

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

October 16, 2007

7:30 PM

CALL TO ORDER:

Vice President Ryder called the regular Council meeting to order at 7:30 PM.

PLEDGE OF ALLEGIANCE:

Vice President Ryder led those assembled in the Pledge of Allegiance to the Flag.

ROLL CALL: Roll call was taken with the following present: Vice President Ryder, Councilmen Ciecierski, Humes, McDermott, Seagrish, Stoner, Mayor Ritter, Solicitor Schorpp, Chief Spotts, Chief Seagrish, Manager Stough and Assistant Secretary Boyer. President Whitcomb & Jr. Councilperson Ford were absent.

Also in attendance: Sandy Addams, John Anthony, Greg Bartikoski, Richard Coyne, Raelene Gabriel, Jack Neibert, John Rupp, Ron Trace and Tim Williams

GUESTS:

There were none.

CITIZENS COMMENTS:

Vice President Ryder welcomed everyone and opened the floor for citizen comments.

Richard Coyne, 706 Alison Avenue, addressed Borough Council regarding the recently awarded refuse contract, with the four, 32 gallon container limit per household. Mr. Coyne stated that he was upset with the four bag limit on solid waste; he feels that it is not enough refuse to serve a family. Mr. Coyne asked what he will have to do to place more than four bags out. Vice President Ryder stated that he would have to buy additional bags, if four bags are not enough. Mr. Coyne asked what the rate was for additional bags. Manager Stough stated that the additional cost per bag is \$3.00. Mr. Coyne stated that he has a large family and puts out ten (10) bags per week. Councilman Ryder asked Mr. Coyne if he was recycling the items that he could. He stated that he is recycling and he stated that he also mulches his grass clippings. Vice President Ryder reviewed the types of items that can be recycled, and which items can not be recycled. Councilman Humes noted that you can have a 32 gallon trash can and place several smaller bags inside it and it still is considered 1 bag or container. Mr. Coyne stated that they have eight (8) people in the house, so the 128 gallons of refuse may still not be enough to serve his family. Vice President noted that he has been trying to recycle paper and this has helped to reduce the trash he is generating. Mr. Coyne stated that he does shred his paper. Councilman Humes suggested that he use a Kraft Leaf Bag to recycle paper, which can be purchased at the Giant or Ritter's.

John Rupp, 133 West Main Street, addressed Borough Council regarding the refuse bag limit. Mr. Rupp stated that he disagreed with the way in which Borough Council went about making the change to the bag limit. Mr. Rupp stated that he does not feel that Council should be able to re-vote an issue that was already decided. He stated this item should have been included on the October 2nd agenda. He stated that Council did not give the people that put them into office an opportunity to express their feelings. Mr. Rupp stated that the Borough has offered unlimited trash service for years and for the times that a resident may want to clean out their basement and the price for the extra bags is ridiculous. Mr. Rupp stated that in his opinion this does not save residents money.

Tim Williams, 704 Central Street, asked how often the Borough website is updated. Manager Stough stated that he uploads the minutes by the end of the week after the meeting; however, it is not at the top of his priority list. Mr. Williams stated that the minutes list ends in August. Manager Stough stated that the September items are there, but the link has not been added to the page. Mr. Williams stated that many residents are going to be surprised and upset over the change to a bag limit. Mr. Williams compared the actions of Borough Council to the legislative pay raises that were repealed. Mr. Williams stated that this matter was voted on and was not included in the October 2nd agenda, not giving residents any notice that there may be a change in the decision. Mr. Williams stated that he recycles; however, he has a great deal of refuse to dispose of. He asked who would be monitoring the bags placed curbside and who would be collecting the additional \$3.00 per bag. Manager Stough explained that residents would need to purchase an additional orange bag from the Borough Office to place additional trash in if they have more than three bags. Mr. Williams stated that this decision was not thought through by Borough Council, and residents were not given the opportunity to ask questions. Mr. Williams asked to see the by-laws for Borough Council. Manager Stough clarified that the Borough Council is governed by the Borough Code, not by-laws and that code is on the

website. He further stated that the PA State Borough's Code regulates the actions of municipal officials and that can be found at the Pennsylvania State Association of Boroughs website. Councilman Seagrist stated that Council uses Roberts Rules of Order. Mr. Williams stated that as more residents find out what happened and how it happened, there are going to be more questions coming to Borough Council. Vice President Ryder stated that the four bag option is less expensive than unlimited. Mr. Williams stated that even the unlimited would be cheaper than the current rate and was corrected as both the 4 bag limit rate and the unlimited rate are more than the current refuse collection rate. Mr. Williams asked about additional bag purchase and was informed he would need to come into the Borough Office for the additional bags. Mr. Williams stated he is not able to come into the Borough during business hours. Mr. Stough stated that bags could be dropped off to the resident and the charge could be added to the next bill, if the circumstances warrant that type of service. Currently staff is doing that for some of the elderly residents that can not come into the office to pick up their orange bags. Mr. Williams stated he feels this matter was handled poorly, and he felt betrayed by the individuals who he helped to elect.

