

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

January 2, 2007

7:30 PM

CALL TO ORDER:

President Whitcomb called the regular Council meeting to order at 7:30 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, Councilmen Humes, McDermott, Ryder Seagrist, Stoner, Jr. Councilperson Ford, Mayor Ritter, Solicitor Schorpp, Chief Spotts, Chief Seagrist, Manager Stough and Assistant Secretary Boyer.

Also in attendance: David E. Burns, Roger Ciecierski, Bob Dietrich, James & Patrick Eagan, Nancy Hanlon, Lisa & Todd Hardy, Emily Joerg, Scott & Cindy Martin, Paul Melachrinos, Ronald Trace, Jeff Van Boskirk and Darrell Westby.

GUESTS:

Candidates for the open Council seat were invited to address Borough Council.

Lisa Hardy, 404 Cocklin Street, addressed Borough Council about her interest in serving on Borough Council, stating that she would like to be a participant in the community. She noted that she is a registered nurse at Hershey Medical Center in the operating room, having been in nursing for over twenty years. She stated that she would bring practical commonsense values to Borough Council if appointed.

Todd Hardy, 404 Cocklin Street, addressed Borough Council about his interest in serving on Borough Council. Mr. Hardy stated that he is willing and hardworking and has a desire to make Mechanicsburg a better Borough now and in the future.

Paul Melachrinos, 627 West Main Street, addressed Borough Council about his interest stating that he has been a Borough resident for the last five years. He stated that he would bring common sense to the Council, as a resident and parent of the child in the school system; he would like the opportunity to help shape the direction of the Borough. He is a nineteen year employee of Roadway Express.

Scott Martin, 124 East Keller Street, addressed Borough Council, stating that he has lived in Mechanicsburg for six years. He stated that he has grown to love this town and would like the opportunity to become a part of making Mechanicsburg a better place. He stated that he is an Associate IT Director for the Pennsylvania Medical Society in Harrisburg. He stated that he attended Messiah College in 1991 and remained in the area.

Roger Ciecierski, 217 East Locust Street, addressed Borough Council about his interest, stating that he is currently serving the community on the Planning Commission and has served on the Zoning Hearing Board. He stated that he is currently employed as a Civil Land Development Designer for Brinjac Engineering and would appreciate the opportunity to serve.

President Whitcomb thanked all the candidates for being here to address Council this evening.

CITIZENS COMMENTS:

Darrell Westby, 406 Alison Avenue, addressed Borough Council about their agenda item regarding the possible change in fees for using the pavilions at the Borough Parks. He spoke on behalf of the Rotary Club, which uses the Memorial Park pavilion each year for their annual Ox Roast. Mr. Westby indicated that the Rotary cleans up before and after their event and always strives to leave the pavilion area in good condition. The money the Rotary raises from this event goes back into the Mechanicsburg Community through the Rotary's various charitable contributions. Mr. Westby asked that they consider that this is a hardship on organizations such as theirs and keep this in mind when setting fees.

Dave Burns, 119 Victoria Drive, a Rotary representative, addressed Borough Council about his desire to see the fees refunded to the organization, if the pavilion is properly cleaned after use.

ADDITIONS TO AGENDA:

Manager Stough added the following:

- ◆ Councilman McDermott asked that Council take action this evening to authorize two people to attend the Council of Governments annual dinner.

APPROVAL OF AGENDA:

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

CORRESPONDENCE:

Manager Stough reported that a letter was received on December 21<sup>st</sup> from PennDOT stating that they will be creating a four way stop intersection at Shepardstown Road and East Elmwood Avenue.

APPROVAL OF MINUTES:

Councilman Ryder made a motion to approve the minutes of the December 19, 2006 Borough Council meeting as presented. Councilman Stoner seconded the motion, which passed with no dissenting votes.

APPROVAL OF THE MONTHLY REPORTS

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

MANAGER'S REPORT:

No report.

