

Mercersburg Borough Council

Borough Hall, Mercersburg, PA

April 8, 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 Wiser, and Police Chief John Zechman

Absent: Council Person Chris Frisby and Engineer Lance Kegerreis

Press: None

Guests: See Attached Sign-in Sheet

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

President McClintick asked if any of the public present wanted to speak before the Johnstons Run Revitalization Group Presentation.

Gary Smith, VFW, 20 Veterans Way, Mercersburg PA, reviewed a concern about traffic backing up during the evening hours. He wondered if it was at all possible to have the timers changed on the traffic lights to adjust to the heavier traffic patterns. Tammy Oberholzer reviewed that the traffic lights belong to PennDOT and are not set by the Borough. Tammy Oberholzer stated that she would contact the state and ask them to look into this request.

No other Public Comment was given.

President McClintick asked for the Johnstons Run Revitalization Group to present their presentation.

Dr. Elizabeth George and Wink Hastings presented information on the Johnstons Run Revitalization Project. Information was distributed for Council Members to review prior to the meeting in the meeting packets. They provided Council with preliminary routes that the proposed path can take. The Johnstons Run Revitalization Group would be interested in having the path travel through Borough Property, Sewer Authority Property, and the use of community sidewalks.

Dr. George reviewed the current grants they have received and stated that the organization would like to seek additional grants to assist with the construction/maintenance costs of the pathway. Wink Hastings described the proposed pathway as an 8 foot wide hard aggregate surface which walkers, runners, and bicyclists would be able to use. Wink also provided Council Members with an estimated timeline on the project and cost estimates regarding long-term maintenance for similar sized trails.

President McClintick asked for Sam Wiser's opinion. Sam reviewed the liability risks involved and other items that would need to be worked out such as building, maintaining, regulating, enforcing, permitting, and funding. Sam Wiser reviewed that the more improved the trail would be, the greater the liability would be for the Borough. They suggested that the Borough would set guidelines for the use of the trail and not plow the trail in the winter. Council Members continued to discuss the trail further and asked about policing and emergency vehicles being able to access the trail and it was discussed that the proposed path would be wide enough for that to occur if necessary.

President McClintick believes this as an informative/educational opportunity for the community and is supportive of it.

Mayor Zeger also endorsed the project. He reviewed that many other communities have similar pathways some are made out of wooden planks. He suggested this as an alternative for some areas where the ground may not be able to be disturbed.

MOTION: to approve the concept of the trail in the approximate location as presented, authorize Borough to be co-applicant on grant applications for the design, permitting, construction, and maintenance of the trail, and authorize continued cooperation with MMPC to formalize arrangements for the operations and maintenance of the trail was made by John Freeland, second by Betty Stenger, questions/comments (including from the audience) comments were favorable from the audience with support of this motion, all ayes, motion carried.

Sam Wiser and Tammy Oberholzer were asked to provide the land development restrictions and any testing information available for the group to review. Dr. George thanked Council for their time and stated that this is a good group to work with because there is always good dialog with everyone.

Johnstons Run Revitalization Group left the meeting at 7:46 p.m. No other public comment was given.

MOTION: to approve the meeting minutes from March 11, 2013 with one correction on page 3 changing dialect to dialog was made by Betty Stenger, second by Jeff Main, all ayes, motion carried.

MOTION: to approve the meeting minutes from March 25, 2013 as presented was made by Betty Stenger, second by Jeff Main, all ayes, motion carried

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

MOTION: to approve the Treasurer's Report for the month ending March 31, 2013 was made by Donald Stoner Jr., second by Betty Stenger, all ayes, motion carried.

MOTION: to approve the Bills Payable including Special Fund Invoices for approval was made by Donald Stoner Jr., second John Freeland, a question arose concerning the repair bill for the vehicle, after discussion a vote was taken, all ayes, motion carried.

Borough Office was asked to look into the situation further and provide Council with an update.

President McClintick asked for the Mayor's Report.

Mayor spoke about the Bethel A.M.E. 120th Celebration that he attended. He informed Council of some very important history; for over 120 years the members of Bethel A.M.E. congregation, although smaller in number, have created a proud and living legacy in the Mercersburg community, i.e. the eighty-eight men who served in the Civil War with many being members of the famous 54th and 55th Massachusetts Volunteer Infantry Regiment, the colored baseball team, "Corinthian Giants" which possessed great athletic and sportsmanship skills; the Bethel A.M.E. Choir that continues to share beautiful singing, and most importantly, the hundreds of men and women who were and are wonderful citizens of Mercersburg. Mayor Zeger declared Sunday, April 14, 2013 as "Bethel African Methodist Episcopal Church Day".

