

Borough of Mercersburg
Borough Hall, Mercersburg, PA
September 23, 2013
MINUTES

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

Absent: Member Betty Stenger, Assistant Manager Dawn Scheller, Solicitor Sam Wisner

Guests: Kelly Buterbaugh

Press: None

President McClintick called the meeting to order at 7:00 pm and asked the Mayor to lead the Pledge of Allegiance.

President McClintick asked if there was any Public Comment.

Kelly Buterbaugh 14 Loudon Road was present and inquired about the cancelled Halloween Parade. Ms. Buterbaugh asked Borough Council “what is the true reason the Halloween Parade was cancelled?” Ms. Buterbaugh commented she was tired of reading things on Face Book that may not be true. President McClintick responded that Borough Council is not involved in the planning of the Halloween Parade, the Lions Club, VFW, Moose and the American Legion handle the planning of the Halloween Parade. President McClintick remarked that some members had passed away, resigned, moved away and that Gary Smith Commander of the VFW attended the last Council meeting to announce that no one wanted to step up and take the reins of the parade planning and there would be no parade. The Mayor added that hopefully the parade committee will be realigned next year and that there would be a parade. Mayor Zeger commented no one is more disappointed than he that there will be no parade this year. Mayor Zeger announced a meeting has been set for January 7, 2014 at the VFW for parade organization. The Borough will provide a timeline of permits for the Borough and for State Road Closure to the organization meeting.

President McClintick asked for the Mayor’s Report.

Mayor Zeger commented he will provide Trick or Treat day and time to Borough Manager Tammy Oberholzer prior to the next meeting for her to disseminate to the public.

President McClintick asked Lance Kegerreis for his Engineering Report.

Lance reported a slight change proposed in the process by the low bid company. The process is still recycling but because of Mercer, Steiger, Prospect Streets contour a change order needs to be considered. In order to get the proper curb reveal there is a need to dig deeper twelve (12) inches as opposed to eight (8) inches, a different piece of equipment needs to be used in the middle of the train process of equipment. The difference is that the street material would be dug and then ground up but instead of going into the mixer it stays in place, the unnecessary material is hauled away, the usable material is mixed with the concrete and rolled out. Lance reported he had a conference call that included John Freeland, chair of Streets committee to answer questions. All questions have been addressed and the recommendation is to approve this change in process.

In addition, there is a part 2 of the process that has a proposed change. That change is from a one and one half inch overlay to a two and one half inch overlay. The reason is with the thicker overlay, it will prevent cosmetic cracks from the concrete.

These changes, Lance reported will result in a \$30,000.00 decrease on the base side of the project and an approximate increase of \$60,000.00 on the overlay portion for a next increase of \$30,000.00.

Mr. John Freeland reported to Council that he has been involved in the question and answer of these proposed changes and end result is there will be no extra time involved and will have a better product as the final result with a minimal increase.

After a discussion the following motions were made.

MOTION: to accept the proposed change order in the contract for the base process with an approximate reduction in the total bid price of \$30,000.00 contingent upon the receipt of the monies from the Pennsylvania Infrastructure Bank was made by Jeff Main and seconded by John Freeland, all ayes, motion carried.

MOTION: to accept the proposed change order to increase the thickness of the wearing course one (1) inch from one and one half (1 ½) to two and one half (2 ½) inches with an increase in the total bid price of approximately \$60,000.00 was made by Tom Suddeth and seconded by John Freeland, all ayes, motion carried.

Borough Council members discussed the portion of Findlay Drive of 300 feet that is situating in Peters Township with an alternative price of \$18,000.00. There has been no acceptance of this project by Peters Township at this point. If Peters Township is not interested in having this portion paved, the Borough will not pay to have Peters Township portion completed. Solicitor Jason Kelso will try to reach Peters Township Solicitor to inquire why this was not on their last meeting agenda.

Manager Tammy Oberholzer reported Mr. John Brake and the roadmaster was in to speak with her regarding that portion of the road. At that time an old ordinance was located indicating that this portion was actually in the Borough, however, discussing that the properties located along this portion of roadway paid their property taxes to Peters Township not Mercersburg Borough. After speaking with Sam Wisner a newer ordinance was located correcting that portion of roadway was in Peters Township. Tammy send that information directly to the Peters Township office and Jason Kelso spoke with Tom Steiger, Jr., the solicitor for Peters Township to review and remind to have this item on the agenda for the next Township meeting.

New Business:

MOTION: to adopt Ordinance number 8-13 for General Obligation borrowing from Pennsylvania Infrastructure Bank was made by Dusty Stoner and seconded by Jeff Main, all ayes, motion carried.

Old Business:

Solicitor Sam Wisner has prepared a cover letter regarding the Radio Agreement with the County and recommends signing the agreement and letter as a measure of good faith. The contents of the letter was reviewed by Council, stating that the improvements to the inter-operability of the system continue to progress. Effective operation of the system is necessary to ensure not only health and safety to Borough residents but the first responders as well.

MOTION: to accept the Intermunicipal Agreement regarding radio use and send cover letter prepared by solicitor with the agreement was made by Chris Frisby and seconded by John Freeland, President McClintick, Chris Frisby and John Freeland voted aye, Jeff Main, Dusty Stoner and Tom Suddeth opposed, tie vote, Mayor Zeger will cast the deciding vote. Mayor Jim Zeger cast a vote of aye, motion carried.

Mayor Zeger will script a letter to the County Commissioners explaining the importance of working together and improving this agreement regarding radio use.

Chief Zechman presented a donation check from the Lions Club in the amount of \$400.00 for police presence at the recent Lions Club Fair to President Elizabeth McClintick.

MOTION: to go into executive session at 8:20 pm to discuss a matter of potential litigation.

Regular Session resumed at 8:28 pm.

MOTION: to approve Fire Police help at the UPS motorcycle ride in October was approved on a Tom Suddeth/Jeff Main motion. All ayes, motion carried.

Manager Tammy Oberholzer reported the beautification committee met and decided on Red Maple variety Autumn Glory in the largest size available as tree replacements at M & T Bank. The Manager will inform M & T officials tomorrow of the decision.

MOTION: to adjourn the meeting at 8:32 was made by Dusty Stoner and seconded by John Freeland, all ayes, motion carried.

These meeting minutes were transcribed and respectfully submitted by Tammy Oberholzer with the use of her meeting minutes and recording.

Date Approved: _____ Motion Made: _____ Second: _____