

MECHANICSBURG BOROUGH COUNCIL PUBLIC HEARING AND
REGULAR BOROUGH COUNCIL MEETING
COUNCIL CHAMBERS, BOROUGH OFFICE BUILDING
2 West Strawberry @ North Market Street
Mechanicsburg, PA 17055-6282

December 17, 2002

7:30 P.M.

BUDGET HEARING

President Rider called the Budget Hearing to order at 7:30 p.m.

Roll call was taken with the following present: President Rider, Vice President Eichelberger, Councilmen McDermott, Ritter, Seagrist, Whitcomb, Winchell, Jr. Councilperson Lopez, Mayor Ritter, Solicitor Schorpp, Chief Spotts, Secretary Stough, and Assistant Secretary Boyer.

Also in attendance: Cress-Sentinel, Walde-Patriot, Bob Dietrich, Joanne Caulfield, Kara Collins, Barry Heckard, Floyd Kautz, Jr., Roger Kitchen, Ed LeClear, Kyle Miller, Lee Miller, Charles Sheriff, Bob Strous, Paul T. Sukeena, Scott Tochtermann and Debbie Tollet.

Secretary Stough stated that the budget has been legally advertised in the Sentinel, Carlisle, PA. on November 23, 2002 and has been available for public inspection at the Borough Office, Library and Senior Adult Center from November 20, 2002 through December 17, 2002.

President Rider called for discussion or comment from the public and Borough Council and seeing none he adjourned the budget hearing.

Borough Council Regular Meeting

CALL TO ORDER: At 7:35 p.m. President Rider called the Council meeting to order

PLEDGE OF ALLEGIANCE: President Rider led those assembled in the Pledge of Allegiance to the flag.

ATTENDANCE: Roll call taken at the Budget Hearing will serve as roll call for this meeting.

ADDITIONS TO AGENDA:

- 1) Manager Stough noted that the Executive Session would be for discussion of a personnel matter and a matter of litigation with no action to be taken.
- 2) Resolution 23-2002 in honor of Mr. Baker will be removed from the agenda, as it was done at the August meeting.
- 3) Councilman McDermott asked to add a discussion on lowering the speed limit on Maplewood Avenue. Manager Stough suggested that this be discussed in conjunction with the speed limit on Gross Drive.

APPROVAL OF AGENDA: Councilman Seagrist moved, Councilman McDermott second, approval of the agenda, with the additions as stated by the Secretary and Councilman McDermott. The motion carried, 7:0.

CITIZEN COMMENTS:

◆ Barry Heckard, 605 Somerset Drive, addressed Borough Council as the Borough's elected tax collector. Mr. Heckard asked Borough Council to consider passing a Resolution setting fees for the Certification of Real Estate Taxes at \$2.00 per Certification if mailed, \$3.00 if faxed. The Solicitor asked Mr. Heckard if these rates reflected his costs in providing the service. Mr. Heckard indicated that it did, as he does not have a fax machine and must use an outside service location. Council asked Solicitor Schorpp to draft a Resolution for Council to consider at their January meeting.

ADOPTION OF THE 2003 BUDGETS

Manager Stough asked for a discussion on the update of sewer rates prior to approval of the budget for the coming year. Manager Stough noted that Council had directed the Manager to explore changing the sewer billing process to a metered rate based on readings provided by United Water. After discussions with Pennoni Associates and the Borough Solicitor, it was brought to the Manager's attention that changing to a metered rate would require a change from billing in advance for services to billing in arrears based on past usage. This would require the Borough to skip one quarterly billing cycle in order to make the transition, which would create a substantial short fall in revenues for the 2003 year.

Manager Stough suggested that Borough Council consider a rate increase to the base rate for the first fixture of twenty-one (\$21.00) dollars with the bills based on a fixture count. This would make the rate for the first fixture of each residential unit \$38.60. This would allow the Borough to update fixture counts over the summer months using interns from local colleges. When we can build up a cushion, then we could consider converting to metered rates. This would allow us to use the current software and not incur additional costs for new billing software. This could be in place for the April billing cycle of 2003. Manager Stough noted that Borough Council had increased the cost of the per fixture rate for new construction in 2000; however, this had no impact on existing accounts, as they were never billed the increase, as accurate records were not available.

