

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

March 2, 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, Ralph Clay, Bob Dietrick, Laurence Fry, Paul Heeter, Jack Neibert, Jay Stoner, Cody Witmer and Rebecca Yearick.

GUESTS: None

CITIZEN COMMENTS:

President Winchell called for public comments and there were none.

ADDITIONS TO AGENDA:

Manager Stough asked that the authorization to hire individuals for the CSO position be removed, on advice of the Solicitor.

Manager Stough added the codification agreement with Penns Valley publishers to the agenda.

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

CORRESPONDENCE:

Manager Stough reported:

1. Manger Stough distributed a memo from WSCOG, regarding the Uniform Construction Code Appeals Board. The memo is requesting input on the possibility of forming a joint appeals board, through West Shore COG. Manager Stough reported that he attended a training course to be a Building Code Official, which is a requirement under the State Uniform Construction Code and we will be required to form an Appeals Board, either jointly, or on our own.
2. A letter was received from Audrey Logar, requesting road closure for the annual neighborhood picnic scheduled for August 7th. This item will be added to the March 16th agenda.
3. Halloween Parade Special Events permit was received and will be an agenda item for March 16th.

APPROVAL OF MINUTES

Councilman McDermott made a motion, second by Councilman Ryder, to approve the minutes of the February 17, 2004 Council meeting. The motion passed with all in favor.

MANAGER'S REPORT:

- ◆ Manager Stough reported the first Department Head meeting was held on Monday. Upcoming events were discussed. The next meeting will be held June 1st
- ◆ Newsletters will be delivered to the post office tomorrow and will be out to residents by Thursday.
- ◆ We are trying a new microphone this evening, provided by Morefield Communications.
- ◆ Attended the Building Code Officials Certification course and exam today. Sometime between April 9th and July 8th the Borough will need to adopt an Ordinance. A summary will be provided to Council in their packets and discussion can be held at the next meeting.

President Winchell asked if the COG questionnaire discussed under correspondence requires any action by Borough Council. Manager Stough reviewed the requirements for candidates appointed to an Appeals Board. Manager Stough was informed that Upper Allen has already formed an Appeals Board, but Hampden and Silver Springs may be looking at forming a joint board with neighboring municipalities. Vice President Whitcomb asked if there are fees involved in the appeals process. Manager Stough indicated that a municipality can charge an appeals fee, which would be paid by the

applicant and that fee would cover any stipends paid to board members, if any, and other expenses. President Winchell asked the Solicitor if the Borough forms its own Appeals Board, can that board also function as a HARB board? Solicitor Schorpp indicated that it could, but the HARB Board would be advisory to Borough Council; whereas the Appeals Board would be making rulings regarding building code issues, which would be final. Appeals of that Board's decisions would be made through the court system. Solicitor Schorpp noted that the Appeals Board may require independent legal counsel. Councilman McDermott noted that members will be getting additional information at the COG meeting on March 15th. President Winchell polled Council on their thoughts on a joint appeals board. All members indicated that they were in favor of looking at the possibility of a Joint Appeals Board, with the exception of Vice President Whitcomb, who favors a Borough Appeals Board.

MAYOR'S REPORT

The Mayor reported:

February 21st – Washington Fire Company announce plans to build an addition to their fire house, more to follow.

February 22nd – The Mayor was the guest speaker at St. Paul's Cub Pack 190's Blue and Gold Banquet.

March 5th – The third annual Wildcat Foundation Winter Gala will be held.

March 8th – Patrolman Keith Anthony will be the speaker at the Mechanicsburg Crime Watch. He will demonstrate the new TASER equipment.

Trivia Question: What was the name of York Street, before it was York Street?

Answer: Shepherdstown Road as noted on the map of 1867 displayed in the back of the Council Chambers.

CHIEF OF POLICE REPORT

Chief Spotts reported that he received a fax from Teen Challenge international that they will be going door to door throughout the Borough to seek sponsors for their annual walkathon.

SOLICITOR'S REPORT

Solicitor Schorpp had no report.

