

**BOROUGH OF DUNCANNON
COUNCIL MEETING MINUTES
June 17, 2014**

- Members Present:** President Duane Hammaker, Frank Eppley, Kraig Nace, Michael Bomberger, Gerald Bell, and Mayor Jack Conrad
- Members Absent:** Fred Lauster (informed Mr. Hammaker he would be absent due to illness), Roger Williams
- Others Present:** Solicitor – Susan Smith, Borough Manager – Lynn Roche, Engineer – Ron Brown, Tom deChamplain – Codes Enforcement, Officer Pickles from the Penn Township Police Department
- Citizens Present:** Richard Blumenstein, Tagg Tolene, Kathy Smith, Tim Smith, Sean Sanno, and Henry Holman Jr..

President Hammaker opened the meeting at 7:35 pm on June 17, 2014 with a moment of silence followed by the Pledge of Allegiance to the American Flag.

Minutes: Bell/Bomberger: approve May 20, 2014 minutes; as corrected – PASSED

Page 2, last sentence in large paragraph should read, "Lynn Roche said the amount" instead of Susan Smith. Page 7, in Delinquency/Terminations, Mr. Sylvester should be changed to Mr. Lauster. Page 7, Penn DOT follow up, Mr. Conrad should be changed to Mr. Bomberger. Page 9, motion to re-enter regular session was opposed by Mr. Bell, not Mr. Conrad.

RECOGNITION OF CITIZENS

Henry Holman Jr. commended the borough on work being done at the Clarks Ferry Tavern. He is impressed by the improvements being made and hopes to see them continue. Mr. Holman discussed the dangers of poisonous Hemlock and how it can be eradicated. He pointed out some problem areas within the borough and offered assistance in the removal. He provided an informational packet to assist in identification of Poison Hemlock and the dangers associated with it.

Mr. Holman also wanted to assure the council that he is monitoring the Penn Township Police department. He gave assurances that they are providing 24/7 coverage and that any overtime is being paid by grant monies. If any questions should arise on this issue feel free to contact him.

Richard Blumenstein questioned the landlord responsibility to settle past due Electric bills when tenants move from the property. He also asked how security deposits were returned or if they were applied to past due bills. He asked if there was any way for security deposits to be kept longer than one year.

Tagg Tolene discussed that with PP&L your past due electric bills will follow and be added to your bills at your new address. Mr. Tolene also questioned landlord responsibility to settle past due electric bills. Mr. Hammaker explained that ordinances and policies have been put in place to ensure that delinquent bills are kept at a minimum. The borough was once at a point of over \$90,000 in delinquent funds. All utility cut-offs are in line with current borough policy.

CORRESPONDENCE

ISO Correspondence – Public Protection Classification Survey

Our current public classification for fire hydrants is a 6. Mr. Hammaker's understanding is that this is a fairly decent number. The ISO assists in fire insurance premiums. Mr. Nace would like a comparison of our classifications over the past five or 10 years. Ms. Roche will look into past records. These classifications are in a different format than past classifications.

Street Sweeper Request

Mr. Patrick Bowen from DEP contacted Lynn with a request asking that we lend our street sweeper to the Newport Borough.

Discussion

Mr. Brown suggested that DEP may be requiring street sweeping to reduce the amount of contaminants entering the river. Council does not feel that it would be practical to send our street sweeper to Newport. It is not in the best condition and there are other avenues for Newport to explore, including equipment rental or contracting street sweeping services. Ms. Roche will contact them with a response that Council does not feel that it is not a practical arrangement.

Duncannon Fire Company

A letter was sent from Fire Chief Byron Worner requesting that all fire Hydrants, maintained by the borough be flow tested according to National Fire Protection Agency (NFPA) guidelines. He also requested a copy of the testing results and that the hydrants be color coded according to the NFPA.

Discussion

The last Flow testing done in the borough was done in 1992 when Mr. Nace did flow testing in for his Eagle project. Mr. Brown will get an estimate for Flow Testing.

Utility Service Company, Inc.

USI sent a proposal/bid on work to be done on the Prospect Avenue Tank.

Discussion

Mr. Brown advised that the tank not be drained until after PennDOT Market Street bridge work is completed. The last work done on the tank was just a camera inspection and did not include cleaning or painting. Ms. Roche will check to see if the withdrawal date is firm at 60 days. It was also questioned whether or not painting was included in the estimate.

REPORTS

Mayor's Report – Mayor Conrad reported that he has a commendation and 'Key to the City' prepared for Colleen Altares of the Duncannon Girl Scouts. He will be presenting it to her this week. He reminded council the ATC celebration will be held on Saturday, June 21.

Mr. Conrad questioned council committees and why some members were on many and some on few. Mr. Hammaker explained that is just how it worked out.

Police Report – Officer Pickles reported that things are going well in the department. They have hired one new officer and the department now has 7 part time and 2 full time officers. Interviews remain ongoing as all part time officers are on lists for full time positions in other police departments. A case from 2011 has been finalized with trial and 9 guilty counts, sentencing will take place in the near future.

