

MECHANICSBURG BOROUGH COUNCIL MEETING  
COUNCIL CHAMBERS, BOROUGH OFFICE BUILDING  
36 West Allen Street  
Mechanicsburg, PA 17055-6282

May 21, 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, Engineer Bruening; Chief Spotts, Manager Stough and Assistant Secretary Boyer.

Also in attendance: Cress-Sentinel, Walde – Patriot, Rich Corman, Bob Dietrich, Floyd Kautz, Jr., Jack Neibert, Charles Sheriff, Jay Stoner & Cody Witmer

ADDITIONS TO AGENDA:

1. Resolution 7-2003, which is a Resolution authorizing application to PennDOT for approval of the placement of banners by the Chamber of Commerce and the Library.
2. Letter from the Mechanicsburg Foundation requesting approval to use the Borough Seal on a fund raising campaign in June.

APPROVAL OF AGENDA: Councilman Seagrist moved, Councilman Winchell second, approval of the agenda with the additions noted by Manager Stough. The motion carried, 7:0.

CITIZEN COMMENTS:

President Rider asked for Citizen Comment and there was none.

GUESTS

No guest were present.

CORRESPONDENCE:

- 1) An invitation was received from the Mechanicsburg Area Veterans' Council inviting Council to participate in the Memorial Day Parade. President Rider, Mayor Ritter, Chief Spotts, and Councilman Seagrist indicated that they would be attending. Manager Stough will RSVP for all.
- 2) Modern Transit Partnership will hold a meeting regarding the final planning phase for CORRIDORone on June 18, 2003 from 3:00-4:00 p.m. at the Cumberland County Courthouse. Manager Stough and Vice President Eichelberger will attend.
- 3) Manager Stough noted that today is the last day to register for the PSAB Summer Conference. Councilman Ritter will be attending and Manager Stough asked if any other Council members planned to attend. No one indicated that they would be attending.
- 4) The first annual Neighborhood Initiatives Workshop will be held on May 29<sup>th</sup> at Penn State Harrisburg in Middletown. The South Central Assembly for Effective Government will be sponsoring the event, which will be in the Capital Union Building from 5:00 p.m. to 9:00 p.m. Members interested in attending should let Manager Stough know as soon as possible.
- 5) The Borough has received a letter from DCNR approving the \$200,000 grant for rehabilitation of the pool. Councilman Winchell asked if this was a matching grant. Manager Stough indicated that the match on this grant is fifty percent. The Borough's match would be \$200,000.

MANAGER'S REPORT:

Manager Stough indicated that he has nothing additional at this time.

## MAYOR'S REPORT

Mayor Ritter read a prepared statement regarding Ordinance No. 1051 as follows:

“May 21st 2003

Re: Ordinance No. 1051 to prohibit the participation by elected officials in borough sponsored health insurance plans and other employee benefits.

Dear President Rider and Council Members:

At your last council meeting on May 6<sup>th</sup> 2003, Borough Council, by a vote of 4-3, enacted Ordinance No. 1051. Pursuant to the Borough Code, please accept this letter as my written objection to Ordinance No. 1051. I hereby veto Ordinance No. 1051, and further return to you Ordinance No. 1051 with my written veto indicated in the area for my signature.

My decision to veto ordinance No. 1051 is based upon several factors.

- (1) A 20 year unwritten policy which afforded self-pay health coverage to elected officials, appointed officials and employees: and
- (2) The lack of any written personnel policy which permitted or authorized the availability of such insurance to elected officials, appointed officials and employees: and
- (3) The present status of this self-pay health coverage is at no cost to the Borough: and
- (4) The imposition of a significant financial hardship and insurance dilemma upon a prior community servant who relies on this group insurance coverage: and
- (5) The harsh reality of a retired Senior Citizen who has served the borough and is no longer in the work force for which this self-pay group health plan brings much peace of mind.

Lastly, I am not aware of any legal authority, which would prevent the continuation of benefits under these circumstances.

Notwithstanding my veto of ordinance No 1051, I would encourage the Borough Council to adopt a written policy to address the scope of insurance coverage available to Borough employees, appointed officials, elected officials as well as those serving as volunteers for the borough. At a minimum, Borough Council should amend the required language in the Personnel Policy to clarify those persons who may benefit from such policy, so as to avoid future confusion regarding these issues.

