

Minutes – November 14, 2018

McSherrystown, Pennsylvania

Council of the Borough of McSherrystown met at 7:00 p.m. on Wednesday, November 14, 2018 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, James A. Forbes, Lisa B. Koontz, Robert D. Niedererr and Stephen J. Pascoe. Other Borough Officials in attendance included Robert Campbell, Esq., Solicitor; Michael F. Woods, Chief of Police; Scott J. Cook, Manager and Luanne M. Boring, Secretary/Treasurer. Mayor Anthony J. Weaver was absent.

President McKim-Bortner welcomed Lisa Koontz to the council, saying it is nice having another woman on the board.

Minutes of the regular meeting and zoning hearing held October 10, 2018 were approved on a motion moved by Councilmember Calderone, seconded by Councilmember VonSas. Motion carries.

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

Communications noted included the following:

11/12/18 Adams County Economic Development Corp. thanks you for support and commitment to local economic prosperity.

ACBA Meeting 11/19/18 – Guest speaker Daryl Krum, Director, Adams Tax Services. Councilmembers Calderone and Niedererr indicated they will be attending the meeting.

Council President McKim-Bortner reported that she received a report from Wellspan Health and Adams County Library who partnered to sponsor the GO Adams program. There were 207 visits to the Walk Track location to rub the letterbox cello. This number was 82.1% of total 252 who returned their sheets walking a total of 62.1 miles at the walk track.

#### PUBLIC PARTICIPATION

George Staub, 212 Stombach St., spoke of the June meeting and the dog park, asking who or what initiated it.

Councilmember VonSas says he mentioned the dog park as an option at the time and Councilmember Calderone says he brought up the pavilion. Manager Cook clarified that there was money in the budget under the Recreation Development Fund and those funds

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had been set aside to develop the parks. At that meeting Cook said he would come back with a quote and VonSas suggested the dog park so he got one for that as well.

Cook related that at an earlier meeting in the year Councilmember Clingan said the Moose wanted out of their lease and so the slide would not be replaced at the Moose Park. \$20,250 had been budgeted (\$10,000 to replace the senior center roof but was put on hold to look at more funding; the lift was purchased and the combined amount from the leftover funds from the lift and the slide was \$5411).

Staub presented a petition with 259 signatures that he gathered back in the summer when he canvassed a street and one-quarter. The petition to save the McSherrystown K9 unit was handed over to the council president.

Councilmember Forbes assured him that we are keeping the K-9 program.

When welcomed by President McKim-Bortner, the Boy Scout in attendance says he is here for part of his Citizen and Community badge.

Dan Colgan, 355 Ridge Avenue, asks that the meeting and agendas be put online. He indicated that he also has difficulty understanding zoning regulations and says they are not easily accessible such as for research on a fire pit. Colgan wonders how \$15,000 can be justified for the dog park if the Borough cannot put information out to the residents.

He was advised that minutes were added to our website as of last week. According to Manager Cook the zoning regulations are there as well, with exception that may not include specific for the recreational fire pits which have just become popular in the past five years. It is a gray area, as long as the fire is not out of control and not bothering anyone the police department will work with residents. Any neighboring complaints would prompt a call to the police department to check. Cook also related that the dog park costs is to be \$5,000, not \$15,000 as Colgan indicated.

Joy Murren, 306 Ridge Avenue, commented on the portable toilet at the Walk Track, hoping to see a handicap unit there next year. Manager Cook assured her that the park will be ADA accessible in 2019.

Danielle Smith, 610 Main Street, spoke of the budget progress and discussion with Mayor and Chief about the K-9 program continuation. She asked about the progress of the K-9 and timeline.

Councilmember Calderone says no discussion but will support it.

Danielle Smith thanks him for saying that at a meeting.

Bill Smith, 610 Main Street, knows the borough works on a cash basis and suggests they consider an accrual system, so as to track designated funds. He spoke of funds set aside for senior center roof leads to confusion of waiting until it is paid for and asks if the

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Borough would consider going towards an accrual system.

