

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

September 19, 2006

7:30 PM

CALL TO ORDER:

At 7:30 PM, President Whitcomb called the 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, Councilmen Humes, McDermott, Ryder, Seagrist, Stoner, Jr. Councilperson Nauss, Solicitor Schorpp, Mayor Ritter, Chief Spotts, Chief Seagrist, Manager Stough, and Assistant Secretary Boyer. Vice President Winchell was absent.

Also in attendance: Tom Bender, Beverly Bone, Kirk Corliss, Bob Dietrich, Nancy Hanlon, Ed LeClear, Tom Ludwig, Fred Pracht, Kate Procopio, Brad Nauss and Jeff Sanders.

GUESTS:

There were none.

CITIZENS COMMENTS:

Jeff Sanders, 501 North Market Street, addressed Borough Council regarding the parking problem on East Factory Street. He asked that Borough Council consider making changes to ensure that if a garage is counted as an off street parking place for an apartment, that a car could be placed in that garage. He noted that the recent subdivision at 2 & 4 East Factory Street created two new dwelling units, where vehicles need to find parking. This is compounded by the fact that each existing house has more cars today than they did in the past. He suggested that he feels that the surrounding neighbors should be contacted before any subdivisions and consulted about existing problems such as stormwater and parking. He also stated that he is in favor of Council paving the alleyway, which is on the agenda, as this would prevent the existing stormwater from coming across the road and onto his property. President Whitcomb stated that there has always been a water problem in the alley adjacent to the new construction, but now the water stays in the alleyway longer.

Tom Bender, from Silver Springs Township, addressed Borough Council on behalf of Citizens Fire and Rescue. Both Borough Fire Companies went to the Cumberland County Fireman's Convention in Enola. Out of six pieces of equipment taken to the event, four trophies were brought back. Company 28 brought home the Manufactures trophy for Engine 128; Citizens brought home a second place trophy for the most functional heavy rescue piece, first place for special unit which is Utility 27 and first place for the old antique engine. Also on Thursday night, Joe Metallo from Company 28 was elected Vice President of the County Association. He stated that there is lot of pride in the Mechanicsburg Fire Service and the trophies will be on display at the Friday Night soup and sandwich sale for all to see.

ADDITIONS TO AGENDA:

- Manager Stough added the following items to the agenda:
Acceptance of the resignation of Mike Gray as Emergency Management Coordinator effective September 19, 2006.
Consider recommending the appointment of Ron Trace as Emergency Management Coordinator.

APPROVAL OF AGENDA:

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

CORRESPONDENCE:

Manager Stough reported the following correspondence was received:

- A letter was received from the Mechanicsburg Chamber of Commerce regarding Streets for Treats scheduled for October 21st.
- The 2004, 904 Recycling Performance Grant check in the amount of \$42,282.00, for our community recycling efforts, was received.

APPROVAL OF MINUTES:

Councilman McDermott made a motion to approve the minutes of the September 5, 2006 regular Council meeting. Councilman Stoner seconded the motion, which passed with all in favor.

MONTHLY REPORTS:

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

MANAGER'S REPORT:

Manager Stough reported:

- Manager Stough reported that the Compost site is well underway. The top soil is off and the site is ready for stone, when the rain stops. He reported that the Borough Highway and Sewer crews, in conjunction with the Silver Spring Highway Department, have been working hard on the project and it is going well.

MAYOR'S REPORT:

September 8th – Visited the Open House at the Aurora Club, 104 West Main Street. This social rehabilitation service offers a coffee house, recovery workshops and a drop-in center.

September 10th – The Mechanicsburg Rotary Club dedicated the welcome to Mechanicsburg Sign on North York Street.

September 11th – Crime Watch presenter was Cliff Ressler, Mechanicsburg Codes Officer.

Trivia Question – The Cumberland Valley Railroad connected Lemoyne and Hagerstown Md. The railroad built a special car in the 1840's for the comfort of their passengers. What was it?

