

**SHAMOKIN DAM BOROUGH COUNCIL
COUNCIL MEETING
JULY 6, 2021**

The regular monthly meeting of the Shamokin Dam Borough Council was held on Tuesday, July 6, 2021, in the municipal building located at 42 West 8th Avenue, Shamokin Dam beginning at 7:00 P.M. President Musser presided.

MEMBERS PRESENT:

Dave Sauers, Mark Benner, Maria Brandt, Domenico Barillaro, and Donald Musser were present.

MEMBERS ABSENT:

Kyle Jessick and Rue Rothermel were absent.

OTHERS PRESENT:

Manager Edward Hovenstine, Solicitor Robert Slivinski, Secretary LaDawn Leitzel, Mayor Joseph McGranaghan, Police Chief Bremigen, Lear Smith, June Stark, and Robert Grayston were present.

The meeting was opened with the “Pledge of Allegiance”.

PREVIOUS MEETING MINUTES:

A motion was made by Councilwoman Brandt to approve the Council minutes of June 7, 2021, as presented, seconded by Councilman Benner, and approved by all.

VISITORS:

Lear Smith, Borough resident, discussed with Council noise situation at apartment building located at 80-92 Baldwin Blvd. The police department and Mayor McGranaghan were notified of the situation. The property owner was notified by the police department. The Mayor noted that possibly an amendment to the Quality of Life Ordinance to address the noise situation.

COMMUNICATIONS:

Central Keystone COG – The Borough received correspondence from Central Keystone COG thanking Council for the financial contribution in the amount of \$2,000.00.

MAYORS REPORT:

PENNDOT Meeting – The Mayor, the Manager, and President Musser attended a meeting with PENNDOT regarding the noise during the CSVT construction. PENNDOT representative will coordinate that most of the construction noise will be conducted during the day. PENNDOT will be working twenty-four hours with ten hour shift off two hours and ten hour shift off two hours to save time. The construction equipment would be equipped with white noise.

Riverfront Project 70 Land – Alex Skotedis purchased the Nestlerode property along the river located between PENNDOT and Shamokin Dam Borough property. The Borough property is Project 70 land, which is contracted between the Shamokin Dam Borough and the state of

Pennsylvania for the acquisition of land for state parks, reservoirs and other conservation and recreation and historical preservation purposes. State Representative Lynda Culver will help with the legislative need to transfer the land from the Shamokin Dam Borough to Alex Skotedis. There is no timetable currently for this item.

Robert Grayston arrived at this time.

FNB Bank Meeting – The Mayor, the Manager, and President Musser attended a zoom meeting with FNB Bank to discuss the closure of the bank located in Shamokin Dam Borough. FNB Bank will close and sell the property located in Shamokin Dam with a provision that no other financial institution can utilize the property for a certain amount of time.

Central Keystone COG Update – Property Maintenance – Mayor McGranaghan reported on the current property maintenance list:

1. Queen Avenue-The charges are pending because some property maintenance repairs have been started.
2. Helen Street property-A contractor was contacted to repair the property.
3. The cemetery repairs will be completed in a few weeks; Central Keystone COG will verify repairs.

Police Report - Police Chief Bremigen presented the June police report. The Police Chief reviewed the results of a DUI checkpoint, AG patrol, officer certification and training.

MANAGERS REPORT:

Reservoir Valve Installation – Manager Hovenstine reported that the installation of the reservoir valve is approximately ninety-five percent completed. The valving will be tied into the RAFA System.

INSA Expansion – A Planning Commission meeting will be held on Wednesday, July 14, 2021 at 7:00PM to discuss the INSA expansion. INSA uses approximately 7000 gallons of water per day and requested an increase to an estimated 42,000 gallons of water per day.

American Rescue Plan Act (ARPA) 2021- Federal Grant Application – Manager Hovenstine worked with SEDA COG and DCED on the federal grant application (ARPA 2021) and received a confirmation email for the ARPA grant application in the amount of \$176,565.68.

SB597 Opposition – Manager Hovenstine stated that SB597 would impose conflicting and expensive requirements on small water and wastewater systems for little or no benefit to the customers. This Bill could appear to have the primary purpose of driving municipalities and small private entities out of the water and wastewater business through new unnecessary regulatory requirements and costs. Additionally, SB 597 places enforcement of The Water Quality Accountability Act under the Public Utilities Commission, effectively placing water and wastewater system operation and maintenance under 2 different state regulatory agencies.

Jim Emery arrived at this time.

Central Keystone COG – Jim Emery questioned whether there was a mistake with the adoption of Ordinance 2021-3 with regards to excluding Section 708-fire safety permits and requested clarification of the ordinance. Solicitor Slivinski answered that the intention would be that fire safety permits would not be issued, but the regulations regarding fire safety would be applicable.

