

**BOROUGH OF DUNCANNON
COUNCIL MEETING MINUTES
July 21, 2015**

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

Members Absent: Michael Bomberger (Health Reasons)

Others Present: Solicitor – Susan Smith, Borough Manager – Lynn Roche, Engineer – Ron Brown, Chief Pickles – Penn Township Police

Citizens Present: Kathy Smith, William Hobbie, Edward Ream, Paul Smith, Lisa Landis, Karl Conrad, Paul Liddick, Paul Rudy, Sean O'Shell, Henry Holman III.

7:00PM: Hearing regarding Proposed Ordinance #403, Designation of a Property Manager.

7:05PM: Hearing regarding the Proposed Ordinance # 402, Regulating Entryway Windows and Doors.

President Hammaker opened the meeting at 7:30PM on July 21, 2015 with a moment of silence followed by the Pledge of Allegiance to the American Flag.

Minutes: Lauster/Bell: Motion to approve June 16, 2015 minutes as corrected – **PASSED**

Page 2 – Second paragraph, Line 10 – remove the word that as it is repeated. Next to last line, change drag to drug. Page 3 – letter from Dennis Meiser, line 3 letter o should be of.

RECOGNITION OF CITIZENS

William Hobbie – Mr. Hobbie stated that 18-28 North Market Street continues to be dangerous and a public nuisance. It is a safety factor, a fire trap, a vermin collector, and is costing neighbors including Mr. Hobbie himself money. He has had to light the back of his building as his tenants keep him informed of various comings and goings. He has actually had people crawling in his dumpsters. The doors are open and the plywood is falling off. The building has been dilapidated for at least 10 years. He feels the windows and doors ordinance is a good start. Mr. Hobbie asked if anything legal has been done to date. As a citizen he would like to know what has been done to address the situation. He would like something visible to be done. Mr. Hobbie has requested lighting for the rear of 18-28.

Victor Hart – Mr. Hart is the Director of Archaeology at the Clarks Ferry Tavern. The Archaeology program will be active during the Sesquicentennial Celebration. On Saturday, August 8, the site will be active and they will be displaying some of the larger and more significant items that have been found thus far. Mr. Hart would like for the front room of the tavern to be open for a public tour on that day. Any safety issues at the tavern are in the back section. The front room was the original barroom in the late 1700's. Volunteers would build a temporary plywood wall to block off any sections not to

be accessible to the public. Volunteers would also monitor the building at all times during touring hours. Visitors would see progress made in the time the building has been in borough hands.

Mr. Nace asked if there would be any liability issues in opening the building to the public. Solicitor Smith said there have been no indications that the building is unsound.

Dennis Meiser – Mr. Meiser proposed a timber sale for September of 2015. He mapped out the area to be timbered and presented to council. The area proposed is a ‘fragile’ area, and this sale will remove the more vulnerable timber. The proposed sale is a bit smaller than last time because the market is not as quite as good, but it is still strong. The timber company will have 1½ years to complete the project after the bidding is done.

Kraig Nace – Mr. Nace of 1010 N. Lincoln St. is the property owner at 1 South Market St. He has owned the property since 2007 and has had recurring and increasing issues with water run-off in the parking lot and Apple Tree Alley in the back. He has notified the borough on at least three occasions that when working on snow removal that the snow is often piled and turns to ice and accumulated on the sidewalk on Cumberland Street adjacent to his property. The area where the snow is piled sees almost no warmth or sunlight in the daytime and when it does, the snow melts and has nowhere to go but against the building and across the sidewalk creating a hazard. While he knows the snow must be plowed, he feels that in areas such as this, it then needs to be removed. The ramps to the sidewalks are constantly blocked and the freeze/thaw cycles make the sidewalks dangerous. He has looked into what he can do to the parking lot to help with the water run-off. It was determined that a drain box was the best solution. He and Scott Cramer agreed to work together on the project, spearheaded by Mr. Cramer. They began work and were called on to stop work by the borough as a PA1 call was not previously made. The go ahead was given but was not communicated from Pennoni to the borough and work was stopped a second time. Mr. Nace would like council to investigate this matter to see if it was handled properly so that this does not happen to another citizen.

Mr. Nace referenced the meeting minutes from June 16, 2015 stating that “Chief Pickles agreed to have officers make their presence known on program days”, indicating the children’s summer program at Cooper Field. The two adults running the program including Tonya Nace have not seen a police officer at the program since the request was made on June 16th. Other concerns regarding the Penn Township police department include: A call regarding the fire at 1220 Market Street was never answered when the Chief and the Captain were known to be on duty, deficiencies in crosswalk and speed enforcement, drug enforcement and prosecution, overweight and multiple axle vehicle enforcement, response to cardiac arrest in Wheatfield Township but not in Perdix. In 2014 there was an attempted prosecution involving several felonies that cost the County and the involved parties quite a bit of money. This case ended after a 38 minute jury decision of acquittal, the accused had never even been interviewed by Officer Lancaster, the arresting officer of the Penn Township Police. Mr. Nace feels that officer Cavanaugh employs an inappropriate means of driving, his speed is excessive. Officer Goodling berated an EMS Crew in Penn Township in front of bystanders and family while treating a patient, this has been communicated to Chief Pickles. Mr. Nace has been followed through town by Officer Duke on at least three documented occasions. This had also occurred with former officer Stake. Officers have also been seen making U-turns in front of Forrer Dodge on 11 & 15 and driving recklessly. Mr. Nace feels that the overall Police presence in the Borough is lacking and he is working on specific data to share when completed. Although there has been a revolving door with officers in Penn Township due to the part-time nature of the job, Mr. Nace had been

pleased with the work of former officers, Murphy, Moench, and Myers, and present officers, Reed, Sheets, and Zamponia.

Paul Smith – Paul Smith of 4 Second Street, Duncannon.

Mr. Smith: Paul Smith, 4 Second Street, Duncannon Borough. It has been stated tonight that I am wasting the Borough Councils time. For that I apologize, but there has been a major issue that I have brought up for the last year and seven months. That issue is being ignored so I will continue to waste your time.

Mr. Nace: Did a member at the table indicate you were wasting our time?

Mr. Smith: Yes, Lynn Roche the Borough Manager stated tonight that I am wasting their time. This was after a discussion of why I was not included on the agenda tonight as I had been promised I would be. I had been promised that there would be a Pennoni representative to discuss the report that was written that I have tried to discuss and I was told that without the Pennoni Rep. that wrote it there would be no discussion. That representative isn't here once again. On June 25, 2014 I wrote a letter to the Duncannon Borough, to who it may concern. Just to give you a little time frame on how things have been going. I was instructed by the Borough Manager to call the Penn Township Police as a result of the issues with the storm water management. Officer Zamponia of the Penn Township came to my home and viewed the mentioned issues; he assured me that the mishandled storm water management issue was in fact a problem that the Duncannon Borough should address. As for the damage to my property it is not a criminal suit, but a civil suit in which I need to address through the Magistrate. Since that time I have had a face to face meeting with borough representatives at the site where this damage originates. I was told that day that there are no issues visible. The very next day for an entire day, borough staff completely reconstructed the entire site. They did 'improvements' to their land. So that is really what I came here to discuss, that field report. I have numerous issues on this report that I'd like answered. So, I would like someone to tell me when you want to answer these questions.

