

The regular monthly meeting was called to order at 6:34 p.m. by President, Jeffery Wright with the pledge of allegiance, followed by a moment of silence by Mayor Acri.

In Attendance:

Jeffery L. Wright
Stephen Shaver
Michael Albert (excused at 8:20 p.m.)
Dennis Heefner
MaryJo Szada (excused at 8:25 p.m.)
Maria R. Marcinko

Absent:

Lisa Wiedeman-Krosnar (arrived at 7:50 p.m and excused at 8:10 p.m.)

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

APPROVAL OF MINUTES:

The minutes from the January 19, 2010 Council meeting were presented for approval.

Mr. Wion noted that in the January 19, 2010 minutes, page (2) in the bottom paragraph the first sentence speaks to a representative from Arcelor Mittal – as you will recall we had (3) rights of way (1) Dura Bond (2) was Arcelor Mittal (3) was Mr. and Mrs. Stake. The information about whether or not there would be a permanent easement really deals with the Stake situation, so there is a paragraph, I believe that talks about the Arcelor Mittal Easement which is missing because that language at the bottom is dealing with the Stakes and we did talk about the Arcelor Mittal one also. So I would just recommend that the minutes be approved subject to the revision of this particular paragraph to include the section that is missing.

On a motion made by Mr. Albert, seconded by Mrs. Marcinko, Council Members present unanimously voted to approve the January 19, 2010 minutes, pending the suggested changes.

EXECUTIVE SESSIONS HELD BETWEEN MEETINGS: (Secretary DeSanto):

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

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

Mr. Shaver thanked Borough staff for the additional information and details provided, per Council's request at the last Council Meeting.

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

APPROVAL OF DEPARTMENT REPORTS:

Neighborhood & Economic Development: Mr. Wright directed Council's attention to the NEDC notes, which are included in their packets.

Finance

Fire and Ambulance

Personnel

Police

Code Enforcement

Public Works: Mr. Heefner stated that recently inaccurate information was released regarding the budgeted funds for snow removal. Mr. Heefner gave the following update on snow removal issues: 200 tons of salt were received today and the Public Works department has an agreement with neighboring municipalities to assist in the clearing of snow; today the Public Works department cleaned the Locust Street Steps and opened some of the smaller streets; Mr. Ed Chambers contracted to the Borough two 25 ton trucks to aid in the removal of the snow; repair work was done on Truck #1 and Truck #14.

Mr. Shaver noted that Truck #14 cost more than \$10,000.00. Mr. Heefner said that this was discussed prior to the work being done. It was decided that the repair would be more cost effective than purchasing a new truck.

Mr. Wright said that school students that catch the bus at Second and Walnut Streets have had to catch the bus at Front and Walnut Streets due to snow. He said that this is a danger to have the children crossing Front Street. Mr. Heefner said he will address this issue.

Mr. Heefner said that the new parking meters are not working. He said that Mr. Conjar will contact the company and assess if the batteries have gone bad. He also said that CDL licenses need to be discussed. There was no rotation for drivers to get rest during the recent snow storms. He recommends sending a memo to staff requiring all drivers to obtain a CDL license by the end of September. Mr. Conjar notified Mr. Heefner that it should not take any longer than six months. He said we could possibly hire part time, seasonal workers.

Mr. Conjar told Mr. Heefner that he would like to have one summertime worker. The individual would work half a day in the Borough building and half a day on the road.

Lastly, Mr. Heefner said that the East End Sewer Separation is on track to open bids on March 1, 2010 and for the project to begin on May 1, 2010.

Mayor's Report – Mayor Acri said he had nothing to report at this time.

On a motion made by Mr. Shaver, seconded by Mr. Albert, Council Members present unanimously voted to approve the department reports as presented.