Councilman Winchell expressed support of this increase, instead of a conversion to metered rates. Councilman Whitcomb also expressed support for an increase to the base fixture rate. Councilman McDermott indicated that he is in favor of no increase; instead, he suggested that projects be removed from the budget so an increase is not required. Vice President Eichelberger stated that he is still in favor of metered rate, even if we have to wait until next year to implement the new system. Manager Stough noted that, as fixture counts are updated additional revenues will be generated. In the future we may be able to build a cushion, so that we can skip a quarter billing to make the conversion to metered billing. President Rider again voiced his support for metered rates, which gives the consumer control over their usage and he stated that he feels this option just postpones the use of metered rates. Manager Stough noted that the budget is prepared including projected revenues that would be lost in the conversion, and we do not have time to prepare the data for conversion for the April billing, given the differences between United Water's data and our data. Much discussion followed on the conversion process.

After much discussion, Councilman Winchell made a motion to direct the Solicitor to draft and advertise revisions to the sewer rate ordinance to add \$21.00 to the first fixture count of each billable sewer unit. Councilman Ritter seconded the motion. A very long discussion followed on setting a fee for the property that refuses to allow their fixture count to be updated by Borough staff. Manager Stough indicated that setting a flat rate for those customers that would not allow their counts to be updated would encourage participation from residents in the process of updating our records. Councilman Winchell amended his motion to include the setting of a flat rate for customers not allowing updating of their fixture count. Councilman Ritter amended his second to include the same. The motion carried by a vote of 7:0.

Manager Stough asked for a motion to approve the Fire Chief's salary for 2003 as a separate motion and then a motion for approval of the 2003 budgets as advertised.

President Rider made a motion to approve the salary for the Fire Chief in the amount of \$4,004. Councilman Whitcomb seconded the motion, which passed with 6 in favor, none against and Councilman Seagrist abstained.

Councilman Ritter made a motion to approve the 2003 budgets as presented and advertised. Councilman Winchell seconded the motion, which passed by a vote of five in favor (Rider, Ritter, Seagrist, Whitcomb, Winchell); two opposed (Eichelberger, McDermott).

President Rider made a motion to adopt Ordinance 1045 setting the tax milage for 2003 at 1.45 mills. Councilman Whitcomb seconded the motion, which passed by a vote of six in favor, one against as follows:

Vice President Eichelberger	Yea
Councilman McDermott	Nay
Councilman Rider	Yea
Councilman Ritter	Yea
Councilman Seagrist	Yea
Councilman Whitcomb	Yea
Councilman Winchell	Yea

CORRESPONDENCE:

- 1) Manager Stough noted that he has received information on updating the Borough's Emergency Operations plan from the Office of Emergency Preparedness and has forward this correspondence to Chief Seagrist.
- 2) Correspondence was received from the Cumberland County Redevelopment Authority on the Borough's Strategic plan.
- 3) A letter was received the I-81 Corridor Study thanking the Borough for its letter of support and informing the Borough that the project has been funded. They are requesting a representative be appointed from our municipality to serve on the study steering committee. Council directed the Manager to check to see

if the Borough did send a letter of support for this study. This matter will be discussed at the January meeting further.

- 4) A letter was received from the Cumberland County Redevelopment Authority to inform the Borough that the application for CDBG funding to make the Borough pool ADA compliant was approved in the amount of \$50,333.
- 5) The recycling feasibility study was received and sent out to Borough Council in their packets.

APPROVAL OF MINUTES: Councilman Eichelberger moved, Councilman McDermott second, approval of the minutes of the November 19, 2002, Council meeting as submitted. The motion carried, 7:0.

APPROVAL OF MONTHLY REPORTS: Councilman McDermott moved, Councilman Seagrist second, approval of the monthly reports as submitted. The motion carried, 7:0.

MANAGER'S REPORT:

- ◆ Manager Stough reported that he and members of Council met with Congressman Platts on December 4th regarding Federal funding for the upgrade of traffic signals in the downtown area.
- ◆ On Monday, December 16th, the Manager, Engineer, Councilman McDermott and Mayor Ritter attended the Cumberland County Commissioners meeting to ask for a letter of support for the traffic signal project.

