

Mercersburg Borough Council Meeting
Borough Hall, 113 S. Main St., Mercersburg, PA
May 12, 2025
MINUTES

Attending: Council President Dusty Stoner, Council Vice-President Anthony Frisby, Mayor Michael Pedersen, Member Jacob Morgan, Member Joe Burkot, Borough Manager Dawn Scheller, Solicitor Rachel Hepp, and Administrative Professional Pete Stotelmyer

Absent: Member Kelani Craig, Member Paul Sipes

Guest(s)/Press: See sign in sheet

Council President started the meeting at 7:00 pm with the pledge of allegiance.

PUBLIC COMMENTS

Stephanie Brindle, 121 Johnston's Lane Mercersburg opened by stating she is a member of the Sewer Authority, but her comments are hers alone. During the past few days, accusations, threats, intimidation, and comments made by Council Vice-President Anthony Frisby on social media towards the Borough Manager are unacceptable. The matter should be investigated further. She said his comments could be considered harassment and could possibly result in a lawsuit. Brindle said Manager Scheller is extremely knowledgeable, professional and has assisted her on many occasions. According to Brindle, Frisby doesn't understand the harm his actions have caused, and, as a result, he should resign. If he refuses, she may pursue legal action. She said she may start a petition to have Frisby removed from council and send it to Governor Shapiro.

Tim Stanton, 115 South Main Street Mercersburg also stated that he is a member of the Sewer Authority and a former member of council, and his comments are his own. Each member of the Sewer Authority has sworn an oath to conduct themselves with integrity and honesty. He claimed that Frisby's social media post was vulgar and offensive, and he prepared printed copies of the statements made on Facebook with the solicitor. He said Council members are public servants and asked the Council to respond in an appropriate manner. He said Frisby should be removed as Vice President, censored, or face some sort of sanctions.

Donnie Keefer who is the water and sewer plant operator for the Borough, said that he is glad that Scheller is back as the Borough Manager. He said that the morale of the Borough staff has improved since she returned, and the PWD employees stand behind her. Keefer asked Vice-President why he made the comment that the water in the borough wasn't fit to drink.

Anthony Frisby read a statement he had prepared concerning his recent water/sewer bills. He stated that he rents an apartment that is only occupied by him, and his sons reside with him 3-4 days per week. He said his bills have been increasing since last summer with his January bill being the highest at \$859. He said no leaks were discovered by borough PWD employees, and that he was told his meter was faulty by the borough office. He also said that Manager Scheller provided conflicting information that his meter tested fine and was working properly which is why he is frustrated. He said that his recent bill is lower now that a new meter has been installed. Frisby added that at the council meetings bottled water is provided because the water in the borough is not fit to drink. He would like consideration to adjust his bill, and for the borough to acknowledge that there is a problem.

MINUTES

MOTION: to approve the April 28, 2025, meeting minutes as presented was made by Heefner, seconded by Frisby, all ayes, motion carried.

TREASURER'S/BILLS PAYABLE REPORT

Not Available

MAYOR'S REPORT

Mayor Pedersen stated the process is underway to add a third officer to the police department pending completion of the background check. Springfest went well and was well attended. He welcomed Mercersburg Beverage to their new location. He gave his support for the Borough Manager and the staff added that social media comments serve no legitimate purpose. Elected officials should communicate directly with other elected officials or the Council President.

POLICE REPORT

Copy sent electronically. Paper copy available upon request. No questions raised.

SOLICITOR'S REPORT

Solicitor Rachel Hepp said that she will cover items raised under Old Business, but she asked that any additions to the trash service contract to be sent to the Solicitor's Office.

ENGINEER'S REPORT

Not present.

MANAGER'S REPORT

Manager Scheller said that the bid price from Rockwell Construction for the Band Building demo increased \$1,738 due to the revision adding prevailing wages. The updated price is now \$41,541. How Council wants to proceed will determine if it will be a change order or an amendment to the contract. The audit for 2024 started today.

PUBLIC WORKS REPORT

The report was sent electronically. Paper copy available at meeting.

