

Mercersburg Borough Council

Borough Hall, Mercersburg, PA

November 14, 2011

Minutes

Attending: President Liz McClintick, Vice-President Joshua Meyers, Betty Stenger, Chris Frisby, Tom Suddeth, John Freeland, Borough Manager Tammy Oberholzer, Assistant Borough Manager Dawn Scheller, Solicitor-Sam Wisner, Chief Zechman, Lance Kegerreis

Absent: Donald Stoner

Guests: Robert W. Dean 503 Philadelphia Ave Apt 1, Chambersburg PA, Paul Miley-503 Philadelphia Ave, Apt 1, Chambersburg PA

Press: Gina Hall- Mercersburg Journal

Meeting Began at 7:00 pm

President McClintick asked Mayor Zeger to lead the Pledge of Allegiance.

President McClintick welcomed the guests and asked if anyone had any Public Comment.

Robert Dean introduced himself and family history in living in the Borough. He continued providing Borough Council with his recent work history. Robert Dean stated that he had a recent challenge with a Police Officer in the Department. Robert Dean was present at the meeting to share his complaint with Borough Council. Robert Dean stated that his complaint is that a Police Officer treated him badly at the scene of his mother's accident. President McClintick asked Robert Dean if he has filed a complaint concerning this incident. Robert Dean responded that he had not. Robert Dean stated that the Police Department has not helped him in his situation. Sam Wisner informed Robert Dean that the Borough has a procedure to file complaints against Police Officers and complaints are then investigated. Sam Wisner stated that Robert Dean should file a formal complaint following the procedure that the Borough has in place. Sam Wisner stated that Borough can't act on anything because nothing has been filed. Mayor Zeger stated that Mr. Dean had contacted him three weeks earlier and asked Mr. Dean to confirm that at the time of the conversation Mayor asked that he complete a complaint form and file it with the department. Mr. Dean did agree that they had that conversation and it was recommended that he file a complaint at that time. Mr. Dean stated that his business was finished and stated Good luck to you all and God bless you all and may God be with you.

Mr. Dean and Mr. Miley left the meeting at 7:05 p.m.

President McClintick asked Council to review the meeting minutes for October 10, 2011 or if anyone had any questions/comments.

Tom Suddeth stated that on page 3 (at the bottom of the page) that Betty had indicated that the house on the square with broken windows and it was not Tom. Dawn stated that she would make the correction.

MOTION: to approve the meeting minutes from October 10, 2011 with the above mentioned correction was made by John Freeland, second by Tom Suddeth, all ayes motion carried.

President McClintick asked Council to review the Treasurer's Report.

MOTION: to accept the Treasurer's Report was made by Betty Stenger, second by John Freeland, all ayes, motion carried.

Josh Meyers entered the meeting at 7:10 p.m.

President McClintick asked Council to review the Bills Payable and the updated information on the blue page.

Tammy Oberholzer provided the Files received from Gannett to be reviewed by Dennis E. Black, Inc.

MOTION: to approve to pay the Bills Payable Invoice List was made by Tom Suddeth, second by John Freeland, all ayes, motion carried.

President McClintick asked for the Mayor's Report.

Mayor Zeger commended the Volunteers who assisted during the Halloween Parade. He commended the Mercersburg Fire Police, the Police Chief, the State Police, and the Borough Employees. Mayor thanked the Sponsors; Lions Club, the Legion, the VFW, the Moose and all who participated in the parade. Mayor said that it was the 69th parade. Mayor reviewed that the Borough has some upcoming events and recommends that everyone come to those events. The first being December 3rd & 4th Community Orchestra, Candlelight Ceremony at the Academy on December 18th. He reminded that the leaf pick-up is scheduled for November 16-18 and that the leaves should be in untied bags or in covered piles cleared of parked cars.

President McClintick asked for the Police Chief's Report.

Chief Zechman reviewed his report which included; 116 Complaints and Service Calls, 17 Ordinance Violations, 19 Criminal Investigations, 13 Criminal Arrests, 11 Misdemeanor Offenses, 2 Felony Offenses, 3 Accident Investigations, 42 Citations, 50 Parking Tickets. Chief Zechman reviewed that the computers will be reinstalled in the unmarked patrol vehicle and that Officer Soffe designed a new badge for the Department. Chief Zechman showed the badge to Council and that the badges are being provided to the department at no cost. Chief Zechman introduced the new Part-time Police Officer Mario Angelini and Cadet Travis Mickley.

MOTION: to enter into Executive Session at 7:25 p.m. to discuss Personnel Issues was made by Josh Meyers, second by Chris Frisby, all ayes, motion carried.

Regular Session resumed at 7:32 p.m.

President McClintick asked for the Solicitor's Report.

Sam Wisner stated that the Governor did sign the Bill increasing the Bid Limits. The Bid Limits had been \$10,000 and has been risen to \$18,500 and telephone quotes don't have to be obtained unless over \$10,000. The Bill is in effect starting January 1, 2012. Sam Wisner stated that the Limits are tied to the CPI and once those increase it will automatically increase.

