

Mercersburg Borough Council Meeting

Borough Hall, Mercersburg, PA

March 26, 2012

Minutes

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

Absent: Betty Stenger

Press: Gina Hall, The Journal

Guest(S): None

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

President McClintick asked for Public Comment and there was none.

President McClintick asked for a motion to approve the Meeting Minutes from February 13, 2012 meeting.

MOTION: to approve the Meeting Minutes from the February 13, 2012 Borough Council Meeting was made by Tom Suddeth, second by John Freeland, all ayes motion carried.

President McClintick asked for a motion to approve the Treasurer's Report from the month ending February 2012.

MOTION: to approve the Treasurer's Report Month Ending February 2012 was made by John Freeland, second by Donald Stoner, all ayes, motion carried.

President McClintick asked for a motion to approve the Bills Payable Invoice List dated February 29, 2012.

MOTION: to approve the Bills Payable Invoice List dated for February 29, 2012 was made by Chris Frisby, second by Jeff Main, all ayes, motion carried.

President McClintick asked for the Mayor's Report.

Mayor Zeger stated that he had met Stanley Lambchop aka "Flat Stanley". Mayor Zeger read the story of "Flat Stanley" and informed Council that Stanley has traveled all over the world and now has visited Mercersburg. Mayor Zeger posed for a picture with Stanley. Mayor stated that the Police Department continues to do a fantastic job and they have solved many thefts in the Borough. Mayor stated that there are still thefts occurring in the Borough and asked that everyone be observant.

Gina Hall arrived at 7:20 p.m.

President McClintick asked for Police Report.

Chief Zechman reviewed his report which included the following information; 80 complaints and service calls, 0 borough ordinance violations, 28 criminal investigations, 15 criminal arrests, 3 accident investigations, and 43 citations, and 62 parking tickets. He provided a financial statement showing funds collected. Chief Zechman stated that they are awaiting the New Officer's Temporary Mopec Number. Once that number is received he will be able to begin working. Chief Zechman also stated that Officer Smith has submitted a resignation letter. Chief stated that Officer Smith had a couple

of court appearances that still required his attendance and asked the his resignation be approved by council contingent upon Officer Smith being paid for those specific court hearings.

MOTION: to accept Officer Smith's resignation with the approval of additional worked hours required for court appearances was made by Tom Suddeth, second by Jeff Main, all ayes, motion carried.

MOTION: to enter into executive session at 7:24 p.m. for personnel issues with possible action to be taken was made by Tom Suddeth, second by John Freeland, all ayes, carried.

Regular session resumed at 8:05 p.m.

MOTION: to authorize salary increases for the following; increase of \$1.00 per hour to Officer Angelini, and an increase of \$.63 to Officer Soffe, both effective March 26, 2012 and for the Chief to receive written confirmation that the salary adjustments were completed was made by Donald Stoner, second by Chris Frisby, all ayes, motion carried.

President McClintick asked that all council members receive a copy of the Chief's form so that all Council Members can submit suggestions. The suggestions and Document will be brought to the Personnel Committee for more discussion.

President McClintick asked for the Solicitor's Report.

Sam Wisner updated Council on the Seminary Lane concern. Sam stated that a concern from Mr. Lucas was forwarded to the Borough Office regarding a stop sign being installed on Seminary Lane. Tammy Oberholzer asked that Sam Wisner look into the request and determine the Borough's interests. Sam Wisner reviewed the Deed information. Sam stated that the Deed provides the Borough a right of way (easement) along the private lane or driveway known as Seminary Lane to the old sewage facility and that it would be maintained by the Borough. In Sam's opinion, although the Borough does not own Seminary Lane, the Borough does have the obligation to maintain Seminary Lane, and can place a Stop Sign on it. Sam also stated that there is nothing that precludes a private drive to have a Stop sign. Tammy reviewed that she would contact Mr. Lucas and informs him of the findings. President McClintick thanked Sam for his efforts.

President McClintick stated that they had a weigh in to complete for the Weight Loss Challenge. Tammy reported that the Police Chief won the challenge with the loss of 43 pounds. Everyone was pleased that all participants lost weight.

President McClintick asked for the Engineer's Report.

