tax Assessment for change of assessment on a Ridge Street property.

Dauphin County Office of CED reminding CDBG Disaster Recovery Funds recipients that the last day for using the funds is January 17, 2017. Any remaining grant funds will be forfeited.

BNY Mellon Investment Review, Borough Steelton Police showed that the Borough's investment has increased since the December 31, 2015 review.

Dauphin County Industrial Development Authority notified the Borough that the Local Share Municipal Grant Application Hearing on Aguas Para La Vida 11/21/16m 8:00 p.m. The Borough wrote a letter of support for this organization.

Moody's Investors Service reports that the Steelton Borough Bond has a stable outlook.

Exelon Generation invited Borough Representatives to a Three Mile Island Informational Luncheon to be held November 16, 2016.

Capital Region Council of Governments extended an invitation to Annual Dinner & various training workshops.

Mr. Proctor asked about the status of the CDBG-DR grant funds and spending deadlines. Mr. Medinsky responded that the deadline for spending the grant funding is January 2017. He will include the information in his report at the December 5, 2016 Council Meeting.

Mr. Monighan, 30 Pine Street asked for the address of the parcel of land that was sold in Reassessed due to repository sale. The address is 821 Ridge Street. Mr. Segina will provide the parcel number to Mr. Monighan after the meeting adjourns. Mr. Brown explained that we get the reports from Dauphin County monthly regarding properties that are reassessed and those that have been bid on through the repository bid process. Mr. Brown stated that this particularly property went from an assessed value of \$0 to \$500 due to the repository sale.

Unfinished Business:

The Council considered no unfinished business.

New Business:

Mr. Wion requested the Council approve Resolution 2016-R-33 which is a Government Obligation Contract to lease a Sewer Vacuum Truck. Mr. Albert moved and Mr. Proctor seconded the motion that the Borough of Steelton to acquire a sewer vacuum from, Acceptation Leasing with funding through the Kansas State Bank of Manhattan, Kansas. The motion was passed by a unanimous vote.

Mr. Proctor presented the recommendation from the Neighborhood & Economic Development Committee to Auction Borough Personal Property on December 10, 2016. The Committee further proposed that the Borough contract With Mark H. Diffenderfer of Diffenderfer Auctions to conduct the auction. Mr. Wion presented Resolution 2016-R-34 which authorizes the Public Auction for Sale of Personal Property. Mr. Proctor moved and Ms. Hodge seconded the motion approving the Auction and the Public Auction of Personal Property Resolution. The motion carried unanimously.

Mr. Brown presented Change Order #1 Codification by General Codes Publishers for payment of \$1,584.00 for the production of hard copies to be included in the codes book, including the addition of new ordinances passed from 2005 to date. The payment for additional codes inclusion is a budgeted item. Mr. Wion clarified the original contract, for \$10,500 to update the book from 2005 was signed in 2012. For some reason the project was never formalized and moved forward. The updating of the Codes Book is included in 2016 budget. When this project is complete, our codes will be up to date and can be linked our website. President Wright noted that codification has been discussed for years and now is the time to move forward. The motion to pay General Codes Publishers \$1,584.00 was made by Mr. Albert and seconded by Ms. Hodge. The motion was passed unanimously.

Mr. Singh reiterated the statements he made about the Quick Ticket for Ice/Snow Removal during the public concerns on agenda items held earlier in the meeting. Ms. Hodge asked if any relief when the snow fall is heavy. Mr. Singh stated that if a State of Emergency was called, the process would be waived. Ms. Hodge stated that is a Quick Ticket was issued and the 24 hour period comes on a weekend, someone from the Codes Department would have to be available. Mr. Singh stated that he had already discussed flexible hours for Codes staff with Mr. Brown. Such action will allow staff to be available when the need occurs. Mr. Singh stated that the Quick Ticket will be issued to the property owner. The warning is posted on the door and mailed. The tenant could, also, contact the owner when they see the notice on the door of the property. Ms. Hodge expressed concern about the elderly. Mr. Singh reiterated that some plan must be made because of the safety issue for persons in the community. Mr. Segina was asked to place current ordinance on website for public information. Chief Minium asked if the way the proposed new code was presented would be double jeopardy? Mr. Wion clarified that it would

