

Mercersburg Borough Council
Borough Hall, Mercersburg, PA
June 12, 2017
MINUTES

Attending: Vice-President Jeff Main, Mayor Roger Defibaugh, Jonathan Kittredge, Donald Stoner, Amy Burkot, Borough Manager Dawn Scheller, Assistant Borough Manager Derek Stoy, and Solicitor Steve Coccorese

Absent: President Tom Suddeth, Lisa McCoy, Catalin Bonciu, and Engineer Lance Kegerreis

Guests/Press: Linda Hargrove, Mercersburg Academy; Thomas Heefner; 22 E. Fairview Ave., Mercersburg; Rachel Nichols, Mercersburg Journal; Richard and Deanne Yale, 11971 Buchanan Trail West, Mercersburg; and Nancy Robinson, 203 South Main Street, Mercersburg

Vice-President Main called the meeting to order at 7:00 pm with Mayor Defibaugh leading the Pledge of Allegiance. Jeff Main opened the floor for Public Comments.

Mr. Heefner voiced concerns of the recent approved resolution authorizing the deletion of the meeting recording after the meeting minutes are approved. He also noted that most of Council took office in 2014 and he feels that they have been less than forthcoming. He asked that the members who voted for the destruction of the recordings after the meeting minutes are approved for their reasoning behind their vote and if they feel that this policy represents the will of the people that they represent. Jeff Main asked if there were any present Council Members that wished to address Tom. Jonathan Kittredge said that he voted against the policy. Amy Burkot spoke that she was in favor of the policy and the deletion was not immediate as it would not occur until the minutes were approved. She added that many other municipalities across the state follow the same policy and the public is welcome to attend and record the meetings themselves. Mr. Heefner asked why they are being destroyed, Amy Burkot answered that they are not necessary after the meeting minutes have been approved. Jeff Main spoke that this item was brought forward after the basement files were being reviewed and cleaned out. Borough staff found boxes of years and years of old recordings that are on tapes of various sizes. Mr. Heefner said that he can understand not keeping years and years but felt that Borough Council should reconsider the policy and retain the recordings for a longer period as he believes that there is a lot of value to the discussion on the recordings that is not present in the minutes. Tom Heefner recommended that Council change the policy and approve to keep the recordings for two years.

Mr. Richard Yale voiced concerns about loud cars frequenting the Rutter's Store and immediate area. He added that he is unable to enjoy his backyard or keep his windows open due to the loud noises coming from the vehicles. Mr. Yale said that he has spoken to both the State and local Police Officers along with the Mayor, but the problem is still occurring. He suggested that Council review the information he provided on establishing sound levels that the local police force could enforce. Mr. Yale added that he has begun a petition on the matter and asked that Council create and approve and Ordinance that would enable the Mercersburg Police Department to do so. In addition to the draft Ordinance, he also provided estimated cost for the equipment needed and suggested that the funds could be raised to purchase the equipment. After discussion, Borough Council asked that the Solicitor consider the matter further and the Mayor discuss the matter further with the Police Chief and bring back information/recommendations to the next Council meeting.

MOTION: to approve the May 8, 2017 Meeting Minutes was made by Jonathan Kittredge, second by Donald Stoner, all ayes, motion carried.

MOTION: to approve the Treasurer's Report/Bills Payable for the month ending May 31, 2017 was made by Jonathan Kittredge, second by Donald Stoner, all ayes, motion carried.

Mayor Roger Defibaugh attended both the appreciation Law Enforcement Dinner and Drug Task Force Breakfast. He reviewed that he made some good contacts at both events. Mayor Defibaugh said that the Memorial Day Parade was

