

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

May 19, 2010

7:30 PM

CALL TO ORDER:

President Whitcomb called the regular Borough Council meeting of May 19, 2010 to order at 7:30 PM.

PLEDGE OF ALLEGIANCE:

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

ROLL CALL:

Present were President Whitcomb, Vice President Ryder, Councilmen Ciecierski, Humes, Kiskis, and McDermott, Mayor Ritter, Solicitor Schorpp, Engineer Barber, Chief Seagrist, Chief Spotts, Secretary Dennis and Assistant Secretary Boyer. Councilman Seagrist was absent.

Public: Tom Bender, Glenda Blair, Jennifer & Patricia Erskine, Thomas Ferhbaugh, Sean Forsythe, Tom Herrold, Scott Nedrow, Jack Neibert, Jay Stoner and Ron Trace.

GUESTS:

None.

CITIZENS COMMENTS:

Pat Erskine, 28 West Simpson Street, stated that she is upset with Borough Council for putting the Borough in the Chesapeake Bay Authority and putting the Borough in debt 14.8 million dollars. Ms. Erskine stated that the people in Mechanicsburg do not have the money to pay for this and asked Borough Council how they intend to pay for this project.

President Whitcomb stated that the Borough is mandated by the State of Pennsylvania to make these upgrades to their Wastewater Treatment facility. Councilman Ciecierski stated that the permit to discharge sewer effluent will be revoked by the Pennsylvania Department of Environmental Protection if the Borough fails to comply with the mandated improvements to their facility outlined in their discharge permit. Councilman Ciecierski added that the Borough would be charged fines by the State if they fail to comply by 2012.

Ms. Erskine asked how high the sewer rates will go to comply with this mandate, 40 or 50%. Manager Dennis stated that the sewer funds have been separated from General Fund monies and user fees are now allocated towards the operation and upgrade of the Borough's Wastewater Treatment Plant facility. Mr. Dennis stated that the Borough is mandated to make these improvements by the State and the Borough has been planning for these improvements for some time, but implementing a gradual increase to the rates, rather than a large one time increase. The debt service will be paid from user rates, which are projected to go up 6% over the next three years, from 2010 -2013. This means that your property taxes will not be increased to pay for the debt service for this for the project.

Ms. Erskine asked why Council is considering hiring five more people when the Borough already employees sixteen (16) full time Police Officers for this small town. She stated that Borough residents should not be paying for this kind of excess; sixteen officers should be able to do what is required.

Ron Trace, President of Washington Fire Company, asked that the Borough contact residents to make sure that they be sure that they are counted in the census. Mr. Trace explained that population

rates are used to determine some types of grant funding, including the amount of Fireman's Relief that the State provided to the Mechanicsburg community. Mr. Trace explained that the monies received from the State have been decreasing as Mechanicsburg's population count declines. In 2008 the Fire Companies received \$63,000 from the State for Fire Services and in 2009 that declined to \$56,000, however, costs of insurance and other services continue to rise for the Volunteer Fire Companies. Vice President Ryder asked that something be added to the back of the next sewer bill regarding the need to complete the census.

Mr. Trace added that the annual Fire Service Fund Drive is about to begin. Mr. Trace stated that in 2009 4,728 letters were mailed out, which included 599 to businesses in the Borough. The drive raised \$48,000 dollars for the two Fire Companies, which was an increase of \$6,700 dollars over 2008. About 38% of Borough residents contributed to the Fire Departments, which was about \$41,000. On the business side only 14% of the businesses contributed, which was about \$7,000. Mr. Trace stated that the Fire Departments provide a service to the Community and residents benefit through lower insurance premiums based on the Fire Companies excellent ratings. Mr. Trace thanked residents and businesses that do contribute and asked residents and businesses to support this valuable service.

Glenda Blair, 229 West Locust Street, addressed Borough Council in support of the Park Police Program. Ms. Blair stated that this program helps to train students in the Criminal Justice Field and allows Police Officers to address more urgent matters, while insuring that are parks are safe for residents. Ms. Blair stated that at \$8.00 per hour, this is a bargain. Ms. Blair spoke about the important service provided to the community by our Police Department and the need for two officers to be dispatched on many occasions to abate an incident.

ADDITIONS TO AGENDA:

There were none.

APPROVAL OF AGENDA:

Councilman Humes made a motion to approve the agenda. Councilman Kiskis seconded the motion, which passed with no dissenting votes.

