

McSherrystown, Pennsylvania
Borough Council Meeting
February 12, 2020

Council of the Borough of McSherrystown met at 7:00 p.m. on Wednesday, February 12, 2020 in the Municipal Building at 338 Main St. McSherrystown, Pennsylvania with President William Smith presiding.

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, Lisa Koontz, Mark Lookenbill, Joyce Murren, Steven Pascoe, Joseph Vonsas.

Other Borough Officials in attendance:

Anthony J. Weaver - Mayor
Justin George, Esq. - Solicitor
Scott J. Cook - Borough Manager
Gerald C. Walmer - Secretary/Treasurer

President Smith asked if there was a motion to accept the meeting minutes from the January 8th regular council meeting and the January 22nd special budget meeting. Councilmember VonSas made a motion to approve the meeting minutes. 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)
Stephen J. Pascoe (Yes)
Joseph E. VonSas (Yes)

With a majority vote, the motion carries.

Financial Review:

The Financial Review and Budget Analysis reports were given to all council members by the Secretary/Treasurer. Secretary/Treasurer Walmer reported the expenses incurred since the prior meeting were as follows:

General Fund: \$292,115.97
Highway Fund: \$4,226.37
Payroll Fund: \$57,998.58
Total: \$354,340.92

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Councilmember Murren, speaking about legal fees incurred in January, stated that the legal invoices she had seen did not add up to the total spent for the month. Solicitor George noted that his office received a check from the Borough for \$2,000 to execute on a property in town, which was the difference Councilmember Murren was inquiring about.

Councilmember Colgan requested budget amounts be added to the reports provided to Council. Secretary/Treasurer Walmer informed him that those numbers will be listed on upcoming reports once the budget is formally approved.

Chief Woods inquired about a payment made for \$9,452.03. Manager Cook responded that that was the yearly lease payment for the 2019 Ford Police Interceptor.

Councilmember Koontz moved a motion to approve the monthly expenditures. She was seconded by Councilmember Murren.

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.

President Smith announced that the sign-up sheet on the table was there to ensure that public participation was accurately reflected in the meeting minutes.

President Smith announced that an executive session would be held immediately after the first public participation segment. He stated that there were three purposes for the executive session. 1) Pursuant to Section 708a(4) of the Sunshine Act in order to consult with legal counsel regarding docket 2019su-482, Michael Woods v. Luann Boring and McSherrystown Borough. 2) Pursuant to Section 708a(1) of the Sunshine Act regarding policies and procedures of employees. 3) Pursuant to Section 708a(5) of the Sunshine Act to review and discuss agency business which, if conducted in public, would violate a lawful privilege or lead to the disclosure of information or confidentiality protected by law, including matters related to the initiation and conduct of investigations of possible or certain violations of the law and quasi-judicial deliberations.

President Smith, addressing the various committee chairs, requested that short-,mid-,and long-term projects be looked at and considered moving forward.

Manager Cook spoke about the joint bid meeting on February 5th. He stated that the meeting was held to open and record the bids submitted to Hanover Borough. McSherrystown Borough Council will need to have a quorum present on February 26th at 6 p.m. at the

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Hanover Borough office to approve the bids for various materials needed by McSherrystown Borough throughout the year. It was decided that President Smith, Councilmember Colgan, Councilmember Murren, and Councilmember Lookenbill would accompany Manager Cook to the joint bid meeting. Councilmember Colgan and Councilmember Murren volunteered to make a motion and second the motion to approve the various bids.

Committee Reports:

Manager Cook stated that his monthly report for January had been distributed along with his itemized purchase report.

Manager Cook requested approval to attend a pesticide training course in Lancaster on Monday, March 9th at a cost of \$95.

Councilmember Koontz moved a motion to send and pay for Manager Cook to attend the pesticide training course. She 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.

Manager Cook reported that he attended the York Adams Tax Bureau meeting in which it was reported that there would be a decrease in the commission they charge for tax collection services from 1.85% to 1.36% and that overall collections for 2019 was up 4.6%. He announced that YATB would be holding an open house at their Gettysburg office on May 7th at 10 a.m.

