

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

October 19, 2004

7:30 PM

CALL TO ORDER: At 7:37 PM President Winchell called the Council meeting to order.

PLEDGE OF ALLEGIANCE: Boy Scout Troop 300 led those assembled in the Pledge of Allegiance to the flag.

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

Also in attendance: Cress – Sentinel, Roger Ciecierski, Bob Crobak, Bob Dietrich, Thomas Fernbaugh, Nancy Hanlon, Paul Heeter, John Marlin, Scott & Kathy Nedrow, Susanna Reppert, Jay Stoner, Jeffrey Van Buskirk, Ed Ward, and Linda Willis

Boy Scout Troop 300 of Mount Olive United Methodist Church- Brian Carmine, Nate Fummer, Mark, Michael & Deb Garraway, David and Daniel Wilson.

GUESTS:

Manager Stough introduced Ed Ward from Penn Waste our Recycling Refuse hauler. Mr. Ward explained to Borough Council that he was in attendance this evening to answer any questions Council may have on Refuse and Recycling Collection after the presentation last week by the Penn Township Environmental Director. Councilman Ryder asked Mr. Ward how many areas his company services that have a Pay-as-you-throw program in place. Mr. Ward indicated that Penn Township is the only area; however, many of the municipalities do have hybrid systems or bag limits, rather than the unlimited service the Borough currently contracts for. He indicated that unlimited refuse collection does not provide any incentive for residents to recycle. Mr. Ward indicated that Camp Hill Borough has twenty five homes in Camp Hill on a tag system, with the rest of the borough having unlimited collection. Councilman Humes asked if the areas with a hybrid system are built out like Mechanicsburg. Mr. Ward indicated that Camp Hill is similar in composition. Mr. Ward suggested a bag limit would save cost for service in the next contract. Councilman Ryder asked Mr. Ward how the company would control a bag limit in an alley where multiple units placing trash out at the same location. Mr. Ward indicated that the route sheets indicate the number of units in an area; the driver would know approximately how many bags to pick up at each location. Councilman Ryder asked if a voluntary program like the one in Camp Hill Borough would be beneficial. Mr. Ward indicated that the Borough would probably see about the same level of participation as Camp Hill. President Winchell asked Mr. Ward what, as a hauler, he would like to see in the Borough's next contract. He indicated that a bag limit would be the best choice, as the change would not be as dramatic for the residents. President Winchell asked what would be a good bag limit. Mr. Ward indicated that four 32 gallon bags per unit is a good limit to start at when making a change. Mr. Ward encouraged Council to consider larger recycling bins, and Manager Stough indicated the new bins purchased are larger. Manager Stough asked about the collection of bulk items with bag limit pickup. Mr. Ward indicated that one bulk item could be included, or it could be done through a tag system. Councilman Kautz asked about communities prohibiting the collection of grass clippings. Mr. Ward indicated that is a choice of the municipality.

CITIZENS COMMENTS:

Troop 300 thanked Council for having them in attendance this evening. Troop 300 of the Mount Olive United Methodist Church is working on their Citizenship badge.

Kathy Nedrow, 49 West Simpson Street, addressed Borough Council on her concerns regarding the Brethren House Apartments at 51 West Simpson Street. Mrs. Nedrow reviewed the history of the apartments indicating that Council had informed neighbors that the housing units would be used to house mentally challenged individuals. Currently four men and one woman reside there, three of which are recovering drug addicts and one recovering alcoholic. Mrs. Nedrow expressed concern about the young children hanging around the building and has viewed questionable actions of the residents and their visitors. She indicated that the Police Department has been called and she is concerned that the matter has never been brought before Borough Council. She also has concerns about the state of disrepair of the sidewalk. She indicated that she is concerned that this is an unhealthy environment for the children of the community. Chief Spotts indicated in the last two years they have received 17 calls regarding this location. Six calls were from

residents of the apartment building. Eleven were from outside sources. Chief Spotts indicated that he has talked with the Cumberland County Housing Authority regarding this location, and will continue to work to remedy the problem. Chief Spotts indicated that two arrests have been made at this location. President Winchell asked Manager Stough to check on the sidewalk issue with the Codes Officer. Councilman Ryder indicated that he was in attendance, as a church trustee, when this apartment building was proposed. He indicated the church was concerned about parking and the County indicated that the type of resident which would be placed at this facility would most likely not be driving, so parking would be adequate. Councilman Ryder noted that a parking problem does exist at this location.

