

March 19, 2007

The regular monthly meeting was called to order at 7:25 p.m. by President Michael Kovach, with the pledge of allegiance, followed by a moment of silence.

**In Attendance:**

Michael Kovach  
Michael Albert  
Jeffery Wright  
Dennis Heefner  
Stephen Shaver  
Lisa Wiedeman-Krosnar  
MaryJo Szada  
Thomas Acri, Mayor

**Absent:**

Michael G. Musser, II, Secretary  
David A. Wion, Solicitor  
Kathleen D. Handley, Assistant Secretary  
Jennifer Brown-Sweeney, Administrative Assistant

**APPROVAL OF MINUTES FROM PREVIOUS MEETINGS:**

Motioned by Mr. Heefner, seconded by Mr. Albert, to approve the Minutes from the November 6, 2006, December 18, 2006, January 16, 2007, February 5, 2007, and February 20, 2007 meetings, as presented. Motion approved unanimously.

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

Motioned by Mr. Wright, seconded by Mrs. Wiedeman-Krosnar, to approve the schedules of bills, requisitions, and change orders as presented. Motion approved unanimously.

**APPROVAL OF DEPARTMENT REPORTS:**

Motioned by Dr. Szada, seconded by Mrs. Wiedeman-Krosnar, to approve the Department Reports as presented. Motion approved unanimously.

**PUBLIC COMMENT: Agenda Items Only**

Eric Swartley of the Fifth Ward Club, Steelton, PA – stated that he would like to go on record as opposing the Ordinance that will vacate the easement behind his building. He stated that he is concerned about the economic impact on his business and the public's safety. He stated that the easement currently provides a safe method of travel and allows the members access to the rear of the property.

March 19, 2007

Mr. Wion stated that the Borough is currently addressing the issue with the rear of the property. He said that rear access, trash issues, and parking problems will all be addressed.

Mr. Swartley stated that as of today's date, there is no agreement in place to protect their interests.

Tina Fackler of KIA - stated that she has handouts and additional information for Council on the new grocery store that necessitates the adoption of the Ordinance that will vacate the easement behind the Fifth Ward Club. She stated that the handout discusses the status of the project and its benefits to the community. She stated that there are some issues with the project that they are aware of and looking to address. She stated that some of the issues they are dealing with include: the abolishment of the easement, the Fifth Ward Club and Club 320's parking situations and trash collection, and the storm water pipe located on the property. Ms. Fackler stated that the financing for the project hinges on the Borough vacating the public easement. She stated that the project may not go through with out that vacation. Ms. Fackler stated that KIA has been working with surrounding property owners to try to work out some type of agreement. She stated that a lot of Borough businesses have only one access point. Ms. Fackler stated that they would like to relocate the storm water pipe, if they cannot, other solutions will have to be found when they go into the land development phase. Ms. Fackler restated that the abolishment of the right-of-way is very important to the continuation of this project.

### **COMMUNICATIONS:**

**Dan Wright, Worshipful Master, Masonic Hall Association, Inc. – Letter requesting permission to block off Bessemer Street from 19<sup>th</sup> Street to the end of their property line on Saturday, April 14, 2007 from 6 AM to 1 PM for a Flea Market & Fish Fry Fundraiser.**

Mayor Acri stated that this is the fourth year for fundraiser. He stated that he and Chief Lenker recommend its approval, and then for Mr. Musser to send them a letter.

Motioned by Mr. Wright, seconded by Mr. Albert, to approve blocking off Bessemer Street for the annual Flea Market and Fish Fry Fundraiser. Motion approved unanimously.

### **UNFINISHED BUSINESS:**

**ORDINANCE NO. 2007-2 – An Ordinance to Amend the Code of the Borough of Steelton, by adding a New Chapter 68 to be Entitled "Graffiti," which**

March 19, 2007

**Chapter provides for the Removal of Graffiti from Property located in the Borough of Steelton and Providing Penalties for Violation of the Chapter.**

Motioned by Mr. Albert, seconded by Mr. Heefner to amend the code of the Borough of Steelton by adding a new chapter entitled "Graffiti." Motion approved unanimously.