Manager Cook that the senior center roof was delayed till next year because it was past the deadline for applying for funding from Office for Aging. If it is capital purchase, then funds are put in capital reserves.

Councilmember Calderone clarified with Danielle Smith that the K-9 Program will not necessarily continue as is now.

Danielle Smith says declared support to continue is all she needs and hopes discussion will continue.

Sarah Murren, 304 Ridge Avenue, commented on the budget and understands projects but asks if we can put needs before wants, asking if we can invest in our struggling police department.

President McKim-Bortner says we have not yet heard about arbitration results and that it is difficult to plan.

Manager Cook explained that the dog park was put in and funds used in exchange for the slide not put at the Moose Park, not part of the pavilion project.

Councilmember Forbes indicated that the Borough has been dealing with dogs in parks and feces let behind. This is one thing that prompted the dog park.

George Staub spoke of public safety and asks when the contract negotiations began in 2017. He questions the decision of spending on the dog park instead of public safety.

### REPORTS

In Mayor Weaver's absence, condolences were expressed by President McKim-Bortner on the loss of his nephew.

Police Chief Woods acknowledged that his report for the month of October was distributed. The report included 97 calls for police services. There were 2 criminal arrests, 5 summary arrests and 2 parking tickets issued. Patrols traveled 2,352.0 miles, using 293.8 gallons of fuel and averaging 8.0 mpg.

The Chief related that there were very few applicants for the full time police position advertised. Currently there is stipulation of living in a ten mile radius. He spoke with the academy and surveyed area departments to learn that most did away with that years ago. Chief would prefer none as a stipulation here.

Councilmember Forbes indicated that he does not see mileage as an issue, so that can be changed.

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Councilmember Forbes moved a motion to remove the residency requirement from the police contract. Councilmember Calderone seconded the motion. Motion carries.

Manager Cook's report for the month of October included installing 4' high and a 5' high wire fence at the new dog park as well as two 10' gates. Brush was chipped once each week throughout town. The new curbing along 614 Ridge Avenue was blacktopped and a rolled edge in the 300 block of Ridge Alley. The damaged blacktop was cut out and new applied to control storm water at the catch basin in 600 block of Willow St. Alley. The 6x6 posts were set and concrete pad poured for new pavilion at the Walk Track. Streets were swept throughout town. Trash containers were emptied at the parks and Borough offices. Daily maintenance and repairs was performed on police vehicles and borough vehicles and equipment. Mowed and maintained all recreation areas as needed. Gasoline usage totaled 209.4 gallons, diesel usage was 72.9 gallons and SAVES used 285.3 gallons of diesel and 10.6 gallons of gasoline.

According to Manager Cook the dog park opened November 8<sup>th</sup>. The pavilion project is progressing with the sidewalk to be installed and the roof put on by year end. There are three welcome signs at the dog park with one for dogs over thirty pounds, one for dogs under thirty pounds and one as you come off the parking lot with regulations. The leaf collection will continue through the end of December.

Safety Committee Chairman Pascoe asks Chief Woods if he could put up the electronic sign for speed at the west side approaching town over the Thanksgiving Holiday. Councilmember VonSas added that S. Fifth St. to Blettner Ave. is problematic as well, and a resident in that area expressed concern to him. Chief Woods acknowledged that he would place it on Main and on S. Fifth Street.

Solid Waste Committee Chairman Calderone gave a shout out to the people who collect leaves.

Under Sewer Committee, new to Chairman Koontz, Manager Cook reported that there is sewer problems at 111 N. Second St. where a resident reported issues and where a line was found to be crushed in the street. The Borough Engineer is working on getting a permit to work on the state roadway. The Borough will do the work if it is six to eight foot deep. It is suspected it is thirteen foot deep and if so C.E. Williams is available to help.

Planning and Zoning Committee Chairman Forbes asks Manager Cook to report on 138 Main Street.

