

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

February 18, 2003

7:30 P.M.

CALL TO ORDER: At 7:30 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 with the following present: President Rider, Vice President Eichelberger, Councilmen McDermott, Ritter, Seagrist, Whitcomb, Winchell, Jr. Councilperson Miller, Mayor Ritter, Solicitor Schorpp, Chief Spotts, and Assistant Secretary Boyer.

Also in attendance: Cress-Sentinel, Walde-Patriot, Jim Clay, Bob Dietrich, Floyd Kautz, Jr., Jack Neibert, Larry Seagrist, Charles Sheriff & Jay Stoner.

ADDITIONS TO AGENDA:

1. President Rider indicated that the Executive Session for this evening will be moved to the end of the agenda as no action is to be taken.
2. President Rider also indicated that the authorization to participate in the West Shore COG bid will be removed, as authorization is not required.
3. President Rider also indicated that the Discussion on the Recreation Grant and the Cost of Living Adjustment for non-uniform employees would be tabled to next month's meeting, when Manager Stough is in attendance, as per his request.

APPROVAL OF AGENDA: Councilman Whitcomb moved, Councilman Winchell second, approval of the agenda as amended. The motion carried, 7:0.

CITIZEN COMMENTS:

President Rider asked for citizen comments and there were none.

President Rider stated that he would like to commend the Highway and Police Departments for their handling of the twenty plus inches of snow, which has fallen in the last few days.

GUESTS

Councilman McDermott noted that the individuals from the Middle School were unable to attend this evening and will be rescheduled for another meeting.

CORRESPONDENCE:

- 1) A copy of the Governor's Proclamation of Disaster Emergency was distributed to Borough Council.
- 2) A copy of the Special Collection Bulletin from Penn Waste was distributed. Due to the snow, refuse and recycling service will be suspended for the Monday, Tuesday and Wednesday routes. Thursday and Friday routes will be collected as usual.

APPROVAL OF MINUTES: Councilman McDermott moved, Councilman Whitcomb second, approval of the minutes of the January 21, 2003 Council meetings as submitted. The motion carried, 7:0.

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

MANAGER'S REPORT:

- ◆ In Manager Stough's absence, Assistant Secretary Boyer reported on the snow plowing and removal efforts of the Highway Department. Oversized vehicles parked on the street did create some problems with snow removal.
- ◆ Craig Yinger, Street Superintendent, indicated to staff that all streets are open and the crew will be widening roadways, alleys and hauling snow from curb lines till 11 p.m. this evening.
- ◆ Truck 18, a 1989 5 ton dump truck broke a rear axle today and had to be taken into Keystone for repairs.
- ◆ Highway Department rented a wheel loader, skid loader, backhoe and a tandem truck to assist in the snow removal.

Councilman Seagrist asked if snow emergency information could be included on the Borough's Website. Ms. Boyer indicated that the staff could do that.

#### MAYOR'S REPORT

The Mayor reported the official Mechanicsburg snowfall for February 15<sup>th</sup> through February 17<sup>th</sup> was 25.3 inches.

- ◆ February 6<sup>th</sup> – Attended 175<sup>th</sup> Anniversary Meeting at the Borough Hall, lots of plans in place, lots of excitement, we are going to put Mechanicsburg on the map.
- ◆ February 10<sup>th</sup> – Barry Heckard, local tax collector, talked with the Crime Watch Group. A good turnout on a cold freezing rainy night.
- ◆ February 12<sup>th</sup> – Attended annual prayer breakfast at the Mechanicsburg Defense Activities with Chief Spotts.
- ◆ February 14<sup>th</sup> – Officiated two Valentine Day weddings.
- ◆ February 22<sup>nd</sup> – Annual Washington Fire Company Banquet.

Trivia Question: In fireman lingo what is a spider?

Answer: A spider refers to a hose cart with large spindly wheels. The Washington Fire Company has a spider hose cart; used in 1858, on display at the Pennsylvania National Fire Museum in Harrisburg. No one knew the correct answer.

