

Mercersburg Borough Council
Borough Hall, Mercersburg, PA
June 15, 2015
MINUTES

Attending: Council President Tom Suddeth, Mayor Jim Zeger, Vice-President Jeff Main, Treasurer Catalin Bonciu, Jonathan (Jon) Kittredge, Donald Stoner, Amy Burkot, Lisa McCoy, Borough Manager Dawn Scheller, Assistant Manager Derek Stoy, Solicitor Steve Coccoresse, Engineer Lance Kegerreis

Absent: None

Press: Rachel Nichols, Mercersburg Journal

Guests: See sign-in-sheet

Meeting was called to order at 7:00 pm with Mayor Zeger led the Pledge of Allegiance.

Derek Stoy read the Bids received for the Tannery Lot 5 Sale; Bid #1 Mercersburg Skate Park Association -Bid is \$3,000.00 or \$500.00 more than the highest bid NOT to exceed \$15,000.00, Bid #2 Ed Twine Construction- Bid is \$2,800.00 or \$500.00 more than the highest bid NOT to exceed \$8,750.00, Bid #3 APX Enclosures Inc. - Bid is \$10,000.00 or \$500.00 more than the highest bid NOT to exceed \$25,501.00.

MOTION: to accept APX BID OF \$15,500.00 was made by Jeff Main, second by Jon Kittredge, a question regarding contingencies, Steve Coccoresse reviewed he saw none, another question regarding how APX would be the highest bidder, Steve reviewed the bid language and confirmed the highest would be APX at \$15,500.00, a vote was taken, Lisa McCoy opposed, remaining ayes, motion carried.

The Solicitor had nothing at this time.

Kegerreis had not arrived so President Suddeth moved on to the Mayor's Report while awaiting the Engineer.

Mayor Zeger spoke about the Harriet Lane Symposium, which was a wonderful event. He described that they has arranged for an open house, a Harriet Lane curator brought artifacts, and it was a nice day. He shared the booklet that was created. Mayor also spoke about the recent activity/complaints received regarding a local resident who is at the light with signs. Mayor explained that at this time it would fall under freedom of speech and until a law was broken the Police Department could not intervene at this time.

Lance Kegerreis arrived at 7:12 pm, and announced the bids received; PART 1- BASE BID, 1) E.J. Breneman, L.P. - \$250,383.00, and 2) RECON Construction - \$228,234.00; PART 2- BASE BID, 1) P& W Excavating -\$217,856.00, and 2) Valley Quarries-\$270,032.00. He reviewed that Part 1 was the base and Part 2 was the price for the overlay.

MOTION: to authorize the intent to award PART 1 to RECON CONSTRUCTION for the amount of \$228,234.00 was made by Jeff Main, second by Catalin Bonciu, all ayes, motion carried.

MOTION: to authorize the intent to award PART 2 to P&W Excavating in the amount of \$217,856.00 was made by Jeff Main, second by Catalin Bonciu, all ayes, motion carried.

Lance Kegerreis reviewed the process of issuing the Intent to Award documents and will begin reviewing the Companies Performance Bonds and Payment Bonds and he will keep Council informed of the progress as the Borough has completed the curb work and Columbia has completed the gas line work. Lance stated that once the work has begun it

won't take them very long to finish the job as the base work will be done in approximately a week, the roads will sit for 2 weeks, and then the top will be completed.

Dawn Scheller provided the Borough Manager's Report which included that the Summer Playground had received 30 Registration forms and the Coordinators are planning activities for the week of July 4th, Safety Week, and Science Week. Dawn forwarded Dr. George's request to meet with the Chairman of the Authorities, Property Chair, and Council President. Suddeth and Bonciu both said that they would be willing to meet and asked that Dawn speak with the Authority Chairman for possible dates.

Derek Stoy presented his Assistant Manager's Report that included an update on line painting which is coming to an end, he reviewed that Columbia Gas is still working and was not sure that they would be done before the deadline and would work with property owners still needing to complete curb work. Derek reviewed that the truck was expected to be delivered in the October/November time frame. He reviewed that he has collected 30 out of 71 Curb Permits, but was expected to receive more in the next week.

President Suddeth moved on to the Committee Report.