Engineer Ron Brown: I represent Pennoni, so I can tell you my understanding of what the report says and the content during my report. And if you want recommendations on what to do next I'll be happy to do that.

Mr. Smith: The representative who wrote the report had stated that there are no issues and the borough decided to come in and spend an entire day making improvement so your suggestions are kind of at this point making no sense to me. Because at one minute there is a suggestion and in the next minute things are happening that don't need addressed. It is extremely confusing and frustrating.

Engineer Ron Brown: I can answer those.

Mr. Smith: It's coming up on two years.

Engineer Ron Brown: If you wait until my report, if you stay I'll answer those. I don't know specifically what your issues are, but I can tell you the intent of the report. And based on what the field group found out on the visit what options are available to you as a citizen.

Mr. Smith: There were no options given to me. I was told sorry but you live at the bottom of the hill.

Engineer Ron Brown: The reports suggest that it's a civil matter.

Mr. Smith: It's not a civil matter between me and the borough and this issue between my property and the borough property has become the much larger issue. The civil issue between myself and my new neighbor, that might be a civil issue.

Engineer Ron Brown: that's not your concern?

Mr. Smith: That's absolutely my concern, but he's not here tonight. I can discuss that with him at a different time. I'm here to discuss this with the borough who also owns adjoining property and is completely responsible for these storm water drains that they own.

Engineer Ron Brown: Are you saying the drains aren't functioning?

Mr. Smith: That's 100% correct and you obviously know nothing about this report so I don't know how you could possibly answer my questions.

Engineer Ron Brown: I've read the report.

Mr. Smith: Well then you wouldn't have asked that question, Sorry.

Engineer Ron Brown: They were in and worked on since the report was done.

Mr. Smith: That's 100% right, they did that the very following day after they told me there were no issues.

Engineer Ron Brown: Since that has been done are they working properly? The storm water drains?

Mr. Smith: I have a long list of concerns about the work that was done. I can start on page one if you like.

Engineer Ron Brown: Wait until the Borough Engineer's report and I will go item by item.

Mr. Hammaker: I would ask that we get into the Engineer's report and hear what Mr. Brown has to say and then we can take it up at that time.

Mr. Smith: When is the Engineer's report?

Mr. Hammaker: We are going to have the Boroughs Engineer report tonight.

Mr. Smith: Apparently I have walked out on two occasions now at these meetings where there was later discussion that involved me and my property. It would have been a nice heads up for someone to say that your issues are going to be discussed and we can answer your questions, just hang out a while longer and we will get to you. Instead you just let me walk out the door and discuss it without me being here. And as for Lynn's concern with the agenda scheduling is just absolute ignorance. I was promised to be on the agenda, I was promised to talk to the person who wrote this report, and I am not wasting your time. I am here to protect my property and it is absolutely uncalled for, your actions. Not only tonight, but in the past, and as I come up on the two year anniversary of this home being built, who knows. It will probably be out the window for me to even do anything about it because you've basically just kicked me aside for a year and 8 months now. The permit was issued on December 30, 2013 so we are coming up on two years. I would really like something to happen within days or weeks, not months or more years.

Mr. Hammaker: Thank you Mr. Smith

Sean O'Shell – Mr. O'Shell of the Duncannon Appalachian Trail Community stated that the Duncannon ATC festival held on June 20, 2015 was very successful. It was the fourth year for the festival and was attended by approximately 500 people making it the best yet. It was the first time the festival has made a profit, a very nice change. Mr. O'Shell feels that part of the reason they were able to make that profit was due to the new Ordinance enacted by the borough allowing vendors. Mr. O'Shell is concerned about hikers walking along 274 to Mutzabaughs and would like to have signs posted leading them to Locust Street and Municipal Road. Other suggestions would be welcomed as well. He feels that Pedestrian crossings at the intersection of 274 and Market Street are necessary for pedestrian safety and the ATC would like to be involved. The consensus of Council was that Penn DOT had decided that they would be adding new signage, but no road markings. Mr. Nace suggested that the ATC take their concerns to Penn DOT as the intersection is under their jurisdiction. The ATC has also considered placing emblems in the sidewalks along the Appalachian Trail on High Street. He asked who owned the sidewalks. Sidewalks are the responsibility of the homeowner. Council will

check to make sure nothing prohibits this practice. The ATC will be providing 5 volunteers to work at the Sesquicentennial parade and remains committed to the Duncannon Community. The Keep Hawk Rock Beautiful sign can be put up as Mr. O'Shell is finding it difficult and way too expensive to have the anti-graffiti coating put on it.

Henry Holman III – Mr. Holman is a representative of the Penn Township Municipal Authority. He thanked the Borough for arranging the recent tour of the Wastewater Treatment plant. The Penn Township Municipal Authority has a financial interest in the infrastructure although the Borough owns the property and equipment. The Market Street Sewer project has been a collaborative effort and worked out very well. Many issues presented themselves during the tour of the plant and while the JOAC tries to address these issues, they don't seem to improve. Penn Township is offering their help in making improvements in proactively maintaining the plant.

Evina Allen – Evina Allen of 136 North Market Street. Evina thanked Council for the Blind pedestrian signs that were placed near her home. She also has a problem with the home next to hers. She reported the home at 134 Market Street as having tall and overgrown grass and being in general disrepair. She showed photographs and made the report at the Borough Office. She called in to the Borough Office on June 15 to check on the progress being made. She was told to call the police. She feels the problem was not followed to completion. The property has changed hands several times and the trail of responsibility was hard to follow but has now been cleared. The Penn Township Police Department is responsible for codes enforcement at this time.

CORRESPONDENCE –

Perry County Crime Stoppers – The Perry County Crime Stoppers asks that the Borough become a partner by attending meetings and/or making a monetary donation. Mr. Nace will look into the requirements for membership.

PROPOSALS - NONE

REPORTS

Mayor's Report – Mayor Conrad attended Sesquicentennial meetings, Rec Board meetings, ATC (Appalachian Trail Community) meetings, and the AT Festival. The Rec. Board has two bus trips planned and tickets are still available. He is concerned with the number of vacant properties and the lack of up-keep. He encourages citizen and council communication especially in regards to utilities.

