

Minutes – July 12, 2017  
McSherrystown, Pennsylvania  
Zoning Hearings – Conditional Use

Council of the Borough of McSherrystown met at 7 p.m. on Wednesday, July 12, 2017 in the Municipal Building, 338 Main Street, McSherrystown, Pennsylvania with Patricia D. McKim-Bortner presiding.

President 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 and Stephen J. Pascoe. Councilmember Robert D. Niedererr was absent. Other Borough Officials in attendance included Mayor Anthony J. Weaver, Michael F. Woods, Chief of Police; Scott J. Cook, Manager/Zoning Officer and Luanne M. Boring, Secretary/Treasurer. Robert E. Campbell, Esq., Solicitor was absent.

The hearing has been scheduled on the application of Andrew J. and Lynn L. Weaver requesting approval for a conditional use of the McSherrystown Zoning Ordinance, Chapter 215-10 (B) Home Occupation in accordance with the criteria of 215-83 for a tax collector office. The property, located at 115 N. Second St. is in an R-1 Residential District.

The secretary noted that the hearing was legally advertised on 6/22 & 6/29 in The Gettysburg Times and proof of publication was received. The property was posted and a notice placed in the Borough office. The applicants/property owners received a hearing notice as well as neighboring property owners, a list of twelve, whose names are on file.

Zoning Officer Cook says the applicant has submitted what he will call Exhibit A, information on property which includes a survey and photos of the rear of the property showing parking area at the alley and layout of the property, as well as criteria as to why they consider they meet the regulations for Zoning Ordinance – Home Occupation. The applicants, Andy and Lynn are here tonight and Andy will be sworn in tonight.

The secretary announced that Tammy Rinehart is our stenographer this evening and asks that each person speak one at a time, stating their name and address.

Andrew Weaver was sworn to tell the truth by the stenographer, Tammy Rinehart.

Andy introduced his wife Lynn, running unopposed for tax collector. In order to have the tax office in their home they had to apply for a conditional use and they meet all criteria of Section 215-83 Home Occupation. He noted that this is not a full time business, actually by definition a service, and will have limited office hours. Weaver spoke of his submittal, Exhibit A, saying there is a survey of Worley Surveying from back in 1994 when he acquired the property. The office will have a set up same as the Greenholt's, current tax collector, with a rear entry with parking. He intends to put up a privacy fence

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at the patio and at neighboring property with an extended sidewalk to the entry area, adding that it will be no hindrance to the neighborhood.

Weaver then addressed home occupation regulations saying office area needs to be less than 25% space and they intend to use a 10'x10' or 100 sq. ft. for the office area. Lynn would be primary collector and Andy an assistant if needed as are Nancy Greenholt and her husband Tom. There are to be no changes to the building and one sign is permitted.

The hours of operation will be followed and very similar to what is done right now as spring tax season open Wednesday through March and April with extra days listed. They are closed May and June but can use slot in door or make an appointment. July and August school tax collection same as spring and then closed September 15 through February. Parking will be provided in the rear.

Councilmember Forbes, Planning & Zoning Chairman spoke saying that he and Cook went there to property to look at it and parking is okay.

Zoning Officer Cook noted that residential use requires two off-street parking spaces and one additional space would be good for the tax office. He added that as long as they make parking accessible with existing conditions he has no problems with the way it is, two and one half spaces plus the garage.

There will be two drop mail slots in the back and at garage with signage and possibly a door bell system for accessibility.

It was clarified by Andy that he would not be an employee there.

Councilmember VonSas moved a motion to grant approval for the conditional use of the McSherrystown Zoning Ordinance Chapter 215-10 (B) Home Occupation in accordance with the criteria of 215-83 to allow for a tax collection office at 115 N. Second St. as presented. Councilmember Forbes seconded the motion. Motion carries.

Written confirmation will be sent to Andrew and Lynn Weaver.

Adjournment was declared at 7:18 p.m. on a motion moved by Councilmember Bolton, seconded by Councilmember Calderone. Motion carries.

Luanne M. Boring  
Borough Secretary

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McSherrystown, Pennsylvania

Council of the Borough of McSherrystown met on Wednesday, July 12, 2017, immediately following the Conditional Use Zoning Hearings in the Municipal Building, 338 Main Street, McSherrystown, Adams County, Pennsylvania with Patricia D. McKim-Bortner presiding.

The meeting was called to order at 7:19 p.m. by President McKim-Bortner. The roll call was noted as same with the following members of council constituting a quorum: Patricia D. McKim-Bortner, Joseph E. VonSas, David W. Bolton, Michael J. Calderone, James A. Forbes and Stephen J. Pascoe. Councilmember Robert D. Niedererr was absent. Other Borough Officials in attendance were: Mayor Anthony J. Weaver; Michael F. Woods, Chief of Police; Michael F. Woods, Chief of Police; Scott J. Cook, Manager and Luanne M. Boring, Secretary/Treasurer. Robert E. Campbell, Esq., Solicitor, was absent.

Minutes of the regular meeting of council held June 14, 2017 were approved on a motion moved by Councilmember Bolton, seconded by Councilmember Calderone. Motion carries.

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

Communications noted included the following:

6/30/17 Rabbit Transit requests for continued support. The report highlighted services but not specific to McSherrystown Borough. It was noted by the treasurer that we have \$500 budgeted this year for a donation to them.

