

Minutes – January 9, 2019

McSherrystown, Pennsylvania

Council of the Borough of McSherrystown met at 7:00 p.m. on Wednesday, January 9, 2019 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, Michael J. Calderone, James A. Forbes, Lisa B. Koontz, Robert D. Niedererr and Stephen J. Pascoe. Councilmember Joseph E. VonSas was absent. Other Borough Officials in attendance included Mayor Anthony J. Weaver; Robert Campbell, Esq., Solicitor and Luanne M. Boring, Secretary/Treasurer. Michael F. Woods, Chief of Police and Scott J. Cook, Manager were absent.

President McKim-Bortner announced at this time the council will recess for an executive personnel session with their attorney, Michael McAuliffe Miller, Esq.

A recess was declared at 7:02 p.m. on a motion moved by Councilmember Calderone, seconded by Councilmember Pascoe.

The meeting was called back in session by President McKim-Bortner at 7:28 p.m. At this time she announced that we will hear a report from our negotiations attorney Michael McAuliffe Miller, Esq. There will be no public participation at this time.

McAuliffe Miller, Esq. addressed the Arbitration Award released on December 21st in the matter between McSherrystown Borough and McSherrystown Borough Police Officers' Association. The term of the contract is January 1, 2018 through December 31, 2021. Attorney Miller highlighted changes in salary, longevity, sick leave, healthcare changes, life insurance and pension benefits.

Minutes of the regular meeting held December 12, 2018 were approved on a motion moved by Councilmember Calderone, seconded by Councilmember Koontz. Motion carries.

The Financial Review and Budget Analysis reports for the year end and for this year to date were distributed by the treasurer. There were no other questions on those reports.

Communications

12/17/18 York County Planning Commission re: Hazard Mitigation Plan Update. Information is provided for the 45 day review period. A copy was distributed to members of council.

12/20/18 ACBA meeting – January 21st with guest speaker, R. Fitzpatrick of Adams County Economic Development Corporation. Anyone interested in attending should

Minutes – January 9, 2019

contact the borough office.

12/28/18 Michael Sanford – Asks for support of project request for consideration of joint effort with Conewago Township for a community pool. A copy of his letter was distributed for review.

PUBLIC PARTICIPATION – to be after reports given

REPORTS

Mayor Weaver read a resignation letter from Patrolman Kyle Freeman effective 1/16/19 at midnight. The letter was addressed to Chief Woods on 1/2/19.

The mayor noted that Civil Service has a list for consideration at this time.

Weaver took this opportunity to recognize Steve Weaver, longtime Council Member and dedicated Recreation Chairman as a hometown hero. Weaver was recognized recently at a Ravens home football game for his service to our country and two purple hearts awarded to him. He congratulated him as a true American hero, saying for this, he and his family is long due.

Mayor Weaver also spoke of the passing of John Ernst who was a young patrolman here and who came back for over twenty years giving firearms training to officers. What he did for our community and all the service years in law enforcement should be recognized. Weaver offered condolences to his family.

Police Chief Woods report for the month of December was distributed. The report included 108 calls for police services. There was 1 criminal arrest, 6 summary arrests and 2 parking tickets issued. Patrols traveled 1,934.0 miles, using 256.2 gallons of fuel and averaging 7.5 mpg.

Manager Cook's report for the month of December included collecting leaves throughout town; raking and collecting leaves at the recreation parks and removing rope and signs from the temporary football parking area. Trash containers were removed from pavilions for winter storage. The street sweeper was used to collect leaf debris throughout town. New blacktop was installed across walking track to the new sidewalk and roof trusses were installed on the new pavilion. Trash containers were emptied at the parks and Borough offices. Daily maintenance and repairs was performed on police vehicles and borough vehicles and equipment. Gasoline usage totaled 170.2 gallons, diesel usage was 68.0 gallons and SAVES used 299.4 gallons of diesel.

Safety Committee Chairman Pascoe noted that for the K-9 there were eight deployments during the year 2018. Pascoe thanked the Chief for getting the monthly stats report out early month.

