

The regular monthly meeting was called to order at 6:32 p.m. by President, Jeffery Wright with the pledge of allegiance and a moment of silence.

In Attendance:

Jeffery L. Wright  
Dennis Heefner  
Stephen Shaver  
Maria R. Marcinko  
MaryJo Szada

Absent:

Lisa Wiedeman-Krosnar  
Michael Albert

John M. DeSanto, Jr., Secretary Treasurer  
Kathleen D. Handley, Asst. Secretary Treasurer  
Mayor Thomas Acri  
David A. Wion, Solicitor  
Dennise Hill, Executive Assistant

**APPROVAL OF MINUTES:**

On a motion made by Mr. Shaver, seconded by Mr. Heefner, Council Members present unanimously voted to approve the January 4, 2010 Reorganization minutes as presented.

**EXECUTIVE SESSIONS HELD BETWEEN MEETINGS: (Secretary DeSanto):**

Mr. DeSanto said he had nothing to report at this time.

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

Mr. Shaver verified that the Steelton Community Development Foundation president requested that checking account transactions be turned over to the Foundation. Mr. Shaver also noted that there was a bill for an exercise class on the reported billing. Mr. Shaver asked that there be more detail given on billing items. Mr. DeSanto said he asked Department Heads to be more detailed on all purchase orders. Mr. Shaver added that if details are not given, the individual responsible for entries needs to contact the appropriate Department Head for further explanation.

Mrs. Marcinko verified that the line item for Officer Minium's reimbursement is related to his heart and lung injury. Mrs. Handley stated that it is. Mrs. Marcinko asked that this matter be looked into because this may cause an issue on 1099 Tax Forms.

Mr. Shaver said he will make a motion to approve the billings this month but, will vote negatively next month if proper information is not given.

Mr. Heefner said that he thought all water coolers were to be done away with and he noted one is listed on this month's bill. Mr. DeSanto reminded him that this was

discussed at the most recent Neighborhood & Economic Development Committee meeting. It was decided that this last cycle would be paid for but, no further water services would be paid for.

Mr. Shaver questioned the payment to Eshenaurs for propane. Mr. DeSanto explained this is to heat the highway garage and water distribution plant.

On a motion made by Mr. Heefner, seconded by Mr. Shaver, Council Members present unanimously voted to accept the schedules of billings, requisitions and change orders, as presented.

### **DEVIATION FROM AGENDA**

Mr. Wright deviated from the agenda and moved to page 4.

### **Edward A. Ellinger, P.E. Regional Service Group Mgr. Herbert, Rowland & Grubic, Inc.**

Mr. Ellinger stated that three (3) rights of way are needed to obtain necessary permits. The bulk of the right of way for the East End Sewer Separation Project lies with Dura Bond. There is approximately 4070 feet of land that is needed that cuts across their property. Mr. Ellinger, Mr. Heefner, and Mr. DeSanto met with Mr. Ryan Norris, owner of Dura Bond, in December. Mr. Norris was very cooperative but, indicated that he wants something in return for access to this 4070 feet of land. Mr. Norris said that he would like the Borough to pay for an access road on his property to be paved. Mr. Ellinger recommended that the Borough not do this due to liability, if the road fails in future years. Another reason this should not be done is because funding for Pennvest is project specific and will not allow the Borough to pay for anything outside of the scope of the East End Sewer Separation, such as paving the access road. Mr. Ellinger received a quote of \$25,000 to pave the road. Mr. Norris, however, received a quote of \$12,000. There was a discussion that he will accept \$12,000. The Borough will save approximately \$250,000 by cutting across the Dura Bond property versus doing work on Route 230.

Mr. Wion stated that he has not yet spoken with a representative from ArcelorMittal about the needed easement on their property. He said there will not be a permanent easement to last beyond the project. The agreement will include language that the Borough will restore the property back to its original condition. Mr. Ellinger said that there is a four foot strip of land between the fence and the alley that is needed for the project. He said that Council may want to consider a permanent easement, in case the Public Works Department needs to do repairs on that land, in the future. Mr. Wion suggested that this matter be discussed at a later date. Obtaining the temporary easement will allow the project to be satisfied.

