

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

February 5, 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, Jr. Councilperson Keenan-Koch, Solicitor Schorpp, Engineer Barber, Mayor Ritter, Chief Spotts, Chief Seagrist, Manager Stough, and Assistant Secretary Boyer.

Also in attendance: Creason – Sentinel, John, Jonathan & Maggie Anthony, Ralph Baillets, Harry Baker, Kirk Corliss, Sheryl Delorier, Sean Forsyth, Kathy Furr, Steve Najarian, Jason Shaner, Ron Trace, E J Walsh, Jim Wewer, Billy Wirth.

GUESTS

None

CITIZENS COMMENTS:

Kathy Furr, 103 Elmwood Avenue, addressed Borough Council about parking along her street, across from Elmwood Elementary. She stated that teacher, student and visitors to the school park in a manner blocking her driveway. She asked if Borough Council could install signs or paint curbs to help alleviate the problem. Chief Spotts stated that signage or curb painting would not be appropriate in this case. Chief Spotts stated that the Police Department can ticket if a driveway is obstructed, but the only other option would be permit parking. Chief Spotts encouraged Mrs. Furr to call the department if a car is blocking her driveway. Mrs. Furr asked Borough Council about the possibility of reducing cost, such as the sharing of Police and other services. She inquired why Upper Allen Township has 16,000 residents and 18 full time Police Officers where as the Borough has only 9,000 residents but has 16 full time Police Officers. Mrs. Furr questioned the need for 16 full time officers in a jurisdiction the size of Mechanicsburg. Chief Spotts indicated that the Borough had about 9,000 calls for service during 2007. President Whitcomb indicated that 16 Officers are required to provide coverage and allow for contracted vacation and sick leave coverage. Vice President Ryder stated that the suburban nature of the Township may not require the same level of services as a Borough. Councilman Seagrist stated that the Borough has explored some options for joint coverage; however, the Council has decided to dedicate all of their Police Services to Borough residents. Mrs. Furr then asked the Borough Council about the liquidation of \$350,000 in assets which occurred in late 2005. She requested a detailed account on how the money was spent. Manager Stough indicated that monies were placed in the Capital Improvement Fund and a detailed accounting of the projects allocated under that fund is available. Manager Stough will provide that information to Mrs. Furr. Councilman Seagrist added that in addition to cut costs the Borough has an active agility agreement with PennDOT and trades services related to road maintenance to cut costs. Mayor Ritter added that the Borough has an intermunicipal agreement with Silver Spring Township for operation of the Compost Site. Councilman Humes added that the Borough Wastewater Treatment Facility also has capacity agreements with other municipalities, which help offset our costs.

ADDITIONS TO AGENDA:

Councilman McDermott asked to have discussion and possible action on the Capital Region COG legal challenge added to the agenda.

APPROVAL OF AGENDA:

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

CORRESPONDENCE:

Manager Stough reported the following correspondence was received:

- ◆ A letter was received from Senator Vance regarding the Chesapeake Bay Tributary Strategy, which will be in Council Packets.
- ◆ Information was received on the next Tri County Borough's meeting which will be held on Tuesday, February 26th in Shippensburg. Please RSVP by February 15th.
- ◆ Information was received from PSAB on their annual Spring Legislative Conference in Grantville March 30th through April 1st.

- ◆ The CET Engineering Services Newsletter was received and contained a sewer rate study which was recently conducted that shows Mechanicsburg's rate to be in the median range when compared to other area municipalities.
- ◆ A memo was received from Chief Larry Seagrist regarding House Bill 1133 which would require Fire Companies receiving municipal allocations to provide an accounting of the expenditures back to the municipalities

APPROVAL OF MINUTES:

Councilman Ciecierski made a motion to approve the minutes of the January 15, 2008 regular Council meeting. Councilman Stoner seconded the motion. The motion passed with all in favor.