Councilman Ryder went on to inform the Council and residents of an effort by area churches to address the problem of young people on the street and try to come up with some alternative activities for young people. A meeting will be held next Tuesday evening at the First United Methodist Church, at 7 PM to discuss this problem and try to find some solutions. Councilman Seagrist asked for some clarification on the pictures distributed by Mrs. Nedrow of the property in question.

Scott Nedrow, 49 West Simpson Street, indicated that when Council approved this project, the residents were told, as was Borough Council, that mildly mentally handicapped individuals would be residing here and that they would be overseen by a counselor and that they would not have an adverse effect on the community. No counselor is assigned to these residents and some are trying to be good neighbors, but some pose a real problem for the neighbors and the community as a whole. Councilman Seagrist asked if the surrounding property values have decreased as a result of this structure and its condition. Mr. Nedrow indicated that the sidewalk and the property maintenance have declined since the apartments have been in place.

President Winchell indicated that the County Housing Authority had promised Borough Council that they would be monitoring this location, to ensure it would not have a negative impact on the community. Councilman Ryder instructed staff to research the issue in the Council minutes to see what was promised by the County in regard to this location.

Tom Fernbaugh, 32 Simpson Street, apprized Council of a problem at the end of the alley, at King and Weaver, with young people, 20-30 at a time, and they block the alleyway and do not move for residents. They park cars in the middle of the alley, keeping residents from accessing their property. They also block Keller Street with skateboarding, they litter and the broken glass and trash they deposit takes away from the neighborhood. Mr. Fernbaugh also expressed concern about the young people smoking in the alleyway where there are many wooden garage structures that are very old, he expressed his opinion that this may be a potential fire hazard.

Chief Spotts indicated that he has meet with the Pastor at the Grace United Methodist Church to discuss the problem of young people at this location. Several arrests have been made and the Police Department has declared this a zero tolerance area and any violators will be arrested. President Winchell asked if Chief Spotts or Lieutenant Myers could attend the meeting next Tuesday, representing the Borough. Chief Spotts indicated that he would be glad to do that.

Bob Croback, 308 East Elmwood Avenue, addressed Borough Council regarding the stormwater issue on Elmwood Avenue. Mr. Croback complimented Manager Stough regarding his efforts to keep him informed of developments regarding stormwater. Mr. Croback indicated that he wanted to come to Council, now, during budget time, to ask that they consider budgeting money to correct the stormwater issues in his neighborhood. He asked that Borough Council allocate money in the upcoming budget to address this issue, as he has been patient and would now like to see some action. Manager Stough indicated that Borough representatives have meet with Upper Allen representatives to discuss this issue and hopefully the project can move forward, if all parties can come to an agreement. The problem is that the stormwater issue starts at Koser Park, flows through Mr. Croback's back yard and then goes into Upper Allen Township and then back into the Borough. It involves three property owners, and two municipalities, PennDOT and the School District. A meeting is scheduled with PennDOT next week and hopefully some resolution will be coming in the future. \$300,000 has been allocated from the bond proceeds for this project which is estimated to cost about ½ million dollars.

#### ADDITIONS TO AGENDA:

1. Manager Stough asked to add Authorization of sewer study agreement with Silver Springs Township.
2. A Real estate matter has been added to the executive session, with no action to be taken.

Councilman McDermott questioned the procedure regarding Council agenda deadlines. Manager Stough indicated that Council has established a deadline of Friday at noon for additions to the agenda. Councilman McDermott stated that the

item added this evening was something he had not received any information on and, at the last meeting, an agenda item was added with possible action and it had not even been discussed prior to the Executive Session that evening. Councilman McDermott concluded that the additions to the agenda are out of hand as Council is not receiving information far enough ahead to consider matters or gather public opinion before making decisions.

