

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

May 22, 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, Mayor Ritter, Solicitor Schorpp, Engineer Barber, Lt. Myers, Chief Seagrist, Manager Stough and Assistant Secretary Boyer. Chief Spotts and Solicitor Schorpp were absent.

Also in attendance: Creason - Sentinel, Al Bienstock, Kirk Corliss, Marc DeSouza, John Durlle, Sean Forsythe, Lindsey Link, Walter Lyon, Rick Rovegno, Michael Straus, Ron Trace and Jeff VanBoskirk

GUESTS

Commissioner Rick Rovegno addressed Borough Council on the issue of the Lemoyne connector. Commissioner Rovegno stated that the Commissioners are in favor of the construction of the Lemoyne connector to increase Norfolk Sothern's rail capacity though Central Pa. Commissioner Rovegno further stated that they would like to see the at grade separation to preserve future options for use of the Cumberland County Rail Bridge for mass transit and emergency services vehicles. Commission Rovegno stated that Cumberland County is the only local jurisdiction to pledge financial resources towards Corridor One. Commissioner Rovegno stated that once the connector is completed Cumberland County would like to pursue a bus way at this location, as a bus way is more viable than rail service. Commissioner Rovegno stated that in reviewing the proposed Resolution he noticed that it indicates that money has been appropriated for this project. Commissioner Rovegno stated that is not accurate, no money has been earmarked for the grade separation.

Commissioner Rovegno addressed Borough Council on the County's plan to undertake a Cooperative Purchasing Program. The County would research cooperative purchasing programs for municipalities to provide the most cost effective purchasing for all municipalities and school district within the County. Participation in the program would be voluntary.

Commission Rovegno reported that work is complete on the covered parking area at School House Apartments. Six units have been sold and an open house is scheduled for June 18<sup>th</sup>.

Steve Najarian of Carlino Development Group introduced Marc DeSouza of DeSouza Brown. DeSouza Brown will be a partner in the development of the Hess Farm Tract. Mr. DeSouza stated that his firm has entered into an agreement to purchase and develop the Hess Farm Property. Mr. DeSouza reviewed the projects on the East Shore including the Heatherfield Development. Mr. DeSouza stated that in addition to new home construction his company owns and manage a number of apartment communities. Mr. DeSouza stated that his firm is currently working on a project in Upper Allen Township, Bumble Bee Hollow, a mixed use residential community. Mr. DeSouza stated that McCarthy Engineering will be continuing to work on the project. Mr. DeSouza invited Borough Council to attend the Planning Commission work session this coming Tuesday, to view the proposed modification that his company will be suggesting for this project.

CITIZENS COMMENTS:

Al Bienstock, Hampden Township Commissioner, addressed Borough Council asking Borough Council to reconsider joining the COG law suit against DEP. Commissioner Bienstock stated that DEP has already stated that after 2010, there is every expectation that further restrictions will be put in place regarding the sewer systems. The assessment to participate in the law suit would be \$1,000. In addition to the lawsuit the COG has been lobbying legislators around the State for support for funding of this mandate.

Lindsey Link, 1110 Cocklin Street, addressed Borough Council regarding comments made at a previous Council meeting about a lack of Police presence in the Community. Ms. Link stated that she sees Officers assisting with school crossings, in the school providing DARE programming and that she feels that the Police Department is fair in their treatment of residents. She stated that Lt. Margaret Myers and the Police Department provide exemplary service to the Mechanicsburg Community. She then asked if the development of the Hess Farm Tract would add to the stormwater problems that she is experiencing in her neighborhood. President Whitcomb stated that the proposed development would address the existing stormwater issues as part of the land development plan. Ms. Link asked who pays for the busing of students from Cumberland Point.

President Whitcomb stated she would have to address that question to the School Board. Vice President Ryder stated that it has been his experience that you have to be a mile and a half from the school to receive bus service.