Answer – The CV Railroad invented and built the first sleeper car in the United States. This question came from the Mechanicsburg Museum Association and Ed LeClear knew the correct answer and won two tickets to the Rotary Ox Roast.

CHIEF OF POLICE REPORT:

Chief Spotts reported that Letters of Commendation were received for Sgt. Meneses and Officer Demmy. He also reported that the 2006 DARE Grant in the amount of \$5,682 was approved.

SOLICITOR'S REPORT:

No report.

ENGINEERS REPORT:

No report.

FIRE CHIEF REPORT:

No report.

JR. COUNCILPERSON REPORT:

Jr. Councilperson Nauss reported:

- ❖ All fall sports are doing well, however, the Football Team did not win the game against Northern last Friday.
- ❖ The fall play practice is beginning for the production of "Harvey", which will begin playing on November 11th.
- ❖ The Homecoming football game is coming up the beginning of October.

COUNCIL COMMITTEE REPORTS:

Community Development– Humes – Councilman Humes reported the Main Street Mechanicsburg 2006 Annual meeting will be held next Monday at 7 PM at the Borough Building.

Environmental/Recycling Committee – Ryder – No report.

Finance/Appropriations/Insurance – Winchell – No report.

Fire Committee –Ryder – The Fire Committee will meet here tomorrow and have a presentation for the Fireman's Insurance provider.

Health/Recreation –Seagrist – Councilman Seagrist reported that the Recreation Commission met on September 12th and distributed Park and Pool financial reports. The final Pool financial report will be in packets this week. Last week the Health and Recreation Committee met with representatives from Upper Allen to discuss the pool. A follow-up meeting is scheduled for October 3rd, here at the Municipal Center. The Recreation Commission is moving their next meeting to Wednesday, October 11th due to a conflict with the Halloween Parade. It will be held at 7 PM. The November meeting will be held on November 14th at 7 PM.

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

Loan Review Committee- Humes – No report.

Ordinance/Administration/Legislative Action – Humes – No report.

Property/Buildings – Stoner – Councilman Stoner reported that he has been up to the Sewer Plant to view the work on the Compost site. He asked Manager Stough how much stone was brought in and he said 3,500 ton of stone has been used to date.

Public Communication – McDermott – No report.

School Board – Ryder – Councilman Ryder – No report as the School Board is meeting tonight.

W.S.C.O.G. – McDermott – Councilman McDermott advised that last night the COG met and awarded salt bids. A possible name change to the Capital Region Council of Governments is being considered. A Resolution opposing the current Franchise legislation was also passed last evening by the COG.

