

McSherrystown, Pennsylvania
Borough Council Meeting
July 8, 2020

Council of the Borough of McSherrystown met at 7:00 p.m. on Wednesday, July 8th, 2020 in the lower level of the Knights of Columbus with President William Smith presiding.

President Smith led the Pledge of Allegiance to the Flag of the United States of America and the Invocation for Divine Guidance.

Present on roll call were the following members of Council constituting a quorum: William F. Smith, Daniel P. Colgan, Lisa B. Koontz, Mark A. Lookenbill, Joyce E. Murren (remotely,) Steven J. Pascoe, Joseph E. Vonsas.

Other Borough Officials in attendance:

Anthony J. Weaver – Mayor

Justin M. George, Esq. – Solicitor

Gerald C. Walmer – Secretary/Treasurer

Minutes:

President Smith requested that a change be made to the June 17th meeting minutes referencing forfeiture funds received from the Department of Homeland Security. Specific verbiage to be used is as follows: “Funds must be used for law enforcement purposes as stated in the application for Transfer of Property Seized/Forfeited by a Treasury Agency (TD F92-22.46.) As the intent of this transfer is to enhance law enforcement, these funds must increase and not supplant the appropriated operating budget.”

Councilmember Pascoe sought clarification in the June 17th meeting minutes about the removal of Councilmember VonSas from the Building & Grounds and Personnel Committees. President Smith made it clear that Councilmember VonSas was removed from the two Committee assignments until the end of the year.

Mayor Weaver stated that he did not sign Resolution 2020-10 censuring Councilmember Pascoe.

Councilmember Colgan made a motion to approve the meeting minutes from the June 17th regular council meeting with the two noted changes. He was seconded by Councilmember Lookenbill.

Roll call vote results were as follows:

William F. Smith (Yes)

Daniel P. Colgan (Yes)

Lisa B. Koontz (Yes)

Mark A. Lookenbill (Yes)

Joyce E. Murren (Yes)

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Stephen J. Pascoe (Yes)

Joseph E. VonSas (Yes)

With a majority vote, the motion carried.

Communications / Notifications:

President Smith gave the floor to Aaron Adams who discussed details about his Eagle Scout project to renovate the Main St. Park. Aaron gave an update on prefabrication of the new equipment and fundraising efforts. He made a request for assistance from Public Works employees to haul supplies and use the borough backhoe to remove shrubbery and other material on July 15th. After some disagreement over whether or not the project had been approved to proceed, it was determined that the project could begin on July 15th with the assistance of Public Works employees to aid in the removal of material and structures.

Councilmember VonSas made a motion to allow Aaron Adams to begin work on his Eagle Scout project at the Main St. Park on July, 15th with the assistance of Public Works employees. He was seconded by Councilmember Koontz.

Roll call vote results were as follows:

William F. Smith (Yes)

Daniel P. Colgan (Yes)

Lisa B. Koontz (Yes)

Mark A. Lookenbill (Yes)

Joyce E. Murren (No)

Stephen J. Pascoe (Yes)

Joseph E. VonSas (Yes)

With a majority vote, the motion carried.

Aaron Adams asked if crushed stone would be available for the project. Chief Woods was asked to check into its availability. A call to Pennsylvania One Call was requested and will be done by Borough employees. The handling of donations in excess of the funding required to complete the project will be determined once the project is completed.

President Smith read a letter from Gretchen VanOstrand of 623 Main St. In the letter, Mrs. VanOstrand voiced concern about the speed and noise of traffic on Main Street. She also expressed her disappointment in the lack of safe crosswalks and noted the difficulty her and her husband have trying to exit their driveway due to traffic back-ups at the traffic light. She believes that she and her husband made a mistake purchasing a home in McSherrystown and desired a discussion be had related to her concerns.

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Councilmember Colgan let it be known that he was looking into the matter and inquiring about possible remedies to the problem with various State and local officials. Councilmembers discussed the speed of traffic on Main St. and potential actions that could be taken locally. The subject was handed off to the Highway and Public Safety Committee to be addressed.

President Smith addressed a request from Julia Hancock’s home-schooling group to use the Senior Center once per week on Mondays. He read her letter sent by email expressing details of the organization’s request to use the facility. Following a discussion related to potential fees and particulars connected to the use of the facility, the decision to grant use of the Senior Center to Julia Hancock’s homeschooling group was tabled until the following meeting. Councilmember Koontz agreed to speak with Mrs. Hancock regarding potential fees. She will also reach out to the Office of Aging to address to possibility of sharing space at the Senior Center.

Reports:

President Smith asked Councilmember Murren to chair the Building and Grounds Committee. She agreed to do so and will be giving reports for the committee.

Highway Committee Chairman Colgan announced that a notification was received from PennDOT about an area that was sinking in the 100 Block of Main St. According to Councilmember Colgan, the roadway was repaired and there were no other issues.