Sewer Committee Chairman Koontz reported that the sewer issue at N. Second St. has been fixed.

Minutes – January 9, 2019

Planning and Zoning Committee Chairman Forbes addressed 138 Main Street condemned property. Cook has been issuing citations there.

Civil Service Committee Chairman Niedererr reported that Chief Woods, Members Stiltner, Doan and Green met. Eight applications were received and five out of those eight were a no show for testing. Only two of the three passed the physical testing and those two passed the written tests, Travis Smith and Ryan Blessing.

The committee is recommending the hiring of Travis Smith with condition that he passes all background checks, etc. He is Act 120 trained and has agreed to accept the position.

Councilmember Niedererr moved a motion for conditional hiring of Travis Smith for police patrolman pending background checks. Councilmember Pascoe seconded the motion. Motion carries.

Mayor Weaver will contact the chief tomorrow.

Solicitor Campbell reported that his firm has been busy assisting with Right-to-Know requests.

PUBLIC PARTICIPATION

Michelle Smyers, wife of Officer Steve Smyers, spoke saying that she is here but this has nothing to do with his opinion and would prefer if she would not be here. Smyers read from a prepared statement regarding recent arbitration and situation here between the Borough and its Police Department.

Mayor Weaver spoke saying that we need to take a three month break here which is affecting body and soul. He suggests trying to come together in trust. He spoke of the recent arbitration award, saying he was here for eleven contracts, and it is not what the police wanted. He says this is not good for the borough, not good for the people. He doesn't know how much longer he will be here. All agencies that he has spoken with think highly of our police department. Understanding is needed and a cooling off period. That is his plea here tonight.

As far as the comment about police now paying towards health insurance and non-uniform not was addressed. Non-uniform employees have been paying for one year now. The deduction for the police has not yet occurred, as there is a process to set up the deduction and needs to be addressed with our policy.

George Staub, 212 Stombach Street, asks once again if the K-9 program will be continued.

Mayor Weaver related that he will be talking to Chief Woods about the matter.

Bill Smith, 610 Main Street, asks if the Borough will look into keeping other qualified officer before it is too late, when replacement for officer announced tonight will be

Minutes – January 9, 2019

needed.

Mayor Weaver spoke saying that he did an exit interview with Officer Kyle Freeman and he was told it was all good, nothing bad, that basically he is leaving for the money. He had an enjoyable time here.

Weaver said he tried to stay out of negotiations but back in April met with all five police officers and all were in agreement what they wanted. He tried to explain to them at that time.

OLD BUSINESS

Resolution 2018-18 approved December 12, 2018 was updated with wages awarded in the police arbitration. The following changes were made for 2019 year:

Chief of Police	Michael F. Woods (includes 5.25% longevity)	\$80,967/\$38.93 hr.
Patrolman	Stephen W. Smyers (7% longevity)	\$66,648/\$32.04 hr.
Patrolman	Chad D. Sprankle (4.25% longevity)	\$64,935/\$31.22 hr.
Patrolman	Kyle R. Freeman (till 1/15/19)	\$58,964/\$28.35 hr.
Patrolman	Kyle R. Freeman (after 1/15/19)	\$60,440/\$28.35 hr.

Councilmember Pascoe moved a motion to approve update to Resolution 2018-18 for wages as per arbitration award. Councilmember Niedererr seconded the motion. Motion carries.

NEW BUSINESS

The treasurer reported year end bills were paid totaling \$60,182.21 (General Fund - \$36,867.11 and Payroll Fund - \$23,315.10), as previously approved.

Approval to pay listed expenses totaling \$123,007.31(General Fund- \$108,983.46; Highway Aid - \$2,095.13 and Payroll - \$11,928.72) was given on a motion moved by Councilmember Calderone, seconded by Councilmember Koontz. Motion carries with Councilmember Forbes abstaining from voting on check number 29169 to Sharrah Design Group. Motion carries.

Adjournment was declared at 8:12 p.m. on a motion moved by Councilmember Calderone, seconded by Councilmember Pascoe. Motion carries.

Luanne M. Boring
Borough Secretary