

Mercersburg Borough Council
Borough Hall, Mercersburg PA
July 11, 2011
Minutes

Attending: President-Elizabeth McClintick, Mayor- Jim Zeger, Vice-President-Joshua Meyers, Betty Stenger, Tom Suddeth, Jack Bickley. Chris Frisby, Borough Manager-Tammy Oberholzer, Assistant Borough Manager-Dawn Scheller, Sam Wisser-Solicitor

Absent: Donald Stoner, Chief Zechman, Mark Pickering- Engineer

Press: None

Guests: None

President McClintick called the meeting to order at 7:00 pm.

Mayor Zeger led the Pledge of Allegiance.

No guests or public comment.

President McClintick asked for a motion to approve the meeting minutes from June 13, 2011 meeting.

MOTION: to approve meeting minutes from June 13, 2011 was made by Josh Myers, second by Betty Stenger, all ayes, motion carried.

MOTION: to approve the Treasurer's Report for the month ending June 30, 2011 was made by Jack Bickley, second by Betty Stenger, all ayes, motion carried.

MOTION: to approve the Bills Payable List for June 2011 was made by Betty Stenger, second by Jack Bickley, a questioned was asked about a \$60 Ordinance Violation expense, Tammy Oberholzer stated that the expense was for a lawn mowed in the Borough that did not respond to the Ordinance Violation Notices and the bill was forwarded to the property owner, another question regarding Crossing Guard expense was mentioned, Tammy stated that this is something that the Borough pays each year, a vote was taken, Tom Suddeth opposed, remaining ayes, motion carried.

Mayor Zeger presented the Mayor's Report. Mayor Zeger recently returned from a vacation to find that the Police Department was working on reported thefts and vandalism in the Borough. Mayor Zeger asked the residents to be vigilant and report any suspicious activity to the Police Department. He also asked that the residents report any items missing. Mayor was very disheartened to find that this was occurring and stated that these types of behaviors won't be tolerated and the individuals involved will be caught. Mayor Zeger reminded everyone of the annual Fair and invited all to attend.

President McClintick asked for the Police Report.

Officer Wertz presented the report in the Chief's absence. Chief Zechman was away attending the annual Chief's Conference. Officer Wertz provided an update on the new computers that have been installed in the police vehicles. The Mercersburg Police Department had the following activity for the month of June: 108 Complaints and Service calls, 0 Borough Ordinance Violations, 13 Incidents, 6 Criminal Arrests, 2 Accident Investigations, 63 Citations, 25 Parking Tickets. A check in the amount of \$1000 was issued to the Mercersburg Police Department from the PA Attorney General's Office and Officer Wertz presented that check to Borough Council.

President McClintick thanked Officer Wertz for the report. She asked if Sam Wisser, Solicitor, had anything to present.

Sam Wisser reviewed a draft version of a Flood Plain Management Ordinance Document. This type of document is required for all communities to have on file and is required by DCED/FEMA. This document states that properties that are within a FEMA determined Flood Zone must obtain the appropriate Flood Insurances and follow the rules and regulations within. This draft, if approved by Borough Council, will then be sent to DCED for review. Sam stated that he expects DCED would then send an approval or any comments back to the Borough for review and action in early 2012. Council asked that any Council Member with any suggested changes be forwarded to Tammy no later than July 15, 2011.

MOTION: to authorize Sam Wisser to submit the draft version of this document to DCED on behalf of the Borough and include any suggested changes from Council which are submitted to Tammy Oberholzer prior to July 15, 2011, should no

changes be submitted Sam is authorized to send the draft as written was made by Josh Meyers, second by Jack Bickley, all ayes, motion carried

Sam Wisner stated that he had nothing further at this time.

President McClintick asked for the Engineer's Report.