Councilmember Colgan also reported that the property owner at 146 South St. expressed concern about her neighbor who had tarred and chipped the unopened alley beside her property. The resulting runoff from the work that had been done created a gully on her property that was not draining. Councilmember Colgan explained to her that it was an issue to be handled between the two neighbors. Chief Woods met with the property owner and documented the complaint. Solicitor George advised that the issue would need to be handled by the Borough Zoning Officer to identify the potential of a zoning violation. Because a Zoning Officer has not yet been hired to replace Manager Cook, Middle Department Inspection Agency (M.D.I.A) is to be contacted to look at the situation. Solicitor George will also look to see if there is an ordinance that pertains to the matter.

John Sherdel of 315 Ridge Ave. contacted Councilmember Murren and Colgan. He relayed information about a clay stormwater pipe that runs through his yard. He claimed that the joints in the pipe leaked profusely during heavy rains. Manager Cook had looked into the issue in the past, but determined that the Borough engineer would need to look at the pipe. Councilmember Colgan will make contact with the engineer to evaluate the situation.

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Personnel Committee Chairman Smith announced that the search for a new manager continues and that responsibilities of the next manger would be mapped. Tasks and communications would be funneled through Chief Woods in the meantime. Time spent completing tasks, needed materials, and necessary equipment will be tracked and measured moving forward, according to President Smith.

President Smith made notification that Code enforcement will be taken over by the Police Department. Zoning issues will be overseen by M.D.I.A. In addition, he noted that outside help may also be available from Littlestown and elsewhere.

Councilmember Pascoe asked who would be doing the hiring and interviewing of a new Borough Manager. President Smith said that the Personnel Committee would be handling that role before approval of the entire Borough Council is given. Mayor Weaver and Chief Woods acknowledged that they had prior experience in interviewing. Chief Woods clarified his current role in the absence of a Borough Manager in that he is only a point of contact rather than the acting Borough Manger. He is not receiving additional compensation for that role.

Councilmember Colgan and President Smith requested that any information or correspondence received by the Borough office immediately be forwarded to the appropriate committee chairperson upon receipt.

Planning and Zoning Committee Chairman Colgan said that the owner of 218 North St. was waiting for his permit to be issued. The owner of 23 St. Josephs Ln. is awaiting the issuance of a permit for a floating deck. This will be handled by M.D.I.A. according to Councilmember Colgan. John Shaeffer of SPG Capital is looking for a permit to be issued for 214 North St., but the residence had already been renovated and rented to a new occupant who has already taken residency. The owner of 625 North St. asked Councilmember Colgan to address a water flow issue she was having. Councilmember Colgan verified that there was work done in December of 2019 to the water main by the Borough of Hanover. The homeowner is responsible for a potential flow regulator or check valve problem. A representative of Hanover will make contact with the homeowner to verify potential water problems at the residence.

Councilmember Colgan advised those present that he had received complaints about street sweeping. A resident relayed that at the south end of Second St., someone was parking on the opposite side of the street from their home and not moving their cars, resulting in the street not being swept on their side of the street.

According to Councilmember Colgan, there were five unresolved zoning issues pending. Two new issues have arisen in which businesses were being operated without a conditional use permit at 513 and 517 South St.

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Recreation Committee Chairwoman Murren was unable to be contacted remotely. Councilmember Colgan, speaking on her behalf, stated that a reimbursement for expenses incurred from the dog park water installation completed last year was to be reimbursed by Mr. Messersmith. He advised that the reimbursement funds had not yet been received and questioned why the work began without having the funding on hand. A bill for the materials totaling \$1,237.67 had not been sent.

Councilmember Murren rejoined the meeting remotely and expressed the desire to receive correspondence from Borough residents immediately upon receipt. She also stated that a request had been made to use the Recreational Park by the New Oxford Youth Softball organization in August, September, and October. BJ Wilke also requested use of the field for the 12U Flames Softball organization from New Oxford. Through correspondence between the parties, it was determined that they would be able to share the field should approval be given. Councilmember Murren offered to get together with the various organizations requesting use of the fields to determine a workable schedule for them all. Waivers and insurance verification will be necessary should approval be given. Mayor Weaver asked if there would be a charge for the teams to use the fields. Councilmember Murren said that the fee to use the fields should be waived. Specifics of field use and upkeep was to be determined at the next meeting.

Councilmember Murren announced that there had not been a safety meeting held the day before.

Technology Committee Chairman Colgan announced that the committee met on June 22nd via Zoom. Those present included Dani Smith, Kathy Todt, and Chairman Colgan. The group discussed the challenges associated with Hanover Borough's proposal to fully assume responsibility for sewer billing, tracking, and receivables. An apples-to-apples comparison of current time spent and resources needed to service the sewer accounts in-house as opposed to relinquishing the role to Hanover Borough was discussed. Councilmember Colgan relayed information about pricing for sewer billing software, related mailing fees, and supplies.

