

**Mercersburg Borough Council Meeting
Borough Hall, Mercersburg, PA
December 5, 2016
MINUTES**

Attending: President Tom Suddeth, Mayor Roger Defibaugh, Vice-President Jeff Main, Treasurer Catalin Bonciu, Jonathan Kittredge, Donald Stoner, Lisa McCoy, Amy Burkot, Borough Manager Dawn Scheller, Assistant Borough Manager Derek Stoy, and Engineer Lance Kegerreis

Absent: Solicitor Steve Coccorese

Guest(s)/Press: See sign-in sheet

President Suddeth called the meeting to order, Mayor Defibaugh led the Pledge of Allegiance then Suddeth opened the floor for public comments.

Mr. Tim Rockwell, 153 Johnsons Lane, asked questions regarding the proposed tax increase. He asked if the increase was contingent upon the other municipalities matching the same millage and questioned what money will be used to complete the improvements on the old VFW Building. Vice-President Main reviewed that he has visited the other Townships and he believes that it will pass across the board and all will contribute the requested amount. Jeff Main noted that Peters and Montgomery Township have indicated that they would pay the additional money from their reserve accounts and plan to increase the tax next year. Jeff Main reviewed that no tax payers' money was used to purchase the old VFW Building and the fire company would take out a separate construction loan to make the necessary improvements on the building. The monthly rental income from the judge's office would be used to repay the loan with a long-term 20-year lease. Any additional funds after the loan has been paid would be kept separately for future improvement and maintenance needs. Mr. Rockwell thanked Jeff for the information. Jeff Main also noted that the Borough had received copies of 2016 Meeting Minutes and copies of the 2016 M.M.P. & W. Fire Treasurer's Reports. No other public comments were made at this time.

MOTION: to approve the November 7, 2016 Meeting Minutes was made by Jonathan Kittredge, second by Jeff Main, all ayes, motion carried.

MOTION: to approve the Treasurer's Report for the month ending November 30, 2016 along with the Bills Payable and Invoice List for the month ending November 30, 2016 was made by Jonathan Kittredge, second by Jeff Main, all ayes, motion carried.

Mayor Defibaugh presented his Mayor's Report where he spoke about the Veterans Dinner at the American Legion. He also is invited to attend the candle light service at the Academy on December 18, 2016. Mayor noted that the Police Department was still trying to bag all the meters for the Free Parking as they were not able to bag the meters on W. Seminary Street. He said that the Police Department was not ticketing any vehicle parked at the meters during this time. Mayor Defibaugh announced that he wanted to organize a Meet the Police Chief night where residents could visit, meet with the Chief, and bring forward concerns and recommendations. He noted that this would be planned for some time in January.

The Police Report was included in the meeting packets no questions were brought forward at this time. Dawn Scheller provided Council Members with information from the Solicitor for executive session in his absence.

Engineer Lance Kegerreis was present to review a letter that Penn DOT had sent regarding a request to use Landis Drive for increased truck traffic from Herbruck's Egg Farm. Members of Council and the Engineer agreed that Landis is not able to handle the proposed increased truck traffic due to the unknown base, current condition, and possible safety issues

with making the turn onto or from Rte. 75. Borough Council Members agreed that state roads should be used entirely for their route and asked for assistance to draft a response letter from the Engineer.

MOTION: to approve the Engineer to draft a disapproval letter noting Borough Councils concerns for; public safety, inadequate road structure, poor current condition, and to suggest that only state roads are used for the increased truck traffic was made by Jonathan Kittredge, second by Jeff Main, all ayes, motion carried.

Dawn Scheller presented her Manager's Report which included an update on the Community Family Night where approximately 125-150 children and parents attended. She noted that they could enjoy crafts and a visit with Santa at the Library, holiday movies were shown at the Star Theatre, and hot chocolate, goody bags, and Christmas carols were sung on the square. She updated Council that the cleaning RFP was advertised and she also noted that the electric quote request was sent to interested suppliers. Dawn noted that this information would be received and reviewed at the January Property Committee Meeting. She asked that Borough Council Members approve \$200 for expenses for a volunteer holiday luncheon, along with approving Council President to sign the Trail ROW Agreements with the Water and Sewer Authorities. She provided information on last year's holiday bonuses, two draft versions of the 2017 Meeting Calendar with the recommendation that they choose version 2, and informed Council that the Tax Levy Ordinance was advertised as required.

MOTION: to approve Council President to sign the Trail ROWs once the updated drawings noting the setback descriptions from ARRO was made by Catalin Bonciu, second by Donald Stoner, conversation and questions arose regarding not receiving approval from the power company, some Council Members were not happy that it was just a loop design and questioned the amount of money it will cost the Borough, it was noted that grant money would be used and the Borough has been working with MACWELL since 2011 for the trail and they have raised money and have spent a lot of time on this project, a vote was taken, Jonathan Kittredge opposed, remaining ayes, motion carried.

