

**BOROUGH OF DUNCANNON
COUNCIL MEETING MINUTES
January 20, 2015**

Members Present: President Duane Hammaker, Frank Eppley, Roger Williams, Kraig Nace, Fred Lauster, Michael Bomberger, and Gerald Bell, Mayor Jack Conrad.

Members Absent: None

Others Present: Solicitor – Susan Smith, Borough Manager – Lynn Roche, Engineer – Greg Rogalski, Chief Pickles from the Penn Township Police Department

Citizens Present: Kathy Smith, Tim Smith, Sean O'Shell, L. Nace, Luke Roman, Betsy Kirkhoff, Paul Smith

President Hammaker opened the meeting at 7:30PM on January 20, 2015 with a moment of silence followed by the Pledge of Allegiance to the American Flag.

Minutes: Bell/Eppley: Motion to approve December 16, 2014 minutes; as corrected – **PASSED**

Page1, 5 lines from the bottom, change Capitol to Capital. Page 2, Line 1. Change make to may. Police Report line 5; remove the word to after replace. Page 3, Solicitors report, Remove 'they think it is covered in their ordinances and'. Page 4, Fire Company line 4, add a comma after loss. Page 6, line 4, add 'the Square' after close and change the first 8:30 in line 5 to 9:30.

RECOGNITION OF CITIZENS

Sean O'Shell – Mr. O'Shell said that he had three interactions with the Borough in the past month and none of them were good. He was in charge of ordering the banners for the New Year's Eve Celebration and was not permitted to do that on his own. He was forced to order them through the Borough office and this resulted in a delay in ordering, slower shipping time, and a lack of grommets. The banners were received on December 20, 2014 and one was hung by the borough on December 29, 2014.

He also asked the borough in September to help fund a 'Keep Hawk Rock Beautiful' sign. A design was provided and sent to the company printing the sign. He was told the design could not be opened by the company causing a delay. A quote was never received and yet the sign was made and delivered.

Mr. O'Shell entered a Right-to-Know request with the Borough asking for all information on easements granted to non-borough entities in the watershed area. He was given meeting minutes from years past and a map of the area. This information is not what he had expected and the time for completion of the Right-to-Know request was 22 hours. He suggested digitizing the records for easier and more time efficient record searches in the future.

Borough Manager Lynn Roche addressed these concerns. She informed Mr. O'Shell that according to Borough Policy in order for the banners to be purchased using the borough credit card they had to

be purchased in the borough's name. Including personal information of an individual citizen on the order is not permitted.

The 'Keep Hawk Rock Beautiful' sign arrived although a final proof was not approved. If the sign is not correct, it will be remade at no charge. A billing statement has not been provided by Daniel Krieg Sign Company as they are waiting to see if it needs to be remade.

L. Nace – Mr. Nace stated that Saturday was National Handwritten Letter day. He gave handwritten letters to both Mr. Hammaker and Mr. Bomberger.

CORRESPONDENCE

NASASP – National Associations State Agencies for Surplus Property – We received a certificate thanking us for remaining a 'Member in good standing'.

Duncannon Fire Police – Donation Request – A letter was received soliciting donations for the Duncannon Fire Police. Donations are needed to offset equipment costs and traffic control costs during both emergency and non-emergency situations. The letter was passed on to Mr. Eppley for discussion at the next Public Safety and Streets Committee meeting.

PROPOSALS

Cummins Power Systems – Waste Water Treatment Plant Contract - The proposed 2015 contract includes Full Planned Maintenance Service and inspection for the Sewer plant generator at the cost of \$1480.63. This amount is approximately \$10.00 more than the 2014 contract for the same services.

William/Bell – Motion to award the 2015 contract for the Waste Water Treatment Plant maintenance to Cummins Power Systems for the amount of \$1480.63. - **PASSED**

Humane Society Contract – A change in the contract indicates that only Borough employees may take animals into the Humane Society under this contract. Animals will not be accepted from borough residents. The cost to take an animal to the humane society is \$135 per cat or kitten. The manager looked into other options and they are limited. Perry County Animal Rescue is at capacity and not taking cats at this time. Nobody's Cats does not have a program to take in strays, they only do TNR (Trap, Neuter, Return). The other agencies in the area will not take feral cats and only offer TNR. No Action Taken.

REPORTS

Mayor's Report – Written report. Mayor Conrad thanked and congratulated anyone who participated in the New Year's Eve Sled Drop. He was very proud of the event.

His theme for the year is Concern, Compassion, Vision. Concern for neighbors, compassion to do the right thing for everyone, vision to make a better future.

He is concerned with the state of utilities in the borough and feels that it would be beneficial to appoint a committee to study the water system and to help determine the best course for the future.

Police Report –Chief Pickles reported that the New Year is going well so far. The police force handled 1200 cases in 2014. The search for a vehicle to replace the SUV is ongoing. The computer system is in the process of being updated.

