

**BOROUGH OF DUNCANNON  
COUNCIL MEETING MINUTES  
June 16, 2015**

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

**Members Absent:** Roger Williams. (Informed Mr. Hammaker he would be absent)

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

**Citizens Present:** Paul Smith, Kathy Smith, Tonya Nace, Jamie Shrawder, Kristie Smith, Lisa Landis

President Hammaker opened the meeting at 7:30PM on June 16, 2015 with a moment of silence followed by the Pledge of Allegiance to the American Flag.

**Minutes: Bell/Bomberger: Motion to approve May 19, 2015 minutes as corrected – PASSED**

*Page 3 – Manager’s Report Line 4, add ‘per ton’ after 70. Page 4 – Engineer’s Report, Second Paragraph, line 5 – change 1 to one and move to the next line. PESI Report – add MGD, Million Gallons per Day after 1.5. Page 7 – Mr. Lauster, Add That the Electrical contractor was from Downes Associates. Page 8 – Sesquicentennial store address is 9 South Market. NNO is abbreviation for National Night Out.*

**RECOGNITION OF CITIZENS**

**Jamie Shrawder (Seda Cog)**– Jamie Shrawder updated Council on the progress of the Grant Application for the Community Development Block Grant (CDBG). The grant monies if awarded would cover a new booster station/treatment facility, a new well, generators for well four, generators for the new well, and generators for the booster station, and the line on Chestnut Street. The project total is approximately \$1,113,250.00. \$750,000.00 from the CDBG Grant, \$199,030.00 from the CDBG entitlement the county has already allocated to the Chestnut Street Line, and that would leave \$164,420.00 from the Borough. That number could change depending on the bids. The final public hearing for the project will be held by the County at 9:45AM on June 29<sup>th</sup> prior to the Commissioners meeting. The Commissioners will then be meeting to approve the application to be submitted to CDBG. The Applications should be reviewed later this year and will likely be awarded next year. She needs letters of support from Council members and residents to include with the application. Letters of support from local legislators are also helpful in the grant application process. Mr. Lauster asked if a letter of support from Penn Township would be useful as they are incorporated into portions of our system, 22% of the water generated by Duncannon goes to Penn Township.

**Tonya Nace** – Tonya Nace of 1010 Lincoln Street stated that she has been coordinating the Duncannon Summer Program for children in the 17020 zip code at Cooper Field. 46 children have signed up for the program and on average 16-20 have attended each day. The Parks and Recreation committee held a movie night which was attended by about 45 people. Tonya had some concern about safety at the park. A man had shown up at the park and was watching the children, the children were asked and he was not known to any of them. They had a description of the man and his car, but

no license number. Tonya stated that she called the Borough office and The Borough Manager contacted the Penn Township Police. Two borough crew members went to the park as soon as possible but the man had left. However, he did come back at a later time. It took 2 hours for the Police to arrive as they were in a meeting. She feels that we need to have more of a police presence and has asked that they swing by on the days that the program is in session. Chief Pickles agreed to have officers make their presence known on program days.

**Paul Smith** – Paul Smith of 4 Second Street pointed out some items that he had taken issue with on the Pennoni report discussing the exterior inspection of his home. Paul referenced page 1, stating that there was no indication of the date of his original complaint. Page 2, #2 indicates that the garage has no storm drainage in place. He feels the borough drain behind the garage is non-functioning. #4 states that ‘It appears that the permit for the home at 5 Second Street was legally obtained. Mr. Smith feels the word appears does not seem like a definitive determination. #6 states that the water run-off is a private issue between the two parties involved. He feels the Borough is an involved party in this situation. #7 states that maintenance work is planned, but was already completed by the time the report was provided. Mr. Smith feels #8, the regrading of Locust Street makes no sense. Mr. Smith stated that photos included in the report show obvious issues that the borough should repair. He is dealing with mold, mud, damage to drywall, and auto damage, all due to storm water run-off. Mr. Nace asked if #7 and #8 have been completed. The Borough Manager stated that #7 has been completed, #8 has been started but final grading is not complete.