PUBLIC COMMENT: Agenda Items Only

Pauline Douglass; 433 Bessemer Street

Mrs. Douglass thanked Mr. Heefner for the detailed report he gave. She asked if the snow that has been piled up along the curbs will be removed. Mr. Heefner said that the Public Works will do their best to clear and remove as much snow as possible. However, Front and Second Streets are the first priority since they are snow emergency routes. It is a possibility that other streets may not be cleaned, due to budgetary constraints.

Jean Barr; 349 S 4th Street

Ms. Barr stated that she lives on Cottage Hill and residents in that part of the town could not get in nor could emergency vehicles get to them, if needed. She noted that 6th Street was cleaned but, many of the others in that area were not. Mr. Wright stated that due to budgetary constraints, the Public Works department could not clear every street but, they did the best they could. Ms. Bar then said that there was recent notification indicating that the water and sewer charges will be increased. She said that individuals relying on SSI for income will not be able to afford an increase. Mr. Wright said that Borough Council has fought to avoid tax increases and water and sewer increases were necessary.

COMMUNICATION:

AFSCME COUNCIL 90 – Letter of formal notice of the Union's intention to renegotiate its collective bargaining agreement with the Borough.

This was submitted for Council's information.

Jason G. Saylor, P.E. Herbert, Rowland & Grubic, Inc. – Letter to Mr. Chris McClure of Rogele, Inc. regarding work being done with Front Street (SR 0230) Enhancement Project, Borough of Steelton, Dauphin County, PA.

This was submitted for Council's information.

Joshua P. Hanes, E.I.T. Herbert, Rowland & Grubic, Inc. – Memo referencing his attendance on behalf of the Borough as our Engineer at the Dauphin County ACT 167-Plan WPAC, HRG Project No. 1337.0051 Storm water management plan.

This was submitted for Council's information.

SSA Garret J. McKenzie FBI Unit Chief, TSC Operations – Letter of appreciation to Police Chief Spangler and Officer William Shaub in alerting the TSC of a possible match to a Terrorist Watch list that resulted in a “positive match.”

On a motion made by Mr. Shaver, seconded by Mrs. Marcinko, Council Members present unanimously voted to have this letter of appreciation placed in Officer Shaub's personnel file.

Sharon Cash (Email); Resident of Steelton – A compliment to our road crew and a suggestion offered for consideration.

This was submitted for Council's information.

Storb Environmental Incorporated – Letter of downstream notification and public notice for Roadway Express, Inc. regarding 1,050,000 gallon tank of Ultra Low Sulfur Diesel above ground on premises as required by DEP.

This was submitted for Council's information.

UNFINISHED BUSINESS:

Dennis C. Heefner, Councilman Chairman, Planning Commission – Letter of recommendation to Borough Council to approve Preliminary/Final Land Development Plan for Felton Lofts.

Mr. Heefner stated that Winn Development has slightly changed their footprint. He recommends that the plans be approved by Council.

Jason D. Gutshall, P.E. Land Development Division Manager Navarro & Wright, Inc. – Steelton Walnut LP is seeking approval of its revised land development plan for Felton Lofts. The original plan was conditionally approved by Borough Council at the August 17, 2009 meeting.

Mr. Wright asked Mr. Gutshall how many parking spots will be on 4th Street. Mr. Gutshall said there are nine (9) and there are 12 in front of the old auditorium. Mr. Heefner said he received a letter of approval from the Steelton Planning Commission. He also received a letter from Tri-County Planning Commission stating that there are no additional comments after the previous four are addressed. Those issues have since been taken care of.

On a motion made by Mr. Shaver, seconded by Mrs. Marcinko, Council Members present unanimously voted to approve the waiver of Section 99-13 and 99-14, regarding the preliminary plan.

On a motion made by Mr. Shaver, seconded by Mrs. Marcinko, Council Members present unanimously voted to approve to waive Section 99-19.F1, regarding driver separation distance from an intersection.