Mr. Nace passed on a card that was given to him at his home by someone offering a free holiday turkey or ham. It seemed suspicious as this is mid-January. The card included a phone number. Mr. Nace called the number and was asked to give some personal information and to set up a demonstration of a home air purifying system. He asked if they had a permit for solicitation and they became defensive. Chief Pickles took the card and will follow up.

Secretary/Treasurer’s Report – Written Report

Bomberger/Bell: Motion to approve report as presented, subject to audit – **PASSED**

Borough Manager’s Report – Written Report. Ms. Roche reported that the property at 216 Church Street has been demolished and clean-up is underway. The DCED (Department of Community and Economic Development) reports for the taxes are completed as is the Municipal Officials report that is due at the end of the month. COSTARS (Commonwealth of Pennsylvania’s Cooperative Purchasing Program) for the salt contract for 2015 are completed. Ms. Roche requested permission for Records destruction. According to the Ordinance the 2005 tax records are set for destruction as are the utility payments from 2007. Solicitor Smith stated that records destruction needs to be done by resolution. Ms. Roche has received a first time purchase offer on street lighting from United Utility Supply. Street lights can be purchased for \$189.00 each including bracketing. These include a 10 year guarantee and can be purchased with a buy 4 get 4 free offer. The cost would be covered by the Electric Account.

Nace/Williams – Motion to purchase the lights with the buy 4 get 4 free introductory offer. - PASSED

Questions for the Manager - Mr. Nace asked for more information in the purchasing of the New Year’s Eve Banners. Ms. Roche explained that in order for them to be purchased using the borough Credit Card they had to be ordered by the staff. In the audit process proper spending records are important. She also explained that over the holidays there are more non-business days, resulting in delays. She also stated that the banners were twice the size of any other banners that had been ordered in the past, lessening the options for hanging. Mr. Nace asked why two banners were ordered when only one could be put up. Mr. Williams said that he was not thinking about the Christmas decorations when ordering and ordered two as they (Recreation Board) usually do.

Bills to Be Paid/Ratified – Bomberger/Bell: Motion to pay and ratify the bills including credit card expenses as presented – **PASSED**

Solicitors Report – Solicitor Smith reported that she has been working with the Manager on RTK issues. She gave legal counsel with respect to the redaction of records. The solicitor also reviewed and advised the Borough on the outcome of the appeal from the decision of the office of open records with regard to a request made by Kathy Smith. The Borough had challenged the release of the visage

number on the driver's license records as being personal information, the court agreed and that is the ruling that stands at this time.

The PUC (Public Utilities Commission) advised all municipalities operating utilities that it was proposing a change to the regulations. They are proposing a form to provide for a Medical Certification. A physician would provide documentation that a customer was in need of utility services because of a current medical condition that was Emergency in nature.

The Decision for 216 Church Street has been communicated with no response. It was sent to the last known address, it was returned undeliverable. The demolition commenced and all associated costs need to be added to the lien.

PMRS contacted Ms. Smith with some questions about the Pensions ordinance.

The owner at 109 Cumberland Street contacted the borough with his intention to hire a structural engineer to inspect the building. He was asked to attend the meeting. Council should consider if they want to stay action on enforcement or have it continue.

Residency requirements are a self-reporting requirement.

There has been no action on the PPL litigation.

There has been no action on the Breslin 2 case. There has been a motion to re-open the record in the Breslin 1 case. There has been no response from the court.

There is no update on the METRO bank matter.

The Office of Open Records director for the state has moved on and a new director was appointed.

The Solicitor will be monitoring decisions made under the new leadership.

Questions for the Solicitor – Mr. Nace asked if she had ever counseled the council on the Residency requirements. Solicitor Smith reported that she is unsure, but would have thought that the information would have been made available to anyone seeking public office by the office of elections at the county level.

Engineer's Report – The National Pollutant Discharge Elimination System (NPDES) Renewal permit for the Waste Water treatment plant has been completed for the 2015, it should be re-issued in early April. Final testing was completed By PESI.

The pump at well #2 was replaced on January 19, 2015. Well #1 is scheduled for some casing work within the next couple of weeks. The Susquehanna River Basin Commission will be performing an audit on January 27, 2015.

The final piece of the Market Street sewer project and the Water Main project for Chestnut Street are planned for 2015, guidance for a timeline is needed. Mr. Williams stated that the JOAC would like the sewer project scheduled for June, as soon as school ends.

The contract for the sewer project is being reworked and Solicitor Smith would like to review the contract.

Mr. Bomberger asked that years be added to the dates on the Water Distribution long range plan.

PESI – Written Report – Mr. Bell asked if the reported water loss was correct and the Borough Manager indicated that it was.

Mr. Nace asked about the high chlorine in the water issue. Ms. Roche reported that the levels are checked daily and that once the hydrants were flushed the levels returned to normal.

Codes Enforcement – Mr. deChamplain checked the property at 630 North High Street, now owned by JP Morgan Chase Bank. A report was sent to the bank along with photos requesting ordinance compliance.

