

Minutes – September 13, 2017

McSherrystown, Pennsylvania

Council of the Borough of McSherrystown met at 7 p.m. on Wednesday, September 13, 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, Joseph E. VonSas, David W. Bolton, Michael J. Calderone, James A. Forbes, Stephen J. Pascoe and Robert D. Niedererr. Other Borough Officials in attendance included Mayor Anthony J. Weaver, Robert E. Campbell, Esq., Solicitor; Scott J. Cook, Manager/Zoning Officer and Luanne M. Boring, Secretary/Treasurer. Michael F. Woods, Chief of Police was absent.

Minutes of the regular meetings of council held August 9, 2017 and subsequent recess executive session held August 16, 2017 were approved on a motion moved by Councilmember Bolton, seconded by Councilmember VonSas. Motion carries.

The Financial Review and Budget Analysis monthly reports were presented by the treasurer who acknowledged that the annual donations are included in expenses. There were no questions on the reports.

Communications noted included the following:

8/15/17 ACBA meeting is scheduled for Monday, September 18th at 6:15 p.m. at The Pike. Councilmembers Bolton and Calderone indicated they will be attending with Manager Cook.

8/17/17 WellSpan Health appreciates efforts to protect the health of children and families by preventing tobacco exposure in public settings through participation in Young Lungs at Play and have awarded the Borough a Certificate of Recognition. Signs in both English and Spanish were placed at Borough parks and recreation areas as supplied by the initiative.

8/18/17 Adams County SPCA requests funding consideration in our 2018 budget advising of a \$550,000 annual operating cost. The treasurer noted that in this meetings reports, the 2017 donation is \$750.

9/5/17 St. Teresa of Calcutta Home and School Association Fall Festival is scheduled for October 14th. The festival will be held once again from 10 a.m. to 2 p.m. to include a hayride following the same route as in previous years. The secretary noted that the twenty-five dollar fee was included and a certificate of liability has been provided.

Councilmember Bolton moved a motion to approve the permit for St. Teresa of Calcutta

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Home and School Association fall festival and hayride for October 14, 2017.  
Councilmember Pascoe seconds the motion. Motion carries.

### PUBLIC PARTICIPATION-none

### REPORTS

Mayor Weaver announced that Trick-or-Treat festivities will be held October 24<sup>th</sup> from 6 to 8 p.m. Participants were asked to turn their porch lights on during the event. Chief Woods will be notified and SAVES will be here to light up the intersections and assist with crossing streets as he was told at the safety meeting held here today.

Police Chief Woods submitted his report for the month of August which included 157 calls for police services. There were 2 criminal arrests, 43 summary arrests and 5 parking tickets issued. Patrols traveled 3,076 miles, using 335.7 gallons of fuel and averaging 9.1 mpg.

Manager Cook's monthly report for August included installing new sewer lateral at 417 North St., installing Young Lungs at Play signs at all recreation parks and installing the temporary parking area at Fairview Recreation Field for Lions football parking. Painted all crosswalks and parking lots. Began roof extension project at the Senior Center and swept miscellaneous streets. Trash was emptied at all parks and borough offices on a weekly basis. Daily maintenance was performed on police vehicles and borough vehicles and equipment. Mowed and maintained all recreation areas as needed. Dragged and lined all ball diamonds as needed. Gasoline usage was 191.1 gallons and diesel fuel usage was 84.4 gallons. SAVES used 279.7 gallons of diesel and 11.0 gallons of gasoline during the month.

According to Manager Cook, the senior center project has begun with footers and foundation in and in the next few weeks to be completed. Linda Thompson from Adams Office for Aging has been in contact with us and advised we can submit an invoice for half of the costs at this time and that there is a November 1<sup>st</sup> deadline for grant process completion.

Safety Committee Chairman Pascoe attended the safety meeting here today and reported that the new rescue truck will arrive next week and they asked to store the old truck in the Borough pole building. Scott will get with the SAVES chief to work out details. They are currently doing fire safety training at schools. SAVES will have a budget shortfall due to funding from the state and they intend to ask the municipalities to contribute more to help with that shortfall.

Pascoe related that he has been alerted to the fact that there is storage of baseball equipment in the Borough offices garage and the police do not feel safe with all the keys that are out at this time for access. He offered to approach the K of C to see if they would allow storage there like the football program does. He will report back to council.

Solid Waste Committee Chairman Calderone announced that Electronics one day

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recycling will be held October 7th from 8 a.m. till noon at the public works facility. Information sheets are available at the Borough office.