#### CHIEF OF POLICE REPORT

- ◆ Chief Spotts reported that he received a letter of commendation for Officer Hlavac for an incident that he handled.
- ◆ Received notification from DCED that the grant for Z-Band technology was approved and should be received in the near future.
- ◆ Last week the Department participated in the National Child Safety Seat Awareness week and two surveys were conducted and 100 percent compliance was found for children and 97 percent compliance for adults.

#### SOLICITOR'S REPORT

The Solicitor had no report.

#### FIRE CHIEF REPORT

Chief Seagrist asked Council to consider taking action on the item to approve the bid specifications for the new fire engine.

#### COUNCIL COMMITTEE REPORTS

Recycling Committee: Winchell: No Report

Finance-Appropriations-Insurance: Rider: President Rider noted that the Committee met earlier this evening and suggested some revisions to the application for assistance with sewer rate increases.

Health-Recreation: Rider: No Report

Public-Safety-Highway: Eichelberger: Vice President Eichelberger noted that he has discussed the matter of trailer restrictions with the Solicitor and it is his understanding that any restrictions would have to be signed on each street to which they apply, which could be every street in the Borough. Much discussion followed regarding the signage issues and the current provisions in the vehicle code. Solicitor Schorpp noted that to enact restrictions you need a basis to discriminate and the most common criteria would be width of the cartway on a given street, density of housing which limits the availability of parking, or site distances as they relate to the blocking of traffic signals and signs. Vice President Eichelberger asked Chief Spotts if he could determine the areas, which meet these criteria and provide information on this to Borough Council for consideration. Chief Spotts indicated that it would take him some time to review the Borough streets and make lists of the problem areas that meet these criteria. Chief Spotts indicated that it may take a month or two to compile the information requested. Councilman Seagrist asked if signs would be required if a permit was needed to park oversize vehicles on the street. Solicitor Schorpp indicated that signs would be required to inform people from outside the Borough of the prohibition.

Public Communications: Eichelberger. Vice President Eichelberger asked Ms. Boyer about the status of the spring edition of the Newsletter. Ms. Boyer noted that this edition should be ready to go to the printers Friday or Monday and will be out to residents the first week of March.

Ordinance-Administration-Legislative Action: Seagrist: Councilman Seagrist asked if the written determination from the Labor Attorney on the COLA has been received. Ms. Boyer indicated that it has not been received, but Manager Stough has indicated that Mr. Rudolph will be providing a written opinion on the matter in the near future.

Property-Building: Ritter: No Report

School Board: McDermott. Councilman McDermott reported that the School Board work session will be held on Tuesday, February 25<sup>th</sup>. Discussion will be entertained on use of the former Intermediate School building.

Community Development: McDermott: Councilman McDermott reported on the Steering Committee meeting and the Committee will meet again next Wednesday, February 26<sup>th</sup>. The Pancake Breakfast tickets have arrived at the Borough Office, the Breakfast will be held March 15<sup>th</sup> at Citizens Fire Company. Shade Tree Commission will meet at the Borough Office this Thursday.