very nice and had good attendance. It was noted that the early rain may have deterred some people from attending. He noted that he went along with the Police Department to the range during their range qualifications and Police Department employees qualified. Mayor stated that the Police Department needed purchasing ammo for the department and asked that Council approve the purchase. Mayor reviewed that he believed the price of the ammo to be \$1,100.00 and that this would be enough ammo for two years. He reviewed that the Police Department's website was close to complete and he would continue to keep Council updated and let them know when it is finished an up and running. Dawn Scheller asked if the site would be shared by both the Borough and Police Department alike, it was clarified that the site would strictly be for the Police Department and the Borough Admin would still use the current site. Mayor reviewed that the Police Department was under budget in 2016 and he requested that the unspent funds of \$13,500 be transferred to the Police Reserve Fund for the future purchase of a cruiser. Mayor Defibaugh added that Personnel Committee approved to hire the new officer and Mayor would inform Council when that officer is sworn inviting them to attend. Jeff Main asked if there were any additional items to discuss as part of his report. A discussion occurred on the correspondence included in their meeting packets to and from the Tuscarora School District regarding the contract renewal. Dawn Scheller recommended that the Borough still work with Montgomery Township to develop a Municipal Agreement/Ordinance to allow businesses or other entities in Montgomery Township to be able to enter into a contract with the Mercersburg Police Department for police services. She spoke on a presentation that she heard at the May PSAB Conference where a local Police Department made all the difference responding to an emergency at a school. Borough Council discussed that the Mercersburg Police Department would not be able to enter into an agreement for police services for any business/school/or other entity in Montgomery Township without first having the Intermunicipal Agreement with Montgomery Township. Dawn Scheller requested that Council approve the Solicitor to continue with drafting an Intermunicipal Agreement and then send it to Montgomery Township for review, comments, and future discussion.

MOTION: to approve \$13,500 from the General Fund to be transferred to the Police Reserve fund for the future purchase of a vehicle was made by Jonathan Kittredge, Amy Burkot, all ayes, motion carried.

MOTION: to approve the purchase of Ammo for the Police Department in the amount of \$1,100.00 was made by Jonathan Kittredge, second by Amy Burkot, all ayes, motion carried.

MOTION: to allow the Solicitor to draft and send a copy of the drafted Intermunicipal Agreement / Ordinance to Montgomery Township for review and comment was made by Donald Stoner, second by Amy Burkot, Jonathan Kittredge opposed, remaining ayes, motion carried.

The Police Departments report was included in the meeting packets, no questions were brought forward.

Dawn Scheller provided Council Members with an updated report and copy of the 2016 Audit Report. She provided the current balance on the Curb and Sidewalk Loan Program of \$28,819.51 along with an update on the Summer Playground. She provided recent correspondence from ARRO on the trail noting a resubmission to DEP due to the previous comments received. Dawn Scheller reviewed that she would bring forward pricing information for the Borough's phone and internet services to the July Borough Council Meeting for review and possible change. Dawn reminded that an Act 537 Meeting was scheduled for June 20, 2017 at 6:30 pm and noted that it was properly advertised along with the reminder that the Auditor would be present at the July 18th Finance Committee scheduled at 4:30 pm. Dawn provided information on two different card options for purchases not able to be made by account or purchase order. Borough Council Members asked what her preference would be and she reviewed that she felt the credit card option would be best as both Water and Sewer could then pay directly for any items purchased as opposed to the Borough paying and then having to complete a reimbursement. She also recommended that both the Police Department and the office have a credit card with Council establishing a limit and designate the individual they wish to hold and be responsible for the card. Dawn reviewed that any receipts for purchases would need to be provided to the office for auditing purposes. Dawn provided a draft letter to BENECON giving them the required cancellation notice should Council approve the recommendation from the Personnel Committee. Lastly, she had provided a draft copy of

the 2017 Trash RFP to them in the May Council Packet, and asked if any of them had any issues or concerns. No items were brought forward and she asked that Council approve to advertise the Trash RFP as presented.

MOTION: to authorize the Borough to establish a credit card account where the Borough Manager and Police Chief are cardholders with each having a limit not to exceed \$5,000 for Borough/Water/or Sewer purchases/expenses which aren't on an account or via purchase order was made by Jonathan Kittredge, second by Amy Burkot, all ayes, motion carried.

MOTION: to authorize the Vice-President of Council to sign the letter to BENECON providing them with the proper cancellation notice and request the office to send by the deadline was made by Jonathan Kittredge, second by Donald Stoner, all ayes, motion carried.

MOTION: to approve the Trash RFP to be advertised seeking quotes was made by Jonathan Kittredge, second by Amy Burkot, all ayes, motion carried.