Tammy Oberholzer reviewed the Engineer's Report. Tammy stated that Peters and Montgomery Township are required to adopt the Act 537 Plan. Tammy stated that DEP is aware that the Borough has no control over them adopting the plan. She stated that she believes that DEP is happy with the work that the Borough has done. Tammy stated that Grain Alley still has a punch list of items that they are working on. The Engineer's recommendation is that the Borough hold a 10 % (\$16,644.22) for those punch list items but authorize payment for a partial payment of \$44, 217.94 to Charles E. Brake. Once the items are completed the remaining would be paid. Council discussed the Engineering mishap on Grain Alley and wanted to know what Gannett would be doing to make up for the mishap. Tammy stated that Gannett Fleming authorized to pay for Labor and Equipment totaling \$1,112.52 and that the Borough should pay for Materials used totaling \$969.37.

MOTION: to authorize partial payment of \$44,217.94 to Charles E. Brake for work completed on the Grain Alley Project was made by Betty Stenger, second by Chris Frisby, Josh Meyers opposed, remaining ayes, motion carried.

Tammy stated that Gannett Fleming had requested an updated construction schedule for the Food Lion Project. Tammy stated that both Brent Ramsey and Don Shaffer visits the site and monitors the progress. Tammy Oberholzer stated that the Leech House Project is completed and all documents have been received. Tammy stated that the Elementary School Project is underway and that the Elementary School is posting the property as no trespassing during the construction. Gannett Fleming approved the storm water design and calculations and recommends approval of the plans pending the execution of the Storm water Maintained Agreement between the Borough and the School District.

Borough Council discussed the Finance Committees Meeting regarding the RFP for Engineering Services. Council had previously received the bid documents. Borough Council discussed recent invoice discrepancies that Tammy Oberholzer asked Gannett Fleming for clarification on. Gannett Fleming did not answer all of the inquiries that she made. Council continued discussed on the RFP information received. The Finance Committee recommended that Borough Council hire Dennis E. Black for Engineering Services.

MOTION: to terminate Engineering Services with Gannett Fleming effective immediately and to award the REF for Engineering Services to Dennis E. Black effective immediately was made by Josh Meyers, second by Betty Stenger, all ayes, motion carried.

President McClintick asked for the Manager's Report.

Tammy Oberholzer presented the Manager's Report. She provided Council with an update on the Mayo Building. She stated that the older furniture in the Building would be discarded. The Public Works Department was given permission to dispose items in the Montgomery Township Landfill. Tom Suddeth will see that the computer is delivered to the Library for distribution. Tammy provided Council with a recommendation of 2 computers purchased along with software. Tammy stated that the office is currently working with multiple operating systems and the storage space is becoming limited.

MOTION: to approve the purchase of one tower - \$801.59 & one laptop - \$951.99 from Dell was made by Josh Meyers, second by Tom Suddeth, all ayes, motion carried.

Tammy stated that she received a phone call from the School District requiring an updated MOU with them for the Safe Schools Program. The document was included in the members' packets. Sam Wisner stated that he updated the document making it current.

MOTION: to approve and authorize the MOU between the Mercersburg's Police Department and the Tuscarora School District was made by Josh Meyers, second by Jack Bickley, all ayes, motion carried.

President McClintick asked for the Secretary's Report.

Dawn Scheller reviewed information regarding the Summer Playground Program. She stated that the enrollment was low this year compared to last year. Dawn stated that the Coordinator was interested in running a Healthy Snack and Active program for this year. The children who were attending were having a wonderful time. Dawn Scheller stated that the Borough Office is addressing the reported Ordinance Violations that are being brought to the Borough's attention. She thanked Borough Council for allowing her to attend the Web-in-are Borough Secretary Training.

President McClintick asked for the Committee Reports.

Personnel Committee made the following recommendations; 1) to approve an increase in salary for Officer Soffe from \$13.25 to \$14.25 per hour, 2) to approve the hiring of Officer Wertz to fill the full-time police officer position with the salary, plus benefits of \$31,824. Borough Council discussed some questions regarding a physical, oral exam, and written exam requirements for this position. Sam Wiser provided Council with the opinion that these items could be waived due to the position being offered to an existing employee. Mayor stated that a full background check was completed and no indicators were found. The Mayor provided the Council Members with an opportunity to review the file.

