

**BOROUGH OF DUNCANNON  
COUNCIL MEETING MINUTES  
February 17, 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 –Ron Brown, Officer from the Penn Township Police Department

**Citizens Present:** Kathy Smith, Tim Smith, Sean O'Shell, Kristie Smith, Meagan Thorpe, Daryl Croutharmel, Byron Worner

President Hammaker opened the meeting at 7:30PM on February 17, 2015 with a moment of silence followed by the Pledge of Allegiance to the American Flag.

**PUBLIC HEARING**

President Hammaker opened the public hearing concerning the Procedures for the Procurement of a Professional Services Contract for the Borough of Duncannon, Perry County, Pennsylvania's Municipal Pension Plan at 7:32PM.

There was no public comment and President Hammaker closed the hearing at 7:33PM.

**Minutes: Eppley/Williams:** Motion to approve January 20, 2015 minutes; as corrected –**PASSED**  
*Page 3, Question's for the Manager line 4, Remove the word 'the' after the word that. Page 3, Solicitor's Report, third sentence, begin sentence with Solicitor in place of 'And'. Same sentence remove the 's' from boroughs.*

**RECOGNITION OF CITIZENS**

**Meagan Thorpe-** Meagan introduced herself as the Director of the Perry County Office of Senator Rob Teplitz. They have a new office on the square in New Bloomfield. Mobile District Office Hours are offered at the Millersburg Borough building on the first and third Wednesdays of the month, and Jackson Township near Blain every second and fourth Wednesday. They are available to the community and the borough. They have property tax rent rebate forms and will write support letters when needed for Grant Applications. She will be holding a Sportsman's Advisory meeting at Little Buffalo and a shredder event in Newport in the spring.

**Sean O'Shell** – Sean informed council that a Grant is available for Conservation, planning and protection of natural resources. It is offered by the Appalachian Trail Conservancy, the National Parks Service, and the Kittatinny Coalition and Audubon Pennsylvania. It gives priority to plans for municipal conservation assessment or land use action. Eligible projects can also align with broader goals of successful conservation and trail related awareness campaigns of planning and protection strategies.

As an Appalachian Trail Community we would have points automatically awarded. The total grant is \$35,000.00 and there is a 20% local match. The application was given to Mr. Williams. Mr. O'Shell asked about the Keep Hawk Rock Beautiful sign. He said the one delivered was not what he wanted.

### **CORRESPONDENCE**

Perry County Tax Claim Bureau - This was delivered to Mr. Hammaker at his residence and the address should be updated. The Tax Claim Bureau received an offer of \$1000.00 for the property at 109 Cumberland Street and are asking our acceptance or refusal of the offering bid within 15 days. They have already accepted the offer. Solicitor Smith suggested checking the outstanding tax debt to the borough before a decision is made. A copy of the letter was also sent to the Susquenita School District by the Tax Claim Bureau.

### **REPORTS**

**Mayor's Report** – Mayor Conrad met with some interested parties about planning a spring event for April 4, 2015. The event would include a puppet show, games, coloring contest, egg hunt, and would run from 11:00AM – 2:00PM. He would like to have a clean-up day at the Clarks Ferry Tavern lot so that it could be used for activities. He is working on the pop up park event. The Mayor thinks the public should have input on the future of utilities in the borough.

**Police Report** – The January incident report summary was provided.

Mr. Eppley stated that the quarterly payment is due in March for April- June. He asked for input as to whether a meeting is needed prior to the payment. He is not requesting a meeting but will accommodate Penn Township if they would like one. The Mayor thinks a meeting should be held as there has not been one for years. Mr. Bomberger said meetings were held once a quarter for 2 years either at the borough office or the Penn Township Building.

**Secretary/Treasurer's Report** – Written Report

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

**Borough Manager's Report** – Ms. Roche stated that she completed a Right to Know request. Spring Clean-up is scheduled for Saturday, April 25, 2015. Bid sheets have gone out and are due back by March 6, 2015. The Spring Clean-up resolution will be presented at the March council meeting.

A form for the Federal Surplus Property Program will be passed around to be signed by all council members so that the program may update their roster.

Ms. Roche and Mr. Nace attended the Cumberland Perry task force meeting at Penn Township. It was discussed that a Penn Township resident had raised concerns with HATS (Harrisburg Area Transportation Study) about the intersection at 274 and Main Street as you leave Duncannon.

Concerns included lane markings and traffic control signs. Elijah Ulrich, the transportation planner from the Tri County Regional Planning Commission sent Ms. Roche an e-mail asking if we would support further traffic study. There is a 20% match and the cost could range anywhere from \$200 to \$2000. Mr. Bomberger asked if this would be a legal use of Highway Aid monies. More info will be gathered and turned over to the Public Safety and Streets committee.

