

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

December 20, 2005

7:30 PM

CALL TO ORDER:

At 7:30 PM President Winchell called the Council meeting to order. President Winchell announced that an Executive Session was held to discuss a personnel matter at 6 PM this evening.

PLEDGE OF ALLEGIANCE:

President Winchell led those assembled in the Pledge of Allegiance to the flag.

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

Also in attendance: Cress – Sentinel, Daryl Ackerman, Harry Baker, Roger Ciecierski, Kirk Corliss, Ronald Delligatti, Bob Dietrich, Larry Eichelberger, Dale Edwards, Chris & Paul Fowler, Lissa Geiger, David & Tami Harnish, Linda Hinkie, Linda Howard, Peggy Jones, Jim & Jay Kosier, Christopher Knarr, Ed LeClear, Jim McGaffin, Kyle Miller, Steve Najarian, Bard & Jean Nauss, Robert Nicotera, Jack Neibert, Dusty & Phyllis Rhodes, Lee & Rosalie Roland, Will Selman, Andy Sheely, Brenda & Ken Smith, Jay Stoner, Ron & Chris Trace, Glen Weber, Jim Wewer and Tim Williams.

CITIZENS COMMENTS:

Jim Kosier, 302 S. High Street, addressed Borough Council about drug and alcohol problems in the Borough of Mechanicsburg. He asked Borough Council to reconsider the purchase of a drug dog for the police department. He explained that he can get a dog free, as well as, a cage and food and other related services for the Borough. Mr. Kosier asked Council to consider authorizing him to acquire a dog for the department through civic donations. President Winchell asked that to be added to the agenda for two weeks from now.

Dale Edwards, 502 Sharon Avenue, asked Council to place him on the next agenda to discuss points regarding the proposed TND ordinance, and he provided an outline of information to Borough Council for their review. The Solicitor indicated that a public hearing will be scheduled for public input on this proposed change and that would be the appropriate time for Mr. Edwards, and other interested residents, to make comments on the proposed change.

Andy Sheely, 701 Jenna Court, thanked Council for their service during 2005 and stated that he looks forward to working with Council in the upcoming years. Mr. Sheeley indicated that as the Borough enters 2006 it will be dealing with issues including the future of Mechanicsburg, the tax base, the traffic problems, loss of families from the Borough and density issues.

ADDITIONS TO AGENDA:

Manager Stough added:

1. Resolution honoring Floyd Kautz, Jr. for his Council and Planning Commission service.
2. Setting of Pool fees for 2006.
3. Consider Certificate of Appropriateness for Christine Walker for the property at 503 West Main Street, window replacement
4. Consider Certificate of Appropriateness for Steve Pelletiere for the property at 74 West Main Street, roof replacement.
5. Approval of Police Bargaining Unit Contract.
6. Discussion on Principle stock.
7. Request of Little Bits for a loading zone.
8. Consider distribution of blockbuster video cards.
9. Change of Executive Session to a matter of real estate and personnel with possible action.

APPROVAL OF AGENDA:

Councilman McDermott 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 the following correspondence was received:

- ◆ An invitation was received to the Central Tri-County Borough's Association dinner to be held on January 24<sup>th</sup> at Coakley's Restaurant in New Cumberland.
- ◆ Information was received on the West Shore Council of Government's annual dinner to be held on January 16<sup>th</sup> at The Radisson Penn Harris Hotel in Camp Hill. Council should authorize two people to attend.
- ◆ A request was received from Saint Mark's Church on West Keller Street for two handicapped parking spaces along High Street and two handicapped parking spaces along Keller Street.
- ◆ Comments on the Subdivision and Land Development Ordinance amendments were received from the Cumberland County Planning Commission and forward out to the Planning Commission and Solicitor
- ◆ Manager Stough noted a news article on the legislation proposed by Senator Vance and Representative Nailor to help sewer plants with the costs of upgrades due to new DEP regulations which was very informative and would be distributed to Council.

#### APPROVAL OF MINUTES:

Councilman Humes made a motion to approve the December 6, 2005 minutes. Ryder seconded the motion, which passed with all in favor.