Mr. Hammaker offered a key to the borough building for officers to use as a base while the bridge construction is ongoing. Officer Pickles declined.

Mr. Eppley asked Officer Pickles if he was aware of future plans to close 11 & 15 at the cove mountain and he has been informed. Officer Pickles will be going to the meeting to be held on June 25th to discuss this closure and will bring copies of any information available to Mr. Eppley.

Secretary/Treasurer's Report

Bomberger/ Bell: motion to approve report as presented - **PASSED**

Borough Manager's Report – written report attached - Ms. Roche stated that she has had several meetings with Gutelius Excavating Inc., they are the sub-contractor for the water line. The lines were cut and capped yesterday (June 16). They filled with cracker dust and 2A stone and concrete easement. The bridge has been cut and is being removed. The Market Street bridge project remains on schedule and reported late September re-opening dates are false. All of the office staff has been trained to accept credit card payments. Flexibill is now generating the 10 day notices, the 48 hour, and the termination notices. The 10 day notices went out yesterday with a due date of the 26th of June. A letter was received from Pennoni on the MH144 -146 market Street sewer replacement and they are awaiting the documents before notice to proceed. They were supposed to start the end of June, however they are now looking at early July, after the 4th.

Bills To Be Paid/Ratified

Two pages of bills to be ratified were presented as well as 1 page of credit card expenses

Bell/Bomberger: motion to pay and ratify the bills including credit card expenses as presented – PASSED

Solicitors Report – Ms. Smith stated that she worked on some employee issues, a bonding issue, and the hearing held earlier in the evening. She has been monitoring the third party unemployment compensation situation and continues to contact them in hope of getting the borough address listed as an official address. PSABS has also been struggling with their third party administrator and are giving credit to municipalities who are seeing an increase in their receipt rates. This is because of the delays in getting notices, or not getting notices at all. Both PSABS and PSATS are having the same issues with their third party administrators.

The council formerly decided not to formally participate in the defense unemployment compensation appeals with 2 of our former employees. Ms. Smith notified Equifax of that decision at which point they said that they wouldn't show up either. They will only appear if you are there with them. They also chose not to appear on our behalf, and as a consequence we had no face at the table.

Therefore, the referee only had one side of the table represented and in two of the three cases decided to grant benefits.

PP&L litigation is still struggling with FERC and they are still finalizing details.

The plaintiff counsel in the Breslin 2 case was disciplined by the United States Supreme Court, and that will filter down through the lower courts. We could see some action on this in late summer or fall.

The Sunrise Public utility litigation named you as a party and that case is sitting in commonwealth court.

The pension matter with PMRS is being worked on with the state.

Ms. Smith is working on the checking issue with METRO bank. She is trying to confirm the caching of the check in the transaction. The amount of the check was in the \$6,000 range.

Ms. Smith updated that the paper continues to make requests to various counties for delinquent utilities records. The law that makes these records public information is not yet law in Perry County.

Engineer's Report – Mr. Brown stated that although the bridge is out, the Temporary water line is in and working effectively.

I & I recommendations may include a flow meter between Penn Township and the borough and some televising. Mr. Nace asked if this would be a permanent meter or a mobile meter. Mr. Brown suggests a permanent meter, however it could be mobile. The meter would track water loss.

Mr. Brown does recommend that the Prospect Tower be drained and inspected. He is continuing to work on and wrap up open projects.

PESI - Written Report attached

Discussion – Mr. Nace inquired as to our past loss Mr. Hammaker said our highest water loss ever was in the 60% range. A manageable number is lower than 15%.

Codes Enforcement – Mr. deChamplain said that the number of parking tickets given out has gone down this month. A chimney at 213 High Street has collapsed and that the property owner did come to the office to request a demolition permit.

The properties at 300 Prospect Avenue, 216 Church Street, and 317 Stine Street are all over-run with tall grass and weeds. Mr. deChamplain has sent letters and been in correspondence with management and owners of the properties with no positive outcomes. Mr. deChamplain will provide council with copies of this correspondence. Mr. deChamplain will get estimates from contactors to clean up the listed properties and bring the estimates to council.

Mr.deChamplain would like to add the properties at 317 Church Street and 309 Prospect Avenue to the list of properties to have inspected.

Any correspondence with the property owner at 215 High Street will be given to Mr. Nace by Mr. deChamplain.

BREAK – 8:57 – 9:09

UNFINISHED BUSINESS

Delinquency/Terminations Policy

No progress to report

18-28 N Market Street Properties

Nothing to report

2009 Edition of the International Property Maintenance Code

Copies are available for everyone. It can be adopted in entirety or in parts. Council members should look it over and find relevant portions. Ms. Smith suggests undoing old code and adopting new code in entirety.

109 Cumberland Hearing –

Discussion of hearing that occurred at 7:00PM.

Discussion - Mr. Hammaker questioned if the property was in the floodplain and if it would need to meet with the Floodplain Management Ordinances. The property would need a floodplain permit before a borough building permit can be acquired.

Mr. deChamplain said the property is in the floodplain and advised Mr. Blumenstein to meet with the Borough manager to get copies of the Floodplain Management requirements.