Police Report – Chief Pickles reported that they have lost several officers to full time positions. They are currently working with the aggressive driver grant. Chief pickles addressed the police presence at the youth summer program. He stated that the police check on the program from a vantage point where a predator may sit. Although they may not have been seen, they were watching over the program from a distance. Typically a predator would not make him or herself known and therefore this type of vantage point would be more likely. Mr. Nace suggested that it would be more appropriate for the Police to make their presence known to the councilors and children. He said that remote property owners are hard to reach. Evina Allen stated that people are entering the vacant property next to her, and advised her to call the police immediately if she sees anyone doing so. She fears calling if it is

not an emergency situation. Fire Chief Worner said that they handle more non-emergency situations than emergency situations and that no one should hesitate to call.

Secretary/Treasurer's Report – Written Report. The amount for the Marysville Timber Account should be \$117,532.44.

Bell/Williams: Motion to approve report with correction, subject to audit – **PASSED**

Borough Manager's Report – A meeting was held on July 1, 2015 at the Penn Township Building regarding the rock slope project. Work continues on the northbound side. The project is expected to be completed by the end of August or early September. Their workday runs from 7:00AM until 5:30 PM. The next meeting will be at the Penn Township Building on August 5, 2015. In May Ms. Roche sent out letters at Councils request to property owners at 109 Cumberland Street and 215 High Street. Both properties had been deemed Dangerous and Dilapidated. The property owner at 215 High Street has not responded. The property at 109 Cumberland Street was purchased at an upset sale in May by Mr. Victor Schroy. Mr. Schroy just acquired the keys and has been and will remain in touch with the Borough. Ms. Roche has been in contact with Shade from Backdraft. He outlined his plans for building a 30 foot long and 3 foot high wall in the area behind Mr. Nace's property. Mr. Nace clarified that this was a sidewalk, not a wall. Ms. Roche also said the PA One call that came in via fax states that work should not begin until July 23, 2015. Shade will be meeting with Greg Rogalski to formulate a plan moving forward. Ms. Roche will contact Mr. Nace after this meeting. Mr. Nace thanked Ms. Roche for letting him know that the PA One call had not been made. Mr. Lauster asked if Ms. Roche had any contact with Miller Township regarding their recent recycling as they offered electronics recycling. Mr. Nace feels that they used the same vendor that Wheatfield Township used for their recycling program. Chief Worner asked if there is any way the borough can convey public safety concerns regarding the upcoming rock slope project and the closure of Rts. 11 & 15. The traffic and gridlock in town when there is an accident on 322 is definitely a safety concern, it makes it impossible for emergency vehicles to respond in a timely manner. Mr. Hammaker stated that there was a meeting at Senator Toeplitz's office with local business owners and news outlets. The statement coming from PennDOT (Department of Transportation) at this point is that it has to be closed because they cannot safely let traffic pass. The Borough can send a letter to our government officials stating our concerns. Chief Worner also asked for an update on the dry hydrants for the Noye Park area. Ms. Roche said the permit was submitted and she would check the status of that with Greg Rogalski. Mr. Nace stated that Senator Teplitz's office received the correspondence to Anne Knight regarding her property at 237 Center Street. He asked if item number 3, cleaning of the clean out box and the removal of vegetation and debris had now been completed by the borough workforce. Ms. Roche stated that it has been done. Mr. Nace also thanked Mr. Eppley for his insight on the property and possible solutions.

Bills to Be Paid/Ratified

Bell/Eppley: Motion to pay and ratify the bills including credit card expenses as presented – **PASSED**

Break – 9:25PM – 9:35PM

Solicitors Report – Solicitor Smith reported that Representative Bloom has a bill before the legislature asking for relief to Municipal bodies in the area of recycling. Many Municipalities are having a hard time finding a cost effective vendors for recycling. Solicitor Smith did some work on insurance relating to the Sesquicentennial. The borough had an issue with the music copyright agency BMI; they questioned whether we had obtained a performance license. The borough response was that the event in question (ATC Festival) was not a borough sponsored event and should not be considered the intended licensee. BMI has since come back and confirmed their agreement with that position. Solicitor Smith prepared the notices for the hearings held earlier in the evening. She has been preparing for the judicial conference on the E.B. Duke Investment land use appeal. They appealed the zoning hearing board decision therefore she will be at the conference later this week. There was a threat of litigation at AMP that they though may filter throughout the many municipalities that they serve, but it has been contained to just one. The Breslin federal litigation is expected to be back on the courts agenda in the near future as other matters have been cleared. The PUC (Public Utilities Commission) has issued an order dealing with medical certifications that are a part of the PUC policies. A medical certification is a written notification from a doctor that a customer has a medical need for utilities and that those utilities are threatened due to lack of payment. A medical certification could offer relief to past due, but the current bills had to be paid. The now ordered PUC process on a Medical Certification changes some things. A medical certification must be written, verbal is no longer accepted. The request can be on a form prepared by the municipality or one the state is in the process of preparing. The Certification must be signed by a medical profession and must include their name, address, and contact information. The nature of the condition does not need to be disclosed to the municipality. The medical certification can be renewed twice or longer if the medical profession deems it necessary. If it is found to be abused, you can petition the PUC to deny the Medical Certification. The Metro funds have been found to be escheated and are being held by the state. They were documented as unknown and therefore were hard to locate. A claims package will be prepared for the state and the funds should be recovered.

Engineer's Report – Engineer Ron Brown reported that the Market Street sewer project is proceeding to the last manhole. The site is orderly and he has heard no complaints from property owners. They are now working above the water table and therefore work is proceeding at a faster pace. On July 1, 2015 the robotic televising of the standpipe took place. There will be a report issued and it should be here next month and then submitted to DEP (Department of Environmental Protection) and then we will get a timeframe from them in which to resolve any pending issues. Exterior painting will need to be done and possibly the lining of the inside. We hope to wait until the CDBG (Community Development Block Grant) monies come in to complete the project. Engineer Brown addressed Mr. Nace and the construction project at his Market Street Property. Mr. Nace asked if the borough is being updated by Pennoni when permits are issued as there is confusion and a lack of clarity in the permit process.

Engineer Brown addressing the Pennoni Report for 4 Second Street –

Engineer Brown: Mr. Smith, I have the report here and I will give you a summary of what I think the report stipulates and then you can question me.

Mr. Smith: I think we could expedite things by letting me read you the highlighted points.

Engineer Brown: OK go ahead.

Mr. Smith: Page 1, remarks, onsite at manager's request for review of complaint filed. I have that Highlighted, I want to know when this complaint was filed because I have been complaining about this since day one and I want to know when the official date that the complaint was filed that resulted in this.

Engineer Brown: He was on sight on March 24th so.