#### MONTHLY REPORTS:

Councilman McDermott made a motion, second by Councilman Ryder to approve the monthly reports as submitted. The motion carried.

#### MANAGER'S REPORT:

Manager Stough reported on the Pool Campaign progress noting that once again the Mechanicsburg Brethren in Christ Church donated the proceeds from their Spaghetti Dinner to the pool, over \$2,500 was raised. He stated that the company hired to help with the telephone calls is working on that task and pledges have been arriving daily. A Giving Tree for the pool is in the lobby and will remain up through the month of January.

#### MAYOR'S REPORT:

December 9<sup>th</sup> – Narrated the Holly Trolley Tour to benefit the Mechanicsburg Museum Association.

December 10<sup>th</sup> – Helped the Mechanicsburg Vietnam Veterans entertain students from the Scotland School at the Mechanicsburg VFW.

December 12<sup>th</sup> - Crime Watch guest was Mechanicsburg Fire Chief Larry Seagrist.

December 16<sup>th</sup> – Officiated a wedding and attended the Borough Holiday lunch at the Borough Office.

Trivia Question: The first brick house in Mechanicsburg was called the Mansion. It was owned by the first Borough Council President, Louis Zacharias. What is now located at that site.

Answer: American Legion, Main & York Streets

#### CHIEF OF POLICE REPORT:

Chief Spotts reported that Sergeants Bradley and Pellman and Officer Vincent received letters of commendation for their work at recent incidents. Kerry Vincent will celebrate 5 years with the Department on Thursday.

#### SOLICITOR'S REPORT:

Solicitor Schorpp had no report.

#### ENGINEERS REPORT

No report from the Borough Engineer.

#### FIRE CHIEF REPORT:

The Fire Chief had no report.

#### JR. COUNCILPERSON REPORT:

Jr. Councilperson Ravindraraj

- Mechanicsburg students are busy, but enjoying the early snow days.
- The middle school students had a holiday concert two weeks ago.
- All winter sports; hockey swimming and other winter activities are all going well.
- National Inclusion Week was last week; the Diversity Club sponsored the showing of movies on the topic of the disabled.
- Musical try outs were held this week for the spring musical.

- PALS at MASH had an event last night; they went to Hershey Park's Candy Lane.
- Three MASH students were featured in an article this past week.

#### COUNCIL COMMITTEE REPORTS:

**Community Development**– Humes- No Report.

**Ordinance/Administration/Legislative Action** – Whitcomb – Vice President Whitcomb reported that there are several items on the agenda.

**Finance/Appropriations/Insurance** – Winchell- President Winchell reported that an Executive Session was held at 6 PM this evening on a personnel matter.

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

**Fire Committee** – Ryder – Councilman Ryder noted that the Fire Committee met last week and discussed a number of items. Councilman Ryder reported that he wanted to clarify that the \$15,000 for equipment goes for the maintenance of Borough Equipment. The \$20,000 allocation is for operational expenses, and goes to each Fire Company. Councilman Ryder indicated that both companies requested that the Borough begin to put money away for future acquisition of equipment. Councilman Ryder also reported that the Fire Companies are happy with the current contract for blood borne pathogen services and finds the current contract holder is very responsive and would like to have the contract continued. Councilman Ryder indicated that the Fire Departments are concerned that monies allocated for the preemption devices in the signalization project are being held over for use when the signals are installed. Councilman McDermott noted that the breakdown in communication with the recent water outage in other areas was discussed.

**Public Communication- McDermott** – Councilman McDermott stated that bids have been received for the printing of the 2006 newsletter and asked that it be added to the agenda for the next meeting. Manager Stough will provide the information on the price quotes to Borough Council but noted that the printer we are currently using appears to be the low bidder with a price about \$500 less than the next lowest bid. Councilman McDermott thanked all the committee members and staff that have worked on the newsletter over the last two years that he has chaired the Public Communication Committee.