not be double jeopardy because at the time of the ticket if the person is not compliant and the case goes to the District Court, they will not have to pay the Quick Ticket in addition to the fine ordered by the Judge. President Wright asked that the Public Works and Safety Committee, Mr. Wion and Mr. Brown review Ordinance 2011-2 to develop a plan and bring it back to Council.

Mr. Brown presented the names of persons, as agreed upon by the Neighborhood & Economic Development Committee, for appointment to the Steelton Skate Park Committee. The Skate Park Committee would be concerned about policies, procedures, hours of operation, safety issues, etc. 1 council member, Mr. Nate DeMuro, the President of Get On Board Ray Young, Vice-President of Get ON Board, Police Chief Anthony Miniun, Alex Kittle, Doug Brown, and at a future date, possibly a citizen-at-large. President Wright appointed Mr. Segina as the Council Representative to the Board. Mr. Wright appointed all the aforementioned members to the Committee.

Mr. Brown has requested permission to advertise for Part-time Property Maintenance Officer Position for the Codes Department. This is a position that is budgeted for in 2017.

Mr. Albert moved and Mr. Segina seconded the motion that Mr. Brown move forward on advertising for a Part-time Property Maintenance Officer. The motion was unanimously passed.

Mr. Wion requested the Council's approval of Resolution 2016-R-35 eliminating the Special Parking Permit for Daniel Gould, Sr. who no longer need the parking spot and designating the Special Parking Permit for his wife, Mrs. Lorraine Gould at 522 N. 2nd Street. Mr. Albert moved and Mr. Segina seconded a motion to approve Resolution 2016-R-35 regarding Special Parking Permit for Mrs. Lorraine Gould. The Council passed the motion unanimously.

Mr. Wion requested approval of Resolution 2016-36 establishing a Special Parking Permit for Mr. Aram Riley at 722 N. 2nd Street. The motion to approve the request for Special Parking Permit for Mr. Aram Riley was made by Mr. Albert, seconded by Mr. Segina and passed unanimously by Council.

Mr. Wion requested the Council approve Resolution 2016-R—37, Special Parking Permit for Jannette Wright who resides at 327 Ridge Street. The motion to provide Ms. Wright a Special Parking Permit was made by Ms. Hodge and seconded by Mr. Albert. The motion passed by unanimous vote of the Council.

Mayor Acri asked if approval could be given to Ms. Johns' request for a Special Permit for parking at this time. President Wright stated that the permit would be approved as soon as the necessary traffic study was completed and presented to the Council.

Mr. Mendinsky requested approval of Municipal Park Skate Park Project Agreement with HRG. Mr. Brown explained that Steelton has been received a Tourism Grant of \$40,000 which is to be used for this project. HRG is requesting approval of \$30,900 to include fees for a sub –

contractor that specialized in Skate Park design and HRG's development of customary engineering design. Mr. Albert moved and Mr. Proctor seconded a motion approving the agreement with HRG to provide design for the Skate Park Project. Council unanimously approved the motion.

Mr. Mendinsky requested approval of Change Order #1 submitted by Midstate Mechanical Electrical, Inc. for \$163.00 for minor changes in the Fire House requested by Fire House staff. Mr. Albert moved and Mr. Segina seconded the motion to approve the \$163.00 to make the changes requested. The motion passed by unanimous vote of Council.

Mr. Mendinsky requested authorization #3 for additional services for HRG related to the Steelton Sewer Cleaning and Inspection Project in the amount of \$7,500. Mr. Proctor requested clarification of this payment because he thought Council had determined that no additional payments would be made until the project was approved. Mr. Brown advised that this payment was not for the contractor but for HRG for the additional time they had to spend on the project. Mr. Proctor moved and Mr. Albert seconded a motion to pay HRG the \$7,500 requested. The motion was passed by unanimous vote of Council.