President McClintick asked for the Engineer's Report.

Lance Kegerreis met with the downstream business property owner behind Food Lion. That owner had recent flooding issues. Lance spoke to the owner, the excavator of the Food Lion Project and he went on site to look at the concern. Lance stated that it is a challenging situation. Lance described where the building is located compared to the new storm water basin and what information that he collected. Lance made two suggestions that Lance stated that he would follow up on for the Business Property Owner. The first is that the Excavator for the Project needs to have the controls structure installed. The second item is that the currently size of the drainage ditch should be graded appropriately. Lance requested that Tammy provide him with the infiltration report for the Food Lion Project.

President McClintick asked for the Manager's Report.

Tammy Oberholzer presented her Manager Report. Tammy Oberholzer reviewed that the Church Street work has begun and she will keep Council updated on the project. Tammy stated that Resolution 19-11 is on the Agenda for review. Tammy Oberholzer provided Council with information from the FCATB. Tammy Oberholzer stated that she has been in contact with Columbia Gas and that they are interested in coming to a Streets Committee Meeting. Tammy stated that the Preliminary Budget is on the Agenda with a .5 mill increase and that the Tax Levy Ordinance both would need to be approved for Advertisement. Tammy Oberholzer updated Council on the recent power outage at the Water Plant. She stated that the Water Authority will be reviewing an estimate for a generator so that this situation does not occur in the future. Tammy stated that Dennis E. Black has prepared an estimate for a Street Survey. Tammy stated that this survey would be instrumental in completing future road work. Tammy Oberholzer asked that Council approve a Holiday Luncheon and determine a budget. Tammy stated that last year's budget was set at \$500.00, although not all funds were spent.

MOTION: to approve a Holiday Luncheon with the budget of \$300.00 was made by Josh Meyers, second by Tom Suddeth, all ayes, motion carried.

President McClintick asked for the Secretary's Report.

Dawn Scheller reported that there was one Land Use Permit issued in October. Dawn stated that the Reorganization and Regular January Borough Council Meeting is scheduled for Tuesday, January 3, 2012 at 7 p.m. Dawn Scheller provides quote information for backhoe tires needed. She stated that both Water and Sewer approved this purchase to be paid from the joint equipment fund and just needed Borough Council's approving the 1/3 of the cost. Dawn Scheller provided Borough Council with a copy of the 2012 Meeting Schedule. A question was asked when the Christmas decorations were to be hung. Dawn stated that the decorations were scheduled to be hung the week of Thanksgiving and that is on the calendar.

President McClintick asked for the Committee Reports.

Betty Stenger reviewed the notes from the meeting. Betty presented the recommendations from the Committee and asked for Council's approval. Council reviewed the information and discussed COA 11-11-01.

MOTION: to approve HARB's recommendations for COA 11-11-01: Replacement of an asphalt shingle roof with Wheeling 5v Roofing, Request to install German Lap siding over existing siding and must be a smooth face and be painted or stained, All windows that were installed must be removed and appropriate wooden windows with true divided lite be installed and trim work must be preserved and brought out from the siding any trim work damaged must be replicated and the HARB Board must approve window choices, and to approve the installation of the deck providing the construction meets all code requirements and the existing balusters removed and replaced with plain squared balusters and the existing lattice removed and replaced with period appropriate skirting and the deck and railings be painted as soon as possible was made by Betty Stenger, second by Josh Meyers, all ayes, motion carried.

President McClintick reviewed the Personnel Committee information due to Donald Stoner's absence.

President McClintick reported that Officer Angelini was hired. Tom Suddeth asked if the Personnel Committee Meeting is open to the Public particularly discussion on Holidays. Sam Wiser stated that it is however the Chairman can adjourn into Executive Session. It was reminded that the Personnel Committee was going to meet on Monday, November 21, 2011 and to complete the evaluations.

President McClintick asked for the Streets Committee Report.

Josh Meyers presented the notes from the Streets Committee Meeting. Vice-Chairman Meyers asked that the Engineer be invited to the next Streets Committee Meeting which they would schedule. Josh stated that the Committee would like additional clarification on the Road Summery Survey. Josh stated that they were a little shocked by the price compared to what they had before. Tammy stated that she could not obtain the figure paid to Gannett for the last survey due to the poor billing. Lance Kegerreis explained that they would visually survey every street and establish a station system; they would photo document the condition, develop a ranking system on the status of the street and what method is needed, compile a report with the photos and ranking system. It would include a prioritizing. Tammy stated that this is what Dawn and she had discussed. Liz McClintick stated that she felt that this is a good estimate for this type of work. Lance stated that this could happen all winter long as long as they do not have snow on the ground. Lance said the hours listed was just an approximation. John Freeland thanked the Chair of the Committee for bring this up. John stated that the Committees discussions has been that they need something that they can use as a baseline to what things need to be done to improve the street condition and future maintenance plan to be implemented. John wanted to confirm that this was going to be the start of something bigger. John stated that the current street condition of the Borough make's a statement and that is not a very good statement. John stated to attract future business and residents to the Borough we need to do something to improve the roadways in the community. Liz stated that with the change of Engineer and the priorities that have been set and what has been accomplished like Grain Alley, the Borough is interested in continuing for the future. Liz thanked the Streets Committee for all of their work.

