

Minutes – March 13, 2019

McSherrystown, Pennsylvania

Council of the Borough of McSherrystown met at 7:00 p.m. on Wednesday, March 13, 2019 in the Municipal Building, 338 Main Street, McSherrystown, Pennsylvania with Patricia McKim-Bortner presiding.

President McKim-Bortner 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: Patricia D. McKim-Bortner, Joseph E. VonSas, Michael J. Calderone, Lisa B. Koontz, Robert D. Niedererr and Stephen J. Pascoe. Councilman James A. Forbes was absent. Other Borough Officials in attendance included Mayor Anthony J. Weaver, Robert Campbell, Esq. Solicitor; Michael F. Woods, Chief of Police; Scott J. Cook, Manager and Luanne M. Boring, Secretary/Treasurer.

Minutes of the regular meeting held February 13, 2019 and special meeting held March 4, 2019 were approved on a motion moved by Councilmember Calderone, seconded by Councilmember VonSas. Motion carries.

The Financial Review and Budget Analysis reports were presented by the treasurer. There were no questions of those reports.

Kara Darlington, CPA, SEK & Company, presented the 2018 audit which had been distributed to officials. Kara thanked Luanne for her cooperation and attention to detail once again. She explained the content of the audit pages, the comparison sheet with last year's audit, and highlighted the procedure letters. Mrs. Darlington indicated that the audit was clean, only one minor interest adjustment that is done each year.

Mrs. Darlington was thanked for her presentation here tonight.

Communications

3/5/19 ACBA Meeting will be held March 18th at 6:15 p.m. at The Pike Restaurant. There was no interest in attending this meeting at this time.

3/11/19 Cyril Kuhn, 15 N. Sixth St. wrote requesting a handicap parking space in front of his property for his wife with health issues, noting that she has a handicap placard. Kuhn had been in the office addressing the extent of his wife's disabilities with staff.

There was discussion and determined that there is area from the corner of the alley where this parking space can be designated. Kuhn will be made aware that the space will be available to anyone with a handicap parking permit, not just for their use.

Councilmember Koontz moved a motion to approve installation of a handicap parking in front of 15 N. Sixth Street as requested. Councilmember Calderone seconded the motion. Motion carries.

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3/13/19 McSherrystown Moose Riders submitted a letter requesting to hold a 5K run event on June 22nd beginning from the Moose property on South Street and continuing throughout designated sidewalk areas outlined in the letter. The pre-race registration begins at 6:30 a.m. and race start-up will be 8 a.m. They addressed the ordinance regulations, provided the required certificate of liability and paid the twenty-five dollar permit fee.

Chief Woods indicated that the police will be there but that any calls would take precedence. It was suggested that fire police assistance is requested as well.

Council approved this event on a motion moved by Councilmember Niedererr, seconded by Councilmember Pascoe. Motion carries.

PUBLIC PARTICIPATION

Thomas Lawrence, Jr., Fire Chief of SAVES, presented their annual report for 2018. The total Fire & Rescue and EMS calls were 1,839 which was an overall 16% increase from the previous year. McSherrystown Borough total calls were 427 for Fire & Rescue and EMS, which was 23% of their total dispatches, basically unchanged from the previous year.

Lawrence thanked the Mayor, Chief, Scott, the highway crew and Luanne for their help throughout the year.

President McKim-Bortner thanked Chief Lawrence for his presentation. The report will be available for review in the office.

Sarah Murren, 304 Ridge Avenue, approached Borough Council interested in RV parking regulations. She and her husband are considering a purchase and want to make sure they would be within regulations. She had requested ordinance information from Manager Cook and asked for an explanation.

Cook explained that the Borough ordinance was amended in 2009 and that the county website has not updated that information. He did provide her the ordinance information and explained Section 215-66 where it addresses parking on the property with certain stipulations.

Murren then inquired as to parking a skid loader on a property, saying she noticed several in town and they would like to bring theirs from their farm to town during certain months of the year.

Cook will look into the matter, noting there are grey areas. He will get back with his findings.

REPORTS

Mayor Weaver acknowledged that we are lucky to have SAVES, that they handled the

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merge with professionalism and are a model to the state. They don't ask for thanks as they continue to serve the community. He noted that Chief Lawrence will do something as far as providing fire police for the race, that the volunteers serve professionally.

Police Chief Woods submitted his report for the month of February. That report included 100 calls for police services. There was 1 criminal arrest, 18 summary arrests and five parking tickets issued. Patrols traveled 2,621.3 miles, using 287.2 gallons of fuel and averaging 8.8 mpg.