MANAGER'S REPORT:

Manager Stough reported that two weeks ago the auditors were here at the municipal offices for three days. Manager Stough reported that Hamilton Musser did a complete review and even walked a payment through the receipt and deposit process as part of their audit. Manager Stough reported that the Edmunds Finance Software is up and running and will change the look of the financial statements that Council will be receiving for January.

MAYOR'S REPORT:

January 16th – Attended the Mechanicsburg Chamber of Commerce Annual Dinner with Chief Spotts. In addition to good food and entertainment, the Chief was introduced to people in the business community.
January 22nd - Mechanicsburg Comprehensive Plan Kick off. Well attended and on track.
January 26th – St. Mark's Troop 283 held a sold out spaghetti dinner fund raiser.
January 30th – The new pastor of St. Paul's United Church of Christ, John Ward Diorio was welcomed to our community.
February 1st – Attended send off party for Judge Mark Martin with Chief Spotts. This will be Mark's third overseas tour. We met Mark's replacement Judge Margaret Klinedinst Bria. The DARE truck was unveiled to the media by DARE officers Kerry Vincent and Brian Curtis.
February 11th – The Crime Watch Speaker will be Chief Spotts. If you don't come for the Chief's talk at least stop in for a free hot dog.

Trivia Question – Gasoline powered engines were manufactured in the late 1800's and early 1900's. Two engine builders were here in Mechanicsburg, one on East Allen and one on East Main Street. Name the builders.
Answer: George Comstock on East Allen Street and Charles Taylor trading as Taylor Gas Engine Company at 221 East Main Street.

CHIEF OF POLICE REPORT:

No Report.

SOLICITOR'S REPORT:

No Report.

ENGINEERS REPORT:

No Report

FIRE CHIEF REPORT:

The Fire Chief reported that he sent out a memo to the new hydrant connections that United Water Pennsylvania has agreed to install Storz Couplings on all new hydrants installed in the 40 municipalities they serve over an eight county region. At the last Fire Company meeting this was discussed and the Fire Companies would like to see if the Water Company would help with the conversion costs of changing the old hydrant couplings over to the Storz coupling. Chief Seagrist asked that the representative for the Council of Governments could bring this idea to them and ask that they contact United Water to see about adaptor installation in the future. The approximate cost for each hydrant upgrade is \$200 per hydrant and Mechanicsburg has approximately 162 hydrants to upgrade.

JR. COUNCILPERSON REPORT:

Jr. Councilperson Keenan-Koch reported:

- ◆ The Prom is being held this year at the Zembo Shrine on May 17th.
- ◆ The Ping Pong Club had its first two tournaments.
- ◆ A new open forum newspaper for student opinions was published on January 22nd.
- ◆ The MASH Memory Team achieved 3rd place on Saturday in their State Competition.
- ◆ Rehearsals began last week for the Spring Musical.
- ◆ The MASH dance-a-thon will be held on the 9th and will support the four diamonds fund.
- ◆ An Engineering Day coming up next week.

COUNCIL COMMITTEE REPORTS:

Capital Region COG – McDermott – The next COG meeting will be February 18th.

Community Development– Humes – Councilman Humes reported that the Comprehensive Plan Kick Off meeting was well attended.

Environmental/Recycling Committee – Ryder – Vice President Ryder reported that the Recycling Subcommittee met this evening and discussed battery recycling by the Mechanicsburg Adult Environmental Club and also Jubilee Day recycling. The County drop-off collections were also discussed.

Finance/Appropriations/Insurance – Whitcomb – No report.

