

Mercersburg Borough Council
Borough Hall, Mercersburg, PA
December 9, 2013
MINUTES

Attending: President McClintick, Mayor Jim Zeger, Tom Suddeth, Jeff Main, Chris Frisby, Donald Stoner, Borough Manager Tammy Oberholzer, Assistant Borough Manager Dawn Scheller, Solicitor Sam Wisner, Engineer Lance Kegerreis, and Police Chief John Zechman

Absent: Vice-President John Freeland, and Betty Stenger

Press: None

Guests: Jon Kittredge- Mercersburg PA; Catalin and Judy Bonciu - 212 Overhill Drive, Mercersburg; Jeremy Jones – 25 North Main St, Mercersburg

President McClintick called the meeting to order and Mayor Zeger led the Pledge of Allegiance.

President McClintick welcomed the audience and opened the floor for Public Comment.

Jon Kittredge spoke first. He stated that he still had issues with Chris Frisby sitting on Council with regards to the residency requirements. Jon stated that he does not want Council to approve any tax increases. He believes that the Police Department could be revamped. Jon stated that the department does not need a Full-time Officer completing paperwork.

Catalin Bonciu spoke and reviewed that he was not in favor of the tax increase. He stated that he feels that properties are wrongly assessed and the taxes are too high. Catalin Bonciu stated that there are a lot of empty places in Mercersburg and he said that Council needs to be revamped.

Jeremy Jones had no comments.

President McClintick moved on to the next item on the Agenda.

MOTION: to reconsider the prior meetings motion Ratifying the October 21, 2013 Minutes to include the discussion paragraph and motion regarding the purchase of a camera during the Police Safety Committee Report as highlighted in yellow was made by Tom Suddeth, second by Jeff Main, all ayes, motion carried.

MOTION: to approve the Meeting Minutes from November 25, 2013 with the addition of Officer before John Hanner on page 6 of the minutes was made by Donald Stoner, second by Chris Frisby, all ayes, motion carried.

President McClintick asked Council to review the Treasurer's Report.

MOTION: to accept the Treasurer's Report for the month ending November 30, 2013 was made by Donald Stoner, second by Jeff Main, all ayes, motion carried.

Lance Kegerreis arrived at 7:09 pm.

MOTION: to approve the Bills Payable/ Invoice List for November 2013 was made by Jeff Main, second by Donald Stoner, Questions/Discussion, Tom Suddeth opposed, remaining ayes, motion carried.

President McClintick asked for the Mayor's Report.

Mayor Zeger thanked the Borough for all of the thoughts, prayers, and beautiful poinsettia plant that was sent to his wife for a recent surgery. He said that she was home resting. Mayor Zeger spoke about John Freeland and all of the experience he had come to Mercersburg with. Mayor said that he did a good job Chairing the Streets Committee and Co-Chair of the Police Safety Committee. Mayor Zeger spoke that he believed the December Council Meeting would have been John's last meeting and Mayor Zeger wanted to thank him for all that he has done for the community. Mayor Zeger then thanked Council President for all that she has done for the Borough. He stated that this was Liz McClintick's last official meeting. He stated that Liz has great talent and a special talent for allowing people the opportunity to speak. Mayor Zeger thanked Liz for her professional personality. Mayor Zeger asked that people be mindful of the snow and asked residents who are able to remove their vehicles off of the roadways allowing Emergency Vehicles and plowing vehicles to plow. Mayor Zeger spoke about the Christmas Season and the many activities such as the Candlelight Service at the Academy. Mayor Zeger spoke about the Tree Lighting in Mercersburg and thanked all who helped plan the event. He wished everyone a Happy Holiday Season and a Blessed New Year.

President McClintick asked for the Police Report.

Police Chief John Zechman reviewed his report which included the following activity: 92 Complaints and Service Calls, 0 Borough Ordinance Violations, 28 Criminal Investigations, 24 Criminal Arrests, 11 Misdemeanor Offenses, 4 Accident Investigations, 42 Citations Issued, 62 Parking tickets, and 0 Right to Know Requests. Chief Zechman reviewed concerns with the Snow Emergency Plan. After discussion it was asked that the Snow Emergency Plan be an item placed on the Streets Committee Agenda. He reviewed information and provided information to Council about a second option for the purchase of one camera for the police vehicle. The Watch Guard Company provided a pamphlet on a less expensive system. Chief had reviewed that the Digital Alley System would cost \$6700 and the Watch Guard System would cost \$5315 and is the same system that the State Police use and it is under the Costars program. This system was tested by the State Police for a 9 month period of time. Chief reviewed that the policy would have to be created for the use of the cameras, announcing it during all traffic stops, and maintaining the audio/video recordings.