Chief Woods offered his thanks and appreciation to SAVES and the fire police who serve.

Woods related that there is a statement pending in response to the arbitration process.

According to Woods, the new officer, Ryan Blessing, will be sworn in next week.

Councilmember VonSas mentioned that he and Mayor Weaver had attended the recent SAVES banquet and that Tom Carbaugh is retiring from Fire Police. He received an honorary lifetime award after 65 years of volunteer service. VonSas noted that Carbaugh volunteered for this role and served the community being first on scene and last to leave. His service here was outstanding. In addition, Mayor Weaver added to VonSas' comments, thanking Carbaugh for his service.

Manager Cook's report for the month of February included repairing, cleaning and painting picnic tables as needed. Removed basketball backboards at South St. Rec. Park, then prepped, primed, painted and reinstalled them. Cable wire was ran for new office computer. Cleaned, degreased and serviced the slid loader. Moved bleachers at Fairview Avenue back to the baseball fields and removed football parking posts. Washed all public works vehicles as needed and cleaned up garages. Trash containers were emptied at the parks and Borough offices. Daily maintenance and repairs were performed on police vehicles and borough vehicles and equipment. Snow was plowed, streets were salted and cindered as needed. Snow was cleared from sidewalks and salt applied. Gasoline usage totaled 184.2 gallons, diesel usage was 45.5 gallons. SAVES used 283.4 gallons of diesel and 8.5 gallons of gasoline.

Manager Cook announced street sweeping as beginning April 2nd and continuing two weeks weather permitting. The community support in moving vehicles and sweeping sidewalks beforehand is appreciated. The fine for not moving vehicles is \$50. There are safety issues involved in the sweeper having to operate around vehicles.

Safety Committee Chairman Pascoe requested Chief Woods to schedule officers to assist during the sweeping. A discussion was held on issues from last year and need for the proposed signage to put dates on signs. Mayor Weaver related that because we do not tow vehicles and even though we would ticket, the sweeper would still have to go around them.

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It was suggested by Councilmember Koontz to use wipe off markers on the plastic signs, so that dates would help with enforcement. Pascoe related that there needs to be consequence for not moving the vehicles, that is the goal.

Cook reported that the X750 mower with snow attachment has been purchased. The original purchase order had to be revised as there was an overall contract change from the previous year. This change ended up saving us \$750.01.

Solid Waste Committee Chairman Calderone read from the flyer for the Electronics Recycling to be held on April 6th from 8 a.m. till noon at the Public Works. The program held twice a year has been successful.

Highway Committee Chairman Calderone spoke of the snow emergency being called by the staff. Appreciation was expressed to the Police Dept. for knocking on doors to have vehicles moved.

Recreation Committee Chairman Niedererr reported that 155 have registered for baseball programs and that it is holding its own. The count was down 9 from last year.

Niedererr asks for an update on the traffic study at North and N. Second St.

Manager Cook says the traffic study was done and that LTAP has the report. He will get it and go over it with the Chief.

Calderone questions putting stop signs at alleys. It was explained to him that it is not possible, that it is requirement to stop at alleys.

OLD BUSINESS

Secretary Boring has received the information from Joint Bidding with Hanover Borough. At the joint bidding held February 27, 2019, Councilmember VonSas had moved a motion to accept the low bids as approved, accepted and following suit of Hanover Borough. Councilmember Pascoe seconded the motion and the motion carried. The bids accepted were as follows:

Paving Materials -FOB Plant

TO: York Materials Group

Pre-mixed Bituminous Concrete	
Pre-mixed Bituminous Stock Pile Material	\$105.00 ton
Bituminous Concrete Base Course BCBC	\$ 49.15 ton
9.5 mm Superpave Surface Course	\$ 59.55 ton
19 mm Superpave Surface Course	\$ 53.55 ton
25 mm Superpave Base Course	\$ 50.35 ton

TO: Vulcan Construction Materials, LP, Hanover

Crushed Stone	
Screenings (AASHTO 10)	\$11.20 ton

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PA 2A stone	\$ 7.80 ton
Sand & Crushed Stone Anti-Skid Type 2	\$12.20 ton
1B Stone (ASSHTO#8) & HE6 Stone(#9)	\$13.00 ton
2B stone (AASHTO#57)	\$11.90 ton

Delivery – full truck load to McSherrystown Borough \$ 2.15 ton

TO: Mid-Atlantic Cooperative Solutions d/b/a Aero Energy

Regular Lead-Free Minimum 87 Octane Gasoline \$1.6184 gal.
Diesel #2 Straight Run \$2.2259 gal.