AGENDA ITEMS – September 19, 2006

◆ Discussion on Historic District Ordinance and Guidelines

Manager Stough advised that HARB members LeClear, Ludwig, Procopio and Pracht are present to answer questions from Borough Council. Councilman Seagrist thanked the members of HARB for being present. Councilman Seagrist stated that at the last Council meeting there was a situation where a resident requested, and HARB recommended, approval of a Certificate of Appropriateness even though the work was completed prior to the application being submitted. Councilman Seagrist stated that he was surprised by that action considering all the time and effort that was put into the creation of this ordinance. Councilman Seagrist asked the members present why they would ask for an approval when the procedures outlined in the ordinance were not followed by the applicant. This would mean that a perception has been created that compliance with the Historic District Ordinance is voluntary, based on the actions of Borough Council at the last meeting. Tom Ludwig, HARB Chairman, addressed Borough Council regarding the actions of the HARB in regard to the Eberly application for gutter and downspout installation. He stated that he was the no vote cast for issuance of the COA and that was not because the work was completed prior to the application; but rather a vote against the solution chosen by the homeowner for replacement of the gutter. Chairman Ludwig stated that the Historic District is just like the building code or zoning code when a citizen does not follow it; in that the resident is taking a risk that the work will not be in compliance and may have to be removed or modified. Chairman Ludwig continued by explaining that this evening Council will be considering an application that HARB recommended for denial. The work was completed, however, the work falls outside the guidelines. Ludwig continued by stating that he believes the HARB would have recommended approval for the Eberly gutter replacement, even if the applicant had come in prior to completing the work. At last night's HARB meeting, a discussion on the Eberly recommendation occurred and Chairman Ludwig stated that after that dialog, he is sure that no one would have changed their vote, even if the work was not complete. Manager Stough clarified that if a building permit is needed and a resident fails to obtain one for work that is done to the specification in the Borough Code, the resident, when it is brought to the attention of the Codes Official, must obtain a building permit, even though the work is complete, but the work does not have to be removed. If the work is not in compliance with the Code, it would however, have to be removed. Chairman Ludwig indicated that just like a building permit, a COA can be used for work in compliance with the guidelines, even if the work is completed before the application, however, if the work is not in compliance, it needs to be removed. Councilman Seagrist asked Chairman Ludwig if this is the way the Carlisle HARB handles this matter and Chairman Ludwig indicated that it was. Councilman Ryder asked what the enforcement action is for a case such as the one this evening, where the sandblasting done to the structure, can not be undone. Chairman Ludwig stated that you can install a larger size half round gutter which will handle the same amount of water as the K gutter. Chairman Ludwig indicated that the guidelines here in Mechanicsburg are not as strict as some districts, but they are broad to accommodate the differences in properties. Solicitor Schropp clarified that if the work is completed but the application is still filed and the COA is approved there is no violation and there is no penalty provision in the ordinance. If approval is not given, then the Codes Officer can file a citation and the applicant would have to remove the improvement or be fined for the violation by the District Magisterial Judge. Councilman Ryder stated that if a citation is not filed for work that is not in compliance, then residents will assume that they do not have to comply. Councilman Seagrist stated that two weeks ago Council pulled the trigger to make this a toothless process by approving the COA for a noncompliant property, at the very least, they made compliance arbitrary. Solicitor Schropp indicated that was not the case, unless you fail to make residents come in for a COA, even if the work is complete. Councilman Seagrist stated that the Planning Commission pitched this ordinance to Borough Council as an ordinance to prevent demolition of the Borough's Historic Structures, however, how does staff propose to prevent someone from just coming in and demolishing a building and then saying they did not know they needed to file an application with the HARB. Manager Stough indicated that to demolish a building would require a permit and that Mr. Ressler could not issue that permit without a review by the HARB. Solicitor Schorpp stated that if they demolish a structure without a permit or a COA, the Codes Officer could file a citation and the District Magisterial Judge could fine the property owner every day until the fines reached the value of the property, if he would chose to do so, or until the structure was rebuilt. Councilman Humes stated that would be the worst case scenario, but the fact that the Ordinance is in place has already saved the building on the North West corner of the intersection of West Main and North York Streets. Councilman Humes stated that Council needs to value the HARB and look at it in a positive light and try to support their work. Chairman Ludwig stated that the demolition request for the property on the corner of York Street was the first application that the HARB reviewed and the applicant withdrew the request because after discussion with the HARB, they knew that their request would be denied. Chairman Ludwig indicated that the application last night, was a difficult application to review but the denial was unanimous. Chairman Ludwig stated that in the case of the Eberly

application, the majority of the HARB members felt that the improvement enhanced the district, and that was why they voted for approval. Chairman Ludwig then explained the three items that the HARB considers in making their determination for compliance. Councilman Seagrist asked if a zoning permit would be required for any item that HARB would be reviewing. Chairman Ludwig indicated that not all work that the HARB would review would require a permit, however, the HARB is working with Borough Staff to get the information out to homeowners in the District and the applicant that was denied last evening had some good suggestions on how to inform homeowners of the requirements for a COA review. Chairman Ludwig stated that a booklet is going to be put out by the HARB to help with the process thanks to a grant for \$7,500 from the PHMC and \$7,500 that Council has budgeted for this project.