Michael Straus stated that he is present to add some comments to the Commissioner's statements regarding Corridor One. He stated that he represents a citizen group that is interested in rail service in Cumberland County, but he does not see a competition between a bus way and a rail way they are complementary and should both be considered. He asked if Borough Council had any questions regarding rail service and the grade separation project. Mr. Lyon stated that he is pleased with Commissioner Rovegnos position on the grade separation. Mr. Lyon stated that he received the information on the appropriation noted in the Resolution from the Modern Transit Partnership. Mr. Lyon stated that the Mechanicsburg Borough Comprehensive Plan, the Cumberland County Comprehensive Plan and the Tri County Planning Commission Plan and they all include Corridor One as a rail system. Mr. Lyon stated that unlike a bus, the rail system is off the street and does not add to traffic congestion. Mr. Lyon asked Borough Council to still consider adoption of the proposed Resolution and thanked Borough Council for their time and consideration.

#### ADDITIONS TO AGENDA:

None

#### APPROVAL OF AGENDA:

Councilman McDermott made a motion for approval of the agenda, Councilman Humes seconded the motion, which passed with all in favor.

#### CORRESPONDENCE:

Manager Stough reported the following correspondence was received:

- ◆ A letter was received from the Wildcat Foundation notifying the Borough that installation of turf at the football field is To be completed by Aug 21 2008.
- ◆ An e-mail was received on May 19<sup>th</sup> regarding the lawsuit against DEP nutrient reduction mandate.
- ◆ A letter was received from a resident on Sharon Avenue regarding taxes.

#### APPROVAL OF MINUTES:

Councilman Humes made motion to approve the minutes of the May 6, 2008 regular Council meeting. Ciecierski seconded the motion and it passed with all in favor.

#### MANAGER'S REPORT:

Manager Stough reported on his attendance at the Keystone Municipal Trust Board Meeting. Manager Stough stated that he has been fortunate to set on the Board for the last two years and believes the Trust has performed well for member municipalities. Manager Stough indicated in 2004 the Borough's Workers Compensation Insurance premium was \$85,000, this year our premium is \$58,000. Manager Stough thanked Borough Council for adjusting their meeting schedule to allow him to attend the Board meeting.

Manager Stough stated that staff met with Municipal Energy Managers about the possibility of purchasing the Borough street lights from PP & L. The Borough pays about \$144,000 per year to PP & L for electric and street light maintenance. Out of the \$144,000 only \$39,000 is for electricity, the rest is for the maintenance of the lights. The concept is that the Borough would purchase the lights from PP & L and Municipal Energy Managers would lower the lights and relamp all the lights over the next four years and would provide maintenance services for all of the lights. The money that would be saved would be used to pay off the purchase of the lights from PP & L. Hampden is looking at pursuing this as are many other municipalities across the State. This would allow the Borough to avoid the impending rate increase on the maintenance portion of our bill, only paying the rate increase on the actual electric used. Commissioner Bienstock commented on this project, stating it also could provide lower electric rates for the participating municipalities. The new lights that would be installed would also be more energy efficient resulting in additional savings. The program would also include more frequent routine maintenance of the lights to help maintain cost efficiently. Mr. Bienstock stated that he has recommended that as a COG they look at this for the members. Manager Stough stated this may also be a good possible project for the shared municipal services program through the Governors Center. Manager Stough asked that the Finance Committee consider this option further. President Whitcomb asked about the initial cost. Manager Stough stated it would cost \$935,000 for the agreement cost and the relamping of every light. Councilman Humes stated that the Borough would incur debt to get this program up and running.