Lance reported that they had a very good meeting a couple of weeks ago. Food Lion had verbally agreed to fix the challenge dependent on the price. Lance stated that the initial price that was discussed was high and he thinks it could be completed for less. Lance stated that Brake was not interested in this work, but that Food Lion would contact other contractors for the job and obtain estimated. Lance will continue to work on the situation and keep Council informed of the status.

President McClintick asked for the Borough Manager's Report.

Tammy Oberholzer reviewed her Manager's Report. Tammy stated that under New Business is a Service Contract for Glessner Alarm Company. She stated that she believes this to be a valuable contract and she was able to negotiate that only the first service call (for all Borough, Water and Sewer) would be billable and the remaining would be covered under the contract. Tammy informed council that Glessner charges a Service call charge and then bills in ½ hour increments.

Tammy reviewed that FEMA did not accept our Flood Plain Ordinance that was adopted. Sam Wisner stated that he is very frustrated. Sam reviewed that PSATS was provided the draft version of the Ordinance for the initial review. Sam stated that we were told by PSATS that our Ordinance looked good and that the Borough should move ahead advertise and adopt it. Sam stated that the day after Council adopted the Ordinance he was contacted and it was stated that there

were things that didn't meet the requirements. During that time PSATS had staff changes and FEMA suspended the Borough's Flood Insurance. Sam stated that he spoke with someone at FEMA they reviewed the version that is listed for adoption on the agenda. Sam said he has an email from FEMA that says the Ordinance looks good, go ahead advertise and adopt it. Sam stated that an updated Ordinance is listed under New Business for Adoption and he is hopeful that this Ordinance will be acceptable to FEMA and the Flood Insurance Suspension will be lifted shortly after it is adopted.

Tammy reviewed that the 150th Jeb Stewart Commemoration will take place during Townfest scheduled on Saturday, September 29, 2012. Tammy volunteered Borough Hall to be used for a Public Meeting about the event on Wednesday, April 11, 2012 at 7:00 pm for this event. Tammy stated that Janet Pollard would be advertising the meeting.

President McClintick asked for the Secretary Report.

Dawn Scheller reported that there was one Land Use Permit issued in February.

Dawn stated that the James Buchanan Award Nominees were included in everyone's packet and then there was one new Nomination that was placed at each seat. Dawn Scheller stated that the Harriet Lane Award would be on the April 9, 2012 Agenda.

Dawn Scheller stated that she updated the Fee Schedule and that the Salary Costs were increased by 3%, two pieces of equipment were added to the list, and the Fees for the Residential Rental Ordinance were added. She stated that this was listed on the Agenda for approval. Dawn reported that 48 residential rental properties were registered and 37 individuals were added to the per capita tax list. Dawn reminded all rental property owners to register their properties by April 1, 2012 deadline.

Dawn Scheller stated that an invitation to the Annual Chamber Person of the Year Banquet was included in everyone's packet and was an Agenda item.

Dawn Scheller stated that the Agenda had one correction to be made that Ordinance 143 needed approval for advertisement and not adoption. Once advertised it would be adopted at the April Meeting,

Dawn Scheller stated that she contacted three paint companies for Traffic Paint and received the following quotes; US Municipal Supply- 5 Gallon Bucket of White Latex Paint \$93.90 & Yellow \$92.20; The Paint Store- 5 Gallon Bucket of White Latex Paint \$77.40 & Yellow \$86.99; and C.V.D.C. – 5 Gallon Bucket of White Latex Paint \$52.50 & Yellow \$52.20. Dawn recommended that Council approve the purchase through C.V.D.C.

MOTION: to approve traffic paint purchase through Cumberland Valley Decorating Center (C.V.D.C.), Chambersburg PA was made by Tom Suddeth, second by John Freeland, all ayes, motion carried.

President McClintick stated that the Public Works Department Report was included for everyone's review.

President McClintick began to review the Committee Reports.

The HARB Committee Report was reviewed and the recommendations were shared.

MOTION: to approve COA 12-03-02 as presented to replace current roof with Fabral Horizon S material in Brick Red, the 12' coverage must be used was made by Donald Stoner, second by Chris Frisby, all ayes, motion carried.