7/3/17 Borough of Hanover provides a response to WWT Upgrade Costs Financed. The borough had requested consideration of an interest rate decrease on outstanding principal owed on a loan agreement with Hanover Borough dated October 26, 2011. Evidence did not support a decrease in agreed upon rate and the borough stated their decision reasoning.

Manager Cook was asked to look into refinancing with state agencies and will also contact PNC and ACNB banks.

Councilmember Bolton read an email he received late afternoon that was also sent to the Borough Office. Emily Cramer, resident, wrote to encourage officials to hire additional police.

PUBLIC PARTICIPATION - none

Buck Stuckey had called and asked to be on the agenda regarding 510 North St. After speaking with the solicitor about this, the Borough Council would not have an answer for him tonight as he would have to go through the process of conditional use hearing.

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### REPORTS

Mayor Weaver mentioned that a safety meeting was held this date with the fire company and that Councilmember Pascoe will report on that.

Police Chief Woods has not yet prepared his report for the month of June. Chief Woods reported that Kyle Freeman has now been here a few weeks and is doing well.

Manager Cook's monthly report for June included hauling removed storm water pipe from McKinsley Heights Development to Staiman Recycling; applying topsoil, raking and seeding lawn at Rec Park water line area, the Public Works sewer ditch areas and Fairview Avenue parking lot. Repairing and replacing damaged sewer main in the 600 block of Delone Ave. and in the 100 block of Maple St. alley. New horseshoe pits were built at South Street Rec Park and weeds were sprayed with weed killer at the walking track area and at Fairview Avenue recreation grounds. 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. All recreation areas were mowed and maintained as needed. Ball diamonds were dragged and lined as needed. Gasoline usage was 233.3 gallons and diesel fuel usage was 67.5 gallons. SAVES used 356.2 gallons of diesel and 9.0 gallons of gasoline during the month.

Manager Cook noted that \$10,000 was budgeted in Highway Aid item number 730-100. He has received a price quote from a COSTARS vendor, Service Supply Corp. of Harrisburg for a Stihl brand cut off gas saw with a cart, mounting and blades in the amount of \$2,617.48. In addition, for a Mikasa blacktop tamper with water tank in the amount of \$1,650, totaling \$4,267.48 for both items.

Councilmember Pascoe moved a motion to approve to purchase the Stihl saw and Mikasa tamper from Highway Aid Funds totaling \$4,267.48 as budgeted. Councilmember Bolton seconded the motion. Motion carries.

Safety Committee Chairman Pascoe says he attended a safety meeting today and then SAVES representatives Andy Weaver and Tom Lawrence gave him a tour of their facility which he said was very impressive. Fireworks and fire pits safety will be discussed in the future. Next meeting will be September 13<sup>th</sup> at 9 a.m.

Highway Committee Chairman Bolton says he is seeing orange cones set up which indicate Columbia Gas intends to repair streets.

Under Sewer Committee, Cook reported that planned improvements are underway with two done thus far. A collapsed storm sewer box was repaired today. He is making a phone call to Sewer Specialty to do their work.

Under Planning and Zoning Committee it was noted that the S. Second St. Development is progressing as H & H is done their part putting the street in. They paved to the township line but it is barricades at this time. All entry is off South St. to S. Second St.

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Civil Service Committee Chairman Bolton reported that the commission met and certified a list for police.

Chief Woods added that they started with a total of six and ended with two. Council is asked to certify the list after they review it, therefore an executive personnel session is needed at meeting end.

Zoning Officer Cook submitted his report of monthly enforcements.

### OLD BUSINESS

The lighting ordinance, Ordinance 2017-2, was presented for adoption as advertised. Mayor Weaver spoke that he wants it known that it was not written to give the police department something to do, but that it is for the safety of residents, not out to write citations.

Ordinance 2016-2, Post-lighting regulations, was adopted as duly advertised on a motion moved by Councilmember Forbes, seconded by Councilmember Calderone. Motion carries with Councilmember Bolton opposing.

The Hanover Regional Economic Development meeting was held on June 29<sup>th</sup> and Councilmember Bolton gave a report. An option to join the paper shredder event to be held in October in Penn Township was presented. Bolton says that McSherrystown could participate and our share would be \$150, according to residents/population.

Councilmember Calderone moved a motion to have our residents participate in the Penn Township paper shredder event in October at a cost of \$150 for our share of the cost. Councilmember Pascoe seconded the motion. Motion carries.

### NEW BUSINESS

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

A recess was declared at 8:07 p.m. on a motion moved by Councilmember Calderone, seconded by Councilmember Bolton. Motion carries.

The meeting was called back to order in an executive personnel session by President McKim-Bortner at 8:10 p.m.

The regular meeting was then called back to order by President McKim-Bortner at 8:36 p.m.

Councilmember Bolton moved to accept the certified list for police officers as prepared by the Civil Service Commission. Councilmember Pascoe seconds the motion. Motion carries.

Councilmember Pascoe moved to extend a job offer to the number one applicant on the

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list, Patrick Lehman. Councilmember Bolton seconds the motion. Motion carries with Councilmembers Forbes and Calderone opposing.

Adjournment was declared at 8:37 p.m. on a motion moved by Councilmember Bolton, seconded by Councilmember Calderone. Motion carries.

Luanne M. Boring  
Borough Secretary