◆ **Consider Certificates of Appropriates for the Following Applications Reviewed by the Historic Architectural Review Board at their Regular Meeting September 18th**

1. Application for Front Door replacement at 21 East Main Street – Thomas Sangrey

Manager Stough stated that since the HARB tabled this item, no action is required by Borough Council at this time.

2. Application for Signage at 42 East Main Street – Walter Hargraves

Councilman McDermott made a motion, seconded by Councilman Ryder, to approve the issuance of a Certificate of Appropriateness for the signage at 42 East Main Street for Mr. Walter Hargraves. The motion passed with all in favor.

3. Application for Cleaning, Repointing and Sealing of Brick at 144 East Main Street – David & Beverly Bone.

Councilman Humes made a motion to deny the request for a COA at 144 East Main Street; Councilman McDermott seconded the motion for discussion purpose. Councilman Ryder asked what would be the penalty. Solicitor Schorpp indicated that if Council denies the application, it would be up to the Codes Officer to file a citation, against the applicant or the contractor, if he felt that was appropriate. Councilman Stoner asked why the HARB made a motion for denial. Ed LeClear stated that he made the motion to deny last evening because the work does not meet the recommendations in the guideline for brick restoration. He further stated that sandblasting is not an appropriate way to remove the paint as it does permanent damage to the brick, which may cause deterioration in the future, since a COA application was not filed prior to work commencing; the HARB did not have an opportunity to offer suggestions on the appropriate method for the restoration of the brick. LeClear indicated that the application does not meet the guidelines for brick restoration. LeClear stated that the guidelines state that sandblasting is strongly discouraged. Councilman Ryder stated that he feels the guidelines should then be revised to prohibit sandblasting. LeClear indicated that the guidelines are going to need to be updated as the district develops. Chairman Ludwig explained that there is always occasions when you need to go outside the normal course of action to achieve a goal, and that is the reason the guidelines do not say never. An occasion could occur where sandblasting may be appropriate. Chairman Ludwig then explained that sandblasting removes the outer shell which is baked on the brick, allowing moisture to be absorbed by the interior of the brick, which deteriorates the brick over time, which can create structural problems. A discussion followed on the different types of bricks used in construction, and that some bricks are intended to be painted, as they have never been fired. Chairman Ludwig stated that he is troubled by the fact that this homeowner truly wanted to restore her home, and because of the poor advice given to her by a contractor she believed that this was the only option she had and she has completed a restoration, which may cause deterioration to her property in the future. President Whitcomb asked Chairman Ludwig what was the recommended method of removing the paint. Chairman Ludwig stated that a stepping process is the best method where you start with a low pressure wash, and gradually increase the pressure, introduce detergents and may use certain chemicals, if required, to do a chemical clean. This should all be done before a homeowner even considers sandblasting as an option. Councilman Ryder asked if there was a difference in the cost of the two types of restoration. Chairman Ludwig did not know the exact difference in price, and neither did the homeowner, as the contractor told the homeowner that sandblasting would be the only acceptable option, so other prices were not obtained. Solicitor Schorpp stated that the Codes Official could cite the contractor, instead of the homeowner, if he feels that would be warranted. Councilman Seagrist stated that a motion is on the floor to deny this application for a COA, and since Council has already approved work completed before review, it would be unfair to this applicant. He asked for a no vote on the motion. Councilman Humes asked if she could re-word her motion to put the penalty on the contractor and not the homeowner. The Solicitor stated that enforcement is the job of the Codes Officer and the citation, if filed, is at his discretion. Solicitor Schorpp summed up the discussion by stating that if a homeowner does work that complies with the ordinance, the HARB can recommend approval of the COA, even though the work was done prior to application, because it meets the ordinance guidelines, however, if the work completed before application is not in compliance then the homeowner runs the risk of denial and possible enforcement action just as if he had completed the work after being denied a