#### MAYORS REPORT:

Mayor Ritter reported:

May 12<sup>th</sup> – Crime Watch guest speaker was Gary Dressler from the Cumberland County Department of Public Safety's 911 call center. He gave an update on the center and how it serves our community. A mock call in by Sgt. Pellman had us in tears laughing.  
May 13<sup>th</sup> – talked to adults with disabilities at the United Cerebral Palsy of PA Center with the help of Chico the mind reading monkey.  
May 14<sup>th</sup> – Rotary's International Study exchange Group from Brazil toured the Museum, the Borough Office and Police Department followed by lunch with the Mayor.  
May 16<sup>th</sup> – Groundbreaking for the Trees and Trails Environmental Classroom at the Environmental Center was cancelled due to rain.

Upcoming – The Mechanicsburg Area Veterans Council's Annual Memorial Day Parade will be held on Monday May 26<sup>th</sup>. The parade forms at 9:15 moves out at 10 AM with services at the Mechanicsburg Cemetery at 11 AM. The next Crime Watch meeting will be held June 9<sup>th</sup>. Mechanicsburg Borough Manager Jon Stough will talk about where we were, where we are and where we are going.

Trivia Question: Mayor Ritter displayed some items and asked what they are and how they are used by the Police Department  
Answer: Cattle Ear Tags are used by many officers to tag personal keys with their badge number.

SOLICITOR'S REPORT:  
No Report.

ENGINEERS REPORT:  
No Report

FIRE CHIEF REPORT:  
No Report

JR. COUNCILPERSON REPORT:  
Jr. Councilperson Keenan-Koch reported School is winding down and yearbooks came out on the 16<sup>th</sup>. The Environmental Challenge was held on May 16<sup>th</sup>. April the 30<sup>th</sup> was Diversity Day. AP tests were held on May 5<sup>th</sup> & 12<sup>th</sup>. Senior graduation project presentations have been taking place over the last few weeks.

CHIEF OF POLICE REPORT:  
Lt. Myers reported the road closing permit has been received from PennDOT for Jubilee Day. The two new patrol officers Shutt and Rissinger both started work the week of May 5<sup>th</sup>.

COUNCIL COMMITTEE REPORTS:  
**Capital Area COG – McDermott** – Councilman McDermott reported that the COG met Monday evening. Commissioner Bienstock reported that the negotiation committee met with Verizon a couple weeks ago and had preliminary discussions. The Municipal Advisory Board meeting will be held Tuesday in Carlisle.  
**Community Development**– Humes – Councilman Humes reported that on May 2<sup>nd</sup>, Main Street Mechanicsburg hosted two gentlemen from DCED who came to Mechanicsburg to assess the possibility of Mechanicsburg being designated a Main Street Community and also to talk about other grant funding programs. Main Street Mechanicsburg Board members hosted lunch at Eckels Drug Store and Mayor Ritter, Manager Stough, Glenda Boyer, and Ed LeClear and Chris Knarr from the Planning Commission. After lunch, a tour of downtown was conducted, concluding at Orris House Inn with dessert and coffee. On May 17<sup>th</sup> the Art walk and wine tasting was held downtown and was a successful day for all business that participated.  
**Environmental/Recycling Committee** – Ryder – Vice President Ryder reported that the Environmental Advisory Council had a joint meeting with the Shade Tree Commission on Tuesday to discuss Comprehensive Plan project implementation. Ed LeClear facilitated that meeting and the groups are getting together again in July. Boyer reported that The Environmental Advisory Council also sponsored a table at E- Day which was held at the Mechanicsburg Middle School on Sunday, May 18<sup>th</sup>. The event was well attended.  
**Finance/Appropriations/Insurance** – Whitcomb – No report.  
**Fire Committee** – Ciecierski – Councilman Ciecierski reported next meeting June 4th at Washies at 7 PM.