**Health/Recreation** – Seagrist – Councilman Seagrist reported that on December 8<sup>th</sup> the Joint Recreation Commission met and Upper Allen will Chair the Board in 2006. The 2006 meeting schedule is as follows: February 23, May 25, August 31 and November 30. Councilman Seagrist noted he will have meeting minutes in packets by Friday. Councilman Seagrist reported he is still trying to schedule a meeting with Upper Allen Township regarding the pool after the first of the new year.

**Recycling Committee** – Ryder – Councilman Ryder stated that all of the recycling/refuse information bags have been distributed and over 100 people have signed up for the new bag option. Councilman Ryder thanked Ann Elder, Cece Viti, Paul Strach, Tristian Nogel, Linda Humes, Jamie, Julia & Glenda Boyer, Art Farr, David Hoover, Arlene Shulman, Carl Hursh and Councilman McDermott for the preparation of the packets and the MASH Environmental Club, Councilman McDermott, Cece Viti, Arlene Shulman and Glenda Boyer for their work distributing the packets.

**Highway/Public Safety** – Kautz – There are several items on the agenda this evening.

**School Board** - Ryder – Councilman Ryder reported that the School Board is moving ahead with the Task Force to create a Kindergarten program at Shiremanstown Elementary and he will be on the Task Force to work on the program and the 1<sup>st</sup> meeting is January 10<sup>th</sup>. This program will be an activities oriented program to supplement what is presently in the half day program and will include physical education, art, music and other activities.

**Loan Review Committee**- Humes – No report.

**W.S.C.O.G.** – McDermott – Councilman McDermott asked that authorization for two members to attend the annual dinner should be added to the next agenda.

#### **AGENDA ITEMS – December 20, 2005**

- ◆ **Consider Resolution 32-2005 thanking Jr. Councilperson Ravindraraj for her service as Jr. Councilperson for 2005.**  
Councilman Humes made a motion, second by Councilman Ryder, to adopt Resolution 32-2005 thanking Jr. Councilperson Ravindraraj for her service to Mechanicsburg Borough. The Resolution passed unanimously.
- ◆ **Consider Resolution 33-2005 thanking the MASH Environmental Club for their service to the Borough.**  
Councilman Seagrist made a motion, second by Vice President Whitcomb, to adopt Resolution 33-2005, thanking the Mechanicsburg Area High School's Environmental Club for their work distributing recycling information packets to Mechanicsburg Borough residents. The motion passed with all in favor.
- ◆ **Consider action to authorize the advertisement of an Ordinance for Rental Property Inspections.**  
Councilman Seagrist made a motion to authorize advertisement of the Rental Property Inspection Ordinance. Councilman Humes seconded the motion, which passed with all in favor. Councilman Humes asked how this ordinance would be phased in, if the ordinance is adopted. Solicitor Schorpp explained that there is a three year implementation period, during which owners would not be cited for not having the Certificate of Compliance or the inspection, which will allow the Codes Officer time to do the inspections, but if they are inspected and refuse to make the corrections required, then they can be cited. Councilman Humes asked who would determine when the inspection would take place and Manager Stough indicated that the Codes Officer would schedule the inspections.

◆ **Consider action to refer the Traditional Neighborhood Zoning Ordinance to the Borough Solicitor for review and preparation for advertisement.**