Public Concerns:

Josh Monighan – 30 Pine Street- from the sounds of the ice and snow conversation, a person who leaves town for the weekend would almost be a guaranteed citation. He suggests a 48 or 72 hour compliance after notice is issued. Until a definite time is determined, Mr. Monighan would like to add a citizen's moratorium on this issue. President Wright reminded those present that the issue has been referred to the Public Works and Safety Committee and others to develop a reasonable resolution. It will be posted on the website when concluded.

Emmuel Powell – 321 Lebanon St. asked how much money is collected for grass quick tickets. Mr. Singh stated that we have had a low collection record. Mr. Powell asked is any fines have been paid by the owner of 433 Bessemer Street. Mr. Singh stated that he issued a stop work order for construction being done on the property. The property owner has received numerous warnings and quick tickets. The Codes Department has sent letters to property owners giving a 15 day grace period letters. Persons have been coming in to pay the fines, thus causing a higher collection rate. Mr. Singh also stated that early next year when the rental ordinance is updated, hopefully it will include language that would prevent rental of a property by owners that have not paid their fines. Mr. Powell asked if the persons at 140 Adams Street have been ticketed. Because some neighbors filled up the dumpster, three bags of trash were placed outside the dumpster. He received a notice that the bags had to be removed. Mr. Powell's question was regarding equity in notification, compliance and responsibility for non-compliance. Mr. Powell asked about the Borough's concern about the Senior Citizens. Present Wright indicated that the Senior Citizens Center falls within the purview of the Steelton Foundation. Ms. Hodge, who is the chair of the Foundation stated that they have met with the Center Director regarding the status of the program. The Foundation is in the process of raising funds to support the activities of the Center. Mr. Powell disclosed his recent experience with the Center. An organization sponsored a luncheon for Seniors, but there was not enough room in the Center to

accommodate the persons in attendance. Ms. Hodge and Mr. Brown shared things that are being done to help the Senior Citizen's Center become a more viable organization. Those things include: working with the Department of Aging to find available funds, working with Democratic leadership to revive previous funding, working with the Housing Authority regarding a more adequate space to locate the Senior Center. All these things are being worked through the newly reorganized Steelton Foundation and will take time to bring things into order. Finally, Mr. Powell requested that a public meeting be held to discuss the ice and snow proposal. Mr. Brown stated that the public will be notified when the proposal is ready for review.

Hernan Paredes -159 N Front Street - since Borough installed aluminum doors and bricks getting, water runs into the basement of his property. Mr. Brown has been to the property and has seen the problem. He is asking how the Borough can help him resolve the problem.

President Wright stated that the Borough's insurance company has indicated that the damage done to the property appears to have started before the changes were made by the Borough, therefore there will be no settlement offered. President Wright, on behalf of the Council, instructed Mr. Medinsky, to look at the property and determine what, if any, damage has been created by the Borough. If the examination indicates that the Borough is at fault, the Borough will take care of the problem. It is possible that the way the changes were made does not include the sloped pattern that was in place before the changes were made. The Council and Mayor agreed that this is the proper way to handle this case. He stated that he does have commercial insurance, however neither his insurance company nor the Borough's insurance company want to pay for damages and repairs. Paredes also asked for help regarding obtaining a building permit. Mr. Singh responded, stating that on October 27, 2016, he posted a Stop Work Order on the construction being done on the property. Work had begun on the project and no work permit had been requested or granted. No permit can be granted until the State code of construction has been met. The UCC requires that before a permit can be issued for a commercial property, a permit application along with permit application along with supporting documents such as drawings/plans signed and sealed by a Pennsylvania licensed architect or engineer need to be submitted to the codes office for review and approval. The Stop Work Order will remain in place and no permit will be issued until those terms are satisfied. President Wright, on behalf of Council, voiced support of the Code Officer's enforcement of the law.