President Winchell noted that the policy was put in place to provide a deadline from guests, and residents to have items placed on the agenda. Council cannot stop a Council member from asking for items to be placed on the agenda for consideration. Solicitor Schorpp clarified that any Council member can make a motion and with a second can have any item added to an agenda at any time, if the majority of the Council vote in favor of the motion. The history of the formation of the deadline was reviewed by Manager Stough for the new Council members not on Council in 2002 when the policy was adopted. Manager Stough then explained the reason for his request to add the two items to this evening's agenda. Councilman Ryder added that he feels Council should be able to add time sensitive items to the agenda, if it is in the best interest of the municipality. The agenda preparation and approval process was then reviewed by the Manager. Councilman McDermott stated that he cannot see the difference between allowing the public to add items and allowing staff or Council to add items to the agenda, he expressed his desire of consistency in application of the policy. Councilman Seagrism expressed his view that the example given by Councilman McDermott, regarding the agenda for the October 5<sup>th</sup> meeting, was an example of a situation where if the information had been provided to all Councilmember's, prior to the meeting, it would have made it easier to make a decision on the matter brought to the floor after the conclusion of the executive session. Councilman Seagrism stated that "there is a fine line between wanting to maintain an element of flexibility to react to timely issues versus trying to pull a proverbial rabbit out of hat" and he continued that he would like to avoid the occurrences of this happening down the road.

#### APPROVAL OF AGENDA:

Councilman Humes made a motion to add the two items to the agenda, and to approve the agenda with the additions. Councilman Ryder seconded the motion, which passed with no dissenting votes.

#### CORRESPONDENCE:

Manager Stough report:

1. A letter was received from the resident at 435 South Washington Street thanking Cliff for his help with placement of an accessory structure.
2. A flyer was received from the Mechanicsburg Chamber on the "Giving Trees" of Mechanicsburg program scheduled for this holiday season.
3. A flyer was received from the Boroughs Association on their constitution issue training scheduled for October 27<sup>th</sup> in Carlisle.
4. A packet of information was received from Pennoni Associates containing an authorization for the scope for engineering services for the traffic signalization project. Manager Stough noted this will be added for the next Council meeting agenda.

#### APPROVAL OF MINUTES:

Councilman McDermott asked that the minutes from the last meeting be amended to include the comments of Councilman Seagrism and Councilman Ryder during the discussion surrounding the motion for the Managers transportation/vehicle allowance on Page 6<sup>th</sup>. President Winchell indicated that he recalls general discussion, but does not recall the exact words. Manager Stough stated that due to the length of the minutes, details are summarized to reflect the action and relevant issues. Councilman Seagrism stated that he asked Councilman Ryder if Council was spending the money in that particular line item just because it was available and Council could spend it and if this was a windfall versus a monthly stipend. Councilman Ryder indicated that he did not propose to spend the money just because it was available. Councilman Ryder further stated that in Roberts Rules of order it states that minutes should reflect the action taken, not the discussion. Solicitor Schorpp indicated the appropriate action would be, if desired, a Council member could make a motion to amend the minutes, however, before making that motion, it needs to be clear exactly what is being requested to be added to the minutes and make sure the Secretary is in agreement that is what transpired because the Secretary is responsible for recording the minutes. Councilman McDermott stated that he still wished to have the meeting minutes amended to include the question and the response. Councilman Ryder indicated that he does not recall the exact response. The Solicitor clarified that the minutes are not a stenographic transcription of the meeting. The Solicitor suggested that the addition of the line "Councilman Ryder responded that the motion was not motivated simply because the money was budgeted and not expended" following the sentence that Councilman Seagrism questioned the reason for the motion could be added to page six of the minutes. Councilman McDermott stated that would be satisfactory.