Fire Committee –Ciecierski – Councilman Ciecierski provided a written report to Borough Council on the recent Fire Committee meeting. Councilman Ciecierski reviewed the report with Borough Council. Councilman Ciecierski reviewed problem with the Pre-emptive devices. Engineer Barber asked that a list be provided to him, so the problem can be determined and corrective measures taken. The list should include the location, device and time of day. Discussion followed on Snow Emergency Route signage. Manager Stough asked that a list of missing signs be provided, so that the Borough could take steps to have them reinstalled. Councilman Ciecierski asked that an authorization to go out to bid for repairs to Truck 8 be added to the next Council agenda. The blood borne pathogen contract was discussed and Manager Stough reported that he is working on this and will get together with administrative staff to determine what the needs are for each department. Councilman Ciecierski stated that the Fire Departments would like to have the records keep at the Borough Office and a knowledgeable advocate accompanies them to the ER if needed. Manager Stough stated that he is looking at a form with instructing departments of the proper procedure in the event of an exposure. Discussion followed on NIMS compliance with Ron Trace, Emergency Management Coordinator, needs to receive copies of the Certificates for staff and Council. EMC Trace asked that the Highway and Wastewater Superintendent both receive the training and that it be added to their job descriptions. The Emergency Manager Coordinator received a CEDAP grant. The next Fire Committee meeting will be held on April 2nd at Citizen's Fire Station at 7 PM.

Health/Recreation –Seagrist – Councilman Seagrist noted that the next Recreation Commission meeting is scheduled for Tuesday, February 12th at 7 PM. At the last Recreation Commission meeting a number of items were discussed including the request from the Mechanicsburg Girls Softball Association. The Property & Buildings Committee met yesterday to review the request and will be reporting under agenda items this evening. Councilman Seagrist asked Manager Stough about the status in the change of the electrical lines at Memorial Park. Manager Stough reported that trees would need to be removed first.

Highway/Public Safety – Stoner – No report.

Loan Review Committee- Humes – No report.

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

Property/Buildings – Stoner – Manager Stough reported that a request to advertise bids for a generator for the Municipal Center will be on the agenda in two weeks.

Public Communication – McDermott –Councilman McDermott reported that the deadline for the spring edition of the newsletter is February 15, 2008 and it will be out to residents by mid March.

School Board – Ryder – Councilman Ryder reported that the School District met last evening with parents of children scheduled to attend Kindergarten next fall. The District is moving forward with the full day Kindergarten concept at Filbert Street and it will be called the Kindergarten Academy. Children will be bused to their "home" school and then a shuttle bus will take them to Filbert Street. An aid will ride on each shuttle with the Children from their School to Filbert Street School and back to their "home" school at the end of the day. Vice President Ryder stated that Chief Spotts should be aware that all students being dropped off will be dropped off on Norway Street, which may create some congestion on Norway Street. The buses will come into the circle to drop off children. Vice President Ryder recognized Maggie & Jonathan Anthony, two of the 350 students at the Mechanicsburg Middle School that gave up their day off on Martin Luther King Day to help out in the Community. Vice President Ryder stated that he was impressed at the dedication of these young people to give up their time to serve their community.

AGENDA ITEMS – February 5, 2007

- ◆ **Discussion and possible action on request of Mechanicsburg Girls Softball for Grant application submission to repair fields at Koser Park.**
Councilman Seagrist made a motion to approve the request of the Mechanicsburg Girls Softball Association for the Borough to apply for a grant to make improvements at Koser and Filbert Street ball fields, condition on approval of the proposed repairs by the School District. Councilman McDermott seconded the motion. Councilman Humes asked about the proposed stone removal. President Whitcomb stated that they are going to take the tops off the outcroppings and add dirt over the rocks. Councilman Ciecierski asked about the field rotation and if it would impact adjacent property owners. President Whitcomb stated that the proposed rotation should not impact the adjacent properties. After some additional discussion, President Whitcomb called for the vote and the motion passed with all in favor.
- ◆ **Discussion and possible action on request of the Broad Street Elementary PTO to use some Street Signs as décor for the Book Fair from March 6th to 13th at Broad Street Elementary.**

Manager Stough stated that he spoke with Suzanna Reppert and they just want to borrow signs that the Borough already has in stock. Councilman Humes made a motion, second by Councilman McDermott, to approve the request of the Broad Street Elementary PTO to use street signs at their Book Fair. The motion passed with all in favor.

