

Mercersburg Borough Council
Borough Hall, Mercersburg, PA
April 6, 2015
MINUTES

Attending: President Tom Suddeth, Vice-President Jeff Main, Treasurer Catalin Bonciu, Amy Burkot, Lisa McCoy, Jonathan (Jon) Kittredge, Donald Stoner, Borough Manager Dawn Scheller, Assistant Borough Manager Derek Stoy, Police Chief John Zechman, Solicitor Steven Coccoresse, and Engineer Lance Kegerreis

Absent: Mayor Jim Zeger

Guests/Press: See sign in sheet

The meeting was called to order at 7:00 pm with Jeff Main leading the Pledge of Allegiance and the President Suddeth opening the floor for Public Comments.

Mr. Heefner approached Council with questions about overage of expenses in 2014. He reviewed that he was aware that the Council authorized a transfer, but wanted to know if there was any additional information they could provide. Dawn Scheller stated that the Auditor completed the audit, still working on the annual report; however it was noted that Water and Sewer Authorities owed funds to reimburse the Borough for employees paid time such as sick, vacation, and personal time. Dawn reported that the final audit report would be completed once they received the Pension information. He also asked about the letter written to the editor about the Water Authority Property with concerns that one member was speaking on behalf of Council. The matter was clarified and it was noted that the letter was provided to the Authority as requested, and no action was taken. No other comments were made.

MOTION: to approve the March 2, 2015 and March 16, 2015 meeting minutes as presented was made by Catalin Bonciu, second by Jon Kittredge, all ayes, motion carried.

MOTION: to approve the Treasurer's Report and Bills Payable/Invoice List as presented for the month of March 2015 was made by Jon Kittredge, second by Catalin Bonciu, Lisa McCoy requested that a Profit and Loss doc be printed from QuickBooks for both the month and year and included in the packets, a vote was taken, all ayes, motion carried.

There was no report from the Mayor and they moved on to the Police Report.

Police Chief John Zechman reviewed the activity for the month of March, 96 Complaints and Service Calls, 0 Borough Ordinance Violations, 9 Criminal Investigations, 1 Criminal Arrest, 1 Accident Investigation, 34 Citations Issued, 88 Parking Tickets, and 0 Right to Know Requests. He reported the money turned into the Borough and presented a MOU between the Borough and the Franklin County Law Enforcement and Franklin County's DA Office. The MOU reviewed information about nasally administered naloxone. Chief Zechman stated that he provided the information to the Borough Solicitor but did not hear feedback. Council discussed the drug in detail, and reviewed when it would be administered.

MOTION: to table the MOU Agreement until they have heard the opinion of the Solicitor, but authorizes training for the Police Department as long as there was no cost to the training was made by Donald Stoner, second by Jeff Main, all ayes, motion carried.

Chief reviewed that the trailer that had been vacant in the Hitching Post Parking Lot has been removed and is the property of the salver.

Solicitor had nothing to discuss at this time.

Lance Kegerreis reviewed information on the presented Land Development Plan for the Academy. He provided the Council Members with the recent comments; one item was regarding the retention ponds, but received clarification and was satisfied with the remaining items. He reviewed that the Planning Commission met and recommends to Council that it be approved as does he.

MOTION: to approve the Land Development Plans as presented for the Academy Alumni Plan was made by Jon Kittredge, second by Jeff Main, all ayes, motion carried.

Lance Kegerreis reviewed information about the upcoming streets project. He reviewed that Chambersburg was also participating in a similar project and they would need to coordinate the work be completed right before or right after the project in Chambersburg. He speculated that the Chambersburg project would help with the bid results and would keep Council updated. It was reviewed that Council would meet on April 20, 2015 for any appeals. Derek reviewed that 71 letters were sent to owners and the office had only received two appeals to date.

