

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

November 21, 2006

7:30 PM

CALL TO ORDER:

At 7:30 PM, President Whitcomb called the Council meeting to order and stated that Council held an Executive Session on a personnel matter at 6:30 PM.

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, Stoner, Jr. Councilperson Nauss, Solicitor Schorpp, Mayor Ritter, Chief Spotts, Chief Seagrist, Manager Stough, and Assistant Secretary Boyer.

Also in attendance: Jerry Gleason – Patriot News, Matt & Debbie Baker, Roger Ciecierski, Nancy Hanlon, Brad Nauss and Jack Niebert

GUESTS:

There were none.

CITIZENS COMMENTS:

Debbie Baker, 101 S Walnut Street, addressed Borough Council regarding the Friday evening tree lighting ceremony. She asked that Council approve the use of the horse drawn carriage to transport Mr. & Mrs. Santa Claus from the square to Eckels Drug store. Chief Spotts stated that would require additional signage for “No Parking” on that block of East Main Street. President Whitcomb suggested that Mrs. Baker make her request earlier next year.

ADDITIONS TO AGENDA:

Manager Stough asked for the following changes to the agenda:

- ◆ Discussion on payroll services for 2007.
- ◆ A matter of potential litigation be added to the executive session.
- ◆ Deletion of the Certificates of Appropriateness for Holbert and Dreams Day Spa.

APPROVAL OF AGENDA:

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

CORRESPONDENCE:

Manager Stough reported the following correspondence was received:

- A letter was received from Gannet Flemming regarding the update of the Capital Charges for the Wastewater Treatment Plant. The new study indicates that the EDU fees should be increased to \$2,369 for 2007. A memo will be in Council packets regarding the study and proposed increase of fees.
- One letter was received expressing interest in the Jr. Councilperson position. Ms. Ceena P. Ford of 19 East Main Street will be invited to the December 5th meeting along with any other applicants that apply by the November 30th deadline.
- Letters expressing interest in reappointment were received from Ed LeClear for the Planning Commission, Fred Pracht for the HARB and Charlie Sheriff for the Civil Service Commission. Councilman Seagrist asked that Council receive a list of all the volunteers that are up for re-appointment.

APPROVAL OF MINUTES:

Vice President Winchell made a motion to approve the minutes of the November 6, 2006 regular Council meeting & the 2007 Budget Hearing. 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 he is looking into placing an Emergency Preparedness Guide in the Managers Annual Report. He also reported that he is looking into providing Red Cross training in first aid emergency preparedness to Borough residents and will be providing more information to Council in the near future.

MAYOR'S REPORT:

November 11th – Mechanicsburg Area Veterans Council held a Veterans' Day Ceremony at the Mechanicsburg Cemetery followed by lunch at the American Legion Post 109.

November 12th – The Mechanicsburg Museum opened for a special tribute to Veterans.

November 13th – Crime Watch welcomed the Mechanicsburg Little Theater for a great presentation.

November 15th – Lunch and Learn at the Museum. Bud Miller taught us about one room schools in and around Mechanicsburg.

Trivia Question – At many street corners here in Mechanicsburg are concrete posts about 4 feet high. What is their purpose?

Answer – They were posts to support US Mail Boxes.

CHIEF OF POLICE REPORT:

No Report

SOLICITOR'S REPORT:

No report.

ENGINEERS REPORT:

No report.

FIRE CHIEF REPORT:

No report.

JR. COUNCILPERSON REPORT:

Jr. Councilperson Nauss reported:

- ❖ Tomorrow is the last day before fall break and students are looking forward to a week off from school.
- ❖ The High School can food drive for New Hope Ministries met their goal of 5,000 cans.
- ❖ The High School Marching Band took 1st place in the Atlantic Coast Competition and will be leaving at 4 AM for Florida to participate in the Thanksgiving Parade at Disney.
- ❖ The High School Holiday Concert will be December 17th.

COUNCIL COMMITTEE REPORTS:

Community Development – Humes – No report

Environmental/Recycling Committee – Ryder – The next meeting is December 5th at 6:30 PM. Councilman Ryder will distribute an environmental report on air quality from the COG meeting to Council in their packets.