#### **CORRESPONDENCE - None**

#### **PROPOSALS**

**First Amendment to Coordinate Agreement between PPL Electric Utilities Corporation and the Borough of Duncannon** – This proposal reflects the terms of the most recent AMP settlement. Action to be taken later in the meeting.

#### **REPORTS**

**Mayor’s Report** – Mayor Conrad provided a written report and a flyer with information for a bus trip to Bethlehem, Musikfest, Sands Casino, Outlets, and Cabela’s. The trip is sponsored by The Duncannon Recreation Board.

**Police Report** – Chief Pickles reported Officer Dory Thompson has left Duncannon to become the first full time female Police officer on the Steelton Police force. Another female officer will be off for 9 months and they are reviewing applications for possible hire. They now have 8 part time officers and 2 full time officers. Chief Pickles introduced Jerry Cavanagh to the Council; Jerry is a new officer on the force.

Mr. Nace asked if all officers were trained on the location of the Centennial Grounds as last summer officers did not know the location. Chief Pickles said they are aware, however the name often differs. Centennial Grounds, Ball Diamond, and Cooper Field are all names used and at times the association might not be immediate. Mr. Nace also asked if there was an upswing in drug related arrests, because the EMS has had more calls. There has not been an upswing in arrests. The Penn

Township Police Department does participate with the County task force, but they do not have a member on the task force. Mr. Nace also wanted to let Chief Pickles know that an officer responded to an EMS call on Prospect Avenue and he was very helpful. Any time an officer hears a call and is available the help is appreciated.

Chief Pickles said that residents are dumping bags of garbage at Gammers Corner and if identified it is a fine of up to \$500.00.

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

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

**Borough Manager's Report** –The County is no longer under contract with Geise Associates and Asuro for IT services. The new contract is now with Dean Leachy. The service fees remain the same. Ms. Roche asked council if she should continue to follow the county lead with the IT services or remain with Asuro IT.

**Bomberger/Nace** – Contract with Dean Leachy for IT Services – PASSED

The FERC (Federal Energy Regulatory Commission) Settlement with the borough came in the form of two payments. The first was in the amount of \$1556.64 for the meter read and the second from PPL was \$26,750.00 for network service peak billing that was based on the prices in 2012.

Ms. Roche read a memo from Dennis Meiser, the Borough Forester regarding recent defoliation issues at the watershed.

To: Ms. Lynn Roche, Borough Manager, Borough of Duncannon  
From: Dennis R. Meiser, Borough Forester  
Date: June 16, 2015

*The following is a summary of our activities concerning defoliating insects on the watershed recently.*

*On Monday, May 4th I made a check of the watershed for gypsy moth eggs. I found a limited number of eggs which did not indicate a serious defoliation. But, as a precaution, the Borough decided to spray 650 acres to protect the areas that contain mature oak timber. The spraying was done on May 11th and a check on May 22nd found it to be successful.*

*On Tuesday, May 19th I received word from you that there was defoliation between the reservoir and the gate. This area was not sprayed. On May 22nd I looked at the area. There was heavy defoliation on the mountain side extending from the gate to near the reservoir. More than 90% of the defoliated area was on the Appalachian Trail easement. Since the Borough does not have timber rights on the easement we have not been spraying it.*

*On May 19th the defoliation of the oak trees was complete and the mountainside was dark brown from a distance. I was fairly certain that this was not caused by gypsy moths. The defoliation was too early for gypsy moths and I found no gypsy moths on the site. It appeared to be a native defoliator such as cankerworm or possibly oak leaf roller.*

*Yesterday, June 15th I checked the site again. In just over three weeks the oak trees had refoliated and the leaves were nearly full size. I have never seen anything like this before. Again I found no gypsy moth caterpillars, and that proves, I believe, that it was not gypsy moths. The strong refoiliation combined with the abundant rain causes me to be optimistic about the trees surviving.*

*In summary, I believe the spraying was successful on the areas we manage for timber. I believe the defoliation on the trail easement was unrelated and impossible to predict. I do not expect to see too much mortality from the defoliation.*

*We may want to do some early spraying next year. But we need to find out what we are dealing with, and this will take some work. I will be happy to answer any questions from you or the Council.*

*Dennis R. Meiser*

The sewer project is set to begin on June 22, 2015. A section of Borough property has been roped off for use as a staging area for the construction equipment. The Borough Manager was directed to check the Apple Tree Alley survey and make sure the staging area does not cover any of the property owned by Nancy Gavin.

