

Mercersburg Borough Council Meeting
Borough Hall, Mercersburg, PA
March 10, 2014
MINUTES

Attending: President Tom Suddeth, Mayor Jim Zeger, Vice-President Jeff Main, Dusty Stoner, Jon Kittredge, Jeremy Jones, Catalin Bonciu, Chris Frisby, Borough Manager Tammy Oberholzer, Assistant Borough Manager Dawn Scheller, Police Chief John Zechman, Solicitor Jason Kelso, and Engineer Lance Kegerreis

Absent: None

Press: Gina Hall, Mercersburg Journal

Guests: Elizabeth McClintick 30 East Fairview Ave., Mercersburg; Wink Hastings, 410 Severn Avenue, Annapolis MD, and Bob Whitmore Mercersburg PA

Council President Tom Suddeth called the meeting to order at 7:00 pm and the Mayor led the Pledge of Allegiance.

Council President Tom Suddeth asked for Public Comment.

Elizabeth McClintick, Wink Hastings, and Bob Whitmore were present to update Borough Council on the progress of the MPMC and Johnston's Run Revitalization Council (JRRC) efforts. They provided Council with copies of a Comprehensive Study completed by KCI Technologies which included details of the current water quality, indicated areas of degradation and other issues. They discussed the need for continued funding and reviewed the desire to apply for additional grant money. Bob Whitmore reviewed that he was interested in finding project grants which would focus on the implementation of their plans. They reviewed the areas of land which are focuses of concern. They spoke about the grant funding going thru the Borough similarly done in the past. They reviewed the volunteers' importance and the grant which they are interested in applying for requires a 50% match. Bob Whitmore reviewed that he would keep the Borough updated on his progress. Members of Council expressed concerns with the financial impact to the Borough and the long-term maintenance of the trail. It was discussed that the Borough has not approved any financial obligations to this project and that their membership would complete the necessary grant applications. Previous meeting motions in support of the concept of the trail was read and reviewed with both Council and MPMC.

Jason Kelso reviewed that typically what happens is the Borough would enter into a sponsorship agreement which they would prepare all the documents and pay all the costs and the Borough would just sign all the documents. Jason Kelso said that the Borough would be reimbursed any costs that it did have.

Bob Whitmore expressed that he is impressed with the commitment of the volunteers and members of the community all working to benefit the community. Bob Whitmore said that he is working at getting the 50% match in order to apply for the DCNR Grant. MPMC spoke that if they don't have enough for this grant, there efforts will continue for future grants.

Council asked what the timeline would be should they receive the funding. It was discussed that the DCNR Grant is a 3 year grant so construction could be done as early as next summer.

They asked if there were any Council Persons willing to attend the future meetings and discussions would be welcome and encouraged. Vice-President Jeff Main expressed the importance continued communication as this is an ongoing process. Elizabeth McClintick said that she would continue to bring information to the Borough.

MOTION: to authorize the Borough Manager to provide matching cost information for the equipment available/Borough Employees time to MPMC for the application process of the DCNR Grant, reaffirming that no financial commitment from the Borough has been made, but that Council is in support of MPMC continue their efforts with this grant and project was made by Catalin Bonciu, second by Jeff Main, all ayes, motion carried.

No other Public Comment was made and Public Comment ended at 7:50 pm Council thanked them for attending and said that it was very informative.

President Suddeth moved on to the other Agenda items.

MOTION: to approve the meeting minutes from February 10, 2014 with minor corrections on page 4 “stated “and page 5 changing “it” to “to” was made by Jeff Main, second by Jon Kittredge, all ayes, motion carried.

President Suddeth moved on to the Treasurer’s Report.

MOTION: to approve the Treasurer’s Report as presented was made by Jon Kittredge, second by Jeff Main, all ayes, motion carried.

President Suddeth moved on to the Bills Payable Report.

MOTION: to approve all the Bills Payable/Invoices as presented including additional memo was made by Jon Kittredge, second by Jeremy Jones, all ayes, motion carried.

President Suddeth asked for the Mayor’s Report.

