

Minutes – January 11, 2017

McSherrystown, Pennsylvania

Council of the Borough of McSherrystown met at 7:00 p.m. on Wednesday, January 11, 2017 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, David W. Bolton, Michael J. Calderone, James A. Forbes and Robert D. Niedererr. Joseph E. VonSas arrives late and Councilmember Douglas S. Duvall 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 and zoning hearings held December 14, 2016 were approved on a motion moved by Councilmember Calderone, seconded by Councilmember Bolton. Motion carries.

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

Communications noted included the following:

12/16/16 PA Emergency Management Agency has reimbursed the Borough for \$4,399.31 for Snowstorm Jonas 2016. The portion was received from \$5866 approved costs that the Borough submitted.

12/29/16 ACBA Meeting 1/16/17 at The Pike with guest speaker Chris Cap, Executive Director, PSAB. Councilmembers Calderone, Bolton and Manager Cook will be attending with Councilmember Niedererr a maybe.

Public Participation

President McKim welcomed the new Gettysburg Times reporter, Mary Grace Keller, to our meetings.

Michael DePorter was in attendance from Troop 107, as he is working on a community merit badge.

James Sporny, retired patrolman with the police department was here to address the letter he received that the Borough was dropping him and his wife from the health insurance plan as of February 1st. Sporny recounted his history with the Borough and the fact that he retired in 1999 on a medical disability.

Councilmember Joseph E. VonSas arrives at 7:05 p.m.

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Sporny asks that he continue with the health insurance, in accordance with the police contract in place when he retired, referring to the contract dated January 1, 1997. He has concern of health expense and the fact that he has a disability and would need to be reestablished elsewhere and that may be difficult. He questions why the Borough now is following the current contract. He asks that council allow him to stay on due to the contract he retired on.

After short discussion, Councilmember Bolton moved a motion to overturn the decision made at the last meeting, December 14, 2016 and allow Sporny to remain on the health insurance under agreement of contract that he retired on. Councilmember Forbes seconded the motion. Motion carries.

REPORTS

Mayor Weaver spoke of the loss of Mary Clare Overbaugh Weaver, former Borough Secretary and School Board Official. Weaver commented that she was a special lady who served this community over the years.

A moment of silence was taken in memory of Mary Clare Overbaugh Weaver.

Police Chief Woods submitted his report for the month of December which included 77 calls for police services. There were 10 summary arrests. Patrols traveled 1,654 miles, using 163.2 gallons of fuel and averaging 10.1mpg.

Woods mentioned that Keoni Lauer, part time officer, was introduced here tonight. Kyle Freeman, newly hired full time officer will be sworn in and starts next Tuesday.

Manager Cook's report for the month of December included continuing to vacuum leaves and unload at Black Lane. The street sweeper was used to collect leaves and leaves were raked and vacuumed at the South Street Recreation Park and Main Street Park. Twenty-one skids/boxes of E-Cycling was delivered to Penn Township. Picnic Tables and trash totes were collected at the parks and placed in storage at public works. The sewer lateral was replaced at 513 North St. Miscellaneous sewer ditches and driveway aprons were cold patched as needed. Trash containers were emptied at the parks and Borough offices. Daily maintenance and repairs was performed on police vehicles and borough vehicles and equipment. Snow plowed, applied salt and cindered streets as needed. Gasoline usage totaled 216.8 gallons, diesel usage was 131.4 gallons and SAVES used 272.9 gallons of diesel and 17.5 gallons of gasoline.

Cook reported that the new dump truck has been lettered and a new two way radio installed. The truck was used twice thus far for salting and cindering streets.

The advertisement has been completed for the street sweeper with bids due February 8th. They will be opened at the February 8th meeting.

Recreation Committee Chairman Niedererr reported that baseball registration has been scheduled for January 30th, February 1st and 6th from 8 till 8 p.m.

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In Sewer Committee Chairman Duvall's absence, Cook reported that he would like approval to have our engineer review tapes from earlier and late last year done by Sewer Specialty and report back on recommended sewer maintenance.

Councilmember VonSas moved a motion, seconded by Councilmember Bolton, to approve that Engineer Sharrah review tapes and report back on recent work done by Sewer Specialty. Motion carries.

Planning & Zoning Committee Chairman Forbes asks Manager Cook to report on the former Sheaffer Development and the advertising of the separate lots there.

Cook spoke with the realtor and she was confused thinking the subdivision had already taken place. She was going to follow-up with the owner and has not yet called back. A letter will be sent to the owner advising that it is illegal under our ordinance to sell off property without final subdivision.

Civil Service Committee Chairman Bolton reported that he intends to call a meeting prior to our next meeting.

Zoning Officer Cook reported that the hearing was held by the Zoning Hearing Board on the 9 First Street property. Approval for variances has been given for the 24'x50' garage to be built on the property.

Solicitor Campbell reported that Sheriff's Sale proceeds have been forwarded for the Croft property at 215 North Street. Chief Woods related that Mike's Towing will be moving the vehicle from that property which is in the right-of-way.

Councilmember Bolton questioned Campbell on the Appler property past due accounts and whether or not the Borough could shut off water to his properties at 33 and 37 Main Street. It appears that Appler is utilizing the 33 Main St. business address and lives at 37 Main St. while continuing to not pay us.

The secretary reported that she had received two monthly minimal payments from bankruptcy on behalf of Appler, but that was months ago and nothing since. He had been in and out of bankruptcy so many times already, we are unsure what is happening to his properties.

Campbell advised that as long as Appler is not in bankruptcy, we can have the water shut off there.

Manager Cook was asked by Council to check with Hanover Borough to see what revenue they would be losing if we were to have them shut off water, for his non-payment of sewer to his personal residence and for the business address.

The secretary also mentioned that she spoke with Manager Cook about the 212 Main Street property and the fact that the owners had not paid in years, saying it was in

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foreclosure but that the tenants continue to live there. The sewer and garbage bills continue to add up, and no one can determine who is responsible.

Solicitor Campbell says that his office will be consolidating the two claims and proceed with sale if that is what the Council wishes. As far as shutting down services there, you cannot shut off water when the property has tenants.

OLD BUSINESS

Joe Scott, MRT Chief Field Operations Officer with PSAB wishes to present his pension comparison. He would ask that the meeting be set before mid-February.

There was a discussion and Mayor Weaver suggested that we have R.J. Hall Company here at the same time, as they can answer any questions on our current plan in comparison.

The meeting will be scheduled for Wednesday, February 8th at 6 p.m. prior to our regular scheduled meeting.

Mayor Weaver noted that John Eller presented the Police Personnel Management Study Report and copies were distributed for review. He did not draw a conclusion but did indicate that 6.6 officers would be needed to man a 24 hour department. Eller was happy with the direction that McSherrystown was going in for the four full-time and two part-time employees.

The borough receives mutual aid only if our station is manned and the state police covers otherwise, noting we are the farthest away in the county.

NEW BUSINESS

Approval to pay expenditures as listed was given on a motion moved by Councilmember Bolton, seconded by Councilmember Niedererr. Motion carries.

Councilmember Bolton says that resolutions are being prepared to send to PSAB. At the ACBA meeting to be held on Monday, there will be discussion on topics to be brought to legislation. Should anyone have any ideas, they will be taken into consideration.

Adjournment was declared at 8:08 p.m. on a motion moved by Councilmember Forbes, seconded by Councilmember Calderone. Motion carries.

Luanne M. Boring
Borough Secretary