CORRESPONDENCE:

Manager Dennis reported:

- An e-mail was received and distributed from Kirk Stoner, Director of Planning for Cumberland County, requesting at least two elected officials to participate in the Counties Comprehensive Plan Transportation Plan update. If anyone is interested in serving, please let Manager Dennis know.
- The Harrisburg Area Transportation Study Technical Committee will meet on Friday June 11th at 9 AM and the Coordinating Committee will meet on June 25th at 9 AM.
- Citizens Fire and Rescue Banquet will be held on June 12th and invitations were placed in Council packets. RSVP deadline is May 28th.

APPROVAL OF MINUTES:

Councilman Ciecierski made a motion to approve the minutes from the Regular Council meeting held on May 4, 2010. Councilman McDermott seconded the motion, which passed with no dissenting votes.

MANAGER'S REPORT:

Manager Dennis reported that he distributed an e-mail from Sally Holbert. Ms. Holbert prepared the million dollar Safe Routes to School Grant for the Borough, as a volunteer with the Safe Routes to School Program here in Mechanicsburg. Ms. Holbert reviewed the scope of the work and cost proposals submitted by Dewberry Associates for the design phase of the project. Ms. Holbert had some issues with the design estimate submitted by Dewberry. Mr. Dennis stated that Ms. Holbert feels the costs are high for the curb and sidewalk and base map, based on her professional experience. Ms. Holbert is requesting that Borough Council reconsider the decision to select a contractor from the PennDOT open ended contract list and go out for RFP's for the design phase of this project. Ms. Holbert is asking that Borough Council add this to the agenda for discussion this evening. The scope of the work for this project has been revised and Dewberry has prepared a cost estimate, which was submitted to PennDOT. The cost estimate is \$165,000. The new estimate contains ADA accessible ramps at all crosswalks which was not scoped in the original cost estimates submitted with the grant application. Manager Dennis stated that he called PennDOT to discuss this today, but the project Manager was out of the office. Engineer Barber was contacted and asked to attend this evening to speak to the PennDOT contract process for this type of design work. The amount in question by Ms. Holbert is the \$95,000 for the base mapping and the design work for the curb and sidewalk. Manager Dennis stated that going out for RFP's will put the project several months behind the current schedule. Manager Dennis stated that he is unsure if Land Logistics, the company owned by Ms. Holbert, would be disqualified from the RFP process, by PennDOT because Ms. Holbert was the person who wrote the original scope of work for the grant submission. Manager Dennis stated that Pennoni was not allowed to do the design work on their open ended PennDOT contract, for this project because Pennoni provided some of the items included in the original grant application.

Engineer Barber stated that because this grant utilizes Federal funding, there must be a competitive selection process for a contractor and professionals. PennDOT selected several firms from an open ended agreement that they had and the Borough Manager interviewed and then selected Dewberry to do this work from the options provided by PennDOT. The Borough could have chosen to write a formal RFP for a professional to provide the design work for this project. This RFP would need to document the scope of work, which would require the Borough to expend funds to have the RFP written by an Engineer firm. The RFP prepared for the Borough would have to be approved by PennDOT before it could be advertised. The cost of preparing the RFP would be paid by the Borough and could not be done with grant funding. After advertisement, the RFP's would have to be reviewed and approved by both the Borough and PennDOT before a Professional could be hired to begin the design work. This could take up to six months. Engineer Barber stated the general "rule" is that the design costs would be 10-15% for design. On a million dollar grant project, the anticipated costs should be between \$100,000 and \$150,000 dollars. Engineer Barber stated that the Borough can negotiate the cost with Dewberry and PennDOT and try to negotiate a better price from Dewberry for the design services, once the scope of the proposed design work is reviewed. Engineer Barber stated that an RFP would probably be a twenty page document and the Borough would be paying several thousand dollars to have it prepared and it would push the project schedule back a minimum of six months. Engineer Barber explained that it has been his experience that PennDOT does not allow firms to bid on projects if they have been involved at any level with the preparation of the grant application, so the Borough could go through this process and Land Logistics RFP could be rejected by PennDOT due to Ms. Holbert's involvement with the grant application process.

After discussion, Councilman McDermott asked if there would be any additional information for Council to consider at their meeting in two weeks. Manager Dennis stated that he did not foresee any additional information being available in two weeks. Vice President Ryder asked if Dewberry would

be paid out of the grant proceeds for the work that they did to date, if the Borough went out for RFP's. Engineer Barber stated that he did not believe so as the pre-work meeting time would be paid by PennDOT because it would be required in order for Dewberry to submit a scope of work and cost estimate to PennDOT. President Whitcomb directed Manager Dennis to try to negotiate with PennDOT and Dewberry to obtain a lower price for the design work as part of the PennDOT contract.

MAYOR'S REPORT:

May 8th – Officiated two weddings.

