

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

May 2, 2006

7:30 PM

CALL TO ORDER:

At 7:30 PM President Whitcomb called the regular Council meeting to order.

PLEDGE OF ALLEGIANCE:

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

ROLL CALL: Roll call was taken with the following present: President Whitcomb, Vice President Winchell, Councilmen Humes, McDermott, Ryder, Seagrist, and Stoner, Jr. Councilperson Nauss, Mayor Ritter, Solicitor Schorpp, Chief Spotts, Manager Stough and Assistant Secretary Boyer. Chief Seagrist arrived late, as he was attending a PUC hearing on the proposed United Water rate increase as a representative of the Borough.

Also in attendance: Cress – Sentinel, Gleason – Patriot-News, Harry Baker, Andy Bixler, Kirk Corliss, Bob Dietrich, Dale Edwards, Lissa Geiger, Barb Kovalchik, Doug Logar, Barbara Marbain, Brad Nauss, Jack Neibert, Lee Roland, Jeff Shatzer, Bob Spangler, Ron Trace, and Darrell Westby,

GUESTS

None

CITIZENS COMMENTS:

Darrell Westby, from the Wrench Drop Committee, requested Council support for holding the Wrench Drop event on Main Street again this year.

ADDITIONS TO AGENDA:

Manager Stough asked that the request of Musser Home Builders to close a portion of South Washington Street, be added to the agenda.

Manager Stough also asked that the possible contribution of \$621 to Main Street Mechanicsburg be added, Chief Spotts asked Council to add consideration and possible action to accept the Sergeants' Eligibility List from the Police Civil Service Commission.

Consideration of promotion of a Patrol Officer to the rank of Sergeant, in the Mechanicsburg Police Department.

APPROVAL OF AGENDA:

Councilman McDermott made a motion to approve the agenda. Councilman Stoner seconded the motion, which passed with no dissenting votes.

CORRESPONDENCE:

Manager Stough indicated the following items were received:

- An e-mail was received from the Engineer regarding the proposed Sinkhole Ordinance. This Ordinance will be sent to Planning Commission for their review.
- A letter was sent to the Borough from United Water thanking the Borough for the opportunity to address the West Shore Council of Governments last Monday.
- A fax was received from PSAB with information on NIMS training for elected officials.
- A letter of resignation from the Police Civil Service Commission was received from Ray Martin

APPROVAL OF MINUTES:

Councilman Ryder made a motion to approve the minutes as presented. Councilman McDermott seconded the motion, which passed with all in favor.

MANAGER'S REPORT:

Manager Stough reported:

Manager Stough reported that Stoneridge was out at the pool today, and all the leaks at the pool will be repaired by Friday. He indicated that Aqua Specialists will be out to install the filters. The Highway and Wastewater Department Employees are installing the play features and digging the sewer trench for the bathhouse. In digging the trench, they hit rock, but Groff Tractor provided equipment, with a breaker for use of the Borough at no charge, saving about \$1,700 in cost. The pool should be ready to begin filling next week. President Whitcomb asked if Stoneridge would be paying for the testing done by American Leak Detectors. Manager Stough indicated they would as all the leaks were in areas that they were responsible for.

MAYOR'S REPORT:

April 19th – Read to students from Northside School at the Joseph T. Simpson Public Library.

April 19th – Attended the Lunch & Learn at the Mechanicsburg Museum. Ed LeClear was the guest presenter.

April 19th – Swore into office of Mechanicsburg Fire Police, Brad Baney.

April 26th – Attended the Friends of the Library Dinner at the Church of the Brethren, Stuart Malina of the Harrisburg Symphony, was the guest speaker.

On May 8th, Ed LeClear will be the guest speaker at the Crime Watch meeting.

Trivia Question:

The Mechanicsburg Area Poolhouse has a new roof. What color is it and what is it made of?

Answer:

It's red ribbed metal and looks great.