COA for the proposed alteration. This situation, with the sandblasting is a situation where there is no way to correct the work, so the question is whether this is a situation where either the homeowner or the contractor should be cited, which is an enforcement issue which would be handled by Mr. Ressler, with the penalty to be determined by the District Magisterial Judge. Mrs. Beverly Bone, the applicant, addressed Borough Council stating that she had good intentions, wanting to repair the brick because on one side of her home the deterioration of the brick was causing damage to the building's basement. She stated that she feels caught in the changing ordinance, and she thought she was doing the correct thing by improving her home, it was never her intention to circumvent the process and she stated that after meeting with the HARB, she was very upset to learn that the restoration may cause damage to the structure in the future. She stated that her home looks better and the water damage has been abated. She stated that she wanted to do the right thing, but did not get good advice and the right tools for the job. Manager Stough stated that if Council approves this application, then that would prohibit both the homeowner and the contractor from being cited for this violation and the Manager asked Council to consider that in their decision, because if this contractor is allowed to do this, it will open the door for many contractors to advise clients not to apply for a COA, until the work is completed. Chairman Ludwig addressed Councilman Seagrist stating that if this COA is approved that would take the teeth out of the ordinance and undermine any ability for the HARB to make valuable recommendations to Borough Council in the future. Councilman Stoner stated that his concern is for the property owner, who was unaware that she was not in compliance. Manager Stough stated that upon review, the Codes Officer may decide that the homeowner took action on the advice of the contractor who should have been aware of the regulation in this matter, and could choose to cite only the contractor. Manager Stough stated that Council has approved several signs which were erected before applications were received, however, the backlit signs erected without approval were denied by Borough Council, so this is not the first time the issue of the work being completed before application has been brought into question. President Whitcomb called for a vote on the motion to deny the COA for the application of Beverly Bone. Councilman Humes stated that she hopes the Codes Officer will consider the culpability of the contractor in this matter, if the motion to deny is approved. Councilman Seagrist stated that this sounds like Council is using the ordinance to punish contractors for giving bad advice, which is to enforce this unfairly. Discussion followed on the denial of the backlit sign on South Market Street. President Whitcomb stated that in his opinion a vote to deny tonight on this application, is the same as a vote to deny the backlit sign, both support the recommendation of the HARB on the appropriateness of the work, as per the guidelines for the district. Councilman Ryder stated to be consistent, Council needs to support the determination of the HARB. After some additional discussion, a vote was taken and the motion passed with five voting in favor (Humes, McDermott, Ryder, Stoner, Whitcomb) and Seagrist voting against.

4. Application for Signage at 40 W Main Street – Ken Robinson

Councilman Seagrist made a motion, seconded by Councilman Stoner, to approve the issuance of a Certificate of Appropriateness for the signage at 40 West Main Street for Mr. Ken Robinson. The motion passed with all in favor.

5. Application for Signage at 49 W Main Street – Common Sense Adoption Services

Councilman McDermott made a motion, seconded by Councilman Ryder, to approve the issuance of a Certificate of Appropriateness for the signage at 49 West Main Street for Common Sense Adoption Services. The motion passed with all in favor.

◆ **Consider Adoption of Ordinance 1086 to Make King Alley One Way**

Councilman Seagrist made a motion to approve the Ordinance as presented. Councilman Ryder seconded the motion. President Whitcomb spoke in opposition of the Ordinance and then called for a roll call vote.

Humes	Yea	Stoner	Yea
McDermott	Yea	Whitcomb	Nay
Ryder	Yea	Winchell	Absent
Seagrist	Yea		

The motion passed.

◆ **Accept Resignation of Mark Stoner from the Borough Highway Department, effective October 2nd**

Councilman Ryder made a motion, seconded by Councilman Humes, to accept with regret, the resignation of Mark Stoner from the Borough Highway Department. President Whitcomb stated he will be missed, and the motion was passed, with no dissenting votes.

◆ **Resolution 11-2006 in Honor of Mark Stoner's Service to Mechanicsburg Borough**

Councilman Stoner made a motion to adopt Resolution 11-2006 in honor of Mark Stoner's service to the Borough of Mechanicsburg. Councilman Ryder seconded the motion which passed unanimously.

