

**SAXONBURG BOROUGH**  
**Emergency Meeting Minutes, Cooper Hall**  
**March 23, 2020**

President Weinzierl called the meeting to order at 3:19 p.m.

**Roll Call** Scott Herbst, Josh Novotny, Patricia Rinebolt, Sherry Weinzierl, David Felsing, Mayor Gillespie, Carol Neubert.

June Crawford was absent.

Also in attendance were Mary Papik/Manager and Chief Joseph Beachem.

**Correspondence** None

**Minutes**

**Motion was made and seconded by Dave Felsing/Carol Neubert to approve the minutes of February 18, 2020. The motion carried.**

**Public Comments** None

**Mayor** William Gillespie

Mayor Gillespie discussed his conversations with Chief Beachem regarding the Coronavirus Pandemic and the possibility of needing extra police hours and/or longer shifts from the current officers if the situation should get worse, or if a stay-at-home order should be issued. The Mayor and the Chief are asking for Council's approval for additional payroll and supplies expenses for the extra protection if it is deemed necessary.

The rationale behind these requests was explained by Mayor Gillespie and Chief Beachem. The Borough Manager stated that these are the reasons that you declare an emergency, these expenses are then part of the emergency declaration. Chief Beachem explained that this situation is a public health issue first and law issue second. Sherry Weinzierl said she did not agree with an emergency declaration at this time. When asked for a reason, she said she had a phone call with Butler County Emergency Management, Steve Bicehouse, asked him all of these questions. It is not necessary to do this at this time. He does not support it.

Mary Papik explained that there are two ways that an Emergency can be declared for a Borough: The Mayor has the right to declare an emergency which is good for 7 days. At the end of those 7 days, Council has to ratify it in order to extend it. Council can also declare, and it's good for 7 days. So, the Mayor can declare it himself, but it's nice for him to have the backing of Council for it. Regardless, at the end of 7 days, Council must ratify it to extend it should it need to be extended.

Mary clarified that Under the Emergency Management Act, parts of which are included in the Declaration, if the Mayor or Council declare an emergency, there are certain things that we are no longer required to do, like formal bidding. Your person, in this case the Mayor because of the nature of this emergency, has the right to make decisions, such as calling another police department and ask for additional officers. That's the purpose of declaring an emergency, to give that person those rights to be able to act without having to get Council together as a whole to make those decisions. That's what the Emergency Management Act is all about, is declaring that you have a coordinator, the Mayor, somebody, who can keep things going in a stressful time when things have to happen quickly.

**Motion was made and seconded by Carol Neubert/Dave Felsing to approve to pay full time, salaried officers at the straight time hourly rate for work over 40 hours per week, to pay part-time officers at the time-and-a-half rate for extra shifts worked during this period as directed by the Chief, approve Linda [Kovacik] to work 2 additional half days per week, and to approve expenses of PPE, occasional meals, etc., for additional materials to support the department in this pandemic period. The motion carried.**

### **Garage Space for Police Cars**

The Mayor said he had questions about the garages. When the Gulick/Beatty Garage was purchased, there was discussion about moving the Field Crew to that garage and freeing up space in the Borough garage behind the police station for the police cars. He would like to know when that is going to happen.

Mary said that the police cars will be moved to the garage behind the main building during the summer. They are in the new garage for the winter because the equipment for loading salt, the salt bins, everything related to the operations in the Borough, are in the Borough garage now.

### **Manager**

Mary Papik

### **Coronavirus Pandemic**

Mary explained the Solicitors were discussing case law (Babac vs. the Pennsylvania Milk Marketing Board) that pertains to the Sunshine Act and whether a quorum needs to be physically present in the same room. This legislation and the subsequent acts that came out of it allows us to have remote participation in a meeting. Should we move forward with a Declaration of Emergency and need to renew it every seven days, we don't have to have a quorum get together, in a physical room together. So the ruling is, in order to have a meeting, you have to have two persons physically present at the meeting place, and you can host a teleconference by phone calls so long as everybody can hear, those present and those on the phones, and the people on the phones can participate in making decisions and it counts as a quorum and business can get done. It's a pretty standard resolution coming from the Boroughs Association. We prepared it as Resolution 2-2020, in order to allow us to have the ability to hold meetings and have external participation. The Solicitor recommends that we adopt this Resolution, and that if there should be remote participation during a future Executive Session, once the Executive Session announcement is made, each remote person will verbally affirm that there is no one else in the room. If this situation should get worse, or at any time in the future there's an emergency and we can't get a physical quorum, we can call via phone and keep things going.

**Motion was made and seconded by Scott Herbst/Dave Felsing to approve Resolution 2-2020 allowing Council members to publicly meet via phone or other electronic means. The motion carried.**

Mary explained that the Borough is receiving many phone calls regarding Roebling Park and Cooper Hall events whether they are able to take place or not, due to the pandemic. We have a clean-up scheduled this Saturday, a wedding in a couple weeks, and the Easter Egg Hunt in about three weeks. Now, if somebody wants to walk in the park, they would still be welcome to do so.

**Motion was made and seconded by Scott Herbst/Pat Rinebolt to close Roebling Park and suspend all public events until further notice. The motion carried.**

**Motion was made and seconded by Scott Herbst/Carol Neubert to approve refunds for events booked in Cooper Hall for the duration of the COVID-19 disaster. If they**

reschedule to a later date that is open, the Borough could put the money they paid toward the new event date. The motion carried.

### **Certificate of Appropriateness**

Mary explained that Wholesome Home, a new business in town, needs approval for the appropriateness of their sign. HARB has approved their sign. Council just needs to approve the Certificate of Appropriateness for that sign.

**Motion was made and seconded by Scott Herbst/Dave Felsing to approve the Certificate of Appropriateness for the Wholesome Home sign for the business located at 261 W. Main Street as approved by the Historic Architectural Review Board. The motion carried.**

### **Marconi [Zacherl] Site Plan**

Mary explained the Planning Commission met on March 4, 2020 and approved the lot line revision for the Marconi Site Plan as presented, combining two parcels across the street from the Borough building and approving the new State Farm office to be built. The sewage permit has been reviewed. The County Planning Commission has approved it. Because it's already paved, the new building is creating little more water runoff than the amount of change does not trigger the Borough's storm water ordinance.

- Discussion on the lot line revision combining one parcel out of two
- Discussion on the plan to build the new State Farm building

**Motion was made and seconded by Scott Herbst/Carol Neubert to approve the lot line revision. The motion carried.**

**Motion was made and seconded by Dave Felsing/Carol Neubert to approve the Marconi Site Plan. The motion carried.**

### **Bills**

**Motion was made and seconded by Carol Neubert / Dave Felsing to approve the bills as presented.**

**\$22,435.19 in checks paid from the Borough's General Fund, of which \$15,761.94 is the Borough's portion of the expense and \$6,673.25 the Authority's portion of the expense. In addition, decrease adjustments in February from the Borough General Fund in the amount of \$35,306.80 of which \$13,831.38 was the Borough's portion of the expense and \$21,475.42 was the Authority's portion of the expense, and payroll for February 2020 in the amount of \$73,294.77 of which \$22,489.14 is the Borough's portion of the expense and \$50,805.63 is the Authority's portion of the expense. The motion carried.**

### **Old Business**

### **New Business**

**Motion was made and seconded by Scott Herbst / Carol Neubert to approve the exoneration request from Per Capita Taxes for Nicole Orait, 108 Beatty Drive, as a full-time student. The motion carried.**

### **Adjournment**

The meeting adjourned at 4:38 p.m.

Jody Brown  
Secretary