MAYOR'S REPORT

- ◆ December 4th – Mayor attended overview and project schedule of our Downtown Signalization needs with U.S. Representative Todd Platts at the Borough Office
- ◆ December 9th – Garry Eichelberger was the guest speaker at the Crime Watch meeting.
- ◆ December 10th – Mayor attended meeting to promote the 175th anniversary and plans are moving forward with lots of input and help from interested citizens and service organizations.
- ◆ December 13th – attended CPR class here at the Borough Office given to Mechanicsburg's police officers.
- ◆ Mayor noted that Chief Spotts will be the guest speaker at the Crime Watch Meeting on January 13th giving his state of the Borough Address.

Trivia Question:

Part 1: Potts Manufacturing Company has had four locations, two of which were in the Borough. Name the four locations.
Part 2: Several items of manufacture were ash hoist doors and iron fences. Within the Borough today there is a display of several styles of these fences, where is it located?

Answer:

Part 1: The company was located on Allen Street (Potts Block) between York and High Streets. It then moved to where the ambulance building is now (N. Market and Allen). Then to East Simpson Street at the present location of the Giant Market and then to Silver Springs Road. Bob Dietrich knew the answer and received a Christmas Tree Ornament from the Mayor.

Part 2: The fence display is at the northeast corner of York and Allen Streets carefully look at the various styles that were available the next time you are in this area. No one knew the answer to part 2.

CHIEF OF POLICE REPORT

- ◆ Monthly Report has been distributed.
- ◆ We received citizen letters of commendation for Lt. Myers and Officer Dyer for their performance of duties at recent incidents.

Chief Spotts then read a letter received from a citizen thanking the Police Department for their help with a recent incident.

SOLICITOR'S REPORT

The Solicitor noted that approval of the meeting schedule for 2003 should be added to the agenda.

FIRE CHIEF REPORT

Chief Seagrist was not present, but his report was included in Council packets.

COUNCIL COMMITTEE REPORTS

Recycling Committee: Winchell: Councilman Winchell noted that Council has received the Recycling Feasibility Study and he will be scheduling a meeting to review this in January.

Finance-Appropriations-Insurance: Rider: President Rider reviewed the positive performance of the Uniform and Non Uniform pension funds and noted that this information was in the Council packets for review.

Health-Recreation: Rider: None

Public-Safety-Highway: Eichelberger: Vice President Rider asked to reschedule the Committee meeting cancelled last week due to weather to Monday, December 30th at 7 p.m. at the Borough Office.

Public Communications: Eichelberger. None

Ordinance-Administration-Legislative Action: Seagrist: Councilman Seagrist thanked the Borough Staff for successfully posting the meeting and budget on the Borough Web site.

Property-Building: Ritter: None

School Board: McDermott. None

Community Development: McDermott: None

W.S.C.O.G.: Ritter: Councilman Ritter reported that the annual COG dinner will be held on January 20, 2002 at 6 p.m. at the Holiday Inn.

Fire Committee: Winchell: None

AGENDA ITEMS:

