

**Borough of Steelton
Council Agenda
April 6, 2015**

Call Meeting to Order: President Jeffery Wright

Pledge of Allegiance: President Jeffery Wright

Moment of Silence: Mayor Thomas F. Acri

There were no executive sessions held between meetings.

Public Comment on Agenda Items Only

Presentations:

Josh Fox, HRG

Engineering Activities
(February 2 – March 2, 2015)

Communication:

None

Unfinished Business:

Police Chief King

Resolution approving change of traffic flow on three streets, creating one-way roads, which was tabled at the prior Council Meeting

New Business:

Borough Manager

Discussion to lease a 2015 Ford Police Sudan

Jamie, McNeese Wallace

Presentation about Resolution for the Verizon Wireless Subdivision Plan

Mr. Wion

Resolution approving the filing of a Statement of Financial Interest by specified public officials and public employees

Audience Participation

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Council Concerns

Executive Session

Other Business

Adjournment

Minutes
Steelton Borough Council Meeting
April 6, 2015

Present:

Jeffrey L. Wright, Council President
Maria Romano Marcinko, Vice President
Michael Albert, Pro Tem
Brian Proctor, Councilman
MaryJo Szada, Councilwoman
Stephen Shaver, Councilman
Denae House, Councilwoman

Thomas F. Acri, Mayor

Sara Gellatly, Borough Manager
John King, Police Chief
Ken Klinepeter, Director of Public Works
Sylvie Brubacher, Codes Officer
Joshua Fox, P.E., HRG
David a. Wion, Solicitor

The April 6, 2015 meeting was called to order by Council President Jeffrey Wright at 6:30 p.m. followed by the Pledge of Allegiance and Moment of Silence led by Mayor Thomas F. Acri.

President Wright announced that there were no Executive Sessions held between meetings.

There were no Public Comments on Agenda Items only.

Presentations:

Joshua Fox, HRG, presented the monthly engineering report. Mr. Fox reported the the bids for the pump station sewer grinder project were received and opened on March 13, 2015. The lowest bid was in the amount of \$328,887.00 and that was received from PSI Pumping Solutions, Inc. The bid and executed agreements have been reviewed and approved by solicitor Wion and the Dauphin County.

Borough Manager Gellatly asked for authorization for HRG to issue the notice of award and notice to proceed for the pump station sewer grinder improvement project to PSI Pumping Solutions, Inc. in the amount of \$328,887.00 contingent upon approval of the bid and agreements by Dauphin County. Ms. Gellatly reminded Council that this project is fully funded by Dauphin County CDBG program.

President Wright called for a motion in the amount of \$328,887.00 for PSI Pumping Solutions, Inc. Councilman Albert made the motion, seconded by Councilwoman Marcinko. Motion carried unanimously.

Mr. Fox reported on the Pine and Harrisburg Street project. Mr. Fox stated that last month he reported that we did meet the deadlines for PennDot to incorporate both water and sanitary sewer, and stormwater into the project. Mr. Fox further reported that HRG had met with PennDot at the end of February to review some additional stormwater work that HRG found in the area between Ridge and Adams Street on Harrisburg Street. PennDot has approved that additional work and has incorporated it into their project for an estimated savings to the Borough for approximately \$160,000. As far as the schedule for the project, the work on the Pine Street is expected to begin on July 6, 2015 and be completed by November 20, 2015. Harrisburg Street is expected to begin on March 14, 2016 and be completed on August 19, 2016. The work hours will be 7:00 a.m. to 5 p.m. and the contractor will have flaggers on site to help with local traffic during construction. The road will be open to local traffic in the evenings.

Mr. Fox reported on the Baily and Bessemer groundwater icing issue that the Borough experienced over the winter. Mr. Fox met with Borough Manager Gellatly and Public Works Director Ken Klinepeter on site to review the issue. During that site meeting, it was observed that water was still coming out of the ground. Public Works Director Klinepeter stated that the water was tested to insure that it was not a water main leak and it was found that it was not a water main leak. It is definitely an underground spring issue. HRG will come up with a cost estimate and a design to determine the cost of resolving this issue.

Councilwoman Marcinko asked about the Streetscape Phase 2 punch list to insure that the Fire Department's issues were noted.