W.S.C.O.G.: Ritter: No Report

Fire Committee: Winchell: No Report

#### AGENDA ITEMS:

- ◆ **Settlement of 2002 per Capita Tax with Barry Heckard, Tax Collector.**  
Councilman Whitcomb made a motion, second by Councilman Winchell to approve remittance of \$3,400, 680 bills, in unpaid Per Capita Tax to G. H. Harris for collection. The motion carried, 7:0.
- ◆ **Settlement of 2002 Real Estate Tax with Barry Heckard, Tax Collector.**  
Councilman Ritter made a motion, second by Councilman Whitcomb to approve remittance of \$19,724.48, 90 bills, in unpaid Real Estate Tax to Cumberland County Tax Claims for collection. The motion carried 7:0.
- ◆ **Submission of 2003 tax duplicates to Barry Heckard, Tax Collector.**  
Councilman Whitcomb made a motion to submit the 2003 tax duplicates to Barry Heckard, tax collector, for collection in the following amounts; \$608,492.45 in Real Estate tax based on 1.45 mills of tax and a property assessment of \$105,480,780; and \$31,980 in Per Capita Tax based on 6,396 bills at \$5.00 each. Councilman Winchell seconded the motion, which passed unanimously.
- ◆ **Consider Resolution 01-2003 honoring the late Larry R. Zimmerman for his community service.**  
Councilman Seagrist made a motion to adopt Resolution 01-2003 honoring the late Larry R. Zimmerman for his Community Service. Councilman McDermott seconded the motion, which passed with all in favor.
- ◆ **Discussion and possible action on authorization of bid specifications for the new fire engine.**  
Councilman Winchell made a motion to authorize the Manager moving forward with the bid process for the new fire engine. Councilman Ritter seconded the motion, which passed 7:0.
- ◆ **Discussion and possible action on handicapped parking permit request of Katherine Fenstermaker of 8 East Portland Street.**  
Chief Spotts recommended that Council approve this application. Vice President Eichelberger made a motion to approve the application of Katherine Fenstermaker of 8 East Portland Street for a handicapped parking permit and authorize the Solicitor to draft revisions to Ordinance to include this designated parking space. Councilman Whitcomb seconded the motion, which passed with all in favor.
- ◆ **Consider action on Parade and Special Events application of Mechanicsburg Chamber of Commerce for street closings and parking restrictions for Jubilee Day® to be held June 19, 2003.**  
Councilman Seagrist made a motion, second by Councilman Winchell, to approve the application of the Mechanicsburg Chamber of Commerce for the street closing and parking restriction for Jubilee Day® to be held June 19, 2003. The motion passed with all in favor.
- ◆ **Consider request of Mechanicsburg Soccer Club to place a sign on the Public Square for the weekend of March 8<sup>th</sup> & 9<sup>th</sup> to advertise the registrations for the fall 2003 season.**  
Solicitor Schorpp noted that the Zoning Ordinance does not provide for this type of signage. The Solicitor noted that to enforce the Zoning Ordinance the Zoning Officer would have to issue a Zoning Enforcement Notice explaining what the violator must do to comply with the Zoning Ordinance and by the time that occurs the three day time period would be over. While Council cannot approve this sign, enforcing the Ordinance in this situation would be impossible. With that being said, President Rider made a motion to table this matter and Vice President Eichelberger seconded the motion, which passed 7:0. President Rider directed Borough Staff to advise the applicant of the decision.
- ◆ **Discussion on possible skateboard regulation changes.**  
Councilman Whitcomb made a motion, second by Councilman Ritter to remove this item from the agenda, as no action is need at this time. The motion passed by a vote of 6:1, with Councilman Seagrist voting against, citing damage to private property as the motivation for his negative vote.
- ◆ **Discussion on possible changes to the on-street trailer parking provisions in the Borough Code.**  
As per the discussion under Public Safety Committee this item is still tabled, pending the receipt of additional information from Chief Spotts.

◆ **Consider request of the Mechanicsburg Museum Association to use the Borough Seal on 175<sup>th</sup> Anniversary pottery to be sold as a fundraiser for the Museum.**

Councilman Whitcomb made a motion to approve the use of the Borough Seal by the Mechanicsburg Museum Association on their pottery to be issued in commemoration of the Borough's 175<sup>th</sup> Anniversary. Councilman McDermott seconded the motion, which passed unanimously.

◆ **Consider request of the Knights of Columbus to hold their annual 5K run on March 22<sup>nd</sup>.**

Councilman McDermott made a motion to approve the request of the Knights of Columbus to hold their annual 5K run on March 22<sup>nd</sup>. Councilman Whitcomb seconded the motion, which passed with all in favor.