FIRE CHIEF REPORT

Chief Seagrist reported:

- ◆ Fire reports were distributed.
- ◆ The two Fire Companies will share \$200 raised through the Chamber of Commerce giving tree event.
- ◆ Washington and Citizens both helped a local resident on South Market Street remove several feet of water from their basement and a thank you letter and \$200 donation will be split between the two departments.
- ◆ Tomorrow Chief Seagrist will attend a 3M demonstration of a new emergency vehicle traffic control device.
- ◆ Old Engine 127 will go out to the Upper Allen Fire Station to be stored until sold.
- ◆ An ad was placed in Pennsylvania Fireman magazine to attempt to sell old engine 127.

JR. COUNCILPERSON REPORT

Jr. Councilperson Geiger reported:

Several Mechanicsburg sports teams did very well in recent competitions. Ten students competed at the district swim meet. The Mechanicsburg Ice Hockey Team made it into the playoffs. The Mechanicsburg boys Basketball team qualified for the state tournament for the first time ever. Recycling of plastic bottles has begun at the high school

COUNCIL COMMITTEE REPORTS

Community Development/Downtown - Humes –Councilman Humes noted that she is trying to schedule a committee meeting. Councilman Ryder noted that the Historic Preservation group will meet March 10th at 7:30.

Finance/Appropriations/Insurance – Winchell- No Report.

Fire Committee – McDermott – Councilman McDermott reported March 25th at Citizens Fire Company. Councilman McDermott noted that Councilmember's can see the new truck at that meeting.

Health/Recreation – Seagrist – Councilman Seagrist requested a Resolution in memory of Virgil F. Puskarich, Community member and Executive Director of the Pennsylvania State Legislature's Local Government Commission be added to the March 16th agenda. Councilman Seagrist attended the joint recreation commission meeting on February 19th and Mechanicsburg was well represented. Attended the pool meeting where new and innovative practices were established to make the pool more cost effective. The Borough Web site will be utilized to post pool closings due to inclement weather. The Recreation Commission will meet next Tuesday, March 9th and the Council Health and Recreation Committee will meet at 6:30 PM on March 16th to discuss multi-municipal involvement with future pool administration. Friends of the pool will meet on March 30th. The Annual Easter Egg Hunt at Memorial Park is scheduled for April 3 at 11 AM followed by tours of the Mechanicsburg park system. Councilman Seagrist asked about the status of

the RFP for design service in regard to the pool renovations. Manager Stough indicated that he and the Solicitor have corresponded via e-mail and the scope of the work in the RFP is being better defined by Ms. Brown. Manager Stough stated that the RFP should be ready for Council action in the next few months. Councilman Seagrist stated that the Health and Recreation Committee met before this meeting with representatives of Little League and the Recreation Commission to consider draft policy on signage. Councilman Seagrist will modify the draft policy and get copies to Borough Council. Revision will include a penalty for non compliance clause. This item will be added to the March 16th meeting agenda for consideration of Council. Councilman Seagrist asked if neighboring municipalities should be invited to the Committee meeting on March 16th. President Winchell stated that he thinks the Borough needs to decide on a direction first, and then invite others to participate. Councilman Seagrist asked that Upper Allen be invited in view of their financial commitment. Council directed Manager Stough to invite Upper Allen to attend

Highway/Public Safety – Winchell – Councilman McDermott asked if any action would be taken on letters received on two hour parking and handicapped parking on East Keller St. Manager Stough stated that no response was given to date. Chief Seagrist stated that the complaint on the two hour parking was made by a tenant that is in the processes of moving from that location. Manager Stough indicated that staff checked on the complaint regarding the handicapped spaces and found no basis for the complaint. .

Loan Review Committee - Humes – No Report

Ordinance/Administration/Legislative Action – Whitcomb – No Report

Property/Buildings – Rider – No Report.

Public Communications – McDermott - No Report

Recycling Committee – Ryder - Councilman Ryder reported that he has been in touch with Paul Garrett, working with the Environmental Club at the School. Mr. Garret was looking for containers and Councilman Ryder contacted the Chamber about allowing the school use some of their new containers to begin recycling. Councilman Ryder reported that he is still working with the school district on paper and cardboard recycling

School Board – Ryder- Councilman Ryder reported that he attended the shortest school board meeting, which lasted only 15 minutes. Only curriculum items were discussed. President Winchell reported that the cardboard dumpster was overflowing, but it has been dumped. Manager Stough reported that the dumpster is filling up in about three weeks. There will be a Public Hearing on Filbert Street School closing tomorrow evening

W.S.C.O.G. - McDermott – Councilman McDermott reported that he attended the Municipal advisory board meeting, and the next meeting is in May. Manager Stough asked Councilman McDermott to inquire at the next COG meeting about the possibility of a joint salt stockpile, through COG, for municipal use, as suggested by Craig Yinger. This would eliminate the problems currently being experienced due to salt supply problems. Salt could be stockpiled during the summer months and be available in emergencies to all municipalities.