Councilman Seagrist stated that he would also like the typographic error listing Councilman McDermott as voting both in the negative and affirmative. The Secretary indicated it had already been corrected. Councilman McDermott made a motion to amend the minutes to include the sentence " Councilman Ryder responds that the motion was not motivated simply because the money was budgeted and not expended following Mr. Seagrist question. Councilman Seagrist seconded the motion, which passed with all in favor. Councilman Ryder made a motion, second by Councilman McDermott to approve the minutes as amended.

APPROVAL OF REPORTS:

Councilman McDermott made a motion, Councilman Seagrist second, to approve the monthly reports as submitted. The motion passed unanimously.

MANAGER'S REPORT:

Manager Stough had not report.

Councilman McDermott questioned the Manager on the clean up on Keller Street following the Halloween Parade.

Manager Stough stated that he would check with Craig Yinger at the Highway Department on this matter.

President Winchell commented that the Parade Association should prohibit the vendors from selling Silly String, as it is a problem in the downtown area. Discussion followed and Chief Spotts indicated that after receiving approval from the Halloween Parade Committee and meeting their requirements, then the vendor is issued a permit under the conditions of the transient retail license.

MAYOR'S REPORT:

October 11<sup>th</sup> – Crime Watch speaker was Michael Ripton. Ripton retired from the Pennsylvania Historical and Museum Commission as director of all the state museums and historic sites across Pennsylvania.

October 12<sup>th</sup> – Halloween Parade. Great weather, great parade. Thanks to all who were part of this great town event.

Trivia Question: In the 1930's thirty foot letters were placed in the athletic field of Memorial Park. What was the word and why was it placed there.

Answer: MECHANICSBURG to give directions to airplanes flying overhead.

CHIEF OF POLICE REPORT:

Chief Spotts no report

SOLICITOR'S REPORT:

Solicitor Schorpp no report

FIRE CHIEF REPORT:

Chief Seagrist was absent

JR. COUNCILPERSON REPORT:

The Jr. Councilperson reported that

Mechanicsburg suffered a football loss at the homecoming game.

The girls field hockey team made it to the District Playoffs

COUNCIL COMMITTEE REPORTS:

**Community Development/Downtown** – Humes- Councilman Humes indicated that many residents turned out for the September 29<sup>th</sup> meeting and people are indicating how they would like to support downtown revitalization.

**Finance/Appropriations/Insurance** – Winchell- President Winchell requested the Manager send letters to the police bargaining unit and the non-uniform union representatives to see if there is interest in reviewing the pension plans.

**Fire Committee** – Ryder – The Fire Committee meeting for tomorrow evening has been postponed.

**Health/Recreation** – Seagrist – Councilman Seagrist reported upcoming Recreation Commission budget meeting has been scheduled for Thursday October 29th at 7 PM. The next Recreation Commission meeting is scheduled for Monday November 8<sup>th</sup> at 7 PM. The Recreation Commission met on October 11<sup>th</sup> and discussed the formation of an Intermunicipal Pool Authority. The Recreation Commission cautioned Council that it would be in Councils best interest to hire Pool Management by the beginning of 2005, so training can be obtained. The Recreation Commission asked Council to advise them on how to proceed, and what the time frame will be for the formation of an Authority. Councilman Seagrist suggested that the Recreation Commission continue to assemble information from prospective candidates for pool

manager, as they planned. Given the fact that Council interviewed Pool Managers in the form of an exit interview, the question was raised as to whether Council desired to conduct exit interview with any of the other pool staff. Councilman Seagrist stated that he indicated Council had not considered that at this point in time. Councilman Seagrist indicated as per direction of Council he has contacted Wayne Wade, Pool Consultant, who exhibited interest in helping the Borough Council with information on the formation of a Pool Authority. Councilman Seagrist asked Mr. Wade to put together some cost estimates to share with other municipalities during the discussion phase of forming the intermunicipal pool authority. At the recreation commission meeting, Councilman Seagrist indicated he had received information on the new proposed recreation department employee. Councilman Ryder indicated that the Recreation Department is meeting with residents this evening to discuss changing the Filbert Street School into a Recreation Center. President Winchell asked Councilman Seagrist if he felt there was support on the Recreation Commission for formation of a Pool Authority. Councilman Seagrist stated that there are a lot of mixed feelings on the Recreation Commission. He expressed his opinion that the Recreation Commission does not want to see the pool taken away from them in terms of overseeing the operation; however, he stated he feels that the Recreation Commission seems to be resigned to the fact that changes are coming. There is interest on the Recreation Commission of having representation on a Pool Authority, if it is formed.