**Health/Recreation** – Seagrist – Councilman Seagrist reported that he was late due to attending the Joint Recreation Commission meeting that began at 7 PM at Elmwood Elementary. The information from the meeting will be distributed to Council members in their packets. The Recreation Department distributed all the statistical information for the 2008 winter and spring program registrations. Two weeks ago the Borough Recreation Commission met and discussed a number of issues. The Recreation Commission requested that the signed and approved contract for the Mechanicsburg Swim Club with the Recreation Commission which details all the pool usage of the Club. The Recreation Commission approved normal salary increases for clerks and guards for the pool and park employees. The Recreation Commission did not have information on the 2008 percentage approved for other Borough employees. Manager Stough stated that he provided that information to Chairman Lorrie Weber today about that subject. The Recreation Department provided a list of clerks and guards for the 2008 season. A question was raised about the turf that was removed from the football field to the pool area. A claim was made that left over turf was being sold. Manager Stough stated that no turf was sold, 10 or 12 truck loads were placed just outside the pool area. The contractors did trade some topsoil for fill in order to get a stable sub surface. Councilman Seagrist asked about a mud problem at Finkenbinder Field. Manager Stough reported that one of the Little League Dads brought in a load of stone and spread it in the area behind the backstop. Councilman Seagrist asked about the status of the stumps at Memorial Park. Manager Stough stated that Highway is going to have them grinded down and it is scheduled as soon as the weather dries out. Councilman Seagrist reported that a punch card system is being considered for pool members to be able to purchase a card for 10 admissions to allow visiting grandchildren a discounted rate. The next Recreation Commission will be held on June 10<sup>th</sup> at 7 PM. The next Joint Recreation Commission meeting will be held August 28<sup>th</sup> at 7 PM at Elmwood Elementary. Vice President Ryder asked about the pool health inspection. Councilman Seagrist asked if that could be added as a personnel matter under the Executive Session.

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

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

**Ordinance/Administration/Legislative Action** – Ciecierski – Councilman Ciecierski reported that the Committee met on Tuesday at 5 PM to discuss possible changes to the Borough's animal ordinance. After lengthily discussion, modifications were made to the Borough Ordinance; the Committee is currently reviewing those changes. After review by the Committee the changes will be sent to the Borough Solicitor for review and comment. After review of the Solicitor, the matter will be placed back on the agenda for Council consideration. Under the current Borough ordinance, someone feeding cats for the purpose of participating in the trap, neuter, return program is in violation of the Borough Ordinance and subject to fines. Councilman Humes suggested that Council look at some other ordinances from other municipalities. Councilman Humes also stated that the Borough needs to think about rabies, when considering changes to the Borough Ordinances. Discussion followed on the proposed changes. Councilman Ciecierski stated that the Please Don't Litter and PAWS would like two definitions added and a wording change to provide for an exception for the Feral Cat Caregiver.

**Property/Buildings** – Stoner – No report.

**Public Communication** – McDermott – Councilman McDermott reported that the Summer Newsletter is in process.

**School Board** – Ryder – No report

### **Agenda Items May 22, 2008**

- ◆ **Discussion and possible action on Certificates of Appropriateness for:**
  - **Gilbert Canevari – 501 S. Market St. for Roof & Gutter Replacement.**

Councilman McDermott made a motion to approve the Certificate of Appropriateness for Gilbert Canevari for roof and gutter replacement at 501 South Market Street as outlined in his application. Councilman Stoner seconded the motion. After a brief discussion the motion passed with all in favor.
- ◆ **Discussion and possible action on Resolution 12-2008 in Memory of Milton Weber.**

Councilman Seagrist made a motion, second by Councilman McDermott to adopt Resolution 12-2008 in memory of Milton Weber. The motion passed unanimously.
- ◆ **Discussion and possible action on Resolution 13-2008 in support of future public transportation options.**

After discussion, Councilman McDermott made a motion to table Resolution 13-2008 in support of future public transportation options. Councilman Ciecierski seconded the motion, which passed with all in favor.
- ◆ **Discussion and possible action on the Special Events Application for the Memorial Day Parade.**

Councilman McDermott made a motion, second by Councilman Ciecierski, to approve the application for the Memorial Day Parade as submitted. The motion passed with all in favor.
- ◆ **Discussion and possible action on CDL testing policy update.**

