

MECHANICSBURG BOROUGH COUNCIL MEETING
COUNCIL CHAMBERS, BOROUGH OFFICE BUILDING
36 West Allen Street
Mechanicsburg, PA 17055-6257

February 3, 2004

7:30 P.M.

CALL TO ORDER: At 7:30 p.m. President Winchell called the Council meeting to order.

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

ROLL CALL: Roll call taken with the following present: President Winchell, Vice President Whitcomb, Councilmen Humes, McDermott, Rider, Ryder, Seagrist, Jr. Councilperson Geiger, Mayor Ritter, Solicitor Schorpp, Chief Spotts, Chief Seagrist, Manager Stough and Assistant Secretary Boyer.

Also in attendance: Cress – Sentinel, Bob Dietrick, Laurence Fry, David Hoover, Kyle Miller, Jack Neibert, Charlie Sheriff, Jay Stoner, Scott Tocherman, and Cody Witmer.

GUESTS: Manager Stough introduced Scott Tocherman, of Delta Development. Mr. Tocherman indicated that he would wait to make comments until the traffic signalization came up on the agenda.

CITIZEN COMMENTS:

President Winchell called for public comments and there were none.

ADDITIONS TO AGENDA:

1. 1, Chief Spotts asked that authorization for participation in a computer task force be added to the agenda.
2. Manager Stough asked that consideration of a letter of support for CAT Transportation be put on the agenda.
3. Manager Stough also noted that the Executive session on a personnel matter would be move prior to adjournment, as possible action may be taken.
4. Councilman Humes asked that authorization for attendance at upcoming PSAB training be added to the agenda.

APPROVAL OF AGENDA: Councilman McDermott made a motion, Vice President Whitcomb second, approving the agenda, as amended. The motion carried, 7:0.

CORRESPONDENCE:

Manager Stough reported:

1. Letter from Conodoquinet Creek Watershed Association inviting Council to attend the final review of the Middle Conodoquinet Creek River Conservation Plan on Saturday, February 7th at the Oak Flat Elementary School outside of Newville.
2. Letter from HRG Engineering regarding the Yellow Breeches Watershed Assessment and Rivers Conservation Plan Project. They are asking that the Borough appoint a liaison person. Manager Stough will add this item to the February 17th agenda.
3. Letter from Cynthia Pointer of 128 West Main Street asking for Council to look at residential parking permits in the two hour parking zone. Manager will refer this to the Highway & Public Safety Committee for review.
4. CAT Transit's request for a letter of support was received and added to this evening's agenda
5. Information was received on the PSAB Spring Conference which included a revised program which will be distributed to Borough Council.
6. Upper Allen Township has dedicated \$50,000 toward the Mechanicsburg swimming pool project. They are requesting to be a party to any dialog regarding the pool project.
7. Knights of Columbus have requested that Council approve their annual 5K run to be held on Saturday March 13th.

APPROVAL OF MINUTES

Vice President Whitcomb made a motion, second by Councilman Ryder to approve the minutes of the January 20, 2004 Council meeting. Councilman Humes asked that the second line on page four be corrected to include not in the next to the last line (he could **not** see the benefit in eliminating). After reviewing the requested amendment, Councilman Rider then made a motion to approve the minutes as amended by Councilman Humes. Councilman Ryder seconded the motion, which passed with all in favor.

MANAGER'S REPORT:

- ◆ Manager Stough had no report.

MAYOR'S REPORT

The Mayor reported:

January 21st – The Mayor attended the annual Mechanicsburg Area Chamber of Commerce Banquet.

February 9th – Chief Spotts will deliver his annual “State of the Police” address at the Crime Watch meeting.

Trivia Question: The Chamber of Commerce Office is a rail Car. What was the car used for when it was rolling stock?

Answer: It was a mail car; today many of the bins and mail bag carriers remain.

CHIEF OF POLICE REPORT

Chief Spotts had no report.

SOLICITOR'S REPORT

Solicitor Schorpp had no report.

FIRE CHIEF REPORT

Chief Seagrist stated that Truck 8 is out of service. The alternator has been pulled and sent out to be repaired.

The new Fire Engine will be at Station 27 in the next day or two and training is scheduled for February 19th, 20th, and 21st. The Fire Report will be out to Council in their packets.