MOTION: to approve the not to exceed cost of \$200 for the Volunteer Luncheon to be held at the MM.P.& W Activity Center in January was made by Jeff Main, second by Donald Stoner, all ayes, motion carried.

Derek Stoy presented his Assistant Borough Manager's Report which included two vehicles that required repairs. The first was the 1997 F-350 repair for the cost of \$2,337.90 by Mike's Auto Repair as this was the lowest estimate received between two. The second vehicle was the 2006 F-350 repair for electrical problems. Derek was awaiting the cost quote for that, but asked that Council approve both vehicles to be repaired as both would be needed if snow fell.

MOTION: to approve the repairs on the 1997 F-350 in the amount of \$2,337.90 and the electrical repairs needed on the 2006 F-350 was made by Jeff Main, second by Catalin Bonciu, all ayes, motion carried.

Derek Stoy stated that no Land Use Permits were issued in November. He also brought forward a request from the Franklin County Public Safety center requesting that the Borough change the address of the Rutter's on North Main Street. Derek provided Council Members with history that this location was given the address of 378 North Main Street even before Hoffman's Chevrolet purchased the property in the 70's. He reviewed that due to the side of the street Rutter's was on that it should be an odd numbered address. Derek reviewed that when he received the request he denied it for two reasons the first was that this has been that property address for many years and the second was that Rutter's had numerous permits issued to this property and changing the address could cause problems. Derek noted that he wanted to bring it to Council's attention and see if they wished Derek to change the address as the County Safety Center has requested. Council Members discussed the matter and noted that if Emergency Services were dispatched they would be dispatched to 378 North Main Street Rutter's and there should not be an issue.

MOTION: to approve not to change the Rutter's property address at this time was made by Catalin Bonciu, second by Jonathan Kittredge, all ayes, motion carried.

President Suddeth moved on to the Committee Reports. Derek noted that a resident was present to discuss a HARB Decision that had been made in September. Shirley Nelling and Ed Woodring were present to discuss HARB application COA:16-09-01 which had been denied by HARB and Borough Council. Ed Woodring asked that Borough Council overturn the previous decision and allow the property owner to install vinyl shaker shingle siding on the front of the property as described in the HARB Application. Due to this being from a prior meeting with no advance knowledge that they would be in attendance, Council Members did not have a copy of the information in front of them to review. Amy Burkot asked that Council not overturn the previous decision and asked that Council request they complete another application and go thru the process. Jonathan Kittredge stated that he doesn't feel that government should tell people what they should do with their property and that Council should allow them to do what they want.

MOTION: to allow the property owner to do what they want on the property was made by Jonathan Kittredge, second by Catalin Bonciu, more discussion occurred that the property owners wished to improve the gutters on the front of the building and that too was denied by HARB and Council in September, Derek Stoy suggested that it be sent back to HARB for more discussion, a vote was taken, Donald Stoner, Jeff Main, Tom Suddeth, Lisa McCoy, and Amy Burkot opposed, Jonathan Kittredge and Catalin Bonciu were the only ayes, the motion failed to let the property owners do what they want.

MOTION: to approve the work as proposed in COA: 16-09-01, to allow the vinyl cedar shake shingles as presented and the gutter work as proposed was made by Catalin Bonciu, second by Jonathan Kittredge, Donald Stoner-Lisa McCoy-Amy Burkot all opposed, Jonathan Kittredge-Catalin Bonciu-Tom Suddeth-and Jeff Main were ayes, motion carried a four to three vote.

Lisa McCoy asked that HARB Members be asked that when they deny application to include and alternate material that would be appropriate for the work. Derek Stoy noted that there was a HARB Meeting scheduled for Tuesday, December 6, 2016 at 7:00 p.m. and both Lisa and Jeff were invited to attend as they had previously attended a meeting earlier in the year. Jeff Main said that he planned to be there. Jonathan Kittredge stated that he would be present as he had an application before the Board.

The next item discussed was the Technology Committee Packet. It was noted that a meeting was not held, however the Police Department requested computer and server upgrades for a cost of \$4,296.00. Mayor Defibaugh noted that the Police Department was under budget and believed there would be enough funds for this purchase. Dawn Scheller noted that the Borough Office had received estimates for a server upgrade and noted the estimate received was double that estimate and she believed this to be a reasonable quote. Some Council Members thought the price was high, some members referenced recent personal computer purchases that they have made.