- ◆ **Approval of meeting schedule for 2003.**
President Rider made a motion to approve the meeting schedule for 2003 as advertised. Councilman Whitcomb seconded the motion, which passed with all in favor.
- ◆ **Review and possible adoption of Delta Development Strategic Plan.**
Manager Stough indicated that many residents have contacted the Borough Office to volunteer for committees after reading Vice President Eichelberger's article in the newsletter. A discussion followed on the need to advertise committee meetings and Solicitor Schorpp advised that meetings should be advertised. Mr. Kautz inquired if the Landmark Preservation Committee, established by Borough Council years ago, could be reactivated and the name changed. Mr. Schorpp will look into the matter. Councilman McDermott made a motion to accept the Strategic Plan document prepared by Delta Development. Vice President Eichelberger seconded the motion, which passed with all in favor, 7:0. Manager Stough noted that in January under Community Development the committees can be discussed further.
- ◆ **Discussion on Delta Phase II proposal.**
Manager Stough introduced Scott Tochterman and Deborah Tollett from Delta Development. Mr. Tochterman addressed Borough Council regarding his proposal for Professional Services submitted to Borough Council which would engage Delta Development to handle the application process for the Federal and State Grants for the proposed Traffic Signal upgrade project. Mr. Tochterman reviewed the scope of work included in his proposal and informed Borough Council that his fee for services would be \$4,500 per month for a period of fifteen months beginning in January of 2003 and concluding in the Spring of 2004. The contract does include a 30 day termination notice provision, which the Borough could activate if the Federal Funding option fails early on in the process. President Rider asked Mr. Tochterman how many hours per month would be needed to complete the scope of work. Mr. Tochterman answered that it would take about 30 to 40 hours per month. A long discussion followed on the scope of the work and how the fees for services were determined. Councilman McDermott asked if Mr. Tochterman would consider entering into an arrangement for a period of less than 15 months. Mr. Tochterman indicated that he would, and suggested possibility a twelve-month arrangement, as done with the other Borough professional service providers. He did indicate that Delta would not contract for less than twelve months of services. Manager Stough asked that Borough Council consider the proposal and the work needed to seek this funding. Councilman Eichelberger asked if The Cumberland County Redevelopment Authority could assist the Borough with this application process, saving the cost of the professional services contract with Delta. Manager Stough indicated that he has not discussed this with Chris Gulotta at the County. Councilman McDermott suggested that Manager Stough contact Chris Gulotta and this item be tabled for the January work session, which will be advertised for action, if required. The Manager will see if Mr. Gulotta is available to attend either the December 30th committee meeting or the January work session.
- ◆ **Consider adoption of Resolution 19-2002 honoring Tom Gabel for his service to the Shade Tree Commission.**
Councilman Ritter made a motion, second by Councilman Whitcomb, to adopt Resolution 19-2002 honoring Tom Gabel for this twenty-nine years of service on the Borough's Shade Tree Commission. The motion passed, 7:0. Mr. Gabel was not in attendance so Manager Stough noted that he would see if he was available to attend the January meeting and receive his resolution and the Manager noted that as part of the Resolution a tree would be planted in honor of Mr. Gabel in the spring.
- ◆ **Consider adoption of Resolution 20-2002 thanking Jr. Councilperson Lopez for his service during 2002.**
Councilman Rider made a motion to adopt Resolution 20-2002 thanking Michael Lopez for his service during the 2002 year in the position of Jr. Councilperson. Councilman McDermott seconded the motion, which passed unanimously. Councilman McDermott presented Mr. Lopez with a framed copy of the Resolution and thanked him on behalf of Borough Council for his service over the past twelve months.
- ◆ **Consider request of Cystic Fibrosis for their Great Strides walk to be held at Memorial Park in 2003.**
Councilman Rider made a motion, second by Councilman Winchell to approve the request of Cystic Fibrosis for their Great Strides walk to be held in Memorial Park on May 10, 2003. The motion passed by a vote of 7:0.
- ◆ **Consider request to set speed limit on Gross Drive & West Maplewood Avenue to 25 m.p.h.**

Solicitor Schorpp indicated that Borough Council could reduce the speed on these two streets by motion. Chief Spotts indicated that the Police Department concurred with the request to post the speed limit at 25 mph. President Rider made a motion to reduce the speed limit on Gross Drive and West Maplewood Avenue to 25 m.p.h. Councilman Winchell seconded the motion, which passed with all in favor, 7:0. Mrs. Caulfield, 203 West Maplewood thanked the Police Department and Borough Council for their help with this matter.

