

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

March 20, 2007

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, Vice President Ryder, Councilmen Ciecierski, Humes, McDermott, Seagrist, Stoner, Jr. Councilperson Ford, Solicitor Schorpp, Mayor Ritter, Chief Spotts, Chief Seagrist, Manager Stough, and Assistant Secretary Boyer.

Also in attendance: John Anthony, Tom Burson, Marty Coover, Bob Dietrich, Keith Hensel, Rick Rovegno, Charlie Sheriff and Ron Trace.

GUESTS:

None

CITIZENS COMMENTS:

Keith Hensel, 18 East Keller Street, thanked Council for their response to his request to open a fire hydrant and storm drain last month after the snow. He then asked Borough Council if they were going to be discussing the Noise Ordinance, tabled last year, at a future meeting. President Whitcomb responded that it is not scheduled for discussion on a future agenda at this time.

ADDITIONS TO AGENDA:

Manager Stough asked that the Wrench Drop Special Event Application be added to the agenda along with the banner request for that event. The application was received at the Borough Office today.

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 received:

- ◆ The placard was received today from Treva Short for her handicapped parking application, so that will be added to the next agenda.
- ◆ An e-mail was received on the Anti-idling law today, which was forward to Borough Council.
- ◆ An e-mail was received and forwarded regarding the award of the \$25,000 LUPTAP Grant for Zoning and Subdivision revisions.
- ◆ A letter was received from Central Tri-County Borough's Association regarding the next meeting which will be held on April 24th in Greencastle. Deadline for registration is April 17th.

APPROVAL OF MINUTES:

Councilman Stoner asked that the minutes be changed to reflect adjournment being made by Vice President Ryder, not President Whitcomb. Councilman Stoner made a motion to approve the corrected minutes of March 6, 2007. Councilman Ciecierski seconded the motion, which passed with all in favor.

MONTHLY REPORTS:

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

MANAGER'S REPORT:

Manager Stough reported that Chris Knarr, Planning Commission member, video taped the entire town's streetscape. It is on seven disks, and it gives a lot of detail of facades and will be a great tool and the Manager thanked Mr. Knarr for his hard work.

MAYOR'S REPORT:

March 9th – Officiated a wedding at the Mayor's Office.

March 12th – Crime Watch speaker was Captain Mike Mills of the Mechanicsburg Fire Police. A tip of the hat to the all

volunteer fire police here in the borough and surrounding townships.

- March 15th – The Hummel Miniature Flea Circus entertained at the Cosmopolitan Club Dinner held at the Navy Officer's Club. The Cosmopolitan Club is a service club dedicated to finding a cure for diabetes.
- March 17th – Presented a Citation from the Mayor's office and a key to the city to Benjamin Knisely at this Eagle Scout Court of Honor. Troop 283 of St. Mark's Lutheran Church awarded the Eagle Scout Rank.
- April 9th – Crime Watch guest will be Bill Castle of Castle's K-9 Inc. Bill works with state and federal agencies and is known internationally for drug detection dogs and dog training. These one hour meetings are held at the Sr. Citizens Building on West Portland Street starting at 7:00 PM should be dog gone good meeting.

Trivia Question: The Mayor displayed an item and asked what is it used for?

Answer: ACT – Advanced Coatings Technologies on West Allen Street powder coats these parts used as exhaust manifolds on Harley Davidson Sportster motorcycles. ACT – Advanced Coating Technologies had a major fire on March 30th 2006. Joey Turri, the owner told the Mayor that he was up and running five weeks after the fire and now one year later is running at 100% thanks to a tireless robot and a great work crew.

CHIEF OF POLICE REPORT:

Chief Spotts reported receiving letters of commendation for Lt. Myers and Officers Dyer and McCreary. The application deadline for the new police officer position is this Friday and at this time there are 69 applicants for the position. Officer Rodney Temple has completed field training.

SOLICITOR REPORT:

No Report.

ENGINEERS REPORT:

No Report.

