

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

January 15, 2008

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, Solicitor Schorpp, Engineer Barber, Mayor Ritter, Chief Spotts, Chief Seagrist, Manager Stough, and Assistant Secretary Boyer. Jr. Councilperson Keenan-Koch was absent

Also in attendance: Marty Coover, Greg Erway, Sean Forsyth, Neil Meischeid, Frank Masciantonio, Jack Neibert & Ron Trace.

GUESTS

Greg Erway addressed Borough Council on behalf of the Mechanicsburg Girls Softball Association. He introduced Neil Meischeid, President of the Association. Mr. Erway distributed information to Borough Council on improvements that the organization is proposing to make to several ball fields located on property that the Borough leases from the Mechanicsburg Area School District (Information Attached). Mr. Erway reviewed the proposed improvements with Borough Council and asked Borough Council to support a grant application to DCED to help fund the improvements. The improvements include new backstops, new benches, and new fencing along the 1<sup>st</sup> and 3<sup>rd</sup> baselines. The fields will be turned over and about five or six inches of dirt will be removed and replaced with Diamondtex. Mr. Erway indicated that the Softball Association does have funds to pay for any local match portion of the grant. President Whitcomb noted that one of the fields proposed for work is in Upper Allen Township. Mr. Erway indicated that they are proposing to repair some sections of the fence at that location. Councilman Stoner questioned the Borough's responsibility as the fields are on School District Property. Manager Stough clarified that in 1979 the Borough entered into a lease agreement with the School District in which the Borough is responsible for maintenance and upgrades to the property. Manager Stough reviewed the lease with Borough Council. Changing the positions of the fields was discussed and Mr. Erway explained that the proposed changes would allow the organization to utilize field 4, which currently can not be used due to the position of Field 5. Councilman Seagrist asked that the Borough Engineer be asked to review the proposed changes to the fields in particular the proposed removal of rock in the outfield. Councilman Stoner asked about the schedule for the work. Mr. Erway indicated that they would start in July, after the season ended if the grant funding is approved. President Whitcomb suggested that the Property and Buildings Committee take the lead on discussion with the Engineer. Manager Stough asked for clarification on what the Borough Engineer would be reviewing. Manager Stough suggested that the Highway Superintendent and the School District review the proposal before bringing in the Borough Engineer. Manager Stough indicated that the approval for the grant application will be added to the agenda in two weeks. President Whitcomb directed the Property and Buildings Committee to review the matter prior to the next meeting. Councilman Seagrist stated he would feel more comfortable if the Borough Engineer was included in the discussions due to potential stormwater issues.

CITIZENS COMMENTS:

Francis Masciantonio, First Generation Video Productions, addressed Borough Council about his request to shoot a commercial on Railroad Alley, next to the Gingerbreadman on West Main Street. The shoot would be from 3 to 4 PM on January 16, 2008. This would involve closing the alleyway for about an hour. President Whitcomb indicated that would be placed on the agenda for this evening.

ADDITIONS TO AGENDA:

Manager Stough requested the addition of the application of First Generation Video Productions to close a portion of Railroad Avenue for production of a television commercial.

APPROVAL OF AGENDA:

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

CORRESPONDENCE:

Manager Stough reported the following correspondence was received:

- ◆ A letter was received from PSAB regarding the Distinguished Service Award and the Years of Service Awards.

- ◆ A letter was received from Capital Area COG regarding the Chesapeake Bay Mandate, and this item will be added to the agenda for discussion on February 5<sup>th</sup>.

#### APPROVAL OF MINUTES:

Councilman Stoner made a motion to approve the minutes of the January 7, 2008 reorganization meeting and regular Council meeting. Councilman McDermott seconded the motion. Councilman Humes noted that the time needed to be corrected on the regular meeting minutes. The motion was amended to include the correction and passed with all in favor.

#### MONTHLY REPORTS:

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

#### MANAGER'S REPORT:

No Report

#### MAYOR'S REPORT:

**January 7<sup>th</sup>** – Administered Oath of Office to Fire Police members of the Washington Fire Company; Paul Askey, Bradley Baney, Cory Gebhart, Mike Mills, Mike Ott, Timothy Trump and one member from the Citizen's Fire Company, Bob Herman  
**January 14<sup>th</sup>** – Crime Watch presenter was Mechanicsburg's newest Patrol Officer, Timothy P. Lazzarevich talking about his recent graduation from the Police Academy. Magisterial District Justice Mark Martin explained who his replacement will be when he leaves with the National Guard for Iraq in February. This is his third tour of duty.