**Resolution 2010-R-4, authorizing the acquisition of a Right of Way for sewer facilities from Dura-Bond, LLC.**

On a motion made by Mr. Heefner, seconded by Mrs. Marcinko, Council Members present voted unanimously to adopt Resolution 2010-R-4, as presented.

**Resolution 2010-R-5, authorizing the acquisition of a Right of Way for sewer facilities from Arcelor-Mittal Steelton, LLC.**

On a motion made by Mr. Heefner, seconded by Mr. Shaver, Council Members present voted unanimously to adopt Resolution 2010-R-5, as presented.

**Resolution 2010-R-6, authorizing the acquisition of a Right of Way for sewer facilities from James E. and Rose H. Stake.**

On a motion made by Mr. Heefner seconded by Mr. Shaver, Council Members present voted unanimously to adopt Resolution 2010-R-6, as presented.

On a motion made by Mr. Shaver, seconded by Mr. Heefner, Council Members present voted unanimously to authorize Solicitor Wion, HRG, and Borough Staff to proceed with Rights of Way and easements.

**Edward A. Ellinger, P.E. Regional Service Group Mgr. Herbert, Rowland, & Grubic, Inc.**

Mr. Ellinger thanked the Borough Staff for all their hard work. This has been a major feat, considering the process was started nine months ago.

**Proposals for Professional Services Agreement for engineering services for bidding, construction and operations phases.**

On a motion made by Mr. Heefner, seconded by Mrs. Marcinko, Council Members present voted unanimously to authorize Mr. Ellinger to advertise for bids by February 1, 2010.

Mr. Ellinger said that he submitted separate proposals for bookkeeping purposes. The Right-of-Way needed to be kept separate from the Archaeological/Design work. The Professional Services proposal is for all accounting work done by HRG. All these items are within the \$6.8 million estimation.

**Proposals for professional services for the East End Sewer Separation Project.**

On a motion made by Mrs. Marcinko, seconded by Mr. Heefner, Council Members present voted unanimously to approve the proposals for professional services for the East End Sewer Separation Project, as presented.

**Proposals for professional services agreement for Right-of-Way acquisition engineering services.**

On a motion made by Mr. Shaver, seconded by Mr. Heefner, Council Members present voted unanimously to approve the proposals for professional services agreement for Right-of-Way acquisition engineering services.

**Proposal for professional services agreement for financial services.**

On a motion made by Mr. Heefner, seconded by Mrs. Marcinko, Council Members present voted unanimously to approve the proposals for professional services agreement for financial services.

**Proposal for professional services agreement for final archaeological work.**

Mr. Ellinger stated this includes archaeological design. Mrs. Marcinko stated that a report was unclear if we would have to go to the second phase. Mrs. Marcinko asked if this means the Borough will, indeed, have to go to the second phase. Mr. Ellinger said that it does.

Mr. Matt Cichy said that TetriTech representatives hand dug the area between Norfolk Southern Railroad tracks and Amtrak's railroad tracks. There were 14 artifacts found. It was determined that these artifacts were an extension of those found during the PA Turnpike Project. The second tract of land that was dug was between Amtrak's railroad tracks and the Susquehanna River. There were 120 artifacts found. These were at a different elevation than the 14 found in the first tract. Therefore, it was determined that these were from two different archaeological sites. Two more test units are set to be done. Penn State Museum will put the items on display. The Borough has access to them but, the Penn State Museum will charge the Borough a "storage fee." Mr. Ellinger added that he hopes to have all outstanding archaeological work and PHMC approval completed by March 19, 2010.

On a motion made by Mrs. Marcinko, seconded by Mr. Heefner, Council Members present voted unanimously to approve the proposal for professional services agreement for final archaeological work.

Mr. Ellinger stated that the East End Sewer Separation Project scope was changed. Therefore, the permit needs to be changed to reflect the edits made to the project. He stated that the edited DEP/ENS permit needs to be signed by an authorized Borough member.