I would request that this letter and my veto of Ordinance No. 1051 be incorporated within the minutes of tonight's meeting. I further request that the Secretary – Borough Manager refrain from recording Ordinance No. 1051 in the Borough Ordinance Book.

Respectfully,  
/s/ Jack C. Ritter, Mayor  
Borough of Mechanicsburg”  
(Signed copy of letter attached – Exhibit A)

Mayor Ritter requested that this letter and his veto of Ordinance No. 1051 be incorporated into the minutes of the meeting and that the Secretary/Borough Manager refrain from recording Ordinance No. 1051 in the Borough Ordinance book.

Mayor Ritter read a prepared statement regarding Resolution 5-2003 as follows:

“May 21<sup>st</sup> 2003

Re: Resolution No. 5-2003 to prohibit the participation of appointed officials in the borough sponsored health insurance plans and other employee benefits.

Dear President Rider and Council Members:

At your last council meeting on May 6<sup>th</sup> 2003 Borough Council, by a vote of 4-3, enacted Resolution No. 5-2003. Pursuant to the Borough Code, please accept this letter as my written objection to Resolution No. 5-2003. I hereby veto Resolution No. 5-2003, and further return to you Resolution No. 5-2003 with my written veto at the end of the Resolution.

My decision to veto resolution No. 5-2003 is based upon several factors.

- (1) A 20 year unwritten policy which afforded self-pay health coverage to elected officials, appointed officials and employees: and
- (2) The lack of any written personnel policy which permitted or authorized the availability of such insurance to elected officials, appointed officials and employees: and
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Lastly, I am not aware of any legal authority, which would prevent the continuation of benefits under these circumstances.

Notwithstanding my veto on resolution No. 5-2003, I would encourage the Borough Council to adopt a written policy to address the scope of insurance coverage available to Borough employees, appointed officials, elected officials as well as those serving as volunteers for the borough. At a minimum, Borough Council should amend the required language in the Personnel Policy to clarify those persons who may benefit from such policy, so as to avoid future confusion regarding these issues.

I would request that this letter and my veto of Resolution No. 5-2003 be incorporated within the minutes of tonight's meeting. I further request that the Secretary – Borough Manager refrain from recording Resolution No. 5-2003 or implementing the policy established therein pending an up date of the entire official handbook of the Borough.

Respectfully,  
/s/ Jack C. Ritter, Mayor  
Borough of Mechanicsburg”  
(Signed Copy of Letter attached – Exhibit B)

Mayor Ritter requested that this letter and his veto of Resolution 5-2003 be incorporated into the minutes of the meeting and that the Secretary/Borough Manager refrain from recording Resolution 5-2003 and implementing the policy established therein pending an update and adoption of an official employee handbook for the Borough of Mechanicsburg.

The Mayor then continued with his report:

- ◆ May 8<sup>th</sup> – 175<sup>th</sup> Anniversary Committee meeting was held and plans for the June 28<sup>th</sup> – June 29<sup>th</sup> activities were discussed and are in place.
- ◆ Chuck Schaeffer, Guidance Counselor, at Mechanicsburg School District, spoke to a full house on the Crime Watch meeting. Two outstanding student guests, also attended, and discussed their involvement with School sponsored activities.
- ◆ D.A.R.E. graduation was held at the Middle School. Each student received a tee shirt.
- ◆ The Memorial Day Parade will get underway on Monday at 10:15 from St. Joseph's Church. This year is the 50<sup>th</sup> anniversary of the Korean War.
- ◆ The Mayor officiated two weddings.

Trivia Question: As you enter Soldiers and Sailors Memorial Park you will see a very old rare tree to your left, what kind of tree is it?

Answer: It is a Yellowwood Tree. This wood was used for furniture and has a yellow tint. No one knew the correct answer.