Manager Stough reviewed the process that has brought this Ordinance change before Council. He indicated that the Planning Commission held a public input meeting to gather information from the residents and worked with the developer to incorporate that input to bring Council this proposed language. Manager Stough asked that Council authorize the Solicitor to review and format this Ordinance for their review. Councilman McDermott made a motion to table the Ordinance due to the questions raised by residents about this proposed change. Vice President Whitcomb seconded the motion and President Winchell opened the floor for discussion. Councilman Ryder stated that he understood that changes were made to the proposed ordinance after the public meeting was held and asked if the changes made could be reviewed. Councilman Humes indicated that the changes were outlined in the memo from the Planning Commission to Borough Council. President Winchell indicated that maybe the changes should be reviewed for the benefit of the public in attendance. Planning Commission member Ed LeClear addressed Borough Council, on the preparation of the Traditional Neighborhood Zoning Ordinance being proposed. He indicated that the Planning Commission, as directed by Borough Council back in June, has been working with the developer to draft a proposed change to the Zoning Ordinance that would allow Traditional Neighborhood Development on the Hess Farm Tract. The items brought forth at the public meeting that were related to the Zoning Amendment were reviewed and addressed. Many of the items discussed were not zoning issues, but rather items that would be reviewed at the Land Development phase of the project. Mr. LeClear indicated that the issue of rental properties in the area abutting the residential development in the Borough was removed as was the lane adjacent to existing residential properties. President Winchell asked how the public meeting was advertised to residents. Mr. LeClear indicated that flyers were distributed. Manager Stough indicated that flyers were hand delivered to homes on Darla, Jenna and Alison. The Solicitor noted that Council would have to schedule a public hearing on this change prior to taking any action.

Councilman Ryder asked what will be accomplished by tabling this matter. Mr. LeClear stated that he did not think Planning Commission would be looking at the Ordinance revision again. Manager Stough indicated that many of the items in the list supplied to accompany the petition, deal with issues that related to the Land Development phase, or have already been reviewed and discussed at the Planning Commission level.

Kirk Corliss, Chairman of the Planning Commission, addressed Council indicating that the following changes were made after input was received:

- ◆ The Neighborhood Edge portion of the development was increased from 15-25% to 25-35%, and semi-detached dwellings were removed for allowable uses in this portion of the development.
- ◆ The Neighborhood General portion of the development was decreased from 25-50% to 25-40% and the Neighborhood General was changed to require at least 10% of the building types with this portion of the development.
- ◆ The Commercial was reduced from 5-15% to 5-10% and the total commercial square footage was reduced from 75,000 square feet to 50,000. The maximum size for Commercial Establishments was reduced from 20,000sq ft to 15,000 sq ft.

Chairman Corliss indicated that stormwater and traffic concerns would be addressed during the Land Development review process and variances to the requirements have not be discussed or recommended. Chairman Corliss indicated that the open space requirement is 30% of the total property, which is about 55 acres. In the present zoning for this tract, there is no Open Space requirement. Mr. Corliss reviewed at length the details that went into the draft Council is being asked to consider.

Councilman Seagrist asked the Borough Solicitor to what degree is the Borough committed to a Traditional Neighborhood Zone for that tract. Solicitor Schorpp indicated that the Borough is not committed at this time. Solicitor Schorpp asked if the Carlino Group ever formally applied for a zoning change. Mr. Najarian indicated that he has not applied for that yet. Solicitor Schorpp indicated that Council is under no time constraints; however, he encourages Council to take action within a reasonable period of time. Solicitor Schorpp indicated that after he has reviewed the document, it would be in Council's best interest to hold a public hearing. Councilman Seagrist indicated that his attitude towards Traditional Neighborhood Zoning changed at the November 22<sup>nd</sup> meeting. Councilman Seagrist praised the Planning Commission and noted that it is the best Commission that has served this Borough. Councilman Seagrist indicated that the initial presentation for this type of development impressed him; however, many of the concerns raised by residents at the November 22<sup>nd</sup> meeting were valid. Councilman Seagrist asked Councilman McDermott to amend his motion to send this back to Planning Commission to have them reconsider low density residential zoning for this tract. Solicitor Schorpp indicated that the developer must make a request first, then Council can respond to the request, and in his opinion, Council should at least schedule a public hearing on the matter, before taking action in either direction. Councilman Ryder indicated that it is then appropriate that Council table this, pending an official request of the developer. Manager Stough indicated that he is sure the developer will be making the formal request, however, to table this and send it back to Planning Commission will serve no useful purpose, as they have thoroughly reviewed this draft.