**Highway/Public Safety** – Kautz – No Report

**Loan Review Committee**- Humes – Councilman Humes indicated that work has begun on the first floor of the Eckels building. Mrs. Barbain hopes to have the first floor open for gift shop sales before Christmas.

**Ordinance/Administration/Legislative Action** – Whitcomb – No Report

**Property/Buildings** – Kautz –No Report.

**Public Communications** – McDermott – Councilman McDermott indicated that October 19<sup>th</sup> is the deadline for the winter newsletter. He indicated that he is looking for possible story ideas or survey questions. Councilman McDermott asked Assistant Secretary Boyer how many responses have been received from the last survey. She indicated that 157 surveys have been received and that they will be compiled by the end of the week. Councilman McDermott asked when we need to receive new price quotes for the printing of the newsletter. Manager Stough indicated that new price quotes should be obtained before the Spring edition, probably late January. Councilman McDermott suggested reducing the number of newsletters from four to three, to possibility reduce costs. Manager Stough indicated that could be done; however, we would need to inform all advertisers of the deadline changes, as many buy ads a year at a time and anticipate four editions. President Winchell questioned Councilman McDermott on this request, stating that just a few months ago he expressed the need to provide additional communication with Borough residents, and now he is suggesting cutting back on that. Councilman McDermott stated he is just looking at this as a possible option. Councilman McDermott noted that the Annual Report comes out in February, just after the Winter newsletter and it may be duplication. Councilman McDermott directed that Manager to provide the Committee with the form for price quotes, so changes could be made and they could be sent out to printers. Councilman McDermott asked that the Manager advertise a Public Communication meeting on November 16<sup>th</sup> at 6 PM. Councilman Seagrist asked that space be allowed in the next newsletter for the article on the Eagle Scout that completed a project at Memorial Park. Manager Stough indicated that an article was never received.

**Recycling Committee** – Ryder – Councilman Ryder stated that he feels the next step is to call a recycling committee meeting to come up with some options for the upcoming refuse contract.

**School Board** – Ryder – Councilman Ryder reported that at the meeting last week the School District recognized Senator Hal Mowery. Councilman Ryder asked that the School District be represented on the Emergency Services Board, when Council sets up the structure. Councilman Ryder reminded everyone to send in their Homestead Act Forms.

**W.S.C.O.G.** - McDermott – Councilman McDermott reported that he missed last nights COG meeting. Manager Stough reported that he spoke with Perry Albert, regarding use of the Joint Appeals Board, for the Uniform Construction Code as a possible Property Maintenance Code Appeals Board and was informed that there was not interest in that at this time.

#### AGENDA ITEMS October 19, 2004:

♦ **Discussion and possible action on Property Maintenance Code and discussion on board of appeals for property maintenance code.**

Manager Stough indicated that the Solicitor has a provided final draft copy of this ordinance and Council needs to discuss what direction it wants to take on establishing a Board of Appeals. It was discussed that Council could serve as the Board of Appeals or appoint residents to serve on the Board of Appeals. Manager Stough indicated that many of the volunteers who are expressing interest may be anticipating being appointed to a Board that meets regularly. Options were discussed as to make up of the Appeals Board and also if legal counsel is required. Solicitor Schorpp indicated that the Board may require independent counsel, but only if litigation is a consideration. Councilman Seagrist made a motion to authorize the Solicitor to advertise the Property Maintenance Code for adoption. Councilman Ryder seconded the motion. Councilman Seagrist explained that he respects the Manager's concern

about having an Appeals Board in place; however, he expressed his feeling that the Borough needs to have the property maintenance code in place as soon as possible to allow the Codes Officer to adequately respond to the concerns of residents and to abate unsafe structures in the Borough. Councilman Seagrist offered to review the list of volunteers and draft a proposed appeal board from the list of prospective qualified residents. After additional discussion, and on advice of Solicitor, Council voted unanimously to pass the motion to have the Solicitor advertise the ordinance. The Council will then seek to appoint individuals to the positions on the Board of Appeals.