FIRE CHIEF REPORT:

Chief Seagrist reported that the Standard Operating Guidelines for the Fire Departments was distributed this evening and will be on the agenda for Council consideration next meeting. Chief Seagrist thanked Vice President Ryder for his hard work on this project which has been ongoing for over two years.

JR. COUNCILPERSON REPORT:

Jr. Councilperson Ford had no report.

COUNCIL COMMITTEE REPORTS:

Community Development – Humes – Councilman Humes reminded everyone that the Comprehensive Plan Public Meeting is scheduled for March 29th at 7:30 PM, here in the Council Chambers of the Municipal Center.

Environmental/Recycling Committee – Ryder – Vice President Ryder reported that today Channel 21 interviewed some residents and himself about recycling in the Borough and it was on the 5 PM news. An e-mail was received advising the Environmental Advisory Council of a grant award to aid in the labeling of storm sewers in conjunction with the Chesapeake Bay program. A request was received asking each municipality to consider adopting their own anti-idling ordinance in the future.

School Board – Ryder – Councilman Ryder reported that Jen Nauss, former Jr. Councilperson was on the MASH Memory team that competed in New York and won 1st place in the National Competition. Councilman Ryder will prepare a Resolution for the next meeting for the MASH Memory Team.

Finance/Appropriations/Insurance – Whitcomb - No report.

Fire Committee – Stoner – No report – Councilman Stoner reported that the Fire Committee will meet tomorrow night.

Health/Recreation – Seagrist – Councilman Seagrist reported that the Recreation Commission met last Tuesday, March 13th and discussed a variety of issues. Councilman Seagrist thanked Manager Stough and Mr. Yinger for attending and answering questions that the Recreation Commission had regarding the parks. The Recreation Commission approved the Bonnets in the Borough flyer. Councilman Seagrist reported that he pool is scheduled to open with a \$27,000 surplus in the budget and financials should have been in Council packets last Friday. President Whitcomb stated that a copy was received, however, the dates appear to be incorrect, however, it is probably just a typographical error. The Recreation Commission is exploring the purchase of a new pool vacuum. The pool will open the weekend of May 26th – 28th and will be closed at a date to be determined in August. Community Day at the Pool has been set for June 16th and a Park Tour is scheduled for Saturday March 24th at 1 PM at Koser Park. The next Recreation Commission meeting is April 10th at 7 PM. The Great PA Clean Up is scheduled for April 24th at the Municipal Center from 9 AM to 12 PM. The next Joint Recreation Commission meeting is May 24th at 7:30 PM at Elmwood Elementary School. Manager Stough stated that he has spoken to Craig Yinger and the park tour will be postponed until the park dries out, so the field conditions can be assessed. An e-mail was sent out today to the Recreation Commission postponing the tour.

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

Loan Review Committee- Humes – No report.

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

Property/Buildings – Stoner – No report.

Public Communication – McDermott – No Report

W.S.C.O.G. – McDermott – Councilman McDermott stated that COG met last night and set Trick or Treat for 2007 as the last Thursday of October, however, the Borough is free to stay with the 31st. Councilman McDermott stated that legislation will be introduced tomorrow to restore funding for County recycling programs.

AGENDA ITEMS – March 20, 2007

◆ **Consider Approval of Certificates of Appropriateness for the Following Applications:**

1. Thomas & Emily Joerg – 43 East Locust Street for window replacement.

Councilman McDermott, made a motion, second by Councilman Ciecierski, to approve the Certificate of Appropriateness for a window replacement at 43 E. Locust Street. Vice President Ryder asked if this work was done prior to the application being submitted to the HARB. Manager Stough stated that the work was completed before the application was received. Vice President Ryder voiced his objection to approving these applications when the work was done without the Certificate of Appropriateness Application being received and reviewed. Manager Stough stated that the HARB has the ability to review the application and make a determination if this work would have been approved. If the work would have been approved, then the HARB is recommending to Council approval of the Certificate, if however, the work would not have been approved, as with the sandblasting, then the application can still be denied and enforcement action can still be taken. Manager Stough explained that this also happens with Building permits, some people begin a project without a permit and the work must be stopped until a permit can be obtained, however, the permit can not be denied just because the work was started prior to the permit being applied for by the resident. Boyer noted that the application was tabled by the HARB and applicant was asked to produce pictures of the building prior to the new window installation, to aid the Board in determining if this change would have been approved. After reviewing the photographs, the determination was made that the window replacement would have been recommended for approval. Councilman Humes stated that she is in agreement with Vice President Ryder that we must try to educate the residents to apply prior to making changes to their structures. With no further discussion, the motion passed with all in favor.

