

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

August 16, 2005

7:30 PM

CALL TO ORDER: At 7:30 PM Vice President Whitcomb called the Council meeting to order.

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

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

Also in attendance: Tom Bender, Bob Dietrich, Nancy Hanlon, Lissa Geiger, Mark Martin, Kyle Miller, Jack Neibert, William Reilly, Jeremy Shaffer, Arlene Shulman, Jay Stoner, Ron & Lori Trace and Cece Viti

GUESTS:

There were none.

CITIZENS COMMENTS:

There were none

ADDITIONS TO AGENDA:

- ◆ Request of the Museum Association for use of the Train Station on August 22nd, August 26th and August 27th for activities in conjunction with their Gala Opening of the remodeled Freight Station Museum.
- ◆ Acceptance of time extension offered by Autobodies by Lucas for their land development plan.
- ◆ The request of EJ Dillion for re-zoning of his property at 123 East Green Street was incomplete. The request will be added to the agenda in two weeks, if the property description information is provided by Mr. Dillion.
- ◆ Consideration to approve crossing guard stations at the intersection of Elmwood and Shepardstown and one at N Market and Portland Streets.

APPROVAL OF AGENDA:

Councilman Seagrist made a motion to approve the agenda with the additions noted. Councilman Kautz seconded the motion, which passed with no dissenting votes.

CORRESPONDENCE:

Manager Stough reported:

- Information was received on the Central Tri-County Boroughs Association meeting scheduled for September 27, 2005 at the Capital Area Moose Lodge in Marysville. Reservations must be received by September 9th 2005.
- An announcement was received regarding the grand re-opening of the Freight Station Museum.
- A letter was received from the Mechanicsburg School District regarding the approval of parking along Norway Street for buses, approved at the last meeting. This item needs to be added to the agenda. Councilman McDermott made a motion, second by Councilman Kautz, to reopen the agenda and include this as an agenda item. The motion passed with all in favor.
- A letter was received from Charles Fogary, 121 Victoria Drive, regarding the graffiti issue in the Borough.
- The Central Pennsylvania Water Quality Association will be touring the Wastewater Treatment Plant on September 9th and Wastewater Treatment Plant Supervisor, Ron Adams, will be speaking to the group at a luncheon to be held at the Mechanicsburg Club.

APPROVAL OF MINUTES:

Councilman McDermott made a motion to approve the August 2, 2005 minutes as submitted. Councilman Kautz seconded the motion, which passed with all in favor.

APPROVAL OF REPORTS:

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

MANAGER'S REPORT:

Manager Stough reported that Rothermel's Florist has been providing the Borough Office with flowers each week for many years. Rothermel's will be discontinuing this flower promotion and the Manger wants to thank them for the past service.

MAYOR'S REPORT:

August 8th – Patrolman Brian Curtis was the presenter at Crime Watch held at the Joseph T. Simpson Public Library. Brian's subject was Internet Safety directed toward parents and grandparents. This meeting had the highest turn out on record.

August 10th – Assisted Museum preparing for the re-opening of the freight station scheduled for August 26th and 27th.

August 13th – Awarded students of the summer reading program at the Simpson Library with Mayor's Certificates.

August 13th – Helped building of the new dugouts at the York Street ball field.

August 14th – officiated wedding.

Trivia Question: How many Pennsylvania Historical and Museum Commission signs are there in the Borough of Mechanicsburg, and where are they?

Answer: There are four. Simpson Ferry Road, Irving Female College, Union Church and the Cumberland Valley Railroad.

CHIEF OF POLICE REPORT:

- Officer Vincent received a citizen letter of commendation for his work at a recent incident.
- We received a \$4,575 Grant from the PA Commission on Crime and Delinquency (PCCD) for the DARE Program. This will pay for wages of Officers to teach the DARE Program. Money for supplies has been completely cut from PCCD's grants.

SOLICITOR'S REPORT:

Solicitor Schorpp had no report.