A resident and his wife who live on Maria Drive requested action be taken by Borough Council to address loud four-wheelers that were being ridden next to their property. According to Mayor Weaver, a public nuisance ordinance is hard to enforce with the local magistrate unless a high number of residents make complaints. A noise ordinance could be an option to address the problem according to Mayor Weaver. He will pass the residents' concern on to Chief Woods.

Secretary/Treasurer Walmer stated that reports had been distributed for the month of June. General Fund expenses were \$99,710.74, Highway Fund expenses were \$2,129.46, and Payroll expenses were \$38,747.52 for a total of \$140,587.72.

Secretary/Treasurer Walmer reported that he received an email from Rob Lutz of the R.J.

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Hall Company, the Borough's pension administrator. The email requested updating the Primary Security Administrator formally held by retired Manger Scott Cook for the Uniformed and Non-uniformed pension policy.

Secretary/Treasurer Walmer also inquired about the Senior Center reopening for residents to rent the facility.

Councilmember Lookenbill moved a motion to reopen the Senior Center for rental under the condition that waivers be signed by all renters. He was seconded by Councilmember Pascoe.

Roll call vote results were as follows:

William F. Smith (Yes)
Daniel P. Colgan (Yes)
Lisa B. Koontz (Yes)
Mark A. Lookenbill (Yes)
Joyce E. Murren (abstain)
Stephen J. Pascoe (Yes)
Joseph E. VonSas (Yes)

With a majority vote, the motion carried.

Councilmember Colgan moved a motion to name Secretary/Treasurer Walmer as the Primary Security Administrator for the uniformed and non-uniformed pension plans. He was seconded by Councilmember VonSas.

Roll call vote results were as follows:

William F. Smith (Yes)
Daniel P. Colgan (Yes)
Lisa B. Koontz (Yes)
Mark A. Lookenbill (Yes)
Joyce E. Murren (abstain)
Stephen J. Pascoe (Yes)
Joseph E. VonSas (Yes)

With a majority vote, the motion carried.

Public Participation:

President Smith announced that a request had been received to deliver a presentation by a representative from the Hanover Areas Diversity Alliance. Amanda Baird-White, Executive Director of the organization, outlined details of an ordinance pertaining to anti-discrimination and human rights that had previously been provided to all Council members. The proposed ordinance called for the formation of a local human relations

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commission, which would be a cooperative agreement between McSherrystown Borough, Hanover Borough, Penn Township, Conewago Township and West Manheim Township. Councilmembers asked questions and posed hypotheticals to gain a better understanding of the organization's proposal. President Smith thanked Ms. Baird-White for her time and explanation of her organization's proposal. More information is to be gathered and questions are to be funneled through President Smith, which will then be given to Ms. Baird-White.

Unfinished Business:

The adoption of Robert's Rules of Order was tabled until the next meeting by President Smith and Councilmember Murren.

Councilmember Koontz moved a motion to adopt the McSherrystown Floodplain Ordinance 2020-02 to be effective July 22nd, 2020. She was seconded Councilmember Colgan.

Roll call vote results were as follows:

William F. Smith (Yes)
Daniel P. Colgan (Yes)
Lisa B. Koontz (Yes)
Mark A. Lookenbill (Yes)
Joyce E. Murren (abstain)
Stephen J. Pascoe (Yes)
Joseph E. VonSas (Yes)

With a majority vote, the motion carried.

The baseball dugout roofs at Borough fields were addressed by Council. According to Councilmember Colgan, the dugout roofs would be removed and replaced by volunteers before the next baseball season. The refurbishment is to be done in stages.

Councilmember Koontz said that she is waiting for estimated costs from Hanover Borough if they were to completely handle sewer servicing for McSherrystown. She relayed that delinquent sewer balances totaled approximately \$42,000. According to Councilmember Koontz, McSherrystown has the ability to turn water off for unpaid sewer bills. Solicitor George will look in to the matter further.

Councilmember Pascoe expressed his desire to have Councilmember VonSas reinstated as Building and Grounds Committee chairman due to his experience, knowledge, and value to the taxpayers of McSherrystown. President Smith agreed to take the request under consideration.

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New Business:

Councilmember Colgan addressed the excessive number of fireworks recently being set off within Borough limits. He advised that a call be made to 911 or to the non-emergency number to make a report until current ordinances can be updated or amended. Chief Woods noted that there were very few firework complaints received by the Police Department. He advised residents to call and make a report with the police department.

Public Participation:

There was no public participation

Adjournment was declared by President Smith at 9:46pm.

Gerald C. Walmer
Borough Secretary