President Rider asked Solicitor Schorpp for direction regarding the veto of Ordinance 1051 and Resolution 5-2003 by Mayor Ritter. Solicitor Schorpp indicated that when a Mayor vetos an action of Council, the Borough Council can overturn that veto if a two-thirds majority, in this case five votes were in the affirmative. This must occur within ten days of the Mayor's action to veto. The Solicitor noted that this matter should be discussed in Executive Session as it could possibility

involve the potential for litigation. Solicitor Schorpp indicated that the Mayor only has the authority to veto a Resolution of Legislative character and this Resolution, in the opinion of the Solicitor is of administrative character. Solicitor Schorpp indicated that in his opinion the Mayor did not have the power to veto this Resolution. The Mayor indicated that he would accept the Solicitor determination that this Resolution is not legislative in nature. Manager Stough indicated that the matter would be address during Executive Session, with the possibility of action when Council reconvenes.

#### CHIEF OF POLICE REPORT

Chief Spotts noted that he has received letters of appreciation from residents in regard to the job performance of Officers Curtis, Menesses and Vincent. Chief Spotts informed Council that the permits were received from the Pennsylvania Department of Transportation to close the roadways for Jubilee Day and the 175<sup>th</sup> Anniversary events to be held in June.

#### SOLICITOR'S REPORT

The Solicitor had no report

#### FIRE CHIEF REPORT

Fire Chief Seagrist was not in attendance this evening.

#### COUNCIL COMMITTEE REPORTS

Recycling Committee: Winchell: Manager Stough indicated that Council has received a letter from Matt Walker asking for consideration of his request to have dumpster service at two residential buildings that contain four or less units. The Manager indicated that the current refuse contract states that residential dwellings with four or fewer units are included in the contract. It is the Manager's determination that there is no clause for exemption from service in the current contract; however, Mr. Walker wanted to submit his request to Borough Council in the hopes that they would be able to exempt him from participation in the refuse collection service. The Manager indicated that he has discussed this with the Borough Solicitor. The Manager will inform Mr. Walker that Council will not be able to take any action in this matter.

Finance-Appropriations-Insurance: Rider: No Report.

Health-Recreation: Rider:

Public-Safety-Highway: Eichelberger: Vice President Eichelberger indicated that a handicapped parking permit application has been received from Sheila Davidson of West Locust Street. Chief Spotts indicated that he has not reviewed the application, however, the application is missing much of the required information. The Chief indicated that he would follow up and have a memo to Council for the June 17<sup>th</sup> meeting. Chief Spotts noted that he would like to revise the application form and submit a draft of the revisions to Borough Council for their consideration. He noted that more detailed medical information is needed for Council to make an informed decision on these applications. President Rider asked that the trailer parking issue be placed back on the agenda, in light of the citizen comments received at the last meeting. Chief Spotts indicated that he would have some additional information for Council by the June 3<sup>rd</sup> work session. President Rider asked that Borough Staff contact Ms. Pefer to let her know that the matter is being reviewed and would be on the agenda for the June meeting. Manager Stough indicated he would contact her tomorrow. Chief Spotts indicated that he would look into Ms. Pefer's particular trailer parking situation. President Rider also inquired about the odor complaint received from a resident regarding the Purina facility. Manager Stough informed Council that he has spoken with Manager Bradley from Hampton Township, and the quality of the air is routinely checked and nothing toxic is being discharged into the airways. Manager Stough will respond to the resident making the complaint.

Public Communications: Eichelberger. Manager Stough stated that he has received three price quotes on expanding the size of our newsletter to twelve pages. Manager Stough distributed the three price quotes obtained to Borough Council for their review. Councilman Whitcomb asked if a quote was obtained from Cumberland Printing. Manager Stough noted that in the past, they have been contacted and the quote has always been more expensive, so this time they were not contacted. Councilman Winchell made a motion that we have Printer's Ink publish the next twelve-page edition of the newsletter at a cost of \$2,048. Councilman McDermott seconded the motion. Councilman Seagrist asked the Manager to contact Transamerica Printing, owned by the Konhaus Family of South Broad Street Mechanicsburg, the next time printing services are being quoted. Councilman Whitcomb asked that the next time Cumberland Printing also be contacted. The motion passed with all in favor, 7:0.

Ordinance-Administration-Legislative Action: Seagrist: No Report

Property-Building: Ritter: No Report

School Board: McDermott: Councilman McDermott reported that there will be a special meeting of the School Board on Tuesday evening at the High School.