AGENDA ITEMS – March 2, 2004

◆ Consider Resolution 4-2004 authorizing CSO officer to enforce parking regulations.

The solicitor advised that civilian employees are hired by Borough Manager as per the Borough Code, so the hiring of individuals was removed from the agenda. Chief Spotts indicated that this Resolution authorizes the CSO's to enforce the Borough Ordinances. Vice President Whitcomb motioned, second by Councilman Ryder, to adopt Resolution 04-2004 authorizing CSO Officer to enforce Borough parking regulations. Councilman Seagrist asked if money was available in the budget to fund these positions. The Chief indicated that he could fund the position under the department's salary line items as approved. The motion passed with all in favor.

◆ Consider appointment to fill vacancy on the Shade Tree Commission.

Manager Stough indicated that Nancy Cichocki has expressed an interest in serving on this commission. Councilman Rider made a motion to appoint Nancy Cichocki to fill the term vacated by the resignation of Nancy Hanlon. The term will expire December 31, 2005. Councilman McDermott seconded the motion, which passed with all in favor.

◆ Discussion on changes to the parking on the east side of Washington Street & authorization to advertise parking changes and street sweeping revisions.

Manager Stough reviewed with Borough Council the changes to the Borough Ordinance needed to clarify the street sweeping schedule and make some handicapped parking space revisions which was included in the oversize vehicle ordinance which was not adopted. At the Managers meeting on Monday, parking concerns were discussed and some other areas where revisions are needed came to light. The Washington Street issue is a matter of changing the feet of the no parking area from 116 ft to 180 ft, to correct the ordinance to what is posted. After discussion, Vice President Whitcomb suggested that Council wait till the meetings on the 16th, when all the changes are outlined, then authorize advertisement of all the changes. Manager Stough noted that the changes would not be posted when street sweeping goes into effect in April. After much discussion, Vice President Whitcomb made a motion to table all the parking related items till the meeting on March 16th. Councilman Seagrist seconded the motion, which passed unanimously.

◆ **Supplementation agreement of the Borough Code.**

Manager Stough reported that the Borough agreement with Penns Valley Publishers for Codification services has expired. The Solicitor and Manager reviewed the agreement prepared by Penns Valley and added a termination clause and update clause for the CD-Rom media. This evening the agreement is available for action of Borough Council. Manager Stough stated that he checked with Keystate Publishers for a price on this service, and it was much higher. Vice President Whitcomb made a motion to approve the agreement with Penns Valley Publishers for two years with the addition of the termination clause as recommended by the Borough Solicitor. Councilman Humes seconded the motion. Councilman Seagrist asked if the Borough has recently received quotes for recodification. Solicitor Schorpp indicated that the last Codification was 1983. Manager Stough indicated that in 2002 he received a recodification quote from Keystate publishers and it was around \$12,000. Manager Stough stated that he is checking on the cost of complete books for the new Councilmember's. President Winchell asked to put purchase of additional books on the agenda for the meeting of March 16th. Manager Stough noted that the Code is on the Web and available to Council in CD-Rom format which is searchable. Manager Stough will get a price quote for recodification from Penns Valley. After some additional discussion the motion passed with all in favor.

GUESTS

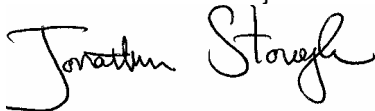
President Winchell asked for Citizen comments and there were none.

ANY OTHER BUSINESS:

Chief Spotts requested an executive session on a matter of potential litigation with no action to be taken, immediately following the meeting.

ADJOURNMENT:

President Winchell adjourned the Public meeting 8:20 PM.



Jonathan S. Stough
Borough Secretary