CHIEF OF POLICE REPORT:

A letter of commendation was received for Officer Vincent

SOLICITOR'S REPORT:

No report.

ENGINEER REPORT:

No report.

FIRE CHIEF REPORT:

Manager Stough reported that he and Councilman Ryder met with Chief Seagrist and he knows several instructors of NIMS training, He will try to set up training for Council members here at the Borough Office.

JR. COUNCILPERSON REPORT:

Jr. Councilperson Nauss reported:

- School is winding down with less than a month left.
- AP exams are taking place this week and they are stressful.
- Concert season has begun and concerts will run for four weeks.
- Last week the Middle School held their 20th Career Day and it was a great success.

COUNCIL COMMITTEE REPORTS:

Community Development – Humes – In the PSAB fax there was an article about the proposed 25% reduction in CDBG funding at the Federal Level and PSAB is going lobby the 21 members of the Pennsylvania Congressional Delegation about this issue. Chris Gulotta, of the Cumberland County Redevelopment Authority, has also spoken about the adverse impact of this proposed reduction for his agency. Diane Replogle, Replogle House Interiors, has been selected to be included in a new book Designer Showcase Interiors, Design at its Best. It is nice to have a Borough business recognized for excellence in its field.

Environmental & Recycling – Ryder – Councilman Ryder reported that the Environmental Council and the Recycling Committee met tonight and the Environmental Committee is concerned that the Cedar Run Watershed be protected in the development of the Hess Tract. They will be looking over the proposal and addressing any concerns with the Planning Commission and Borough Council. Councilman Ryder noted that the committee would like to heighten awareness of the Farmers Market on Saturday mornings, it is an environmental issue, supporting local farmers and encourage residents to utilize shopping opportunities within walking distance, therefore saving fuel.

Finance/Appropriations/Insurance – Winchell – No report.

Fire Committee – Ryder – Councilman Ryder reported that the next meeting will be June 21st at 7 PM here at the Borough Office.

Health/Recreation – Seagrist – Councilman Seagrist thanked the Highway Department for moving memorials at Koser Park, as requested by the Recreation Commission. Councilman Seagrist reported that last Saturday, April 29th, Manager Stough and he attended the dedication of the Shirley/Rickenbaugh Field Dedication. Thursday, April 20th, Councilman Humes, Ryder, Winchell and Seagrist met with Upper Allen Township Board of Commissioners to discuss a possible Intermunicipal Cooperation Agreement for operation of the Mechanicsburg Area Pool in the future. A follow up meeting will be scheduled. Saturday May 6th a Composting Workshop will be held at the Borough Office at 11 AM. The next Recreation Commission meeting will be May 9th at 7:30 PM. Saturday, May 20th is the Cystic Fibrosis Walk at Memorial Park. The next Joint Recreation Meeting will be held May 25th at 7:30 PM. Monday May 29th is the Mechanicsburg "Pool" through where you can purchase a membership to the pool without leaving your car.

Highway/Public Safety – Stoner – Councilman Stoner reported that there is an item on the agenda item.

Loan Review Committee – Humes – No report.

Ordinance/Administration/Legislative Action – Humes – Councilman Humes noted that the TND is on the agenda, and the Sinkhole Ordinance will be reviewed by the Planning Commission.

Property/Buildings –Stoner – Councilman Stoner reported that there is an item on the agenda.

Public Communications – McDermott- Councilman McDermott reported that the newsletter deadline is Friday, May 5th.

School Board- Ryder – Councilman Ryder reported that the School Board met last week and reviewed budget items for inclusion in the 42 million dollar General Fund Budget for 2006-2007. The budget is up over 2 million dollars, but no tax increases are anticipated. Councilman Ryder has the proposed budgets discussed if any Council members would like to see them.

W.S.C.O.G – McDermott – No report

AGENDA ITEMS – May 2, 2006.