Derek Stoy presented his report which included an update on the curb and sidewalk project. He noted that only one property did not comply with the replacement and he was working with the contractor the Borough hired to complete the curb work first with the sidewalk to occur later as they had to wait until Penn DOT replaces the traffic loops. He added that Penn DOT began working on the ADA Ramps and he believed the paving to occur sometime late July. He noted that additional items of the sewer manhole risers would later be installed. Rachel Nichols asked questions about the recent work of trimming trees and bricks being removed for the ADA Ramps. Derek provided a copy of a letter received from Mr. Steiger on the matter and stated that he spoke directly to Penn DOT's contractor who was taking care of the bricks and would ensure that the named bricks would be reinstalled in the sidewalk area. Derek Stoy reviewed that work they are doing in preparation for the paving is all within Penn DOT's right-of-way and this project is out of the Borough's hands. He stated that he would have suggested that Penn DOT hold a meeting or provide better communication to the public as to what is involved and what to expect. Derek stated that there would be many things done differently if this was a Borough project. Derek reviewed that the Public Works Garage parking lot paving would not occur until after Penn DOT is done paving as there is little fall from the garage to the street and they need to see what the final height of Main Street will be after the paving is completed. Derek reviewed that there were 3 land use permits issued in May and he provided a quote to install two ADA Ramps at the end of West California and Park Ave. He reviewed that these were both previously missed during a previous paving project and should be corrected. Mr. Lopez provided a quote of \$1600 for both ramps.

MOTION: to approve the cost of \$1600 to install two ADA Ramps at the end of West California and Park Avenue by Mr. Lopez was made by Jonathan Kittredge, second by Donald Stoner, all ayes, motion carried.

PWD Report was provided in electronic format, no questions were brought forward.

Committee Reports:

FIRE BOARD: Jeff Main reviewed that there was a Fire Department Report included in the meeting packet and that the Fire Board would hold a public Financial Meeting on July 11, 2017 and asked that the Council Members attend.

PERSONNEL COMMITTEE: Borough Council Members reviewed that the Personnel Committee also approved to hire Officer Buterbaugh as a part-time officer pending the completion of the outstanding items. They also reviewed and recommended a Non-Essential Personnel Inclement Weather Policy. The Personnel Committee recommended the cancellation notice to be signed and sent to BENECON along with authorizing the Solicitor to draft the Health Insurance RFP with the advertisement to be placed in July seeking pricing. A review of the surplus health insurance money received was reviewed.

MOTION: to approve the Non-Essential Personnel Inclement Weather Policy pending legal review was made by Donald Stoner, second by Jonathan Kittredge, all ayes, motion carried.

MOTION: to approve the Solicitor to draft the advertisement and bid documents for the employee health insurance RFP with the advertisement to be placed in July, bids returned prior to October 12, 2017 was made by Donald Stoner, second by Jonathan Kittredge, all ayes, motion carried.

PROPERTY COMMITTEE: Derek Stoy reviewed the Property Committee information which included two items, the property insurance RFP and the Hitching Post Parking Lot cost of repair information. The quote for the Hitching Post Parking area and behind the Borough Building parking area for only the millings totaled \$9,396.08, with the installation it would total \$19,188.76 with grading. The Committee Members discussed and recommended not to move forward with the Hitching Post project now due to the high cost. He said that the Police Department was interested in the Judges Offices upstairs and the Police Department would present ideas to the Committee later.

MOTION: to approve the Solicitor to create and advertise a RFP for Property/Liability/Workman's Comp Insurances for the 2018 year was made by Jonathan Kittredge, second by Donald Stoner, all ayes, motion carried.

A question arose about the Findlay Park Escrow account and if those funds could be used to repair the roads in the older part of the development.

MOTION: to authorize the Solicitor to consider the matter and bring back information was made by Jonathan Kittredge, second by Donald Stoner, all ayes, motion carried.

A review of the correspondence and upcoming meeting scheduled was completed.

MOTION: to enter executive session at 8:24 pm for personnel matters with no action to be taken was made by Jonathan Kittredge, second by Donald Stoner, all ayes, motion carried.

Regular session resumed at 8:49 pm with no additional items brought forward.

MOTION: to adjourn at 8:49 pm was made by Jonathan Kittredge, second by Donald Stoner, all ayes, motion carried.

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

Date approved: _____ Motion: _____ Second: _____