Mr. Smith: March 24th, 2015. They broke ground in January of 2014 and I have had a problem since then and I made it clear to the borough manager and the borough council. So moving on, number 1 on the third line it says downslope side of the rear yard between the properties in question.

Engineer Brown: That should be yard. Basically what they are saying is the silt fence; there are remnants of a silt fence still on the property

Mr. Smith: That's right.

Engineer Brown: The silt fence is part of erosion and sediment control, not storm water. And that in essence is to keep silt and debris from going downstream

Mr. Smith: I would have to agree with you 100% on that and that is the problem. The dysfunctional silt fence. So when we talk about storm water that's one issue but that's not the only issue. The other issue is this silt you talk of, the debris the silt. So, and these pictures, we'll get to it but these pictures clearly show that that silt fence was.

Engineer Brown: You're saying that the silt fence does not operate.

Mr. Smith: That's right. I mean it couldn't be more obvious, it's clearly breached and it's flat on the ground. The pictures show that but we're not there yet. Number 2 states that the existing detached garage has no storm water controls to divert the water flowing down the hill. That's incorrect, there are storm water controls behind my garage and it's a borough drain on borough property that does not function. Why does it not function? The elevation for one and the changes slope of the properties is the other reason. Because at one point in time, I did not have these issues. I do have these issues now that things have changed.

Engineer Brown: I think what that means is that the slope, the garage is built into the bank and it goes up above the elevation of the surrounding ground so any water that comes down, it could come off of your property or the newly constructed property, it's going to flow downhill and it's going to hit the garage wall.

Mr. Smith: And that's where the other mistake on the understanding of how that all works is there's a retaining wall that separates the garage wall with an empty dead space of about 10 inches. So it appears in the photos that my garage is built underground and that's not the case. And that's why when these people stand there and tell me they don't see any problem's, it just goes to show they don't know what they are talking about. Number three, the borough does not have standalone storm water management ordinance. This has been a hot topic tonight, it seems pretty convenient at this point that they don't. It seems to be a continuing problem throughout the borough. Number 4, it appears that the required and necessary permits were legally obtained for the construction of the dwelling at 5 Second Street. That doesn't sound very concrete; I have some paperwork with Hollabaugh's signature on it for the beginning of the project which was signed off on December 30, 2013. You know, that's not solid information for one and number two if you sign off on it to build the place, who signs off on it at any point during the construction or at the completion of the construction to say you followed all of the rules, you did everything you were supposed to, A+ for you. Because I haven't seen that paperwork, if it exists I'd like to see it, because I would like to know who signed off on this because it has been non-stop problems.

Engineer Brown: There were two permits that were acquired, the building permit was acquired before construction and the E&S (Erosion and Sedimentation). Along with that was the E&S proposal which was basically the silt fence.

Mr. Smith: Whoever signed off on that is at fault.

Engineer Brown: That's all that the boroughs ordinance requires. Now, there were other inspections that took place during construction that are UCC code compliance inspections. They inspect footers, electric, plumbing, those were done and they get signed off on the back of the building permit as the project progresses. When you put insulation in it has to be inspected, but as the project was constructed, now this has only to do with the construction of the property. Those inspections were done.

Mr. Smith: So when you require the silt fence, do you require the silt fence to be functional, or do you just require a roll of silt fence on the property.

Engineer Brown: It has to be installed

Mr. Smith: Silt fence, the guy just removed it two weeks ago, it was a non-functioning fence.

Engineer Brown: In theory, after you get vegetation established on the property, you take the silt fence down.

Mr. Smith: They attempted countless times and failed at establishing any kind of grass or whatever it is they planted. The topsoil pile that was behind the house the entire time during construction from the basement and then fill back in around didn't even have a separate silt fence. He never grew grass, that guy couldn't grow grass to save his life and there is was no way over the weeks and months that I was complaining about this that you can tell me that there was an established anything. It was a non-stop disaster of mud slides, not storm water, but mud slides because of this dysfunctional silt fence and a drain that doesn't collect water. These borough council members, they stood there and looked at that drain that was bone dry and told me that it functions.

Mr. Eppley: I want to make a comment there, I was over at your place and you were there that day and I looked at that drain and I thought we could make some improvements in it. I asked you to show me where the water was diverting from the drain over into your property.

Mr. Smith: It goes around it, It is this much higher that the ground.

Mr. Eppley: Have you looked at that lately, because our guys went up there and they undercut it and after that heavy rainstorm that we had I went up there with Lynn and I could not find any diversion from that.

Mr. Smith: You are a year and six months late.

You told me that drain does not work now.

Ms. Roche: Did it work before the construction?

Mr. Smith: Am I not speaking English here? During that entire construction process is when the damage occurred at my property. I'm not talking about today's damage that may or may not be occurring. I'm talking about the damage prior to you coming in and doing "emergency" fixes that are a year and six months too late.

Ms. Roche: Did the drain work before the house was built.

Mr. Smith: Clearly not.

Ms. Roche: We never heard any complaints.

Mr. Smith: Because there wasn't a disturbance! You bring in the disturbance of the construction of a home where that guys driving around.

Ms. Roche: How long have you lived there?

Mr. Smith: I've been there seven years.

Mr. Hammaker: Now I'm confused. I'm not sure how I'm going to say this because I just don't understand where we're at. So it works now? Can we agree on that?

Mr. Smith: They blew out the whole depth of this thing so that it was this high off the ground.

Mr. Hammaker: My question was does it work now? It's a yes or no.

Mr. Smith: It works now.

Mr. Hammaker: Ok, so what then are you asking for now from the past.

Mr. Smith: I want acknowledgement, acceptance of responsibility, acceptance of ignorance, I want proof of these signatures that are signed off on something that I have pictures. I have a year and six months of a time line of photographs that show.

Mr. Hammaker: To what end, what is the end run here? What are you asking for? Are you asking for financial relief? Are you asking for, I don't know what you're asking for. If it works now and the problem has been solved are you still having an issue with the borough facilities?

Mr. Smith: What I am having issues with is what you didn't do for a year and six months. What you did in the last two months, I'm not here to talk about that. I'm here to talk about, and this is why you just keep pushing me off, pushing me off, pushing me off, and then boom you finally decide, oh no we do have a problem here the day after we stood here and lied to that man and said we don't see any problems.

Mr. Eppley: We made the situation better, that drain worked, we just made it work better.

Mr. Smith: You reconfigured an access road.

Mr. Hammaker: Mr. Smith, again what do you want council to do? We have taken corrective action, what are you asking from us, what are you asking us to do? We can't deliberate and make a decision unless we know what you're asking. You are asking for an acknowledgement?

Mr. Smith: Worst case scenario you know is just to acknowledge that you have been ignorant to me all this time, through this entire process.

Mr. Hammaker: I don't think that I have been ignorant to you at all.