Dawn Scheller reviewed items on the Manager's Report. She highlighted that the Harriet Lane Award recipient would need to be chosen at tonight's meeting. Dawn Scheller reviewed that the Library wanted to actively participate in the Summer Playground where a reading program on Wednesdays would be planned for the children. It was reviewed that the budget for the library was not available for this summer and for this to continue the Library would need monetary funds. Dawn Scheller reviewed that the Library would plan the activities and need to provide documentation on how the funds were spent for this summer.

MOTION: to authorize \$1,000 to be paid from the Summer Playground Account to the Library for the Library to plan, schedule, and operate a playground program for the 2015 summer on Wednesdays was made by Jon Kittredge, second by Donald Stoner, all ayes, motion carried.

Dawn Scheller reviewed that the Auditor was awaiting Pension information to complete the 2014 Audit, once they complete the Audit, Dawn would provide the Audit Documents to Council and Authorities. Dawn Scheller reviewed that there was two advertising issues with in the last month where ads were submitted, but not advertised in the Journal. Dawn Scheller reviewed that the Beautification Meeting had only one person in attendance, this may have been due to the day and time not working. Amy Burkot would provide Dawn with a new day and time if needed to be properly advertised for future meetings.

Derek Stoy reviewed the Assistant Manager's Report. Derek reviewed that the Parking Meters from Chambersburg was obtained, however, Mercersburg may still need locks. He would get prices on locks and forward the information to the Streets Committee. Derek reviewed that the PWD received extra internal parts for the meters at no extra charge and they would begin replacing meters as needed. Derek reviewed that the PWD had repainted old signs to place out along the street sweeping route to notify residents not to park along the streets so the sweeper could complete the job well. Derek reviewed that Council had discussed rezoning three properties a couple months ago and wanted to know if Council still wished to do so. Derek Stoy reviewed that there was one land use permit completed for the month of March. He also noted that the Employee Workplace Safety Committee has scheduled to meet on April 14th for a web-in-Nar. He reviewed that he would provide the Personnel Committee with updates on the progress of the meetings as the Borough could receive a discount of 5% on the workman's comp insurance.

The Public Works Department Report was included in the packets for review.

President Suddeth moved on to the Committee Reports.

Beautification Committee met on March 17, 2015 and the notes were provided in the packet. Amy Burkot reviewed that the committee does not have any funds for the committee and would prepare a plan for Council and bring back information with some ideas for the upcoming year.

The Personnel Committee met on March 9, 2015 where they reviewed the Personnel Manual. They had the manual reviewed by the Solicitor and there was only one definition change requested by email from Sergeant Wertz.

MOTION: to approve the Personnel Manual with the correction of definition for the Sergeant position being a full-time non-exempt position was made by Donald Stoner, second by Jeff Main, concerns and questions were asked, Jon Kittredge reviewed that he did not approve the mandatory vaccination requirement in the manual and stated that he felt a waiver should be allowed, and his second concern was that he feels that the employee should have the right to carry a weapon if desired, other Council Members disagreed with both of those concerns, as the Solicitor recommended to make the vaccinations mandatory as it would be a benefit to the employee to protect the employee and the second concern regarding employees carrying weapons should only be the employees permitted to do so, such as the Police Department, again it was noted that the Solicitor did review the policy, a vote was taken after continued discussion, Jon Kittredge and Catalin Bonciu opposed, remaining ayes, motion carried.

Property Committee meeting information was shared. Catalin Bonciu reviewed the notes from the April 1, 2015 meeting where two quotes were provided to the committee for the leveling of dirt piles, the seeding, and straw for the areas. The first quote obtained from A&S was \$4,215 and the second from Twine Construction was \$2,300. The Committee after reviewing both estimates recommended that Council approve Twine Construction.

MOTION: to approve Twine Construction for the proposed work at the Tannery Site for the amount of \$2,300 was made by Jon Kittredge, second by Amy Burkot, all ayes, motion carried.