Finance/Appropriations/Insurance – Winchell – No report

Fire Committee – Ryder – The Fire Committee met last Wednesday and discussed the new radio system. The radios are not functioning as they should. A new software upgrade is to take care of some problems, but there is no target date to have the system up and running. Councilman Ryder stated that he is concerned that this process has taken over a year and there is still not a target date for the system to be up and no one knows if the system is going to function, when it is up and running for fire service. It was discussed at the COG meeting and other communities are also concerned. Ron Trace reported that he is trying to get information from Mike Gray on the status of the Borough's Emergency Management Plan. The standard operating guidelines are about 80% complete and should be finished by the end of the year. There is a concern among both Fire Companies that the funding for future fire apparatus is not sufficiently covered in the proposed budget. Councilman Ryder asked what percent of the EMS tax was allocated for this purpose. Manager Stough indicated that 25 percent would be put in capital for future fire service. Councilman Ryder asked about the other 75% of the funds. Manager Stough noted that it was being used to off-set police, fire and emergency service costs in the budget. President Whitcomb asked Chief Spotts how the Police radio system is operating. Chief Spotts indicated that they have problems with the system. Chief Spotts indicated that the warranty expires December 6th, and Cumberland County is trying to extend the warranty for Police Departments. The possibility of purchasing an extended warranty for the Police Department radios was discussed and the cost would be \$1,690 for one year. The next Fire Committee meeting is January 24th at 7 PM.

Health/Recreation – Seagrist – Councilman Seagrist reported the Recreation Commission met Tuesday the 14th. An E-mail was sent to Council and Borough Staff which Councilman Seagrist requested be included in the meetings minutes for this

evening. The Recreation Commission announced that 2007 pool rates will remain the same. The December Recreation Commission meeting has been cancelled. The computer system that was discussed for the pool will not be purchased due to hardware issues. The Joint Recreation Committee meeting is scheduled for November 30th at 7:30 PM at Elmwood Elementary. The January Recreation Commission meeting is January 9th at 7 PM. Upper Allen Township would like the Borough to submit an intergovernmental agreement for their review. As soon as this is completed, Upper Allen will release the next \$50,000 installment. The Solicitor will put together an agreement for Council to review, and then it can be sent to Upper Allen for their consideration. Vice President Winchell asked if the Recreation Commission has a contingency plan to address the issues that they were going to address with the purchase of the new computer software. Councilman Seagrist indicated that they have no way to link the computer at the pool, with the school computer which would be required to operate this system.

Highway/Public Safety – Stoner – There is one item on the agenda this evening.

Loan Review Committee- Humes – No report.

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

Property/Buildings – Stoner – No Report

Public Communication – McDermott – No report

School Board – Ryder – Councilman Ryder – The guidance counselors at Mechanicsburg School District are providing assistance to needy families this holiday season. They will be collecting items for distribution over the next few weeks. Mrs. Nauss can be contacted for additional information at 697-5104. The School Board voted at their last meeting to submit a land development plan for Broad Street Elementary to make the portable classrooms permanent. A public meeting was held on November 23rd regarding tax redistribution.

W.S.C.O.G. – McDermott – Councilman Ryder reported they passed the budget for 2007. Councilman Ryder reported that there will be a banquet for COG members on January 22nd and the cost is \$25 per person. The Carlisle Hospital presented the Clean Air Board of Central PA which addressed the COG on air quality issues related to diesel trucks idling. The Central PA region is 23rd in the nation for pollution from diesel vehicles. This is very high for an area with our population. The Clean Air Board is working with trucking companies to support anti-idling regulation which would help to improve the quality of our air. At the next Council meeting, a petition to ask for State support for this legislation will be on the agenda for Council's consideration.

AGENDA ITEMS – October 17, 2006

◆ Consider Certificates of Appropriates for the Following Applications Reviewed by the Historic Architectural Review Board at their Regular Meeting October 16th

1. Application of Bob Dunn – 200 West Main Street for Roof Replacement.
Manager Stough noted that this application was recommended for denial by the HARB. Councilman McDermott made a motion, second by Councilman Humes for denial of the Certificate of Appropriateness for Bob Dunn. The motion carried with a vote of six in favor (Humes, McDermott, Ryder, Stoner, Whitcomb, Winchell) and one against (Seagrist)
2. Application of Beverly & David Bone – 144 E Main Street for replacement exterior lighting.
Manager Stough stated that this application was recommended for approval by the HARB. Councilman Humes made a motion, second by Councilman McDermott, to approve the Certificate of Appropriateness for David and Beverly Bone. The motion passed with all in favor.
3. Application of Donald C. Darr – 211-213 South York Street for replacement windows.
Manager Stough indicated that the HARB recommended approval contingent upon the replacement windows being two over two, as determined by Borough Staff and the information was submitted today and approved by Borough Staff. Councilman McDermott made a motion, second by Councilman Stoner to approve the Certificate of Appropriateness for Donald Darr for two over two replacement windows. The motion passed with all in favor.
4. Application of Thomas & Emily Joerg – 43 East Locust Street for a antennas to be
Manager Stough stated that the HARB recommended this application for approval, however, the applicant requested in writing that Borough Council table this matter until the December 19th meeting when it will be considering the Conditional Use application for this location.
Vice President Winchell made a motion to table this till the December 19th meeting. Councilman McDermott seconded the motion, which passed with all in favor.
5. Application of Scott & Linda Bishop – 135-137 West Main Street for window replacement, gutter replacement, door replacement and wood work restoration.
Manager Stough indicated that this application was recommended for approval by the HARB. Councilman Stoner made a motion, seconded by Councilman McDermott to approve the Certificate of Appropriateness for Scott & Linda Bishop. The motion passed with all in favor.

