

Approved minutes – Regular Meeting 10/8/2024

Approved minutes – Special Meeting _____

Approved minutes – Special/Workshop Meeting _____

Regular Meeting
October 8, 2024
7:00 P.M.

The regular monthly meeting of the Meyersdale Borough Council was called to order by President Irwin, October 8, 2024 at 7:00 P.M.

Mr. Ackerman, Mr. Baer, Mrs. Gnagey, Mr. Irwin, Mrs. Knieriem, Mr. Smith, Solicitor Valentine, and Mayor Smith were present. Mr. Baker and Mr. Tim Pritts, Police Lieutenant were absent. Mr. Brion Reiber, Street Foreman was also present.

MINUTES:

Mr. Ackerman made the motion to approve the September 10, 2024 Regular Meeting minutes and the September 24, 2024 Special Meeting minutes as presented. Mr. Smith seconded. Motion passed.

FINANCIAL REPORT/ BILLS:

Mr. Gnagey presented the Financial Report in the absence of Mr. Baker. Mr. Baer made the motion to accept the financial report and pay the bills as presented. Mrs. Knieriem seconded. Motion passed.

2025 BUDGET

A.) Adopt 2025 Budget

Mr. Smith made the motion to adopt the 2025 Budget as presented. Mr. Ackerman seconded. Motion passed.

B.) Finalize 2025 Budget

1. Adopt Real Estate Tax Ordinance #446

Mr. Baer made the motion to adopt the Real Estate Tax Ordinance #446 for 2025. Mr. Smith seconded. Motion passed.

2. Adopt Resolution 10-2024 Act 511 Taxes

Mrs. Knieriem made the motion to adopt Resolution #10-2024 to enact the Act 511 Taxes as follows:

EIT – ½ of 1%

Mechanical Devices - \$25 per machine

Occupation (Assessment Occupancy Tax)

Per Capita - \$5.00

Local Services Tax - \$52.00

Realty Transfer Tax – ½ of 1%

Mr. Baer seconded. Motion passed.

C.) Adopt Resolution 11-2024 Police Pension Contributions

Mrs. Knieriem made the motion to adopt Resolution 11-2024 eliminating contributions to the Police Pension Plan for 2025. Mr. Smith seconded. Motion passed.

GUESTS:

- A.) Ms. Rebecca Mull was present regarding Red Ribbon Week. A Proclamation was read.
Mr. Ackerman made the motion to approve the proclamation for Red Ribbon Week. Mr. Smith seconded.
Motion passed.
- B.) Art Darnell and Brandon Risinger
Mr. Darnell and Mr. Risinger were registered, but not in attendance.
- C.) PUBLIC COMMENT
Mr. Jeff Breinin, Meyers Avenue was present to report that he cannot enter into his back yard since Line Street had been paved. After some discussion, Mr. Reiber was instructed to install several loads of modified rock material in this area.

PRESIDENT'S REPORT:

President Irwin reported that there would need to be an executive session to discuss property damage issues and personnel matters.

MAYOR'S REPORT:

No report was given.

JUNIOR COUNCIL MEMBER:

There is no Junior Council Representative.

EMERGENCY MANAGEMENT COORDINATOR:

No report was given.

ENGINEERS REPORT:

No report was given.

SOLICITOR'S REPORT:

Solicitor Valentine reported on the following:

- Application to DCNR has been made for ATV/UTV signage.
- The property at 326 Salisbury St. will be discussed in executive session.
- The archives are being researched in Harrisburg regarding the ownership of the rock retaining wall on Grant Street.
- Solicitor met with landowners regarding the Alaska Street issue. He was hopeful that this can be resolved and turned over to the Planning Commission for approval.
- The deed for the Main Street property has been transferred to the Apostolic Church and the deed has been recorded. The Church will be reminded to secure the building.
- Council should consider adopting formal rules and regulations for hiring of employees.
- A Social Media Policy will be distributed for review.
- A draft job description for the streets workers was discussed. Solicitor Valentine was to amend the draft by changing the chain of reporting to the Streets Committee Chairman and the President of Council. Mrs. Knieriem made the motion to accept the draft with changes and to grant Solicitor

Valentine permission to present the job descriptions to the Non Uniform Union Representative for review. Mr. Ackerman seconded. Motion passed.

- The security of the community center building will be discussed in executive session.
- Solicitor Valentine reviewed an accident waiver and release of liability form to be used when the community center is used by anyone who uses the gym for a profit making event. It was agreed that the form was applicable to use going forward.
- The Vietnam/Korean subdivision has been signed by the school and will be submitted to the Planning Commission for approval.
- A letter has been sent to Penelec requesting permission to erect a mirror on a light pole on Dale Street. A response has not been received to date.
- The Army Corp of Engineers has reviewed the application letter for assistance with the rip rap damage. DEP will need to make final approval.
- A letter will be sent to the owners of the former PennTables building on Thomas St. regarding the condition of the building.
- ARPA funds must be earmarked to the dollar by December 31, 2024.
- Zoning Ordinance should be reviewed with regard to zoning districts and Air B&B establishments.