Manager Stough indicated that currently 900 approximately single family homes could be constructed at that location, with no zoning change required. The developer is proposing 750-800 units. The proposed ordinance revision would provide for fewer housing units than the current zoning would allow. If they submit a plan, under the current zoning for 900 units, and can comply with all ordinances in place, Council would have no choice but to adopt the plan, pending any waiver requests. Manager Stough indicated that the Planning Commission and developer have been working together on this draft, at the direction of Borough Council for over many months, and to let it set for another month, serves no purpose. Manager Stough noted that moving this to the Solicitor for review in no way obligates Borough Council to approve the change, it just allows the Solicitor to review the work completed to date, while Council gather additional information via a public hearing and from the developer.

Harry Baker, Planning Commission member, reminded everyone that this parcel has some issues which will make it difficult to develop. He explained that the lighting from the BookSpan facility and traffic from Route 114 would make it difficult to market residential properties on those sides of the property. Mr. Baker indicated that the floodway for this parcel is about 20 acres, but the developer can build into the 100 year flood plain so the green space that would be available to residents if it is developed as low density residential would be less. Mr. Baker indicated that the Planning Commission has tried to consider what is best for the Mechanicsburg Community in reviewing this ordinance revision. Mr. Baker indicated the Neighborhood Edge section of the parcel would be low density residential and abut the residential areas in the Borough. Mr. Baker indicated that the commercial section of the development placed near Bookspan and Route 114 would be a transitional buffer from the manufacturing area to the more residential sections of the development.

Ken Smith, 487 East Elmwood, asked if the low density Neighborhood Edge would extend behind his property, which is in Upper Allen Township. Mr. Smith explained that he has 140 feet of property that abuts the proposed development. After looking at the concept drawing provided by the developer, it was determined that Mr. Smith's property would abut an area of the proposed development designated as mixed center, however, this is a concept, not a plan submission.

Mr. Najarian, Carlino Development Group, explained that the concept plan is not a plan submission for this site; it was just prepared for the discussion process during the ordinance development. Mr. Najarian indicated that his firm has hired a professional consultant to do a fiscal impact study to address the concerns raised at the November Planning Commission public comment session. The consultant will review revenues and expenses that will impact the Borough as a result of this project. The consultant will review the costs if a low density residential development is built and compare that to a Traditional Neighborhood Development. Mr. Najarian will provide this information to Borough Council prior to the public hearing on this matter. Mr. Najarian asked that Council send the draft ordinance to the Solicitor for review, pending receipt of this additional information to keep the process moving forward. Mr. Najarian offered to pay for any legal review costs if the ordinance was not adopted, just to move the process forward. The Solicitor asked Mr. Najarian if he would be coming in with a text change request consistent with the draft sent to Council by the Planning Commission and indicated that he needs a legal description of the property which is going to be proposed for this change. Mr. Najarian indicated he would be submitting the application with the appropriate map and description.

Paul Fowler, 604 Sharon Avenue, stated that he was sure that residents are not aware of this proposed change and that resident throughout the Borough would be opposed if they were aware of this move, which will lower property values and raise taxes, which are already excessive. Mr. Fowler indicated that seven years ago he and his wife purchased in Heritage Acres after a search that took months. He feels the residents should have more time and more information before Council takes action on this matter.

Engineer Barber asked the Solicitor to explain the process for this requested change. Engineer Barber indicated that this draft includes guidelines that the Borough is putting forth that if adopted, the developer will have to comply with in developing that parcel. Engineer Barber indicated that with the present zoning, the developer could put 900 single family homes on that parcel without any change in zoning. Solicitor Schorpp indicated that the Carlino Group has been meeting with the Planning Commission to arrive a proposal that they would like to submit, in a formal manner, to Borough Council for consideration. Council will then take action to approve or deny the proposed request, after due consideration. Solicitor Schorpp indicated that if Council proceeds to table this matter, no further action can be taken until one of the Council members takes the item off the table at a future Borough Council meeting. A majority of Council must agree to move the item off the table, and a formal request must be received from the developer, then the formal process will begin which will involve sending the proposal back to the Mechanicsburg and County Planning Commissions for comments and following required public notice, Council will hold a public hearing to gather input from interested members of the public, can speak to Council on this matter. At the conclusion of the public hearing, Borough Council will take the matter under consideration and it will vote the matter for approval or denial. Solicitor Schorpp explained the items covered and not covered by Zoning. He reviewed the items covered under the Land development and Subdivision Ordinance.