Tom Suddeth asked questions regarding the operation of the cameras. Chief spoke that the system turns on when the car is turned on and records continuously. Chief also spoke that it has a thumb drive which the Police can take out of the system and preserve the clips for future needs. Chief spoke about the continuous recording which would be maintained on the hard drive and that 40 hours of continuous time would be recorded.

Jeff Main asked if any of the officers would be able to delete traffic stops. Chief spoke and that the Officers would not be able to erase the traffic stop. Chief spoke that the hard drive and thumb drive would be access by Administrator only. Jeff Main spoke about getting then two more cameras moving forward and would need to purchase the same type in the future.

President McClintick spoke about the recommendation came from the Police/Safety Committee and the approval to purchase one camera and software occurred at the October Council Meeting and was to come out of the 2013 budget.

Chris Frisby verified that this system is the same used by the State Police has. Chris Frisby asked if the other smaller communities have cameras or if there is any mandate coming that would require cameras down the road. Chief spoke that he was not aware of any mandates. Chief spoke that many smaller departments have cameras and in fact Mercersburg had cameras at one time.

Chief reviewed that the department received the Taser. Chief Zechman spoke about the Drug Take Back Box and asked for a motion for it to be bolted to the Borough hallway floor.

MOTION: to approve the Drug Take Back Box to be bolted to the Borough Office Floor by the PWD staff was made by Donald Stoner, second by Jeff Main, all ayes, motion carried.

President McClintick asked if there was anything else. Mayor Zeger reported that there will be free parking from December 15, 2013 thru January 2, 2014.

President McClintick asked for the Solicitor's Report.

Sam Wiser wished everyone a Merry Christmas and President McClintick and John Freeland all the best and thanked them for the years of service.

President McClintick asked for the Engineer's Report.

Lance Kegerreis reported that the final punch list was sent to P&W and he reviewed that \$5,000 would be withheld until those items were completed. Lance said that he had not heard anything from the Kieffers since the last correspondence was sent and he would follow up with them. He reviewed that the Borough would need to act on the pay requests within a week or two.

President McClintick asked what the status of the loan proceeds were.

Sam Wiser reviewed that he has been working closely with Senator Alloway's Office to move the process forward. Sam Wiser provided a suggestion for a motion.

MOTION: to approve the following pay requests subject to receiving the funds from PennDot minus the \$5,000 to P&W for the retainage for items on the punch list for the amount of \$224,899.65 to P&W and \$216,156.90 to Recon was made by Tom Suddeth, second by Jeff Main, Tom Suddeth asked what would happen if the Borough does not receive the loan proceeds by the 13th, Sam Wiser stated that he, Tammy, and Amy would get together to discuss a plan B if needed, all ayes, motion carried.

President McClintick asked for the Manager's Report.

Tammy Oberholzer reported that the 2014 Budget and the Tax Levy Ordinance were advertised as required. She reported that John Freeland had called her with regret that he couldn't attend the meeting, but was in favor of approving the budget as presented. Tammy reviewed that she was very happy with the insurance seminar. Tammy reviewed that end of year employee bonuses are something that usually occurs at the December Council Meeting and can be discussed during New Business. Tammy Oberholzer reviewed that the PWD has been busy with snow removal. Tammy wished everyone and their families a Happy Holiday and thanked Liz for all of her contributions and all of her help.

President McClintick asked for the Secretary Report.

Dawn Scheller reviewed that there were 3 Land Use Permits for the month of November. Dawn reviewed that she was in contact with the contractor who was to work on fixing the Police Windows and Clock Tower items. She reviewed that she was hopeful that the work would be completed by the next Council Meeting.

President McClintick asked if anyone had any questions about the PWD Report and to direct any of those questions to Tammy.

President McClintick moved on to Committee Reports.

Fire Board information was provided by Jeff Main stated that the projects on the firehouse are going well.

Tammy Oberholzer reviewed the HARB Committee Information.

MOTION: to approve application COA: 13-12-05 as submitted to replace deteriorated wooden shutters with cedar shutters painted black, solid panel on first floor and louvered panel on the second floor was made by Tom Suddeth, second by Donald Stoner, all ayes, motion carried.

MOTION: to approve application COA 13-12-01 for sign replacement at 26 South Main Street for David Stauffer State Farm Insurance as applied was made by Tom Suddeth, second by Donald Stoner, all ayes, motion carried.