MOTION: to approve the proposed purchase as presented in the Police Department request for a total of \$4296.00 was made by Donald Stoner, second by Jeff Main, Dawn Scheller noted that the purchase would be charged to the Police Department supply budget GF: 410.20, a vote was taken, Lisa McCoy opposed, remaining ayes, motion carried.

President Suddeth moved on to the items listed under New Business.

MOTION: to approve Tax Levy Ordinance 2-29 with a 2.4 mill increase was made by Donald Stoner, second by Catalin Bonciu, Jonathan Kittredge stated that he would oppose the motion as he does not feel that enough effort has been made to find resources elsewhere (grants and reserve funds), President Suddeth said that he too was not in favor of the budget as he would only be in agreement for a 1 mill increase for the police salary line and not the 2 mills as proposed, a vote was taken, Jonathan Kittredge-Tom Suddeth-Lisa McCoy was opposed, remaining Catalin Bonciu-Donald Stoner-Jeff Main-Amy Burkot were ayes, motion carried four to three.

MOTION: to approve the 2017 Borough Operating Budget was made by Catalin Bonciu, second by Jeff Main, Jonathan Kittredge-Tom Suddeth-Lisa McCoy was opposed, remaining Catalin Bonciu-Donald Stoner-Jeff Main-Amy Burkot were ayes, motion carried four to three.

MOTION: to approve Resolution 15-16 appointing the Chief Administrative Officer to the Non-Uniformed and Uniformed Pension Plan as Dawn Scheller was made by Donald Stoner, second by Jeff Main, all ayes, motion carried.

MOTION: to approve Resolution 16-16 eliminating Employee Contributions to the Police Pension Plan for 2017 was made by Jeff Main, second by Donald Stoner, all ayes, motion carried.

MOTION: to approve the 2017 Meeting Calendar version 2 where the Streets Committee Meetings would be held on the fourth Wednesday of the month all but November was made by Catalin Bonciu, second by Lisa McCoy, all ayes, motion carried.

MOTION: to approve the following Resolutions; Resolution 17-16: Zoning Hearing Board – Thomas Riford to fill the term expiring on 12/31/19; Resolution 18-16: Water Authority – Doug Hoffman fill current vacancy ending 12/31/20 and Jason Frey to fill the term expiring 12/31/21; Resolution 19-16: Planning Commission- James Eyler to fill the term expiring on 12/31/20; Resolution 20-16: HARB- Michael Cokash to fill the term expiring on 12/31/21; Resolution 21-16: Vacancy Board- Josh Meyers to fill the term expiring on 12/31/17; Resolution 22-16: Sewer Authority- Dan Chayes to fill the term expiring on 12/31/21; Resolution 23-16: Fire Board- Jeff Main to fill the term expiring on 12/21/17, Resolution 24-16: Fire Board -Tom Suddeth to fill the term expiring on 12/31/17 was made by Jonathan Kittredge, second by Lisa McCoy, all ayes, motion carried.

Donald Stoner, Nominating Committee Chair, requested that an advertisement be run seeking letters of interest to fill any vacant positions.

MOTION: to enter executive session at 8:36 p.m. for personnel matters with action to be taken was made by Jeff Main, second by Donald Stoner, all ayes, motion carried.

Resumed regular session at 9:16 p.m.

MOTION: to rescind the motion made November 7, 2016, and pay all salaried employees overtime in accordance with the Fair Labor Standards Act was made by Jonathan Kittredge, second by Jeff Main, all ayes, motion carried.

MOTION: to approve the Borough Manager and Assistant Borough Manager to receive an additional 2% increase above the 2017 1.5% COLA and the 1.5% Merit Increase obtained with a score above 85% was made by Jonathan Kittredge, second by Catalin Bonciu, Borough Council Members commended Derek and Dawn for the good work that they are doing, a vote was taken, all ayes, motion carried.

The next item was to discuss Holiday Bonuses. Mayor Defibaugh requested that the Police Department not be included in the motion as the Police Department's budget for 2017 was approved.

MOTION: to approve a Holiday Bonus to all Non-Uniformed Employees to receive the amount of \$50.00 was made by Jeff Main, second by Catalin Bonciu, Jonathan Kittredge opposed, remaining ayes, motion carried.

Vice-President Jeff Main noted that the new Judge's Office should be completed late 2017. President Suddeth asked that that information be presented to Property and Finance to discuss and make recommendations.

MOTION: to adjourn at 9:20 p.m. was made by Jonathan Kittredge, second by Catalin Bonciu, all ayes, motion carried.

These meeting minutes were transcribed and respectfully submitted for approval with the use of Dawn Scheller's meeting notes and audio recording.

Date approved: _____ Motion: _____ Second: _____