Rosalie Hess Roland, 104 Lavynndon Lane, stated that the person that is selling this property has a right to know if Council intends to move this project to the next level. She explained that she and her husband hope to be the builders of the project and hope that it will be a wonderful addition to the Mechanicsburg Community.

With no further discussion, President Winchell called for a vote on the motion to table. The motion passed by a vote of 4 in favor (McDermott, Ryder, Seagrist, Whitcomb) and 3 opposed (Humes, Kautz, Winchell).

◆ **Consider adoption of the 2006 budgets as advertised.**

Councilman Ryder made a motion, second by Vice President Whitcomb, to adopt the 2006 budget as advertised. The motion passed by a vote of 5 in favor (Humes, Kautz, Ryder, Whitcomb & Winchell) and 2 against (McDermott & Seagrist).

◆ **Consider Ordinance 1074 to set the tax milage rate for 2006 at 2.23 mils.**

Councilman Humes made a motion, second by Vice President Whitcomb, to adopt Ordinance 1071 setting the tax milage rate for 2006 at 2.23 mils. The vote was taken as follows

|           |     |          |     |
|-----------|-----|----------|-----|
| Humes     | Yea | Seagrist | Yea |
| Kautz     | Yea | Whitcomb | Yea |
| McDermott | Nay | Winchell | Yea |
| Ryder     | Yea |          |     |

The motion passed 6 to 1.

◆ **Consider the following reappointments to Boards and Commissions for 2006.**

Councilman Humes made a motion to make the following re-appointments to Borough Boards and Commissions:

|                       |                         |           |           |
|-----------------------|-------------------------|-----------|-----------|
| HARB                  | Kate Procopio           | 4 yr term | 2006-2009 |
| Planning Commission   | Kirk Corliss            | 4 yr term | 2006-2009 |
|                       | Chris Knarr             | 4 yr term | 2006-2009 |
|                       | Diann Meck              | 5 yr term | 2006-2010 |
| Recreation Commission | Lindsey Folk            | 5 yr term | 2006-2010 |
| Shade Tree            | Tom Viehman             | 3 yr term | 2006-2008 |
| Zoning Hearing Board  | Betsy Ritter, Alternate | 3 yr term | 2006-2008 |

Councilman Ryder seconded the motion, which passed with all in favor.

◆ **Consider appointment of a Jr. Councilperson for 2006.**

President Winchell asked both candidates for the position to address Borough Council regarding their interest. Both Jen Nauss and Christopher Trace expressed their interest and answered questions from Borough Council. Jr. Councilperson Ravindraraj spoke in support of Nauss. After the interview process, Councilman Humes made a motion, second by Councilman Ryder, to appoint Jen Nauss as the Jr. Councilperson for 2006. The motion passed unanimously.

◆ **Consider appointment of Ron Trace as Assistant Emergency Preparedness Director for a term of one year.**

Vice President Whitcomb made a motion, second by Councilman Ryder, to appoint Ron Trace as Assistant Emergency Management Coordinator. The motion passed with all in favor.

◆ **Consider appointment of the Borough Solicitor for 2006.**

Councilman Seagrist made a motion, second by Councilman Ryder, to appoint Ed Schorpp Borough Solicitor for the year 2006. The motion passed with all in favor.

◆ **Consider appointment of the Borough Engineer for 2006.**

Councilman Ryder made a motion, second by Vice President Whitcomb, to appoint Pennoni Associates as Borough Engineer for 2006. The motion carried with all in favor.

◆ **Consider appointment of Cumberland County Recorder of Deeds as Real Estate Transfer Tax Collector for 2006.**

Councilman Seagrist made a motion, second by Councilman Ryder, to appoint Cumberland County Recorder of Deeds as Real Estate Transfer Tax Collector for 2006. The motion carried.