◆ **Discussion and possible action on the Special Events application for an Arts and Craft Festival to be held on September 10, 2005.**

Suzanne Reppert addressed Council stating that she would like not to have the street closed on September 10<sup>th</sup>. Councilman McDermott made a motion to table. Councilman Ryder made a motion to take this matter off the table. Councilman Seagrist seconded that motion. Councilman Ryder stated that he feels this is an issue that Council can not solve and should not prolong. The motion passed by a vote of 5 in favor (Humes, Kautz, Ryder, Seagrist and Winchell) and one in opposition (McDermott). Councilman Seagrist made a motion to deny the request to close South Market Street on September 10, 2005. Councilman Ryder seconded the motion. Councilman Seagrist stated that he makes this motion with respect to the Foot Traffic Organization stating that he feels they do an incredible job for the community. Councilman Seagrist stated that he makes this motion based on the fact that he has lived in Mechanicsburg his entire life and part of his childhood was going with his mother and sister to the Rosemary House and that he recognized the Repperts as long time, respected and valuable members of the community and although Council is in an unfortunate situation in having to make this decision; however, he makes his motion based on his respect for the Rosemary House as a long time established asset to the Mechanicsburg Community. Councilman Humes stated that she appealed to both parties today by phone and e-mail hoping that they could come to some resolution. President Winchell called for the vote and the motion passed with all in favor.

◆ **Request of Mechanicsburg Museum Association for a \$129 donation, in lieu of building permit fees.**

Councilman Humes made a motion to donate \$129 to the Mechanicsburg Museum Association building project. Councilman Ryder seconded the motion, which passed with all in favor.

◆ **Discussion and possible action on lease for the Passenger Station.**

Manager Stough informed Council that a list of suggested changes to the lease was received from the Museum, and have been forwarded to the Solicitor for review. Councilman Humes asked if the museum had legal counsel at the meeting with the Property and Building Committee. Manager Stough indicated that their legal representative has reviewed the document, but did not attend the meeting with the Borough representatives. President Winchell indicated that when the Borough met with the Museum representatives, they had not yet met with their insurance carrier. Solicitor Schorpp suggested that Council authorize himself and the Manager to meet with Museum representatives to work out the terms of the lease. The one item that needs clarification from Council, in the draft Council stipulated that building be open four hours per day, the museum would like that to be three hours per day. President Winchell stated that he wants to go on record as stating that the issue of the oil tanks should not be negotiated, as the tanks are there and part of the property. There can be tests done to see if oil is being lost, and there is no indication of a problem with those oil tanks at this time. Solicitor Schorpp reminded Council that the lease will come back to Council for final approval when and agreement is reached with the Museum Association representatives. Council discussed the pending legislation, which would allow the sale of the property to the museum. Solicitor Schorpp clarified that the lease for rental of the space and an agreement of sale are two separate issues. After some additional discussion, Councilman Humes made a motion, second by Councilman Ryder, to authorize the Borough Manager and Solicitor to negotiate with the museum association to come to terms for the lease. The motion passed with all in favor.

◆ **Discussion on Fire Vehicle Insurance Coverage.**

Manager Stough reported to Borough Council that Citizen Fire vehicles have been removed from the Borough's Insurance policy and Washington Fire Company has voted to have their coverage remain on the Borough policy and they will be invoiced for the cost.

◆ **Discussion on Emergency Advisory Services Board.**

President Winchell indicated that he is waiting to see who has expressed interest in serving from the Borough surveys and he further stated that he feels the School District should be included on the board.