Solicitor Campbell reported that he has prepared documents for 138 Main Street for Code Enforcement Officer Cook. A notice of violation to vacate has been prepared for Scott, he had reviewed it and it is ready for a signature. The property front and rear will be posted with a placard; a notice will be sent to the owner in Texas via certified mail with return receipt, followed up by a notice sent regular U.S. Mail a few days later obtaining a certificate of mailing. The people living in the garage will be served with the hand

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delivered notice, as on two separate occasions they already have been notified.

### OLD BUSINESS

Chief Woods spoke of ongoing complaints received about a legally parked truck along N. Second Street near North Street intersection and the difficulty seeing to pull out there. Chief Woods is unsure if anything other than a traffic study could be done. In the past Chief Vial had done studies. Solicitor Campbell recommends that a study be done and Penn DOT contacted. A representative of Penn DOT will be contacted because of the state roadway and the visual obstruction it causes parked in that area.

### NEW BUSINESS

Approval to pay listed expenses totaling \$100,924.32 (General Fund- \$35,968.20; Highway Aid - \$5,926.46 and Payroll - \$59,029.66) was given on a motion moved by Councilmember Pascoe, seconded by Councilmember Niedererr. Motion carries.

The proposed budget for 2019 was handed out to members of the board. Manager Cook addressed the budget categories.

Pricing for the purchase of the new police vehicle was discussed. The COSTARS pricing is \$29,971 less trade in value. It is estimated that the total cost including radio installation is \$32,000.

There was a hand-out spreadsheet provided to us for Community Media donations for consideration from collected franchise fees. It listed municipalities, their fee collected, percentages for donations and options. The amount to offset those funds being lost by Comcast no longer funding was shown \$1,567 for McSherrystown Borough. There was discussion among board members as to declining numbers of subscribers and services and the unknown future of that at this time.

Councilmember Koontz moved a motion to approve the 2019 donation to Community Media as \$1,567 to cover that which is being lost by Comcast funding. Councilmember Forbes seconded the motion. Motion carries with Councilmember Niedererr opposing. This will need to be added to the budget as a new line item.

It was pointed out by Cook that with the unknown arbitration award for the police department and costs for 2018 and 2019 and the costs for a single versus family health plan for officer's coverage including any new hires there are considerations to be made.

There was discussion on leasing instead of purchasing the police vehicle outright. With a lease, it would give more funds in reserve should another need replaced in the next year or so.

Safety Committee Chairman Pascoe recommended the purchase of a white vehicle. Police Chief Woods related that he wants a black vehicle so as to be universal here. Members were in agreement that leasing would be the best option at this time. The Borough would need to go back to the COSTARS dealer and get pricing for a leased

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vehicle to add to the proposed budget, with a term of four years.

Councilmember Forbes moved a motion to approve that a white police vehicle be leased for a four year term from COSTARS vendor New Holland Auto Group as per quoted pricing. Councilmember Pascoe seconded the motion. Motion carries.

Councilmember VonSas motion to advertise the proposed budget for 2019 as presented with the changes discussed and noted for leasing the vehicle under police capital outlay and adding the Community Media donation of \$1567. Councilmember Calderone seconded the motion. Motion carries.

It was noted that once those changes are made the budget will be advertised and be available to the public for review prior to the December 12<sup>th</sup> meeting.

Councilmember Pascoe moved a motion to advertise the tax ordinance for 2019 with no increase in taxes. Councilmember Niedererr seconded the motion. Motion carries.

President McKim-Bortner indicated that an executive personnel meeting is needed.

A recess was declared at 8:22 p.m. on a motion moved by Councilmember Niedererr, seconded by Councilmember Calderone. Motion carries.

The meeting was called back to order in an executive personnel session by President McKim-Bortner at 8:31 p.m.

The regular meeting was called back to order at 9:11 p.m. by President McKim-Bortner.

President McKim-Bortner appointed a committee to prepare to advertise for secretary/treasurer for upcoming position opening. Councilmembers Koontz and Pascoe were appointed.

Adjournment was declared at 9:11 p.m. on a motion moved by Councilmember Calderone, seconded by Councilmember Pascoe. Motion carries.

Luanne M. Boring  
Borough Secretary