May 10th – Crime Watch presenter was Meg Slifka. Meg is a counselor from the Mechanicsburg Middle School. Meg's talk was focused on student bullying.

May 12th – The Mayor hosted the Rotary's Group Study Exchange Team from Demark and Lithuania, with the help of Chief Spotts. The Group is a study exchange and the Mayor and Chief hosted a lunch for the group at the Colony House Restaurant.

May 14th – Officiated one wedding.

Trivia Question – Eberly and Orris, manufacturers of wooden wheels and wheel materials, was organized in 1885. It operated at 36 West Allen Street, the present location of the Mechanicsburg Borough Office. What were their first names.

Answer – Austin Eberly & Adam Orris.

CHIEF OF POLICE REPORT:

Chief Spotts reported receiving citizen letters of commendation for the work of Sgt. Dyer, Officer Demmy and CSO Herr.

SOLICITOR'S REPORT:

No report.

ENGINEER REPORT:

No report.

FIRE CHIEF REPORT:

Chief Seagrist reported that the Fire Officers meeting was held on May 13th. Jubilee Day plans were discussed at the Fire Officers meeting. The annual hose and pump test as well as the ladder testing have been scheduled.

COUNCIL COMMITTEE REPORTS:

Capital Area COG - McDermott – No report.

Community Development – Humes – Councilman Humes reported that she has been working with the Cumberland County Tourist Bureau on events for the 150th Anniversary of the Battle of Gettysburg in 2013. Councilman Humes stated she is working on getting events scheduled for Mechanicsburg on the calendar and working to get some new events organized. Councilman Humes reported that the annual Spring Art Walk was held on Saturday and it was a beautiful day.

Councilman Kiskis reported that approximately 200 people attended and the event was a success.

Environmental Committee – Seagrist – Ms Boyer reported, in the absence of Councilman Seagrist, that the EAC met last night and will meet again on June 15th at 6:30 PM in the second floor conference room. The Recycling Committee will meet on June 1st at 6 PM to discuss Jubilee Day recycling.

Finance/Appropriations/Insurance – Whitcomb – No report.

Fire – Ciecierski – No report.

Health and Recreation – Ryder – Vice President Ryder reported the Recreation Commission met last Tuesday and discussed some pool issues. An Electrical Engineer will be doing a sketch for the

electric upgrades at the tennis courts. Manager Dennis added that the tree stumps at the park were ground this week.

Highway/Public Safety – Whitcomb – President Whitcomb reported that a meeting will be scheduled in the near future.

Loan Review Committee - Humes – No report.

Ordinance Administration – Ciecierski – No report.

Property & Buildings – Seagrist – No report.

Public Communications – McDermott – No report.

School Board - Ryder – No report.

AGENDA ITEMS – May 19, 2010

- **Discussion and Possible Action to Approve Certificates of Appropriateness for the Following Applications:**
 1. **Application of David Strong – 18-20 South Market Street – Exterior Alterations.**

Councilman McDermott made a motion to recommend approval of the Certificate of Appropriateness for David Strong, 18-20 South Market Street for exterior alterations as per the recommendation of the Historic Architectural Review Board at their meeting on May 3, 2010. Councilman Ciecierski seconded the motion, which passed with all in favor.
 2. **Application of Amy Vogelsong – 30 West Locust Street – Exterior Alterations.**

Councilman Ciecierski made a motion to recommend approval of the Certificate of Appropriateness for Amy Vogelsong, 30 West Locust Street for exterior alterations as per the recommendation of the Historic Architectural Review Board at their meeting on May 3, 2010. Councilman McDermott seconded the motion, which passed with all in favor.
 3. **Application of Richard & Nancy Luley – 417 West Main Street – Fence.**

Councilman McDermott made a motion to recommend approval of the Certificate of Appropriateness for Richard & Nancy Luley, 417 West Main Street for erection of a fence as per the recommendation of the Historic Architectural Review Board at their meeting on May 3, 2010. Councilman Humes seconded the motion, which passed with all in favor.
 4. **Application of George Hinton – 16 East Locust Street – Exterior Alterations.**

Councilman Ciecierski made a motion to recommend approval of the Certificate of Appropriateness for George Hinton, 16 East Locust Street for exterior alterations as per the recommendation of the Historic Architectural Review Board at their meeting on May 3, 2010. Councilman Kiskis seconded the motion, which passed with all in favor.
 5. **Application of Sean Zeiders – 33 East Simpson Street – Exterior Alterations.**

Councilman McDermott made a motion to recommend approval of the Certificate of Appropriateness for Sean Zeiders, 33 East Simpson Street for exterior alterations as per the recommendation of the Historic Architectural Review Board at their meeting on May 3, 2010. Councilman Humes seconded the motion, which passed with all in favor.
 6. **Application of Gary Muccio & Greg Myers – 222 South Market Street – Roof Replacement.**