JR. COUNCILPERSON REPORT

Jr. Councilperson Geiger reported:

- Mechanicsburg speech and debate participated at a tournament in Pennsbury and took awards in policy debate, Original Oratory, Impromptu, and Oral Interpretation of Literature.
- Several Mechanicsburg students received gold, silver, and bronze keys, as well as certificates of merit in the Scholastic Art and Writing contest.

COUNCIL COMMITTEE REPORTS

Community Development/Downtown - Humes –None

Finance/Appropriations/Insurance – Winchell- None

Fire Committee – McDermott – Councilman McDermott reported he is still working to schedule a Fire Committee meeting.

Health/Recreation – Seagrist – Councilman Seagrist reported the next Recreation Commission is scheduled for February 9th at 7:30 PM the next Joint Recreation Commission meeting will be held at February 19th at 6:30 PM at the Recreation office, the next Pool Committee meeting is scheduled 19th at 8 pm at the Recreation office, the next Friends of the Pool Committee meeting is scheduled for February 26th at 7:30 PM and the March Recreation Committee meeting will be held March 10th at 7:30 PM at the Borough Office. The March Friends of the Pool Committee meeting will be held March 30th at 7:30 PM. The Rockapella concert raised over \$9,000 for the benefit of the pool. Upper Allen Township Commissioner, Virginia Anderson Kane, attended the Friends of the Pool meeting with a representative from the Upper Allen Township Women’s Club who offered to include the Friends of the Pool with their annual golf outing. Big 33 raffle tickets are currently on sale with a portion to the proceeds going to benefit the pool. Councilman Seagrist asked that the Borough expand discussions with surrounding municipalities about forming a pool authority to oversee the renovations and operations of the pool. Solicitor Schropp stated that he was not sure if an authority is appropriate for this situation and if that would impact current grant funding. The Solicitor will look into the matter. Councilman Ryder stated that the Council needs to oversee the pool, as the Borough owns this facility. Councilman McDermott noted that a summary of the skateboard surveys would be in Council packets this week.

Highway/Public Safety – Winchell – None

Loan Review Committee- Humes – None

Ordinance/Administration/Legislative Action – Whitcomb – Vice President Whitcomb again brought to the floor the issue of a policy to file any future Council vacancies. Councilman Seagrist spoke in favor of the interview process; however, he voiced his position that he is not in favor of a standardized list of questions. Vice President Whitcomb voiced his opinion was that the questions should be uniform for each applicant. Councilman Rider voiced his opinion that Council should be able to ask any question of an applicant during the interview process. Councilman Ryder stated that each applicant is different and different questions related to their experience may be appropriate. Councilman Humes stated that she has no problem with a defined set of questions, but feels Council should have the right to ask follow up questions, to obtain additional information. Much discussion followed, and Manager Stough stated that consideration of a draft policy to fill Council vacancies would be placed on the agenda for Council’s consideration on the meeting of February 17th.

Property/Buildings – Rider – Manager Stough informed Council that he has a possible tenant for the former police station office space. Some issues still have to be ironed out, such as time line for occupancy and sign requirements. Manager Stough reported that he is still corresponding with Roegle regarding the additional signage cost in connection with the bridge project.

Public Communications – McDermott- Councilman McDermott reported that the deadline for articles for the spring edition of the newsletter is Friday. Vice President Whitcomb asked if the driveway snow removal diagram featured in past editions of the newsletter could be put in the fall edition each year. Councilman McDermott suggested posting that diagram on the web site

Recycling Committee – Ryder- Councilman Ryder reported on the Recycling Committee meeting held at 6 PM this evening. Councilman Ryder stated that the Borough needs to meet with the Chamber of Commerce to improve recycling efforts at Jubilee Day. Councilman Ryder also reported that some conflicts exist in the Borough's Recycling Ordinance and State Regulations and the Ordinance needs to be reviewed and modifications made to come into compliance. Councilman Ryder states the he was impressed with the knowledgeable volunteers on the committee, including Diane Hollinger, South Middletown Recycling Coordinator, and Carl Hursh, of the Department of Environmental Protection. It was also suggested that the Borough look at re-opening the refuse contract.

School Board – Ryder- Councilman Ryder reported that the last School Board meeting was cancelled. Councilman Ryder stated that he and Councilman Seagrist attended the opening of the Member's First branch office at the school which will help educate students on banking.

W.S.C.O.G. - McDermott – Councilman McDermott reported that the next meeting will be held on February 16th. President Winchell asked Manager Stough about the Borough's supply of salt. Manager Stough reported that Craig Yinger has done an excellent job of getting orders in and we have plenty of salt on hand.