**Trivia Question:** What was started in 1859 by two farmers, Levi Merkel and Jacob Mumma?

**Answer:** The First Mechanicsburg Bank, later in 1924 to become the First Bank and Trust Company. This information was found in the history of The First Bank and Trust Company by Richard C. Snelbaker. Linda Humes and Marty Coover both knew the correct answer and received wrenches from the Mayor.

#### CHIEF OF POLICE REPORT:

No Report.

#### SOLICITOR'S REPORT:

No Report.

#### ENGINEERS REPORT:

No Report

#### FIRE CHIEF REPORT:

Chief Seagrist reported that the pre-emption devices have been installed on the Fire vehicles and traffic lights and have been tested and performed as anticipated. President Whitcomb questioned the use of the pre-emption devices during non emergency situation. Chief Seagrist stated that they would only be used during response to an emergency.

#### JR. COUNCILPERSON REPORT:

Absent.

#### COUNCIL COMMITTEE REPORTS:

**Capital Region COG – McDermott** - No report.

**Community Development**– Humes – Councilman Humes invited everyone to attend the Comprehensive Plan implementation meeting on January 22<sup>nd</sup> from 6:30 to 8:30 PM. Manager Stough indicated that to date about 50 affirmative responses have been received.

**Environmental/Recycling Committee** – Ryder – Vice President Ryder reported that the EAC met this evening and discussed the proposed Earth Day Event and Battery Recycling, which is being spearheaded by the Mechanicsburg Adult Environmental Club.

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

**Fire Committee** –Ciecierski – Councilman Ciecierski reported that the Fire Committee will meet on January 23<sup>rd</sup> at 7 PM.

**Health/Recreation** –Seagrist – Councilman Seagrist reported that the Recreation Commission reviewed the proposal of the Mechanicsburg Girls Softball Association at their last meeting on January 8<sup>th</sup>. Councilman Seagrist asked if there will be a Property and Building Committee meeting scheduled to discuss this further. President Whitcomb indicated that Councilman Stoner will be scheduling a meeting with the School District and report back the Recreation Commission on the progress. The next Recreation Commission meeting is February 12<sup>th</sup> at 7 PM.

**Highway/Public Safety** – Stoner – No report.

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

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

**Property/Buildings** – Stoner – No Report

**Public Communication** – McDermott – Councilman McDermott reported that the deadline for the Spring edition of the newsletter is February 15, 2008.

**School Board** – Ryder – Councilman Ryder – Reported that Susan Komlenic resigned from the School Board and was replaced by John Rupp.

#### **AGENDA ITEMS – December 19, 2007**

◆ **Consider Resolution 2-2008 in memory of Beth Burkholder.**

Councilman Seagrist made a motion, second by Vice President Ryder, to adopt Resolution 2-2008 in memory of Beth Burkholder. Councilman Seagrist stated that in his four years as Chairman of the Recreation Committee he can not think of an individual that has been more involved in both health and recreation in Mechanicsburg. Ms. Burkholder played a critical role in educating an enormous number of people in the Borough. The Borough of Mechanicsburg is a safer and healthier place to live due to her efforts. President Whitcomb noted that Ms. Burkholder was an active volunteer in Carlisle recreation organizations as well. The motion passed unanimously.

◆ **Request of the Mechanicsburg Museum Association for a banner across E. Main Street February 15 through March 15th advertising their auction/fund raising event.**

Councilman McDermott made a motion, second by Councilman Humes, to approve the request of the Mechanicsburg Museum Association for a banner (2' X 24') across East Main Street, at Chestnut Street, advertising their fund raising auction from February 15<sup>th</sup> through March 15<sup>th</sup>. The motion passed with all in favor.

◆ **Consideration and possible action to accept the resignation of Michael Bowen as a School Crossing Guard.**

Vice President Ryder made a motion, second by Councilman McDermott, to accept the resignation of Michael Bowen as a School Crossing Guard. The motion passed with all in favor.

◆ **Consideration and possible action to hire Traci L. Strawser as a Substitute School Crossing Guard.**

Councilman Ciecierski made a motion, second by Councilman McDermott, to hire Traci Strawser as a school crossing guard. The motion passed with all in favor. Councilman Ciecierski asked if Chief Spotts is still short on Crossing Guards. Chief indicated that with this addition they are fully staffed.

