

Mercersburg Borough Council
Borough Hall, Mercersburg, PA
December 12, 2011
Minutes

Attending: President McClintick, Mayor Jim Zeger, Vice-President Josh Meyers, Tom Suddeth, Betty Stenger, John Freeland, Chris Frisby, Donald Stoner, Borough Manager Tammy Oberholzer, Assistant Borough Manager Dawn Scheller, Police Chief John Zechman and Solicitor Sam Wiser

Absent: None

Press: Gina Hall Mercersburg Journal

Guest: None

Meeting began at 7:00 p.m.

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

There was no Public Comment.

President asked for a motion to approve the November 14, 2011 meeting minutes.

MOTION: to approve the November 14, 2011 meeting minutes was made by Josh Meyers, second by Betty Stenger, Dawn Scheller stated that one word needed to be added to one motion on page 4, no other changes were needed, all ayes, motion carried.

President McClintick asked for a motion for the Treasurer's Report.

MOTION: to approve the Treasurer's Report for the month ending November 30, 2011 was made by Donald Stoner, second by John Freeland, all ayes, motion carried.

President McClintick asked for a motion to approve the Invoices to be paid for the month ending November 2011 including the blue sheet.

MOTION: to approve the Bills Payable Lists was made by Josh Meyers, second by Donald Stoner, Tom Suddeth opposed, remaining ayes, motion carried.

President McClintick asked for the Mayor's Report.

Mayor Zeger stated that the parking meters will be bagged from December 17, 2011 until January 2, 2012. Mayor stated that Chambersburg did not have meters covered. Mayor Zeger stated that Greencastle did have their meters covered. Mayor stated that he welcomes feedback from Council regarding the meters. Mayor stated that Mercersburg has many of Holiday Programs in town. He stated that the weather looks nice for the next 10 days and he encouraged everyone to enjoy the season and admire all of the holiday decorations. The Mayor stated that the Borough Tree is up and is decorated with lights. He thanked the Police Department for turning on the Christmas lights and wished everyone a Happy Holiday.

President McClintick asked for the Chief's Report

Chief Zechman reported that the department received 78 complaints and service calls for the month of November. There was 0 Borough Ordinance Violations, 10 Crimes investigated, 5 Criminal Arrests, 3 Accident Investigations, 71 Citations Issued, and 54 Parking Tickets. Chief Zechman provided Council with financial information for funds collected year to date. He reviewed that he needed to order more parking tickets at a cost of \$471.00 and a camera for a cost of \$104.00. Council Members asked questions about the Holiday Schedule and Parking Tickets issued on Black Friday. Chief answered the questions.

President McClintick asked for the Solicitor's Report.

Sam Wiser wished everyone a Merry Christmas and stated that he would explain the Ordinance information listed under New Business.

President McClintick asked for the Engineer's Report.

No Report was available. Council asked Tammy to request a report from the Engineer. Council was interested in hearing information regarding the Fox Rd concern and the Street Survey. Tammy Oberholzer stated that she would forward their request.

President McClintick asked for the Manager's Report.

Tammy Oberholzer stated that they were awaiting the as built drawings for Grain Alley and the request for final payment from Charles E. Brake. Tammy stated that GANOE completed the paving on Church Street. She stated that the additional areas not paved would be reviewed by a Columbia Gas Representative. Tammy stated that she would keep Council informed of the progress of the discussions. Tammy stated that Columbia Gas did state that they would like to replace gas lines on Bennett Ave and some additional streets within the Borough. Tammy stated that they would attend a Streets Committee Meeting in the New Year. Tammy stated that the preliminary was advertised as required and the Borough Office received zero questions about the budget. Tammy stated that the electronic files received from Gannett are good and she asked that they release the payment to Gannett except for the Leech House Testing. Tammy reviewed information regarding purchasing mats for the Borough Office versus renting them.

MOTION: to authorize the purchase of new mats for a cost of \$198.00 and Cancel the contract with Cumberland Valley Rental was made by Donald Stoner, second by Joshua Meyers, all ayes, motion carried.

Tammy reminded everyone that Newly Elected Officials Training and asked anyone interested in attending the training contact the Borough Office. The Borough would pay the cost of the training for the Council Members.

President McClintick asked for the Secretary's Report.

Dawn Scheller stated that the Meeting Schedule would be advertised in the December 21, 2011 Journal edition. Dawn provided the council members with a copy of the 2012 Meeting Calendar. She stated that one Land Use Permit was issued in November.

President McClintick stated that the Public Works Department was included in the packets for everyone's view.

President McClintick asked for the Committee Reports.

Betty Stenger reviewed the HARB Meeting notes and the Recommendations.

MOTION: to approve the recommendations of HARB for COA 11-12-01 as stated; Main Roof - Replacing existing asphalt shingles with Timberline Prestique pewter gray or similar high definition lifetime shingles, retain snowbirds, Kitchen Roof – Replace existing asphalt shingles with the same shingles as the main roof, Cabin Roof – Two proposed options: Repair existing deteriorated slate shingles with new slate shingles to match or if unable to repair replace with the same material as the other two roofs, Low Cabin Roof – if needed, replace with the same material as the Main Kitchen Roof, Fascia Boards – repair or replace wood as necessary, Main Roof Dormer – Replace existing aluminum siding with hardipank, retain existing window trim, Garage Roof – remove existing galvanized metal roof and replace with 9" grand rib, 26 gauge, white galvanized roof, and to approve emergency repair if necessary due to weather and roof conditions was made by Josh Meyers, second by Chris Frisby, all ayes, motion carried.