On a motion made by Mr. Shaver, seconded by Mr. Albert, Council Members present unanimously voted to approve to waive Section 99-40.A, regarding buffer yards.

On a motion made by Mr. Shaver, seconded by Mr. Albert, Council Members present unanimously voted to approve to waive Section 99-41, regarding screening.

On a motion made by Mr. Shaver, seconded by Mr. Heefner, Council Members present unanimously voted to approve to waive Section 99-38, pending documentation with regard to the lighting plan as set forth in paragraph (2) of the February 16, 2010 letter from Herbert, Roland and Grubic, Inc. Mr. Wion asked Mr. Gutshall whether or not he had the authority to agree to this condition as an agent for Steelton Walnut, LP; Mr. Gutshall indicated that he did have such authority and would sign the appropriate document accepting this condition.

Resolution 2010-R-7 Approving final subdivision contingent upon the developer meeting specified conditions and obtaining satisfactory financial security was presented for Council's consideration.

On a motion made by Mr. Shaver, seconded by Mr. Heefner, Council Members present unanimously voted to adopt Resolution 2010-R-7 as presented.

Jeffery Wright, Council President Chair, NEDC – It is the recommendation of the Neighborhood & Economic Development Committee to request Solicitor Wion reach out to the owner of 173 Adams Street Steelton, PA, regarding purchase.

On a motion made by Mr. Shaver, seconded by Mr. Albert, Council Members present unanimously voted to authorize Mr. Wion to discuss the possible purchase of 173 Adams Street with the current owners.

NEW BUSINESS:

Thomas F. Acri, Mayor – Declaration of Disaster Emergency resulting from the Winter Storms Saturday 6th through Wednesday, February 10, 2010.

Mr. Shaver stated that this is to ratify the disaster declaration that was instated on February 6, 2010. The snow emergency was declared on February 5, 2010.

Mr. Lehman added that a disaster declaration enables the Borough to receive funds, should PEMA and/or FEMA make them available. This is a proactive measure to prepare in case funds are released. He has not been notified of a release date yet.

On a motion made by Mr. Shaver, seconded by Mrs. Marcinko, Council Members present unanimously voted to ratify the Disaster Declaration from February 6, 2010.

Paul Lundeen, Esq., Bond Counsel Rhoads & Sinon, LLP – Present an Ordinance to authorize and secure issuance of a Debt Obligation in the maximum principal amount of \$8,000,000 to Pennsylvania Infrastructure Investment Authority (PENNVEST) UNDER pa Local Government Unit Debt Act for construction and improvements to the Borough’s Sewer System.

Mr. Lundeen said that this document is the same as the as the last one that was submitted. There have been some minor grammar/spelling changes. There were no substantial changes made. This was advertised in the newspaper on February 12, 2010.

On a motion made by Mr. Shaver, seconded by Mr. Albert, Council Members present unanimously voted to authorize Mr. Wright, Mayor Acri, and Mr. DeSanto to sign and enact Ordinance 2010-1, in the maximum amount of \$8,000,000.00. A roll call vote was requested and was as follows:

Dr. Szada: yes
Mrs. Marcinko: yes
Mr. Albert: yes
Mr. Wright: yes
Mr. Shaver: yes
Mr. Heefner: yes

Mrs. Wiedeman-Krosnar was absent.

Mr. Leber added that he appreciates the opportunity to serve the Borough for three decades. He will still be working with the Borough however; Mr. Lundeen will serve as the lead counsel on the project.

Mr. Heefner said he appreciates the time that Mr. Leber has devoted to the Borough.

Mayor Acri wished Mr. Leber good health.

Mr. Shaver thanked Mr. Leber for all he has done.

Resolution 2010-R-8, Authorizing the acquisition of a Right-of-Way for Sewer Facilities from the Pennsylvania Turnpike commission and authorizing the

execution thereof for the Steelton Borough East End Sewer Separation Project was presented for Council's consideration.