**Questions for the Manager** – Engineer Ron Brown asked if Rogele would be able to keep one lane of Market Street closed overnight. That is not possible and he will let them know as soon as possible. Mr. Nace asked if the manager was keeping track of time spent by the Borough Crew at the Clarks Ferry Tavern as there are potholes on Cherry, High, and Hickory, among others that need repair. The only work taking place at the Tavern filling of holes, mowing and weed control.

Mr. Nace received an e-mail from Meghan Thorpe of Senator Teplitz's office. The e-mail was forwarded to Council and Engineer Brown. Mr. Eppley said the property in question has a drain that gets clogged, however that drain is on the property and not borough property. Mr. Eppley and the Borough Manager will look at the property in question. Mr. Bomberger said this same issue has come before council in the past and the problem is most likely the homeowner responsibility.

**Bills to Be Paid/Ratified** – Mr. Bomberger explained how the 'Bills due to other Funds' line items were prepared. Checks are written from general as a disbursement of funds to other accounts. The checks are prepared to create a paper trail as that makes the audit process easier.

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

**Solicitors Report** – Solicitor Smith reported that the EB Duke land use appeal which is several years old had been sitting at the court for years. A notice of a judicial conference was received and then immediately following that, EB duke sent out a request for a continuance. The Borough Manager provided a letter received today setting the date for the judicial conference for July 27, 2015.

A defense council conference was held concerning the Breslin Matter. The expectation of communicating with the court was delayed because there is a separate matter that the borough is not involved in that may provide deposition testimony.

The Sesquicentennial contracts require an action by council. Council may take action to grant authority to a representative signer. A maximum monetary amount should be determined for approval.

**Engineer's Report** –The final phase of the Market Street Sewer project is set to begin on Monday, June 22, 2015. The Strison unit was struck by lightning and is not working. Two options were provided for Council consideration, Control 21 and Omni Site Crystal Ball. Engineer Brown has limited information on these and has to do some research before he can give recommendations.

Mr. Hammaker feels that this equipment is important to the water system and needs to be purchased and implemented as soon as possible. He suggested that Council give the committee permission to purchase the equipment after proper research has been done. Mayor Conrad suggested looking into whether insurance would pay for repairs to the Strison unit or replacement.

Engineer Brown explained that the Pennoni report regarding 4 Second Street was attempting to remain neutral and to give suggestions for possible solutions. Down spouting would move the water away from both the garage and the house. Solicitor Smith stated that if the property owner altered the lay of the land or changed the point of discharge during the improvement of the lot, Mr. Smith can go to the DEP (Department of Environmental Protection) and they can take action. However, Mr. Smith is responsible for taking the complaint to DEP, this is a private matter between the two homeowners. The Borough is not a responsible party, and has no authority to enforce any action. Solicitor Smith also said common Law states that water is a common enemy and everyone needs to deal with it as they can. The Law would not hold the upgrade property owner responsible if the water naturally flows down.

**PESI** – Written Report. Water loss percentage is not accurate due to a problem with the master meter at well 5. Mr. Nace would like more clarification in the PESI report. The line 'Well #4 has issues' is not informative. The issues should be stated in the report. Ms. Roche informed council that the issue with well #4 is a problem with the chemical feed and it will be replaced as soon as the new one arrives.