2. Joseph A Underkoffler – 41 West Simpson Street for window boxes.

Councilman Ciecierski made a motion to approve the Certificate of Appropriateness for Joseph A. Underkoffler for window boxes at 41 West Simpson Street. Vice President Ryder seconded the motion. Councilman Stoner asked why an item so minor needed to be reviewed. Manager Stough explained that the flower boxes would be affixed to the face of the building, unlike a planter which would be placed on a porch or sidewalk area, therefore it does require review. The motion passed with all in favor.

3. Commonwealth Civil War Trail Program – Wayside Marker, southeast corner of Market & Main Streets

Manager Stough explained that Council needs to also take action to approve the placement of the marker on Borough owned property this evening. Vice President Ryder made a motion, second by Councilman McDermott, to approve the Certificate of Appropriateness for a sign at the southeast corner of Market and Main Streets in front of PNC Bank, which will be a wayside marker for the state wide Civil Trails Initiative. Councilman Humes asked if a copy of the text that would be on the marker was included and Manager Stough stated that it was not. The motion passed with all in favor. Discussion followed on the design and placement of the marker. President Whitcomb asked where the marker would be placed, and Manager Stough indicated that had not yet been determined. Vice President Ryder made a motion, second by Councilman Stoner, to approve the placement of the wayside marker in front of PNC Bank at a location to be approved by Borough staff. The motion passed with all in favor.

4. Rovegno Real Estate Partners – 133 West Locust Street for a carport and arborvitae screening.

Vice President Ryder made a motion, second by Councilman Ciecierski, to approve the Certificate of Appropriateness for a carport and arborvitae screening at the existing parking area behind School House Apartments on West Simpson Street. The motion passed with all in favor.

◆ **Consider acceptance of the time extension offered by Michael Martin for his Land Development plan at 53 North York Street through June 30, 2007.**

Councilman Seagrist made a motion, second by Councilman Ciecierski, to accept the time extension for the Land Development Plan of Michael Martin, David's Furniture, for his Land Development Plan at 53 North York Street through June 30, 2007. The motion passed with all in favor.

◆ **Consider Resolution 09-2007 in memory of Elmer Adams.**

Vice President Ryder made a motion, second by Councilman Seagrist, to adopt Resolution 09-2007 in memory of Elmer Adams. The motion passes unanimously.

◆ **Consider adoption of Allendale Road truck restriction Ordinance 1092.**

Councilman Humes made a motion, second by Councilman Ciecierski to adopt Resolution 1092. The motion passed by a roll call vote as follows:

Ciecierski	Yea	Ryder	Yea	Whitcomb	Yea
Humes	Yea	Seagrist	Yea		
McDermott	Yea	Stoner	Yea		