Mr. Smith: By you I speak of the entire whole of you because I have been pushed off this entire time. Mostly by the manager.

Mr. Hammaker: We have made multiple site visits, we have heard you at the...

Mr. Smith: You can't do a site visit and tell me that there is no problem and then come in and make an entire change to the property and then tell me what do you mean there's no problem, everything works now. Where were you in January of 2013?

Mr. Eppley: Did you report a problem prior to 2013?

Mr. Smith: There was no problem prior to the disturbance

Mr. Eppley: So our drains were working then also.

Mr. Smith: There was no disturbance so there was no issue.

Mr. Eppley: So after the house was built, all of the sudden our drains don't work that's what you're telling me. That's what I'm getting.

Mr. Smith: You guys gave that contractor access from your property and in the process of driving heavy machinery from your property to the property neighboring me, somewhere along the lines there, things went wrong.

Mr. Eppley: I checked that swale that goes from Center Street straight down to that drain and I cannot see how unless you had three feet of water coming down how it could get out of that swale before it hits the drain. I went over there.

Mr. Smith: No one wanted to look at my photos.

Ms. Roche: Where are the photos, we have never seen anything.

Mr. Hammaker: What are you asking for?

Mr. Smith: I am asking for you to come in and fix all of the damage you did to my property from your ignorance.

Mr. Eppley: One of the things that you've mentioned is mold damage to your house.

Mr. Smith: It is a garage.

Mr. Eppley: You have a problem with the house and I'll tell you why. On the big part of the house on the side...

Mr. Smith: So now we are going to talk about all of the problems on my property.

Mr. Hammaker: No we're not. We're not going to talk about them, and the fact of the matter is I'm still not sure what you are asking council to do.

Mr. Smith: Well, I was given a report that led to numerous questions and I am in here tonight trying to get questions answered and I'm only about halfway through that report unfortunately and now you're asking me what I want. I want answers.

Mr. Hammaker: Well then, keep asking your questions.

Mr. Smith: It didn't have to come down to this. It's unfortunate that you have ignored me this long.

Mr. Hammaker: What's your next question please, Mr. Smith.

Mr. Smith: The alleged damage. You know the damage you've seen it, it's not alleged.

Mr. Eppley: We could never get into your garage to look at anything.

Mr. Smith: Because you are in denial. Why would I want you in my garage when you stand outside of my garage and tell me that I'm the problem? That I unfortunately live at the bottom of a hill.

Mr. Eppley: No, you said there was damage in the garage and we stood there and you said, "No, you are not getting in the garage."

Mr. Smith: Not until you can acknowledge that there is an issue.

Mr. Eppley: How do we know there's an issue until we get in the there.

Mr. Smith: The access road. The access road has a bone dry drain. So what did you do, you came in and reconfigured the whole thing.

Ms. Roche: Without access to the garage you cannot see the damage.

Mr. Smith: When you deny what is obvious to the outside, I'm not...

Ms. Roche: There is no proof of damage until you show either the inside of the garage or photographs and that is exactly what would happen in a courtroom. You have to provide proof.

Mr. Smith: There are photographs, which I have told you I had since day one.

Ms. Roche: Nobody has ever seen them.

Mr. Smith: The photographs include everything that is messed up with your access road, locust Street extension, your pretty pictures that you have in July of '15, Don't look like that in July of '14 proves that you had major problems for years.

Mr. Eppley: We never saw anything from you.

Mr. Smith: That's not true. I've been coming to you since the early part of 2014.

Mr. Eppley: Where are the photographs?

Mr. Smith: Number six.

Engineer Brown: This is the crux of a lot of the report. Any storm water damage that you allege or actually that happened is a matter between you and at that time, the builder. If the builder put a silt fence up and it got clogged with silt, he should have gone out and cleaned it. At that point he should have been notified.

Mr. Smith: As Lynn knows very well because this was her first answer to me to contact the builder. So I did this, I had a face to face with the builder, when I showed him the silt fence, he got extremely upset. He actually ripped part of it out of the ground and left the scene. I went back to the borough and said, "I've had my face to face with Leshner." Lynn Roche decided to laugh in my face and say,

“yeah I’ve known Wayne Leshar for fifteen years, this doesn’t surprise me.” So someone she knows is apparently not a very trustworthy person apparently. They let that person come in and build a where a home hasn’t been built in over 100 years and decide that they’re gonna make an odd numbered address in a place where there was a non-building lot.

Ms. Roche: It’s not a non-buildable lot.

Mr. Smith: It was up until.

Ms. Roche: Otherwise it could not have been sold and the property built on the lot.

Mr. Smith: When I purchased that home that was a non-building lot, somewhere along the lines they changed that. This is exactly what I’m talking about as far as who is responsible for signing off on things in in the dark. You know. No one at this Council table seems to know when these things happened or seem to even care that they’re happening. Lynn, you stood there and told me that the neighbor had a paved driveway and they have a stone driveway. A stone driveway that ends up in my front yard during heavy storms. Number 7, maintenance work is planned. That’s how hurriedly you went into action when this engineer must have told you behind some closed door somewhere, hey you have a major problem here, you better do this as soon as possible, how about eight o’clock tomorrow morning. It did not go to this table, it did not go through approval of this table and yet you did it the very next morning.

Mr. Eppley: You just said that our storm drains worked before the house was built, we only went over there and improved that by actually cutting it lower to make sure no water could escape.

Mr. Smith: Too little, too late. Number 8, if you are so concerned and great at fixing these things, where were ya in 2014.

Mr. Eppley: You haven’t demonstrated what your problem is yet. You say it runs off the house next to you and that’s borough problem. It can’t be a borough problem if it is running from person A to person B’s place.

Mr. Smith: It’s borough property, it’s your borough property. You have adjoining property to mine, just as my neighbor does. It’s you, it’s me, and it’s the neighbor.

Mr. Eppley: And I am asking you, where does our water run onto your property. You’re saying the silt fence is the problem and the silt fence runs along the entire property line, that’s not anywhere near borough property.

Mr. Smith: If you guys want to have a private meeting and sit down and look at my photographs, my timeline by all means, let’s set up a meeting. I hope you guys show up, because I’m not having much luck with Lynn putting me on schedules. I was promised to have Gregory Rogalski here to answer these questions as they are his printed words.

Engineer Brown: Well I am his representative. He was not available tonight.