Community Development: McDermott: No Report

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

Fire Committee: Winchell: No Report

AGENDA ITEMS FOR May 21, 2003

◆ **Consider action on Cedar Run Stormwater Ordinance Number 1050.**

Manager Stough noted that this Ordinance was properly advertised by the Borough Solicitor and is available for action. Councilman McDermott made a motion to adopt Ordinance Number 1050 as advertised. Councilman Ritter seconded the motion. Roll call was taken as follows:

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

The motion passed with all Council members in favor.

◆ **Consider action on Resolution 6-2003 honor Citizens Fire and Rescue for 100 years of service.**

Councilman Seagrist made a motion, seconded by Councilman Whitcomb, to adopt Resolution 6-2003 honoring Citizen's Fire and Rescue for one hundred years of service to Mechanicsburg Borough. The motion passed unanimously. Manager Stough stated that after the Fire Chief signed the Resolution it would be framed and presented to a representative from Citizen's at the next Council meeting. President Rider complimented the Borough Manager on the pictures that have been hung in Chambers. Manager Stough thanked Jamie Boyer for the donation of her time in arranging and hanging the items displayed.

◆ **Consider award of bid for the Church Road and Mulberry Drive bridge project.**

Manager Stough noted that the bid opening was held on May 13<sup>th</sup>. Engineer Bruening was in attendance to answer questions regarding this bid award. After some discussion on Deduct Alternate #1, the Manager recommended to Borough Council that the base bid be awarded this evening and to delay action on the award of the Deduct Alternate until the Borough Engineer, Highway Superintendent and the Manager can go over the work required and the time frame for completion. The deduct could be taken at the June meeting, if Council desires. The action this evening should include award of bid Add Alternate #2 – Anti-Graffiti Epoxy Coating as this will be required. The low bidder was Rogele, Inc in the amount of \$329,993 base bid, with a deduct Alternate #1 in the amount of \$51,800 and add alternate #2 in the amount of \$3,500. President Rider made a motion to award the bid to Rogele, Inc in the amount of \$329,993 with add alternate #2 in the amount of \$3,500, and table action on the deduct alternate #1 till the June 17<sup>th</sup> meeting. Councilman Ritter seconded the motion, which passed by a vote of 7:0. (Bid opening minutes attached – Exhibit C, Bid tabulation as provided by Pennoni attached – Exhibit D)

◆ **Consider action on the bids for curb and sidewalk reconstruction.**

Manager Stough reported that a bid opening was held today for the curb and sidewalk reconstruction project. Only one bid was received from Paul Hershey. The Manager reviewed the results of the bid with Borough Council (minutes of bid opening attached – Exhibit E). After some discussion Councilman Whitcomb made a motion, second by Councilman Winchell, to award the bid for curb and sidewalk reconstruction to Hershey Home Improvements at the rates submitted for any work required during the 2003 year. The motion passed with all in favor, 7:0.

◆ **Consider authorize advertisement of bids for the 2003 paving program.**

Engineer Bruening stated the bids are ready for advertisement on May 27<sup>th</sup> and May 30<sup>th</sup>, with a tentative opening date to be June 12<sup>th</sup> and available for Council action on June 17<sup>th</sup>. The Engineer noted that work could get underway as early as July 1<sup>st</sup> and would be completed by October 1<sup>st</sup>. President Rider made a motion, second by Councilman Whitcomb to authorize advertisement for bids for the 2003 paving program as prepared by the Engineer.

◆ **Consider authorizing Solicitor to draft an amendment to the street sweeping ordinance.**

Manager Stough explained to Borough Council that there are discrepancies between the Codified Borough Ordinance and the information being disseminated to the public via the Manager annual report about the times and locations of street sweeping. Manager Stough indicated that he will be working with the Highway Superintendent to clear up this matter and hopes to have information to the Solicitor, so that he can have a draft of the changes to Borough Council by the June 21<sup>st</sup> meeting. No action is needed on this item tonight.