MAYOR'S REPORT:

December 19<sup>th</sup> – Opened the Union Church for a free evening of instrumental Christmas music presented by STILL SIMPLE GIFTS, a six-member ensemble based in Mechanicsburg.

December 21<sup>st</sup> – Attended the Mechanicsburg Chamber of Commerce Holiday Mixer hosted by Greenawalt & Company.

December 29<sup>th</sup> & 30<sup>th</sup> – Officiated a wedding each of these days.

December 31<sup>st</sup> – New Years Eve Wrench Drop sponsored by the Mechanicsburg Chamber of Commerce. Great crowd, great food, great music, blame the rain on the Mayor.

Crime Watch January 8<sup>th</sup> will feature guest speaker Lieutenant Colonel Mark Martin, US Army Reserve.

Trivia Question: Was the Cumberland Valley Railroad operational before the Civil War? What were the years of incorporation and start of operation?

Answer: Yes, Incorporated 1831 and operational 1837.

CHIEF OF POLICE REPORT:

No report.

SOLICITOR'S REPORT:

No report.

ENGINEER REPORT:

No report.

FIRE CHIEF REPORT:

No report.

JR. COUNCILPERSON REPORT:

Jr. Councilperson Ford had no report.

COUNCIL COMMITTEE REPORTS:

**Community Development**– Humes – No report.

**Environmental Committee**- Ryder – Councilman Ryder reported that the Recycling Committee met this evening to discuss recommendations for changes to the refuse contract. Councilman Ryder also reported that the Committee

discussed ways to educate the public about all the items, such as junk mail, magazines and phone books, which can be recycled.

**Finance/Appropriations/Insurance** – No report.

**Fire Committee** –Ryder – Councilman Ryder reported the next Fire Committee meeting is January 24<sup>th</sup> at 7 PM.

**Health/Recreation** –Seagrist – Councilman Seagrist reported that the Winter 06-07 Recreation Program Guide has arrived in mailboxes throughout the school district. The Recreation Commission will meet on January 9<sup>th</sup> at 7 PM. The next meeting of the Joint Recreation Commission is February 22<sup>nd</sup> at 7:30 PM at Elmwood Elementary.