◆ **Consider appointment to fill vacant alternate position on the Zoning Hearing Board.**

Manager Stough suggested that since letters have been sent to individuals currently serving, whose terms are expiring at the end of the year, it may be best to fill this position, along with the other vacancies at the end of the year. President Winchell asked if any response was received from the Shade Tree appointee that has been unable to attend meetings regularly. Manager Stough indicated no response was received.

◆ **Request for revisions to the Transient Retail Business Licenses.**

Chief Spotts stated that via correspondence with the Solicitor, his concerns have been addressed and no action is required. Manager Stough reviewed with Council the list of changes that were suggested by Penns Valley during our recent re-codification. Manager Stough and the Solicitor will be working on these issues and be bringing suggested changes back to Council for consideration.

◆ **Discussion and possible action on the Humane Society Contract for 2005.**

Chief Spotts noted that all fees are increasing for 2005, with the exception of the fees for Pit Bulls, which will remain at ninety dollars. Councilman McDermott made a motion to authorize execution of the contract. Councilman Seagrist seconded the motion. President Winchell asked for a year end report on the service provided, sometime in January. Chief Spotts indicated he would provide that when the information was received. Chief Spotts also informed Council that in next years contract they will be charging for all animals, not just cats and dogs. The vote was taken and the motion passed unanimously.

◆ **Discussion and possible action on letter of support for the grant application to perform a river conservation plan for the lower Conodoguinet Creek Watershed.**

Councilman Humes made a motion, second by Councilman McDermott, to authorize the Manager to send a letter of support for the grant application. The motion passed with all in favor.

◆ **Discussion and possible action on post retirement insurance deductible policy.**

Manager Stough informed Borough Council that the draft of the policy is still being reviewed by the Borough's labor Counsel and no comments have been received from him at this time. Councilman Seagrist made a motion to table, seconded by Councilman Ryder. The motion passed with all in favor.

◆ **Discussion on blighted property at 22 East Simpson Street.**

Manager Stough informed Council that the monies due the Borough for this property have been received and a letter has been sent regarding the property maintenance issues. Councilman McDermott made a motion to remove this matter from the agenda. Councilman Ryder seconded the motion, which passed unanimously.

◆ **Discussion on wireless microphone policy.**

Manager Stough informed Council that a draft of the policy is before Council tonight. Manager Stough asked that Council review the suggestions, and get back to him with any suggested changes.

◆ **Discussion on Historic District Ordinance.**

President Winchell stated that Council is sending this back to Planning Commission for a final review, and then Council will consider it for advertisement. Solicitor Schorpp indicated that he included the word repair along with the verbiage alteration. The determination of what requires HARB review has to be determined and the Planning Commission has recommended the Codes Officer make that determination. He would need to determine if proposed construction is a maintenance repair or an alteration which requires HARB review. The HARB could be assigned the task of determining what changes should be reviewed. The Solicitor noted that enacting this ordinance may require some changes to the Uniform Construct Code. Manager Stough indicated he will leave this on the agenda for additional discussion.

◆ **Discussion on bid for the renovations at Memorial Park Pool.**

Manager Stough informed Borough Council that the pool renovation bids have been sent out to potential contractors. Manager Stough informed Council that the bid document and the money paid to Wade Associates was just for renovation of the pool. It does not include any upgrades or design for the bathhouse. Manager Stough went on to explain that with the cost of this anticipated bid cost of a minimum \$500,000 in cost, there is about a \$75,000 shortfall in funding for this project. The Manager explained that Council has set aside \$200,000 for this project, a \$200,000 grant was received and a grant for \$53,000 has been received from the County for ADA improvement out of which about 1/2 of the allocation was for improvements to make the bathhouse ADA compliant. The money raised by the Friends of the Pool has been allocated to pay for Nancy Saidis and Wayne Wade. Manager Stough cautioned Council that they are going to be asked to take action on these bids before they receive the feasibility finding from Nancy Saidis. Discussion followed on a 2002 memo from the Recreation Commission, on which the grant funding amounts were projected. President Winchell asked Manager Stough if he has made Ms. Brown aware of the discrepancy in the figures. Manager Stough said that Ms. Brown informed him that Council was made aware of this at a meeting at the pool. The Solicitor suggested that an addendum could be issued to hold the bids for more than 60 days. Manager Stough indicated that he stated the bid packet stipulates all work to be completed by June 23<sup>rd</sup>, so to delay the award would jeopardize the deadline for completion. Councilman Seagrist asked if Wayne Wade indicated any time frame for providing price estimates for an Intermunicipal Pool Authority. Manager Stough indicated he did not.

