

**McSherrystown, Pennsylvania**  
**Borough Council Meeting**  
**March 23, 2020**

Council of the Borough of McSherrystown met at 7:00 p.m. on Monday, March 23, 2020 at the Municipal Building at 338 Main St. McSherrystown, Pennsylvania with President William Smith presiding. Because of the Covid-19 pandemic, some officials participated remotely. The meeting began at 7:17 upon the arrival of Councilmember VonSas.

President William 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 Smith, Daniel Colgan (remotely), Lisa Koontz (remotely), Mark Lookenbill, Joyce Murren (remotely), Steven Pascoe, Joseph Vonsas.

Other Borough Officials in attendance:

Anthony J. Weaver – Mayor (remotely)

Justin George, Esq. – Solicitor (remotely)

Scott J. Cook - Borough Manager

Gerald C. Walmer – Secretary/Treasurer (remotely)

President Smith thanked all who attended the meeting. He noted that time-sensitive issues would be the focus of the meeting while under the state-wide emergency. All business was to be taken care of above-board and in the spirit of the law if the letter of the law could not be followed given the current circumstances related to the Covid-19 pandemic.

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**Reports:**

Manager Cook announced that the e-cycling event would be rescheduled for June 6th from 8am-12pm at the Public Works complex. A new street sweeping date would be determined at the next meeting.

Building and Grounds Committee Chairman VonSas and Manager Cook reported that a quote for the proposed fence and gate for the rear parking lot had been received, but two additional quotes would be necessary. A quote for replacement garage doors had also been received according to Manager Cook.

Finance Committee Chairman Lookenbill addressed aspects of the 2020 budget raised at the March 11<sup>th</sup> council meeting. He explained that in past years, the Borough Secretary / Treasurer had transferred funds from the Capital Reserves Fund into the General Fund for interest earnings to cover Borough expenses until tax revenue began to flow in. This transfer of funds had not taken place at the end of the last fiscal year leading to the budget gap noted by the Auditor. Manager Cook noted that earned income was to be higher than budgeted based on a report that he received. The net result, according to manager Cook, was a more positive budgetary outlook than originally projected in 2019.

Personnel Committee Chairman President Smith announced that the newly formed

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committee met on the night of Friday, March, 20<sup>th</sup>. The committee decided to implement a policy in which Manger Cook’s powers and duties would follow those outlined in Chapter 22, Section I of the Code of the Borough of McSherrystown.

Councilmember Koontz expressed concerns about Chief Woods serving on the Personnel Committee because he was a Borough employee and lived outside of the Borough. Solicitor George said that there was not an issue with Chief Woods serving since he was in charge of the police department; additionally, Chief Woods’ residency outside the Borough did not prohibit him from being a member of the Personnel Committee. However, the Chief could not be part of any discussion with regards to his position as Chief of police.

Councilmember Pascoe, in seeking clarification, asked if the Chief would only oversee matters concerning the police department. Solicitor George said that Chief Woods’ role on the Personnel Committee would not be limited only to police personnel. Councilmember Pascoe recommended that Manager Cook serve on the committee.

Councilmember Lookenbill moved a motion to require the Borough Manager to conform to the duties listed in the Code of the Borough of McSherrystown while a formal policy pertaining to his duties is developed by the Personnel Committee. 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 (Yes)  
Stephen J. Pascoe (Yes)  
Joseph E. VonSas (Yes)

With a majority vote, the motion carries.

Planning and Zoning Committee Chairman Colgan deferred to Manager Cook with respect the upcoming zoning hearing for Life Discovery Church. President Smith remarked that they were willing to postpone the hearing. Manager Cook also reiterated that the zoning hearing solicitor and other involved parties were also willing to reschedule. Manager Cook stated that he would contact the stenographer to notify her of the sixty-day postponement of the hearing. Councilmember Colgan offered to contact members of the Zoning Hearing Board to notify them of the same.

Police report: Mayor Weaver thanked the firefighters, police, and borough staff for continuing to work during the Covid-19 pandemic.

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Safety Committee Chairwoman Murren announced that Joann’s Fabrics is providing free materials for facemasks.

Sewer Committee Chairwoman Koontz stated that Borough crews had been out for repair work on Borough sewer lines. The work was in conjunction with a residential sewer problem during the prior week.

Solicitor George said that he had been in constant contact with President Smith, Manager Cook, and Secretary/Treasurer Walmer.

Secretary/Treasurer Walmer made it be known that late fees for garbage and sewer services would be waived until further notice as stated in Resolution 2020-07.