He spoke to the owner at 109 Cumberland Street. There is no timeline for inspections of the property. Any engineering report will require credentials upon receipt by the borough.

25 North Market Street may be in need of a structural inspection due to damage and lack of repairs within the last month.

Pennoni will provide a year-end summary of building and permit requests for the borough.

Duncannon Fire Company – Written Report. David Keen has been voted in as the new President and Byron Worner is the chief for 2015. They are the official spokesmen for the DFC.

UNFINISHED BUSINESS

Duncannon Borough Tax Collector – The current tax collector did not finish her required continuing education for 2014 due to emergency illness. In researching to see if this was a problem it was discovered that the continuing education requirements were not met since 2010. Without these classes she will not be a certified tax collector under the new requirements, beginning in November of 2015.

18 – 28 North Market Street – There are new concerns with the properties at 18-28 North Market Street. The building is unsecure, all four rear doors are open and the plywood has been removed. On the South elevation, the plywood has been removed and the windows smashed. Mr. deChamplain provided photos. Solicitor Smith would like to have problem of this nature reported to her immediately as they should become part of the enforcement action.

Mayor Conrad feels that the borough should be able to take action to secure the property for the sake of community safety. Because the buildings are private property we have no authority to take action to improve the safety of the property. All actions must be taken through the courts. The borough does not own or have right of access to the property, the owner is responsible for safely securing the property.

2009 Edition of the Property Maintenance Code –Mr. Eppley provided a written report of his observations and recommendations. He asked that other council members do the same. He asks that the enforcement issues be considered as well. Mr. deChamplain provided his feedback to Mr. Eppley in a written report. Mr. Bell is concerned with the interior inspections section of the code. Mr. Bell asked if hoarding is considered under the code as a danger. The solicitor said hoarding should be covered under the fire code.

Mr. Bomberger likes the section of the PMC requiring a local property manager listed with the municipality for properties with a remote owner.

Eppley/ Williams – Motion to have the Philadelphia Windows and Doors Ordinance re-written by the solicitor for Duncannon for consideration by council – PASSED, Nace opposed.

109 Cumberland Street – Mr. Blumenstein reported that he will be hiring a Structural Engineer to perform an interior inspection. No timeline was presented to indicate when that inspection would be completed. Ms. Smith is asking council if she should halt or proceed with enforcement actions against the owner. Mr. Eppley indicated he would like the enforcement to continue.

Delinquency/Termination Policy – Ms. Smith is working with Mr. Lauster and Lynn on the Utility Policy Annual. It is all policies pertaining to utilities. It is substantially written, however some may be unfamiliar as they were implemented under the previous Manager.

COMMITTEE REPORTS

ADMINISTRATION, FINANCE & IT – Mr. Bomberger reported that the utility funds are all doing well, however the general fund is down.

FLEET, FACILITIES & UTILITIES – Mr. Lauster reported that the long range water plan was addressed by the engineer and they are waiting on the treatment plant audit. The Master meter on well #4 has been repaired. The Nature Conservancy has a working woodlands program that might be beneficial to the borough. More information will follow. Contact for the program is Josh Parrish. There are no issues with electric or refuse at this time
Mr. Nace questioned how the Stone Mill Estates upgrade would be paid for should it be built. Mr. Rogalski said it would be a split as it would benefit both the borough and the township.

PARKS & RECREATION – Mr. Williams said the committee will be planning the 2015 event schedule at the next meeting. They plan to add some new events and improve upon others. Mr. Hammaker reiterated to Mr. Williams that he may want to add his name to the signature card for the Rec. account.

PERSONNEL – No Report

PUBLIC SAFETY & STREETS – No Report

INFRASTRUCTURE ASSESSMENT – Mr. Nace did some research on outside refuse haulers. He spoke to Daisy at Rye Township. Rye is contracted with Penn Waste out of York. The billing process is still set by the township. They bill \$50.00 per quarter, \$38.00 for senior citizens. The costs cover recycling and two clean-up days as well. They are very satisfied. He will continue with research on local refuse companies.

SPECIAL SESQUICENTENNIAL COMMITTEE – The plans for the celebration are progressing nicely.

Williams/Eppley – Motion to disperse \$1000.00 for advertising. – **PASSED**

Mr. Nace asked if an accounting was available from the committee. Mr. Hammaker said that as monies are received that will be created. Mr. Nace would like future planned spending, but nothing has been determined.

NEW BUSINESS

Ordinance setting the Tax Rate for 2015 -

Bomberger/Eppley - Motion to adopt the ordinance fixing the tax rate for the Fiscal year 2015 at 3.1mills. Ordinance to be numbered 401– **PASSED**, Nace opposed.

CLARKS FERRY TAVERN

Adjournment –

Bell/Eppley: Motion to adjourn at 9:40PM, January 20, 2015 - PASSED

Respectfully Submitted,
Kathy Bauer
Duncannon Borough Secretary

APPROVED