Mr. Nace asked if the Police had any indication of accident frequency at that intersection. Officer said there have been a few in the last few months, usually with cars coming down the ramp from 11 & 15 South. Mr. Bomberger stated that if any study is done, it should include a pedestrian study.

**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, records searches and redactions. Costs are being calculated to add to the lien for the 216 Church Street property.

The Supreme Court of PA addressed the issue of Private Addresses. Personal addresses are not protected by your constitutional right of privacy.

The Pension Ordinances has been submitted and cleared.

The FERC-PPL settlement has been accepted by the court. Payment should be received in two parts, one directly to the borough and the other will be a distributed payment from AMP. The payment ends the litigation.

The Breslin Federal Complaint status report is due in March. Our position is that the borough should have never been named in that litigation, that there are no claims in the litigation that are appropriate or justifiable. The court will be asked to look at the motion to dismiss and grant that motion.

Mr. Nace inquired into the METRO Bank matter. There has been no action.

**Engineer's Report –** Mr. Brown asked if a quote was received from Eichelberger for the VFD (Variable Frequency Drive). Ms. Roche stated that we did receive two bids and we have already ordered. Well two will be back online once that is installed. The Cleaning of the standpipe has been deferred with the consent of DEP (Department of Environmental Protection). The Sanitary Sewer replacement project for manholes #147-#150 is planned for this summer. An Opinion of Probable Construction Costs and a Schedule were provided. The last 20 feet of the project are in Penn DOT's right-of-way. A permit will be required. Mr. Henry Holman has been designated as the point man for Penn Township in the event of a claim on the project.

There is a meeting planned for February 18, 2015 to discuss the grant for the water project on Chestnut Street. Nothing can begin until after the environmental phase has been completed and approved. That will not happen until later in the year. That project will probably not go to construction until 2016.

The Christ Lutheran Church project will require some coordination between the borough work force and the Nelson's. The project is approved and ready to go.

Solicitor Smith would like to review the contract for the sewer replacement before it is finalized.

**PESI –** Written Report. Mr. Hammaker asked how PESI accounted for the 27% water loss in January. Ms. Roche stated that the answer she received was that water infiltrated from the city. Mr. Hammaker is concerned with the water loss consistently over 15%.

A meeting will be scheduled with PESI.

**Codes Enforcement** – Mr. deChamplain issued 25 letters informing residents of the ordinance for snow removal. Three citations were issued. He has received no word from the resident at 109 Cumberland on the promised inspections. A citation for failure to remove was issued to the owners of record at 115 Cumberland, they informed Mr. deChamplain that the property is now bank owned and they cannot do anything about the snow removal. He will check with the county to determine ownership.

Mr. Bell had a call from someone who hit a utility pole on Rt. 849 questioning the ownership of the pole. The manager will look into the matter and determine if the borough owns any of those poles.

**Duncannon Fire Company** – There was one fire call in the borough last month. 8 new tires were purchased for the tanker truck and the brush truck will need some work to pass inspection. Chief Worner voiced concern over the fact that any alarm set off at the Susquehanna Apartments does not go to a Central Station. He asked if there was anything in the fire code that set requirements for a multiple occupancy building. He suggested a requirement for large capacity buildings to have a 'Knox box' containing a key for the fire department to access the building.

### **UNFINISHED BUSINESS**

**Resolution for the Disposition of Records** – The Manager reported that there are two boxes of utility payments from 2007 and 3 boxes of tax record from 2005 that are due for destruction.

**Bell/Eppley** – Motion to adopt the resolution for the Disposition of Records to be numbered 2015-1 - PASSED

**Utility Policy Manual** – Still completing.

**18 – 28 North Market Street** – There are new concerns with the properties at 18-28 North Market Street. A piece of plywood was hanging from the second floor of the building and was in danger of falling onto the sidewalk or street. A member of the borough staff was called in to remove the plywood on Saturday Morning. The overtime costs should be added to the lien. Mr. Nace questioned the legality of accessing the property. Ms. Smith said that in this case there was imminent harm to the public. Something was being released into the public way and therefore the borough had a right to secure or remove that danger.

**Property Maintenance Code** - Nothing

**Windows and Doors Ordinance** – Solicitor Smith read from the provided revised code prepared for the Borough. Mr. Conrad voiced concern with the lack of exceptions, for example the boarding of windows and doors during construction. Mr. Nace also thought an exception should be included in case of emergencies, for example, fire damage. Mr. Hammaker asked if each window and door would be considered an individual offense. According to the ordinance, they would. Mr. Hammaker wondered if this would have the support of the District Magistrate, enforcement issues are a concern. Mr. Bomberger would like to see the requirement of a local property manager for any property with a remote owner. There was discussion over which properties would fall under the jurisdiction of this

Ordinance. Mr. Nace suggested that it should cover all properties that are not owner occupied. Mr. Bell suggested that the ordinance be tabled while the solicitor makes revisions.