Mayor Jim Zeger thanked the citizens of the Borough for their quick response to the Snow Emergency Plan. He said that spring is just around the corner and asked that the citizens sweep and spruce up their properties. He reviewed the ½ Marathon for Kids taking place and Mercersburg Students have been asked to participate. He said that this is a great event and has wonderful sponsors.

President Suddeth asked for the Police Report.

Police Chief John Zechman had 72 Complaints and Service Calls, 2 Borough Ordinance Violations, 10 Criminal Investigations, 1 Criminal Arrest, 2 Accident Investigations, 20 Traffic Citations, and 40 Parking Tickets. Police Chief Zechman provided information on the money turned over to the Borough along with the 100% compliance. Mayor Zeger asked that everyone take pride in the 100% compliance with the Snow Emergency Plan. He stated that is was a great example of how the community came together.

President Suddeth asked for the Solicitor’s Report.

Jason Kelso reviewed the MOU between the Tuscarora School District and the Police Department has expired. A copy was included in Tammy’s Manager’s Report for review. Jason Kelso reviewed the Borough would be providing secondary jurisdiction to the School District and that we would be providing back up assistance if they need it.

MOTION: to reinstate the MOU as presented was made by Jeff Main, second by Catalin Bonciu, discussion was made discussing the \$40.00 per/hr. fee per the Fee Schedule, Tammy confirmed that the Fee is based on the fee schedule and will adjust as that does, all ayes, motion carried.

Jason Kelso also discussed the Agreement to Provide Police Services which will rectify the County Issue which they have had. Jason Kelso made the recommendation

MOTION: to authorize the Borough Manager to Draft and Advertise an Ordinance for Intergovernmental Operations Agreement for Montgomery Township was made by Jeff Main, second by Chris Frisby, all ayes, motion carried.

President Suddeth asked for the Engineer's Report.

Lance Kegerreis reviewed that he would wait until the Streets Committee to provide his report.

President Suddeth asked for the Manager's Report.

Borough Manager Tammy Oberholzer reviewed her report. Her report included information about the Rental Ordinance, Planning Vacancies, Noise Ordinance, Snow Plowing incidents, Springfest Banner request. Tammy Oberholzer reviewed that Joel Bradnick is interested in Serving on the Planning Commission to fill one of the two vacancies.

MOTION: to approve Joel Bradnick to be appointed to the Planning Commission by Resolution 15-14 was made by Jon Kittredge, second by Dusty Stoner, all ayes, motion carried.

Tammy Oberholzer reviewed additional information about Jeff Main's question about the Noise Ordinance. Tammy replied stating that the Little League would not be violating any Ordinance by holding their games. She reviewed that the Annual Audit has been completed and that she will recommend that the Auditors come to a Council Meeting to discuss the Audit. She reviewed the Springfest Banner is on the Agenda for approval under New Business.

President Suddeth asked for the Secretary Report.

Dawn Scheller reviewed that there was one Land Use Permit Issued. She provided Council with James Buchanan Award Nominations and also a list of prior years' winners. Dawn Scheller provided a contact list for Council and reviewed that the Statement of Financial Interests are due. She reviewed that the Summer Playground Information would be brought to Council for review and approval.

President Suddeth asked if there were any questions for the Public Works Report, no questions were asked.

President Suddeth asked to move on to the Committee Reports.

Tom Suddeth reviewed the packet of information from HARB's meeting on March 4, 2014.

MOTION: to approve application COA 14-03-01 for the window graphic sign replacement at 13 North Main Street for Daria Royer was made by Catalin Bonciu, second by Jeremy Jones, Jon Kittredge abstained as the building owner, remaining ayes, motion carried.

Vice-President Jeff Main reviewed information from the Streets Committee Meeting. Lance Kegerreis was able to provide Council with information about outside companies who will clean out storm drains. Lance Kegerreis reviewed the need to have the storm drains on Linden looked at. They reviewed Columbia Gas's plan for future work. Council discussed the good relationship built with Columbia Gas and that we need to let Columbia gas knows what the Borough's Plan is. Lance reviewed that using last year's costs it is looking like the Borough should be able to do all remaining streets including Linden. Jeff Main pointed out that does not include any storm drain work needed on Linden. Lance Kegerreis provided a drafted timeline and said that he will continue to keep Borough Council updated with all ongoing information.