**Highway/Public Safety** – Stoner – Councilman Stoner reported an item is on the agenda this evening.

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

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

**Property/Buildings** – Stoner – Councilman Stoner reported an item is on the agenda this evening.

**Public Communications** – McDermott – No report.

**School Board**- Ryder – No report.

**W.S.C.O.G** – McDermott – No report.

#### **AGENDA ITEMS – January 2, 2007**

- ◆ **Action on the Conditional Use Application of T-Mobile for 43 East Locust Street.**  
Councilman Seagrist made a motion, seconded by Councilman McDermott, to table this until the January 16<sup>th</sup> meeting.  
Solicitor Schorpp asked staff to notify the applicant of the next meeting date and time.
- ◆ **Discussion and Possible Action on the Certificate of Appropriateness for the Amended Application of Donald Steele for Demolition of Two Structures at the Rear of 22 South Market Street.**  
Councilman Humes made a motion, seconded by Councilman Ryder, to approve the Certificate of Appropriateness for the amended application of Donald Steele for demolition on two structures at the rear of 22 South Market Street. The motion passed with all in favor.
- ◆ **Discussion and Possible Action on Resolution 01-2007 Honoring Jack Winchell.**  
Councilman Seagrist made a motion, seconded by Councilman Humes to adopt Resolution 01-2007 honoring former Councilman Jack Winchell for his fourteen years of service to the Mechanicsburg Community. The motion passed unanimously.
- ◆ **Discussion and Possible Action on Resolution 02-2007 honoring the Mechanicsburg High School Band.**  
Councilman Ryder made a motion, seconded by Councilman McDermott, to adopt Resolution 02-2007 honoring the Mechanicsburg High School Band on their recent championship. President Whitcomb read the Resolution into the record. A vote was taken and the motion passed with all in favor.
- ◆ **Discussion and Possible Action on Resolution 03-2007 in Memory of Glenn R. Farner.**  
Councilman Seagrist made a motion, seconded by Councilman Ryder to adopt Resolution 03-2007 in memory of Glenn R. Farner. The motion passed unanimously.
- ◆ **Discussion and Possible Financial Security Deduction for William Goodling.**  
Manager Stough reviewed the memo from Pennoni Associates dated December 29<sup>th</sup>, which recommends that the bond amount for this project be reduced by \$1,941.00 to \$730.90. Councilman Humes made a motion, seconded by Councilman Ryder, to approve the bond reduction in the amount of \$1,941.00 to \$730.90 as recommended by Engineer Barber in his memo dated December 29, 2006. The motion passed with all in favor.
- ◆ **Discussion and Possible Financial Security Deduction for Westhafer Construction.**  
Manager Stough reviewed the memo from Pennoni Associated dated December 29, 2006 which recommends that the bond amount for the Mechanicsburg Commons project be reduced by \$155,233.00 to \$103,862.60. Councilman Ryder made a motion, seconded by Councilman McDermott, to approve the reduction in the bond for Westhafer Construction to \$103,862.60 as recommended by Engineer Barber in his memo of December 29, 2006. The motion passed with all in favor.
- ◆ **Consider Request of Robert K. Danner for a Handicapped Parking Space in Front of his Property at 214 West Allen Street.**  
Chief Spotts indicated that Officer Tim Dyer conducted an interview and review of this application, accompanied by Councilman Stoner. Councilman Stoner reported that both he and Officer Dyer recommend approval of this application. Chief Spotts requested that in addition to the posting of the signage, the curb be painted blue at this location, to clearly indicate the size of the space. He further asked that all the handicapped space curbs be painted by the Highway Department as time permits. Councilman Stoner made a motion, seconded by Councilman Ryder, to approve the handicapped space for Robert Danner at 214 West Allen Street. The motion passed with all in favor.
- ◆ **Discussion and Possible Action on NIMS Compliance Certification.**  
Manager Stough reported that he and Ron Trace met to discuss NIMS compliance. The document distributed to Borough Council needs to be certified by Borough Council and signed by the senior local elected official.

Councilman Ryder made a motion, seconded by Councilman Humes to certify the NIMS compliance of the Borough for 2006 and authorize President Whitcomb to sign the certification document. Councilman Seagrist asked if the certification forms should be retained by the Council members or given to the Borough. Mr. Trace indicated that Council members should keep the original and provide a copy to him for the Borough records which should be kept on file at the Borough Office. After discussion, President Whitcomb called for a vote and the motion passed with all in favor.

◆ **Discussion on Window Replacement at the Senior Adult Center.**

Manager Stough indicated that he received the request for the new windows via a letter. He indicated that the existing windows are thermal pane, but they are requesting storm windows. He noted that if installed, the Highway Department would have to remove and install these windows annually. Manager Stough suggested that the windows be inspected before a decision is made. Councilman Seagrist made a motion to table. Councilman Humes seconded the motion, which passed with all in favor.

◆ **Discussion and Possible Action on Filing the Vacancy on the Shade Tree Commission.**

Manager Stough noted that information on the volunteer's obtained from the recent newsletter article was distributed to Borough Council in the packets on Friday. Sally Holbert has expressed an interest in being appointed to the Shade Tree Commission. Councilman McDermott made a motion, seconded by Councilman Ryder to appoint Sally Holbert to the Shade Tree Commission for a five year term to expire December 31, 2011. The motion passed with all in favor.

◆ **Discussion and Possible Action on Anti-Idling Support.**

Councilman Ryder stated that he plans to attend the Clean Air Board meeting on Thursday to obtain some additional information on the letter of support that they are requesting. Councilman Ryder made a motion to table this until the January 16, 2007 meeting. Councilman McDermott seconded the motion, which passed with all in favor.