- ◆ **Consider the request of the Mechanicsburg Chamber to close South Market Street for Market Street Festival October 20, 2007 from 7 AM till 11 PM.**
 Chief Spotts stated that he has not received the additional information requested from the Chamber. Vice President Ryder made a motion, second by Councilman McDermott to table this until the additional information is received. The motion passed with all in favor.
- ◆ **Consider request of New Hope Ministries for a walk to be held on April 29th through Memorial Park.**
 Councilman McDermott made a motion, second by Vice President Ryder, to approve the request of New Hope Ministries for a walk to be held on April 29th through Memorial Park. The motion passed with all in favor.
- ◆ **Consider request of the Mechanicsburg Chamber Wrench Drop Committee for a banner across East Main Street from December 1, 2007 through January 3, 2008 and road closure for 2008.**
 Chief Spotts had some questions, regarding the Wrench Drop event, so Vice President Ryder made a motion, second by Councilman Humes to table this until the Chief can review and request some additional information.
- ◆ **Discussion on site distance survey at the intersection of Alison Ave. and Darla Road.**
 Manager Stough reviewed the information received from the Borough Engineer with Borough Council. Councilman Stoner stated that he feels more information is required before a decision can be made. Councilman Stoner made a motion, second by Councilman Seagrist to table. The motion passed with all in favor. Manager Stough stated that he will check with Upper Allen Township to see if they have any concerns about the proposed parking changes at this location. A lengthy discussion followed on the “removed” stop sign at the westbound intersection on Alison in Upper Allen Township.
- ◆ **Discussion on the intermunicipal pool agreement.**
 Councilman Seagrist thanked the Solicitor for making the changes requested by Borough Council. Councilman Humes stated that there are still two number 9’s in the most recent copy. Manager Stough stated that a \$10,000 grant towards the pool upgrades was received. He then gave an update on the pool renovation project costs, stating that Borough committed \$228,000 to the pool renovation project. The Borough also contributed an additional \$418,000 over the original contribution of the \$228,000. Since the grant monies have started to come in, \$73,000 has been reimbursed to the Borough General Fund. The Borough still has an additional \$345,000 due the Borough General Fund from the pool renovation account. A grant reimbursement of \$180,000 is anticipated to be coming from DCNR. Councilman Humes asked how much is still due in Campaign Pledges. Boyer indicated that about \$200,000 in pledges is still outstanding. Councilman Humes asked if the Upper Allen’s 2006 pledge was received and Councilman Seagrist responded that the payment is being held pending a final agreement. Councilman Seagrist asked that the Solicitor make the changes and distribute a clean copy to Borough Council for review and for Councilman Seagrist to forward to Upper Allen for review.
- ◆ **Discussion and possible action on a policy to mandate criminal background checks and related clearances for Act 34 for all employees and volunteers who assist with activities on Borough grounds.**
 Councilman Seagrist stated that the Recreation Commission discussed the use of Borough facilities by organizations that do not mandate background checks on their volunteers. Of the five applications for field use received, two organizations stated that they do not require criminal background checks for their volunteers. The one application that did not require background checks is from the Upper Allen Baseball Association and the other one is from the Mechanicsburg Soccer Club. The Recreation Commission is asking Borough Council if it is necessary for the Council to put the requirement for criminal background checks for volunteers using Borough facilities in writing. After much discussion on the matter, President Whitcomb asked if the Council policy was going to be that all groups must provide original criminal background checks, to be copied, for all volunteers working with children at Borough facilities during sporting events or activities for children at the park and pool. Councilman Seagrist made a motion to require criminal background checks be required and on file for all volunteers with groups that would be engaging in sporting or other organized events for children at the pool, field or park facilities. Vice President Ryder seconded the motion, which passed with all in favor.
- ◆ **Discussion and possible action on the establishment of 2007 Season Pool Rates.**
 Councilman Seagrist reported that the Recreation Commission would like Council to take action to have the pool rates for 2007 remain the same as last year, and reviewed the rates with Borough Council. Councilman Ciecierski made a motion, second by Vice President Ryder, to set the 2007 pool rates the same as last year. Councilman Humes stated that she felt the day rate is high for residents and would like to see a resident day rate or an evening or ½ day rate. Manager Stough noted that the Recreation Commission could look at an evening or ½ day rate, between now and the time the pool opens. Councilman Humes asked that Councilman Seagrist check with the Recreation Commission on the evening rate and report back to Borough Council. After discussion a vote was taken and the motion passed with all in favor.