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### Old Business:

Councilmember VonSas made a motion to award the contract for street milling services, including mobilization fees, for the period of April 1, 2020 to March 31, 2021 to low bidder, Donegal Construction, PO Box 450, New Scranton, PA 15672 in the amount of \$2.90 per square yard. Councilmember Lookenbill seconded the motion.

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)  
Stephen J. Pascoe (Yes)  
Joseph E. VonSas (Yes)

With a majority vote, the motion carries.

Councilmember Pascoe moved a motion to approve Resolution 2020-07 “Proclamation Declaration of Local Disaster Emergency” in which a seven-day self-renewing clause was included. Also contained in the Resolution was a clause stating that all Borough parks would be closed until the state of emergency was lifted by the State or Federal governments. All public meetings are to be canceled during the state of emergency.

Roll call vote results were as follows:

William F. Smith (Yes)  
Daniel P. Colgan (Yes)  
Lisa B. Koontz (Yes)  
Mark A. Lookenbill (Yes)

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Joyce E. Murren (Yes)  
Stephen J. Pascoe (Yes)  
Joseph E. VonSas (Yes)

With a majority vote, the motion carries.

President Smith proposed that new email addresses be set-up using “mcsherrystownboro.org.” The Mayor, police officers, councilmembers, and Borough office employees would receive new email accounts. Feltch’s Computer Consulting, LLC is to handle the implementation using Microsoft 365. The domain mcsherrystownboro.org is to be purchased allowing for greater functionality and more clout. Chief Woods will correspond with Dave Feltch to implement the police and mayor’s new email accounts. Secretary/Treasurer Walmer will work with Dave Feltch on the implementation of new email accounts for Borough staff and councilmembers.

Councilmember Lookenbill moved a motion to approve President Smith’s proposal for new email accounts. Councilmember Murren seconded his motion.

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)  
Stephen J. Pascoe (Yes)  
Joseph E. VonSas (Yes)

With a majority vote, the motion carries.

Mayor Weaver requested that his new email account be set-up on the police side.

President Smith addressed the proposal for a new Verizon telephone system. He stated that after an initial hardware cost of \$284.99, the monthly charges would be \$248.50 per month thereafter. A cost savings per month after the first month would be over \$200. Chief Woods is to be in contact with the Verizon representative to implement and install the new system.

Councilmember VonSas moved a motion to accept the proposal to transition the Borough’s phone system to Verizon and cease services provided by CenturyLink. He was seconded by Councilmember Koontz.

Roll call vote results were as follows:

William F. Smith (Yes)  
Daniel P. Colgan (Yes)

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Lisa B. Koontz (Yes)  
Mark A. Lookenbill (Yes)  
Joyce E. Murren (Yes)  
Stephen J. Pascoe (Yes)  
Joseph E. VonSas (Yes)

With a majority vote, the motion carries.

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### **New Business:**

President Smith announced that the Adams County Council of Governments has scheduled a meeting for April 23<sup>rd</sup> at 6:30 at the Emergency Services Building. He noted that the meeting was tentative.

President Smith stated that by law, a Borough Council meeting needed to be held at least once per month, thus a meeting would need to be held before the end of April. Councilmember Pascoe asked Solicitor George if a meeting would still need to be held if the current state of emergency was still in place. Solicitor George said that it was unclear given the current circumstances and that a decision would have to be made with deference given to the spirit of the law and not necessarily the letter of the law. President Smith's desire was to stay as close to the letter of the law as possible, but that accommodations may need to be made.

Councilmember Colgan asked if he should have a copy of Resolution 2020-08 before voting on it. He then asked to hear the resolution.

**Commented [MB1]:** 1:04:46 Added per meeting request on 4-22 & 5-13 by Councilmember Colgan.

Solicitor George read Resolution 2020-08—A resolution of the Borough of McSherrystown, Adams county, Pennsylvania, to temporarily authorize employee use of paid administrative leave during the pendency of the Proclamation of Disaster Emergency proclaimed by Pennsylvania Governor Tom Wolf in response to the pandemic Coronavirus or Covid-19.

Councilmember Koontz moved a motion to accept Resolution 2020-08 as read by Solicitor George. She was seconded by 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 (Yes)  
Stephen J. Pascoe (Yes)  
Joseph E. VonSas (Yes)

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With a majority vote, the motion carries.

Adjournment was declared at 8:31p.m. on a motion moved by Councilmember Pascoe, seconded by Councilmember Lookenbill.

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Gerald C. Walmer  
Borough Secretary