President McClintick asked for the Nominating Committee Update.

Josh Meyers presented a letter of interest for a resident to serve on the Fire Board for the remaining of the current term.

MOTION: to appoint Tom Suddeth to serve the remaining term ending on December 31, 2011 of the Fire Board was made by Josh Meyers, second by John Freeland, Donald Stoner abstained, remaining ayes, motion carried.

MOTION: to approve a policy that any Fire Board Members be residing property owners of the Borough was made by Donald Stoner, second by John Freeland, all ayes, motion carried.

Council discussed information for the terms ending on December 31, 2011 and the interest in the vacancies. Council authorized an advertisement for the Fire Board Vacancies, Water Authority and the Zoning Hearing Board. Dawn Scheller stated that the ad would run on December 21, 2011

President McClintick asked for the Personnel Committee Meeting information.

Donald Stoner reviewed the notes from the meeting. Personnel Committee recommended that since multiple people write and evaluation for the Borough Manager and employees that the Police Chief receives a review from multiple people. Donald Stoner reviewed that the Authority Representatives approached the Personnel Committee and asked them to consider matching the end of year holiday bonuses that are paid to the employees at the end of the year. Donald Stoner reviewed that the Committee recommends that all employees receive a cost of living increase of 1.5% and that any employee scoring an 80% or better receive an additional merit increase of 1.5%. Newly hired Officer Angelino would not be included in these bonuses. It was also discussed that the Personnel Committee receives a written policy from the Chief which includes criteria for Step Increases before any additional step increases would be recommended. The Personnel Committee would utilize this written policy as they review Police Officer Performance and allow them a tool to follow in recommending increases to Council.

After discussion the Personnel Committee was asked to develop a policy for the Chief's annual evaluation. Council asked that the Mayor relay the request for the written policy regarding Step Increases.

MOTION: to enter into executive session for Personnel Matters with possible action to be taken at 8:15 p.m. was made by Donald Stoner, second by John Freeland, all ayes, motion carried.

Regular Session resumed at 8:45 p.m.

MOTION: to authorize payment of \$50.00 after taxes to each Borough Employee for a Holiday Bonus was made by Donald Stoner, second by Betty Stenger, all ayes, motion carried.

MOTION: to authorize payment of 1.5% cost of living increases to all Employees except for Officer Angelini and payment of 1.5% to all employees scoring an 80% or greater on the annual evaluation not including Officer Angelini was made by Donald Stoner, second by Chris Frisby, all ayes, motion carried.

Tammy Oberholzer reviewed that the Temporary Part-Time employee is no longer able to work at the Borough.

MOTION: to authorize the Borough Manager, Assistant Borough Manager, and Public Works Director to hire a replacement Temporary Part-time employee was made by Donald Stoner, second by Josh Meyers, all ayes, motion carried.

Tammy Oberholzer reviewed that a Server was needed for the Borough Office. Tammy provided Council with a copy of the quote.

MOTION: to authorize the purchase of the server using the joint equipment fund from Dell in the amount of \$1,249.87 was made by Tom Suddeth, second by Donald Stoner, all ayes, motion carried.

President McClintick asked Council to review the New Business.

Mayor Zeger spoke to Council regarding the proposed .5 mill tax rate increase. Mayor Zeger stated that he did not believe that this is a good time to raise taxes. He understands that the additional amount be placed in the Streets fund however he thought that money could be transferred in that account from the Irwin Account. He suggested not increasing the taxes but transfer and closing the Irwin Account Funds to the Streets improvement fund. The Street Improvement fund would also receive the annual contribution amount allotted minus the .5 mill increase.

MOTION: to close the IRWIN HOUSE Account and transfer the funds to the Streets Improvement Fund was made by Donald Stoner, second by Josh Meyers, all ayes, motion carried.

MOTION: to authorize Ordinance 2-24 with a .5 mill increase was made by Donald Stoner, this motion did not receive a second, therefore not carried.

