

**Mercersburg Borough Council**  
Fellowship Hall, First United Methodist Church  
11 North Fayette Street, Mercersburg, PA  
March 11, 2013  
MINUTES

**Attending:** President Elizabeth McClintick, Mayor Jim Zeger, Vice-President John Freeland, Betty Stenger, Donald Stoner Jr., Tom Suddeth, Jeff Main, Borough Manager Tammy Oberholzer, Assistant Borough Manager Dawn Scheller, Solicitor Sam Wisner, Police Chief John Zechman, and Engineer Lance Kegerreis

**Absent:** Council Member Chris Frisby

**Press:** Gina Hall, Mercersburg Journal  
Jim Hook, Public Opinion

**Guests:** Guest Sign-In Sheet attached for accurate records.

Meeting was called to order at 7:00 pm by President McClintick and asked Mayor Zeger to lead the Pledge of Allegiance.

President McClintick welcomed all of the Guests and asked if anyone had any Public Comments. She requested that each person speaking would keep the comments to 5 minutes or less so that everyone has a chance to speak.

Mary-Anne Gordon read a letter she had prepared for Council. Mary-Anne clarified her role on the Safety/Police Committee as the only person representing the Chamber of Commerce. Mary-Anne reviewed that the Chamber Board of Directors nominated Jeremy Jones and Bill Sanders to serve on the Safety/Police Committee; however they represent their own perspectives from their business and community experiences. Mary-Anne Gordon also made one recommendation to install cameras and voice recorders in each of the police vehicles as a possible solution. Mary-Anne reviewed that several of the businesses have already stated they would contribute funds to assist with the purchase of the equipment. She asked that the Police Chief bring cost information to the next Committee Meeting. Mary-Anne Gordon restated that she will continue to be a member of that Committee and represents the Chamber of Commerce.

Dr. Elizabeth George thanked the Mayor, Council Members, Borough Staff and Police Department for their commitment and caring efforts in the Community.

Jeremy Jones read a statement to Borough Council. Jeremy recognized Council's continued efforts and reminded present guests that all Council Members/Mayor are volunteers.

Jeremy Jones then asked Council for an explanation as to why the taxpayers were paying for a site when other places offered their locations at no charge. President McClintick answered his questions and reviewed that the Star Theatre did not have adequate parking and the stage set up would have been difficult for a meeting. The other locations sell alcohol and therefore would not be an appropriate location for a meeting. President McClintick reviewed that she encourages community to attend the meeting and to ensure the location had enough space to adequately fit the number of people estimated to attend.

Jeremy Jones reviewed his concerns about the Safety/Police Committee and reviewed questions, concerns, and specific situations that have come to his attention where he believed he did not receive satisfactory answers for. Jeremy Jones spoke about Police incidents that he was aware of and was not pleased with the service. He reviewed additional concerns that he has regarding allowing both the Mayor and Police Chief to continue to be on the Police Safety Committee as active members. Jeremy Jones suggested that the Mayor and Chief be Ad Hoc Members only.

President McClintick asked for Council a motion to approve the February 11, 2013 Meeting Minutes.

**MOTION: to approve the meeting minutes from February 11, 2013 meeting was made by John Freeland, second by Betty Stenger, all ayes motion carried.**

President McClintick asked for a motion to approve the Treasurer's Report for the month ending February 28, 2013.

**MOTION: to approve the Treasurer's Report for the month ending February 28, 2013 was made by John Freeland, second by Tom Suddeth, all ayes, motion carried.**

President McClintick asked for a motion to approve the Bills Payable for the month ending February 2013.

**MOTION: to approve the Bills Payable for the month ending March 2013 was made by Betty Stenger, second by John Freeland, a question was asked why the Fire Hall was not used for the meeting, President McClintick stated that she had a conversation with Dusty and due to parking it was recommended that the church be used, a vote was taken, Tom Suddeth opposed, remaining ayes, motion carried.**

President McClintick asked for the Mayor's report.

Mayor Zeger asked that everyone sweep in front of their homes as spring is around the corner and we should welcome it with open arms.

President McClintick asked for the Police Report.