MOTION: to approve COA 12-03-01 to hang sign from building at 17 E. Seminary Street on condition the sign must be hung with a traditional sign bracket and located as close to corner as possible with a traditional sign bracket and hung in a way that causes the least amount of damage to the siding on the West corner of the building, height must meet

requirements of the Mercersburg Zoning Ordinance on Signs over sidewalks which is 12 feet above the sidewalk was made by John Freeland, second by Jeff Main, all ayes, motion carried.

President McClintick asked for the Property Committee Report.

Dawn Scheller reviewed the information in Betty's absence. Dawn Scheller stated that everyone had a copy of Properties meeting information. After discussion, Council asked that the Appraisal Cost Estimate be refigured not to include the Water and Sewer properties and then brought back to Council for discussion.

MOTION: to approve the Controls Services & Engineering Company, Inc. Service Agreement totaling \$415 was made by Tom Suddeth, second by Chris Frisby, all ayes, motion carried.

MOTION: to approve Dennis E. Black to perform a full survey on Boro Lot 4 for a cost between \$2,000 and \$3,000 was made by Tom Suddeth, second by John Freeland, all ayes, motion carried.

Tammy provided Council with a copy of the Judges Office request for improvements. After discussion, Tammy was asked to speak with the County about the concerns and she stated that she would keep Council informed of the developments.

President McClintick asked for the Streets Committee Report.

John Freeland spoke about the meeting that was held before the Council Meeting. John stated that he was quite pleased with the Engineer's efforts. He stated that the Engineer had provided the Committee with a packet which included over 700 photos documenting the conditions of the street. Council received a copy of the report from the Engineer which included an assessment and prioritized the Streets for improvements. John stated the Committee will continue to review the information and develop a plan. He was pleased with the relationship that has been built with Columbia Gas and is looking forward to working with the Utilities.

John Freeland left the meeting at 9:05 p.m.

President McClintick moved on to New Business.

MOTION: to adopt Ordinance 6-16: Flood Plain Management Ordinance was made by Donald Stoner, second by Jeff Main, all ayes, motion carried.

MOTION: to approve the cost of one table of 8 to attend the Annual TACC Business Person of the Year Banquet first seating to be offered to the Borough Employees, second to Council Members, and then to Employee Spouses was made by Chris Frisby, second by Donald Stoner, all ayes, motion carried.

MOTION: to adopt Resolution 16-12: Schedule of Fees was made by Donald Stoner, second by Tom Suddeth, all ayes, motion carried.

President McClintick moved on and Opened Nominations for the James Buchanan Award. Mayor Zeger nominated the Buchanan Lioness Club, Tom Suddeth nominated Ben Martin. President McClintick asked for any additional nominations, no additional individuals were nominated, nominations were then closed. Council reviewed the nominations and it was noted the importance of completing a nomination form so that Council would have the ability to review the information. President McClintick stated that either nomination are deserving of the award.

A vote was taken first for the Buchanan Lioness Club to receive the award.

Donald Stoner –No, Chris Frisby-Yes, Liz McClintick-Yes, Tom Suddeth-No, and Jeff Main-No

A vote was taken for Ben Martin to receive the award.

Jeff Main-Yes, Tom Suddeth-Yes, Liz McClintick-No, Chris Frisby-No, and Donald Stoner-Yes.

Ben Martin will be awarded the award at the April 21, 2012 Historical Society Annual Dinner. Mayor Zeger stated he would provide the information about the dinner to the Borough Office.

MOTION: to approve the Glessner Alarm and Communication Proposal in the amount of \$620.00 was made by Donald Stoner, second by Jeff Main, all ayes, motion carried.

MOTION: to approve the advertisement of Ordinance 143 with the cost to be reimbursed by the requestor was made by Tom Suddeth, second by Donald Stoner, all ayes, motion carried.

President McClintick reviewed the Correspondence and Calendar and it was decided that the Streets and Property Committee would meet on Wednesday, April 11, 2012 time to be determined by the Committee Chairpersons.

MOTION : to adjourn at 9:36 p.m. was made by Donald Stoner, second by Chris Frisby, all ayes, motion carried.

These minutes were transcribed by Borough Secretary, Dawn L. Scheller, using her meeting minutes and recording of the meeting. Respectfully submitted by Borough Secretary, Dawn L. Scheller.

Date Approved: _____ Motion made by: _____ Second By: _____