Solicitor Wion asked Mr. Fox if the transportation enhancement program supplemental aid reimbursement agreement should be approved by Council tonight. Mr. Fox stated it should. Mr. Fox stated that the form was received Friday from PennDot and it does extend the award amount from \$800,000 to \$1,163,393.00. Councilman Shaver asked Mr. Wion if he had an opportunity to review the document. Mr. Wion stated that the document appears to be in order. Mr. Wion stated that Council needs a motion to approve and accept the agreement. \$363,369 is the additional amount to amend the project. A motion was made by Councilman Albert, seconded by Councilman Proctor to approve and accept the agreement for \$363,369. Motion carried unanimously.

Mr. Fox reported on the Firehouse Improvement Project. Mr. Fox stated that he met with the Borough Manager and members of the Fire Department and the Fire Marshall to go over the project. Originally the project consisted of mostly addressing the water damage, the new generator, and replacing and remediating the front ledge of the building. After HRG reviewed the project in detail, there were concerns about the deep excavation that would be along the South and East walls. During a subsequent meeting

with the Fire Department, a new concept (Interior Water Management) was reviewed where instead of stopping the water from penetrating the wall all together, you actually allow a conduit for the water to come through the wall and it drains to a sump pump in the basement. This method comes with a 5 year warranty. Mr. Fox stated HRG did amend their proposal to include this method. The major items included in the Fire House Improvement Project are: The exterior work which includes a waterproofing membrane, excavation of the south and east walls, replacing the stairwell in the area of excavation, removing the exterior ventilation box, removal of a diesel tank, replacement outside generator, shelf contained unit. The interior repair work remains the same which includes digging up a trench along the south and east walls, new dry wall, outlet replacement, and painting. The work also includes the second floor front ledge, with replacement windows. SGS Architects will be doing all the interior work as Keystone Engineering. The total cost of this project will be \$92,000, which includes everything. Mr. Shaver asked if the generator will be behind the fire station or in the parking lot. Mr. Fox said it will go behind the fire station. President Wright entertained a motion in the amount not to exceed \$92,000 for the Fire House Improvement Project. The motion was made by Councilman Proctor and seconded by Councilwoman House. Motion carried unanimously.

New Business:

Mr. Wion reported that pursuant to a traffic survey completed by the Police Department, they had recommended the granting and placement of a special purpose parking area on Walnut St., the northwest side, for Carina Wright, which is a portion of 117 Walnut Street and 51 South Second Street. This is Resolution 2015-R-9 for Council's consideration. A motion was made by Councilman Albert, seconded by Councilwoman House. Motion carried unanimously.

Mr. Wion reported that pursuant to a traffic survey completed by the Police Department recommending on South Front Street the northeast side a special purpose parking area for Tina Vasques Galvez, which would be along the frontage of 741-743 South Front Street. This is Resolution 2015-R-10 for Council's consideration. A motion was made by Councilman Albert, seconded by Councilwoman House. Motion carried unanimously.

Council President Wright stated that the next item was not on the agenda but Mr. Wion asked that it be placed on the agenda to discuss the final land development plan for Dura-Bond pipe. Mr. Joe Stine, Pentra Engineering and Ken Staver, Lobar Engineering and Design were present on behalf of Mr. Ryan Norris of Dura-Bond. Mr. Stine stated they were before Council this evening to get action on the preliminary/final land development plan to build a new office building. Mr. Stine stated he has received Planning Commission approval and soon to have E & S approval, PennDot approval and they are coordinating with Public Works regarding sewer and water. Mr. Stine said he would answer any questions from the Council. Mr. Wion stated that for the record it is his understanding that this has been before the Planning Commission and the Planning Commission has recommended its approval, with certain waivers and conditions and

the same is true of the Dauphin County Planning Commission which has also reviewed the plans and recommended it for approval. We have an Engineer's assessment letter dated April 1, 2015 indicating the review by the Engineer of the plan. Mr. Stine reported that Dura-bond has also been coordinating with Joshua Haines of HRG regarding the improvement cost estimate. Mr. Wion stated that there are several matters that the Council first has to consider. One is the waiver of the request for preliminary plan requirement that is that this is a preliminary/final plan having the preliminary plan submitted and approved and then the final plan approved. A motion is needed from the Council to grant a waiver of the preliminary plan requirement under section 99-12. President Wright asked if Council had any questions before he entertains a motion. Councilman Albert made a motion to grant the waiver of the preliminary/final plan, seconded Steve Shaver. A roll call vote was taken....Szada - yes, Proctor - yes, Albert - yes, Wright - yes, Marcinko - yes, Shaver - yes, House - yes. The motion carried unanimously.