Chief Zechman provided the activity for the month of February. The Police Department had 132 Complaints, 0 Borough Ordinance Investigations, 7 Criminal Investigations, 1 Criminal Arrest, 4 Accident Investigations, 44 Citations, 75 Parking Tickets and a Right to Know Request from the Public Opinion. Chief Zechman then reviewed the monies turned over to the Borough.

A question was asked what the process is when the PD receives a complaint. Chief Zechman reviewed that he investigates the complaints and then the information is shared with the Mayor and Personnel Committee.

President McClintick asked for the Solicitor's Report.

Sam Wisner reviewed that at the last meeting Council authorized him to begin the process for the loan for the Streets Project. Sam reviewed that one of the requirements is to meet with a PennDot representative and that meeting would be scheduled and he would be in contact with Tammy concerning the details.

President McClintick asked for the Engineer's Report.

Lance Kegerreis provided information regarding the Food Lion Project and made the recommendation that the performance bond held by the Borough be released.

**MOTION: to authorize the Food Lion Performance Bond be released and to close out the project was made by Tom Suddeth, second by Jeff Main, all ayes, motion carried.**

President McClintick asked for the Manager's Report.

Tammy Oberholzer reviewed that the Streets Committee would be meeting with a Columbia Gas Representative on April 3, 2013 to discuss Columbia Gas's schedule and for the Streets Committee to review their plans about the project. Tammy reviewed the importance of working with Columbia Gas. Tammy Oberholzer reviewed that the Borough Clock Tower was due for the Annual Maintenance and that was an item listed under New Business for approval. Tammy also reviewed that 3 Resolutions were listed under New Business for Approval; 1) for the Chamber Spring Fest to hang a Banner, 2) a Resolution appointing the Manager as the representative and the Assistant Borough Manager as the Alternate to the tax board, 3) a Resolution regarding Public Comments was included for discussion and possible action.

President McClintick asked for the Assistant Manager's Report.

Dawn Scheller reviewed that the Annual PSAB Conference is scheduled to be held from May 5<sup>th</sup>-8<sup>th</sup> in Hershey. Dawn reviewed that it is a very informative conference that has been budgeted for and was an item listed under New Business. Dawn Scheller provided an additional Nomination that was submitted anonymously for the James Buchanan Award.

President McClintick reviewed the Public Works Department Report was included for everyone's records.

President McClintick moved on to the Committee Reports.

Jeff Main reviewed that M.M.P. & W. has a Medic Unit that is now running out of the Mercersburg Fire Company and they have completed a number of calls and it is working out well for the community.

President McClintick read a letter of resignation for Officer Reed.

**MOTION: to accept Mr. Sheffield's resignation from the Mercersburg Police Department was made by John Freeland, second by Donald Stoner, all ayes, motion carried.**

Safety/Police Committee information was reviewed. More discussion occurred regarding the Chamber Involvement and the Member Makeup of the Committee. It was reviewed that the Mission Statement was created to reflect the mission of the Committee at the last meeting and they were moving in a good direction.

Jeremy Jones reviewed that he was not comfortable speaking about his concerns at committee meetings if both the Mayor and Police Chief were present. He had concerns with objectivity and transparency of the committee.

President McClintick reviewed that she felt the Mayor and Chief are important members of the committee as they have specific knowledge in this area and that everyone brings a different point of view and goals to the meeting. It was also discussed that because the Mayor was on the Committee he was able to immediately address the concerns and stop the truck inspections at that time. President McClintick reviewed that they would stay members of the Committee.

Jeremy Jones then resigned from the Safety Committee. President McClintick thanked him for his time served on the Committee and stated that he was a valuable member of the committee.

John Freeland spoke about the Committee having the opportunity to do a lot of good for the community. It was discussed that the Committee Members would work together as a core group and make recommendations.

Dr. George spoke that this committee is important to have as a way to continue to have open dialog between all parties and encourage communication. It is a way for everyone to develop and plan for the future.

Mayor reviewed that the President appoints the Committee Members. President McClintick asked if Bill was interested in continuing to be a member of the committee. Bill Sanders stated that he would continue to be a member of the Committee.

Mary-Anne Gordon suggested that Joel Bradnick serve on the Police Committee as the 3<sup>rd</sup> Member from the Community. Joel Bradnick stated that he would be interested to serve on the Committee. The next Safety/Police Committee Meeting is scheduled for March 20, 2013.

President McClintick asked for the Streets Committee Report.