ENGINEERS REPORT:

Engineer Barber distributed a memo to Borough Council outlining options with regards to sewer billing (attached). Councilman Seagrist asked Engineer Barber which option was the best, in his opinion. Engineer Barber indicated that the administrative process for providing flat rate plus usage would be more costly, but would provide a more equitable system than the flat rate alternative. Engineer Barber indicated that from a staffing standpoint, it is much more involved to administer a flat rate plus usage system. Councilman Humes indicated that Council should consider this option as part of the budget preparation process going into the 2006 budget. Manager Stough indicated that staff would not be able to obtain the software and have it up and running for the January 2006 billing, the July billing would be a more realistic time line. Manager Stough noted that two years ago, staff provided Council with a memo with the same information. Vice President Whitcomb indicated that he would like some time to look over the information in the memo. Manager Stough reminded Council that to implement this system would involve additional staff and new utility billing software. He also reminded them that they would need to skip a quarter of revenue in order to change to this option. Councilman Seagrist stated that he would like to see this change take place for the January 2006 billing and Council should move ahead now to make that possible, and noted that Council has been discussing this for over two years now. After discussion, Councilman Kautz asked if the Manager could provide estimated costs to Council for their review. Manager Stough indicated that he would provide the estimates in a memo to Borough Council in their packets. Vice President Whitcomb asked the Manager to put this on the agenda for additional discussion in two weeks.

Engineer Barber reported on the signalization project indicating the design has been approved by PennDot and they performed a radio survey and are waiting for results of that survey. It is estimated that the final design will be completed by November of this year.

Engineer Barber reported on the paving program indicating that he has a meeting scheduled with Pennsy Supply for next week. Currently all the sidewalk and preparation work is being done.

FIRE CHIEF REPORT:

Chief Seagrist reported that the ladder testing was conducted yesterday and everything passed. Pump testing is scheduled for September 7th through 9th.

JR. COUNCILPERSON REPORT:

The Jr. Councilperson was absent.

COUNCIL COMMITTEE REPORTS:

Community Development/Downtown – Humes- Councilman Humes reported that WHYL was broadcasting from Eckels Ice Cream Shop this morning from 6 to 9 AM and many people gave plugs for the community.

Finance/Appropriations/Insurance – Winchell- No Report in the absence of President Winchell.

Fire Committee – Ryder – Manager Stough reported the next meeting of the Fire Committee will be held on September 21st.

Highway/Public Safety – Kautz – No report.

Loan Review Committee- Humes – No Report.

Ordinance/Administration/Legislative Action – Whitcomb – The Ordinance/Administration Committee will meet on September 20th at 6 PM to discuss a noise ordinance.

Property/Buildings – Kautz – Councilman Kautz noted that the sale of the Train Station is on the agenda.

Public Communications – McDermott – Councilman McDermott reported that August 26th is the deadline for the fall newsletter and will cover the timeline of mid September to early December.

Recycling Committee – Ryder – Recommendation was distributed this evening from the Citizens Recycling Advisory Committee.

School Board – Ryder – No Report in the absence of Councilman Ryder.

W.S.C.O.G. - McDermott – Councilman McDermott reported that the County Municipal Advisory meeting will be held August 23rd and there will be no West Shore COG meeting this month. Manager Stough reported that the Borough received \$390.40 for items sold at the COG auction.

Health/Recreation – Seagrist – Councilman Seagrist noted that the next Recreation Committee meeting will be held on Tuesday, September 13th at 7 PM.

AGENDA ITEMS AUGUST 16, 2005:

◆ **Discussion and possible action on the waiver requests of the Chestnut Street Townhouse land development plan.**

Jerry Shaffer, Hoover Engineering, was present to represent the applicant. He gave an overview of the land development plan to Borough Council. Council then considered the waiver request, outlined on Engineer Barber's memo dated May 27, 2005 (attached).

Waiver #1 – Preliminary plan requirement (\$403)

Councilman Humes asked if this submission is for an additional building similar to the three constructed as part of the last Chestnut Street Townhouse submission. Mr. Shaffer indicated that was correct.

Vice President Whitcomb asked if they would be combining two lots into one. Mr. Shaffer indicated that the request is to consolidate two lots, with dwellings into one parcel for the purpose of adding an additional two unit structure to the rear of the property.

Councilman Humes asked if the existing building would be demolished. Mr. Shaffer indicated that they would not be removing the existing structures.

Councilman Humes asked if the units would be facing Chestnut Street. Mr. Shaffer indicated that the new construction would be facing the alley with parking to the rear.

Vice President Whitcomb asked what would be facing Chestnut Street. Mr. Shaffer indicated that two existing dwellings would remain and would face the Chestnut Street side of the property.

Manager Stough distributed copies of the plan to Council.

Councilman Humes asked about the location of the alley marked unnamed on the plan. Mr. Shaffer indicated that it was the first alley off of East Main Street as you were heading south on Chestnut Street.

Councilman Humes asked if Planning Commission has approved the waiver requests and Manager Stough indicated that they have recommended approval of all waivers requested by the applicant.

Councilman Seagrist made a motion to grant waiver request #1. Councilman Kautz seconded the motion, which passed with all in favor.