A motion was needed for the sidewalk under section 99.934. Mr. Stine stated that Dura Bond is looking for relief of sidewalk along this portion of South Front Street, since there is not existing sidewalk along this side of Front Street. Mr. Stine stated that they have waiver from PennDot for this. A motion was made by Councilman Shaver and seconded by Councilman Albert. Motion passed unanimously.

Mr. Wion stated that those are the waivers for this plan but there are a number of other conditions that need to be accepted by the developer before the plan can be recorded. A copy was signed tonight and a copy provided that indicated that first the developer will obtain the execution of all signature blocks; second..an execution stormwater operation and maintenance agreement acceptable to the Borough should be provided; third...an executed copy of the erosion and sedimentation control approval letter to Dauphin County Conservation District shall be provided; fourth...a Zoning/Hearing Board deemed approval for a variance for the acquired parking set back distance for section 120-58G.1 of the zoning ordinance must be evident. They had sought an application under the Zoning/Hearing Board because no hearing was held it is a deemed approval which Mr. Wion understands is being advertised and posted and may already have appeared, which is consistent with what the law requires in order that parking set back distance variance to be obtained; five....a letter from the Steelton Authority that water will be provided to the site; six...the developer has to submit an estimate of the cost of the completion of the improvements as defined in our codes section 99.15b.1.

Mr. Wion stated he believed there was a question about EDU's or the application of EDU's for both water and sewer and HRG was suggesting that EDU's would be needed. Mr. Wion needed to know from HRG if this matter had been resolved. Mr. Wion asked Mr. Fox what was HRG's positioning this matter. Mr. Fox stated that they are still working on this.

Mr. Wion stated that a condition, if there was an approval, would also be that a appropriate resolution of issue of EDU requirements will be completed. Mr. Wion asked the Developer if these conditions were acceptable and he stated, yes.

Resolution 2015-R-11, which is a resolution approving the final subdivision contingent upon the developer meeting the specified conditions and obtaining satisfactory financial insurance. The Resolution then spells out the requirements and that the developer provides the appropriate financial security, which has to be approved by our engineer. Once confirmed the developer will enter into an improvement guarantee and provide financial security and all these things will have to be accomplished before the plan is in position to be recorded. The plan must be recorded before any work is done. Council President Wright called for a motion for the approval for Resolution 2015-R-11. Councilman Albert made a motion, seconded by Councilman Proctor. The motion carried unanimously.

Audience Participation:

1. Joyce Culpepper, 237 Harrisburg St., Steelton, PA 17113

Ms. Culpepper stated that she has 3 questions. She wanted to know when UGI would be replacing the lines on Harrisburg Street between Lincoln and Ridge. She stated that she needs to know because she has some structural damage to her house underneath her porch.

Ms. Gellatly states she met with UGI regarding this and UGI stated that it will not be until 2016.

2. Melissa Milberry, 349 Spruce Street, Steelton, PA 17113

Ms. Millberry asked why her son was issued a no trespassing notice for Borough Hall.

Chief King told her that Markis has called him and he should share that information with her.

3. Brandon Flood, 2611 South Second Street, Steelton, PA 17113

Mr. Flood stated as a follow up to Ms. Millberry's inquiry, he talked to the Chief and the Chief said he communicated why to Mr. Millberry was prohibited. Mr. Flood stated it is a matter of transparency, he doesn't care whether it was Mr. Millberry or anyone else. Once the order was brought to his office (Pennsylvania Black Caucus), clearly there was not rational as to why that is, so the way it was interpreted is that anyone could be issued an order without a rational.

Council President Wright stated that on advice of counsel, Council would not be answering his questions.

4. David Botero, 100 Block of Walnut Street, Harrisburg, PA

Council President Wright stated that since Mr. Botero was not a resident of the Borough of Steelton he would not entertain his questions.

5. Candice Ann Zlogar, 380 South 7th Street, Steelton, PA 17113

Ms. Zlogar asked if Council could outline any of the reasons why any of the residents could be arrested at this meeting.

Council President Wright said that he would not entertain questions regarding Mr. Millberry. Ms. Zlogar said she was not talking about Mr. Millberry but about everyone else. For example, if someone said something the wrong way at Council Meeting.

Council President Wright stated again that he would not entertain any questions regarding Mr. Millberry's situation.