◆ **Discussion and possible action on Earth Day Special Events Application.**

Manager Stough reported that an e-mail was provided to Borough Council updating the request for street closing to include Strawberry Alley and to delete the closing of Main and Markets Streets. Ms. Kiskis also asked to use the Square in front of PNC bank for activities during the event. Councilman Ryder stated that the EAC was discussing this event at their meeting this evening. Councilman Humes asked Borough Staff to contact Ms. Kiskis, the event organizer, and provide her with a list of outstanding items, so this matter can move forward at the next meeting. Vice President Ryder also asked that a Certificate of Insurance naming the Borough as additionally insured is provide with the application. Councilman Humes noted that this event will be replacing the Chamber event "Bonnets in the Borough" which was traditionally held on this date. President Whitcomb asked when the event is scheduled. Vice President Ryder noted that the event is scheduled for April 19<sup>th</sup>, which coincides with a National Earth Day event celebrating Earth Day on April 22<sup>nd</sup>. Councilman Seagrist made a motion to table this request until the next Council meeting, when the applicant could hopefully be present. Councilman Humes seconded the motion, which passed with all in favor.

◆ **Discussion and possible action on Washington Fire Company Special Events Application to close Main Street on August 23, 2008.**

President Whitcomb asked if any additional information was available on this event. Ron Trace, representing Washington Fire Company indicated that there was nothing additional at this time. Councilman Ciecierski made a motion, second by Vice President Ryder, to table this matter until the additional information requested can be received.

◆ **Discussion and possible action on a municipal building use policy.**

Manager Stough asked if this policy had to be made part of the codified ordinance. Solicitor Schorpp indicated that it would need to be adopted by Ordinance. Solicitor Schorpp indicated that the animal matter is still unresolved and a policy decision for Borough Council. Manager Stough reviewed the proposed revisions from the Solicitor on animals which would allow for animals to be accompanied into the building by their owners while they are transacting business in the Borough Office and permits for the Police Department to hold lost, abandon or captured animals for a period before delivering them to the animal shelter. President Whitcomb asked what brought this matter up. Manager Stough stated that the original draft provided by the Borough Solicitor prohibited all animals from the building. The Manager continued that after reading the draft he asked the Solicitor about the employees that currently bring their dogs to work. Councilman Humes questioned the possibility of an employee needing a service dog. Councilman Humes stated that she is not in favor of employees having pets in the building, as it does not create a professional atmosphere. Councilman Seagrist stated that he thinks the service dog for an employee may be covered by the Americans with Disabilities Act. Solicitor Schorpp stated he would have to research that. Manager Stough stated that there has been no problem with the pets currently accompanying their owners to work. Councilman Seagrist asked if fish bowls and

aquariums would be permitted. Chief Spotts stated that they have a gold fish upstairs and that one of the employees brings their dog in once a week. The Chief reported that this helps the morale of the officers and that the dog does not interact with the public. After discussion, Councilman Seagrist made a motion, second by Councilman McDermott, to table this matter to a future meeting. The motion passed with all in favor.

◆ **Consider authorizing the Solicitor to advertise the ordinance to establish provision for deduct water meters for sewer billing.**

Councilman Seagrist made a motion to authorize the Solicitor to advertise the propose ordinance allowing for deduct meters for sewer billing and making some recommended changes to the sewer connection ordinance. Vice President Ryder seconded the motion and President Whitcomb opened the floor for discussion. Solicitor Schorpp reviewed with Borough Council the provisions that would be changed in the sewer connection ordnance. After discussion, President Whiticomb called for a vote and the motion passed with all in favor.

◆ **Discussion and possible action on a letter of support and opposition for tax collection legislation.**

Manager Stough reported that Ms. Boyer met with Barry Heckard to discuss the proposed legislation. Mr. Heckard checked with the Tax Collector Association and they are in agreement with the recommendations of the West Shore Tax Bureau regarding the pending legislation. Councilman McDermott noted that the Pennsylvania State Boroughs Association supports all three pieces of legislation. Manager Stough spoke in favor of supporting the West Shore Tax Bureau, and Al Timko, as they do an excellent job of collection of wages taxes for the Borough. Councilman Humes made a motion to direct staff to send a letter of support to legislators for House Bill 1458 and letters of opposition for House Bill 1550 and Senate Bill 1050. Councilman Ciecierski seconded the motion, which passed with six in favor (Ciecierski, Humes, Ryder, Seagrist, Stoner, Whitcomb) and one against (McDermott).