Waiver #2 – Right-of-way radii at intersection shall be 15' (§604.4.I)

Mr. Shaffer indicated that a portion of the existing dwelling unit would be in the right-of-way preventing the 15" radii at the intersection of Chestnut Street and the unnamed alley.

Vice President Whitcomb asked what happens if, in the future, they remove this dwelling unit, would they be able to reconstruct in the same location. Solicitor Schorpp indicated that it could be changed if new construction would be proposed in the future.

Councilman Seagrist asked if the Fire Chief was consulted regarding this issue. Mr. Shaffer indicated that they are not proposing any change to the right-of-way width along the alleyway. Mr. Shaffer indicated that currently a Fire vehicle could not turn into that alleyway.

Councilman Kautz made a motion to grant Waiver #2. Councilman McDermott seconded the motion, which passed will all in favor.

Waiver #3 – Curbing is required along alley frontage (§604.6.B)

Mr. Shaffer indicated that this would be a waiver of the requirement for curbing along the unnamed alley to the north of the property.

Councilman Kautz made a motion, second by Councilman Seagrist, to grant waiver #3. Engineer Barber noted that this waiver was recommended because if curbing were to be installed it would make snow plowing very difficult for the highway department. Vice President Whitcomb called for a vote and the motion passed with all in favor.

Waiver #4 – Plan scale of 1 inch = 50 feet (§502.1)

Mr. Shaffer indicated that the plan was drawn larger than the scale indicated in the plan.

Councilman Seagrist made a motion, second by Councilman Kautz to grant waiver #4. The motion carried.

Waiver #5 – Alleys shall have a minimum width of 20' and paved surface of 12' (§605.2)

Engineer Barber indicated that this waiver would apply to both alleyways, the unnamed alley and Irving Alley, as both have only a 15' right-of-way and a 12' paved cartway and that will not change as a result of the proposed construction.

Councilman Humes asked what the paved cartway is now for both alleys. Mr. Shaffer indicated that Irving Alley is currently paved 12' in width and the unnamed alley is paved 10'.

Councilman Seagrist made a motion, second by Councilman Kautz to grant waiver #5. The motion carried.

◆ **Discussion and possible action on the land development plan of Chestnut Street Townhouses**

Manager Stough asked that payment of all outstanding Engineering fees be included as a condition of approval. Engineer Barber indicated that there are also some other conditions, all of which are outlined in his memo of May 27, 2005, most of which are record keeping items. Engineer Barber stated that he would recommend approval with the conditions outlined. Manager Stough asked Engineer Barber what public improvements would be required. Engineer Barber indicated that the public improvements are minimal, but as yet he has received no agreement for review. Solicitor Schorpp asked the applicant if he would agree to all the conditions outlined in Engineer Barbers memo of May 27th and the Manager's condition, payment of all outstanding engineering fees **and provide a deed of consolidation to the Borough Solicitor for review and approval.** Mr. Shaffer indicated that he would agree to all items. Councilman Humes made a motion to approve the plan subject to compliance with all the conditions noted on the Borough Engineers memo of May 27, 2005, and condition upon the deed of consolidation being approved by the Borough Solicitor and recorded with the plan noting that the all outstanding engineering review fees being paid in full. Councilman Kautz seconded the motion, which passed with no dissenting votes.

◆ **Discussion and possible acceptance of the time extension offered by the American Legion for their land development plan, through November 27, 2005.**

Councilman Seagrist made a motion, second by Councilman Kautz, to accept the time extension offered by the American Legion for their land development plan through November 27, 2005. The motion passed with all in favor.

◆ **Discussion and possible acceptance of the time extension offered by Robert Banzhoff for his Brandy Lane Land Development plan through November 15, 2005.**

Councilman Kautz made a motion, second by Councilman Humes, to accept the time extension offered by Robert Banzhoff for his Brandy Lane Land Development Plan through November 15, 2005. The motion passed unanimously.

◆ **Discussion and possible acceptance of the time extension offered by the Washington Fire Company for their Land Development plan for six months, through February 1, 2006.**

Councilman Seagrist made a motion, second by Councilman McDermott, to accept the time extension offered by the Washington Fire Company for their Land Development plan through February 1, 2006. The motion passed with all in favor.

◆ **Discussion and possible action on Ordinance 1072 updating the Health License fees.**

Councilman Humes made a motion to adopt Ordinance 1072 as presented. Councilman Kautz seconded the motion, which passed by a roll call vote as follows:

Humes	Yea	Seagrist	Yea
Kautz	Yea	Whitcomb	Yea
McDermott	Yea	Winchell	Absent
Ryder	Absent		

◆ **Resolution 15-2005 honoring the Singer Band on their anniversary**

Councilman Seagrist asked if this should be tabled until Councilman Ryder was present, as he requested the Resolution. Manager Stough reported that he spoke with Councilman Ryder today in the hospital, and he was fine with Council passing the Resolution, which he plans to present at the Rotary Ox Roast in September.

