

**Borough Council Meeting  
Borough Hall, Mercersburg, PA  
July 20, 2015  
MINUTES**

**Attending:** President Tom Suddeth, Mayor Jim Zeger, Treasurer Catalin Bonciu, Amy Burkot, Jonathan (Jon) Kittredge, Borough Manager Dawn Scheller, Assistant Borough Manager Derek Stoy, Solicitor Steve Coccoresse, and Engineer Lance Kegerreis

**Absent:** Vice-President Jeff Main, Lisa McCoy, and Donald Stoner

**Guests:** Josh Meyers: W. Seminary Street, Joe Burkot: Linden Ave., Judy Bonciu: Main Street

**Press:** Reporter Rachel Nichols: [Mercersburg Journal](#)

President Suddeth called the meeting to order at 7:00 pm with the Mayor leading the Pledge of Allegiance. No Public Comments were made at this time.

Mayor Zeger presented his report which included the Mayor asking residents to keep up on the grass and trimming where needed. He also presented a request to Council seeking the approval of cost for him to attend the Fall Leadership Conference in Pittsburg.

**MOTION: to approve the associated costs for the Mayor to attend the Fall Leadership Conference from October 16<sup>th</sup>-18<sup>th</sup> was made by Jon Kittredge, second by Amy Burkot, all ayes, motion carried.**

The Solicitor presented a drafted Resolution authorizing the Borough to sell the Tannery Property Lot #5 with Council President to sign any and all closing documents.

**MOTION: to approve Resolution 17-15 authorizing the sale of the Tannery Property Lot #5 and appointing Council President to sign any and all closing documents was made by Catalin Bonciu, second by Jon Kittredge, all ayes, motion carried.**

Steve Coccoresse informed Council about a document that was just received from CCIS and he did not recommend Council authorizing it at this time as it contained a one sided release and would recommend language changes that would include a mutual release language. He stated that he would review it further and provide Borough Council with an update at the next Council Meeting.

**MOTION: to authorize the Solicitor to draft an prepare a counter document with the language changes to include a mutual release was made by Catalin Bonciu, second by Jon Kittredge, all ayes, motion carried.**

Steve provided Council with suggested changes to Ordinance 10-9 authorizing Council to hire full-time and part-time officers rather than the Mayor. Borough Council Members discussed whether the number of officers should be listed and removing the actual number would enable the Borough to have flexibility and not limit the quantity of employees.

**MOTION: to authorize Ordinance 10-14 Amending Ordinance 10-9 with proposing the change of; This confirms the establishment of the Mercersburg Borough Police Department consisting of a police chief and such regular full-time officers and part-time officers as Borough Council may hire from time to time, was made by Jonathan Kittredge, second by Catalin Bonciu, all ayes, motion carried.**

Council President asked if anyone had any questions for the Solicitor, Catalin Bonciu brought forward a question regarding curb and sidewalk drawings specs and written language in Ordinance 7-11. He had concerns with the

Borough's Liability involved with recent repairs made in the Borough. A discussion occurred regarding the conversations had with multiple property owners, preexisting condition, and where repaired curb was tying into existing curb. It was noted that Borough Council had only required curbing to be repaired where needed as sidewalk could be done at a later date and it was clarified that the drawings and notations are part of the specs for the restoration process along with complete replacement. The discussion on yellow detectible surfaces at crossings could be installed two ways one while the concrete was wet and a dry installation product was available, although no details were known about that process at this time. They reviewed and discussed more detail regarding intersections of Linden/Varden, Linden Lane, E. California, and Jeb Stewart Alleys. Derek reviewed that he was in contact with a contractor regarding pipes placed under the sidewalk and was addressing those matters as they arise. Borough Council and the audience had dialog regarding ADA Ramps, Expansion Joints, and it was noted that one of the Contractors hadn't used proper stone where needed, which that contractor was made to remove what was installed incorrectly. Catalin Bonciu reviewed that he wanted to protect the town's people's best interest and wanted to insure the Borough was taking all the necessary steps. It was reviewed that there was construction issues with Columbia Gas subcontractors work and the home owners were working with them to resolve the matters.

HARB Committee Notes were reviewed with Borough Council, along with the corresponding recommendations.