Councilman Ciecierski made a motion to adopt the updated CDL testing policies. Councilman Stoner seconded the motion, which passed with all in favor.
- ◆ **Approval of tree planting by Darwin Hollinger along N. York Street.**

Councilman Seagrist discussed the Park and Recreation Commission plans to meet with the Shade Tree Commission to discuss the reforestation of Memorial Park. After discussion, Councilman Humes made a motion to approve the planting of a tree along North York Street as requested by Darwin Hollinger. Vice President Ryder seconded the motion which passed unanimously.

◆ **Discussion and possible action to advertise East Simpson Street parking restrictions.**

Manager Stough reported that both churches in this area were notified that proposed parking changes would be discussed at this meeting. John Durlle, Parish Manager from St. Joseph's, was present to represent his parish. Engineer Barber provided Council with comments on the proposed changes. President Whitcomb reviewed the issues of traffic flow on E. Simpson from Shepherdstown Road to Filbert Street, stating that Council is considering making E Simpson Street No parking on the South side from Shepherdstown to Filbert Street. Mr. Durlle had no comments on the proposed changes. Councilman Humes then made a motion to authorize the Solicitor to advertise the Ordinance change to parking regulations on East Simpson Street. Vice President Ryder seconded the motion. Councilman Ciecierski suggested that the No parking zone be extended west on East Simpson to Race Street. Engineer Barber stated that if Council is considering changes west of the intersection he could do a sight distance study. After discussion, Vice President Ryder made a motion to table pending the sight distance study being completed by Engineer Barber. Councilman Ciecierski seconded the motion, which passed with all in favor.

◆ **Discussion and possible action on request to change speed limit on South Filbert Street.**

Manager Stough reviewed the issue of additional traffic in residential neighborhoods as motorists try to avoid some of the newly signaled intersections. Vice President Ryder stated that he has had several near accidents in his neighborhood due to vehicles traveling at excess speeds through residential areas. Vice President Ryder suggested changing the default speed limit in the Borough to 25 mph. Discussion followed on PennDOT regulations regarding speed limits. Councilman Humes spoke in favor of exploring lower speed limits, particular with the new Kindergarten Academy opening in the fall at Filbert Street. After discussion, Vice President Ryder made a motion, second by Councilman Humes to refer this to the Highway and Public Safety Committee for review. Engineer Barber will forward the PennDOT regulations to the Committee for review.

◆ **Discussion and possible approval to install turn arrows at Walnut/Simpson/Shepherdstown.**

Engineer Barber reviewed his memo regarding the installation of left turn arrows. After discussion, Vice President Ryder made a motion, seconded by Councilman Humes, to install left turn arrows at the Simpson/Walnut/Shepherdstown intersection. The motion passed with all in favor.

◆ **Handicapped Parking Space application of Patrick McNamara, 211 W Simpson Street. & Joan Landis, 411 S. High Street, Apt. #3.**

Councilman McDermott made a motion, second by Councilman Ciecierski to table these applications pending review of the Highway and Public Safety Committee. The motion passed with all in favor.

◆ **Approval of Expenditures from March 1, 2008 through March 30, 2008.**

Vice President Ryder made a motion to approve the expenditures from March 1, 2008 through March 30, 2008 as follows: General Fund: \$212,827.05 Capital Fund: \$5,808.22 Highway Fund: \$303.30  
Councilman Ciecierski seconded the motion, which passed with all in favor.

CITIZEN COMMENTS:

There were none.

EXECUTIVE SESSION

At 9:15 PM, President Whitcomb adjourned the meeting to Executive Session on a personnel matter

At 9:55 PM, President Whitcomb reconvened the Public Meeting.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL

None

ADJOURNMENT:

At 10:00 PM with no further business to discuss, President Whitcomb adjourned the meeting.



Jonathan S. Stough,  
Borough Secretary