

**BOROUGH OF DUNCANNON  
COUNCIL MEETING MINUTES  
March 17, 2015**

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

**Members Absent:** None

**Others Present:** Solicitor – Susan Smith, Borough Manager – Lynn Roche, Engineer –Ryan Rhodes

**Citizens Present:** Kathy Smith, Tim Smith, Sean O’Shell, Kristie Smith, Lester Nace, Aleah McGarvey, Paul Smith, George Roche, Lisa Landis

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

**Minutes:** The minutes for the February 16, 2015 council meeting were absent from the packet and therefore there was not time for proper review.

**Lauster/Nace** – Motion to table the February minutes until the April 21, 2015 meeting. **PASSED**

**RECOGNITION OF CITIZENS**

**Paul Smith** – Mr. Smith of 4 Second Street said that his home and property are being damaged due to a new home build at 5 Second Street. He has met with the Borough Manager, Borough staff, and the builder of the Home and found the outcome unacceptable. The damage is continuing and with the spring thaw it is worsening. Mr. Smith says the damage is due to improper grading and storm water management. Mr. Nace asked if Pennoni had been contacted since the complaint. Pennoni was involved at the construction phase but not since. Engineer Rhodes said Pennoni will set up a time to inspect/address the issues.

**CORRESPONDENCE**

**Aqua Aerobics** – Proposal to be discussed later in the meeting.

**Letter drafted by SEDA-COG** – A letter was prepared by SEDA-COG asking the Perry County Board of Commissioners to serve as the applicant for a CDBG (Community Development Block Grant) to be used to resolve violations and deficiencies in the Duncannon Borough water system. A meeting was held with representatives from SEDA-COG, representatives from the finance & utilities committees, the engineer, and the Borough manager. The group discussed monies that were available through grants and the best way to go about acquiring these monies. This grant from CDBG for \$750,000.00 was agreed upon as a good starting point. Mr. Nace stated that he would prefer that the letter recipient, Brenda Benner be referred to as Chairwoman or Chair as opposed to Chairman. The letter was reviewed and will be sent after the correction of typographical errors.

**Tri-County Regional Planning** – This is a proposal asking municipalities to consider attending a seminar and then utilizing the services of a private law firm out of the Pittsburgh area that has experience with the development of new telecommunications technology. In the late 1980's the telecommunications were deregulated. It is important that the borough consider how the right-of-ways should be controlled in regards to these types of companies. New technology may have small towers resembling street lights and it could be requested that they be placed throughout the Borough. This law firm would be charging for their advice and experience in drafting ordinances to control the rights of way properly and without discrimination. Mr. Nace will discuss this correspondence with his committee.

**FEMA** – FEMA (Federal Emergency Management Association) sent a questionnaire for the Borough concerning the floodplain. The letter was sent as a part of the risk mapping assessment and planning. A meeting is also planned to discuss these issues.

**Williams/Lauster** – Motion to empower the engineer to work with the Borough Manager on completion of this questionnaire and direct the Manager to attend the meeting on April 2, 2015. - PASSED

**Tax Claim Letter** – The Perry County Tax Claim Bureau sent a letter asking for the Borough approval of acceptance of a formal offer of a \$1000.00 bid for the property at 109 Cumberland Street. This letter is a corrected version of a letter discussed last month. The deadline has been extended to March 26, 2015. The write-off for the borough amounts to approximately \$2000.00. The Dangerous and Dilapidate determination is on the property, change of owner does not negate it.

**Nace/Williams** – Motion to concur with the offer, to include disclosure to the bidder of the official dangerous and dilapidated status under borough ordinance. – PASSED, Bomberger opposed.

### **PROPOSALS**

**Aqua Aerobics – Proposal # 37525** – The proposed upgrades to the Wastewater Treatment Plant include 2 decant 14 inch Dezurik butterfly valves, 2 flex-joint 14 inch, 6 EPDM gaskets, and 1 ten foot decanter float and seal assembly at the total cost of \$25,111.40 including freight. Total cost from the Sewer Account. The borough Manager stated that with this upgrade all of the equipment that is underwater will be new. Mr. Nace asked if we should have multiple proposals for a spending amount this high. Because this is so specific to this piece of equipment, Aqua Aerobics is really the only option and it can be considered repair and replace.

**Bomberger/Bell** – Motion to move forward with the \$25,111.40 proposal from Aqua Aerobics for repairs to the Wastewater Treatment Plant. - PASSED

### **REPORTS**

**Mayor's Report** – Mayor Conrad provided a written report. He has attended meetings for the planning of the Spring Fling and a clean-up for Noye Park. He suggests a joint citizen/council committee to study the future of the utilities in the borough. He feels that tax breaks should be available to attract new business and homeowners who are willing to repair blighted properties.