Councilman Humes made a motion, second by Councilman Kautz, to adopt Resolution 15-2005 honoring the Singer Band on their anniversary. The motion passed with all in favor.

◆ **Resolution 16-2005 in memory of Chuck Barnes.**

Councilman McDermott made a motion, second by Councilman Seagrist, to adopt Resolution 16-2005 in memory of Chuck Barnes. The motion passed unanimously.

◆ **Resolution 17-2005 in memory of Frank Miller, Jr.**

Councilman Seagrist made a motion, second by Councilman Kautz, to adopt Resolution 17-2005 in memory of Frank Miller, Jr. The motion passed with all in favor.

◆ **Resolution 18-2005 in memory of Rob Eisenhower & Resolution 19-2005 in memory of Albert Seifert.**

Manager Stough asked if any Council members had additional information that should be included in either of these two resolutions. Councilman Seagrist stated that he reviewed the Resolutions and felt they were fine as drafted. Vice President Whitcomb asked if these two resolutions could be tabled for two weeks to see if more information is available. Councilman Kautz made a motion, second by Councilman McDermott, to table Resolution 18-2005 in memory of Rob Eisenhower and Resolution 19-2005 in memory of Albert Seifert so more information can be obtained. The motion passed with no dissenting votes

◆ **Discussion on possible extension of the Refuse/Recycling contract, with the addition of a bag option.**

Manager Stough indicated that the current refuse contract has an option for extension of up to two years, which Penn Waste has offered to the Borough. Manager Stough indicated that he would need to set down with Penn Waste to discuss the details of a contract extension and is asking Council to authorize him to do so at this time. Manager Stough reviewed the time table for a re-bid of contract, should Council not chose to take the contract extension offered. Councilman Humes expressed her desire to extend the contract for the two years offered by Penn Waste. Councilman Seagrist indicated that he would like to see if the contract could be extended for five years. Solicitor Schorpp indicated that would not be possible, as it was not part of the original contract bid, as this would be a substantial change to the original contract. Councilman Seagrist, Humes and Vice President Whitcomb all expressed their interest in renewing, with or without the bag option and addition of cardboard curbside, as recommended by the Citizen's Advisory Committee. Manager Stough indicated that Penn Waste has stated they would add the tag a bag as an option, because it was part of the contract document. Councilman McDermott spoke in favor of including the tag a bag option in the contract extension. Manager Stough indicated that the he has discussed the tag-a-bag option implementation with staff, and he does not see the implementation

as a problem. Councilman Humes stated that she has noticed that her recycling bin does not drain properly from her recycling containers. Manager Stough indicated that the new bins are designed with the hole in the bottom. After some additional discussion, Manager Stough indicated that he would meet with Penn Waste and have this on the agenda for two weeks. Penn Waste will be invited to attend the meeting, as per Vice President Whitcomb's direction.

◆ **Request of the Mechanicsburg Chamber of Commerce to have hayrides in conjunction with Streets for Treats on October 15th.**

Councilman Kautz made a motion, second by Councilman McDermott, to approve the request of the Mechanicsburg Chamber for hayrides in conjunction with Streets for Treats. The motion passed unanimously.

◆ **Request of Susanna Reppert to close the alleyway behind her property on September 10 & 11th from 10 AM to 4 PM for a children's festival.**

Councilman Seagrist made a motion, seconded by Councilman Humes to approve the request of Susanna Reppert, to close the alleyway behind her property on September 10th & September 11th for her annual Fairy Festival. The motion passed by a vote of 5:0.

◆ **Consideration and possible appointment of Dolores A. Ruth as a School Crossing Guard.**

Chief Spotts indicated that he has two crossing guards that will not be returning this year, and asked that Council approve the hiring of Dolores Ruth to fill one of these positions. Councilman Seagrist asked if a background check was performed and Chief Spotts indicated that it was completed. Councilman Humes made a motion, second by Councilman Kautz, to hire Dolores A. Ruth as a school crossing guard. The motion carried with all in favor.