Chery Powell- 321 Lebanon- Ms. Powell asked if the Borough Newsletter is sent to the occupant or the tenant. Currently, the newsletter goes to the address of the property. Mr. Singh indicated with the updating of the data system, it will be possible for property owners to receive newsletter. In the meantime, it will be the tenant sharing pertinent information to the property owner.

Josh Monighan, 28 Pine Street regarding the trash policy. On October 26, there was a notice on the window stating that there was debris on the property. He was not sure what the debris was, but he does his best to maintain his property by making weekly visits. Sometimes, when a tenant moves they leave a lot of trash and it not possible for the property owner to contain the trash as required. Rather than \$2,400 fines, he suggest that some type of exemption be given to property owners. He presented a letter in support of his suggestion.

Executive sessions personnel and litigations
President Wright called Council into Executive Session at 8:00 p.m.

Council Comments:

Executive Meeting: Mr. Wright announced Executive Session to discuss personnel issues and potential litigation.

Other Business:

The Council was called back into session at 8:15 pm.

President Wright presented the resignation of Officer Casey McMillan, effective November 6, 2016 with the request that it be accepted. On a motion by Mr. Proctor, seconded by Ms. Hodge, Council voted unanimously to accept the resignation of Officer Casey McMillan.

Council then discussed and considered the plan to replace the vacancy left by Mr. McMillan's positions as well as select the new full-time hires budgeted for in the 2017 budget.

Chief Minium briefed Council and stated that according to the current certified Civil Service list, the top three candidates for consideration for hire by Council are William Snyder, Pete Piccario, Cody Webster. Mr. Snyder is already an officer with the Steelton Police Department. Chief Minium recommended that Officer Snyder be moved to a permanent position as budgeted for and as permitted by the certified civil service list.

Mr. Proctor moved and Mr. Albert seconded the motion that Mr. William Snyder be hired effective January 15, 2017 as a permanent, full-time officer with the Steelton Borough Police Department. The motion was unanimously passed.

Chief Minium then informed Council that the next three candidates on the Civil Service list (after Mr. Snyder's selection) are Cody Webster, Cory Allwein, and Pete Piccario.

Chief recommended that Council hire Mr. Cody Webster as a new full-time permanent officer as of January 29, 2017.

Mr. Proctor moved and Mr. Albert seconded the motion that Mr. Cody Webster be hired by the Police Department January 29, 2017. The motion passed by unanimous vote of Council.

Chief Minium then briefed Council on his plan to replace Mr. McMillan by hiring Mr. Corey Allwein as a part-time officer. Mr. Allwein has agreed to work 40 hours at a part-time rate (80 hours per pay) for a temporary period to end when the new permanent officers are hired and in the shift rotation. At this point, Mr. Allwein will be scaled back to true part-time hours. Chief made it clear the Mr. Allwein agreed to this arrangement.

Mr. Proctor moved and Mr. Albert seconded the motion that effective immediately Mr. Cory Allwein be hired as a part-time officer working 80 hours per pay period temporarily at \$20.30 for the rest of year 2016, with salary increasing to \$21.54 beginning January 1, 2017. Mr. Allwein's hours will be reduced back to a maximum 16 hours when the full-time officers are hired. The motion was unanimously approved by Council.

Mr. Allwein was sworn in by Mayor Acri with Chief Minium holding the Bible. Mr. Allwein thanked the Council for its support. He has enjoyed his work as a Volunteer Fire Fighter over the last four years and looks forward to serving the community as a Police Officer. The community means so much to him that he is proud to serve.

Adjournment:

Mr. Albert moved and Mr. Proctor seconded the motion that the November 7, 2016 Steelton Borough Council meeting be adjourned at 8:29 p.m. The motion received the unanimous support of the Council.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'DB', written in a cursive style.

Douglas Brown, Secretary