Councilman Rider left the meeting at this time, due to a work-related commitment.

AGENDA ITEMS – February 3, 2004

- ◆ **Recommendation on Loan request of Barbara Marbain for a business loan for the Eckels Drug Store Property.**
Councilman Humes reviewed this request with Borough Council. She then turned over the floor to Chris Gulotta, of the Cumberland County Redevelopment Authority, who introduced Barbara Marbain, the applicant to Borough Council. Mr. Gulotta then reviewed the financing plan for this project with Borough Council. Mr. Gulotta then reviewed the loan structure with Council explaining that the loan payments are based on a 25 year amortization, with all outstanding principle to be paid in a balloon payment in the tenth year. He added that the renovation of this structure with a soda fountain and gift shop on the first floor and apartment units on the second floor will help to generate foot traffic in the downtown district. Ms. Marbian addressed Council giving family background and history on Eckels Drug store, which her grandfather founded in 1879. After some additional discussion, Councilman Humes moved to approve a third mortgage loan in the amount of \$35,000 to Barbara Marbain at 3% interest with a 25 year amortization and a balloon payment after ten years with the condition that all project funding be secured and that an updated appraisal is done and the documented property value is a minimum of \$183,000 and subject to review of all documents by the Borough Solicitor. Councilman Ryder seconded the motion, which passed with all in favor.
- ◆ **Friends of the Library request.**
Manager Stough noted that representatives from the Friends of the Library are not here this evening. Councilman McDermott made a motion, second by Vice President Whitcomb, to table this till the February 17th meeting. The motion passed 6:0.
- ◆ **Discussion and possible action on traffic signalization project – Delta Development**
The floor was turned over to Scott Tochterman, of Delta Development for discussion on the traffic signalization project. Mr. Tochterman distributed documents to Borough Council relative to the project. Mr. Tochterman noted that the large document is a copy of the draft of the Transportation Improvement Program for the PennDOT Harrisburg region. Mr. Tochterman explained the funding process and the significance of being listed on this program. Mr. Tochterman explained the review process for this document, before the final approval in July. Mr. Tochterman reviewed the design costs, which Pennoni estimates at \$378,000. These costs would be paid by the Borough during the next three years, and then PennDOT would bear all the project construction costs which are estimated at 1.2 million. Mr. Tochterman asking that Borough Council send a letter of support to the Secretary of Transportation memorializing the mutual understanding of financial responsibility. Vice President Whitcomb made a motion, second by Councilman Ryder, to authorize a letter of support to the Secretary of Transportation, stating the Borough's willingness to assume the design phase cost. The motion passed with 5 voting in favor (Humes, Ryder, Seagrist, Whitcomb, Winchell) and 1 against (McDermott). Mr. Tochterman then discussed the extension of the contract between the Borough and Delta Development as it relates to this project. He offered the Borough to continue after March 1st through September 30th on a time and materials bases, not to exceed \$10,500 for that time period. He noted that all work would be subject to the approval of the Borough Manager. After some discussion, Councilman Ryder made a motion, second by Councilman Humes, to continue the Delta Development arrangement as noted in

the memo provided by Mr. Tochterman, with costs not to exceed \$10,500 for the seven month period and with all expenses being approved by the Borough Manager. The motion passed with all in favor.