CODE ENFORCEMENT:

No report was given.

COMMITTEE REPORTS:

Municipal Authority

Mr. Brian Witherite was present to report that a series of grants have been applied for with the Corps of Engineers. The grants would require a 25% match.

There are still federal regulation mandates to conserve water. The water table is still low.

Street Foreman

- Mr. Reiber was concerned that if funding were obtained to repair the rip rap, how could the area be accessed. Solicitor Valentine reported that he would be able to get all of the easements in order. Owners of properties would be given notice.
- Mr. Reiber reported that Line Street paving was complete.
- The prisoners will return to paint the council room.
- An estimate was received from Knepper Carpentry to replace the doors at the Little League Concession stand. Mrs. Knieriem made the motion to accept the estimate in the amount of \$3,077.52 to complete the work. Mr. Ackerman seconded. Motion passed.
- The electrical outlets on the Center St. lamp posts have been installed.
- The security camera system for the playground will be ready for use on October 9, 2024.

Meyersdale Area Merchants Association

Mr. Brian Berkebile was present to report that a Community Awareness Forum is being scheduled for mid November. The venue for the event has not been chosen.

Public Library

There was no report given.

Meyersdale Community Events Committee

Mrs. Knieriem reported the following schedule of activities:

October 17, 2024 – Bon Fire

Boxes are needed for this event.

October 19, 2024 – 150th Anniversary Event

The Community Choir will perform, tour of churches, and the day of activities will conclude at 6 PM with a dinner at the Firehall and performance by Keith Buterbaugh and other local talent.

October 26, 2024 – School Trunk or Treat at 1 PM

Halloween parade at 3 PM

Trick or Treat 4 PM – 6 PM

November 30, 2024 – Light up Night and Small Business Saturday

There was some confusion as to whether or not Mrs. Gnagey resigned from the Meyersdale Events Committee. After some discussion, it was determined that she will remain a member of the committee and that Mrs. Knieriem will serve as the Chair.

Meyersdale Renaissance

No report was given.

COUNCIL MEMBERS – STANDING COMMITTEES:

Mr. Baer reported that Harbaugh Trucking will be bringing two dumpsters for the clean up date on October 10, 2024 and will pick them back up at 3 PM on October 11, 2024. The dumpsters will be placed in the parking lot at the Borough shed.

Mr. Smith reported that the flood control signs need to be installed, the basketball hoops need to be installed, and that the Salisbury St. and Sherman St. signs are in and ready to be installed.

Mr. Ackerman reported that he will get with the Mayor and discuss the police.

Mr. Irwin reported that there has been no response from Salisbury Borough regarding police coverage.

Mrs. Gnagey suggested that Council consider pickle ball courts in the gym. Mrs. Gnagey will obtain more information.

Mrs. Gnagey reported that awarding of grants that were applied for should take place in the fourth quarter of 2024.

UNFINISHED BUSINESS:

A.) Patrolman police agreement/handbook

No report was given.

B.) Ambulance

Mrs. Gnagey reported that Attorney Lois Caton will be finishing up two documents which will be distributed to each municipality. The notices are being referred to as contribution letters and will be based on the 2020 census.

F.) Vietnam/Korea Memorial subdivision

No additional report was given.

H.) COVID ARPA funds

Appropriations for the COVID ARPA funds will be held off until the next meeting.

I.) Air B & B Ordinance

There was no interest in moving forward at this time.

J.) Memorial Park Bench – Kristen Martin

Mrs. Knieriem reported the individuals interested in putting a bench in the uptown park as a memorial to Kristen Martin have decided to go in a different direction.

NEW BUSINESS:

A.) Announcements

There were no announcements.

B.) Feaster Pension Consulting Agreement

Mr. Smith made the motion to accept the updated agreement with a \$250 increase in fees for Feaster Pension Consulting. Mr. Baer seconded. Motion passed with Mr. Ackerman abstaining. (See attached Abstention Memorandum)

C.) Holiday Wreaths

Council decided to grant Jeff Christner permission to replace the bulbs in the existing Holiday wreaths. If grant funding is acquired, new decorations will be purchased for the 2025 season.

D.) Approach to hiring

This item was to be put on the Agenda for the Finance Committee Meeting scheduled for November 7, 2024.

E.) Halloween Parade

Mrs. Knieriem and Mrs. Gnagey will work together to make application to the State to close State roadways for the Halloween Parade scheduled for October 26, 2024.

GOALS FOR 2024

Flood Control rip rap

No report was given.

ADDITIONAL ITEMS FOR DISCUSSION:

There were no additional items to be discussed.

EXECUTIVE SESSION:

Mr. Smith made the motion to enter into executive session at 7:54 PM. Mrs. Knieriem seconded. Motion passed.