Manager Cook spoke with Councilmember Murren, the recreation committee chair regarding a bid that was submitted by a local portable toilet company called B-There Environmental Services to supply portable toilets at the Borough's various recreational areas. The bid that was received came in \$27 less expensive than the current portable toilet vendor, Walters Services. Manager Cook stated that no contract would need to be signed and that their services could be ended at any time.

Councilmember Murren moved a motion to use B-There Environmental Services as the Borough's portable toilet vendor. She was seconded by Councilmember Colgan.

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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.

Civil Service Committee: Councilmember Lookenbill reported that he met with Chief Woods, Gary Green, and President Smith to introduce themselves. Chief Woods is to contact other members of the committee to find out if they still had an interest in serving on the committee. He noted that Civil Service regulations had not been updated since the 1980's and that local municipalities would be contacted in order to compare their regulations to those of McSherrystown Borough.

Highway Committee: Councilmember Colgan stated that a meeting has not yet been held and that he would be working on that in the upcoming week.

Planning and Zoning Committee: Councilmember Colgan remarked that he had spoken with Manager Cook regarding his roles and responsibilities as they relate to planning and zoning. Councilmember Colgan was unable to get in touch with any of the three, current members of the Planning and Zoning Committee. He proposed a reestablishment of the Zoning Board, which would hear zoning issues in the Borough. He told council that Manager Cook would be preparing a monthly report listing code violations.

Manager Cook made it be known that Life Discovery Church had applied for a zoning hearing currently set for March, 25th. Councilmember Colgan requested letters of interest from Borough residents be sent to the Borough office for review.

Police Chief Woods announced that through a local donation, new tasers were purchased for all the police officers in the department.

Recreation Committee: Councilmember Murren announced that baseball sign-ups had been held, but did not have a report outlining details.

She talked to the baseball director and outlined maintenance issues related to the ball fields. The utility shed at Fairview avenue was in need of roof repair. The dug-out roofs had small holes in them and the pitchers' mound was non-existent. Manager Cook let Council know that the areas of concern outlined by Councilmember Murren would all be addressed in the Spring. The lack of fencing in front of the dugouts was also an area of concern mentioned by Councilmember Murren. Manager Cook agreed to provide an

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estimate for the repair of the dugout roofs and the installation of a fence in front of the dugouts. Councilmember Murren concluded by inquiring about backstop netting at the recreation park ball field to keep balls from going in to neighboring yards. Manager Cook said that the Public Works crew had been in the process of removing the netting as it was no longer necessary since softball leagues were not using the field.

Safety Committee: Councilmember Murren advised that waivers should be signed and kept by the Borough for volunteers working for the Borough.

Councilmember Murren announced that police reports submitted by Police Chief Woods would be distributed on a quarterly basis rather than monthly.

Councilmember Murren requested that the garages behind the borough offices be cleared of all public works materials and supplies. She stated that police and personal vehicles could be stored in the garages to maintain officer safety.

The safety meeting was held earlier in the day according to Councilmember Murren. During that meeting, NIMS was discussed. Mayor Weaver described NIMS certification and protocol.

The next safety meeting had been scheduled for March 11th at 9:30 p.m.

An invitation was extended to all Borough Council members by SAVES to have a tour of their complex.

Solicitor George mentioned that he had received a letter from Scott Cook regarding the municipal industrial pretreatment program and the adoption of new upper limits. He requested that an ordinance be adopted based on Hanover Borough's ordinance regarding the same.

Public Participation:

Pastor Gerry Stoltzfoos of Life Discovery Church in McSherrystown addressed Borough Council and those present. He offered to find a way to raise money through his church for a safety fence to increase police security. Fencing and new doors were projects mentioned by the Pastor for potential funding. Bidding requirements for the potential security upgrades were outlined by Solicitor George. Council decided that Manager Cook, Chief Woods, and Councilmember VonSas would work together to get estimated costs, plans, and/or bids.

Raymond Gouker, founder and president of Community Media addressed Borough Council. He expressed his appreciation to McSherrystown for their continued support of Community Media and their goal of highlighting the good being done in the community.

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An executive session was called at 8:07 p.m.

Council of the Borough of McSherrystown reconvened at 8:38 p.m.

President Smith notified those present that there was no action that needed to be taken with regards to a pending lawsuit.