◆ **Discussion on Saint Joseph's School's request for a bus parking zone along Keller Street.**

Bill Reilly, of Saint Joseph School, was present to answer any questions from Borough Council. Manager Stough indicated that this item was on the agenda two weeks ago and that he provided Council with additional information via e-mail on the current parking restrictions along Keller Street. Councilman Kautz indicated that he has a problem with the proposed bus parking area; he would like to see the parking as per the approved plan, in the parking lot area. Councilman Kautz suggested that a teacher be posted to direct traffic in the morning during the drop off time. Vice President Whitcomb also spoke in opposition, stating that the plan shows the parking area being used for bus drop off and sees no reason to change to on street drop off at this time. Since action to approve was taken at last meeting, Councilman Kautz made a motion to rescind the prior approval from the August 2nd meeting. Councilman Seagrist seconded the motion to rescind. The motion passed with all in favor. Councilman Kautz then made a motion, second by Councilman Humes, to deny the request for a bus parking zone along Keller Street. The motion passed with all in favor.

◆ **Discussion and possible authorization to apply for Community Development Block Grant funds from the County Home Investment Partnership program.**

Manager Stough reported on the CDBG programs available for housing renovation and asked Council to authorize him to research options available through this program and to apply, if appropriate for funding. Councilman Humes made a motion, second by Councilman Kautz, to authorize the Manager to apply for CDBG funding, if appropriate. The motion passed with all in favor.

◆ **Update on sale of Train Station Property**

Manager Stough indicated that both tanks were tested and passed. This information has been provided to the Borough Solicitor, who will provide it to Attorney Snelbaker for review of the Museum.

◆ **Request of the Museum Association for use of the Train Station on August 22nd, August 26th and August 27th for activities in conjunction with their Gala Opening of the remodeled Freight Station Museum.**

Councilman Kautz made a motion, second by Councilman McDermott to approve use of the Train Station by the Mechanicsburg Museum Association on the dates requested. The motion passed with all in favor.

◆ **Discussion and possible action on the time extension offered by Autobodies by Lucas.**

Councilman Kautz made a motion, second by Councilman McDermott, to accept the time extension offered by Autobodies by Lucas through November 15th. The motion passed with all in favor.

◆ **Mechanicsburg School District request for a change to the bus route approved at the August 2nd meeting.**

Manager Stough reviewed the school's concern over the time that would be lost with the proposed bus route into the Filbert Street School. The School is requesting that the bus route be modified to allow the use of Coover and Keller Streets as well as Simpson Street to access the bus staging area approved along Norway Street. After considerable discussion on the proposed option, Vice President Whitcomb made a motion to rescind his motion of August 2nd, regarding the bus route. Councilman Kautz seconded the motion, which passed with no dissenting votes. Councilman Kautz then made a motion to approve the request for the bus loading zone with the modification allowing the bus traffic to use Coover Street and Simpson Street to access the bus staging area, but excluding Keller and Marble Streets. Councilman McDermott seconded the motion, which passed with all in favor. Manager Stough will inform the school district that they can use Coover Street for access, but not Keller Street.

◆ **Consider of the Mechanicsburg School District for additional crossing guards.**

Chief Spotts indicated that the School District would like to add adult crossing guards at the intersection of Elmwood Avenue and Shepherdstown Road and also at the intersection of N. Market and Portland Streets. Chief Spotts indicated that these crossings would be manned by a School Aide and the expense would be paid by the School District. After some discussion, Councilman Seagrist made a motion to approve the addition of these two Crossing Guard locations. Councilman McDermott seconded the motion, which passed with all in favor.

APPROVAL OF EXPENDITURES:

Councilman Kautz made a motion; second by Councilman McDermott, to approve the expenditures for July 2005 in the following amounts:

General Fund \$377,506.41 Highway Aid Fund: \$20,000.66 Capital Improvement Fund \$7,419.80

Councilman Humes asked why she only received the Check Register for July and not all the additional documentation. Manager Stough indicated that the July information was just received from the Treasurer this week. Manager Stough indicated he would provide the additional reports to Council, after the meeting.

CITIZEN COMMENTS:

Arlene Shulman, Chairman of the Citizen's Recycling Advisory Committee, addressed Borough Council regarding the goals of the committee, which has been meeting over the last two years. She indicated that it is the desire of the Committee to take an active role in the preparation of contract documents for the next refuse recycling contract bid, whenever it occurs. She encouraged Council to continue to move towards a pay as you throw option, which is the best way to hold down costs and to promote participation in the Recycling Program.

ANY OTHER BUSINESS:

Councilman McDermott asked that a Resolution honoring Pastor Mallick be added to the next agenda, as well as, discussion on reduction of speed limits within the Borough.

ADJOURNMENT:

At 9:10 PM, Vice President Whitcomb adjourned the public meeting.



Jonathan S. Stough
Borough Secretary