On a motion made by Mr. Shaver, seconded by Mr. Heefner, Council Members present voted unanimously to authorize Council President Wright to sign off on the changes, on behalf of Borough Council.

#### **ADDITION TO THE AGENDA**

Mr. Heefner gave a brief update on the Blueberry Alley repairs that need to be made. The proposal that Mr. Ellinger previously gave quoted the cost of the repairs for Blueberry Alley to be \$90,000-100,000, which will be taken from the sewer fund. The Washington Street repairs are almost identical and will cost the same amount. Mr. Heefner said that these repairs will require a Highway Occupancy Permit and he needs authorization to proceed.

On a motion made by Mr. Shaver, seconded by Mr. Heefner, Council Members present voted unanimously to authorize Mr. Ellinger to begin the process of obtaining the Highway Occupancy Permit.

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

**Neighborhood & Economic Development:** Mrs. Marcinko recapped some of the items discussed at the last NEDC meeting. She said that Mrs. Zell and Ms. Hill will contact Ms. Ebony Anderson to begin getting skilled laborers from the PA State Parolee program to address certain properties in the Borough. She also said that the Committee is looking into working with the Steelton-Highspire School District to get a high school intern to spend half the day in the Borough office to handle clerical duties. Mrs. Marcinko also said that the Committee discussed the security of the Boat Dock. Upon further discussion, the Boat Dock will not be closed at this time.

Mr. Wright added that staff was asked to reach out to four developers for the meeting on January 25, 2010, regarding the Adams Street Project. Mr. Musser said that this meeting cannot be held as an Executive Session and must be advertised. Since no developers have sent an RSVP, Mr. Musser suggested canceling the meeting and holding this session during the next regular NEDC meeting.

#### **Fire and Ambulance**

##### **Personnel**

**Police:** Dr. Szada said that it is known that there is a drug problem in the Borough. However, she noted that there is a miniscule amount of drug arrests on the monthly Police report. She asked if more of an effort can be placed on this issue in 2010. Chief Spangler said that the Steelton Police Department is doing

the best they can with the resources available at this time. There is only one officer assigned to the drug task force and he works part time. Dr. Szada said that residents know who the culprits are. Chief Spangler said that those residents need to call the police at the time of the illegal transaction and be willing to testify in court. Dr. Szada asked what Chief Spangler plans to do this year to increase the number of drug arrests to address this problem. Chief Spangler said that he is currently working to get our drug task force officer more hours to concentrate solely on drug arrests.

**Public Works:** Mr. Heefner said that he had a meeting today with members of the Public Works Department. Also, discussion was brought up regarding enforcing the street cleaning Ordinance all year long to help with snow removal. This matter will be discussed further during the next Police Committee and Public Works Committee Meetings. The recommendation of the committees will be brought back to Council.

Mr. Heefner said he will contact Penn DOT regarding the timing of the traffic light at Front and Locust Streets, as well as the installation of LED bulbs in the traffic light at Front and Swatara Streets.

Mr. Heefner reported that the sign machine is in and working. He added that it has been mandated that all street signs must be replaced and meet state requirements, by 2017.

Mr. Heefner said that Mr. Ted Russ owes the Borough money (water, sewer, taxes). He asked if Council can deem his property blighted, condemn it and tear it down. This matter is to be discussed further in Executive Session.

### **Code Enforcement**

**Mayor's Report:** Mayor Acri reminded Council that the Borough will host the Dauphin-Lebanon Counties Borough's Association Meeting on January 26, 2010 at the Steelton VFW at 6:30 p.m.

On a motion made by Mr. Heefner, seconded by Mrs. Marcinko, Council Members present unanimously voted to approve the Department Reports, as presented.

### **ADDITION:**

Mr. Musser asked how Penn DOT can regulate signs on any road that they do not have jurisdiction over. Mr. Wion said that Penn DOT does regulate signage throughout the State. Mr. DeSanto added that these mandates may be coming from the federal level. Mr. Musser suggested that this matter be further investigated.