**ORDINANCE NO. 2007-3 – An Ordinance Vacating a Public Prescriptive Easement in the Nature of an Alley in the Borough of Steelton Located Between the Northern Line of Trewick Street and the Southern Line of Lands of John Catsimatidis.**

Mr. Shaver requested an executive session to seek a legal opinion from Mr. Wion, in regards to Ordinance No. 2007-3.

Mr. Wright motioned to recess into executive session at 7:45 PM, seconded by Mrs. Wiedeman-Krosnar. Motion approved unanimously.

The meeting reconvened at 7:57 PM.

Mr. Kovach asked KIA, Fifth Ward Club, and Club 320 how close they are to an agreement.

Mr. Rizk of KIA, stated that he met with the Clubs on March 6, 2007 and presented them with three options. He stated that he has not heard back from them on which option they liked.

Mr. Swartley of the Fifth Ward Club stated that Council cannot assume that they will work it out. He stated that a contract needs to be in place first.

Mr. Moyer of Club 320 stated that he spoke to Mr. Rizk about parking; however they would also like an agreement first.

Mr. Rizk stated that he sent them letters and emails with the options.

Mr. Swartley stated that these options take time to review. He said that they formed a separate committee to review the options.

Mr. Heefner stated his concern over boxing the existing properties in, by cutting off the rear access to their properties. He stated that he believes Council's concern is that a separate easement be made to allow for rear access, not parking issues.

Mr. Shaver stated that the Ordinance gives some leeway, in that the Ordinance can be repealed. He stated that the Fifth Ward Club and Club 320 will receive copies of the Ordinance. However, he expressed concern over whether or not the contributing

March 19, 2007

parties will be able to work out an agreement within 40 days. Mr. Shaver stated that it would not be a good situation for KIA, the Borough, or other property owners if the Borough has to come back and abolish the ordinance.

Mr. Wion stated that the Ordinance is the same as any ordinance the Borough would approve to vacate a street that the Borough no longer feels is necessary for public access. The only thing that makes it specific is the statement of the actual location of the easement. The Ordinance then recites the reason why the Ordinance is up for consideration. The Ordinance then describes the easement by metes and bounds and refers to an exhibit that is attached to the original Ordinance that shows the area to be vacated. The next thing it does is it states that it will take effect in 40 days after its enactment. Then it says that within ten days of its enactment, notice will be given to all abutting property owners that they have thirty days in which to ask for a hearing. If the parties cannot agree, and one party petitions for a hearing, then a hearing has to be held and the effective date of the Ordinance will then get extended until that hearing is held, within 30 days. Therefore, that hearing can give the parties 70 days in which they can come to an agreement. Mr. Wion stated that the Borough may also repeal the Ordinance and then start the process over, if they desired. Mr. Wion stated that a separate easement will show on the Land Division Plan. The easement will be granted to the Borough by metes and bounds and will be located back by the railroad tracks. At the end of the forty days, the residents will be able to drive along that separate easement.

Mr. Rizk stated that he has been unable to find any solid evidence that an easement exists in that area. Responding, Mr. Wion added that in addition to other indicators the area being vacated is a public prescriptive easement because the area has been used and maintained by the Borough for more than 21 years.

Mr. Rizk stated that he has no problem creating the easement for the Borough; however the area would not be paved right away. He stated that with the development going on back there, it would be better to wait until he gets to the phase where he paves his parking lot. Mr. Wion stated that there will have to be a surface that residents are able to drive on.

Mr. Rizk said that he would like to work out the parking conditions; however he still has to comply with the minimum number of parking spaces for the store. Ms. Fackler stated that there are separate peak times for the Clubs than the grocery store. Ms. Fackler stated that they will try to grant rear access to the properties, but if the plan has to change for the project to continue, then they will have to change it. Mr. Rizk stated that the Ordinance is necessary to receive funding for the project.

Mr. Kovach stated that it is in everyone's best interest for an agreement to be reached on parking and access matters. He added that there needs to be a little give-and-take to accomplish all of our goals.