- ◆ **Resolution 14-2006 in authorizing application to the Department of Community and Economic Development for Land Use Planning and Technical Assistance Program funding for Subdivision and Land Development Plan revisions.**
Manager Stough reviewed this Resolution, stating that the \$25,000 was set aside in the 2006 budget. Councilman Seagrist made a motion, second by Vice President Winchell, to adopt Resolution 14-2006 as presented. The motion passed with all in favor.
- ◆ **Resolution 15-2006 in support of Main Street Mechanicsburg's application to DCED for the downtown program.**
Manager Stough explained that this Resolution would authorize Main Street Mechanicsburg to apply for the DCED Main Street Program funding. Manager Stough explained that the Borough contributions would be \$30,000 out of the \$90,000 local match, or 1/3 of the total match. Main Street would be applying for years one and two at one time, which would require a \$15,000 for year two. Main Street Mechanicsburg would need to raise \$60,000 in local contribution over the five years of the grant program. President Whitcomb asked what the money allocated by Borough Council would be spent on. Councilman Humes stated that it would be spent on projects over the life of the grant. Boyer, Main Street Mechanicsburg Board member, explained that the goal of the grant is to hire a downtown manager who would work to recruit and retain businesses in the downtown. Some work would be done through the process on street scapes and downtown promotion, but the goal is the hiring of a manager. Councilman Seagrist asked how much money has been raised to date. Boyer stated that over \$20,000 in contributions has been received from Board members and Advisory Council members and funding has been received from Cumberland County. Councilman Seagrist asked to have the wording changed in the Resolution from will to may. Solicitor Schorpp stated that this is standard provision in the Commonwealth Grant Program, which requires the refund of any monies spent on ineligible items. Councilman Humes made a motion to adopt Resolution 15-2006 as presented. Councilman McDermott seconded the motion, which passed with six in favor (Humes, McDermott, Ryder, Stoner, Whitcomb, Winchell) and one opposed (Seagrist).
- ◆ **Discussion on Rubber Sidewalks.**
Manager Stough asked that Borough Council direct the Solicitor to change the Borough Ordinance to allow for the installation of rubber sidewalks. Vice President Winchell made a motion, second by Councilman McDermott, to direct the solicitor to draft and advertise changes to the Borough sidewalk specifications. The motion passed with all in favor.
- ◆ **Discussion on Local Services Tax.**
Manager Stough asked for a motion to table at this time. Councilman Seagrist made a motion, second by Councilman McDermott, to table this matter until additional action is taken by the legislature. The motion passed with all in favor. Manager Stough reminded Council members that paid EMS tax at a full time employer to provide documentation to Boyer before Monday, November 27th.
- ◆ **Discussion on the posting of Allendale Road for "No Trucks Three or More Axles".**
Memos were received from both Chief Spotts and Engineer Barber on this matter. Discussion followed on truck traffic on Alison Avenue as well as home owners with three axle vehicles that live in that area. After discussion, Councilman Seagrist made a motion to table, pending cost estimate for an Engineering study on the matter. Councilman McDermott seconded the motion, which passed with all in favor.
- ◆ **Discussion and possible adoption of the Improvements Specification Manual for roadway improvements.**
Manager Stough stated that this document has been reviewed by the solicitor, as well as, highway and sewer departments. Vice President Winchell made a motion, second by Councilman Ryder, to adopt the Improvement Specification Manual for roadways as presented. The motion passed unanimously.
- ◆ **Update on Intergovernmental cooperation agreement with Upper Allen Township for Joint operation of the Mechanicsburg Community Pool.**
Councilman Seagrist asked if Council could move this matter forward, as Upper Allen would like to get this finalized as quickly as possible. Manager Stough stated that a value of approximately 3.5 million has been placed on the pool. The solicitor stated that he has started to draft the agreement and should have something for Borough Council to review at the next Council meeting. The Solicitor asked that the Recreation Board, as noted in the Borough Ordinance, would be a party to this agreement. Manager Stough indicated that the agreement would be between the Township and the Borough. After much discussion, it was decided to wait till the draft agreement is received and reviewed before taken any further action.
- ◆ **Consider acceptance of the Mechanicsburg Police Civil Service Commission Resolution 06-2006 certifying the Eligibility List for the position of Patrol Officer.**
Councilman Stoner made a motion, second by Councilman McDermott, to accept the Civil Service Resolution 06-2006 certifying the eligibility list for the position of Patrol Office. The motion passed unanimously.