◆ **Consider appointment of G. H. Harris as Delinquent Per Capitia Tax Collector for 2006.**

Councilman Ryder made a motion, second by Vice President Whitcomb, to appoint GH Harris as delinquent per capita tax collector. The motion passed with all in favor.

◆ **Consider appointment of Cumberland County and Barry Heckard as delinquent real estate tax collector.**

Vice President Whitcomb made a motion to appoint Cumberland County and Barry Heckard as delinquent real estate tax collectors for 2006. Councilman McDermott seconded the motion, which passed with all in favor.

◆ **Consider exonerations of delinquent per capita tax as recommended by G. H. Harris.**

Councilman Ryder made a motion, second by Vice President Whitcomb to exonerate the 227 tax payers recommended for exoneration during 2005. The motion passed with all in favor.

◆ **Discussion on EMS Tax.**

Councilman Ryder made a motion, second by Vice President Whitcomb to table action on the EMS tax until the revisions to the legislation are completed. The motion passed with all in favor.

◆ **Discussion on Beth Burkholder contracts.**

Manager Stough reviewed the two contracts with Borough Council stating that the Police or Uniform contract would provide services for infection control to the department at a cost of \$125 per quarter. He indicated that the non-uniform contract would cover services to other departments. The proposed cost is \$300 per quarter for those services; however, it has been found that not all the services are required, so the cost may be less than the \$300 proposed by Burkholder Consulting. Both contracts are for a three year period. After some discussion, Councilman Ryder made a motion, second by Councilman McDermott, to approve the contracts in the amount of \$125 per quarter for the Police contract and an amount not to exceed \$300 per quarter for the non-uniform contract. The motion passed with all in favor.

◆ **Discussion and possible authorization to purchase utility billing package.**

Manager Stough noted that three vendors identified as possible providers of software, however, staff still has a few questions to get resolved before recommending purchase of a specific product. Councilman Seagrist suggested having software presentations for Council to review and select an appropriate product. Manager Stough indicated that all the vendors have made presentations to staff and provided proposals, which staff would put together with a recommendation for Council, but they do not have all the information at this time. After some additional discussion, Councilman Humes made a motion seconded by Councilman Kautz, to approve the purchase of software, by Borough Staff, in an amount not to exceed \$26,000 for utility billing. The motion passed with all in favor.

◆ **Consider authorization to move funds from General Fund to Capital Improvement Fund.**

Manager Stough asked Borough Council to approve moving funds from the sale of the Train Station property and money allocated for the purchase of 800 MHz radios for the Fire Department into Capital reserves before the end of the 2005 fiscal year. Discussion followed on what the money from the sale would be used for, with Councilman Ryder made a motion to authorize moving the money from the sale and the money budgeted for radios to Capital Reserve, with the use of the train sale monies to be determined by Borough Council at a future date. Councilman Kautz seconded the motion, which passed with all in favor.

◆ **Authorization to close the books and pay all outstanding bills as of December 30, 2005.**

Councilman Ryder made a motion, second by Councilman Kautz, to authorize staff to pay all outstanding bills and close the books as of December 30, 2005. The motion carried with all in favor.

◆ **Consider Resolution 34-2005 in honor of Floyd Kautz, Jr.**

Councilman McDermott made a motion, second by Vice President Whitcomb, to adopt Resolution 34-2005 in honor of Floyd Kautz, Jr.'s service to the Borough as a Council and Planning Commission member. The motion carried unanimously.

◆ **Authorization to set the pool rates for the 2006 season.**

Manager Stough reviewed the proposed rates with Borough Council. After discussion, Councilman McDermott made a motion, second by Vice President Whitcomb, to set the rates for 2006 at the amounts recommend by the Recreation Commission. The motion passed with all in favor.

◆ **Consider Certificate of Appropriateness for Christine Walker, 503 West Main Street.**

Councilman Ryder made a motion to approve the Certificate of Appropriateness for window replacement at 503 West Main Street, with the replacement inserts that have an architectural detail. Councilman McDermott seconded the motion, which passed with all in favor.