MOTION: to approve a rate of pay increase for Officer Soffe from \$13.25 to \$14.25 per hour was made by Tom Suddeth, second by Josh Meyers, all ayes, motion carried.

MOTION: to hire Officer Wertz to fill the full-time police officer position with the salary of \$31,824 waiving the requirements of the physical, oral exam and written exam with the notation that a full background check was completed and no indicators were found was made by Betty Stenger, second by Josh Meyers, all ayes, motion carried.

The Property Committee reviewed the process that was followed to review and adjust the proposed Rental Property Maintenance Ordinance. The Property Committee invited the Rental Property Owners to two meetings to allow for suggestions to be shared. The Committee also provided the opportunity for CCIS and Emergency Services to provide feedback. The Committee then took all suggestions into account and adapted the Ordinance to be what was in the packets. The Committee made the recommendation that this Ordinance be advertised. Borough Council continued discussion.

MOTION: to authorize the advertisement of the Rental Property Maintenance Ordinance 6-11 was made by Josh Meyers, second by Jack Bickley, Tom Suddeth opposed, remaining ayes, motion carried.

The Streets Committee provided Borough Council with an update on a recommendation that Council authorize a restriction on parking on Maple, Overhill and Findlay. The reason for this is to allow for Emergency Vehicles to travel the streets in case of an emergency. The Streets Committee made the recommendation that NO PARKING would be allowed on the West side of Maple, West side on Overhill, and the Southside of Findlay. Borough Council discussed the recommendation.

MOTION: to authorize the parking restrictions and amend the current Ordinance to include NO PARKING on the West side of Maple, West side of Overhill, and the Southside of Findlay and send out communication to the Findlay Residents prior to signs being posted was made by Jack Bickley, second by Betty Stenger, all ayes, motion carried.

The Finance Committee presented information from the meeting held on June 29, 2011. The Committee reviewed the status of the Mayo building and the committee would look to develop a plan for the additional space. The Committee met with Amy Hershey and reviewed the Borough's Accounts and is in agreement with Amy's recommendations. Council discussed the recommendations and the 2012 Budgeting Process. The Committee will forward the preliminary Budget to Council for Review in October.

MOTION: to approve the following transfers contingent upon tracking the JB Birthday Fund separate and the account meets the standard of the 1316 Borough code: the transfer of JB Birthday Fund, UDAG Fund, Capital Improvement Fund, and Police Reserve to the First National Bank of Mercersburg in a Money Market account earning .85%, transfer of \$21,500 (JB/HL Endowment Fund) PLGIT to a 11 month CD at Tower Bank earning 1.10%, transfer of \$32,500 (Joint Equipment Fund) PLGIT to a 11 month CD at Tower Bank earning 1.10%, transfer of \$50,000 (Street Improvement) PLGIT to a 7 month CD at Tower Bank earning .91% was made by Josh Meyers, second by Jack Bickley, all ayes, motion carried.

President McClintick reviewed the New Business.

MOTION: to approve McConnellsburg Volunteer Fire Company's Request for Fire Police Help on Saturday, August 6, 2011 was made by Jack Bickley, second by Tom Suddeth, all ayes, motion carried.

MOTION: to approve McConnellsburg Volunteer Fire Company's Request for Fire Police Help on Saturday October 15, 2011 was made by Betty Stenger, second by Jack Bickley, all ayes, motion carried.

MOTION: to approve Resolution 14-11 was made by Jack Bickley, second by, Josh Meyers, all ayes, motion carried.

President McClintick reviewed the Correspondence and Calendar.

MOTION: to adjourn at 9:58 pm was made by Josh Meyers, second by Chris Frisby, all ayes, motion carried.