- ◆ **Discussion and Possible Action on Resolution 12-2006 in Opposition of Cable Franchise Legislation**
Councilman Seagrist made a motion to disapprove the Resolution as presented as he does not think Borough Council should be involved in telling the legislators not to vote for a measure which would give residents a choice of cable service providers. Councilman McDermott seconded the motion, and President Whitcomb opened the floor for discussion. Councilman Seagrist stated that he is grateful for the information staff provided from the meeting with Mr. Cohen, however, he feels Council has only received information from one side of the issue and should be receiving information on both sides to make an informed decision. Councilman Seagrist stated that currently the cable industry in Pennsylvania is a monopoly and by passing the pending legislation, it would allow cable customers in Pennsylvania to have a choice of service providers. He stated this is no different than residents being able to choose their electric, telephone and natural gas provider. Councilman Humes asked Councilman McDermott what the sentiment was on this matter at the meeting last night of the West Shore Council of Governments. Councilman McDermott stated there was overwhelming support for the Resolution opposing the legislation. Manager Stough stated that Councilman Seagrist made a great point about competition creating potential price cuts, but the marketplace is currently open to all vendors, however, Verizon does not want to compete under the current provisions in place. He further stated that the legislation would provide some changes to the current way in which franchises are issued, allowing for providers to serve only those areas of a municipality that they chose to service and by eliminating the ability of Municipalities to deal directly with the service providers and hold them accountable for damages during projects within their municipality. Discussion followed about the current regulations versus the newly proposed legislation. After a long discussion, President Whitcomb called for a vote and the motion passed by a vote of five in favor (McDermott, Ryder, Seagrist, Stoner, Whitcomb) and one against (Humes).
- ◆ **Consider Authorization for Staff to Submit an Application to DEP for the Alternative Fuel Incentive Grant Program**
Manager Stough explained the staff is currently researching options under this grant, which has an application deadline of October 2nd. Councilman Stoner made a motion, seconded by Councilman Humes to authorize the Borough Staff to make application to DEP for the Alternative Fuel Incentive Grant Program. The motion passed with all in favor.
- ◆ **Consider Authorization to Apply for Certified Local Government Status**
Manager Stough asked that this matter be tabled. Councilman Ryder made a motion, seconded by Councilman McDermott, to table this matter until additional information is available. The motion passed with all in favor.
- ◆ **Consider Authorization to go out to Bid for Demolition Services at the 240 West Simpson Street Property**
Manager Stough reviewed the state of this property, recently acquired by the Borough. Councilman Seagrist asked if HARB has approved the demolition. Manager Stough stated that the Borough could not apply for a COA, before taking possession of the property; however, HARB did give a letter of support for the demolition to the Borough, as part of the process. Councilman Stoner made a motion to authorize the advertisement of bids for demolition services at the property located at 240 West Simpson Street. Councilman Ryder seconded the motion which passed with all in favor. Manager Stough indicated that a COA application would be filed and reviewed prior to the demolition.
- ◆ **Discussion and Possible Authorization to Pave the Pool Parking Lot, Borough Parking Lot and the Alley Adjoining Factory Street**
Manager Stough reviewed this request with Borough Council. Councilman Humes made a motion, seconded by Councilman Ryder to authorize the paving of the Pool parking lot, Municipal Building parking area and the alley intersecting East Factory Street, at the prices stated by Borough Staff. The motion passed with all in favor.
- ◆ **Discussion and Possible Action on Request of the Mechanicsburg School District for an Additional Crossing Guard at Simpson and Broad and Main and Broad**
Chief Spotts stated that after review, they have found that they can accommodate this request by using school patrol students and not hiring any additional guards. Councilman Ryder made a motion, seconded by Councilman McDermott to approve the request for the additional crossing guard locations. The motion passed with all in favor.
- ◆ **Discussion and Possible Authorization for a Letter of Support to be Prepared and Submitted to the Cumberland County Commissioners for their Support of a Four-Way Stop Intersection at Elmwood Avenue and Shepherdstown Road**
Manager Stough noted that this letter was requested by the School District after PennDOT failed to approve a request for a four-way stop at this location. Councilman McDermott made a motion, seconded by Councilman Ryder, to authorize a letter of support be sent to Cumberland County Commissioners for a four-way stop intersection at Elmwood Avenue and Shepherdstown Road. Councilman Seagrist called for a negative vote stating that he felt this was not the role of the County Commissions and the Borough should request help from their State Legislators. Manager Stough stated that the Borough did, and PennDOT still did not approve the request. Councilman Ryder called for approval, stating the safety of the children is important and Council should do whatever is necessary to abate the danger at this location. President Whitcomb stated this is just an added step to try to achieve the goal and support the School District in their request to the Commissioners. After some additional discussion, a vote was