**Duncannon Fire Company** – Chief Worner reported that the tanker has gone through pump test maintenance and has passed. The pumps go through maintenance each year and tested every other year. The tower truck will be checked next week to find the cause of a shimmy in the front end. The fire company would like to be made aware of any paving projects in the borough as they would like to piggyback if possible to have their front ramp repaved. It was suggested that they contact Rogele as they will be working on the Market Street sewer project and that will include paving. The next community fire committee will be held on September 27, 2015 at 7:00PM. There will be no chicken b-b-q in July or August due to lack of help in the summer. They have been helping other community fire companies with establishing chicken barbecues. Mr. Lauster suggested trying to have a Chicken Barbecue in August for yard sale day if possible.

**Break – 9:20 – 9:30**

## **UNFINISHED BUSINESS**

**Utility Policy Manual** – Still completing.

**18 – 28 North Market Street** – No update.

**109 Cumberland and 215 High Street** – Letters were sent to the owners asking what the intentions were regarding the properties. There was no response from either property owner.

Victor Shiroy purchased the property at 109 Cumberland. He was provided with a copy of the Dangerous and Dilapidated findings. The determinations are specific to the properties, not the

owners. Solicitor Smith suggested going forward to the Magistrate for enforcement of these orders. If there is no response from the owner of either property, the matters will be taken up at the next council meeting during unfinished business.

**Ordinance Regulating Entryway Doors and Windows** – The proposed Ordinance was provided for consideration by Council and changes were proposed at the last meeting. Proposed changes were incorporated into the Ordinance by Solicitor Smith and brought back for Council review. The next step is to advertise for a public hearing.

**Eppley/Bomberger** – Motion to advertise a public hearing for the Ordinance Regulating Entryway Doors and Windows for 7:05PM on July 21, 2015 - PASSED

**Ordinance providing for the Designation of a Property Manager** – The proposed Ordinance was provided for consideration by Council at the last meeting. Proposed changes were incorporated by Solicitor Smith and brought back for Council review. The next step is to advertise for a public hearing. There was discussion regarding Section 6, Posting of Property. Mr. Eppley said renters of single family homes may not want something posted near the front door of their home. Mayor Conrad suggested that if electric meters are all outside that may be an option and the posting site could be kept consistent.

**Bell/Lauster** – Motion to advertise the Ordinance Providing for the Designation of a Property Manager as written for 7:05PM on July 21, 2015 immediately following the hearing for the Ordinance Regulating Entryway Doors and Windows – PASSED, Nace opposed.

**Commerce Bank/ Metro Bank check** – Metro bank has confirmed all of the records that indicate what the check was and the amount. They also confirmed that it was not negotiated. They said that it may have been escheated, however Solicitor Smith has been unable to find any indication of that. The monies have not been found in unclaimed property. METRO Bank will look for any record of escheatment and how it may have been referenced. The amount of the check is \$5,833.82.

**Christ Lutheran Church Paving/Jimmy Nelson Eagle Project** – The project is on track for July start.

**Solicitor Services** – Mr. Nace reviewed the bids received for Solicitor services and feels it would be wise to wait until the New Year to consider them and take action.

## **COMMITTEE REPORTS**

**ADMINISTRATION, FINANCE & IT** – **Bomberger/Nace** – Motion to pay the first installment of the 2015 donation to the Duncannon Fire Company in the amount of \$11,500. **PASSED**

**Bomberger/Lauster** – Motion to pay the \$2500.00 budgeted donation to the Duncannon Boy Scouts for the recycling program - **PASSED**

**FLEET, FACILITIES & UTILITIES** – **Lauster/Bomberger** – Motion to adopt the First Amendment Agreement between PPL Electric Utilities Corporation and the Borough of Duncannon with the signature page modification. - PASSED

**Lauster/Bomberger** – Motion to give the Utilities Committee authority to make a decision to purchase 2 units to replace the Strison. The decision to be made with input from Pennoni and PESI and purchase is not to exceed \$8000.00. Council should be polled if cost exceeds \$8000.00. – **PASSED**

The booster pump and the chlorinator have been replaced at Cove Mountain.

Mr. Nace asked for information on a determination regarding pipes at Fritz Run and the PCRA. He would like any documentation that can be found. Mr. Hammaker believes that those lines have been abandoned and are no longer in use.