MOTION: to deny application COA 13-12-02 for roof replacement at 25 East Seminary as submitted as the agriculture profile tin is an inappropriate material in the historic district and for a flat roof surface, HARB however, does recommend a rubber membrane roofing material, was made by Chris Frisby, second by Donald Stoner, all ayes, motion carried.

MOTION: to approve application COA 13-12-03 as applied for a sign and window lettering for Don Moats Legacy Realty, 19 North Main Street, sign to be installed on bracket already installed at property was made by Tom Suddeth, second by Donald Stoner, all ayes, motion carried.

MOTION: to approve application COA 13-12-4, 15 North Main Street, as submitted with bracket mounting under porch installed carefully at mortar joints so not to damage stone was made by Donald Stoner, second by Jeff Main, all ayes, motion carried.

President McClintick asked to move on to Old Business/New Business.

MOTION: to approve Ordinance 2-26 was made by Chris Frisby, second by Donald Stoner, Council wanted to discuss the budget first and asked the motion to be withdrawn, both the first and second agreed to withdraw the motion, Motion withdrawn.

President McClintick opened up the discussion about the proposed 2014 budget.

Tom Suddeth spoke against raising taxes. Tom suggested cutting the budget and reviewed Jon Kittredge's previous suggestion about reducing the Police Wages and that last year the cost of living increase was denied last year and should not be up for discussion this year.

Jeff Main spoke that last year he voted against the cost of living increases and he should not be asked to revote on it this year. Jeff reviewed that he was not in favor of the Sargent Position and does not feel it is needed. Jeff stated that there is not enough crime or administrative duties for this position.

It was discussed that Personnel Committee needs to look at salary caps for all positions and residency requirements for the Sargent Position. Borough Council reviewed the health insurance cost information and that the information includes health, dental, vision, disability and life insurance.

Donald Stoner asked where Tom suggested in cutting the budget, Tom responded cutting the police budget. Tom stated that it would be up to the Mayor to decide where.

President McClintick spoke about the time spent on crimes in the Borough being significant.

Chris Frisby spoke about the Community voicing their feelings about the police force and there are some of the same issues that keep coming up. One being the headcount of the Police Department, Residency, Cameras, do they need more Administrative Oversight. Chris reviewed his thoughts on the Police Department Part-Time Officers saving money, to hire local police if able but not to restrict the hiring of someone if a qualified candidate is in a neighboring community.

He spoke about the cameras for the Police Cars. He reviewed that all of these items should be on the table for future discussion. Chris says that he feels the Borough is in a good place.

Mayor spoke about a previous motion made by Harold Wagner establishing part-time officers. Mayor said that the department has solved serious crimes. He spoke about the savings on health benefits because they are not paid for part-time employees. Mayor spoke about the quality of Officers and in recent past two Officers have been hired into neighboring Police Forces and that is a credit to the Chief. Mayor spoke about the good staff we have for the Borough and the wonderful job the Police Department does.

Council President reviewed that 1 mill was designated to the Streets and should not even be a discussion because last year when the Streets Loan was discussed this had already been discussed and approved. McClintick then reviewed the .25 mill increase was for general purposes and just the increases in the health insurances premiums which are set with the health insurance companies. She reviewed that the Office Staff is deserving of the increases presented. President McClintick reviewed that the Borough will be repaying \$88,000 a year in loan payments. 1 Mill only equals to \$13,000. She reviewed that past Councils, current staff should all be credited with being able to taken on such a project.

MOTION: to approve Ordinance 2-26 fixing the tax rate for the year 2014 was made by Chris Frisby, second by Donald Stoner, Tom Suddeth and Jeff Main opposed, remaining ayes, motion carried.

MOTION: to approve the 2014 Budget as advertised and presented was made by Donald Stoner, second by Chris Frisby, Tom Suddeth and Jeff Main opposed, remaining ayes, motion carried.

MOTION: to approve Christmas Holiday Bonuses in the amount of \$50.00 net per employee was made by Chris Frisby, second by Donald Stoner, Tom Suddeth opposed, remaining ayes, motion carried.

President McClintick asked if anyone had any other business. No other business was discussed. President McClintick wished everyone a Happy Holiday.

MOTION to adjourn at 8:38 pm was made by Donald Stoner, second by Chris Frisby, all ayes, motion carried.

These meeting minutes have been written and respectfully submitted for approval by Dawn Scheller with the use of her meeting notes.

Date Approved: _____

Motion Made By: _____

Second By: _____