Jeff Main provided the review of the Personnel Committee notes. A review of the Pension Plan discussion was provided to Council. Dawn Scheller reviewed that it has been a long-time since the Pension Plan was put for RFP, she reviewed some of the expenses, costs, and fees associated with the Pension Plans, and felt that it was time it be put out for RFP. Dawn reviewed that Council would need to approve the Solicitor drafting the document, which the Personnel Committee would like to review, and then advertise it and place it out for bid. A recommendation was made in favor of putting both Pension Plans out for bid.

MOTION: to authorize the Solicitor to draft the RFP for the Uniformed and Non Uniformed Pension Plans, placing them out for bid, with a copy of the RFP supplied to the Personnel Committee was made by Jon Kittredge, second by Catalin Bonciu, all ayes, motion carried.

Jeff Main reviewed the discussion topic of Employee Health Benefits, he reviewed the multiple options with deductibles ranging from \$250-\$3000 and the cost for the plans. He reviewed that after a lot of discussion the Committee had a recommendation to Council.

MOTION: to recommend that the current insurance plan be offered to Full-Time Employees with a \$250 deductible, where the Borough/Water/Sewer Authorities would continue to pay the not to exceed amount of the current cost with a 1.5% increase factor added for 2016; and the 2016 rate plus 1.5% cost increase factor for 2017 benefits, with it being re-evaluated in 2017 for 2018 benefit year, any remaining difference for health plan costs would be the responsibility of the employee, and employee not wishing to pay the difference and dropping the insurance plan would not receive compensation for the decision was made by Donald Stoner, second by Jon Kittredge, a discussion began, Lisa McCoy stated that she would like to see the current costs frozen without a 1.5% increase factored into the equation, Catalin spoke from a Finance Committee Chair agreed that the Borough should freeze the amount and not add the 1.5% increase for the next two years, Jeff Main expressed concern that the recommendation as the recommendation was made unanimously and now it seems that opinions had changed, a vote was taken; Lisa McCoy, Catalin Bonciu, Jon Kittredge, Tom Suddeth opposed, and remaining Jeff Main, Donald Stoner, and Amy Burkot were ayes, motion failed with a three to four vote.

President asked if anyone had a different Motion. Lisa McCoy expressed interest in a Motion to freeze the cost to the existing amount would be her motion, Donald Stoner stated that he felt it should be returned to the Personnel Committee for review and additional discussion, Jeff Main agreed that it should be brought back to Personnel Committee. Lisa McCoy withdrew her motion.

Jeff Main reviewed an additional added topic of the make-up of the Authorities and the discussion of more than one Council Member being on an Authority. Jeff Main relayed discussion that took place noting the notes from the meeting which included a recommendation that not more than one Council Member should be appointed to the Authority and any Council Member should not serve on more than one Authority.

MOTION: to not exceed more than one Council Member to fill a seat on an Authority and no Council Member shall serve on more than one Authority was made by Jeff Main, second by Donald Stoner, a discussion occurred, Jeff added that there are good members in the community who are interested in serving on the authority and that Council should appoint those individuals first, a comment from the audience: Tim Rockwell expressed concern with having more than one Council Member on the Authority, he had concerns with conflict in interest, and believes that Council could be challenged on the topic, Tim Rockwell expressed concerns about ethical, fiduciary, conflicts of interests serving on two different boards, Lisa McCoy asked who regulates the Authorities, Steve explained that the Authorities have a Municipals Authorities Act that is created by the State, a vote was taken; Jonathan Kittredge, Amy Burkot, Catalin Bonciu and Lisa McCoy voted against; Tom Suddeth, Donald Stoner, and Jeff Main voted ayes, motion failed with a three to four vote.

Catalin Bonciu reviewed the items from the Property Committee. First was about a replacement air conditioner for the office and a stump ground in front of Borough Hall.

MOTION: to approve the purchase of an air conditioner not to exceed \$400 was made by Jon Kittredge, second by Jeff Main, all ayes, motion carried.

MOTION: to approve Busy Beaver Tree and Lawn Services to grind the tree stump in front of Borough Hall for the amount of \$85 was made by Jeff Main, second by Jon Kittredge, all ayes, motion carried.

Jeff Main presented the meeting information from the Streets Committee Meeting. He reviewed the two bids received for curb repair/replacement work for the Streets project. Derek reviewed that six were sent out, but only two were received.

MOTION: to approve Lopez Construction to perform any curb replacement that may be required after the July 1, 2015 deadline at \$32 a LF was made by Jonathan Kittredge, second by Catalin Bonciu, all ayes, motion carried.

Lance Kegerreis reviewed a Streets Study that was completed on Linden Avenue where a recommendation to not allow truck traffic except for local deliveries.