March 19, 2007

Dr. Szada asked if KIA can guarantee that the Clubs will always have parking. Mr. Rizk stated that the Borough Ordinance requires 100 parking spaces for the size of the building. In the plan now, there are 120 parking spaces. He said that he is willing to share the additional spaces, but if the plan changes, they may not have extra. Dr. Szada stated that if you put more parking spaces in your Land Development Plan, then there will be more spaces to share. Mr. Rizk said that most of the project planning is based on the market analysis.

After additional discussion, Mr. Heefner motioned, seconded by Mr. Wright to vacate the Public Prescriptive Easement in the nature of an Alley in the Borough of Steelton located between the northern line of Trewick Street and the southern line of Lands of John Catsimatidis.

Mr. Wright requested a role call vote.

Mr. Wright, yes; Mr. Albert, yes; Mrs. Wiedeman-Krosnar, yes; Mr. Kovach, yes; Mr. Shaver, yes; Dr. Szada, yes; Mr. Heefner, yes. Motion approved unanimously.

**Patrick Gehrlein, Main Street Manager – Requesting Council approve the recommendation of the Community Development Committee to request an Engineer to review the grant funds available for the renovation of the 107 North Front Street into a Senior Center and inform the Borough of what can be done for this amount of renovations, so a final decision can be made.**

Mr. Gehrlein stated that the Community Development Committee recommended that Council approve the request of hiring an engineer to review grant funds available for the renovation of 107 North Front Street into a Senior Center and inform the Borough of what can be done for that amount of grants, so a final decision can be made.

Mr. Gehrlein noted that this property has been owned by the Borough for some time, and there has been a lot of speculation about what should be done with the property. He stated that the engineer would get a raw number of the total cost to rehabilitate the property. He stated that the cost of an engineer to perform this service will be approximately \$15,000. Mr. Gehrlein added that this money will be pulled from a grant funding source.

Mr. Gehrlein stated that the Borough has received \$50,000 from Senator Piccola and \$35,000 from Rep. Buxton. This paired with the \$40,000 contribution out of the Borough's annual allotment of CDBG Funds, will be available for improvements to the Senior Center.

Mr. Kovach asked if the Borough could request free estimates from General Contractors. Mr. Heefner stated that the Borough had already spent money on getting

March 19, 2007

this same thing done a couple of years ago. Mr. Gehrlein stated that what was done previously was not the same as providing specifications for a bid. Mr. Kovach stated that he would like to move the Senior Center down to the building for minimal cost, but make it nice for them.

Mr. Shaver stated that he would like to have Mr. Gehrlein put together a scope of work that the Borough would like to see done to the building, take that list to the Community Development Committee, and then go to the Engineering firm to compile and put out the RFP.

Motioned by Mr. Wright, seconded by Mrs. Wiedeman-Krosnar, to send the matter back to the Community Development Committee. Mr. Heefner cast the sole dissenting vote. Motion carried.

**NEW BUSINESS:**

**Paula Sviben, Community Development Coordinator – Discussing the Arts Program.**

Ms. Sviben stated that the Arts Program will be run by Jump Street and supported by the Borough. She said that Jump Street is providing administrative money for her time taking registrations for the classes. She said that the classes will be held at the Lutheran Church. Ms. Sviben stated that the classes are intense arts programs and are currently being held in Carlisle, Mechanicsburg, and other area. She stated that the classes are open to all areas, and is not restricted to Steelton residents only. She stated that the classes cost \$100.00 and takes place from 9 AM to 12 PM.

**Paula Sviben, Community Development Coordinator – Requesting Council approve the Fee Schedule, the Hiring of Staff, Approving of the Facilities Agreement for the Summer Parks Recreation Program as Approved by the Community Development Committee.**

Ms. Sviben handed out budgets to all the council members. She then stated that the summer program this year will be an all day program. She said that the fees are substantially higher this year. The fees went from \$110.00 for the entire summer to \$70.00 a week. Ms. Sviben stated that she will be receiving the grant from the school again this year, and will be programming a lesson plan for the kids. She stated that a bus will transport the kids from Cottage Hill Park to Prince of Peace, where a meal will be served. Ms. Sviben said that there will be sixty children accepted on a first come-first serve basis. She stated that the program will be self-sustaining, with no money being spent from her budget besides her salary.