President Smith thanked Manager Cook for the work descriptions he provided to Council and questioned whether or not a general employee handbook was in existence. Manager stated that a short handbook did exist in the past when the Borough was responsible for trash collection. President Smith said that at the next meeting, a personnel committee would be put together in order to construct an employee manual.

Old Business:

Councilmember Lookenbill moved a motion to adopt the 2020 operating budget. 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 (Yes)
Stephen J. Pascoe (Yes)
Joseph E. VonSas (Yes)

With a majority vote, the motion carries.

President Smith deferred a discussion about the Newly Elected Municipal Official training held in January attended by himself and Councilmember Pascoe.

Email addresses for Borough Council members was addressed by President Smith. He would like Councilmembers to have .gov or .us email addresses. He asked Secretary/Treasurer to readdress the issue with representatives from the county.

Secretary/Treasurer Walmer, in responding to a question asked by Councilmember Colgan in the special budget meeting reported that miscellaneous income reported in the budget was related to accident reports, copies sold, and sale of miscellaneous equipment. He stated that the miscellaneous income was essentially a catch-all for income not recorded elsewhere.

New Business:

Councilmember Colgan moved a motion to give Public Works employees Ken Reese, Keith Smith, and Scott Cook a \$30 gift certificate in appreciation of their more than twenty-five years of service to the Borough of McSherrystown. He was seconded by Councilmember Murren.

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 Colgan proposed a new technology committee to assist the office in updating processes that are outdated, manual, or time consuming. A one or two-member committee was recommended with Secretary/Treasurer Walmer as a member of that committee.

A more robust internet presence for McSherrystown was also recommended by Councilmember Colgan.

Councilmember Koontz spoke of her opposition to a Borough social media presence. She advocated electronic correspondence and the need for dissemination of information through an up-to-date website.

Secretary/Treasurer Walmer read an email he received from Julia Hancock requesting the use of the Senior Center for home schooling classes during the day. Councilmember Koontz, who knows Julia, remarked that Julia and her group were very responsible and would take care of the facility should they be permitted to use it. Solicitor George recommended that an indemnification agreement be made should approval be given. Manager Cook agreed to check on the availability of the back room at the Senior Center for use between approximately 8 a.m. and 2 p.m. A final decision to grant permission and potential fees were tabled until the March meeting.

Secretary/Treasurer Walmer reported that a request was made by the McSherrystown Moose Riders to hold a 5k fundraiser through the Borough on June 13th at 8 a.m. Councilmember Pascoe said that he attended the fist 5k run and that the organization held the event without any issues.

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Councilmember Pascoe moved a motion to permit the McSherrystown Moose Riders to hold their 5k fundraising event on June 13th, 2020 contingent on an updated statement of liability submitted to the Borough of McSherrystown. The motion 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 (Yes)
Stephen J. Pascoe (Yes)
Joseph E. VonSas (Yes)

With a majority vote, the motion carries.

Secretary/Treasurer Walmer outlined a proposal for a new phone system supplied by Verizon. Realized savings as compared to current monthly charges from Centurylink were to be approximately \$250 per month. It was decided to table the issue until March's meeting.

Councilmember Colgan read a prepared statement in opposition to the proposed McSherrystown bypass, also known as the Eisenhower Extension project. He cited an additional tax burden on borough residents, school expansions, and the loss of valuable farm land. Additionally, more costs related to fire protection and utility upgrade costs were also noted as reasons to oppose the Eisenhower Extension project.

Councilmember Colgan moved a motion to draft a letter to PennDOT in opposition to the Eisenhower Extension project as it currently exists and in support of the no-build option. The motion was seconded by Councilmember Lookenbill.

Roll call vote results were as follows:

William F. Smith (Yes)
Daniel P. Colgan (Yes)
Lisa B. Koontz (No)
Mark A. Lookenbill (Yes)
Joyce E. Murren (Yes)
Stephen J. Pascoe (No)
Joseph E. VonSas (No)

With a majority vote, the motion carries.

Adjournment was declared at 9:30 p.m. on a motion moved by Councilmember

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Lookenbill, seconded by Councilmember Colgan.

Gerald C. Walmer
Borough Secretary