Under Highway Committee, Manager Cook reported that he was approached by Columbia Gas by email that there will be a one night detour from Conewago Township through the borough. The detour will begin at the traffic light in Mt. Pleasant and asking approval to detour through S. Fifth St. to Main St. then to S. Third St. They need a response to provide to Penn DOT.

With previous issues at the four-way stop at S. Fifth St., Councilmember VonSas suggests an extra standard be set at the bottom at S. Fifth St. at the stop sign. Manager Cook will check with SAVES to borrow a flashing light for that standard for the 7 p.m. to 5 a.m. detour time frame.

Finance Committee Chairman Forbes noted that the MMO's for 2018 have been prepared by Luanne Boring, CAO Pension Plans, using worksheets provided by the actuarial service, Beyer-Barber. A memo has been distributed that shows the comparisons from 2017/2018 years with explanations to give the board a better understanding of where those figures came from. The MMO worksheets were attached as well.

Councilmember Forbes moved a motion to approve the Minimum Municipal Obligation (MMO's) for 2018 totaling \$129,810. (\$97,607 for the Police Pension and \$32,203 for the Non-Uniform Pension). Councilmember Bolton seconded the motion. Motion carries.

Zoning Officer Cook submitted his report of monthly enforcements. Cook says the property at 39 Main Street has cardboard and trash stored on the property. A letter went out to the owner but in the meantime the property changed owners, so new owner from Alexandria, Virginia was sent notification. He intends to wait a week or so, then have the borough collect the cardboard stored beside the shed and the bags of trash.

### OLD BUSINESS

The Borough has made contact with Penn Township Manager and Borough residents can participate in the residential shredding event scheduled for October 21<sup>st</sup> from 8 to 1. Information sheets will be available in the Borough Office. We will be invoiced the \$150 by the township as approved here in July.

### NEW BUSINESS

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

Reminder that an informational workshop will be held here September 27<sup>th</sup> at 6 p.m. ACOPD along with ACEDC will be here to discuss the Economic Development Plan, a component of the County's Comprehensive Plan.

The Borough has received notification from Adams County Court of Common Pleas that

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a petition was filed by David W. Bolton for appointment as constable for the Borough of McSherrystown. Solicitor Campbell was asked to be prepared this evening to comment on this petition and address whether or not a Councilmember can hold two elected positions at one time.

Solicitor Campbell has done research on the matter and related that he contacted the Boroughs Association and Solicitor's Association. His interpretation is that the Borough Code says one thing and the law pertaining to constables says nothing prohibiting a constable from running for and holding an elective office. He did speak to someone from the Solicitor's Association and thinks the two offices are incompatible. He would think the Borough Code has priority that you cannot hold two elected offices at the same time.

Councilmember Bolton was in disagreement, saying he has researched this and pointed out a section in the Borough Code where there is exception. He also mentioned that it is currently being done in Abbottstown Borough and other areas as well.

After further discussion, it was noted that the President Judge would preside over the appointment hearing to be held September 18<sup>th</sup>.

Manager Cook related that Sam Miller, Finance, Hanover Borough has contacted the office regarding the non-residential accounts and the 75% usage rule. Hanover Borough realizing it is not necessary is eliminating that rule and asks if McSherrystown wanted to follow suit. If we continue to have them use the method it would be added cost to set up the program to bill in that manner. Cook says we only had that a few times here when there was extremely high usage/leak and subsequent three quarters were invoiced 75% on that high quarter. It is not something we need to have in place because we do not have accounts that would offset the cost to administrate it.

Councilmember VonSas moved a motion to eliminate the non-residential account 75% rule on the sewer billings. Councilmember Forbes seconded the motion. Motion carries.

The matter of direct deposit payroll was discussed. This not only affects employees but officials as well. They recently learned through the Borough News that the mayor must take a salary. All council/mayor must be paid monthly or quarterly.

Councilmember VonSas moved a motion to approve that Borough payroll be set up through direct deposit method. Councilmember Bolton seconds the motion. Motion carries.

A recess was declared at 7:47 p.m. on a motion moved by Councilmember Bolton, seconded by Councilmember Calderone. Motion carries.

The meeting was called back to order at 7:50 p.m. in an executive personnel session by President McKim-Bortner.

Councilmember Bolton left the meeting at 8:20 p.m.

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The regular meeting was called back to order at 8:30 p.m. by President McKim-Bortner.

Adjournment was declared at 8:30 p.m. on a motion moved by Councilmember Niedererr, seconded by Councilmember Pascoe. Motion carries.

Luanne M. Boring  
Borough Secretary