- ◆ **Discussion on a 2 percent loan for the purchase of a new fire engine in an amount not to exceed \$150,000.**
Councilman Winchell indicated that he had discussed with Chief Seagrist the possibility of a four percent (4%) loan, instead of the two percent (2%) loan, which the Solicitor was reviewing in conjunction with Citizens Fire Company. Manager Stough suggested that the costs may be included in the bond issuance, eliminating the need for obtaining an additional loan. After much discussion, it was decided to revisit this item at the January meeting.
- ◆ **Consider authorizing the bid of a telephone system for the new Municipal Center.**
Manager Stough asked to have the telephone system tabled till the January meeting.
- ◆ **Consider adoption of Resolution 21-2002 establishing a public records policy.**
Councilman Seagrist made a motion, second by Councilman Winchell to adopt Resolution 21-2002 establishing a public records policy for Mechanicsburg Borough. The motion passed by a vote of 7:0.
- ◆ **Consider adoption of Resolution 22-2002 honoring Robert Eberly for his service to the Planning Commission.**
Councilman Winchell made a motion, second by Vice President Eichelberger, to adopt Resolution 22-2002 honoring Robert Eberly for his service to the Borough Planning Commission. The motion passed with all in favor, 7:0.
- ◆ **Consider adoption of Resolution 23-2002 honoring William Arbogast for his service to the Planning Commission.**
Councilman McDermott made a motion, second by Councilman Seagrist, to adopt Resolution 23-2002, honoring William Arbogast for his service to the Borough Planning Commission. The motion passed unanimously.
- ◆ **Discussion on vacancies and necessity of Plumbing Board.**
Manager Stough indicated that the Solicitor has reviewed the ordinance and the Plumbing Board will be dissolved with the formation of an appeals board, when the Statewide Building Code is adopted, so no additional appointment to this board will be made.
- ◆ **Consider appointment to a fill three-year term on Zoning Hearing Board to expire December 31, 2005.**
Councilman Winchell made a motion to reappoint Thomas Viehman to a three year term on the Zoning Hearing Board to expire December 31, 2005. Councilman Ritter second the motion, which passed 7:0. Solicitor Schorpp noted that two alternate representatives can be appointed to the Zoning Hearing Board under the State Municipal Code. Solicitor Schorpp will check our Borough Code to see if our code provides for an alternate and it will be discussed at the January meeting.
- ◆ **Consider appointments to fill two four-year terms on the Planning Commission to expire December 31, 2006, a one-year term to fill position vacated by Mr. Baker to expire December 31, 2003, and a three-year term to fill position vacated by Mr. Arbogast to expire December 31, 2005.**
Councilman McDermott made a motion, second by President Rider, to reappoint Tom Klaum and to appoint Ed LeClair to the two four year terms on the Planning Commission which will expire December 31, 2006. The motion passed unanimously. Council Winchell made a motion that Harry Baker be appointed to fill the one year balance of the term on the Planning Commission vacated by Mr. Baker, which will expire December 31, 2003. Councilman Ritter second the motion, which passed with all in favor. Vice President Eichelberger made a motion that William Corliss be appointed to the three year balance of the Planning Commission term vacated by Mr. Arbogast, which will expire December 31, 2005. Councilman McDermott seconded the motion, which passed by a vote of 7:0.
- ◆ **Consider appointment to fill a one five-year term on the Shade Tree Commission to expire December 31, 2007.**
Manager Stough noted that four residents (Nancy Cichocki, Nancy Hanlon, Patrick Strohl & Glenn Swank), had expressed interest in this position. Councilman Winchell made a motion, seconded by Councilman Whitcomb, to appoint Glenn Swank to a five year term on the Shade Tree Commission to expire December 31, 2007. The motion carried unanimously.
- ◆ **Consider appointment to fill a six-year term on the Police Civil Service Commission to expire December 31, 2008.**
Councilman Seagrist made a motion, second by Councilman McDermott, to appoint Dom Tarquin to a six year term on the Civil Service Commission to expire December 31, 2008. The motion passed with all in favor.
- ◆ **Consider appointment to fill two five-year terms on the Recreation Commission to expire December 31, 2007.**
Councilman McDermott made a motion to reappoint both Phil Dolson and Lorrie Weber to the Recreation Commission for terms of five years, which will expire December 31, 2007. Councilman Whitcomb seconded the motion, which passed unanimously.
- ◆ **Consider appointment of Michael Gray and Ronald Trace as Assistant Emergency Preparedness Directors for a term to expire December 31, 2003.**
Councilman Whitcomb made a motion to appoint Michael Gray and Ronald Trace as Assistant Emergency Preparedness Directors for 2003. Councilman McDermott seconded the motion, which passed with all in favor.