**Police Report** – Written Report

**Secretary/Treasurer's Report – Written Report.** Mr. Nace asked for the balance on the Newport bank CD and Questioned the name on the CD as the bank is now Orrstown Bank. He also asked why the balance of the Timber fund was at \$100,000.00 exactly. Mr. Bomberger explained that the P-cards come out of this account and it is then is replenished. It goes up and down throughout the month, but the goal is to keep it at \$100,000.00.

Mr. Lauster pointed out that Sesquicentennial CD is spelled incorrectly on the report as well. Mr. Nace asked about the last page of the report. The building project information should be removed as the project was completed long ago.

**Bomberger/Bell:** Motion to approve report as presented, subject to audit with a note on the Newport CD. – PASSED, Nace opposed

**Borough Manager's Report** – Ms. Roche reported that the Pre-bid meeting for the Market Street sewer project has been scheduled for March 27, 2015 at 10:00AM and the bid opening has been scheduled for April 10, 2015 at 10:00 AM. The meetings will be held at the borough office.

Ms. Roche checked with Rick Levan at highway aid on the future use of funds at the intersection of Market and Rt. 274. Because it is a state roadway, it would have to be evaluated by PennDOT before any changes could be made.

There were questions in determining ownership of local utility poles. All Duncannon Borough Poles have a small metal tagimprinted with DKB and a number, PP&L poles are marked similarly with PPL and a number.

We received an electronic transfer of funds from Highway Aid in the amount of \$47,837.23 Spring clean-up is scheduled for Saturday, April 25, 2015. We are not able to offer electronic recycling at this time, but are still looking into options. Advanced Green Solutions is no longer in business. Mayor Conrad suggested Best Buy as an option for electronic recycling. Lisa Landis will also pass along any information she gathers from the Perry County Extension office on electronic recycling.

The 2014 annual water report is showing an overall average of a 22.4 percent water loss for the year. The newsletter will be going out around March 24, 2015. Anyone who would like information included should turn it in as soon as possible.

Questions for the Manager – Mr. Williams thought that it was decided last year that any meetings regarding the bid process would be held in the evening so that the members of the Joint sewer authority could be present. Ms. Roche will have to have an addendum to the advertisement published to reflect a change in the date. Solicitor Smith stated that the Pre-bid meetings are typically done during the work day to accommodate the bidding companies. The dates and times will be changed to accommodate the Sewer Authorities.

Mr. Lauster asked if there was any information on how long Well 2 would be offline. Ms. Roche stated it should be online next week.

**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 the PUC (Public Utilities Commission) has served the borough with a tentative implementation order relating to a state law that was adopted in 2008 seeking to encourage the reduction of consumption of electricity. The order is directed to companies that serve over 100,000 customers and therefore does not affect the borough directly. If successful the intent is to have the order filter down to smaller companies in the future.

Solicitor Smith did look over the contract for the sewer project bid. Because of concerns and problems that arose during the management of past sewer projects, she wanted to make sure the language was clear and concise. This was especially important in the language addressing the change orders, procedures for change orders, and the responsibilities of all parties involved. She will be meeting with the engineer to finalize the language in the contract. All authorizations between the engineer/borough and the contractor should be in writing.

The Doors and Windows Ordinance has been split to create a separate ordinance regarding the property manager issue. RTK (Right to Know) issues continue and the law is constantly evolving.

A status report has been filed with the court on behalf of the borough regarding the Breslin matter.

Solicitor Smith researched the information in regards to the cellular telecommunications correspondence. She has been monitoring the Sheriff Sale proceedings on the property at 109 Cumberland Street and did not continue with the process under the determination because of the likelihood of a sale and new ownership. In regards to the properties at 18-28 Market Street, a complaint is prepared and ready to be filed with the courts. She has been working with Ms. Roche to prepare a Manager's affidavit as to the records of those properties.

The METRO Bank issue is still pending.

**Engineer's Report** – Mr. Ryan Rhodes said that the information he has prepared had been previously discussed. Mr. Nace asked what the turn-around time for a NPDES (National Pollutant Discharge Elimination System) permit might be. Mr. Rhodes said that the wait is very long and we should not expect it before the other expires. You can continue under the current permit until the new one is approved.

Mr. Lauster asked what the chlorine testing point should be. The information is available but will need to be researched.

Pennoni provided a priority list for the Wastewater treatment Plant. The list will be taken into consideration by the Joint Operations Authority.

**PESI** – Written Report. Any pending items will be referred to the Utilities Committee.

**Codes Enforcement** – A resolution was passed raising parking fines from \$10.00 to \$15.00; it is recommended that new tickets be printed to reflect this change. Violations to be added to the face of the parking ticket are, Snow Emergency Route, No Parking Zone, and Handicapped Parking Zone.