◆ **Discussion and possible action to authorize Borough Staff to advertise for roof repair at 102 West Allen Street.**

Manager Stough stated that four written price quotes were received for the work and all were in excess of \$10,000, one by only \$884 dollars. Since the quotes are all in excess, the Borough will be required to bid the work, which may result in the work costing the Borough more money due to the bonding and advertisement costs associated with the bidding process. Councilman Seagrist made a motion, second by Councilman Humes, to authorize Borough Staff to prepare bid specification and advertise for bids for the roof repair at 102 West Allen Street. The motion passed with all in favor.

◆ **Discussion and possible action to authorize the installation of a pipe at the Compost Site.**

Manager Stough reported on settling at the Compost Site which has resulted in ponding in front of the area that is used to store the tan bark and compost for distribution to the public. The area is within 200 feet of the pond, and staff believes that an eight inch drainage line can be installed to convey the water into the detention pond. The Joint Compost Agreement requires that any expense over \$500 be approved by both governing bodies. Silver Spring Township will be adding this matter to their next meeting agenda for discussion and possible action. President Whitcomb asked what type of drain is being proposed. Manager Stough explained that the drain will be placed in the low point and has a silt filter with an eight inch drain pipe. The Manager reported that the fall is sufficient to allow the water to drain into the detention area. President Whitcomb asked if a trough drain would be more economical. Manager Stough stated that there is not a long area where the water sheet flows to, which would make a trough drain ineffective. Councilman Ciecierski also stated that sediment would collect in a troth drain and it would be difficult to keep it free of sediment. Manager Stough stated with the proposed drain, the line could be flushed with the flusher truck if sediment and debris accumulate. Manager Stough explained that Silver Spring personnel would be cutting the trench and the Borough would use their backhoe to dig the trench and would lay the pipe and install the drain. In the spring, it could be paved and sealed. Councilman Stoner suggested that relocation of the finished product would eliminate the need to install a drain, stating the product is causing the water to dam. Manager Stough stated that before the product was there, staff was pushing the water off the pad at that location, but the water has been collecting there, even when there is not product for distribution on the pad. Councilman McDermott made a motion, second by Vice President Ryder, to authorize the installation of a drain at the Compost Site. The motion passed with all in favor.

◆ **Settlement of 2007 Real Estate and Per Capitia Tax with Barry Heckard Tax Collector.**

Manager Stough stated that Ms. Boyer provided a memo with the tax settlement figure for Council's review. Councilman Seagrist made a motion to forward 492 per capita bills in the amount of \$2,460 to G.H. Harris for collection and to forward 95 real estate tax bills in the amount of \$25,520.82 to Cumberland County tax claims for collection. Vice President Ryder seconded the motion, which passed with all in favor.

◆ **Approve exonerations of Per Capitia Tax as submitted by G. H. Harris during 2007.**

Councilman Humes made a motion to approve the exoneration recommended by G. H. Harris during the 2007 collection period in the following amounts:

Tax Year	Tax Payers Exonerated
2006	129
2005	10
2004	4
2003	7
2002	6

2001	1
2000	1
1999	1
1998	1
1997	1
1996	1
Total for all years	162

Councilman McDermott seconded the motion, which passed with all in favor.

◆ **Special Event request from First Generation Video Productions.**

Manager Stough stated that the request is to close Railroad Alley next to the Gingerbread man from 3 PM to 4 PM on January 16<sup>th</sup> for the purpose of shooting a commercial. Chief Spotts noted that there is not enough time to post the area for temporary no parking. President Whitcomb stated that the Highway Department could drop off the barricades to block the street before 3 PM. Chief Spotts indicated that the Police Department could remove the barricades after the production company has finished. Councilman Seagrist made a motion, second by Councilman Humes, to approve the requested street closure for First Generation Video Productions. The motion passed with all in favor. Mr. Masciantonio was directed to provide the Borough Office with a Certificate of Insurance tomorrow prior to the shoot.

CITIZEN COMMENTS:

There were none.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL

Chief Spotts invited everyone to look at the new DARE vehicle in the Police Garage Area after the meeting.

ADJOURNMENT:

At 8:29 PM, with no further business to discuss, President Whitcomb adjourned the meeting.



Jonathan S. Stough  
Borough Secretary