◆ **Discussion and possible action on a Recreation Department Assistant Position.**

Councilman Seagrist informed Council that he received information at the last recreation meeting about this position and the \$4,000 in the recreation budget is 38% of the 25% that the school district does not cover. The new position will not have any responsibilities at the pool. Councilman Seagrist noted that the Recreation Commission is considering funding this position from their budget, if Council does not approve the expenditure. Manager Stough stated that he does not have any opposition to this position, however, the preliminary recreation budget shows an increase in the salary line item to support this position, while showing a decrease in monies allocated for park improvements by almost \$10,000 and equipment repair and replacement by \$3,500 and he is concerned the loss of funding for improvements to fund salaries is cause for concern. Some confusion still exists about when the new employee would be hired, and if the school district has approved this funding for the position. Discussion followed on the fiscal constraints of the \$135,000 allocation to the Recreation Commission, and who can approve expenditures. Discussion followed on the pool budget for 2004 season and how the bottom line came out. Manager Stough indicated that the final budget report for the pool season has not yet been received. Councilman Ryder asked Councilman Seagrist if in his opinion was this position needed. Councilman Seagrist stated that he is not prepared to answer that question at this point in the budget processes. Solicitor Schorpp asked how the Recreation Commission can make a determination on 2005 expenditures before Council has approved the allotment for the next calendar year. Councilman McDermott spoke in support of the need for this position; however, he cautioned that with the Borough's financial situation this may not be the best time to add additional help. Councilman Seagrist spoke in support of the recreation department and the excellent programming they provide, and further stated that at this point his concerns are budgetary. President Winchell stated that he is discouraged that the Recreation Commission is proposing this additional position, while cutting money for improvements. Manager Stough stated, that he understands the need for this position, he has a fear that needed improvements are being left unaddressed, and then when an emergency arises, Council is left the burden of a large ticket repair. Councilman Ryder made a motion to table this matter till after the Monday Finance Committee Meeting. Councilman Humes seconded the motion which passed with all in favor.

◆ **Authorization of legal and engineering review of sewer study agreement, as per request.**

Manager Stough indicated he met Friday with a potential developer from Silver Springs Township. He explained that the Borough has no additional capacity to sell to Silver Springs Township to accommodate the development. Manager Stough indicated that line repair could reduce infiltration and provide potential additional capacity. Manager Stough explained the details of the study and work required to fix the line and provide the need capacity. After discussion, Councilman Ryder made a motion, second by Councilman Kautz, to authorize the solicitor, engineer and Manager to move forward with this study, as long as the Borough incurs no expense. The motion passed with all in favor.

APPROVAL OF EXPENDITURES:

Councilman Ryder made a motion, second by Councilman Kautz, to approve expenditures in the amount of \$176,583.43 from the General Fund and \$4,002.82 from the Highway Aid Fund beginning September 1, 2004 through September 30, 2004. The motion passed with all in favor.

CITIZEN COMMENTS

President Winchell called for comments from the public and there were none.

ANY OTHER BUSINESS

Mayor wished Chief Spotts a Happy Birthday. Chief's Birthday is the 24<sup>th</sup>.

Councilman Seagrist asks if there were only two members at the last Shade Tree meeting, Manager Stough indicated there were actually three members in attendance. Councilman Seagrist requested a Resolution recognizing Senator Mowery for his twelve years of service to the people of the 31<sup>st</sup> District.

ADJOURNMENT:

At 10:15 PM President Winchell adjourned the meeting to an executive session on a personnel and real estate matter with no action to be taken.



Jonathan S. Stough  
Borough Secretary