◆ **Discussion and possible authorization to enter into an Agility Agreement with PennDOT**

Manager Stough informed Council that he met this morning with Steve Sayers from PennDOT to clarify details of the agility agreement. A copy of the rate of compensation for service and other terms of the agreement were distributed to Borough Council for their review. The Manager clarified that the Highway Superintendent would have the ability to

perform requested work based on availability of men and equipment and that the Borough has the right to refuse work offers from PennDOT if the timing does not fit into the Highway Department schedule. After discussion on the details Councilman Winchell made a motion, seconded by Councilman McDermott, to proceed with the five-year agility agreement with PennDOT. The motion passed with all in favor. The Manager informed Borough Council that the PennDOT detour during the Walnut Street railroad crossing work would not be on any Borough Street; trucks would be directed down the Carlisle Pike to York Street. Chief Spotts expressed concern over the signage and what to do with trucks that do not adhere to the detour route. The work is scheduled for June 9<sup>th</sup> and will be completed before Jubilee Day.

◆ **Discussion and possible action on formation of a Loan Review Committee.**

Manager Stough indicated that both Councilman McDermott and Linda Willis have agreed to serve on this committee and asked Borough Council for suggestions on a third possible member. Vice President Eichelberger indicated that he would be willing to serve. Councilman Seagrist made a motion, second by Councilman Winchell, to appoint Council members Eichelberger and McDermott as well as resident Linda Willis to serve on the Loan Review Committee. The motion carried unanimously.

◆ **Consider request of Chief Spotts to have a HACCC student as an unpaid college intern for the Police Department this summer.**

Chief Spotts asked Borough Council to approve Dawn Mentch from Harrisburg Community College to serve as a summer unpaid intern for the Police Department this summer. Chief Spotts noted that she has agreed to sign all the applicable waivers. She will be working with Officer Vincent in reorganizing the evidence collection, inventory and control procedures as well as setting up the evidence storage and processing area in the new station. President Rider made a motion to engage Ms Mentch as a summer intern as per Chief Spotts recommendation. Councilman Ritter seconded the motion, which passed by a vote of 7:0.

◆ **Consider approval of Temporary No parking on Jubilee Day for designated streets.**

Chief Spotts asked Borough Council to consider approving the Temporary No Parking areas on Jubilee Day as designated in his memo of May 15, 2003. Councilman Whitcomb made a motion, seconded by Vice President Eichelberger to approve the parking restriction as outlined by Chief Spotts. The motion passed with all in favor.

◆ **Consider request of a Watch Children or Children a Play sign and speed limit change on West Marble Street**

Manager Stough reviewed the request with Borough Council. After much discussion, President Rider made a motion to post the speed limit on West Marble Street at 25 m.p.h. Councilman McDermott seconded the motion, which passed by a vote of 7 in favor, none opposed. Councilman Ritter then made a motion to post a "Children at Play" sign on West Marble Street. President Rider seconded the motion, which passed unanimously.

◆ **Discussion of Burkholder Consulting agreement and contract.**

Manager Stough reviewed the agreement and contract with Borough Council. The training provided for park employees by the Recreation Department and the keeping of those records was also briefly discussed. Councilman McDermott made a motion, Councilman Winchell second, approval of the contract and confidentially agreement with Burkholder Consulting for professional services. After some discussion on Recreation Department training the motion carried by a vote of 7:0.

◆ **Discussion and possible action regarding cleaning services at the new Municipal Center.**

Manager Stough stated that he has been unable to obtain a third price quote for cleaning services. He asked that Council table the matter till next month when he has obtained a third price quote. Conscientious Cleaners will be doing spot cleaning until a decision has been made. Manager Stough noted that this gives Borough Council another month to decide if they want to use a cleaning service, or consider hiring a part time employee to do the cleaning.

◆ **Discussion and possible action on paving of Memorial Park parking area.**

Manager Stough reviewed with Borough Council his memo dated May 14<sup>th</sup>, which outlines the cost of patching the bad spots at the Memorial Park parking area. Manager Stough indicated that at the last Recreation Commission meeting they agreed to try the stone option if the first two rows of paved parking are left in place, provided that Council would budget to pave the parking area next year. Much discussion followed on the options available. After some additional discussion, President Rider made a motion to table this till a future meeting. Vice President Eichelberger seconded the motion, which passed by a vote of 7:0.