MOTION: to approve the Traffic Study completed by Dennis Black Engineering, and place two signs on the Borough R.O.W at the intersection of Linden and South Main Street stating and showing "No Trucks" "Local Deliveries Only" was made by Jonathan Kittredge, second by Jeff Main, all ayes, motion carried.

Jeff Main reviewed the information presented at the Streets Committee regarding the Academy's Proposal with vacating a portion of Constitution and widening McConnell Alley. A description of the alley being widened to accommodate a 50' turning radius. It was reviewed that they would still need to complete a traffic study to include parking on E. Seminary, but the Academy was looking to the Borough to see if Council was still interested before they move forward. Council spoke that a hearing would need to be held and more information would need to be furnished by the Academy. Public Comments began, Tim Rockwell asked why the Academy wanted to do this, one reason that was given was for safety concerns, and Tim Rockwell thought adding a cross walk would be an appropriate response. Vickie Kieffer spoke about her having challenges with line of sight due to bushes being high along Constitution, she noted that the very next day the Academy had trimmed them. Another concern was regarding speed, Tim Rockwell again said that it should be referred to the Police Department to handle. A concern with Rutledge and how to handle special event traffic detours was discussed. It was reviewed that Rutledge would not be able to handle two trucks traveling that road as it is not wide enough. Mayor spoke with concerns of how would the Fire Police and Police Department would handle the detours

safely. Vickie Kieffer asked how did it get this far and where did it come from. Lance Kegerreis reviewed that initially the Borough approached the Academy with the possibility of vacating part of McConnell Alley since they owned both parts and there had been discussion of a possible green space at the property and this plan was the counter proposal to Council. It was reviewed that at the Streets Committee Meeting Members seemed in favor of the Borough allowing them to continue with planning, however the current discussion was leading the opposite way.

MOTION: to direct Borough Manager, Dawn Scheller, to contact the Academy reviewing that the Borough was no longer interested in continuing with vacating Constitution, but ask them if they are still interested in the initial proposal of vacating part of McConnell Alley, was made by Jeff Main, second by Catalin Bonciu, all ayes, motion carried.

MOTION: to approve the Handicap Parking Stall to be provided in front of 36 W. California Street was made by Catalin Bonciu, second by Jon Kittredge, all ayes, motion carried.

MOTION: to approve Busy Beaver Tree and Lawn Services to remove three trees and grind stumps at 11 Linden Ave for the cost of \$1120.00 was made by Catalin Bonciu, second by Jon Kittredge, all ayes, motion carried.

Council President moved on to the New Business.

MOTION: to approve Council President to sign the letter to Boyer Ritter for the 2014 Audit was made by Jeff Main, second by Donald Stoner, all ayes, motion carried.

Council President asked if anyone had any other business.

Amy Burkot spoke about the Shade Tree Grant Application that needs to be completed and submitted in a short amount of time along with a second grant that would have the match for the first grant application. She volunteered to work on this project, but wanted Council's support.

MOTION: to authorize Amy Burkot to complete the grant application on behalf of the Borough while also looking for support was made by Catalin Bonciu, second by Jeff Main, all ayes, motion carried.

MOTION: to enter into executive session at 8:40 pm for potential litigation matters and collective bargaining discussion with possible action to be taken was made by Jeff Main, second by Donald Stoner, all ayes, motion carried.

Resumed regular session at 9:40 pm.

Council discussed the sidewalk near Liberty and asked the Assistant Manager to look into the ownership/responsibilities of repairs for the bridge side walk and provide Council with an update.

MOTION: to approve 1/3 of the cost for gas meters not to exceed \$700 for PWD for confined spaces was made by Jeff Main, second by Catalin Bonciu, all ayes, motion carried.

MOTION: to authorize the Zoning Officer to obtain quotes for repairs at a property which received a roofing violation that had not completed the work by the deadline as required per the Ordinance/Violation Notice was made by Jeff Main, second by Amy Burkot, Tom Suddeth abstained, remaining ayes, motion carried.

President Suddeth reviewed the upcoming meetings and noted that the Technology Committee would be meeting.

MOTION: to adjourn at 9:46 pm was made by Amy Burkot, second by Jeff Main, all ayes, motion carried.

These meeting minutes were transcribed and respectfully submitted with the use of her meeting notes and audio recording.

Date Approved: _____ Motion Made By: _____ Second by: _____