MOTION: to support that all streets be put out for bid (Linden, S. Fayette, E. Seminary, W. Seminary, W. Seminary Ext. and E. California St.) was made by Jon Kittredge, second by Dusty Stoner, remaining ayes, motion carried.

Jeff Main provided information about the Fire Board. He reviewed that the projects are almost completed at the Fire House. He also provided information on increased services with the EMS side of the Department.

President Suddeth moved on to the Old Business.

MOTION: to approve Resolution 13-14: Borough of Mercersburg Fee Schedule was made by Dusty Stoner, second by Jeff Main, all ayes, motion carried.

A note was made to check into the street light on Mercer. Dawn Scheller stated she would report it to West Penn Power for repair.

Next item on the Agenda was Rescinding of the Rental Ordinance.

MOTION: to repeal the Rental Ordinance 6-11 was made by Jon Kittredge, second by Catalin Bonciu, Tammy Oberholzer recommend that if Council does repeal this Ordinance that they phase this out to be effective Jan. 2015, Jason Kelso spoke that in college atmosphere this is common, concerns whether property owners would request refunds of fees paid were expressed, Chris Frisby spoke on the multiple public meetings which were held and feedback was received and considered when drafting this ordinance, Dusty Stoner spoke that the ordinance was enacted with the Public Health and Safety in mind, other members spoke not in favor of the ordinance, a concern was raised whether the Borough was responsible to provide a resident list to the Tax Collector for Per Capita Taxes collected, the Police Chief was asked if there was any benefit to the department with this ordinance, it was suggested that this be tabled until next month's meeting, Motion was rescinded by Jon Kittredge and Catalin Bonciu, no action was taken.

Next item on the Agenda was to discuss Free Parking on Wednesdays.

MOTION: to enact Free Parking on Wednesdays for a six month trial period, beginning April 2, 2014 and ending September 24, 2014 was made by Jeff Main, second by Catalin Bonciu, discussion was to assist with attracting additional public interest and promote local business, vote was taken all ayes, motion carried.

MOTION: to adopt Resolution 14-14 Annual Springfest Banner was made by Jeff Main, second by Jon Kittredge, all ayes, motion carried.

MOTION: to approve the purchase of 8 (\$25.00) tickets to attend the Tuscarora Area Chamber of Commerce Awards Dinner with the Borough Staff to be invited, and any remaining tickets to be offered to Council Members, and then spouses as done in prior years was made by Dusty Stoner, second by Chris Frisby, additional discussion occurred regarding the spending of Borough Funds for this type of event, a vote was taken, Jon Kittredge and Tom Suddeth Opposed, remaining ayes, motion carried.

President Suddeth opened Nominations for the James Buchanan Award.

President Suddeth recommended the American Legion for all they do including the recent Memorial built. Catalin Bonciu nominated Clarence Pittman for all he does for the community. Catalin says that he always is helping with traffic control and he has helped the community.

Jeff Main asked the nominations be closed.

A Vote was taken for the American Legion to receive the James Buchanan Award, Jeff Main opposed, remaining ayes; American Legion is the 2014 recipient of the James Buchanan Award.

MOTION: to approve the Rezoning Request from Agronomy Inc. was made by Jon Kittredge, second by Catalin Bonciu, all ayes, motion carried.

President Suddeth reviewed the correspondence in the packets and upcoming calendar of meetings.

President Suddeth asked if anyone had anything else.

Mayor Zeger asked that a nomination form be completed for the American Legion so that he has information when presenting the James Buchanan Award.

Streets Committee was scheduled the March 18th at 2:00 pm, Property would meet on April 4th at 1:00, and Personnel would let the office know when meeting was scheduled.

MOTION: to enter into executive session for personnel matters with no action to be taken was made at 9:30 pm by Catalin Bonciu and second by Jon Kittredge all ayes, motion carried.

Resumed regular session at 9:36 pm.

MOTION: to adjourn at 9:36 pm was made by Jon Kittredge, second by Jeff Main, all ayes, motion carried.

These meeting minutes have been transcribed and respectfully submitted by Dawn L. Scheller with the use of the audio recording and her notes.

Date Approved: _____ **Motion Made By:** _____ **Second By:** _____