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

Manager Stough stated that there is additional information in front of Council this evening on the proposed event. Boyer reviewed the information provided by Main Street Mechanicsburg and Providence Boutique, including an Insurance Certificate and a change in the proposed street closings to only close one block of Strawberry Alley, while still using the square for entertainment. Councilman Humes made a motion which Councilman Ciecierski seconded, approving the Earth Day Event and permitting the closure of Strawberry Alley from North Market Street to Railroad Alley from 8 AM to 9 PM on April 19th and allowing for the use of the Square in front of PNC bank for the event. The motion passed with all in favor.

◆ **Discussion and possible action on the Special Event Permit for First Church of God Youth Ministry to use the intersections of Main & Market and Market and Simpson to on February 23rd from 1 to 4 PM. for a can good drive.**

Manager Stough reviewed the Special Events request from First Church of God Youth Ministry. There was no one present to represent this application. After discussion, Councilman Humes made a motion, second by Councilman Ciecierski, to table this matter until the February 19th meeting. Manager Stough will try to have the applicant attend the next meeting and provide additional information.

◆ **Discussion and possible action on the Tour of Pennsylvania request to pass through Mechanicsburg.**

After discussion, on advice of the Solicitor, no action was taken, as none is required.

◆ **Discussion and possible action on Ordinance 1102 to make changes to the Sewer Ordinance.**

Councilman Seagrist made a motion, second by Councilman Humes to adopt Ordinance 1102 as presented:

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

The motion passed with six in favor and Councilman McDermott refraining from voting due to a conflict of interest.

◆ **Discussion and possible action to appoint Kyle Pellman as a Community Service Officer.**

Vice President Ryder made a motion, second by Councilman Stoner to approve the appointment of Kyle Pellman as a Community Service Officer. The motion passed with all in favor.

◆ **Discussion and possible action on removal of handicapped parking space at 235 W. Locust Street – Anna McKendrick.**

Councilman Stoner made a motion, seconded by Councilman McDermott, to approve the removal of the handicapped parking space at 235 West Locust Street. The motion passed with all in favor.

◆ **Discussion and possible action on request for handicapped parking space at 46 W Keller Street, Christine League.**

Councilman Stoner made a motion, seconded by Councilman Ciecierski, to table this pending review by the Police Department. The motion passed with all in favor.

◆ **Discussion and possible action on waiver requests for Hess Farm Development**

Steve Najarian was present on behalf of Carlino Development Group. He introduced Jason Shaner, McCarthy Engineering, who would be making the presentation this evening. Mr. Shaner displayed the preliminary plan and passed out handouts to Borough Council regarding the requested waivers. While the Planning Commission is still reviewing the submission, Mr. Shaner stated that he understood Borough Council had some concerns regarding the proposed road waivers, so he decided to request that Council review and take action on the waivers at this time, prior to the completed preliminary plan review. Mr. Shaner stated that the Planning Commission and Borough Engineer both support the requested waivers. Mr. Shaner noted that he met last week with the Highway Superintendent and Fire Chief to review these proposed waivers. Mr. Shaner gave Borough Council an overview of the waiver request and the failure of the TND ordinance to address a local two way street, with parking on one side. Mr. Shaner stated that the waiver from the SALDO is being requested instead of requesting a text amendment to the TND Ordinance. Solicitor Schorpp questioned the approach of the applicant, stating that a waiver from the SALDO was not appropriate to address this Zoning issue. Mr. Shaner stated that the applicant will meet or exceed the requirements in the TND Ordinance. Discussion followed regarding the possible options available in the Ordinance. Mr. Shaner stated that he was not aware of the interpretation of the Solicitor prior to this evening. Solicitor Schorpp stated that he was not provided copies of the waiver requests prior to this evening, so he could not provide comments to Mr. Shaner in advance. Engineer Barber reviewed the discussions in Planning Commission which led to the waiver requests that the applicant is requesting this evening. Solicitor Schorpp stated that he is hesitant to have Borough Council take action on waivers to the Subdivision and Land Development Ordinance, when there are Zoning issues that need to be addressed. Solicitor Schorpp reviewed the option available with the developer

1. Apply for a variance to the Zoning Hearing Board.
2. Request Borough Council to consider a text amendment to allow the roadway design.
3. Ask the Zoning Officer to review the ordinance and determine if he feels it covers the issue and a variance is not required. If they are denied by the Zoning Officer they could then appeal to the Zoning Hearing Board.
4. Withdraw the waiver request, and proceed using the streets set forth in the ordinance which would result in smaller lot sizes or may result in the proposed streets being changed to one way streets.