President McClintick referred to the Mayor for the Police Report.

Mayor Zeger reviewed that the Police Chief had to leave the meeting due to a call and the Police Report was provided to Council Members for review. They were asked to contact Chief Zechman with any questions or concerns.

MOTION: to rescind the earlier MOTION: to approve the meeting minutes from March 11, 2013 with one correction on page 3 changing dialect to dialog was made by Donald Stoner, second by John Freeland, all ayes, motion carried.

MOTION: to approve the March 11, 2013 Meeting Minutes with two corrections; 1) on page 3, changing the word dialect to dialog, 2) on page 3, changing Mr. Reed's to Mr. Sheffield's, was made by Jeff Main, second by Betty Stenger, all ayes, motion carried.

President McClintick asked for the Solicitor's Report.

Sam Wisner stated that he had nothing at this time.

President McClintick asked if there was any information from the Engineer.

Tammy Oberholzer reviewed that the Streets Committee, Sam, Lance, Borough Manager and Assistant Manager met with a Columbia Gas Representative and the meeting was very positive. Tammy reviewed that Columbia's Project list was discussed, our Street Plan was discussed, and that Columbia Gas is reviewing the additional streets and would respond back with more information if they had any additional work to complete. Tammy Oberholzer reviewed that they have been a great partner to work with and more information was provided in Council Packets with the notes from the meeting.

President McClintick asked for the Manager's Report.

Tammy reviewed that the core sampling would be completed for the Streets project on Friday. Sam Wisner reviewed that they met with the PennDOT representative as one of the first steps required to apply for the loan. Since the Borough is not using Liquid Fuels Funds it will make the process easier. He will continue to keep Borough Council informed of the status of the application.

Tammy Oberholzer reviewed that she met with Phil Harmon from R. J. Hall Company to review the Pension Plan. Tammy stated that the review went well, 2012 was a good year for the plans with positive results on the investments. The Uniformed Pension Plan is continuing to self-fund itself.

Tammy reviewed that the Tuscarora Chamber of Commerce have partnered up with the Franklin County Visitors Bureau who are paying to have the Walking Tour and James Buchanan Brochures reprinted. President McClintick asked Tammy to forward Council's appreciation with this matter.

Tammy Oberholzer reviewed information about current practices regarding the recording of committee meetings. There was a question whether or not the Committee Meetings need to be recorded. Tammy reviewed that it was the Office Staff's impression that the Council Meetings were to be recorded and stored. Tammy reviewed that it has not been the staff's practice to record Committee Meetings. The need for recording committee meetings has been a decision left to the Manager or Assistant Manager who is attending the meeting. She reviewed that the Committee Meetings are for discussion/planning stages of items; that Committees are merely recommending bodies. Tammy reviewed that notes are taken during the meetings and the information is distributed to Council Members. Tammy continued stating if the Committee wishes to make a recommendation to Council, they do so, and it is up to Council to make a motion and a second, discuss / answer questions, and make a decision on the matter. Tammy Oberholzer reviewed that that official action/motion taken by Council is written in the Council's Meeting Minutes which then becomes the official record of the meeting. Tammy reviewed that the recordings of Borough Council Meetings are not the official record of the meetings. Tammy made the recommendation that the Office Staff should decide if a Committee Meeting requires recording.

Tammy reviewed other information in her report such as the donation to the Summer Playground Program from Mayo, and the recent improvements done on the Borough Parking lot.

Tom Suddeth reviewed that the recording issue has come up for discussion 3 times during the last 3 years.

MOTION: to digitally record all Borough Council Meetings and Committee Meetings was made by Tom Suddeth, second by Jeff Main, comments/questions, a reason presented to record the committee meetings is so that any absent committee members could listen to the meetings at their leisure, a reason presented not to record the committee meetings is a concern that people would be uncomfortable and not share their honest opinion knowing that they are being taped, another concern was the recording of Personnel Committee Meetings, Tom Suddeth and Jeff Main agreed to amend the motion to exclude Personnel Committee Meetings, Sam Wiser clarified information regarding the Right To Know Law, a vote was taken; Jeff Main-Yes, Tom Suddeth-Yes, John Freeland-No, Elizabeth McClintick-No, Betty Stenger-Yes, Donald Stoner Jr.-No, it was a tie vote, Mayor Zeger: No, Motion Defeated.