Mr. Wright stated that the lesson plan will be reviewed by himself and Mrs. Wiedeman-Krosnar.

March 19, 2007

Dr. Szada expressed concern over the number of children that may be left without child care because of the cost increase. Mrs. Wiedeman-Krosnar stated that after reviewing nearby child care facilities, the price was one of the cheapest around. She then stated that with the structure of the program, along with the educational component, that the program will be a really good value. Dr. Szada stated that many families receive subsidized daycare, and without this program being subsidized, many low-income families may not be able to afford it. Ms. Sviben stated that she will contact the Child Care Network to find out available options.

Mayor Acri expressed concern over the Borough operating a daycare. He stated that he believes the Borough should not get involved in these types of programs. Mr. Shaver concurred, and stated that he believes the Borough is getting in over their head. He stated that he believes the Borough should host open parks, as was done years ago.

Mr. Heefner requested that Ms. Sviben supply him with a list of residents that did not pay for the previous year's program.

Motioned by Mr. Wright, seconded by Mr. Albert to approve the Borough hosting the Summer Program with details as presented. Mr. Shaver dissented. Motion carried.

Mr. Albert motioned, seconded by Mrs. Wiedeman-Krosnar, to approve the advertising of summer positions for the summer parks program and mailing of applications to prospective employees. Motion approved unanimously.

Mr. Albert motioned, seconded by Mr. Wright, to approve the facilities agreement with Prince of Peace Parish, pending revisions by the Harrisburg Diocese and Mr. Wion. Motion approved unanimously.

Dr. Szada motioned, seconded by Mrs. Wiedeman-Krosnar, to approve the hiring of all previous year highway per diem employees. Motion approved unanimously.

**OTHER BUSINESS:**

**RESOLUTION 2007-R-8 – Stating the Borough's Intention of Applying for a Grant for the Attorney General's Office in the amount of \$965.20.**

Mrs. Sweeney stated that the grant will be used to combat drug abuse's destructive impact on society by educating our community. She said that the Borough will specifically use the money for drug prevention materials for National Night Out and will be responsible for a 10% match of the overall amount. This amount will be equal to \$107.25.

March 19, 2007

Motioned by Mr. Wright, seconded by Mrs. Wiedeman-Krosnar, to approve Resolution 2007-R-6, as presented. Motion approved unanimously.

**AUDIENCE PARTICIPATION:**

There was no audience participation.

**COUNCIL'S CONCERNS:**

**Dr. Szada** – asked if the playgrounds are still used in the summer and if the basketball program is still being run. Ms. Sviben stated that the playgrounds are used quite a bit in the summer, but nobody has asked for permission for the basketball program yet.

**Mr. Heefner** – requested that the updated Minutes be put on the website. He then congratulated Mr. Albert for his recognition at the Forum's Hip Hop Awards as a pioneer.

**Mayor Acri**- congratulated Mr. Albert.

**Mr. Kovach**- stated that the 11 Inch Bar Mill Lot still needs to be renamed. He asked that the Community Development Committee review the matter.

**Mr. Wion** – stated that the Plymouth Park Real Estate Tax Claims Settlement occurred today. He said that the original agreement called for an approximate cost of \$158,000 and the actual cost was around \$132,000. He stated that the reason was because the Tax Claim paid approximately \$21,000 directly to the Borough the previous month. He noted that altogether the costs were about the same.

On a motion by Mr. Shaver, seconded by Mr. Wright, the Council meeting recessed into executive session to discuss personnel issues, at 8:15 PM.

The meeting reconvened at 8:26 PM

March 19, 2007

**ADJOURNMENT:**

There being no other business before Council, on motion by Mr. Shaver, seconded by Mr. Albert, the Council meeting adjourned at 8:27 PM.

Respectfully submitted,

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Michael G. Musser, II  
Borough Secretary