Mrs. Gnagey made the motion to return to regular session at 8:34 PM. Mrs. Knieriem seconded. Motion passed.

DISCUSSION AND MOTIONS:

Mr. Ackerman made the motion to hire Benjamin Reiber as a Temporary Season Laborer for a period of up to eight weeks at 36 hours per week and set the rate of pay at \$12.00 per hour effective October 9, 2024. Mrs. Knieriem seconded. Motion passed.

Mr. Smith made the motion to proceed with charges against the individual responsible for the unauthorized trimming of the trees in the uptown park. Mr. Ackerman seconded. Motion passed. Level Acres Nursery will be contacted to provide an estimate of damages to the trees caused by the unauthorized trimming.

Mrs. Gnagey made the motion to deny a request from Mr. Patton regarding a decorative lamp post. Mrs. Knieriem seconded. Motion passed. The Secretary was asked to notify Mr. Patton of their decision.

ADJOURNMENT:

Mr. Ackerman made the motion to adjourn the meeting at 8:45 PM. Mr. Smith seconded. Motion passed.



Patricia C. Ackerman
Borough Secretary

RESOLUTION NO. 10-2024

RESOLUTION

of the Meyersdale Borough Council establishing the Act 511 taxes for the Borough of Meyersdale for 2025.

BE IT RESOLVED by the Council of the Borough of Meyersdale as follows:

1. The Earned Income Tax for all earned income and net profits is 1/2 of (1%) percent for individual residents and non-residents of the Borough.
2. The Per Capita Tax is FIVE (\$5.00) DOLLARS per person for all residents living in the Borough of Meyersdale.
3. The Real Estate Transfer Tax is one-half of one percent of the consideration in real estate transfers.
4. The Occupation Taxes shall be up to 100 mills.
5. The Local Service Tax is FIFTY-TWO (\$52.00) DOLLARS per person for all those employed in the Borough of Meyersdale.

RESOLVED and ENACTED this 8th day of October 2024.

MEYERSDALE BOROUGH COUNCIL

BY:


President

ATTEST


Borough Secretary


Mayor

RESOLUTION NO. 11-2024

A RESOLUTION OF THE BOROUGH OF MEYERSDALE, COUNTY OF SOMERSET, COMMONWEALTH OF PENNSYLVANIA, ELIMINATING MEMBER CONTRIBUTIONS INTO THE POLICE PENSION FUND FOR THE YEAR 2025.

WHEREAS, Act 600 provides that contributions into the Meyersdale Borough Police Pension Plan by members may be reduced or eliminated;

WHEREAS, a Resolution is required to reduce or eliminate payments on an annual basis;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Meyersdale, County of Somerset, and it is hereby resolved by and with authority of the same that member contributions to the Meyersdale Borough Police Pension Plan are eliminated for the year 2025.

ATTEST:

Patricia C. Ackerman

BOROUGH OF MEYERSDALE

JH Im etc

EXAMINED AND APPROVED this 8th day of October 2024.

**Conflict of Interest
Abstention Memorandum**

TO: Borough Secretary, Patricia C. Ackerman
Meyersdale Borough, Somerset County, Pennsylvania

FROM: Ronnie C. Ackerman, council member

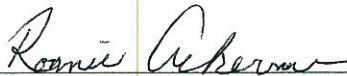
DATE: October 8, 2024

Pursuant to Pennsylvania's "Public Official and Employee Ethics Law" (65 PA CSA 1101 et seq), I hereby declare that I am required to abstain regarding the following issue/motion:

Motion regarding Feaster Pension Consulting agreement

My conflict/reason for abstaining is as follows:

I am receiving a pension from the police pension plan and although the motion does not directly affect me as a retiree, I thought that it would be best to abstain.



Signature

NOTE: Section 1103 (J) requires the following procedure:

“Any public official or public employee, who in the discharge of his official duties, would be required to vote on a matter that would result in a conflict of interest shall abstain from voting and, prior to the vote being taken, publicly announce and disclose the nature of his interest as a public record in a written memorandum filed with the person responsible for recording the minutes for the meeting at which the vote is taken....”

(Please note that State Ethics Commission required a public official to complete a form every time he has a conflict of interest).

MEYERSDALE BOROUGH COUNCIL
 Regular Meeting 10/8/2024 Special Meeting _____

GUEST SIGN IN

PLEASE PRINT

NAME	ADDRESS	TOPIC
1 Brian Benkebile	99 willow rd. Meyersdale	MAUNA
2 Linda Ringler	214 High St Meyersdale	
3 Sarah Ringler	11 11	
4 Terry + Jeff Breinin	381 Meyers Ave	
5 Brenda + Margaret Hare	35 Squireberry	
6 Eugene Mishler	M. Dale	
7 Dennis Gehring	106 Meyers Ave	
8 Becca Mull		Red Ribbon
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GUESTS MUST STAND WHILE SPEAKING