**PARKS & RECREATION** – Mr. Hammaker attended the Car Show and Movie night and enjoyed both. Mayor Conrad provided a flyer for the upcoming 'Bus Trip of the Century' sponsored by the Rec. Board and said that a portable disc golf set has been purchased. Mr. Nace provided a large screen for use at the movie night sponsored by the Duncannon Rec. Board when the planned provider failed. He asked if reimbursement was possible. Mr. Hammaker said an invoice should be prepared and given to the recreation committee.

The Bus Trip will be included in the Summer Newsletter.

**PERSONNEL** – An employee evaluation was provided for David Keen.

**Bell/Bomberger** – Motion to give David Keen a \$.30 increase. **PASSED**

**Bell/Lauster** – Motion to enter executive session at 10:05PM to discuss personnel matters – **PASSED**

**Bell/Lauster** – Motion to re-enter regular session at 10:16PM – **PASSED**

**Bell/Lauster** – Motion to consider two part time crew employees at the rate of \$10.00 per hour. Applicants to be considered and hired by the personnel committee. - **PASSED**

**PUBLIC SAFETY & STREETS** – Eppley/Bomberger – Motion to pay \$42,290.00 to Penn Township for police Protection for July, August, and September. – **PASSED**, Nace opposed.

Mr. Eppley presented a parade permit and special events permit for the Sesquicentennial Celebration. All proposed street closings are included in the permit.

**Eppley/Nace** – Motion to issue the Parade Permit and approve all road closures proposed for August 8, 9, & 10, 2015. – **PASSED**

**Eppley/Bomberger** – Motion to authorize a \$500.00 donation to the Duncannon Fire Police. – **PASSED**

**PERSONNEL** – Mr. Nace asked if there was a plan in place for Lisa Meck. She is working out her contract through ABEL Temp. Agency.

**Bell/Nace** – Hire Lisa Meck at \$10.50 at the completion of her Abel contract with a 6 month probationary period. - **PASSED**

**INFRASTRUCTURE ASSESSMENT** – Mr. Nace asked that all boards be updated as soon as possible. Add the date of any changes to the board. Solicitor Smith suggested that the committee familiarize themselves with any franchise agreements within the borough.

**SPECIAL SESQUICENTENNIAL COMMITTEE** – The Sesquicentennial projects and celebration plans are progressing rapidly. A small store with Sesquicentennial memorabilia has been opened at 9

North Market Street. The fourth 'Trail through Time' newsletter will be published on Friday, June 19, 2015. The Sesquicentennial committee will have a table at the ATC festival. The committee is meeting every two weeks until the celebration.

### **NEW BUSINESS**

**Mayor Conrad** – The Mayor officiated the marriage of a couple in a small ceremony at the Borough Office. He has paperwork that he would like to keep at the office somewhere.

### **CLARKS FERRY TAVERN**

The Tavern Committee is working to get the Tavern on the Historic Register. The Archaeological dig is ongoing and a section will be available for a dig during the Sesquicentennial celebration. All other sections will be filled in and leveled before August.

**Adjournment** – **Bell/Nace**: Motion to adjourn at 10:40PM, June 16, 2015 – **PASSED**

**Re-adjournment** – **Bomberger/Lauster** - Motion to reconvene at 10:41PM, June 16, 2015 – **PASSED**

**Bell/Eppley** – Motion to pay \$4,600.00 for miscellaneous Sesquicentennial expenses. Included in this amount is \$250.00 for the insurance rider, the printing of the passport and stamps, a donation to the New Bloomfield Fire Company for help with parking, advertisements in the Perry County newspapers, and portable toilets for the event.- **PASSED**

**Contracts** – Bomberger/Lauster – Motion to permit office staff to execute any contract for the Sesquicentennial up to the amount of \$2500.00. – **PASSED**

**Adjournment** – **Bell/Eppley** – Motion to adjourn at 10:49PM, June 16, 2015. - **PASSED**

Respectfully Submitted,  
Kathy Bauer  
Duncannon Borough Secretary