On a motion made by Mr. Albert, seconded by Mr. Shaver, Council Members present unanimously voted to approve Resolution 2010-R-8, as presented

Resolution 2010-R-9, approving an agreement to authorize electronic access to Penn Dot systems (Political subdivisions) and the appropriate execution thereof was presented for Council's consideration.

On a motion made by Mr. Shaver, seconded by Mr. Albert, Council Members present unanimously voted to approve Resolution 2010-R-9 as presented.

John M. DeSanto, Jr., Secretary Treasurer – Seeking approval of Patriot News twelve month advertising agreement at agreed upon minimum \$1,500 in advertising from 2/5/10 – 2/5/11 which discounts per line cost on all ads substantially.

Mr. DeSanto notified Council that with this agreement the Borough would have to spend \$1,500 in one year. Since January 8, 2008, the Borough has spent \$13,647.00.

On a motion made by Mr. Albert, seconded by Mr. Heefner, Council Members present unanimously voted to approve the Patriot News 12-month advertising agreement.

Mr. Shaver thanked Mr. DeSanto for his great work on this.

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.

AUDIENCE PARTICIPATION:

There were no comments.

COUNCIL CONCERNS:

Mr. Heefner: thanked Council for taking the extra step on the East End Sewer Separation Project by adding R Street. He also asked Mr. DeSanto if he had contacted Plymouth Park. Mr. Wion said that he reviewed the contract back to 2006 and those two parcels were not listed. He advised Mr. DeSanto that he did not have to contact Plymouth

Park. Lastly, Mr. Heefner asked Mr. DeSanto to include a resolution of any tasks he is given in the Council packets.

Mr. Shaver: thanked staff, Mr. Heefner, and Mrs. Marcinko for their work on the East End Sewer Separation Project. He thanked Winn Development for continuing to work diligently to make Felton Lofts a reality. Mr. Shaver also thanked everyone for attending the meeting.

Mrs. Marcinko: thanked Mr. Heefner for staying up with the Public Works crew through the storms and keeping Council updated. She said that hopefully, the Borough will be able to utilize the parole and probation individuals for projects in the town. Lastly, she said that she has been getting a great response on the Trap/Neuter/Return program.

Dr. Szada: said that she has mixed feelings on the snow removal throughout the Borough. She thanked everyone for attending.

Mayor Acri: received a thank you letter from the Conjar family for the flowers sent to them at the loss of their beloved brother.

Chief Spangler: reminded everyone that the Crime Watch meetings have been changed from the first Tuesday of each month to the second Tuesday of each month.

Miss Hill: stated that the Black History Month Celebration will be held on February 25, 2010 at 6pm at the Prince of Peace School.

Mr. Wright: thanked the Public Works department, Steelton Police Department, and Mr. DeSanto for their hard work during the snow storms.

A motion was made by Mr. Shaver, and seconded by Mr. Albert to recess into executive session at 7:49 p.m. Motion carried.

The meeting reconvened at 9:09 p.m.

ADJOURNMENT:

There being no other business before Council, a motion was made by Mr. Wright, seconded by Mr. Shaver to adjourn the regular meeting at 9:10 p.m.

Respectfully submitted,

John M. DeSanto, Jr.
Borough Secretary

Dennise L. Hill
Executive Administrative Assistant

Per Dave Wion at the 2/16/10 meeting

In the January 19, 2010 minutes, page (2) bottom paragraph the first sentence speaks to a representative from Arcelor Mittal – as you will recall we had 3 rights of way (1) Dura Bond (2) was Arcelor Mittal (3) was Mr. and Mrs. Stake. The information about whether or not there would be a permanent easement really deals with the Stake situation, so there is a paragraph, I believe that talks about the Arcelor Mittal Easement which is missing because that language at the bottom is dealing with the Stakes and we did talk about the Arcelor Mittal one also. So I would just recommend that the minutes be approved subject to the revision of this particular paragraph.