The other item that was discussed was the condition of the 1997 PWD Truck. Derek Stoy reported that he had the vehicle looked at and it was in need of major repair work. After the discussion the Committee decided it best for Derek to obtain quotes for a replacement vehicle. Derek provided preliminary cost information to the committee members, but stated that he still needed to contact a couple local vendors. The Committee discussed the possibility that it could take between 6-8 weeks to actually get the vehicle dependent on if it was in-stock. He reviewed that lights would be needed to be added to the vehicle along with the necessary decals. The Committee asked Derek to work on getting pricing before the next Council Meeting, while also asking the Authorities and General Purpose Authority to meet and ask for Joint Equipment Funds to be paid earlier in the year than written in the MOU. Council also asked that a request be made to the General Purpose Authority for funds for the purchase of a replacement truck as there were no funds issued for the purchase of the backhoe. Catalin Bonciu highlighted that DEP did visit the Tannery site and that they have provided a letter stating that they see no threat to human health or the environment for the trail. It was noted that the grant application would be submitted before April 16, 2015.

President Suddeth moved on to the Old Business items listed on the Agenda.

MOTION: to approve Ordinance 5-7: Repealing Previous Police Pension Ordinances and Adopting a Pension Plan Document was made by Donald Stoner, second by Jeff Main, all ayes, motion carried.

MOTION: to approve the Ordinance 5-8: Ordinance repealing previous Non-Uniformed Pension Ordinances and Adopting a Pension Plan Document was made by Donald Stoner, second by Jeff Main, all ayes, motion carried.

MOTION: to approve Ordinance 5-9 to enter into an intergovernmental cooperation agreement with the Borough of Chambersburg was made by Jon Kittredge, second by Catalin Bonciu, all ayes, motion carried.

MOTION: to approve Resolution 12-15: Amending and updating the Mercersburg Employee Manual with the updated change for the definition of Sergeant was made by Donald Stoner, second by Jeff Main, Jon Kittredge and Catalin Bonciu voted nay, remaining ayes, motion carried.

President Suddeth moved to New Business Items.

President Suddeth opened nominations for the Harriet Lane Award Recipient, H. Virginia Smith was nominated, no other nominations were made, the nominations were closed and a vote was taken and unanimously approved. Dawn Scheller stated that she would notify H. Virginia Smith via a congratulations letter.

MOTION: to accept the resignation of Julia Meyers from the ZHB was made by Jeff Main, second by Donald Stoner, all ayes, motion carried.

President Suddeth asked that this be transferred to the Nominating Committee. Derek Stoy noted that Tom Riford expressed interest in filling the member position as he had been an alternate for a number of years. Donald Stoner is the member of the Nominating Committee.

Other item discussed was a concern about E. Fairview and a loaded truck causing paving issues on this road. It was believed to be a Columbia Gas Truck. Derek Stoy reviewed that he would check with the PWD for more details to see who was working in the area.

Other correspondence included in the packet was reviewed.

MOTION: to enter into executive session at 8:34 pm for possible litigation, aquitition of property, and personnel matters with possible action to be taken was made by Catalin Bonciu, second by Jon Kittredge, all ayes, motion carried.

Resumed regular session at 9:36 pm.

MOTION: to authorize a 90 day cancellation notice to CCIS to cancel contracted services, also requesting the Borough's files to be transferred to PA MUNICIPAL CODE ALLIANCE, Inc. (PMCA), and authorizing the Agreement with PMCA was made by Jon Kittredge, second by Jeff Main, all ayes, motion carried.

MOTION: to approve the Memorandum of Agreement – case # PF-R-15-13-E, regarding the Police and the PA Labor Relations Board was made by Catalin Bonciu, second by Jon Kittredge, all ayes, motion carried.

MOTION: to adjourn at 9:40 pm was made by Jeff Main, second by Donald Stoner, all ayes, motion carried.

These meeting minutes have been transcribed and respectfully submitted for approval by Dawn Scheller, with the use of her meeting notes, and recording of the meeting.

Date Approved: _____

Motion Made By: _____

Second By: _____