John Freeland reviewed that they met on 2/13/13 and discussed the Project in detail. He briefly spoke about the Recycling Process and the money savings it will have for the Borough. It was discussed that they would borrow the money needed to address the streets identified in the Road Evaluation that was completed. John thanked the Mayor for reaching out to the neighboring communities and arranging the Joint Meeting that was held at the VFW. The next Streets Committee Meeting was scheduled for April 3, 2013 and anyone unable to attend should contact the Borough Office.

Technology Committee Meeting was held on February 26, 2013 to discuss recording devices for Council Meetings. Council discussed the current equipment being used that the recordings have been transferred to CD's. The Committee would like to purchase digital equipment that includes software compatible with the Assistant Managers computer so that she can transfer the files to an external drive.

**MOTION: to authorize the purchase of a digital recorder with appropriate software and an external drive was made by John Freeland, second by Jeff Main, all ayes, motion carried.**

President McClintick opened nominations for the James Buchanan Award.

Tom Suddeth nominated Harold Wagner.  
President McClintick nominated the Buchanan Lioness Club.

The Nomination was then closed.

A vote was taken to award the James Buchanan Award to Harold Wagner. Jeff Main-Yes, Tom Suddeth-Yes, John Freeland-Yes, Elizabeth McClintick-No, Betty Stenger-Yes, Donald Stoner-Yes.

**Harold Wagner was the 2013 James Buchanan Award Winner.** The Borough Office will notify the winner via letter.

President McClintick moved on to items listed under New Business

**MOTION: to approve Resolution 2-13 and Authorize Borough Council President to execute an Agreement for Installation of Banners between the Borough and TACC was made by Donald Stoner, second by Betty Stenger, all ayes, motion carried.**

President McClintick asked if anyone wanted to make a motion to approve Resolution 3-13: Resolution of the Borough of Mercersburg Creating Policies and Procedures for Public Meetings. Council Members discussed and decided that they wanted more time to review the Resolution and asked that it be brought back to April's Council Meeting.

**MOTION: to approve Resolution 4-13: Franklin County Area tax Board Committee Appointment for the Year 2013 was made by Donald Stoner, second by Betty Stenger, all ayes, motion carried.**

**MOTION: to approve the Annual Service to the Tower Clock on the Borough Office Building in the amount of \$210.00 was made by John Freeland, second by Jeff Main, all ayes, motion carried.**

**MOTION: to approve Tammy Oberholzer's and Dawn Schaller's attendance and costs for the PSAB Conference to be paid from 40146 was made by John Freeland, second by Donald Stoner, all ayes, motion carried.**

President McClintick asked if there was any additional business.

Tom Suddeth discussed concerns with the Chief not living within 7 miles of the Borough. Tom Suddeth proposed setting a reasonable amount of time for him to comply with that request.

**MOTION: to require the Chief of Police to move within 7 miles of the Borough within an 18 month period was made by Tom Suddeth, second by Jeff Main, additional discussion occurred, Sam Wiser cautioned Council and asked them to allow him time to research the specifics on this subject and that they should meet and go into executive session to discuss this matter further, Tom Suddeth rescinded his motion and Jeff Main rescinded his motion.**

Borough Council decided to hold a second meeting on March 25, 2013 to discuss this matter further.

Tammy Oberholzer reviewed that one of the vehicles is in need of maintenance costing \$1449. She reviewed that a new vehicle costs much more and she will have them complete the necessary work to keep the vehicle in operation.

Tom Suddeth reviewed concerns about sidewalk requirements and a recent decision made by Council.

Sam Wiser spoke about SALDO and the decision Tom was referring to, began as a Sub Division and Land Development plan and the process which it goes thru. Sam Wiser explained the require postings, and appeal time that has properly occurred and that this type of decision by Council should not be overturned.

President McClintick reviewed the Calendars.

**MOTION: to adjourn at 8:41 pm was made by Donald Stoner, second by Tom Suddeth, all ayes, motion carried.**

*These meeting minutes were transcribed by Dawn Scheller, Assistant Borough Manager, meeting notes. Respectfully submitted by Assistant Borough Manager, Dawn Scheller.*

Date Approved: \_\_\_\_\_ Motion Made By: \_\_\_\_\_ Second By: \_\_\_\_\_

