

Mercersburg Borough Council

Borough Hall, Mercersburg, PA

January 3, 2012

Minutes

Attending: Mayor Zeger, Elizabeth McClintick, Chris Frisby, Donald Stoner Jr., Betty Stenger, Thomas Suddeth, John Freeland, Jeff Main, Borough Manager Tammy Oberholzer, Assistant Borough Manager Dawn Scheller, Solicitor Tom Finucane, Engineer Lance Kegerreis, and Police Chief John Zechman

Absent: None

Press: Gina Hall, Mercersburg Journal

Guest(s): Dr. Liz George

Mayor Zeger began the meeting at 7:00 p.m.

Mayor Zeger swore in the new Elected Officials; Betty Stenger, John Freeland, Tom Suddeth, and Jeff Main. They swore in, signed the certificates and Mayor then asked them to take their seats.

Mayor Zeger opened the nominations for Council President.

Donald Stoner nominated Elizabeth McClintick for Council President. Mayor Zeger asked for any additional nominations. No additional nominations were made. The nominations were then closed for Council President.

MOTION: to appoint Elizabeth McClintick as Borough Council President by Resolution 01-12 was made by John Freeland, second by Donald Stoner, all ayes, motion carried.

Mayor Zeger congratulated and complimented Elizabeth McClintick on her past experience and efforts with Borough Council and the community.

Mayor Zeger opened nominations for Council Vice-President.

Betty Stenger nominated John Freeland. Liz McClintick nominated Chris Frisby. Donald Stoner nominated Tom Suddeth. Mayor Zeger asked if there were any other nominations. No additional ones were made. The nominations were then closed.

MOTION: to appoint John Freeland as Borough Council Vice-President by Resolution 02-12 was made by Betty Stenger, second by Chris Frisby; Donald Stoner, Liz McClintick and Jeff Main opposed, remaining ayes, motion carried.

Mayor Zeger then turned the gavel and meeting over to Council President Liz McClintick.

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

Liz McClintick opened nominations for Borough Council President Pro Tem.

Betty Stenger nominated Tom Suddeth for President Pro Tem. President McClintick asked for any additional nominations. None were provided. The nominations were then closed.

MOTION: to appoint Tom Suddeth as Borough Council President Pro Tem by Resolution 03-12 was made by Betty Stenger, second by John Freeland, all ayes, motion carried.

President McClintick made Committee Appointments as follows: **Beautification Committee:** Betty Stenger; **Finance Committee:** Liz McClintick (Chair), Chris Frisby, Amy Hershey, Tammy Oberholzer, Dawn Scheller; **Nominating Committee:** Chris Frisby (Chair), Jeff Main, Donald Stoner; **Personnel Committee:** Donald Stoner (Chair), Liz McClintick, Chris Frisby, Gregg Davis, and Jim Malone; **Property Committee:** Betty Stenger (Chair), John Freeland, Thomas Suddeth; **Streets Committee:** John Freeland (Chair), Betty Stenger, Tom Suddeth, Josh Meyers-Consulting Member; **Technology Committee:** Tom Suddeth (Chair), Jeff Main, Donald Stoner; **Trash Committee:** Liz McClintick (Chair), Jeff Main, John Freeland.

President McClintick asked for public comment.

Dr. Liz George spoke about an upcoming '2nd Community Workshop' on January 24, 2012 regarding the Walkability Bike ability Project that is occurring in the community. The meeting is going to be held in the High School Library 6pm-8pm. Dr. George asked that any interested individual was welcome to attend. She stated that this is a very valuable effort and the more people who participate the better.

President McClintick asked for a motion to approve the meeting minutes.

MOTION: to accept the meeting minutes from December 12, 2011 was made by John Freeland, second by Donald Stoner, all ayes, motion carried.

Lance Kegerreis entered at 7:13 pm

President McClintick asked for the Mayor's Report.

Mayor Zeger stated that he wrote a letter that was published in the Journal about losing weight in 2012. Mayor stated that the inspiration for the letter was a conversation that he had with Chief Zechman. The two decided to have a contest and invited all present to participate. Dr. George was present and officially weighed in the participants; Mayor Zeger, Chief Zechman, and Gina Hall. The contest would run the 3 months and weigh-ins would take place during the first Council Meetings of the month. An award of a \$50.00 gift certificate would be given to the winner. Dr. George stated that it was very admirable with what they are doing and the main rule is that the weight loss must be completed using Healthy Habits.

President McClintick asked for the Chief's Report

Chief Zechman reported the following activity for December 2011; 78 Complaints and Service Calls, 0 Borough Ordinance Violations, 9 Criminal Arrests, 4 Accident Investigations, 80 Citations issued, and 36 Parking Tickets. Chief reviewed the financial information for the year and stated that he would provide any updates if needed. Everyone was asked to be aware of what is going on in Mercersburg. Should anyone witness suspicious activity they should report it to the Police Department immediately contact 328-2221.

President McClintick asked for the Solicitor's Report.

Attorney Tom Finucane stated that there was nothing to report.

President McClintick asked for the Engineer's Report.

Lance Kegerreis from Dennis E. Black Inc. reviewed that they will be starting the Road Evaluation during January. He asked Council when they expect it to be completed by. Council agreed that the sooner it is completed the better. He

reviewed that he was working with Food Lion to try to resolve the concerns on Fox Rd. Lance stated that one alternative is to better define the roadside swale. Lance estimated that doing so would cost approximately \$5,000. Lance stated that he would like to contact Food Lion and speak to the Engineer who designed the plans for the project. He believes that there may be something Food Lion can do to assist in fixing the issue by keeping the lower plate on. Lance stated that he would contact Food Lion's design Engineer and discuss options to fix the problem. Lance stated that Grain Alley's final payment request is on the Agenda and Lance stated that he did sign off on the project.

Vice-Chairman John Freeland stated that as the Streets Committee Chairman he had intentions of spending time with the Engineering Firm to the degree that he felt appropriate to the current project. John wanted clarification on Council's expectations. John reviewed that he believed the street concerns will be new issues and that he wants to make the process as efficient as possible. He stated that he would not contact the Engineer without the Borough Manager's knowledge. It was discussed that in the past, information is funneled through the Borough Office. Council agreed that the Engineer should be present at the next Street Meeting and get a framework together and come back to Council with any recommendations. President McClintick stated that the process has been that the Committees meet, they bring recommendations to Council, and then Council makes the decisions on the recommendations and the additional costs involved. Council discussed that a Streets Committee Meeting could be scheduled by the next Council meeting on January 23. A Streets meeting was scheduled for January 10th at 3:00 p.m.

President McClintick asked for the Manager's Report.

Tammy Oberholzer reviewed that the Charles E Brake payment request (for Grain Alley) was on the Agenda for approval. Tammy reviewed that the FEMA Ordinances will need to be adopted at the January 23, 2012 Council Meeting. Tammy updated Council that the old police cruiser was sold for \$400 to Shaffer's Salvage. President McClintick thanked Tammy Oberholzer for the Luncheon.

President McClintick asked for the Secretary's Report.

Dawn Scheller stated that the Christmas Tree Pickup is scheduled for January 11th & 12th. Dawn Scheller asked that anyone interested in attending the Newly Elected Officials Training contact the Borough Office. Dawn Scheller reported that Columbia Gas has reorganized their contacts. Mercersburg does have a new contact and he will be working out of their York Office. He is interested in attending a Streets Committee Meeting. Dawn Scheller reported that one Land Use Permit was issued.

President McClintick asked for the Committee Reports.

Nominating Committee reviewed the information regarding the appointments for the open positions.

MOTION: to appoint Dan Chayes to the Sewer Authority by Resolution 04-12 was made by Betty Stenger, second by Tom Suddeth, all ayes, motion carried.

MOTION: to appoint Judy Chambers to the General Purpose Authority by Resolution 05-12 was made by Tom Suddeth, second by Jeff Main, all ayes, motion carried.

MOTION: to appoint Josh Meyers to the Planning Commission by Resolution 06-12 was made by John Freeland, second by Betty Stenger, all ayes, motion carried.

MOTION: to appoint Tess Condor and Julia McGlaughlin to HARB by Resolution 07-12 was made by Betty Stenger, second by Tom Suddeth, all ayes, motion carried.

MOTION: to appoint Jay Quinn to the Vacancy Board Chairman by Resolution 08-12 was made by Donald Stoner, second by Betty Stenger, all ayes, motion carried.

MOTION: to appoint Jeff Evans to the Zoning Hearing Board as the Solicitor with a term Ending December 31, 2012 was made by Betty Stenger, second by John Freeland, all ayes, motion carried.

MOTION: to appoint Jay Thompson to the Zoning Hearing Board as a member with a term to expire by Resolution 9-12 was made by Tom Suddeth, second by Betty Stenger, all ayes, motion carried.

MOTION: to appoint Mr. Phil Rader term to expire 12/31/14, Mrs. Kim Twine term to expire 12/31/13, Josh Meyers term to expire 12/31/12, and Judi Kelsey to expire 12/31/14 by Resolution 10-12 was made by Tom Suddeth, second by John Freeland, all ayes, motion carried.

MOTION: to appoint Tom Suddeth and Clifford Meyers to the Fireboard by Resolution 11-12 was made by Betty Stenger, second by John Freeland, President McClintick asked for discussion, Jeff Main spoke about concerns with Clifford Meyers on the Fireboard and past history, Jeff stated that he felt that two Council Members should be appointed to the Board, Donald Stoner stated that during the recent past Council's Fireboard members have not been consistent and the Board makes important decisions and there should be consistency and continuity, President McClintick stated at the last Council Meeting a motion was approved stating that the Board Member needed to own and live in the Borough to be on the Board, President McClintick asked each of the individuals who made the initial motion to amend it, both agreed, Motion Amended to : to appoint Tom Suddeth to the Fire Board by Resolution 11-12, Donald Stoner abstained, remaining ayes, motion carried.

President McClintick asked if anyone else agrees that both members should be members of the Board. President McClintick asked if anyone else would be interested.

Chris Frisby agreed that both members should be members from Council; he said it has been an issue. Tom Suddeth asked that the Mayor be included as a possibility. Mayor respectfully declined the opportunity. Jeff Main volunteered to sit on the Board.

MOTION: to appoint Jeff Main to the Fire Board by Resolution 12-12 was made by John Freeland, second by Chris Frisby, Tom Suddeth opposed, Donald Stoner abstained, remaining ayes, motion carried.

Tom Suddeth asked that discussion be allowed. Tom Suddeth shared concerns with Jeff Main and his prior years on the Fire Board. Specifically about Jeff not coming to Council Meetings when asked.

Jeff Main stated that when he was on the Fire Board and was requested to come to Council the Representatives provided Council with a detailed presentation when they were asked.

President McClintick asked if anyone else wanted to comment. President McClintick stated that the expectations for the members of the Fire Board are that they attend meetings, and bring back information to Council. She also stated that how each member decides to vote is up to the individual.

President McClintick asked if anyone would change their vote based on the discussion that was heard. No one stated they would change their votes.

John Freeland asked that the Minutes be forwarded to Council via the council packets. President McClintick asked that the minutes be provided so that they can be placed in the Borough Council Packets. It was discussed that the Representatives would be responsible to provide the Fire Board's Minutes to the Secretary so that it can be included in the Council Packets.

President McClintick stated that the Water Authority still has two openings and that if anyone knows of anyone interested to ask that they contact the Office.

President McClintick asked for the New Business.

MOTION: to authorize pay request to Charles E. Brake Co. in the amount of \$16,644.22 for the Grain Alley Stormwater project was made by Donald Stoner, second by Tom Suddeth, all ayes, motion carried.

MOTION: to appoint Tammy Oberholzer and (alternate) Dawn Scheller by Resolution 13-12 to the CAWTB was made by Donald Stoner, second by Chris Frisby, discussion Tom Suddeth has concerns that the proposed representatives do not live in the Borough, Tom Suddeth opposed, remaining ayes, motion carried.

MOTION: to appoint Tammy Oberholzer and (alternate) Dawn Scheller by Resolution 14-12 to the FCEITCC by Resolution 14-12 was made by John Freeland, second by Betty Stenger, discussion Tom Suddeth has concerns that the proposed representatives do not live in the Borough, Tom Suddeth opposed, remaining ayes, motion carried.

President McClintick reviewed the correspondence and schedule for upcoming meetings.

MOTION: to authorize John Freeland to sign checks by Resolution 15-12 was made by Tom Suddeth, second by Donald Stoner, all ayes, motion carried.

President McClintick welcomed the New Members and thanked everyone for their efforts.

MOTION: to adjourn at 8:25 pm was made by Donald Stoner, second by Tom Suddeth, all ayes, motion carried.

These minutes were transcribed by the Borough Secretary, Dawn I. 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: _____