◆ **Consider advertisement of the TND ordinance.**

Manager Stough indicated that the draft ordinance is on the table for Council, and includes the changes outlined in the Planning Commission memo included in Council packets. Councilman Humes made a motion to advertise the TND Ordinance and schedule the Public Hearing for June 20th at 6:30 PM and advertise the Council meeting to begin immediately following the Public Hearing. Councilman Ryder seconded the motion and President Whitcomb opened the floor for discussion. Solicitor Schorpp asked that the Ordinance be sent tomorrow to the County Planning Commission and the Borough Planning Commission. Councilman McDermott asked that the Public Hearing be placed in the next newsletter. Councilman Seagrist asked if there are any changes to the draft, would it then have to be re-advertised. The Solicitor indicated that would be correct. Councilman Seagrist asked for a negative vote due to the number of questions that have not been addressed. With no additional discussion, President Whitcomb called for the vote and the motion passed 6 in favor (Humes, McDermott, Ryder, Stoner, Whitcomb, Winchell) and one against (Seagrist).

◆ **Consider offer of plan withdrawal on the Land Development Plan of Robert Banzoff.**

Vice President Winchell made a motion, second by Councilman Stoner, to accept the plan withdraw offered by Robert Banzoff. The motion passed with all in favor.

◆ **Consider Handicapped Parking Permit for James Leese.**

No action was taken at this time.

◆ **Consider waiver request from Land Development requirements for Little League.**

Manager Stough noted that a memo was received from the Planning Commission recommending the requested waiver. The waiver is from the requirement to file a Land Development Plan for this construction. Councilman Seagrist made a motion, second by Vice President Winchell, to approve the waiver requested by the Mechanicsburg Little League. The motion passed with all in favor.

◆ **Authorize release of Liberty Excavating for the Emergency Excavation contract at the Wastewater Treatment Plant.**

Vice President Winchell made a motion, second by Councilman Humes, to release Liberty Excavation from the Emergency Excavation Contract, upon execution of a new contract for these services. The motion passed with all in favor.

◆ **Authorization to advertise bids for Emergency Excavation and repair service for the Wastewater Treatment Plant.**

Councilman Stoner made a motion, second by Councilman Ryder to authorize staff to go out to bid for Emergency Excavation and Repair Service for the Wastewater Treatment Plant. The motion passed with all in favor.

◆ **Accept resignation of Arleen Shulman from the Environmental Advisory Council.**

Councilman McDermott made a motion, with regret, to accept the resignation of Arlene Shulman and thank her for her service on the EAC and Recycling Committee. Councilman Humes seconded the motion, which passed with all in favor. Councilman Ryder noted that the Environmental Council will be making a recommendation to Borough Council on the vacancy.

◆ **Consider parking request of Barbara Marbain at Eckels Drug Store.**

Barb Marbain, Eckels Drug Store, was present to ask Borough Council to extend parking limits, on special occasions, at her store location. Ms. Marbain stated that when she has a private party in for a meeting or luncheon, the two hour limit poses a problem for her patrons. She stated that many of her patrons are older and having to move their cars in the middle of lunch is very inconvenient. She asked that she be allowed to place a sign in the windows of cars attending special functions at her store, to prevent them from getting a ticket. President Whitcomb stated that if they agree to do this, other businesses will request special consideration, and it will be difficult to enforce. Mrs. Marbain indicated that all the neighboring properties have parking at their location, so her request would not impact the surrounding neighbors. After discussion, Ms. Marbain asked Council if they would look at the two hour limit and possibility revise the limit to three hours. Councilman Humes asked if any of her patrons have received tickets. Ms. Marbain indicated that they have not received any tickets, but stated that she feared that her patrons would be ticketed. Discussion followed on the issue of parking and the possible acquisition of the additional parking area, which may be acquired by the Borough. President Whitcomb stated that Council will refer this to the Public Safety

Committee for review and a recommendation. Councilman Humes stated that the committee should also look at a policy for workmen, who need to be on a job site for more than two hours to complete a project. Councilman Seagrist asked if maybe the parking should be extended to four hours. Vice President Winchell indicated that Council needs to consider carefully, the changes, as a lot of work went into deciding on the two hour limit and before the limit was invoked, there were no available on street parking spaces. Manager Stough indicated that the original recommendation on the two hour parking came from the Chamber of Commerce and maybe they would like to make a recommendation on revision to the regulations or extension of the time frames. Councilman Humes suggested that Ms. Marbain may also want to get a letter from Main Street Mechanicsburg in support of her position.