TO: PPC Lubricants, Jonestown PA

#5-20 Full Synthetic Motor Oil in 55 gal. drums \$10.77 per gal.
#15W-40 Motor Oil Universal Multi-Grade (55 gal. drums) \$ 8.46 gal.

TO: Eastern Salt Co., Inc.

Snow & Ice Rock Salt in Bulk (delivered)
Before 7/1/19 - \$67.00 ton; Before 10/1/19 - \$69.00; After 10/1/19 - \$69.00

TO: Sherwin Williams Paint Co., Hanover

Water Borne Traffic Paint
White Paint in 5 gallon pails \$13.99 per gallon
Yellow Paint in 5 gallon pails \$14.99 per gallon
Blue Paint in 5 gallon pails \$14.99 per gallon

TO: Alpha Space Control Co., Inc., Chambersburg, PA

Center Line Painting – Two 4” Yellow Lines \$ 0.0978 per lf.

It was noted that there were minimal increases from last year’s bid.

Neiderer’s Pool business and catering is for sale. In a letter distributed to council in January from Michael Sanford of Vincent Drive, he was asking for consideration of a joint effort between the Borough and Conewago Township. At that time there was no discussion. Mr. Sanford has requested a response with a second letter sent to the Borough.

There was discussion at this time. Although the pool has always been a part of the community, the Borough has no interest in particular naming liability and keeping up with recreation areas that we already maintain. It is hoped that the right person decides to make the investment. A response letter will be sent to Mr. Sanford indicating same.

Councilmember VonSas spoke of recent work done for the Borough reported at the meeting. He wished to reiterate that his time and materials were donated, so as to address social media concerns.

With that said, Councilmember Pascoe acknowledged his donation of a new portable

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battery charger to the Public Works Dept.

NEW BUSINESS

Approval to pay listed expenditures totaling \$103,394. (General Fund - \$53,154; Highway Aid Fund - \$1,609 and Payroll Fund - \$48,631) was given on a motion moved by Councilmember Pascoe, seconded by Councilmember Koontz. Motion carries.

President McKim-Bortner noted the need for a personnel session and asks for a motion to recess.

Recess was declared at 8:03 p.m. on a motion moved by Councilmember Calderone, seconded by Councilmember Pascoe. Motion carries.

The room was cleared of public participation at this time.

The meeting was called back to order in an executive personnel session at 8:07 p.m. by President McKim-Bortner.

The public were brought back to the meeting room.

The regular meeting was called back to order at 8:43 p.m. by the President McKim-Bortner.

President McKim-Bortner announced that discussion was held for the following:

- Purpose to discuss the hiring of new Secretary/Treasurer
- Employee incident whether or not action or possible corrective action needs to be taken.
- Discuss clarification on arbitration & need for discussion with arbitration attorney.

Since the previously hired replacement for Secretary/Treasurer has declined the position offer, Councilmember Koontz moved a motion to approve the conditional hiring of Andrea Willet to replace Luanne Boring at a rate of \$21 per hour with a start date to be pending after she passes the required background check so as to be bonded. After ninety days she is to receive a fifty-cent increase. Councilmember Pascoe seconds the motion. Motion carries.

Councilmember Pascoe addressed the arbitration process and the committee's conversation with the Borough's attorney, Miller. Pascoe says it is extremely rare that the chief of the department is part of a bargaining unit. It was evident that due to his involvement with contract negotiations, that the chief of police put his best interest before our officers and that was very concerning to Pascoe. Removal of the chief from the bargaining unit will insure that our officers are fairly represented and savings to the taxpayers of McSherrystown for longevity bonuses, negotiated raises and overtime in years to come.

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Councilmember Pascoe moved a motion to contact the labor employment attorney, Michael Miller, to proceed to contact Chief Woods to remove himself and if he does not then proceed to find out what needs to be done to have that removal from the collective bargaining unit. Councilmember Calderone seconded the motion. Motion carries.

As far as the employee incident, the matter is to be handed over Manager Cook to handle.

Daniel Colgan, 355 Ridge Ave. questioned whether or not the position of Secretary/Treasurer needed to be announced.

Solicitor Campbell was in agreement that going back to the resume's that were on hand was proper handling of the matter for the replacement.

Adjournment was declared at 8:48 p.m. on a motion moved by Councilmember Calderone, seconded by Councilmember VonSas. Motion carries.

Luanne M. Boring
Borough Secretary