- ◆ **Request of Knight of Columbus for their annual 5K race.**
Councilman Seagrist made a motion, second by Councilman McDermott, to approve the request of the Knights of Columbus for their annual 5K race. The motion passed with all in favor.
- ◆ **Request of Robert & Shari Staiger for refund of their 2003 penalty on Real Estate Tax.**
The Solicitor noted that he does not believe Council has the ability to waive the penalty fee on a tax bill. Manager Stough explained the circumstances which led to the bill not being received by the property owner. Vice President Whitcomb made a motion, second by Councilman Ryder, to deny the request for the refund of penalty payment as per the advice of the Borough Solicitor. The motion passed 6:0.
- ◆ **Consider request of Chief Spotts to hire CSO to assist with staffing needs.**
Chief Spotts explained that three crossing guards are unavailable for work at the present time and he has been unable to hire substitute guards to fill the positions. He requests that Council consider hiring Community Service Officers, and these part-time employees could be used to cover the school crossings, as well as, enforce parking regulations.
Chief Spotts reported that he has funds in his salary line items to cover these costs. A discussion followed on the role of these employees, hours of work and cost of the program. Councilman Ryder made a motion, second by Councilman Humes, to approve Chief Spotts to hire Community Service Officers for a total of not more than 45 hours per week. Vice President Whitcomb spoke against the motion. President Winchell called for a vote and the vote was a tie, with Humes, Ryder and Winchell voting in the affirmative and McDermott, Seagrist and Whitcomb voting in the negative. Mayor Ritter cast the tie breaking vote in favor of the motion.
- ◆ **Discussion and action on disposition of old Borough and County maps.**
Manager Stough asked that this item be tabled. Councilman McDermott made a motion, second by Vice President Whitcomb, to table this matter. The motion passed with all in favor.
- ◆ **Discussion and action on nomination of PSAB delegate.**
Manager Stough stated that PSAB is looking for nominations for people to serve on PSAB, as they do every three years. Manager Stough expressed his interest in serving, if Council members were not interested. After some discussion, Councilman Humes made a motion, seconded by Councilman Ryder, to submit Manager Stough's name in nomination to PSAB. The motion passed with all in favor.
- ◆ **Discussion on Safety Committee formation.**
Manager Stough reported that Beth Burkholder is looking into the possibility of the Borough forming a Safety Committee comprised of employees in order to educate staff and receive a discount on our worker's compensation insurance premium. After some discussion, Councilman Seagrist made a motion, second by Vice President Whitcomb to authorize the formation of a safety committee. The motion passed with all in favor.
- ◆ **Discussion on use of printer for 2004 editions of the Newsletter.**
Councilman Seagrist made a motion to use Printed Image in Carlisle to print the next four editions of the newsletter at a price of \$1,692 per issue. Councilman McDermott seconded the motion which passed by a vote of 5:1, with Vice President Whitcomb voting in the negative.
- ◆ **Discussion on participation in the Computer task force.**
Chief Spotts reviewed this intergovernmental program with Borough Council and explained that one officer would be trained to participate in the computer task force and that would require one week of training and four hours of refresher training monthly. Councilman Seagrist made a motion, second by Councilman Ryder, to approve participation in the Computer Task Force, contingent on the Solicitors review and approval of the documents. The motion passed with all in favor.
- ◆ **CAT Transit request of a letter of project support.**
Manager Stough reviewed the request of CAT Transit for a letter of support of their acquisition of the train station property. Discussion followed on the matter and then Councilman McDermott made a motion, second by Councilman Ryder, to authorize a letter of support for this project as requested by CAT Transit. The motion passed with all in favor.
- ◆ **Authorization for PSAB conference and training attendance.**
Manager Stough reviewed the dates and times of the conference and training being offered. Councilman Humes expressed an interest in attending the newly elected officials training. Vice President Whitcomb made a motion to approve attendance at the newly elected Borough Official's training for Councilmen Humes and Ryder. Councilman Seagrist seconded the motion, which passed unanimously.

Manager Stough then reviewed the items on the Spring Conference agenda. Councilman Ryder made a motion, second by Councilman McDermott, to authorize interested parties to attend the PSAB Spring Conference. The motion passed with all in favor.

AGENDA ITEMS – February 17, 2004

- ◆ **Review and possible award of the Sewer Maintenance and Emergency Services contract.**
- ◆ **Acceptance and Certification of the 2004 Real Estate and Per Capita Tax Duplicate**
- ◆ **Discussion and possible action on a policy to fill vacant Council positions.**
- ◆ **Friends of the Library request to extend their lease for the space at 34 West Allen.**
- ◆ **Review of the Special Events application of the Halloween Parade Association for October 12th at 7 PM.**
- ◆ **Appointment of liaison to the Yellow Breeches Watershed Committee.**

GUESTS

President Winchell asked for Citizen comments and there were none.

ANY OTHER BUSINESS:

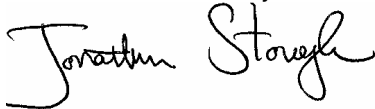
EXECUTIVE SESSION: Adjourn: 9:55 PM Reconvene:10:10

Vice President Whitcomb made a motion to appoint Steve Barber of Pennoni Associates as Interim Borough Engineer. Councilman Humes seconded the motion, which passed with all in favor

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ADJOURNMENT:

President Winchell adjourned the Public meeting 10:15



Jonathan S. Stough
Borough Secretary