## COMMITTEE REPORTS

**ADMINISTRATION, FINANCE & IT** – Mr. Bomberger reported that the utility funds are all doing well, however the general fund is down. The expenses for the property at 216 Church Street add up to \$1578.94 not including the demolition. All expenses are to be paid from the Timber fund.

**FLEET, FACILITIES & UTILITIES** – Mr. Lauster met with his committee on February 10, 2015. He shared a sheet from the Nature Conservancy entitled “A Snapshot of the Working Woodlands” Program. The committee has asked Josh Parrish of the Conservancy to meet with them. They also plan to meet with Dennis Meiser, our forester. The committee will then return to council with their recommendations. The borough was approached by the Central Pennsylvania Conservancy approximately 8 years ago about becoming a part of their program. Their program was found to be too restrictive. Question about costs and carbon credits vs timbering will be considered by the committee.

**PARKS & RECREATION** – Mr. Williams reported that the committee is continuing to create an events schedule for 2015. They are planning a spring event to be held at Noye Park on April 4, 2015. The next meeting is scheduled for February 24, 2015.

**PERSONNEL** – Mr. Bell provided the employee review for Melinda Willis and recommended a wage increase of \$.50. **Bell/Lauster** – Motion to give Melinda Willis a \$.50 wage increase retro to the end of her probationary period – **PASSED**, Nace/Williams opposed

**PUBLIC SAFETY & STREETS** – Mr. Eppley met with the Fire Company Association on January 27, 2015. They plan to hold quarterly meetings. Representatives from Duncannon, Penn Township and Wheatfield Township were in attendance. They are planning to replace the fire hall in the borough. Mr. Bomberger stated that the Duncannon Fire Company has done a good job of reducing their secondary debt. They only have loans on a fire truck and their building. The next meeting of the Association is set for April 28, 2015.

Mr. Hammaker passed on an e-mail he received concerning potholes to Mr. Eppley.

Mr. Nace mentioned that Penn Township offered an invitation to the President of the Perdix Fire Company to sit down and ‘let cooler heads prevail’ to settle matters between them. Chief Worner said the Duncannon Fire Company would entertain allowing the Perdix Fire Company to respond to fires in Duncannon if a settlement is reached.

**INFRASTRUCTURE ASSESSMENT** – Mr. Nace asked that the various committees take the time to update their boards by the April meeting. This will help moving forward to create plans and prioritize projects.

**SPECIAL SESQUICENTENNIAL COMMITTEE** –Plans are well underway, a schedule of events has been prepared. The next meeting is scheduled for March 5, 2015 at the borough building.

**Williams/Eppley** – Motion to approve funds: \$4000.00 match for the Greenway Grant  
\$10,000 for entertainment  
\$1,000 for artwork  
\$3,500 for promotional items

MOTION PASSED. Nace opposed

A spreadsheet of the Sesquicentennial Accounting was provided. All expenditures are paid through the borough office.

### **NEW BUSINESS**

#### **Procedures for the Procurement of Professional Services Contract for The Borough of Duncannon for the Municipal Pension Plan**

– This is a resolution for consideration that would adopt two things. One is a set of procedures for the Procurement of Professional Services Contract for The Borough of Duncannon for the Municipal Pension Plan and the second is a policy statement in resolving conflict of interest with respect to a person who is charged with that responsibility. These documents were recommended by the State Auditor, the Auditor General as well as various pension companies. They have been requesting that all municipalities adopt these policies and procedures. Because they are not covered in an ordinance, they can be adopted by resolution.

**Bell/Williams** – Motion to adopt the Procedures for the Procurement of Professional Services Contract for The Borough of Duncannon for the Municipal Pension Plan, Resolution to be numbered 2015-2. – **PASSED**

**Citizen Action** – Mariah Weikel of 211 North High Street had pipes break and is requesting relief from some of the sewer charges. The amount stated is \$235.34.

**Lauster/Nace** – Motion to approve relief if the amount meets the criteria of the Utility Bill Adjustment Policy- **PASSED**

### **CLARKS FERRY TAVERN**

The next meeting of the committee is set for March 19, 2015. The Perry County Historical Society is starting a *Friends of the Clarks Ferry Tavern* Group to support the Tavern preservation.

**Adjournment** – **Bell/Eppley**: Motion to adjourn at 9:27PM, January 20, 2015 - **PASSED**

Respectfully Submitted,  
Kathy Bauer  
Duncannon Borough Secretary