Councilman Ciecierski made a motion to recommend approval of the Certificate of Appropriateness for Gary Muccio & Greg Myers, 222 South Market Street for exterior alterations as per the recommendation of the Historic Architectural Review Board at their meeting on May 3, 2010. Councilman Kiskis seconded the motion, which passed with all in favor.
- **Discussion and Possible Action to Approve the Special Events Application for Vietnam Veterans of Mechanicsburg for a Flag Retirement Ceremony on June 12th at 10 AM on the Square.**

Councilman McDermott made a motion, second by Councilman Humes, to approve the Special Events Application for the Vietnam Veterans of Mechanicsburg for a Flag Retirement Ceremony on June 12, 2010 at 10 AM on the public sidewalk in front of PNC Bank on the southeast corner

of Main and Market Streets. Chief Spotts stated that the flags collected the day of the ceremony are properly disposed of through the assistance of Myers Funeral Home. After discussion, the motion passed with all in favor.

- **Discussion and Possible Action on the Request of the Mechanicsburg Wildcat Football Booster Club for a Banner across East Main Street and Flags for the 2010 Football Season.**

Vice President Ryder made a motion to approve the request for a banner on East Main Street from August 1, 2010 through August 31st and to place the Wildcat Pride Flags on the Main Street posts during the football season through September 11, 2010. Councilman McDermott seconded the motion, which passed with all in favor.

- **Discussion and Possible Action to Approve Advertisement for RFP’s for Street Tree planting for the Treevitalize Grant.**

Councilman Humes made a motion, second by Councilman Ciecierski, to approve advertisement of the RFP’s for Street Tree Planting as part of the Treevitalize Grant. The motion passed with all in favor.

- **Discussion and Possible Action to Hire the Following as Part-time Park Security Officers at a Rate of \$8.00 per Hour, Effective Immediately.**

Shelby A. Bradley Isaac C. White Taylor A. Groff
 Ryan P. McCormick Robert D. Martin

Councilman Ciecierski made a motion to hire, Shelby A. Bradley, Isaac C. White, Taylor A. Groff, Ryan P. McCormick and Robert D. Martin as part time Park Security Officers at a rate of \$8.00 per hour. Councilman Humes seconded the motion, which passed with all voting in the affirmative. President Whitcomb asked if all individuals had background checks and Chief Spotts indicated that the background checks were done.

- **Discussion and Possible Action to Approve the Internship Ride-Along Program for 2010 for the Park Security Officers Needing Same.**

Vice President Ryder made a motion, second by Councilman McDermott, to approve the Internship Ride-Along Program for Park Security Officers for 2010. The motion passed with all in favor.

Authorization to Approve Expenditures from April 1, 2010 through April 30, 2010 as follows:

Capital Fund:	\$ 10,651.02	Highway Fund:	\$	14,914.62
General Fund:	\$ 232,308.87	Sewer Fund:	\$	57,189.56

Vice President Ryder made a motion to approve the expenditures from April 1, 2010 through April 30, 2010 as reported. Councilman Humes seconded the motion, which passed with all in favor.

CITIZENS COMMENTS:

Jennifer Erskine, 28 West Simpson Street, stated that she was disgusted that Council hired the five park security officers without making the public aware that they were going to be doing that. Vice President Ryder responded that this is done each summer to help with security at the parks during the busy season. President Whitcomb stated that the park security force frees up sworn officers to attend to criminal incidents that occur. Councilman McDermott spoke in defense of this program as did Glenda Blair, 229 West Locust Street. Jay Stoner, 124 East Locust Street, also spoke in defense of the Park Police Program. Mr. Stoner asked Chief Spotts about an incident at the High School parking lot and Chief Spotts provided some information regarding the recent incident stating that the School District worked cooperatively with the Police Department to apprehend those responsible for the vandalism.

OTHER BUSINESS:

Manager Dennis stated that the monthly Comprehensive Plan implementation meeting will be held on May 25th, with a Public Meeting scheduled for May 27th here at the Municipal Building.

Chief Spotts reported that the Park Security Officer Program is very effective and is run at about 25% of the cost of an officer's salary.

Mayor Ritter noted that flags can be dropped off for the Flag Retirement Ceremony on the day of the service or at Ritter's Hardware in advance of the service.

ADJOURNMENT

At 8:31 PM President Whitcomb adjourned the meeting.

A handwritten signature in cursive script that reads "Pat E. Dennis". The signature is written in black ink on a light-colored background.

Patrick E. Dennis, Borough Secretary