◆ **Discussion and possible action on request of Fire Chief Seagrist for use of former Police Car #40.**

Chief Spotts indicated that the air conditioning, catalytic converters and compressor are all not functioning. Manager Stough suggested that he take the car to Duncan's garage and get a cost estimate on the needed repairs and Council can discuss the matter at a future meeting. Manager was directed to get an estimate from Duncan's

◆ **Discussion and possible action on request of the Library for waiver of building permit fees.**

Solicitor Schorpp indicated that Borough Council does not have the ability to waive building permit fees. Council could make a gift to the Library in the amount of the cost of the permit fees. Manager Stough reviewed the past practices with donation to a previous Library Capital Campaign. Much discussion followed on the cost of the fees

and the donation and in kind services provided by the Borough to the Library. Councilman Winchell excused himself from the vote, as he is a Trustee for the Library. Councilman Whitcomb made a motion to approve a donation to the Library Capital Renovation Campaign in an amount not to exceed the cost of the building permit fees for the renovation project. Councilman Ritter seconded the motion, which passed with all in favor.

- ◆ **Discussion on possible authorization to apply to the Mechanicsburg Area Foundation for assistance to low-income residents with utility increase.**  
Manager Stough asked if the Borough could facilitate an application on behalf of New Hope Ministries to provide assistance to low income Borough residents that are not 65 years of age with the increase to the Borough's sewer and refuse rates. Manager Stough asked Solicitor Schorpp if this would be an acceptable avenue to offer assistance to low-income families. The Solicitor indicated that it would be acceptable as long as the money was not awarded to the Borough and the money was not deposited into a Borough account. President Rider made a motion to authorize the Borough Manager to make application for funding on behalf of New Hope Ministries, for funds to assist low income residents of Mechanicsburg Borough under sixty-five years of age with their increased sewer and refuse costs. Councilman Winchell asked about the funding time frame. Manager Stough indicated that the application deadline is June 30<sup>th</sup>, if invited to submit a full proposal the deadline is September 15<sup>th</sup> and the awards will be made by November and the funding would be available in 2004. Councilman McDermott seconded the motion, which passed unanimously.
- ◆ **Update on implementation of a Downtown Manager Program through DCED and formation of a 501.C.3 organization to implement the program.**  
Councilman McDermott stated that adoption of the Strategic Plan by Borough Council is the next step in moving the process forward. Councilman Winchell made a motion, second by Councilman McDermott to adopt the Strategic Plan as prepared and submitted by Delta Development. The motion carried by a vote of 7:0.
- ◆ **Authorization to close the Borough Office for business on June 19, 2003 for Jubilee Day.**  
Manager Stough asked Borough Council to once again close the Borough Offices to the public on Jubilee Day. The office staff would still work, but we would not be open to foot traffic. President Rider made a motion to close the Borough Office to the public on June 19<sup>th</sup>. The motion passed with all in favor.
- ◆ **Consider Resolution 7-2003 authorizing application to PennDOT for approval of the placement of banners by the Chamber of Commerce and the Library.**  
Manager Stough reviewed the Resolution with Borough Council. The dates the banners would be up for was discussed and it was decided that a 90-day time period till September 1<sup>st</sup> was approved. Councilman Winchell made a motion to adopt Resolution 7-2003 as presented. Councilman Whitcomb seconded the motion, which passed, 7:0.
- ◆ **Letter from the Mechanicsburg Foundation requesting approval to use the Borough Seal on a fund raising campaign in June.**  
Manager Stough reviewed Ms. Eberly's letter requesting the use of the Borough Seal on a fund raising campaign which the Mechanicsburg Area Foundation is establishing entitled "Town Pride Fund". This fund is being created in honor of the 175<sup>th</sup> Anniversary of the Borough. Councilman Seagrist questioned if the money would stay in Mechanicsburg, as the Foundation is a subsidiary of the Greater Harrisburg Area Foundation. Vice President Eichelberger also stated that he had reservations about lending the Borough Seal to a fund raising campaign that Encompasses an area outside of the Borough. Much discussion followed after which Councilman McDermott made a motion to authorize the use of the Borough Seal for the "Town Pride Fund" campaign by the Mechanicsburg Area Foundation, which he amended to include the provisions that funds raised must be earmarked for use within Mechanicsburg Borough if the Borough Seal is used on the campaign brochure. Councilman Whitcomb seconded the motion, with the amendment as noted. The motion passed by a vote of five in favor (McDermott, Rider, Ritter, Whitcomb and Winchell) and 2 against (Eichelberger & Seagrist).