Mr. Smith: It might have something to do with Lynn not notifying anybody, including me that I’m not on the agenda. Number 8, Locust Street is not paved in front of the detached garage and as a result traffic during the winter months causes wheel ruts and other depressions. Your wheel ruts and other depressions are your own problem’s that you created by not having the road graded properly which meant all of the water creates a pond in front of my garage that you decide that answer to that is to fill it in with loose stone. So that’s a lack of storm water management on your part with an improperly graded road which at some point in time you realized was improperly graded because you did come in and change it after this meeting and after this report was written. If you look at photo number one you might see exactly what I mean with this breached silt fence. Now I know what you are going to say because you’ve already said it before, look there’s grass growing because guess what that grass took months and months of failed attempts to grow that grass. In the meantime, that’s loose silt that moves with every rain event. My apologies for wasting anyone’s time tonight. I would be happy to set

up a meeting where some photographs can be shared, engineers can give professional advice. Pushing me off, and ignoring me, and mocking me, it's not the answer.

Mr. Hammaker: Mr. Smith, I didn't see or hear anyone mocking you here tonight.

Mr. Smith: If you go back to the meeting minutes I've explained myself.

Mr. Hammaker: I go back again to the question, what are you asking us to do. If the drain worked before the project.

Mr. Smith: If all of these things would have been done when I first brought it up, we probably wouldn't have experienced any damage to my property. But it was a year and six months late.

Mr. Hammaker: You are still not answering my question.

Mr. Smith: Why don't you answer your own question and tell me what you can do for me. What can you do for a homeowner in your borough who is complaining of issues and bringing it to the table and trying to go through proper procedures and only to be kicked to the side and ignored? What can you do for that resident?

Mr. Hammaker: When we have sent our engineer out, we have sent representatives from borough council out, we have sent members of our staff out and they have come back with the report that they have come back with, which we have paid for and you know that is the response that we are hearing. You are obviously unsatisfied with that response, so I ask you what you are looking for.

Mr. Smith: Being unsatisfied has a lot to do with the timeline, the time frame. Can anyone answer me, what took so long for a meeting to occur? And the laughter I speak of would be the laughter in my face telling me Wayne Leshar is someone she's known for 15 years and she is not surprised I'm dealing with these kind of situations. To me that's rude and inconsiderate and non-professional. So what can you do for me? I put that back on you guys.

Mr. Hammaker: Anyone from council have any questions or comments?

Mr. Nace: I for one and I am one of seven, you know I have a vote, but I'm one of seven. I would gladly try to understand, I don't understand a lot of the topography stuff. I have not gone out and looked at it; you know it wasn't something I have the expertise to deal with. I'm still learning about my own property, but I would gladly sit down and look at everything and at a minimum the photo's need to be shared with the seven people at this table. I don't know that the council or the office staff can do much more than has already been done, I understand that does not fix the first 17 months or whatever the case may be. If we have a clear direction of what would satisfy you at this juncture maybe we can help some of it, maybe we can help all of it, maybe we can help none of it. I don't know.

Mr. Smith: I doubt you can help with anything at this point, but for some sort of peace of mind. For some sort of, I'm dealing with humans here to acknowledge the fact, I mean come on.

Mr. Eppley: What are the facts, explain them to me. What are the facts that we are running water onto your property? We asked you that, when we met you that day I asked you that and you said, "Well it's just coming on the property." I want to know specifically where it is coming onto your property. I've looked for diversion ditches that would overflow and run onto your property and I cannot find any.

Mr. Smith: The insurance company calls it surface water, ok. It runs across the surface.

Mr. Eppley: And where does this surface water come from?

Mr. Smith: From your property, from my neighbor's property, it comes from the streets.

Mr. Eppley: We don't control your neighbor's property.

Mr. Smith: That's right, you don't, but you do control your own and when you saw what it looked like you came in the very next day and you changed it.

Mr. Eppley: Changed what? We agreed that the road was a problem because it is a low lying area right there. But as far as the grate on the wall up there which flows into the pipe down to Locust Street.

Mr. Smith: Then why did you knock the wall out of the drain?

Mr. Eppley: To make it more efficient.

Mr. Smith: More efficient? You mean because it was dry, it wasn't functioning.

Mr. Eppley: There was no water coming down the swale at all that day. You admitted yourself it was working before the property was built, but we thought ok let's make it a little bit better. We'll undercut it and we can't lose any water that way, it has to go down the drain. You've already admitted this thing worked at one time.

Mr. Smith: When I say it worked, I mean I didn't have water flowing through the back side of my garage, I'm not paying attention to your drains 24/7, I'm paying attention to your drains when I got to where the heck these mudslides are coming from that are entering the back side of my garage. That's when I'm paying attention.

Mr. Hammaker: Are these mud slides coming off of borough property?

Mr. Smith: No, they are not, not anymore. Because now there is established grass, now there is an improved...

Mr. Hammaker: Are they coming off of borough property?

Mr. Smith: At one time, yes. The pictures show that.

Solicitor Smith: Well then you need to put the pictures here. You need to show that what you are saying occurred because otherwise we don't know that that happened.

Mr. Smith: But no one ever.

Solicitor Smith: you have the pictures, you've had the pictures, you've never brought the pictures at any time. You could have brought the pictures at any time, this is your fourth or fifth time in recent months here. Bring the pictures and then people can be on the same page.

Mr. Smith: This report has pictures that you are not acknowledging.

Solicitor Smith: No, those are the picture that you don't acknowledge. You say that you have pictures from whatever year, put them on the table. Let everybody see the same thing you are seeing and then they can judge.

Mr. Smith: Let's meet up.

Solicitor Smith: Bring them to the next meeting.

Mr. Smith: Push me off another month.

Ms. Roche: Do you have the pictures with you?

Mr. Williams: What do you want done in this month's time frame? You said we are pushing you off, what you want.

Mr. Smith: Acknowledgement, that's the minimum you could do, but you just refuse.

Mr. Williams: We just did, we asked you to bring the pictures here.

Solicitor Smith: As a legal matter, I'm going to advise the borough as I have several times. It has been recorded in the minutes and people here have talked to you and told you that I have made these statements. The borough does not have a storm water management ordinance, so it can't enforce something it doesn't have. It has no obligation to have a storm water management ordinance. The UCC regulates the construction of the building; it doesn't regulate storm water associated with that building. That building was UCC inspected and signed off. At no time did we see you here or coming and saying there was something associated with the construction of the building. So when you ask about something like who signed off, well they are signing off on a construction permit not a storm water management permit, not a land development plan? So those issues are simply not

before you. To the extent that I have seen the pictures and I have talked to the engineer while doing so and I have read the report, I don't see a physical relationship between the borough property and its storm water management facilities and what you are describing as a problem on your property. If he disagrees with that he can bring the pictures to you but I have not seen any evidence that would connect storm water associated with what the borough can control and the problem that has been described. And until that is before you, you have no liability. You have no responsibility. How might that be demonstrated? Pictures, you can engage your own civil engineer to do a storm water analysis on your property to identify the sources of water. I am hearing Mr. Eppley state that he has been out there and can find no points of discharge that would affect your property that are coming from the borough. If the borough isn't discharging water onto someone's property then it can't be liable for the problem that you see on your property. Nonetheless, as I have mentioned here several times, there is the common law. The common law says that water will go where it goes and it is every person's responsibility to deal with it as it comes across your property. Surface flow, that is exactly what the common law says we are all burdened by.