Councilman Seagrist asked Mr. Shaner about the results of the meeting with the Fire Chief and Highway Superintendent. Mr. Shaner stated he did not recall any objections. President Whitcomb interjected that the parking on one side only is a problem. Councilman Seagrist asked the Fire Chief if the Fire Equipment will be able to make the turns with the street widths proposed. Chief Seagrist stated that he asked for a computer generated program on the axle width, but has not received that information as yet. Councilman Seagrist stated that based on what he seen this evening, he is almost ready to make a motion for a negative vote on any street width waivers. Solicitor Schorpp asked which streets would be designed in this manner. Mr. Shaner answered that 70% of the streets were designed with this configuration. Solicitor Schorpp asked if the Planning Commission took a formal vote on the waiver requests. Kirk Corliss, Planning Commission Chairman, stated that they did not take action on the waiver as the plan is still under review. This particular waiver may have an impact on the actual design of the development, therefore it was suggested that the developer may want to bring this to Council early in the review process. President Whitcomb asked if denial of this waiver would change the entire layout of the plan. Chairman Corliss stated that would be up to the developer how they would chose to reconfigure the plan. Mr. Corliss explained the actions of the Planning Commission in review of this plan. He stated that the cartway width is not being reduced, and the Highway Superintendent and Fire Chief both reviewed the proposed road widths and agreed to them prior to adoption of the TND Ordinance. Engineer Barber reviewed the steps taken by the Planning Commission in regard to this waiver and explained the plan review process. After much additional discussion, Vice President Ryder made a motion, second by Councilman McDermott, to table both waivers at this time. The motion passed with all in favor.

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

Manager Stough asked that this matter be tabled. Councilman Seagrist made a motion to table which was seconded by Councilman Humes and passed with all in favor.

◆ **Discussion and possible action to change the May Council meeting from Tuesday May 20th to Monday May 19th.**

Manager Stough asked that the May 20th Council meeting be rescheduled to allow him to attend a KMIT Board meeting on May 21st in Wyalusing. After the discussion on the May 19th date not working for several Council members, Vice President Ryder made a motion, second by Councilman Ciecierski, to move the meeting to Thursday May 22nd at 7:30 PM. The motion passed with six in favor (Ciecierski, Humes, McDermott, Ryder, Stoner, Whitcomb) and Seagrist opposed.

◆ **Discussion and possible action on request of the Capital Region Council of Government request for participation by the Borough in a lawsuit regarding the Chesapeake Bay mandate.**

Councilman Seagrist made a motion, second by Councilman McDermott, to join the Capital Region COG litigation relative to the Chesapeake Bay Mandate. President Whitcomb opened the floor for discussion. Councilman Humes spoke in opposition of joining the lawsuit at this time. Solicitor Schorpp cautioned Borough Council that the \$1,000 cost projected, may not be the total cost to the Borough. Councilman Ciecierski also spoke in opposition of joining this lawsuit at this time. After some additional discussion, a vote was taken and the motion failed with two voting in favor (McDermott, Seagrist) and five voting against (Ciecierski, Humes, Ryder, Stoner, Whitcomb).

CITIZEN COMMENTS:

There were none.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL

Chief Spotts reported that the Department received some good press coverage on the new DARE truck.

Vice President Ryder asked Manager Stough about the potholes on Allendale Road. Manager Stough reported that the Highway Department has put in temporary patch, but will have to do more work in the spring.

ADJOURNMENT:

At 9:45 PM, with no further business to discuss, President Whitcomb adjourned the meeting to an Executive Session on a matter of Real Estate with no action to be taken.



Jonathan S. Stough
Borough Secretary