COMMITTEE REPORTS

Mark Sanders who is the Fire Chief for MMPW spoke on behalf of the Fire Board and provided an update on the state of the fire department. He opened with an apology for attending his first Council meeting since he became Fire Chief two years ago. His main reason for attending is transparency. He wanted to let council and the public know what the future holds for emergency services. The operating budget for this year is between 2.85 and 3 million dollars with the majority of that amount consisting of labor costs. He said this is a major concern of theirs moving forward especially the amount of overtime. The schedule that they currently use for staffing has built in overtime, and Rachel with the Solicitor's Office has been working with them on the overtime issue. He said that the department was under budget for payroll for the first quarter of the year. Even though MMPW is a

volunteer organization, less than 5% of the EMS are handled by volunteers. They are basically a volunteer organization in name only. Given the amount of EMS calls they receive, they wouldn't be able to keep up if they were a complete volunteer organization. This would result in too many failed responses which would cause the federation that governs them to pull their license. Their budget situation is currently tight, and they aren't able to put any funds aside for future apparatus purchases or facility upgrades. He asked council what they would like to see from MMPW to be included in future discussions in 3, 5 & 10 years down the road. He wants to keep the borough updated on their challenges and financial situation, and the borough is welcome to any information or documentation at any time.

OLD BUSINESS

MOTION: to consider and approve the PWD emergency phone call response policy drafted by the Solicitor's Office was made by Heefner, seconded by Morgan, all ayes, motion carried.

MOTION: to discuss the details for the 2025 Summer Playground Program and to confirm the program will be held was made by Frisby, seconded by Heefner, all ayes, motion carried.

Vice President Frisby said that he would lead the program. Solicitor Hepp said that her office looked into clearances for volunteers, and if any employees are under 18, no clearance is required. Chaperones who will only assist for one or two events are not required to have clearances unless the borough requests them. President Stoner said that the borough would have to advertise to hire 3 seasonal employees to work for the program. Manager Scheller said that the Summer Playground Program currently has \$82.24 in the account, so council would have to front the money for the program until donations are received. The insurance is several hundred dollars per year, and the Lions Club Park will need to be reserved for the dates of the program. Scheller said that there is also a gift card for the program with a balance of about \$200 on it that could initially be used. Mayor Pedersen asked if communication between Manager Scheller, and Vice-President Frisby will be an issue. Both parties agreed that they will be able to communicate professionally. President Stoner said he would like to see an agenda on the field trips scheduled for the program, and how much they cost. He also wanted to know if the number of children participating in the program will be limited. Frisby said that over 60 kids were signed up for the program last year, but with vacations and other absences, attendance was about 40-50 per day. Member Morgan said that the budget for the program is \$7,500, and if that amount is sufficient for the program. Frisby said that the program hasn't gone over budget yet, but Manager Scheller said some busing expenses came in after the paychecks cleared last year that council paid for.

MOTION: to approve to hire 3 seasonal employees at the rate of \$13/hr to assist with the Summer Playground Program was made by Morgan, seconded by Heefner, all ayes, motion carried.

MOTION: to secure the proper insurance for the program was made by Heefner, seconded by Morgan, all ayes, motion carried.

MOTION: the Summer Playground Program budget does not exceed \$7,500 was made by Burkot, seconded by Heefner, all ayes, motion carried.

Council had no suggestions to add to the trash service RFP, so the Solicitor's Office will proceed with a draft to be reviewed at next month's meeting. Solicitor Hepp said that if anything suggestions or revisions happen before then to send them to her office.

The bid from Rockwell Construction for the Band Building demo lacked the requirement to include prevailing wages. Solicitor Hepp said the council could proceed with the project with the new cost of \$41,541 with prevailing wages, or they could choose to re-bid the project.

MOTION: to rebid the Band Building Demo Project was made by Heefner, due to lack of a second, motion failed.

MOTION: to accept the new updated price with the prevailing wage increase of \$41,541 was made by Burkot, seconded by Morgan, all ayes, motion carried.

NEW BUSINESS

MOTION: to review and approve publishing the public statement prepared by the Solicitor's Office stating Borough Council supports its employees was made by Frisby, seconded by Heefner, all ayes, motion carried.

MOTION: to consider and approve the Resolution regarding the Rules of Decorum drafted by the Solicitor's Office was made by Morgan, seconded by Burkot, all ayes, motion carried.

MOTION: to enter into executive session with no action to be taken at 7:56 pm was made by Heefner, seconded by Frisby, all ayes, motion carried.

Regular session resumed at 8:33 pm.

Vice-President Anthony Frisby apologized to Manager Scheller and the Administrative Professional for his post on social media, and directing his frustration towards them. He looks forward to working with the staff on a respectful and professional basis.

President Stoner reviewed the correspondence and the meeting schedule.

MOTION: to adjourn the meeting at 8:38 pm made by Burkot, seconded by Frisby, all ayes, motion carried.

Date: _____ Motion: _____ Seconded: _____

SEAL

Dawn L. Scheller, Borough Manager / Secretary / Treasurer