**MOTION: to approve COA: 15-07-01 sign as presented by the HARB Board for 11 W. Seminary Street was made by Jon Kittredge, second by Catalin Bonciu, all ayes, motion carried.**

Jon Kittredge brought forward concerns regarding work being done at 32 E. Seminary Street, where it was believed that an exterior door and window was replaced without HARB's approval. After much discussion, Borough Council determined that property exterior alterations seen from a public street or public sidewalk would be brought before HARB, however an alley was not included in the Ordinance, Council directed Derek Stoy, Zoning Officer to issue a letter to the property owner seeking that they follow the HARB process.

A guest asked a question regarding a potential buyer who would like to purchase a property for a multiuse with part business and part residential dwelling. Clarification on the process would need to be answered regarding the accessibility and egress questions, however the Borough Office could process a land use permit for a change of use for the building and also seek clarification from the Code Official regarding egress and accessibility.

President Suddeth reviewed the notes from the Personnel Committee Meeting in the absence of Committee Chair Jeff Main. He reviewed that the Mr. Kenneth Knop was interviewed, that Wertz had provided the committee with questions to use during the interview. It was discussed that the Personnel Committee did not receive any background information such as an application or resume to review, which they noted that they wish they had been provided that information. Suddeth reviewed the recommendation from the committee to hire Mr. Kenneth Knop to replace Officer Reed was made with a 4-1 vote from the committee. Mayor confirmed to Council that Officer Reed has not resigned to date.

**MOTION: Not to hire any part-time officer at this time, especially since the Borough has still not yet received Officer Reed's resignation, to cease all current background checks being completed by the department at this time and that the following procedure set by Council be followed for the hiring of a Police Officer; Council may authorize an advertisement or the Police Department may seek interested candidates and obtain a completed application or resume' from interested persons, copies of that information will then be supplied to the Personnel Committee Members for review where they will determination if any or what candidates the Personnel Committee wishes to interview, the Police Department would schedule the interview per direction/availability of the Personnel Committee, the Personnel Committee will hold those interviews, and forward any recommendations to Council for further action where possible conditional hiring contingent upon a satisfactory background check completed by the Mercersburg Police Department would be offered, this motion was made by Catalin Bonciu, second by Jonathan Kittredge, conversation occurred which included the Mayor relaying concerns that it is difficult to find good candidates to work in Mercersburg and he reviewed that currently the department has three possible candidates who have interest in working in the Borough and would forward the policy set by Council to the department, but noted that Council has**

requested the department to cover specific hours, Mayor reviewed the available staff who is covering the hours and the added employee would not necessarily add to the budget, a vote was then taken, all ayes, motion carried.

Jon Kittredge brought forward concerns with the notes that Wertz provided the Committee with questions to ask the candidate. President Suddeth reviewed that Jeff Main did ask the Committee Members if they had any of their own questions and he noted that committee members did ask additional questions than what was provided to the committee. President Suddeth reviewed that with setting the previously made motion, Council would like the resumes and application for possible candidates be brought to Personnel Committee for review and determine if they wish to interview any and all applicants. Mayor would forward the policy set by Council.

**MOTION: to reimburse the Tax Collector for the expenses of the required training and mileage was made by Catalin Bonciu, second by Jon Kittredge, all ayes, motion carried.**

**MOTION: to approve the Pension RFP for advertisement with any updates added by the attorney was made by Catalin Bonciu, second by Jonathan Kittredge, all ayes, motion carried.**

Council moved on to other items listed on the Agenda.

**MOTION: to retroactively approve the Fire Police Request for assistance from Metal Township on July 11, 2015 was made by Jon Kittredge, second by Catalin Bonciu, all ayes, motion carried.**

Amy Burkot provided Council with an update that Brad Evans would assist the Borough and she would be applying for the grant over the weekend and submit it on behalf of the Borough. She estimated that the Borough could receive funding for 25 trees and she was optimistic on the outcome.

**MOTION: to enter into executive session at 8:42 pm for collective bargaining discussion with no action to be taken was made by Catalin Bonciu, second by Jonathan Kittredge, all ayes, motion carried.**

Regular session resumed at 8:47 pm.

**MOTION: to adjourn at 8:47 pm was made by Amy Burkot, second by Catalin Bonciu, all ayes, motion carried.**

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

Date Approved: \_\_\_\_\_ Motion Made By: \_\_\_\_\_ Second By: \_\_\_\_\_