Mr. Musser also stated, regarding the details on bills, the system only allows a certain amount of information to appear on the screen. He suggested that Council packets be distributed a day earlier. If Council has any questions about a particular bill, they can email Borough staff for clarification.

**PUBLIC COMMENT: Agenda Items Only**

There were no comments.

**COMMUNICATION:**

**Mayor Thomas F. Acri – Present certificate of completion of Continuing Education DEP #16687 course for Daniel P. Scheitrum, Water Authority Superintendent for placement in Mr. Scheitrum’s personnel file**

On a motion made by Mr. Shaver, seconded by Mrs. Marcinko, Council Members present unanimously voted to have Mr. DeSanto place this certificate in Mr. Scheitrum’s personnel file.

**Eugene Vance, Fire Chief – Email from Chief Vance announcing the appointments made of Milt Carnes and Steve Brubacher to Battalion Chiefs and Frank Raudensky to Captain for the Fire Department. John Heffelfinger will be Captain of the Fire Police and Clayton Eisenhower will be Lieutenant of the Fire Police.**

This was provided for Council’s information.

**Larry Dolinger, Chief Environmental Safety and Energy – Mandatory letter of notification from the Defense Depot in Susquehanna, PA, Fairview Township, York County that they have two 300,000 gallon NO.4 fuel oil tanks which were exempt but now must be registered. They are required to notify all surface waters users, Municipal and County officials within 20 miles downstream.**

Mr. Shaver asked Mr. DeSanto if Swatara Township was notified. Mr. DeSanto said that he was not certain.

This was provided for Council’s information.

**Michael C. McNulty, DEP – Letter notifying the Borough that Felton Lofts Sewer Facilities Plan is exempt from requirements to revise the sewer module planning.**

This was provided for Council’s information.

**The Harrisburg Authority – Information on the Gate Rates at the Harrisburg Resource Recovery Facility effective January 1, 2010. No increase in Harrisburg City or Dauphin County Municipal Solid Waste Tip Fee.**

This was provided for Council's information.

**Capital Region Council of Governments – Request to update 2010 Directory Information for 2010 Cap Cog Delegates and alternates.**

On a motion made by Mr. Shaver, seconded by Mr. Heefner, Council Members present voted unanimously to appoint Mr. Heefner as the delegate and Ms. Hill as the alternate.

**UNFINISHED BUSINESS:**

**Stephen Shaver, Council VP Personnel Committee Chair – Recommendation for a motion to appoint Ms. Dennise L. Hill to the position of Neighborhood & Economic Development Coordinator at a salary of \$34,000 and continuation of all accrued current benefits from her existing Borough position.**

On a motion made by Mr. Shaver, seconded by Mrs. Marcinko, Council Members present voted unanimously to appoint Ms. Hill to the Neighborhood & Economic Development Coordinator position.

**NEW BUSINESS:**

**Dennis Heefner, Councilman Chair Public Works – Letter from Joanne B. Archfield, UGI Engineering Technician – Operations requesting list of roads we plan to pave in 2010 to allow them time to repair or replace facilities in advance to eliminate unnecessary future excavation.**

Mr. Heefner told Council that the only streets scheduled to be repaved at this time are 4<sup>th</sup> Street and Walnut Street. Mr. Wright asked Council members to send ideas to Mr. Heefner. Mr. DeSanto stated that Ms. Archfield requested we get back to UGI by February 8, 2010 so that they could prepare the subsurface prior to their digging. Mr. Wright stated that 4<sup>th</sup> Street would be priority one and Walnut Street would be priority two.

Mr. Shaver suggested that all suggestions be given to Mr. Heefner before our February 1, 2010 meeting. Ed Ellinger suggested that we add any streets involved with the East End Sewer separation project. It was the consensus of Council to add these streets to the list.

**David A. Wion, Solicitor – Letter from John W. Espenshade, McCullough Consulting Group, LLC requesting Borough consent to a conflict waiver in connection with development of property within the Borough of Steelton.**

A motion was made by Mr. Shaver and seconded by Mr. Heefner to authorize President Wright to sign the conflict waiver. Motion carried.