◆ **Discussion on Possible Fees for Pavilion Use in 2007.**

Manager Stough explained that he favors a modest fee to cover the cost of maintenance and cleaning of the pavilion areas. Manager Stough proposed a fee of \$50, paid in advance, to insure the use of the facility. Councilman Ryder spoke in favor of having a special rate for non-profit Borough groups. Councilman Humes questioned if there should be a fee structure that was reduced for residents, possibly \$30 for residents and \$50 for non-residents. After some additional discussion, Councilman McDermott made a motion, seconded by Councilman Ryder to table this matter pending a recommendation for the Recreation Commission on the development and implementation of a rental policy for the pavilions.

◆ **Discussion on Intergovernmental Pool Agreement.**

Councilman Seagrist reported that he discussed the agreement with a member of the Upper Allen Township Board of Commissioners and they are making some final revisions and will be in touch with Borough Council in the future regarding the agreement. Councilman Seagrist asked that this be placed on the next Council agenda.

◆ **Discussion on Interview Process for Filling of the Council Vacancy.**

Manager Stough was directed to advertise a special meeting of Borough Council for public interviews of candidates to fill the Council vacancy on January 11<sup>th</sup> at 6 PM.

◆ **Discussion on Election of a Vice President for Borough Council.**

After discussion, it was decided to wait until a future meeting to entertain nominations for Council Vice President.

◆ **Authorization for Two Delegates to Attend the COG Dinner.**

Councilman Humes made a motion, seconded by Councilman Stoner, to appoint Councilmen McDermott and Ryder as the delegates to the annual Council of Governments dinner. The motion passed with all in favor.

CITIZEN COMMENTS:

President Whitcomb asked if there were any citizens that wished to comment and there were none.

ANY OTHER BUSINESS:

There was none.

EXECUTIVE SESSION:

At 8:15 PM President Whitcomb recessed the public meeting to an Executive Session on a personnel matter, with possible action and a matter of potential litigation.

At 9 PM, President Whitcomb reconvened the public meeting.

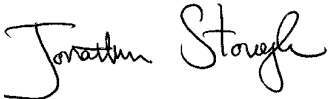
Councilman Ryder made a motion to approve entering into the settlement of the police union grievance with mutual waiver of the time periods under the grievance procedure to allow a written document to be drafted and reviewed by both labor attorneys prior to the first payroll of 2007, with the terms of the settlement to include:

- Contributions for 2007 would be at 4%. Based on estimates of 2007 payroll, this would provide for enough revenue to offset the 2007 MMO payment that is due.
- Member contributions would be pre-tax.
- Article XI, Section A, which states, in part “Such plan shall provide officers with all benefits allowed under Act 600.” shall remain in the contract, but the union agrees that if there are any changes to Act 600 prior to the end of this contract, they will not file a grievance for those benefits.
- The request for excess benefits will be granted for Bradley and Pellman. All other officers would gain the benefit if the following occurs:
  - After the actuarial study is completed (based on the January 1, 2007 figures) the amount owed for the 2008 MMO would be less than the State Aid received for the police pension fund. Any monies received for the non-uniform pension fund would not be considered in this situation.
- If the 2008 MMO is still higher than the State Aid received for 2008 (for the police pension fund only), the plan would be deemed to be “not fiscally sound” and the benefit would not be extended to any other officers, except for Bradley & Pellman, for the life of the current contract and the union would have to negotiate for the benefit in the next contract.

Councilman McDermott seconded the motion, which passed with five in favor (Humes, McDermott, Ryder, Stoner, Whitcomb) and one against (Seagrist). Manager Stough will advertise the Council meeting of January 11, 2007 for additional business to allow Council to take action on the Pre-Tax Resolution prior to the check date of the first payroll.

ADJOURNMENT:

At 9:09 PM, President Whitcomb adjourned the meeting.



Jonathan S. Stough  
Borough Secretary