Councilman Seagrist stated that he would like to address the question about how an item can be revisited after it has been voted on. Councilman Seagrist stated that at every meeting there is an item "additions to the agenda" on the agenda for Council to be able add items to the agenda that are time sensitive and require action before the next meeting. Councilman Seagrist stated that since every meeting was changed to a voting meeting and the workshop has been eliminated, it does not give Council time to consider issues before they vote them. Councilman Seagrist suggested that Borough Council go back to one voting meeting per month when they reorganize in January. Councilman Seagrist stated that it seems to make sense to go with a bag limit because the survey conducted by the recycling committee indicated that only a small number of residents are going to be adversely impacted by this change to a four bag limit, and there was a time constraint to get the contract executed. Mr. Williams stated that he felt that Council should have tabled the issue at the last meeting, to allow residents to give comments before a decision was made. Councilman Seagrist stated that he was surprised that he did not hear from any of the residents here this evening prior to the contract award in September. Mr. Williams stated that he felt it would remain the same, given Council's actions in the past.

Vice President Ryder stated that the Recycling Committee has been out looking at the refuse and recycling in Mechanicsburg, and they were looking at the number of bags residents were placing curbside and found most residents have two or three bags, and less than 10% had more than four bags. Vice President Ryder stated that what these residents were asking is for 90% of the residents to pay more every quarter, so that 10% of the residents could place more than four bags to the curb each week. Vice President Ryder stated that Council felt that 90% of the residents could be served by the 4, thirty-two gallon trash pick up with the one bulk item each week and save some money. Additional discussion followed about what is currently picked up by the hauler. Manager Stough noted that there was a lot of discussion in September on the proposed four bag limit and there were no residents present to speak against the bag limit. He also stated that many items such as events are added to the agenda the night of the meeting, when the information is not received in time to place it on the agenda in advance. Items are added to almost every meeting agenda.

ADDITIONS TO AGENDA:

Manager Stough added the Special Event Permit request for the annual Crop Walk and changed the COA for Jason Powell to include chimney repointing.

Chief Spotts added approval to hire Nathaniel A. Grove as a Community Service Officer.

APPROVAL OF AGENDA:

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

CORRESPONDENCE:

Manager Stough reported:

- ◆ Receipt of a letter from the Wildcat Foundation thanking Borough Council for allowing the banner advertising the Fall Festival to be placed over Main Street and thanking Leslie Hocker for the coordination of the arrangements.
- ◆ A letter was received from the Shade Tree Commission inviting Borough Council to a tree dedication ceremony on October 27th. The Shade Tree Commission is planting a tree in honor of Roger Kitchen's service to the Commission. 9 AM
- ◆ A letter was received from the Upper Allen Township Commissioners appointing Paul Rigney and Pete Ramsey to the Joint Pool Committee.
- ◆ An update was received from the PMAA on the Chesapeake Bay Tributary Strategy plan for sewage treatment plants in the Chesapeake Bay Watershed.

APPROVAL OF MINUTES

Councilman Ciecierski made a motion to approve the minutes from the September 18, 2007 Borough Council meeting with the corrections previously noted. Councilman Stoner seconded the motion, which passed with no dissenting votes.

APPROVAL OF THE MONTHLY REPORTS

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

MANAGER'S REPORT:

No Report

MAYOR'S REPORT:

- October 3rd – Attended the Broad Street Elementary Walk to School Day with Chief Spotts.
Eleventh annual Breakfast for elected and school officials at the Joseph T. Simpson Public Library.
Learned about library usage, services and programs.
- October 5th – the Mayor was guest speaker at the West Shore Rotary Club. They got the why Mechanicsburg is a Great place to live talk.
- October 6th – Officiated a wedding
Read to children at the Joseph T. Simpson Public Library Fall Harvest Day.
- October 8th – Crime Watch Meeting – thanks to Constable Hessen for escorting the speaker. Best attended meeting in ten year history.
- October 9th – A rainy Halloween Parade, thanks to all who helped or took part.

Trivia Question: How many bricks were used to build the traffic calming cross walks at the square?