- ◆ **Consideration and possible action to extend a conditional offer of employment to a candidate for the position of patrol officer with the Mechanicsburg Police Department.**
 Chief Spotts recommended that Rodney M. Temple III be offered conditional employment as a patrol officer with the Mechanicsburg Police Department. Councilman Ryder made a motion to offer conditional probationary employment to Rodney M. Temple III. Councilman Stoner seconded the motion, which passed with six in favor (Humes, Ryder, Seagrist, Stoner, Whitcomb, Winchell) and one against (McDermott).
- ◆ **Discussion on appointment of a Recycling Coordinator.**
 Manager Stough reviewed some changes to the regulations regarding 904 grant funding and recommended that Borough Council appoint Glenda Boyer at the Borough's Recycling Coordinator, with no additional salary cost to the Borough. Councilman Seagrist made a motion, second by Councilman Humes, to appoint Glenda Boyer the Borough's Recycling Coordinator. The motion passed
- ◆ **Authorization to move funds from the 2006 General Fund Budget to Capital Reserves for future Capital projects prior to December 31, 2006.**

Line Item	Description	Amount
411-320-0	Fire Communications	\$10,000
414-450-0	Zoning Ordinance Revisions	\$25,000
414-500-0	HARB Booklet	\$7,500
427-500-0	Recycling Education	\$6,850
429-310-0	Wastewater – Engineering	\$80,000
430-740-0	Highway Equipment	\$5,000
430-740-0	Highway – Capital Purchases	\$10,000

Councilman Humes made a motion, second by Vice President Winchell to move the monies listed above to Capital Reserves at the close of 2006. The motion carried with all in favor.

- ◆ **Authorization to purchase payroll processing software to bring payroll in house in 2007.**
 Manager Stough reported the staff's dissatisfaction with the current payroll service provider. He also reported that the finance software, MAS90, would no longer be serviced by Hamilton and Musser. The Manager proposed that the Borough move to bring payroll in house for 2007. This would involve the purchase of new finance software. The payroll software would be installed in 2007 with the finance software being in place for January 1, 2008. The cost for the two packages would be \$19,500, \$7,500 in 2007 and the balance in 2008. Vice President Winchell made a motion to approve the software purchase, and asked Manager Stough what took him so long. Councilman Humes seconded the motion, which passed with all in favor.

APPROVAL OF EXPENDITURES PAID:

Councilman Ryder made a motion, Councilman Stoner seconded, to approve the expenditures from September 1, 2006 through September 30, 2006 in the following amounts:

General Fund: \$404,026.39 Highway Aid Fund: \$14,952.89 Capital Improvement Fund: \$194,336.39
 The motion passed with all in favor.

CITIZEN COMMENTS:

Jack Niebert 411 Alison Avenue stated that he did not agree with the 3 to 1 ration for the pool value. He stated that the million dollars, paid out over 20 years is not worth the same as a million dollars paid today. He suggested Council consider a different formula for the calculation.

A discussion followed on the request to transport Santa and Mrs. Claus, with Chief Spotts indicating that he would work to try to accommodate this request, pending agreement with the carriage operator and the Chamber.

EXECUTIVE SESSION:

At 8:47 PM President Whitcomb recessed the meeting into Executive Session on matters of litigation and personnel.

At 10:20 PM President Whitcomb reconvened the public meeting.

- ◆ **Discussion on MMO and possible Police Pension Employee contributions.**
 Councilman Ryder made a motion, second by Vice President Winchell, to institute a 5% employee contribution to the police pension fund beginning 1/1/2007. President Whitcomb called for a vote and the motion passed with six in favor (Humes, McDermott, Ryder, Seagrist Whitcomb, Winchell) and one against (Stoner).

◆ **Tentative adoption and authorization to advertise the 2007 Budgets**

Manager Stough clarified that the tentative budget included the EMS tax being paid as it was this year, with no change. President Whitcomb asked Manager Stough about the % of pay increase for the non contractual employees. Manager Stough noted that most of the increases range from 3% to 4%. After some additional discussion, Councilman Humes made a motion, second by Councilman McDermott, to approve the tentative adoption and advertisement of the 2007 proposed budget. The motion passed with all in favor.

◆ **Consider authorization to allow the gift of sick days from Police Officer to Office Demmy**

Councilman Seagrist made a motion, second by Councilman Stoner, to allow the gift of sick days up to 30 to Officer Demmy from other Police Officers due to his recent surgery and the anticipated additional recovery time. The motion passed with all in favor.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL:

Manager Stough indicated that as a result of the last Liquid Fuels Audit, all Borough Checks will now have two signatures.

ADJOURNMENT:

At 10:37 PM, with no further business to discuss, Vice President Winchell adjourned the meeting.



Jonathan S. Stough
Borough Secretary