#### CITIZENS COMMENTS

Jay Stoner, 124 East Locust Street, commented that he would like to see Borough Council do business with companies within the Borough limits. President Rider stated that Council does try to do business within the Borough; however, they do have a fiscal responsibility to the residents to obtain competitive price quotes before awarding contracts for services.

President Rider commended Vice President Eichelberger on his victory in the Primary Election yesterday.

#### EXECUTIVE SESSION:

At 9:20 p.m. President Rider recessed the meeting to Executive Session for discussion and possible action on a matter of possible litigation. . At 10:55 p.m. President Rider reconvened the Public meeting.

President Rider made a motion to override Mayor Ritter's veto of Ordinance Number 1051. Councilman Seagrist seconded the motion.

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

The motion failed for lack of a two-thirds majority vote and the veto of Ordinance Number 1051 stands.

ANY OTHER BUSINESS:

Manager Stough asked for authorization to advertise the June 3<sup>rd</sup> work session to take possible action on this matter. Vice President Eichelberger made a motion to direct the Manager to advertise the June 3<sup>rd</sup> meeting for action on this matter and any other business to come before Borough Council. President Rider seconded the motion, which passed with all in favor.

ADJOURNMENT: With no further business to come before Council, President Rider adjourned the meeting at 11:00 p.m.



Jonathan S. Stough  
Borough Secretary

Mechanicsburg Borough Council  
May 21, 2003  
Exhibit A

**- BOROUGH OF MECHANICSBURG -**



*Jack C. Ritter, Mayor*

May 21st 2003

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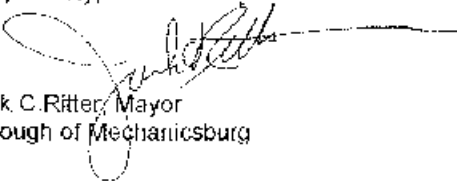
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Lastly, I am not aware of any legal authority, which would prevent the continuation of benefits under these circumstances.

Notwithstanding my veto of ordinance No 1051, I would encourage the Borough Council to adopt a written policy to address the scope of insurance coverage available to Borough employees, appointed officials, elected officials as well as those serving as volunteers for the borough. At a minimum, Borough Council should amend the required language in the Personnel Policy to clarify those persons who may benefit from such policy, so as to avoid future confusion regarding these issues.

I would request that this letter and my veto of Ordinance No. 1051 be incorporated within the minutes of tonight's meeting. I further request that the Secretary – Borough Manager refrain from recording Ordinance No. 1051 in the Borough Ordinance Book.

Respectfully,

  
Jack C. Ritter, Mayor  
Borough of Mechanicsburg

**- BOROUGH OF MECHANICSBURG -**



May 21<sup>st</sup> 2003

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- (5) The harsh reality of a retired Senior Citizen who has served the borough and is no longer in the work force for which this self-pay group health plan brings much peace of mind.

Lastly, I am not aware of any legal authority, which would prevent the continuation of benefits under these circumstances.

Notwithstanding my veto on resolution No. 5-2003, I would encourage the Borough Council to adopt a written policy to address the scope of insurance coverage available to Borough employees, appointed officials, elected officials as well as those serving as volunteers for the borough. At a minimum, Borough Council should amend the required language in the Personnel Policy to clarify those persons who may benefit from such policy, so as to avoid future confusion regarding these issues.

I would request that this letter and my veto of Resolution No. 5-2003 be incorporated within the minutes of tonight's meeting. I further request that the Secretary – Borough Manager refrain from recording Resolution No. 5-2003 or implementing the policy established therein pending an up date of the entire official handbook of the Borough.

Respectfully,

Jack C. Ritter, Mayor  
Borough of Mechanicsburg

BOROUGH OF MECHANICSBURG  
BRIDGE RECONSTRUCTION BID OPENING  
MAY 13, 2003

Jonathan Stough, Borough Secretary, called the bid opening to order at 1:00 p.m.

In attendance were Manager Stough; Engineer Bruening and Gregory Rogalski from Pennoni; Councilman Jack Winchell and Mayor Ritter. Also present were representatives from various companies submitting bids.