- ◆ **Discussion and possible action on awarding the printing bid for 2007 Season Pool passes.**
Councilman Seagrist reported that the Recreation Commission would like to contract with Franklin Printing for printing of the pool passes for \$408.51. Councilman Ciecierski made a motion, second by Vice President Ryder, to authorize the use of Franklin Printing for the pool passes. The motion passed with all in favor.
- ◆ **Discussion and possible action on approval of pool employee salaries for 2007 season.**
Councilman Seagrist reported that the Recreation Commission is recommending that the salaries remain the same as they were last year, with the second year lifeguards starting salary at \$8.00 per hour and clerks for their second year or longer would make \$6.50 per hour. Councilman Ciecierski made a motion, second by Vice President Ryder, to approve the salaries for the 2007 pool employees as submitted by the Recreation Commission.
- ◆ **Discussion on appointment of a Recreation Commission member to fill a term expiring December 31, 2007.**
Councilman Seagrist reported that the Recreation Commission made a recommendation of Michael Michaliszyn to be appointed to the Recreation Board. Vice President Ryder made a motion, second by Councilman Ciecierski, to appoint Michael Michaliszyn, to the Recreation Board for a term that expires December 31, 2007.
- ◆ **Discussion on deduct meters.**
Manager Stough reported that Ron Adams, Wastewater Superintendent, has spoke to Derry Township and they only use deduct meters for commercial customers and he was able to find no other municipality other than Silver Spring that is using deduct meters for residential service. Manager Stough asked for direction from Council on how to proceed with this matter. Vice President Ryder stated that he was told some of Silver Spring is still on well water, so meters had to install to track sewer flows and that was how they started their program. Councilman Ciecierski stated that he checked with the environmental department at BrinJac and they are unaware of residential deduct meters in any of the other municipalities in the area. President Whitcomb directed the Manager not to research the matter any further.
- ◆ **Discussion on EMS/LST tax memo received from West Shore Tax Bureau.**
Manager Stough opened the floor for discussion on the Local Services Tax. Councilman Humes asked if Mechanicsburg could approve something that would exclude people under 18 and over 65 from the tax. After discussion, it was decided to wait to make any changes until the current legislation is voted on at the State level.

APPROVAL OF EXPENDITURES PAID: Councilman McDermott made a motion to approve invoices and expenditures paid from February 1, 2007 through February 28, 2007. Councilman Stoner seconded the motion, which passed with all in favor. General Fund: \$186,076.59 Highway Aid Fund \$9,962.25 Capital Fund: \$7,902.81

CITIZEN COMMENTS:

Tom Burson, 400 Alison Avenue, requested a copy of the Engineer's site study for Alison Avenue and Council provided him with that information.

EXECUTIVE SESSION ON PERSONNEL MATTER WITH POSSIBLE ACTION

At 8:50 PM President Whitcomb adjourned into Executive Session.

At 9:00 PM President Whitcomb reconvened the meeting and opened the floor.

Chief Spotts requested that Council consider a motion to approve to have Officer William Demmy return to work, under the light duty provisions outlined in the agreement offered by the Police Bargaining Unit and reviewed by the Borough Labor Counsel. Councilman Ciecierski made a motion, second by Councilman Stoner, to accept the light duty agreement for Officer William Demmy, as presented. The motion passed with all in favor.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL:

Councilman Humes asked if Council needed to discuss the memo from Gannett Fleming on nitrogen and phosphorus removal. Manager Stough indicated that the memo is just an update on the status, and no action is needed at this time. Vice President Ryder noted that the Compost Site is awesome and everyone should stop up and see the facility. Manager Stough stated that at this time, only residents can use the Compost Facility, but in the future, the Borough may be able to accept materials from commercial haulers, for a fee. Mayor Ritter reported that he is working on Snow Emergency Guidelines. Councilman Seagrist reported that the check presentation from the Chamber to the Recreation Commission at the Easter Egg Hunt will be held at 10:30 AM not 10:45 AM as originally reported.

ADJOURNMENT:

At 9:10 PM, with no further business to discuss, President Whitcomb adjourned the meeting.



Jonathan S. Stough, Borough Secretary