Since the Handicapped spaces have been placed, one resident had passed away and one has moved, it is recommended that these two signs be removed. Street Sweeping enforcement is planned to begin April 6, 2015.

Mr. Nace feels that the Handicapped parking spaces should remain if there is not another on the same block. These spaces will be reviewed on an individual basis.

**Duncannon Fire Company** – No Report

## **UNFINISHED BUSINESS**

**Utility Policy Manual** – Still completing.

**18 – 28 North Market Street** – Updated in Solicitors report.

**Property Maintenance Code** - Nothing at this time.

**Windows and Doors Ordinance** – New language has been included to make exceptions for homes under construction or homes that are fire or flood damaged. A timeframe for the exceptions will need to be determined. A fine for each offense will also need to be determined by Council. Each door and window can be considered a separate offense, as can each day. The ultimate penalty is determined by a judicial body.

The Property Manager Ordinance refers to any property where there is not an owner occupant or a business owner exercising a business out of a non-residential building. This ordinance calls for a property manager residing within (20) miles of the property. The mileage number should be determined by council. The manager should be responsible for keeping the property in compliance with borough codes and ordinances. The ultimate responsibility for compliance still falls to the property owner. A form is attached to the ordinance for registration of the property manager, if the manager changes it should be reported to the borough within 5 days. An administration fee could be charged for registration as well.

Council should review the ordinance until the next meeting. Any proposed changes should be forwarded to the solicitor as soon as possible so that they may be included.

Mr. Conrad asked how long after adoption of the ordinance the property owner would have to comply. The effective date of the ordinance can be set out from the adoption date or send an affirmative outreach to potentially regulated properties and owner to let them know the ordinance is being considered.

Mr. Conrad suggested a 30 mile radius for the residential requirement. The Borough Manager position requires a 30 mile residential radius.

## **COMMITTEE REPORTS**

**ADMINISTRATION, FINANCE & IT** – Mr. Bomberger has nothing to report at this time. Mr. Nace asked why corrected bills were necessary this month. He suggested a small sampling of bills before mailing is done. He would also like to have his packet sent via e-mail.

**FLEET, FACILITIES & UTILITIES** – Mr. Lauster and his committee met with Josh Parrish on March 11, 2015. They will also be meeting with the forester Dennis Meiser.

**PARKS & RECREATION** – A Noye park clean-up is scheduled for March 28<sup>th</sup> at 8:00AM. Mr. Williams requested a dump truck and trash bags be provided. Trash Barrels and Bags will also be needed for the Spring Fling on Saturday, April 4, 2015. Mr. Williams set a contingency plan for the Spring Fling in case of flooding in the park. He asked council for approval of the use of South High & Walnut Streets as a back-up plan.

**Williams/Lauster** – Motion to use Walnut Street and a portion of South High Street as an alternative for the Spring Fling event in the case that Noye Park would be unusable – PASSED

An events permit has already been prepared. In the case that the alternate plan takes effect, the Fire Company should be notified. The committee is planning more events for the year. There is a delay in acquiring background checks through the Child-Line system. A date should be confirmed for the 2<sup>nd</sup> annual car show by the end of the week.

**PERSONNEL** – Nothing to report. Mr. Nace asked if a temp was still being used in the billing clerk position.

**PUBLIC SAFETY & STREETS** –

**Eppley/Lauster** – Motion to pay the quarterly payment for April, May, & June to Penn Township for Police protection in the amount of 42,290.00. – PASSED, Nace opposed

**INFRASTRUCTURE ASSESSMENT** – Nothing to report.

**SPECIAL SESQUICENTENNIAL COMMITTEE** – The Sesquicentennial Committee is looking for someone to take the lead on a Logistics Committee. The Fire Police are willing to help with logistic, but a chairperson is needed.

Mr. Nace suggested that the National Incident Management system might be a good resource for the Sesquicentennial events coordination. They offer training and guidance in planning, finance, logistics, and many other components that would be useful in planning large community events. There are many documents and checklists available through the agency that may be useful.

Williams/Eppley – Motion to approve \$9500.00 to purchase promotion items to be sold for the Sesquicentennial celebration. Total includes \$6500.00 for sill sitters and \$3000.00 for crocks. – PASSED, Bomberger, Nace opposed.

**NEW BUSINESS**

**Letter to County Commissioners for CDGB Grant –**

Lauster/Bell – Motion to send the letter to the County Commissioners after corrections are made. - PASSED

**CLARKS FERRY TAVERN**

The next meeting is scheduled for Thursday, March 19, 2015 at 7:00PM. The meeting will be held at the Borough office.

**Adjournment** – **Bell/Eppley:** Motion to adjourn at 9:27PM, March 17, 2015 - PASSED

Respectfully Submitted,  
Kathy Bauer  
Duncannon Borough Secretary