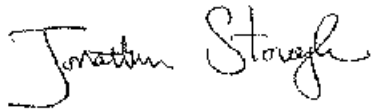
The follow bids were received:

Bidder	Base Bid	Deduct Alternate #1	Add Alternate #2	Addenda Noted	Bid Security
Kinsley Construction	\$377,163	\$25,000	\$2,100	3	10% Bid Bond
Lebar Site Development	\$327,954	\$25,500	\$3,800	3	10% Bid Bond
Reggie Inc.	\$329,932	\$25,000	\$2,500	3	10% Bid Bond

Manager Stough informed those assembled that Pennoni Associates would be reviewing the bid documents and making recommendations to Borough Council. Borough Council will consider action on the bid at their May 21<sup>st</sup> Council meeting.

With no further business the opening was concluded at 1:15 p.m.

Respectfully submitted,



Jonathan Stough  
Borough Secretary

Mechanicsburg Borough Council

May 21, 2003

Mechanicsburg Borough  
 Tabulation of Bids Received Until 11:00 pm  
 Prevailing time on May 8, 2003

CONTRACT NO. 2003-2

Malberry Drive And Church Road Bridge Replacement  
 Borough of Mechanicsburg, Cumberland County, Pa

JOB NO. MLCH 003.01a

PAGE 1 of 1

ITEM NO.	APPROX. QTY.	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
ITEM 1	1	LS	Base Bid Bidder agrees to perform all the work described in the Contract Documents for the following lump sum price	\$329,993.00	\$329,993.00	\$357,964.00	\$357,964.00	\$377,169.00	\$377,169.00
ITEM 2	1	LS	Deduct Alternate #1 Church Road Culvert Preparation And Backfill Price complete in place, per lump sum	\$51,800.00	\$51,800.00	\$26,900.00	\$26,900.00	\$36,000.00	\$36,000.00
ITEM 3	1	LS	Add Alternate #2 Anti-Graffiti Epoxy Coating Price complete in place, per lump sum	\$3,500.00	\$3,500.00	\$3,800.00	\$3,800.00	\$2,160.00	\$2,160.00
<b>TOTAL AMOUNT BID</b>					\$329,993.00		\$357,964.00		\$377,169.00
<b>BID SECURITY</b>									
<b>ADDENDUMS ACKNOWLEDGED</b>					YES		YES		YES

We Declare this to be a true Tabulation of Bids  
 Received on May 8, 2003 by the Mechanicsburg Borough  
 for Contract No. 2003-2 Malberry Drive And Church Road Bridge Replacement

PENNONI ASSOCIATES INC.

Mark Blaine Bruehlrad, P.E., PENNNA. REG. NO. P.E.-031645-R



**BOROUGH OF MECHANICSBURG  
SIDEWALK & CURB RECONSTRUCTION BID OPENING  
MAY 13, 2003**

Jonathan Stough, Borough Secretary, called the bid opening to order at 1:00 p.m.

In attendance were Manager Stough and Codes Officer Ressler

Only one bid was received. Paul Hershey submitted a bid for the following services:

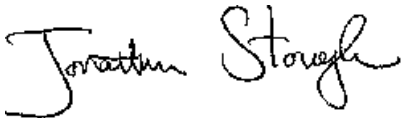
C-1	Curb Replacement – Borough Street	\$21.00 per linear foot
C-2	Curb Replacement – PennDOT Street	\$26.00 per linear foot
C-3	New Curb Work – Borough Street	\$17.00 per linear foot
C-4	New Curb Work – PennDOT Street	\$22.00 per linear foot
S-1	Sidewalk Replacement – 4" Depth	\$ 5.85 per square foot
S-2	Sidewalk Replacement – 6" Depth	\$ 6.50 per square foot
S-3	New Sidewalk – 4" Depth	\$ 4.00 per square foot
S-4	New Sidewalk – 6" Depth	\$4.65 per square foot

Total All Items: \$107

S-5	New tree well installation	\$350.00 per tree well
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Manager Stough will forward the bid results to the Borough Solicitor for review and Borough Council may take action to award the bid at the regular meeting of May 21, 2003.

Respectfully submitted,



Jonathan Stough  
Borough Secretary