◆ **Discussion on letter from Chamber regarding the Wrench Drop.**

Manager Stough reported that he and Craig Yinger, Lieutenant Myers and Mr. Westby met to discuss some concerns that staff had regarding the event. The staff suggested moving the event to Allen Street, as it is easier to close a Borough Street, then a PennDOT highway and there is more parking area available at the Allen Street location. President Whitcomb suggested the museum parking lot as an option. Councilman Humes stated that she feels the event should stay on Main Street. Chief Spotts spoke to some of the concerns, including the safety issues with crowd control and traffic. Councilman Stoner also spoke in favor of the event remaining on Main Street. Mr. Westby indicated that the first year, they did have to block the street illegally, but last year they had a permit and the street closure went smoothly. Mr. Westby indicated that they have signage donated and they will put up and remove the signage using volunteers. Manager Stough indicated that the additional vendors proposed was also a concern. Mr. Westby indicated that there would only be about six vendors, all of which are from the area and will be off the street by 1 AM. Ron Trace, Washington Fire Company, asked Council to keep the event on Main Street to keep people coming out on Main Street and become more aware of the businesses that are in town. The businesses that support the Wrench Drop are all in the area, and want to see it remain on Main Street. East Main Street would only be closed from Market to Walnut Street. Councilman Humes made a motion to keep the Wrench Drop on Main Street for 2006-07. Councilman McDermott seconded the motion, which passed with 5 in favor (Humes, McDermott, Ryder, Stoner, Winchell) and two against (Seagrist, Whitcomb).

◆ **Discussion and possible action on the Wildcat Football Boosters request.**

Barbara Kovalchik, President of the Wildcat Football Booster Club, was present to answer any questions regarding the request of the Wildcat Football Booster Club. Councilman Humes indicated that the location for the banner suggested in the letter is not the approved banner location, which is in the four hundred block of East Main Street. Manager Stough stated that the banner would need to be placed at the approved banner location in the 400 block. Councilman Ryder asked when the American Flags are removed. Manager Stough stated they are taken down just after Labor Day. Councilman Humes indicated that she is concerned with the length of time requested by the group; she stated she would support decorations on the day of the home football games. Councilman Humes stated that the Wildcat Foundation usually puts up their fall festival banner in September. Ms. Kovalchik indicated that the flags would just say Wildcats, to represent all the fall sports. After considerable discussion on the matter, Councilman Ryder made a motion, second by Councilman Seagrist, to approve the request of the Wildcat Football Booster Club to display a banner, at the approved banner location, as long as the banner is coordinated with the Wildcat Foundation banner, and to also approve the placement of balloons and bows on the Welcome to Mechanicsburg Signs at the entrance to the town on the days of home football games, provided that they are removed after the game day, and to approve the placement of flags in the flag holders, with the Wildcats providing someone to place and remove flags. A vote was taken and the motion passed by a vote of six in favor (McDermott, Ryder, Seagrist, Stoner, Whitcomb, Winchell) and one against (Humes).

◆ **Resolution 7-2006 opposing state and national cable franchising legislation.**

Manager Stough reviewed the correspondence from Dan Cohen, regarding local cable franchising legislation. Manager Stough asked that Council support Resolution 7-2006. Councilman Seagrist made a motion, second by Councilman McDermott, to table this Resolution until after the June 11th PSAB meeting. The motion carried by a vote of six in favor (Humes, McDermott, Ryder, Seagrist, Stoner, Whitcomb) and one against (Winchell).