President McClintick moved on to the Secretary's Report.

Dawn Scheller reviewed that the Borough Office was in need of volunteers to work and maintain the flower boxes on the square. Betty Stenger and Julia McLaughlin have worked on the flower boxes for many years and they would like to afford the opportunity to someone else. Anthony Frisby volunteered as one person interested to work at this. Borough Council asked that the funding information be looked into and help coordinate with the transition.

Dawn Scheller reviewed the equipment being used to record/store the meeting recording. It was asked that she forward the files size information to the Technology Committee for their record.

President McClintick reviewed that the PWD Report was included in everyone's packet and if they had any questions they should forward them to the Office.

President McClintick moved on to the Committee Reports.

President McClintick with regret accepted the resignation of Jim and Linda Zeger for the Christmas Committee. She offered her gratitude for all the work that they have done on this committee.

Jeff Main reviewed information about M.M.P. & W. Fire Board and the recent changes regarding an electric company. He reviewed that they decided to change companies and return to West Penn Power but would stay with Shipley's for the gas as the Fire Company saved money on the gas bills.

Betty Stenger reviewed information about the HARB Meeting. Information about the meeting was included in Council Packets for review. A recommendation to approve COA: 13-04-01 was made.

MOTION: to approve application COA: 13-04-01 with the outside hanging sign as proposed and the door lettering to be placed on the inside side of the door window (not on the outside of the door) was made by Tom Suddeth, second by John Freeland, all ayes, motion carried.

President McClintick opened Nominations for the Harriet Lane Award.

Tom Suddeth nominated Henry Steiger.

Borough Manager Tammy Oberholzer reviewed a nomination that was presented to the Office to Nominate Sheila Snyder.

President McClintick closed the nominations.

A vote was taken to award the Harriet Lane Award to Henry Steiger; *Donald Stoner Jr.-No, Betty Stenger-No, Elizabeth McClintick-Yes, John Freeland-Yes, Tom Suddeth-Yes, Jeff Main-Yes*

Henry Steiger is the 2013 Harriet Lane Award recipient

The Property Committee had no recommendations.

The Police/Safety Committee had no recommendations. President McClintick reviewed that it was a positive meeting and the Chief is looking into the cost of video equipment.

The Streets Committee had no recommendation for Council.

President McClintick moved onto Old Business.

MOTION: to approve Resolution 3-13; Resolution of the Borough of Mercersburg Creating Policies and Procedures for Public Meetings was made by John Freeland, second by Donald Stoner Jr., Tom Suddeth opposed, remaining ayes, motion carried.

President McClintick moved onto New Business.

MOTION: to approve the cost of 8 individuals to attend TACC Business Person of the Year Gala for the amount of \$280.00 first seating to be offered to the Borough Employees, second to Council Members, and then to Employee Spouses (as done in prior years) was made by John Freeland, second by Betty Stenger, all ayes, motion carried.

President McClintick reviewed the Calendar and Correspondence.

Personnel Committee determined that they would meet in May to discuss Evaluation Forms, Job Descriptions, and Personnel Manual Updates.

Beautification Committee would determine a date and time to meet to discuss flower boxes.

Streets would plan on meeting on May 1, 2013 at 11:00 am hoping to have information from the core sampling and Columbia Gas.

It was decided that HARB would meet without Tammy if needed on May 7, 2013 as she will be attending a conference.

No other business was brought to Borough Council.

MOTION: to adjourn the meeting at 8:45 pm was made by John Freeland, second by Tom Suddeth, all ayes, motion carried.

These meeting minutes were transcribed by Dawn Scheller, with the use of her meeting notes and recording. The minutes are respectfully submitted by Dawn L. Scheller.

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

PUBLIC SIGN IN SHEET FOR COUNCIL MTG.

DATE: MONDAY, April 8, 2013

| NAME | ADDRESS |
|-------------------|-------------------------------|
| Kelle Robinson | 2035 Main St MD |
| Anthony Fishy | 28 West Seminary Street WABE. |
| Elizabeth George | 10525 Metankard Rd. |
| Wanda Hastings | Annapolis MD |
| Thomas D. Ditz | 9512 Blue Spring Rd |
| Gene McIntosh | 24 N. Main St. |
| James Jones | 3092 CORNER RD |
| Steph D. B. Smith | 301 N. Main St. Mercersburg |
| Theresa G. Gutter | |
| Jon Kittus | 11 N. Main |
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