MOTION: to approve the Estimate for Road Evaluation by Dennis E. Black, in the amount of \$9,712.00, to be paid out of Street Improvement was made by Tom Suddeth, second by Josh Meyers, all ayes, motion carried.

Josh reviewed information regarding Bennett Avenue. He reviewed that the paving was not going to be completed this year and that plowing the street may require the PWD to use the backhoe and be more careful while working on the project. The Streets Committee was concerned with the additional time spent on plowing the street and the cost to the Borough. Tammy stated that she

does not personally think that it will take much more time for the staff. The Committee recommends that correspondence to the Authority on the current condition of Bennett Avenue and that additional hours required to plow the street be paid by the Authority.

MOTION: to approve a letter of understanding written to the Authority referencing the current condition of Bennett Avenue and requesting that the Authority pay the additional hours needed for snow removal was made by Josh Meyers, second by John Freeland, additional discussion continued, a vote was taken- John Freeland aye, Josh Meyers aye, Betty Stenger aye, Chris Frisby aye, Liz McClintick opposed, Tom Suddeth opposed.

Sam Wiser asked who would write that letter. It was recommended that Tammy or Dawn not write the letter. Josh Meyers stated that he would draft the letter. Liz McClintick asked that the draft letter be brought back to Council at December's Meeting. Council Member's agreed.

Josh Meyers reviewed a traffic safety concern on Oregon Street. Council discussed the current condition.

MOTION: to institute a temporary No Parking to be reviewed with the Street Ordinance and that temporary No Parking Signs be installed was made by Josh Meyers, second by John Freeland, all ayes, motion carried.

A note was made that the Ordinance would need to be reviewed.

President McClintick reviewed the Finance Committee Meeting Notes.

President McClintick reviewed the meeting information and proposed a .5 mill increase and this would need to be advertised. Liz stated that Amy has indicated that the \$7,000 paid to the school district has ended and will not need to be paid for 2012. She said that Amy had met with the Chief and they have a handle on the Police Budget and they were able to save money on that. Liz reported that funds were saved this year on the Phone Accounts and the Employee Uniform Program Established. Liz stated that the .5 mill increase would bring in approximately \$6300 to the Borough. Mayor's concern was where in the budget is the \$6300. Liz stated that if you look at the increase in the Street Improvement Fund. Mayor's concern that if the intent of the increase is to go into the Street Improvement Fund that that's what the philosophy should be when using those funds and not that the increase is spent on general expenditures. Council reviewed additional items such as legal fees, police salaries, health insurance costs, and salary increases. Liz reviewed that the Council Members have had the budget for a month and they had every opportunity to speak with Amy directly to get the answers to the questions. Further discussion continued.

MOTION: to approve the Preliminary 2012 Budget for advertisement with the .5 mill increase was made by John Freeland, second by Josh Meyers, Tom Suddeth opposed, remaining ayes, motion carried.

MOTION: to approve Ordinance 2-24 for Advertisement was made by Josh Meyers, second by John Freeland, Tom Suddeth opposed, remaining ayes, and motion carried.

MOTION: to approve the purchase of backhoe tires from Service Tire Truck Center to be paid from the joint equipment fund was made by Josh Meyers, second by Tom Suddeth, all ayes carried.

MOTION: to approve the annual service on the Borough's Clock Tower to be paid from building maintenance was made by Betty Stenger, second by John Freeland, all ayes, motion carried.

MOTION: to approve Resolution 19-11 was made by John Freeland, second by Betty Stenger, Tom Suddeth and Josh Meyers opposed, remaining ayes, motion carried.

MOTION: to approve Resolution 20-11 was made by Josh Meyers, second by Tom Suddeth, all ayes, motion carried.

MOTION: to authorize the annual contribution to the Franklin County Drug Task Force was made by Tom Suddeth, second by John Freeland, all ayes, motion carried.

President reviewed the calendar and correspondence. Josh stated that the Streets Committee may meet prior to the Council Meeting and they would organize that.

MOTION: to direct the Manager to write correspondence to the Elected Representatives regarding Bill 1950 and how it effects municipalities was made by Tom Suddeth, second by Josh Meyers, all ayes, motion carried.

MOTION to adjourn at 9:35 p.m. was made by Josh Meyers, second by Tom Suddeth, all ayes, motion carried.

These minutes were transcribed by the Borough Secretary, Dawn L. Scheller, from her notes and recording of the meeting. Respectfully submitted by the Borough Secretary, Dawn L. Scheller.

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