MOTION: to authorize Ordinance 2-24 with a zero mill increase, keeping the rate to a total tax rate for all Borough purposes to 22.7 mills for the 2012 year was made by Tom Suddeth, second by John Freeland, President McClintick asked for each Council Member to speak about this motion, Donald Stoner explained he is in favor of authorizing a tax increase of .5 mills now rather than a larger one in the future, President McClintick was also in favor of a tax increase now because Council will be undertaking a Street Assessment where streets will need repairing or replacing and this will allow for the work needing completion plus build a balance for the future items needed, President McClintick reviewed the previous history of increases along with the ending balances, John Freeland spoke about the amount of families and children who are not having a Christmas this year and that Council does not have a plan in place for the Streets, John stated that once a plan is in place he will be in support of getting the work done and looking for both public and private support, John stated that this is not the economic environment to raise taxes, Betty Stenger stated that she lives on one of the bumpiest streets however she can't justify the increase without a plan, Chris Frisby also agreed with not increasing the taxes stating that this is not the right financial climate to do so, Josh Meyers stated that increasing taxes by .5 mill will not determine whether roads are repaired and he could not support the increase, Tom Suddeth agreed with transferring the money from the Irwin Fund and he would not support the increase, the Mayor stated that he was concerned by the Public's perception of authorizing pay increases and bonuses and to then raise taxes, the Mayor commented that with the revised amount paid to the Street Improvement Fund plus the Irwin House Balance transfer the Street Improvement fund would come very close to the proposed amount and save the Tax Payers an increase of taxes, a vote was taken, President McClintick and Donald Stoner Opposed, remaining ayes, motion carried.

John Freeland made a statement that one of his Resolutions for 2012 is to understand every item in the Budget and that the 2013 Budget should be a cost effective tool and not a burden.

MOTION: to approve the 2012 Budget without any tax increase was made by John Freeland, second by Betty Stenger, President McClintick and Donald Stoner opposed, remaining ayes, motion carried.

MOTION: to approve the following four ordinances for Advertisement: 1) the title of the proposed Ordinance is "AN ORDINANCE TO AMEND ORDINANCE NO. 6-5, THE BOROUGH OF MERCERSBURG SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, AS SUBSEQUENTLY AMENDED, WHICH ORDINANCE WAS PREVIOUSLY DESIGNATED AS ORDINANCE 299 PRIOR TO CODIFICATION BY ORDINANCE 307 BY ADDING SPECIAL PROVISIONS RELATED TO MODIFICATIONS WITHIN FLOODPLAIN AREAS IN THE BOROUGH OF MERCERSBURG, FRANKLIN COUNTY, PENNSYLVANIA", 2) The title of the proposed Ordinance is "AN ORDINANCE AMENDING ORDINANCE 6-3 WHICH ORDINANCE WAS PREVIOUSLY DESIGNATED AS ORDINANCE 289, AS AMENDED PRIOR TO CODIFICATION BY ORDINANCE 307, BY AMENDING ARTICLE V, SECTION 515 OF THE MERCERSBURG BOROUGH ZONING ORDINANCE WHICH SECTION IS ENTITLED, "FLOOD-PRONE AREAS" BY SETTING FORTH SPECIAL PROVISIONS RELATED TO CONDITIONAL USES AND VARIANCES WITHIN FLOODPLAIN AREAS IN THE BOROUGH OF MERCERSBURG, FRANKLIN COUNTY, PENNSYLVANIA.", 3) The title of the proposed Ordinance is "AN ORDINANCE REQUIRING ALL PERSONS, PARTNERSHIPS, BUSINESSES, AND CORPORATIONS TO OBTAIN A PERMIT FOR ANY CONSTRUCTION OR DEVELOPMENT; PROVIDING FOR THE ISSUANCE OF SUCH PERMITS; SETTING FORTH CERTAIN MINIMUM REQUIREMENTS FOR NEW CONSTRUCTION AND DEVELOPMENT WITHIN AREAS OF THE BOROUGH OF MERCERSBURG WHICH ARE SUBJECT TO FLOODING; AND ESTABLISHING PENALTIES FOR ANY PERSONS WHO FAIL, OR REFUSE TO COMPLY WITH, THE REQUIREMENTS OR PROVISIONS OF THIS ORDINANCE" , and 4) The title of the proposed Ordinance is "AN ORDINANCE AMENDING ORDINANCE NO. 6-2, WHICH ORDINANCE WAS PREVIOUSLY DESIGNATED AS ORDINANCE 200 PRIOR TO CODIFICATION BY ORDINANCE 307 WHICH AMENDMENT WILL SET FORTH CERTAIN MINIMUM REQUIREMENTS FOR NEW CONSTRUCTION AND DEVELOPMENT WITHIN AREAS OF THE BOROUGH OF MERCERSBURG WHICH ARE SUBJECT TO FLOODING." was made by Tom Suddeth, second by John Freeland, all ayes, motion carried.

MOTION: to approve CCIS updated Fee Schedule and authorize Agreement was made by John Freeland, second by Tom Suddeth, all ayes, motion carried.

MOTION: to authorize Stormwater Service Agreement with the School District was made by Josh Meyers, second by John Freeland, Tom Suddeth opposed, remaining ayes, motion carried.

President McClintick on behalf of Council thanked Josh Meyers for all the time and effort that he has given to the Borough. She thanked him for the years of service.

President McClintick reviewed the Calendar. No Committees would meet before the next meeting scheduled for January 3, 2012.

MOTION: that Council receive a 5 year plan from the Streets Committee by August showing Council detail of improving the Streets was made by Donald Stoner, second by John Freeland, all ayes, motion carried.

President McClintick thanked everyone for a good year and wished everyone a Happy Holiday.

MOTION: to adjourn at 9:50 p.m. was made by Donald Stoner, second by Josh Meyers, 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: _____