Ordinance 2010-3, Insertion, Revisions and Exclusions:

Central Keystone COG Maintenance Code, Property, Fire Safety & Building (CMC), as published by the Central Keystone COG, is revised as follows:

Chapter 1, Section 103.5- The Borough of Shamokin Dam shall also adopt and maintain the fee schedule as established by the Executive Committee of the Board of Directors of the CKCOG by Municipal Resolution. A copy of this fee schedule shall be retained by the CKCOG and shall be maintained as Appendix C of the CKCOG Maintenance Code, Property, Fire Safety & Building (CMC).

Chapter 3, Section 302.4 Maximum height 10 inches.

Chapter 7, Section 708 Fire Safety Permits: Section Excluded from Ordinance

Chapter 7, Section 709 Operational Permits: Section Excluded from Ordinance

Chapter 7, Section 710.1 inspections

The code official may conduct inspection of a property when any of the following occurs:

1. When a complaint is made, and the code official has reasonable cause to believe that the complaint is valid.
2. At the request of the owner or tenant.
3. By recurrent deficiencies, such that any structure which has been found to have a high incidence of recurrent or uncorrected deficiencies will be inspected more frequently.
4. For the purpose of reinspection to ensure the correction of any deficiencies in existence at a previous inspection.
5. When an alteration of the premises of the premises results in the increase or decrease in occupiable space.
6. By area, such that all structures in predetermined geographical area will be inspected simultaneously, or within a short period of time.
7. When requested by the Borough Manager.

Chapter 8, Rental Housing Permits: Chapter Excluded from Ordinance

Chapter 9, Fire Code: Chapter Excluded from Ordinance

Councilman Sauers questioned what was considered a commercial unit. Jim Emery answered anything nonresidential. Council President questioned about a four-apartment building. Mr. Emery answered that a four-apartment building would be considered commercial.

If Council would decide to include fire safety permits and periodic inspections, then the ordinance would have to be amended at a future meeting.

Mayor McGranaghan questioned whether Robert Grayston had submitted a property maintenance plan to Central Keystone COG. Jim Emery answered that nothing has been

submitted in writing, however Mr. Grayston has been in contact with Central Keystone COG. Mr. Emery requested that Robert Grayston attend the meeting. Robert Grayston reviewed the status of the property located at 2943 North Susquehanna Trail: Central PA Enterprise LLC had purchased the former Phillips Motel property, had the deed restrictions (that were attached to the property) removed, COVID caused Olive Garden/Red Lobster to back out of purchase, a Seven-Eleven store backed out of purchase, Motel/Hotel had interest (Financing was not available) and nothing solid for purchase at this time. Central PA Enterprise LLC contacted DRIVE (local economic development group) and a commercial real estate broker to help move the property forward. The Mayor requested that an actual property maintenance plan be submitted in writing to Central Keystone COG, because that was in the court order.

SOLICITOR REPORT:

Ordinance 2021-4, repealing Borough Ordinance 73-2, its per capita tax ordinance, effective January 1, 2022. In 1973, Shamokin Dam enacted a \$5.00 per person per capita tax, billed by the County with its per capita tax and collected by the Borough Tax Collector. The Borough has been advised that the County will no longer levy and bill its own per capita taxes, beginning on January 1, 2022. Council determined that the cost of billing and collecting the \$5.00 per capita tax would outweigh the benefits of collecting said tax.

Borough Code be it ordained as follows:

1. Shamokin Dam Ordinance No. 73-2 is hereby repealed as of January 1, 2022.
2. As of January 1, 2022, The Code of the Borough of Shamokin Dam shall be and is hereby amended by repealing and removing Part 5, Chapter 24, Section 501 through 508 inclusive.

A motion was made by Councilman Barillaro to adopt Ordinance 2021-4, repealing the per capita tax ordinance effective January 1, 2022, seconded by Councilwoman Brandt, and approved by all.

Lewis property-The complaint was filed on Monday, June 14, 2021, the Snyder County Sheriff's office sent the complaint to Dauphin County Sheriff's office on Wednesday, June 16, 2021. Solicitor Slivinski reported that the civil action suit needs to be served by Dauphin County Sheriff's Office because of Stephanie Lewis's residence. The Solicitor will monitor the status.

PLANNING COMMISSION:

A Planning Commission meeting will be held on July 14, 2021 at 7:00 PM to discuss the INSA expansion.

WORKSHOP MEETING:

A workshop meeting will be held on July 15, 2021 at 7:00PM to discuss the adoption of Ordinance 2021-3, Central Keystone COG maintenance code, property, fire safety and building (CMC). Meeting was cancelled.

PAYMENT OF BILLS:

General Fund bills in the amount of \$23,589.03, Water and Sewer Fund bills in the amount of \$22,889.83, 111 W 11th Avenue Fund bills in the amount of \$40.00, and Payroll Fund in the

amount of \$184.43, were presented for payment. A motion was made by Councilman Sauers to approve payment of the bills as presented, seconded by Councilman Benner, and approved by all.

ADJOURNMENT:

The meeting was adjourned at 8:40 PM.

Respectfully submitted,

LaDawn D. Leitzel
Borough Secretary