Mr. Smith: This is all the result of a disturbance.

Solicitor Smith : That does not make the borough responsible that water falls on a piece ground and flows across your property and because of the way your property is laid out it affects you. That doesn't make it the boroughs responsibility.

Mr. Smith: This is all the result of a disturbance.

Solicitor Smith: So, I have said this repeatedly, the UCC controls the building. It was properly permitted and built according to the UCC permits. You have no separate storm water regulations so there is no particular issue for the borough to enforce that. If there is a violation of erosion and sediment control regulations or even storm water regulations of the state by the property owner above you then you can go to DEP and complain to DEP and see if there's a problem. They may have jurisdiction, this borough does not. If you have taken the measures to improve your roadway and improve the drainage facility to function more appropriately that does not mean you are responsible or liable it just means you have taken appropriate action seeing a condition on your property. Unless the road is graded toward the garage, unless the storm water inlet is discharging toward your garage there is no liability here for the borough. If there is an issue perhaps DEP, I have said this now three or four times, you can go to DEP and see if they think there is a problem with the property owner above you having not complied with state regulation, but this borough has no authority, has no regulations it can enforce, it is not it's property that is the source of the problem. Beyond that we can't say and without more information from you we are just guessing at the source of your problem, the timing of your problem, the condition of your property during the problem that you are alleging, we don't have anything before us except that you are saying it happened.

Mr. Smith: Well, OK. This is all the result of a disturbance. It is also the result of being ignored and I have not been filled in or enlightened with any of the information that you are presenting now and if the borough had any concern they would have worked with me on this. They would not have waited for me to just disappear, I know they were hoping that I would just disappear but I stuck with it and now everyone is in a big heated discussion because of it. Cause I didn't give up.

Mr. Hammaker: At this time I will tell you that if you want to bring your photographs into the next meeting or if you want to bring them into the office so that we make copies so that everyone at the table has a set of photographs that we can look at collectively, you are welcome to do that. Maybe that sheds some light.

Mr. Smith: There is a point in time that was not a request. It was call the police, call the builder. That's where it all began.

Solicitor Smith: That's not where we are now. Where we are now, the borough doesn't have responsibility; they don't have information unless you put it in front of them. You could go to DEP you have an alternative there; you could engage a civil engineer to help protect your property. Those are choices; those are options on the table for you.

Mr. Smith: You want to know why I'm here. You have been pushing me off on the police.

Solicitor Smith: The only reason why Ms. Roche suggested you contact the police was to discuss whether there was a criminal trespass issue. Because she did not know if there was an official affirmative act being taken by the property owner above you to harm you. That would have been a criminal action. When the police said it's not a criminal matter, it's a civil one, that does not make her suggesting that an option for you an error.

Mr. Smith: But that was the one and only thing I was supposed to do. There was no let's try this or do this, or go down this avenue.

Solicitor Smith: Because at that point, your complaint was about a construction on private property, it's not a borough issue. It is your relationship with your neighbor.

Mr. Smith: But it is because that private property has stuff flowing onto your property which in turn flows onto my property.

Solicitor Smith: The law doesn't work that way, I'm telling you right now. Talk to any attorney. Storm water law does not function that way. You're responsible for your property.

Mr. Smith: This is the result of a disturbance. This isn't just everyday storm water.

Solicitor Smith: Then go to DEP. If you believe that to be true then your option is to go to DEP and tell them that the property owner above me has disturbed property in an improper fashion and caused an erosion problem or storm water problem and ask them to help you because that is the only entity available to you.

Mr. Smith: Well thank you for your information, it's nice to actually get some feedback.

Mr. Hammaker: Any questions for the engineer?

PESI – Written Report. Water loss is down to 9%. The numbers will be compared to next month's numbers. Mayor Conrad was concerned about the cost for PESI services. Ms. Roche explained that some of the cost was due to the ordering of the OMNI system. PESI has been monitoring wells four and five manually.

Codes Enforcement – Mr. Nace asked if a written report was provided from the police. Mr. Hammaker said that it usually goes to Mr. Bomberger as he is a more convenient drop-off than Mr. Eppley.

Duncannon Fire Company – Chief Worner reported that the next fire protection meeting will be Sept. 29, 2015. 7:00PM at the town station. The tanker has been tested and repairs will cost about \$9000.00 and it will be out of service for about 5 days. After repair it will be re-tested and the rescue pump will also be tested. Chief Worner advised everyone in attendance to use the county non-emergency number in any situations that make you concerned or uncomfortable. Do not worry about inconveniencing the fire department. He will create an article about the non-emergency number for the next newsletter. The department responded to the fire at 1222 Market Street and they were unpleasantly surprised by some occupants of the house. He would like to see some type of ordinance for the reporting of exotic pets. There was an excess of 100 exotic pets at 1222 Market Street. If it had been a large fire they could have been a large problem. There could be an enforcement issue with this type of ordinance.

Mr. Nace thanked Chief Worner for the quick response about the water use for the fire at 1222 Market Street and asked that the fire department contact the borough office any time a hydrant is tapped. The borough received an invitation to the PA State Association of Boroughs leadership conference to be held in October. Mr. Nace informed Chief Worner that there were two of three fire associated programs and he wanted to pass the information on to the Fire Company.

UNFINISHED BUSINESS

Utility Policy Manual – Still completing.

18 – 28 North Market Street – Solicitor Smith is still working with the District Justice on this issue. It should be documented that the building is open and accessible and the police should be notified. If the building is found not to be secured it gives the borough the opportunity to bring a UCC violation. The property is owned by Kirk Nace or EK Ventures operating under Kirk Nace and that is who would be held responsible. Someone should go by and note and document where the building is not secure and then let the UCC inspector know. Then they can issue a violation. The police can secure boards if they are informed. Mr. Hobbie stated that his tenants see people coming and going from this property regularly. Mr. Hammaker asked that Mr. Hobbie have his tenants call the police when they see activity at 18-28 North Market. Photos should be taken of any possible violations and the date and time taken should be documented. Solicitor Smith explained that in our Dangerous and dilapidated ordinance we have a compliance penalty, but a judge would set fines and penalties. The complaint has been filed for 18–28 North Market and she is working with the District Justice. He sent the complaint back to us and then sent the citation back, it is a separate issue. He has taken the position that it can only be filed by the police and so they will refile it. The problem with that is that Solicitor Smith can be in other county and it can be filed by the municipality and as a result she has contacted the Administrative Office of the Court to confirm the authority to file the citation for non-summary judgement matters. Mr. Nace asked when it was turned over to the police department. Solicitor Smith said that it had been lumped in with the Painter property but it is now in the hands of the Police Department.