Mr. Hammaker also asked solicitor Smith what the borough liability may be in the event of an accident at the property in the interim of the hearing and the decision. Ms. Smith stated there is no clear liability, but a creative lawyer could make compelling arguments against the borough.

The borough must follow the Federal and State floodplain ordinances or risk loss of flood insurance for the entire community.

Mr. Blumenstein offered to allow an internal inspection of the property this week. Ms. Smith advised council that to proceed with this information, the hearing will need to first be re-opened.

Bell/Eppley – Motion to re-open the hearing regarding 109 Cumberland Street on the promise of a voluntary internal structural inspection done by Land & Sea with Tom in attendance. PASSED with a roll call vote. Roger Williams & Fred Lauster absent.

Inspection to take place ASAP. Hearing set to re-open at 8:00, July 15, 2014.

COMMITTEE REPORTS

ADMINISTRATION, FINANCE & IT - Bomberger – All bills current. Mr. Conrad asked on the progress of the purchase of a chipper. Mr. Bomberger said it was on a wish list, but was not a budgeted item for 2014. The crew has the option of renting one. Mr. Nace asked if one had been borrowed from Penn Township in the past, and the answer was yes and that is still an option. The work crew prefers not to borrow Penn Township's due to personality conflicts.

FLEET, FACILITIES & UTILITIES – Mr. Hammaker reported for Mr. Lauster that they are following up on water issues and fielding customer complaints,

PARKS & RECREATION - Mr. Conrad reported that the ATC celebration is this weekend and the committee is working on the planning of National Night Out. NNO will be held on the first Tuesday in August, the 5th.

PERSONNEL – Mr. Bell is grateful to the new office staff for taking on the changeover and doing a fine job so far.

Tabled until Executive Session

PUBLIC SAFETY & STREETS

Mr. Eppley is concerned about weight on the culvert on Butcher Shop Road. He would like to have a sign placed at the borough line coming into town stating that vehicles with 3axles or more are prohibited. He would also like one placed somewhere on borough property heading out of town, at Clark Street or Butcher Shop road. These signs are already in place at each end of the borough and should not be a problem. Trucks with 3axles or more are permitted for local deliveries. However they should not exit out Butcher Shop Road.

Eppley/Bomberger – Motion to post the ‘3axles or more prohibited’ signs prior to the culvert on borough property east bound and West bound after the existence of the ordinance if verified.
PASSED

Mr. Eppley reiterated that the ‘No Parking’ signs for Apple Tree Alley still need to be posted, they are ordered. Mr. Eppley stated that the Meeting to streamline ordinances will be held on June 23, 2014.

Discussion – Mr. Bomberger asked about repairs and cleaning of storm drains. He noticed that many need sealed.

Mr. Eppley said that two on Chestnut Street have been repaired. Mr. Bomberger suggested preventative sealing on others. Mr. Hammaker suggested filling some ruts and potholes on Cumberland Street with the Tar Buggy because of the extra traffic with the bridge closure. Mr. Nace suggested night repairs if it is cost effective.

INFRASTRUCTURE ASSESSMENT - Mr. Nace received the 1983 COMP plan report from Ms. Smith and will look through it. Next committee meeting changed to 5:30.

SPECIAL SESQUICENTENNIAL COMMITTEE

President Hammaker reported that things are going well and that the next meeting will be August 14, 2014 at the Duncannon Borough Building at 7:00 pm. 8 sites were chosen for special signage and a matching grant is in the application process. The sites were chosen and portions of the celebration will take place at these areas. A Facebook page for promotion of the event is in early stages, but is in the works.

EXECUTIVE SESSION - Bell/Eppley - Motion to enter Executive Session at 10:08PM. PASSED

RE-ENTER REGULAR SESSION – Eppley/Nace – Motion to re-enter regular session at 10:43PM.
PASSED

Mr. Hammaker reported that council is returning from Executive session where two personnel matters were discussed.

NEW BUSINESS

Lighting Upgrade Report – Our Insurance Carrier requested a lighting upgrade at the Sewer plant. They are requesting lighting that is covered and non-explosive. Within the report, 2 bids were offered for consideration.

Discussion – Mr. Hammaker recommended that we accept the bid that used the coated conduit as it is worth the \$500 difference over the other bid price.

Nace/Eppley– Motion to accept Hetrick bid with coated conduit for Sewer plant Lighting Upgrade – PASSED

BJ's Membership – Mr. Conrad wishes to purchase a BJ's membership for the borough and asked if that was permitted. It is and anyone interested in having their name on the membership should contact him.

Food Bank – Mr. Bell stated that the food bank has lost its lease and will be moving to Gods Missionary Church. He needs shelving and tables moved from storage to the new location and wondered if the borough work force could be used. Mr. Nace volunteered to move the needed items.

CLARKS FERRY TAVERN

Next Meeting June 30th at 7:00PM

Bomberger/Bell: Motion to adjourn at 10:55 PM. – PASSED

Respectfully Submitted,
Kathy Bauer
Duncannon Borough Secretary