taken and the motion passed with five in favor (Humes, McDermott, Ryder, Stoner, Whitcomb) and one against (Seagrist).

◆ **Discussion on Trindle Station Bond**

Manager Stough explained that the bond for this project is due to expire on October 1st and the Borough has been unsuccessful in obtaining inspection records for the construction of the section of roadway within the Borough. The developer is stating that they will provide a letter of credit, in a reduced amount, which the Borough can hold until the construction methods can be verified as in compliance with Borough specifications. Manager Stough asked that Council authorize staff to take action to enforce the bond, if a letter of credit in the appropriate amount is not received from the developer prior to October 1st. Councilman Ryder made that motion, Councilman McDermott seconded. The motion passed with all in favor.

◆ **Action to Accept the Resignation of Michael Gray as Emergency Management Coordinator**

Councilman Ryder made a motion, seconded by Councilman Stoner, to accept the resignation of Michael Gray as Emergency Management Coordinator effective September 19, 2006. The motion passed with all in favor.

◆ **Action to Recommend Approval to the Governor of Ronald Trace as Emergency Management Coordinator**

Councilman McDermott made a motion, seconded by Councilman Stoner, to recommend to the Governor, appointment of Ronald Trace as Emergency Management Coordinator, as of September 19, 2006. The motion passed with all in favor.

APPROVAL OF EXPENDITURES PAID:

Councilman Ryder made a motion, Councilman Stoner seconded, to approve the expenditures from August 1, 2006 through August 31, 2006 in the following amounts:

General Fund: \$293,913.24 Highway Aid Fund: \$2,156.62 Capital Improvement Fund: \$7,338.25

The motion passed with all in favor.

CITIZEN COMMENTS:

Jeff Sanders, 501 North Market Street, addressed Borough Council stating he felt Council should offer incentives to volunteer firefighters such as football tickets and pool passes. He further stated that he was made aware of the fact that Mechanicsburg Borough has the highest rating for volunteer firefighters in the State, and that was a credit to the volunteers in both companies. He added that they should be rewarded for all their dedicated service. He also stated that he applauds Councilman Seagrist's efforts to provide residents with a choice of Cable service providers. He further stated that he thinks Council should put an article in the newsletter publicizing the Council meetings and inviting residents to come out and participate in the meetings, and should not limit residents to just speaking at the beginning and end of meetings but should allow them to speak on all issues.

Brad Nauss, 10 Schoolside Drive, addressed Borough Council in rebuttal, stating that the School Board has the same issue, with very few parents coming to meetings and taking an interest in the process.

EXECUTIVE SESSION:

At 9:23 p.m., President Whitcomb recessed the meeting into Executive Session on matters of Real Estate and Personnel.

At 9:43 p.m. President Whitcomb reconvened the public meeting and stated that no action needed to be taken.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL:

Chief Seagrist clarified that the volunteer ISO rating for the Borough Fire Departments was up from a 5 to a 3 which is in the top 25% of all volunteer companies. This as a clarification of Mr. Sander's earlier statement.

ADJOURNMENT:

At 9:47 p.m., with no further business to discuss, President Whitcomb adjourned the meeting.



Jonathan S. Stough
Borough Secretary