Ms. Zlogar also asked if the water was safe to drink and will the residents get a letter that states what has been fixed in the water plant.

6. Natasha Woods, 181 South Front St., Steelton, PA 17113

Ms. Woods is speaking in regard to David Botero's request. He was given word that he would be on the agenda for this evening's meetings to talk about the Multi-generational Park on Mohn Street. He has come before the body before in reference to having a handball court. He was told by Ms. Gellatly that he would be put on the agenda for tonight. As a resident and a friend of Mr. Botero's she is upset that he was not given that opportunity.

7. David Botero, 100 Block of Walnut Street, Harrisburg, PA

His youth mentoring program crosses borders. He hopes that a handball court is added in the future. Mr. Botero reminded Council of the benefits of handball court. He doesn't believe a tennis court would be used as much as a handball court.

Council President Wright stated that this should have been brought to the NEDC Committee. He said that Mr. Botero should work with Councilman Proctor on this.

8. Joanne Little, 247 South 4th Street, Steelton, PA 17113

She was concerned about the lack of meeting minutes that are available to the public to read. She knows it was brought up several meetings ago and wanted to know if there was any progress in getting those minutes available to the residents.

She also asked if there was someone on Council the residents could work with that might be able to give guidance on how to get assisted for elderly or lower income people with their property repairs.

Council President Wright stated that this would be under the NEDC Committee and he said he would let the Borough Manager answer the question about the minutes. Ms. Gellatly stated that we currently appointed someone to start catching up on the minutes and as soon as they start getting produced Council will approve them and then they will go up on the website.

Ms. Little asked if there was a recording. Borough Manager Gellatly stated all meetings are recorded.

9. Emmual Powell, 321 Lebanon Street, Steelton, PA 17113

He stated he has been coming to Council meeting for years, and he said he never saw anything like he did tonight. He believes that Council did not know what they were voting on.

Councilwoman House asked what portion of the meeting Mr. Powell was speaking to. She said that we had gone over waivers at previous meetings so we did know what we were voting on.

Mr. Powell was concerned about the 2 minute rule.

Council Concerns:

Councilwoman House: Nothing

Councilman Shaver: Nothing

Councilwoman Szada: Nothing

Councilman Proctor: Reported on the Helping Hands program. The Easter Egg hunt was a success. The roof on the baseball field will be replaced before baseball starts.

Councilman Albert: Where are we at with the State Store? Ms. Gellatly stated they had 18 months to complete.

Mr. Wion: Asked for an Executive Session for potential litigation.

Borough Manager Gellatly: The Code Department Secretary position is going to be filled and we are accepting applications until Monday, April 20, 2015 at 4 p.m.

Vice President Marcinko: Reported that the signs that were worn and reported by a resident Kaminsky were replaced. Reported that the 3rd Street Steps and 3rd and Blueberry Alley are cracked. They are the responsibility of the Borough and will be replaced. Councilwoman Marcinko reported that she received complaints about Republic on Front Street. Bailey Street playground and the Locust Street steps were vandalized again. Reminded everyone about the Veteran's Appreciation Parade and

Council's honoring the veterans who died in Vietnam and the Taste of Steelton on May 12, 2015.

Council President Wright stated that every year we adopt Robert Rules of Order. He as, Council President, has no more power than anyone else.

A motion was made by Councilman Albert, seconded by Councilwoman Marcinko to go into Executive Session at 7:50 p.m.

A motion was made by Councilman Albert, seconded by Councilman Proctor to return to regular session at 8:45 p.m.

A motion was made by Councilman Albert and seconded by Councilwoman House to accept the resignation of Police Office Thomas Cuckovic after 35 years of service. Motion carried unanimously.

A motion was made by Councilman Albert, seconded by Council Proctor to terminate the employment of Sylvia Brubacher but to give her the option to resign. Motion carried, Councilwoman House abstained from voting stating because she is a mother.

A motion was made by Councilman Shaver and seconded by Councilwoman Marcinko that the 2015 wholesale sewer rate of \$1.94/1000 gallons be approved, conditioned upon the receipt of a release from CRW of the Unreleased Claims, that the Borough pay its proportionate share of the AUS and GHD fully allocated cost study (said study not to exceed \$50,000.00), and that the Borough accept its \$58,800.00 share of the proposed \$1,500,000.00 distribution.

A motion was made by Councilman Albert, seconded by Councilwoman House to adjourn at 8:50 pm.

Respectfully submitted: