

Mercersburg Borough Council
Borough Hall, Mercersburg, PA
FEBRUARY 11, 2013
MINUTES

Attending: Mayor Jim Zeger, President Elizabeth McClintick, Vice-President John Freeland, Betty Stenger, Chris Frisby, Donald Stoner, Tom Suddeth, Jeff Main, Borough Manager Tammy Oberholzer, Solicitor Sam Wiser, Engineer Lance Kegerreis, and Police Chief John Zechman

Absent: Assistant Manager, Dawn Scheller

Press: Gina Hall, Mercersburg Journal, Jim Hook, Public Opinion, Jennifer Fitch, Herald-Mail

Guests: See sign in sheet attached to minutes

Meeting was called to order at 7:00 pm by Council President Elizabeth McClintick.

Mayor Jim Zeger led the Pledge of Allegiance

President McClintick welcomed the many visitors and said that she appreciated them coming to the meeting. She reported on events since the last Council meeting by informing the guests of the Safety/Police Committee that was formed and that they had met and had recommendations that will be discussed later in the meeting.

Solicitor Sam Wiser stated that the public comment limit to speak was five (5) minutes.

Council President asked for Public Comments.

The first comment from was actually a question: asked by Melissa Stuff from Agronomy: Why would you not have meeting somewhere else? President McClintick responded by stating that there was nothing on the agenda that warranted moving the meeting.

Guest Dewayne Johnson Tuscarora Area Chamber of Commerce board of director's member spoke citing number of officers versus number of residents in Mercersburg Borough and surrounding municipalities, DOT MSCAP truck inspection program objectives.

Jeremy Jones, Main Street resident and Manager of Flannery's on the Square addressed Council regarding his concerns of the truck inspection program, DUI enforcements as well as speeding on Main Street through the Borough.

Bill Landis, Park Avenue resident spoke to Council stating he watched a You Tube Video of the Police presentation at the Chamber Luncheon and got two actions from that being to complete a complaint form and that the Borough will form a Committee.

Mr. Jerry Ross, Mercersburg Resident, commented his concerns were of Police visibility and the Police should protect and serve.

Ms. Diane Bigler addressed Council by stating that she commended the Borough Police for their DUI enforcement throughout the Borough.

VFW Commander and resident Gary Smith spoke to Council saying the VFW's income was down significantly over the past year, which he felt was from aggressive DUI Targeting.

Bill Sanders Safety/Police committee member commented that he felt the truck inspection program did not have prior planning and encourages the truck inspection program be suspended and the hiring of a dedicated officer for this purpose should be reviewed.

Mercersburg Resident Fran Guzman commented on the Police Department and wondered what has happened to a police department that walked around town checking on businesses as well as her concerns on the DUI enforcement by Borough Police Department.

Mr. Todd Sixeas Manager of the American Legion commented that the Police officers should know business owners.

Mr. Garry Zeger, Manager of the Moose spoke to Council regarding his concerns that his patrons are being followed leaving the establishment.

Mercersburg Resident June McIntosh addressed Council wondering if increased DUI tickets has resulted in less DUI accidents and expressed concern that the wrong people were being targeted.

Mr. Jim Jones spoke expressing concerns that he has received two (2) written warnings on speeding when he was going only a couple miles over limit.

Johnstons Lane resident Matt Sheetz spoke to Council regarding his concerns of speeding on Johnstons Lane.

Flannery's on the Square bar manager Jessica McCullough expressed her concerns to Borough Council regarding being followed home after her shift by police officers.

Vicky Gibbs, a Flannery's worker also expressed concerns of being followed home as she left her place of employment.

Rick Robinson, Mercersburg area resident commented he feels that Mercersburg has a bad name.

Mercersburg Resident David Knox addressed Borough Council supporting the truck inspection program.

Melissa Stuff from Agronomy commented that she has several vendors that avoid going through the Borough to avoid possibility of being pulled over for a truck inspection.

Chamber Director Mary-Anne Gordon spoke thanking everyone for their comments and spoke of her concerns of the objectives of the Safety/Police Committee of which she is a member, and requested that the Mayor and the Chief not be members of this committee.

President Elizabeth McClintick thanked everyone for attending and for their comments.

Minutes of the January 14, 2013 meeting were reviewed.

MOTION: to approve the meeting minutes from January 31, 2013 was made by John Freeland, second by Donald Stoner, all ayes, and motion carried.

Treasurers Report for month end January 31, 2013 was reviewed

MOTION: to approve the Treasurer's Report for the month ending January 31, 2013 was made Tom Suddeth, second by Jeff Main, all ayes, motion carried.

January 2013 invoices were reviewed.

MOTION: to approve the Bills Payable list for January 2013 was made by Donald Stoner second by Chris Frisby, all ayes, motion carried.

During the Mayor's report Mayor Zeger reported Mercersburg Borough would be hosting the Cumberland/Franklin County Borough Association dinner meeting on Tuesday February 26, 2013 and encouraged Council members to RSVP to Tammy Oberholzer.

Chief Zechman presented the Mercersburg Police Report for January 2013 which included; 131 Complaints and Service Calls, 0 Borough Ordinance Violations, 5 Criminal Investigations, 3 Criminal Arrests, 7 Truck Inspections, 3 Accident Investigations, 95 Citations, and 117 Parking Tickets.

The Solicitor reported there are three (3) prevailing wage bills currently in the Senate, with similar bills in the House. They are Road Maintenance should be removed from the prevailing wage bill and considered repair. Raise the threshold to \$200,000.00 and the wage rates should be based on local wage schedules. Mr. Wisner will keep Borough Council updated as these bills progress.

Engineer Lance Kegerreis reported he will be meeting with the Streets committee this week.

Manager Oberholzer reported the repair on the clock tower damaged from Hurricane Sandy has been repaired. The Manager requested approval for the Solicitor to proceed with application to the PA Infrastructure Bank for funding for the Street Improvement Project.

MOTION: to authorize the Solicitor to make application to the PA Infrastructure Bank in the amount of One Million Dollars for the street improvement project was made by John Freeland and seconded by Betty Stenger, all ayes, motion carried.

Manager Oberholzer reported the annual audit began this week and requested the authorization for the President to sign the Annual Audit Letter.

MOTION: to authorize the President to sign the Annual Audit Letter was made by Chris Frisby and seconded by Tom Suddeth, all ayes, motion carried.

The Secretary was not present at the meeting but presented a written report including a new Resolution 1-13, a schedule of fees to be acted on. Also, the Manager announced the Borough is now accepting nominations for the James Buchanan Award as well as the Harriet Lane Award.

MOTION: to adopt Resolution 1-13 Borough of Mercersburg Fee Schedule was made by Jeff Main and seconded by Betty Stenger, all ayes, motion carried.

President McClintick proceeded to the Committee Reports.

Personnel Committee met February 11, 2013 at 5:30 pm prior to the Council meeting with no recommendations.

Co-Chair of the Safety/Police Committee reported that the committee met on February 6, 2013 with the following recommendation. The Committee recommends to Council that the MCSAP DOT Truck Inspection program be suspended with regard for the certification requirements of six (6) in the first quarter of 2013 and six (6) in the second quarter of 2013 until further information is collected regarding the DOT truck inspection program.

Solicitor Sam Wisner interjected that per the Borough Code the Mayor directs the Police Chief and the Police Department. The role of Council is to set the budget, hire, fire and cannot direct the Police Department. However, the committee and Council may offer recommendations.

MOTION: to recommend the MSCAP DOT truck inspection be suspended with regard to the requirements of six (6) inspections in the first quarter of 2013 and six (6) required inspections in the second quarter of 2013 until further information is collected regarding the DOT truck inspection program was made by John Freeland and seconded by Donald Stoner, all ayes, motion carried.

Mayor Jim Zeger addressed Council and stated he will instruct the Police Chief to suspend the truck inspections.

President McClintick reported the next meeting of the Safety/Police Committee will be held on February 20, 2013 at 4:00 pm at Borough Hall.

Jeff Main MMP&W Fire Board member introduced Mr. Dale Carbaugh, Fire Chief. Mr. Carbaugh presented an updated Box Card for signature, explaining that the Box Card dictates what/who is dispatched and that Council must take official action to approve.

MOTION: to approve the Box Card as presented by Mr. Carbaugh, MMPW Fire Chief was made by Tom Suddeth and seconded by John Freeland, all ayes, motion carried.

There being no further business, President McClintick asked for a motion for adjournment.

MOTION: to adjourn the meeting at 8:29 pm was made by John Freeland and seconded by Donald Stoner, all ayes, motion carried.

These meeting minutes were transcribed by the use of Borough Manager, Tammy M. Oberholzer's, meeting notes and an audio recording.

Respectfully submitted by Borough Manager, *Tammy M. Oberholzer*

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

PUBLIC SIGN IN SHEET FOR COUNCIL MTG.

DATE: MONDAY, February 11, 2013

NAME	ADDRESS
Sean Grue	48 S Main
TYLER KEMP	22 N MAIN
JC JONES	24 N MAIN
Dwayne Johnson	5X Thomas
Mary Bullock	3 Sackin Man
Frank Goodman	Mercersburg
John Miller	19 W. Summit
Robert Meyer	38 N. Main St.
J.W. REES	#101 FORT LONDON
Tracy Robinson	203 S. Market Hwy. Pa
William BANDIS	115 S. PARK AVE
Cory Buterbaugh	Mercersburg
Fred Buterbaugh	Mercersburg
Ricte Robinson	Mercersburg
Kent Simpson	Mercersburg
Brenda Smith	"
Larry Smith	"
John Smith	Mercersburg
John P. Miller	301 Beech Street
John Bender	Russell Main
John Fall	10015 Williams Rd, Ft. Liberty/Agromony Inc.
John Madnick	211 E. Main
Byron Keener	VFW 6241
Johnny Stills	Felton, 17224
Bill Seader	12406 Rockwell Ln, Mercersburg, Pa 17231
Jennifer Fitch	The Herald-Mail, 100 Summit Ave, Hagerstown
Bernie Brown	Mercersburg
Ch. Asuncion	Mercersburg
Don Luff	Mercersburg Pa
DICK GROSH	MERCERSBURG Pa
JUNE McIntosh	Mercersburg, PA
JOE DAVIS	MERCERSBURG PA
Tom Kemp	Mercersburg PA
Art Fenwick	MERCERSBURG PA
Anthony King	Mercersburg Pa.
Robert Bender	Mont Top
Chris Dawson	Mercersburg
Julie Bartholow	Mercersburg
Jeff Bruckhart	Mercersburg
Eugene Brecher	Mercersburg
Frank Miller	Mercersburg
Frank Dellinger	Mercersburg
Todd Sisk	6676 Chalk Rd, Mercersburg Pa
Chris Burger	13 Bennett AVE
Brian Gibbs	Mont Top
Chad Michael	Mercersburg PA

PUBLIC SIGN IN SHEET FOR COUNCIL MTG.

DATE: MONDAY, February 11, 2013

NAME	ADDRESS
Denita Martin	Mercersburg
Bonnie McCulloch	Mercersburg
Frank Biegle	Mercersburg
DAVID KNOX	MERCERSBURG
Frank Plessinger	M^cConnellsburg
Arona Plasum	Greencastle Pa
Michelle (S)	Mercersburg PA
Diane Rutherford	Mercersburg PA
FINE FLETCHER	Greencastle Pa
Elizabeth Huppa	Mercersburg PA
Sharon White	Greencastle Pa
Joseph Cichich	Mercersburg PA
Joseph Mendenhall	Mercersburg PA
Denise Popper	Mercersburg PA
Paul L. Regan	Mercersburg PA
Paul Smith	Mercersburg PA
Paul Smith	Mercersburg PA
Andrew Fry	Mercersburg PA
Shirley K.	
Robert D. D'Amico	Mercersburg PA
William Mastropolo	Mercersburg Pa
Maryann Stouffer	Mercersburg Pa
Laura Bendall	Montgomery Township