**Mr. Wright, Council President – Appointment of an Ad Hoc committee on Floodplain Management and Flood Insurance consisting of Mr. Shaver (Chair) Councilman Dennis Heefner, Solicitor David A. Wion, Councilwoman Maria Romano Marcinko, Codes & Zoning Officer Sylvie Zell and Secretary/Treasurer John M. DeSanto, Jr.**

Mr. Wright reported that he spoke with the Solicitor regarding creating an Ad Hoc Committee on Floodplain Management and Flood Insurance. All requested Committee members agreed to this assignment.

**Holly C. Martz, Deputy Director, Tax Claims, Dauphin County – Repository Bid on Rear Front Street L514A, Parcel Number 60-018-049 and Repository Bid on 223 Rear Jefferson Street, Parcel Number 60-008-028**

Solicitor Wion explained a repository bid to Council. The County needs consent from Council to sell these properties that are in the repository. He explained that we could not unreasonably withhold our consent.

Mr. Shaver asked Mr. DeSanto if we knew if these properties abutted other properties and if the buyer owned those properties or if he/she was just buying pieces of properties. Mr. DeSanto said we did not know.

Mr. Heefner asked Solicitor Wion to clarify how this works with Plymouth Park, the company to which we sold our delinquent taxes. Solicitor Wion said he didn't know and quite possibly these properties went into the repository well before we entered into the agreement with Plymouth Park. He wasn't even sure if repository properties would be subject to the agreement with Plymouth Park.

Solicitor Wion suggested to Mr. DeSanto that we contact Plymouth Park to see if they know anything about these repository properties.

Dr. Szada asked about unreasonably denying this request. Solicitor Wion said we must have a very sound reason why we would not consent to this sale. Dr. Szada said her concern is that these properties are in the middle of a residential district, especially 514. Her concern is that there are abutting properties and if the individual buying these properties doesn't live in one of the abutting properties it could have adverse effects to those who do live there. She would like to know what the individual buying the property is going to use it for. She stated this created a problem before and she wanted to prevent that. Solicitor Wion said the individual buying the property just has to meet our zoning requirements and regulations of the Borough. He also stated that this property could have been sold by the current owner to a buyer without our knowledge but this property just happens to be in the repository for non-payment of taxes.

Mr. Heefner made a motion that we approve these requests but we also check with Plymouth Park to ensure that they are not doing anything with these properties, seconded by Mr. Shaver. Motion carried, with Dr. Szada voting nay.

**OTHER BUSINESS:**

**Mr. DeSanto, Borough Secretary/Treasurer – Request an Executive Session to discuss personnel matters, land acquisition and potential litigation issues.**

There were no comments.

**ADDITION:**

Mr. Heefner asked Ed Ellinger about fees that are attached when Development Corporations come before the Planning Commission. He specifically was asking about a letter received from Brenda Wick, P.E., HRG and a final developmental plan for the Felton Lofts projects. Mr. Ellinger explained his belief of how these fees should be paid. Solicitor Wion said he will go over these fees and process with Mrs. Zell.

**AUDIENCE PARTICIPATION:**

There were no comments.

**COUNCIL CONCERNS:**

**Mr. Shaver:** thanked everyone for coming to the meeting.

**Chief Spangler:** stated that PA DUI was giving out 20 grant requests in the state and we were awarded one of them for \$2,500. Also, Arcelor Mittal Steel had a grant for \$2,500 dollars which we were awarded.

**Mayor Acri:** stated that ArcelorMittal is doing a lot for the Community.

**Mr. Wright:** stated that he will be representing the Borough at the Capital Tax meeting at the Dauphin County Conservation District.

A motion was made by Mr. Shaver, and seconded by Mr. Heefner to go into executive session at 8:17 p.m. Motion carried.

**ADJOURNMENT:**

The meeting reconvened at 9:56 p.m. There being no other business before Council, a motion was made by Mr. Shaver and seconded by Mr. Heefner to adjourn at 9:57 p.m.

Respectfully submitted,

---

John M. DeSanto, Jr.  
Borough Secretary

---

Dennise L. Hill  
Executive Administrative Assistant