◆ **Consider Certificate of Appropriateness for Steve Pelletiere, 74 West Main Street.**

Councilman McDermott made a motion to approve the Certificate of Appropriateness for roof replacement at 74 West Main Street, with the replacement to be cedar shakes, as was the original roof. Councilman Kautz seconded the motion, which passed with all in favor.

◆ **Consider acceptance of the Police Contract**

Vice President Whitcomb made a motion, second by Councilman Ryder to approve the four year contract with the Police Bargaining Unit as presented. The motion passed with all in favor.

◆ **Discussion on Principle Stock.**

Manager Stough reviewed information with Borough Council on Principle Stock, which was granted the Borough, when the company demutualized in 2001. He indicated that since the Borough is prohibited from investing in stock, the assets should be liquidated, as per advice of the Solicitor. The stock value is approximately \$350,000 and Manager Stough suggested that Council liquidate and put the funds in Capital Reserves to be used for future capital improvement projects as determined by Council. Vice President Whitcomb made a motion, second by Councilman Ryder to liquidate the Principle stock and put the proceeds the Capital reserve. The motion passed with all in favor.

◆ **Request of Little Bits for a loading zone on Frederick Street adjacent to their building.**

Councilman Kautz indicated that he and Vice President Whitcomb looked at this location and did not see a need for a loading zone at this location.

◆ **Disposition of Blockbuster gift cards.**

Chief Spotts indicated that the Police Department received \$60 in block buster cards from a resident. Councilman Seagrist made a motion, second by Vice President Whitcomb, to donate the cards to CPARC for their use. The motion passed with all in favor.

**APPROVAL OF EXPENDITURES PAID:** Motion to approve invoices and expenditures paid from November 1, 2005 through November 31, 2005 in the following amounts was made by Councilman Ryder second by Councilman Kautz. The motion carried.

|                           |              |                  |             |
|---------------------------|--------------|------------------|-------------|
| General Fund:             | \$218,399.93 | Highway Aid Fund | \$86,635.40 |
| Capital Improvement Fund: | \$ 10,061.00 |                  |             |

CITIZEN COMMENTS:

Tim Williams, 794 Central Street, asked Council why they have not enacted the EMS Tax as other jurisdiction have done, noting that many residents working in other locations are required to pay the tax and the Borough is losing a potential revenue stream. President Winchell noted that the Borough will consider this in 2006.

Peggy Galinskie, 20 East Keller Street, complained to Council about the regulation which prohibits the draining of roof run off into the street. She had pictures of her newly installed sidewalk, which is being damaged due to the amount of ice melt required to remove the ice from the sidewalk, which she contends is due to the improper installation of the sidewalk, by the contractor approved by the Borough bidding process. Engineer Barber explained the reason for the prohibition of discharge from roof drains into the street. After some additional discussion, Manager Stough indicated he would research the issue and get back to Ms. Galinskie.

Linda Humes asked who informs the County of the status of elected and appointed officials to be contacted in the event of an emergency such as the recent water problem. Chief Seagrist indicated he provides the County with that information on an annual basis. Councilman McDermott noted that he feels that information about emergencies should be placed on the Borough web site and answering machine to better inform Borough residents in the event of an emergency.

Councilman Kautz thanked Council for working with him during his service on Council and the Planning Commission and indicated that it has been a pleasure working with Council for the Borough residents.

Junior Councilperson Ravindraraaj thanked Councilmember's for the opportunity to serve and indicated that she has gained a lot from the experience.

Engineer Barber thanked Borough Council for once again appointing Pennoni to serve as Borough Engineer for 2006.

Chief Seagrist asked if the non-uniform Burkholder contract was for three years, and Manager Stough indicated that it would be for a three-year time period.

EXECUTIVE SESSION

AT 10:04 PM, Council adjourned to Executive Session. AT 10:44 PM Council reconvened the public meeting with no action taken.

ADJOURNMENT:

With no further business, President Winchell adjourned the meeting at 10:45 PM.



Jonathan S. Stough  
Borough Secretary