Answer: None, they are poured epoxy and gravel, then stamped to look like brick.

CHIEF OF POLICE REPORT:

No report

SOLICITOR'S REPORT:

No report.

ENGINEER REPORT:

No report.

FIRE CHIEF REPORT:

Chief Seagrist reported that there was a structure fire at 503 Darla Street while the residents of the structure were on vacation. A walker reported the fire. The first preemption device was installed in Engine 128 and it was tested out on the Carlisle Pike. Chief Seagrist presented Borough Council with a Residential Fire Safety Institute Life Safety Achievement Award, for the third year in succession.

JR. COUNCILPERSON REPORT:

Absent

COUNCIL COMMITTEE REPORTS:

Capital Area COG- McDermott – Councilman McDermott reported met last night and the closing of the Humane Society, West Shore Shelter was discussed as well as the nitrogen reduction for the Chesapeake Bay. The budget for 2008 was reviewed and passed. Manager Stough asked that the COG discuss Trick or Treat night for 2008 prior to the end of 2007. Councilman McDermott states that they are leaving this up to the individual municipalities.

Community Development- Humes – Councilman Humes reported that she attended the Elected Officials Breakfast at the Library on October 3rd and was impressed by the number of residents using the library. Councilman Humes stated that it is very fortunate for our community that the Library, which services Monroe, Upper Allen, Shiremanstown, and Silver Spring, is located in the Borough. She stated that the library is grateful to Mechanicsburg Borough and the other municipalities for their financial support of the library programs. Councilman Humes stated that Cumberland County has the highest per capita usage of the library of any County in the State of Pennsylvania.

Environmental Committee- Ryder – Vice President Ryder reported met tonight and discussed the rain garden project, which is being undertaken by an Eagle Scout. The garden will be located at the retention pond next to the

Compost site. The project will help to limit soil erosion, control run off and help to create an environment for wildlife and limit the mosquitoes at the site.

Ordinance/Administration/Legislative Action – Humes – No Report

Finance/Appropriations/Insurance – Whitcomb – Manager Stough stated that President Whitcomb would like to schedule a Finance Committee meeting the last week of the month to discuss the budget. Manager Stough reported that the budget will be out to Council in packets next Friday, October 26th. The Civic presentation will be heard by Council on November 5th and the budget will be considered for advertisement at the November 20th meeting. The meeting was scheduled for October 30th at 8 AM.

Fire Committee –Stoner – No report

Health and Recreation – Seagrist – Councilman Seagrist reported that the Recreation Commission met on October 10th and received a recap of the summer recreation programs from the Recreation Director. The reports were sent out to Borough Council in last weeks packets. The attendance for programs at Mechanicsburg two public parks continued their downward slide. For 2007 there were 67 individuals registered for programs at the parks and 1,135 people using the parks during the peak season of 2007. The summer program statistics indicate the participation was down to 437 participants for 2007 compared to 543 in 2006. The Recreation Commission approved the pool and park account for the 3rd quarter of 2007. The budget showed that the pool was over budget for salaries, but the pool had a surplus for 2007 of \$46,000. Summer Adventure Camp showed an increase in attendance of 6% for 2007 with a total of 193 campers. The next Recreation Commission meeting is scheduled for Tuesday November 15th at 7 PM and the next Joint Recreation Committee meeting will be held November 29th at 7 PM at Elmwood Elementary. Vice President Ryder asked Councilman Seagrist about the gain of \$46,000 dollars, as he sees a loss of \$5,000 as he reviewed the operations statement. Vice President Ryder questioned how the budget is prepared, and why the salary line items were so under budgeted. Councilman Seagrist explained that the Recreation Department was having a problem with lifeguard retention, so after the budget was approved, the pool committee asked to increase salaries for pool staff to help with the retention problem. Manager Stough clarified that there was a \$1,350 dollar profit, however, after water usage is billed, the pool will be at break even for the season. Councilman Ciecierski noted that the Regional bike and pedestrian trails committee is meeting November 5th at Lower Allen Township to begin to look at layout for trails. Ciecierski stated anyone with ideas on trail locations should get the information to him prior to the meeting.

Highway/Public Safety – Stoner – Councilman Stoner numerous calls on the refuse contract and are concerned about refuse being left on the street.

Loan Review Committee - Humes – No report.

Ordinance Administration – Humes – Councilman Humes reported that a report was received from EPD on upcoming Zoning issues.

Property/Buildings –Stoner –Councilman Stoner reported that as part of the paving down Marble Street, several handicapped parking spaces were added to serve Koser Park, off Chestnut Street. Chief Seagrist stated that a lane needs to be allowed open as this area is used as a landing zone for emergency aircraft.