- ◆ **Consider appointment of a Jr. Councilperson for the 2003 calendar year.**
Councilman McDermott made a motion to appoint Kyle Miller as Junior Councilperson for the 2003 year. Councilman Ritter seconded the motion, which passed by a vote of 7:0. President Rider thanked all of the students who expressed and interest in participating in the program.
- ◆ **Appointment of Borough Solicitor for 2003.**
President Rider made a motion to appoint Ed Schorpp as Borough Solicitor for 2003. Councilman Seagrist seconded the motion, which passed with all in favor.
- ◆ **Appointment of Borough Engineer for 2003.**
Councilman Winchell made a motion to appoint Mark Bruening as Borough Engineer for 2003. Councilman Whitcomb seconded the motion, which passed unanimously. Vice President Eichelberger asked if we appoint the engineering firm for the Wastewater Treatment Plant annually. Manager Stough indicated that he believes that they have not done that in the past, it has been an ongoing appointment. After advice from Solicitor, Manager Stough was directed to review the current arrangement with Gannett Fleming and report back to Borough Council.
- ◆ **Consider Appointment of Cumberland County Recorder of Deeds as Real Estate Transfer Tax collector for 2003.**
Councilman Ritter made a motion, second by Councilman Whitcomb, to appoint Cumberland County Recorder of Deeds as Real Estate Transfer Tax collector for 2003. The motion passed, 7:0.
- ◆ **Consider Appointment of G.H. Harris as Delinquent Per Capita Tax Collector for 2003.**
President Rider made a motion to appoint G.H. Harris as Delinquent Per Capita Tax Collector for 2003. Councilman Whitcomb seconded the motion, which passed with all in favor.
- ◆ **Consider appointment of Cumberland County and Barry Heckard as delinquent real estate tax collectors for 2003.**
Councilman Whitcomb made a motion, second by Councilman Seagrist, to appoint Cumberland County and Barry Heckard as delinquent real estate tax collectors for 2003. The motion passed with all in favor.
- ◆ **Discussion on the Joint Recreation Agreement.**
This matter will be continued to the January meeting.
- ◆ **Consider directing Manager to draft a letter in support of the Technology Corridor Enterprise Zone.**
Councilman McDermott made a motion, second by Councilman Winchell, to direct the Manager to send a letter of support for the Technology Corridor Enterprise Zone. The motion passed unanimously.
- ◆ **Discussion on non-uniform pension COLA.**
Councilman Seagrist made a motion to authorize the solicitor to draft and advertise change to the non-uniform pension for calendar year 2003 to offer a one time cost of living adjustment of five percent (5%) to Mechanicsburg Borough non-uniform retired employees or their widows effective January 1, 2003. Councilman McDermott seconded the motion, which passed with all in favor.
- ◆ **Consider approval of Tri-County Planning Agreement**
President Rider made a motion, second by Councilman McDermott, to approve the Tri-County Planning Agreement. The motion passed 7:0.
- ◆ **Exoneration of Delinquent Per Capita Tax.**
President Rider made a motion to exonerate delinquent per capita tax for the taxpayers identified by G.H. Harris during 2002. The motion was second by Councilman Whitcomb and passed with all in favor.
- ◆ **Authorization to close books December 31, 2002 and pay all outstanding bills, make deposits.**
Councilman Whitcomb made a motion, second by Councilman Winchell, to authorize the Manager to close the books and pay all outstanding bills and deposits all monies on December 31, 2002. The motion passed 7:0.

APPROVAL OF EXPENDITURES PAID: Councilman Seagrist moved, President Rider second, approval of expenditures paid from November 1, 2002 through November 30, 2002 in the amount of \$199,689.60 for the General Fund; and \$101,699.29 for the Capital Improvement Fund. The motion carried unanimously.

GUESTS:

There were none.

ADJOURNMENT: With no further business to come before Council, President Rider adjourned the meeting at 10:05 p.m. to Executive Session on a matter of personnel and litigation with no action to be taken.



Jonathan S. Stough
Borough Manager