◆ **Consider request of the Planning Commission to contact adjoining municipalities to discuss a joint Comprehensive Plan.**

Solicitor Schorpp advised Borough Council to be very clear in the direction that they give to the Planning Commission on this matter. He reviewed several approaches to this issues and some discussion followed. Councilman Whitcomb made a motion to deny this request. Mr. Kautz, Planning Commission Chairman, clarified the request for Borough Council. DCED grant funding was discussed and clarified by Solicitor Schorpp. After some additional discussion, Councilman Whitcomb withdrew his motion. Councilman McDermott then made a motion to authorize the Planning Commission to explore the possibility of joint participation in a Comprehensive Plan revision, with the Commission coming back to Borough Council before taking any other actions. Councilman Winchell seconded that motion which passed 7:0.

◆ **Consider request of the Civil Service Commission to ratify the Eligibility List for Patrol Officers.**

Chief Spotts stated that the Civil Service Commission met this morning, in a properly advertised meeting, where they moved to certify the Eligibility List for Patrol Officers with eight names as per their Resolution 01-2003. Councilman Seagrist made a motion, second by Councilman Whitcomb, to approve the Eligibility List for Patrol Officers as submitted and approved by the Civil Service Commission. The motion passed with all in favor.

◆ **Consider request of the Civil Service Commission to ratify revisions to the Civil Service Regulations.**

Chief Spotts stated that also this morning the Civil Service Commission approved changes to the following sections of the Civil Service Regulations:

- §3.5- was amended to permit the Borough to require an applicant to have Basic Police Training (Act 120) before an applicant could be placed on the Eligibility List, if the Borough desires.
- §407, Appendix A was amended to specify the 30% Cooper Fitness Standard, as adopted by the Municipal Police Officers Education and Training Commission, as the standard used for Physical Fitness testing.
- §4.8 was amended to provide that Polygraph Examinations results "should" be submitted within five days instead of "shall".
- §4.9 was amended to provide that only applicants under consideration for hire (the Rule of 3) shall be subjected to background investigations.

Some discussion followed on the requirement of Act 120 training, and Chief Spotts clarified that the Civil Service Commission would make the decision if they were going to require Act 120 before they advertised for each eligibility list. President Rider made a motion to ratify the revision to the Civil Service Regulations as requested and approved by the Civil Service Commission. Vice President Eichelberger seconded the motion, which passed, 7:0.

◆ **Discussion on PSAB Spring Conference to be held March 16<sup>th</sup> through 18<sup>th</sup>.**

Ms. Boyer indicated the Councilman Ritter will be attending and asked any other interested Council members to let the Manager know, as the deadline for reservations is March 1<sup>st</sup>.

◆ **Update of Joint Recreation Agreement**

Solicitor Schorpp indicated that Borough Council could authorize and direct the Solicitor to draft and advertise an Intergovernmental Cooperation Ordinance to adopt the amendments to the Joint Recreation Agreement. President Rider made a motion to authorize and direct the Solicitor to draft and advertise an Intergovernmental Cooperation Ordinance to amend the Joint Recreation Agreement. Councilman McDermott seconded the motion, which passed by a vote of 7:0.

APPROVAL OF EXPENDITURES PAID: Councilman Ritter moved, Councilman Winchell second, approval of expenditures paid from January 1, 2003 through January 31, 2003 in the amount of \$81,818.22 for the General Fund; \$15,914.28 for the Highway Aid Fund and \$120,726.87 for the Capital Improvement Fund. The motion carried unanimously.

ANY OTHER BUSINESS:

Councilman Winchell asked if a vote is required to authorize attendance at the conference. Solicitor Schorpp asked if Council had designated a voting delegate. Councilman Ritter noted it is not a voting conference. President Rider then made a motion, seconded by Councilman Winchell to authorize the attendance of Council Representatives at the PSAB Spring Conference to be held March 16<sup>th</sup> through March 18<sup>th</sup>. The motion passed with all in favor.

President Rider stated that a streetlight is out at 15 Patton Road, and directed Ms. Boyer to report the outage to PP & L.

GUESTS:

President Rider called for citizen comments and there were none.

ADJOURNMENT: With no further business to come before Council, President Rider adjourned the meeting at 8:24 p.m. with a brief Executive Session to follow with no action to be taken.

Glenda Boyer  
Assistant Borough Secretary