◆ **Consider approval of Mechanicsburg Little League request to construct a Press Box and Storage Building at Memorial Park.**

Councilman Seagrist made a motion, second by Councilman Ryder, to approve the construction of the Press Box and Storage Building at Memorial Park. The motion passed with all in favor.

◆ **Approval of the street closure request for South Washington Street from May 5th to May 12th.**

Manager Stough reviewed the project proposed with Borough Council. Vice President Winchell made a motion to approve the requested street closing of South Washington Street between West Main and West Locust Streets for this construction project. Councilman Ryder seconded the motion. After some discussion on the noise levels, Council voted to approve the street closing unanimously.

◆ **Request for a contribution to Main Street Mechanicsburg in the amount of \$621 dollars.**

Councilman Ryder made a motion, second by Councilman Stoner, to approve the \$621 contribution to Main Street Mechanicsburg. Councilman Seagrist asked if this was a budgeted expense, and Manager Stough indicated it was not, but the money would be coming back to the Borough. President Whitcomb called for a vote and the motion passed by a vote of six in favor (Humes, McDermott, Stoner, Ryder, Whitcomb, Winchell) and one against (Seagrist).

◆ **Consideration and possible acceptance of Police Civil Service Commission Resolution 2-2006 certifying the eligibility list for the position of Sergeant.**

Chief Spotts reviewed the list, indicating the Officer Keith Anthony and Officer William Menesses were both eligible for the position of Sergeant. Councilman Seagrist made a motion, second by Councilman McDermott, to approve the list of eligible for promotion to Sergeant as presented by the Civil Service Commission. The motion carried with all in favor.

◆ **Consideration of promotion to the position of Sergeant in the Mechanicsburg Police Department.**

Chief Spotts asked that this item be considered after the Executive Session.

CITIZEN COMMENTS:

Daryl Westby, Wrench Drop Committee, thanked Council for their support of having the Wrench Drop remain on Main Street.

Doug Logar, Mechanicsburg Little League, thanked Council for their support of the Little League construction project at Memorial Park.

ANY OTHER BUSINESS:

Chief Seagrist reported on the United Water PUC hearing, stating that hydrant rental fees are not scheduled to be increased at this time. Chief Seagrist also reported that as a result of the ACT fire, the Fire Company became aware that the North Market Street pumping station does not have a back-up generator, but they will be getting a generator for that location. Chief Seagrist also asked that the Fire Hydrant Threads be standardized, and United Water indicated that they would do that upon receipt of a letter from the Fire Department.

Councilman Ryder asked Chief Seagrist if it is true that many of the hydrants in town are fed by two inch pipes as opposed to four inch pipes, so they have insufficient water pressure. Chief Seagrist indicated that during the ACT fire, they had to abandon the four inch line and go down to Main Street to hook into a six or eight inch main. Councilman Ryder asked if these hydrants are not usable, should United Water upgrade these hydrants. President Whitcomb asked if a map of the hydrants is available. Chief Seagrist indicated that he does have a map. President Whitcomb suggested that Chief Seagrist get a copy of that map to the Manager so that we can address this issue with United Water, as we should not be paying for hydrants that can not be used during a fire.

EXECUTIVE SESSION

At 8:55 Council recessed to Executive Session on a matter of personnel, real estate and potential litigation, with possible action.

At 9:37 PM Council reconvened the public meeting

◆ **Consideration of promotion to the position of Sergeant in the Mechanicsburg Police Department.**

Chief Spotts asked that Officer William Meneses be promoted to the position of Sergeant with the Mechanicsburg Police Department. Councilman Seagrist made a motion, second by Councilman Ryder, to offer the position of Sergeant to Officer William Meneses, with a probationary period of one year from the time of his acceptance of the position and assumption of the duties of Sergeant. The motion carried with all in favor.

ADJOURNMENT:

At 9:39 PM, Councilman Humes made a motion, second by Councilman Ryder to adjourn the meeting.



Jonathan S. Stough
Borough Secretary