There are limitations in serving papers to property owners that are hard to find. It is an expensive process.

Ordinance Regulating Entryway Doors and Windows – Mr. Nace asked if adopted when would the Ordinance take effect. Solicitor Smith explained it was councils choice, however if a specific date was not chosen it would default to five days. In order to alert the public and allow them to get up to speed, you can delay the effective date. Mr. Nace expressed concern that the Clarks Ferry Tavern, owned by the borough is not in compliance with this ordinance. Mr. Hammaker explained that \$2250.00 has been donated to the preservation of the tavern and the compliance taken care of. Mr. Hammaker suggested a 60-90 day waiting period before enforcement of this ordinance begins.

Nace/ Bell – Motion to adopt the ordinance subject to enforcement beginning January 1, 2016. Homeowner should be notified via newsletter and cable TV. Ordinance to be numbered # 402. - PASSED

Ordinance Providing for the Designation of a Property Manager – Mr. Nace asks that section six match the Knox box provision of four units or more.

Nace/Bell - Motion to adopt the ordinance with the change to section six requiring the posting for building containing four or more units. Enforcement to begin January 2, 2016 with notification to residents via newsletter and cable TV. Ordinance to be numbered #403.- PASSED

Christ Lutheran Church Paving/Jimmy Nelson Eagle Project – The borough portion should be done by the end of the week.

COMMITTEE REPORTS

ADMINISTRATION, FINANCE & IT – Nothing to report.

FLEET, FACILITIES & UTILITIES –

Lauster/Nace – Motion to advertise a bid for the timber sale as proposed by forester Meiser. – PASSED

Mr. Lauster attended the hearing for our Seda-Cog grant at the county level. After the hearing, the Commissioners passed our application without any discussion or questions.

PARKS & RECREATION – National Night Out is set and ready to go. He commended his committee and especially Tonya Nace who puts forth extraordinary time and effort. Mr. Hammaker stated that it is really nice to have a lot of things going on. Mr. Nace asked for the budget of the movie night. Mr. Williams stated that the combined budget for the movie night and the summer program was \$2000.00

PERSONNEL – Nothing to Report.

PUBLIC SAFETY & STREETS – Mr. Eppley said the culvert at Butcher shop road should be next on the list for streets projects. He would like to begin the permit process.

Eppley/Nace - Motion to authorize Pennoni Associates to begin the preliminaries to begin the project on Butchershop Road. - PASSED

INFRASTRUCTURE ASSESSMENT – Mr. Nace asked that the boards be updated as requested. Mr. Nace would like any information on the wireless utilities in the borough right-of-way. Any guidance or paperwork from the office would be appreciated.

SPECIAL SESQUICENTENNIAL COMMITTEE – Mr. Hammaker stated that the committee has put countless hours into this special event and they are as ready as they will ever be. It should be a great celebration and the community is really getting involved.

The Perry County Economic Development Corporation and Mutzabugh's Market have given permission for their lots in business campus way to be used for visitor parking; visitors will then be shuttled in to the downtown area. The Perry County Economic Development Corporation would like a Certificate of Liability Insurance which we have, and an Indemnification and hold harmless agreement which has been drafted.

Nace/Lauster – Motion to approve the hold harmless Agreement for the PCEDC. - PASSED

The Bucktails would like permission to use blanks during their reenactments.

Nace/Lauster – Motion to allow the PA Bucktails to use blanks during their reenactments in the Borough Sesquicentennial Celebration. – PASSED

The Sesquicentennial would like to purchase the BMI license. The purchase of this license would cover any performance sponsored by the borough for up to one year.

Nace/Williams- Motion to purchase the BMI Music and the ASCAP licenses for one year terms at a cost of up to \$1000.00. – PASSED

Mr. Williams asks that permission be given to open the Tavern for a walk through for the Sesquicentennial. Engineer Brown suggested that a codes inspector look at it.

Nace/Bell – Motion to allow the Archaeology group to use the front room of the Tavern, secluded from the rest of the building contingent upon a Pennoni representatives favorable review and appropriate security measures taken by the group. – PASSED

Mr. Williams is asking to have the Borough workforce on hand Friday and Saturday during the celebration. This would require the ok for overtime pay. The money would come from the Sesquicentennial line item.

Nace/Williams – Motion to approve overtime pay for the borough workforce to work during the Sesquicentennial. – PASSED

Mr. Williams is asking for approval of \$2000.00 to come from the Sesquicentennial line item for signs, horse and carriage expenses, and donations to groups supporting the event.

Williams/ Lauster – Motion to approve \$2000.00 from the Sesquicentennial line item to be used for signs, Horse and Carriage expenses, and donations. – PASSED

Mr. Nace asked if the need for EMS services had been determined for the celebration. EMS service will be needed all day on Saturday, 9:00AM-10:00PM and 6:00PM-10:00PM. The cost is \$70.00 per hour for the ambulance. It would be \$60.00 per hour for a first aid station needed for 5 hours on Saturday.

Williams/Bell – Motion to allow access to \$1500.00 for EMS services – PASSED

Mr. Bell had phone calls with people concerned about getting into town. They should be informed, the town is open and to follow the signs for parking. Shuttle busses will be provided.

Eppley/Williams – motion to request that the parking lot in and around the sewer plant be available for parade participants. – PASSED

Mr. Hammaker announced that the Sesquicentennial Parade would be televised with commentation and rebroadcast on Blue Ridge Cable on specific dates in August.

NEW BUSINESS

Bell/ Williams - Motion to send a letter to Senator Teplitz, Representative Keller asking them to give all due consideration to public safety and traffic flow alternatives while the proposed 11 & 15 project is going on next year. – PASSED

Mr. Hammaker asked that Mr. Eppley look into the grass and weeds situation at 134 Market Street

And check with the police department to pin down the ordinance enforcement and the progress. Mr. Bell asked that he also check on 603 High Street.

Mr. Bell will meet with Mr. O'Shell to discuss the possibility of signs directing hiker on a safer route to Mutzabaugh's.

Mr. Nace offered the Penn Live article involving Chief Pickles if anyone would like to read it.

Mayor Conrad asked that everyone keep resident Mary Parry in their thought as she is going through cancer surgery.

CLARKS FERRY TAVERN

Two donations have been received totaling 2250.00 for the restoration of the tavern. Committee Meetings will begin again after the Sesquicentennial.

Adjournment – Bell/Williams – Motion to adjourn at 11:57PM on July 21, 2015.

Respectfully Submitted,
Kathy Bauer
Duncannon Borough Secretary

APPROVED