Public Communications – McDermott – Nov 9th is the deadline for the next edition of the newsletter. Councilman McDermott directed staff to go out for quotes for the printing of the 2008 editions of the newsletter. The COG is still exploring the idea of televising local government meetings and a meeting will be held this Thursday.

School Board- Ryder – Ryder – No report.

AGENDA ITEMS – October 16, 2007

◆ **Consider approval of Certificates of Appropriateness for the following applications:**

1. **Fred Neil Fetzer – 617 W. Main Street – garage construction.**

Councilman Ciecierski made a motion to approve the Certificate of Appropriateness for Fred Neil Fetzer for construction of a garage at 617 W Main Street. Councilman McDermott seconded the motion, which passed with all in favor.

2. **Jason Powell – 8 W. Simpson Street – roof replacement and chimney repointing**

Councilman McDermott made a motion to approve the Certificate of Appropriateness for Jason Powell for roof replacement and chimney repointing at 8 W Simpson Street. Councilman Stoner seconded the motion, which passed with all in favor.

3. **Alberta Cook – 63 W Main Street – light replacement.**

Councilman Ciecierski made a motion to approve the Certificate of Appropriateness for Alberta Cook for exterior light replacement 63 W Main Street. Councilman McDermott seconded the motion, which passed with all in favor.

◆ **Discussion and possible adoption of Ordinance 1100 enacting permit parking on a portion of South Broad Street.**

Councilman Seagrist made a motion, second by Councilman McDermott to adopt Ordinance 1100 as presented. A roll call vote was taken and the motion passed as follows:

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

- ◆ **Discussion and possible action on the request of Barbara Kendall for a handicapped parking space at 110 E. Locust Street.**
Councilman Stoner made a motion, second by Councilman McDermott to table the handicapped parking space application of Barbara Kendall. The motion passed with all in favor.
- ◆ **Discussion and possible action on the request of Ralph Addams for a handicapped parking space at 109 E. Locust Street.**
Councilman Stoner made a motion, second by Councilman Humes to deny the handicapped parking space request of Ralph Addams. The motion passed with all in favor.
- ◆ **Discussion and possible action on the request of Church World Services to hold a Crop Walk on Sunday October 21st.**
Councilman Seagrist made a motion, second by Councilman McDermott to approve the request of Church World Services to hold a Crop Walk on Sunday October 21st. The motion passed with all in favor.
- ◆ **Discussion and possible action to hire Nathaniel Grove as a Community Service Officer.**
Councilman Humes made a motion, second by Councilman Ciecierski, to approve hiring Nathaniel Grove as a Community Service Officer. The motion carried.

CITIZEN COMMENTS:

Jack Niebert, 411 Alison Ave, asked Borough Council who is responsible for the accounts for the pool and park expenditures. Councilman Seagrist indicated that Cheri Teeter is responsible for those accounts. Jack Neibert asked if she is responsible for \$166,000 of Borough funds. Mr. Neibert asked what kind of increase Council approved for salaries that resulted in such a budget discrepancy. Manager Stough explained that the overage was due to the salary increase and also the need for additional staffing at the pool due to an increase in attendance at the pool during the season. The salary increase and additional staffing requirements were added after the Borough had adopted the 2007 budget. Mr. Neibert asked if Borough Council approves the pool budget. Mr. Neibert asked why Council is not approving the pool budget, since it is their responsibility to oversee the spending of tax dollars. Some additional discussion followed on the subject, with Mr. Niebert stating that he does not understand why Council is letting the Pool operate as a separate entity, without oversight of this body. Manager Stough stated that monthly reports are provided to Borough Council and they can ask questions of the Recreation Commission and Pool Committee as needed. Mr. Neibert stated that every expenditure of this Borough should be reviewed by the elected officials. Manager Stough asked Mr. Neibert if that should include financial statements of independent organizations receiving allotments of funds from the Borough. Mr. Neibert agreed that it should. A discussion followed on this subject.

Sandra Addams, 109 East Locust Street, asked if a person has to be present to have a handicapped parking space approved. Vice President Ryder indicated that they are not required to be present. Councilman Stoner stated that Ms. Kendall requested to be present when Council reviewed her request.

OTHER BUSINESS:

Councilman Seagrist stated that he has received the West shore Tax Bureau budget for 2008 and will have copies distributed to Council in packets.

ADJOURNMENT:

At 8:35PM, Vice President Ryder adjourned the meeting to an executive session on a matter of litigation with no action.



Jonathan S. Stough
Borough Secretary