

**Mercersburg Borough Council Meeting
Borough Hall, Mercersburg, PA, 17236
February 1, 2016
MINUTES**

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

Absent: Member Lisa McCoy

Guest/Press: See sign-in sheets

President Tom Suddeth called the meeting to order at 7:00 pm. Mayor Zeger led the Pledge of Allegiance and then President Suddeth thanked the Borough Management for the job well done with the recent 30" of snowfall and snow removal efforts and opened the floor for Public Comment.

Daria Royer, 13 North Main St. commented on the budget and requested that Borough Council restore the funding to the Police Department as she believes that the Borough should not have less police presence on the street.

William Bassin, 35 Oregon Street, commented that Mercersburg has been his favorite place to live, as it is a safe place to live. He remarked that not restoring the funding to the Police Department would be clear and present danger for the residents.

No other Public Comments were made and Council moved on to the other items listed on the Agenda.

MOTION: to approve the January 4, 2016 Meeting Minutes as presented was made by Jeff Main, second by Jonathan Kittredge, all ayes, motion carried.

MOTION: to accept the Treasurer's Report from the month ending January 31, 2016 as presented was made by Jonathan Kittredge, second by Jeff Main, all ayes, motion carried.

MOTION: to approve the bills payable and invoice list for the month ending January 31, 2016 was made by Donald Stoner, second by Jonathan Kittredge, all ayes, motion carried.

Mayor Zeger reported that it was a pleasure to attend the MMP&W Annual Awards Banquet. He acknowledges the many men and women who risk their lives every day and we owe them our gratitude for service. Mayor congratulated MACWell for the \$145,000 grant obtained for the trail. He also thanked Mr. Brake for the donation of a Taser for the Police Department.

President Suddeth noted that the Police Report was included in the packets for review and he asked if anyone had any questions to forward them to the Mayor.

President Suddeth noted that there were guests present from York and asked for those present to review the information from the Planning Commission Meeting. Neal Metzger introduced himself as the Engineering Firm from Rutter's. Neal presented a plan for the Rutter's store # 67 and noted that there would be LED Lights which would reduce glare, energy usage, and maintenance. Lance Kegerreis reviewed that the Planning Commission had reviewed the plans with the recommendation to approve the application pending all necessary revisions to the plan along with the applicant obtaining the NPDES and Penn DOT Highway Occupancy Permit. It was noted that Mr. Rutter with the approval from Council would be able to apply for the Land Use Permit. Derek Stoy reported that Rutter's has gone above and beyond

with regards to the water discharge and the plans would improve the current condition. Steve Coccorese recommended that the Borough draft a standard Developers Agreement with Rutter's.

MOTION: to approve the Planning Commission's recommendation of application 2015.0060.00 pending all necessary revisions to the plan, the applicant obtaining the NPDES and Highway Occupancy Permits, and the Borough Solicitor to draft, send, and all parties approve a Standard Developers Agreement was made by Catalin Bonciu, second by Jeff Main, all ayes, motion carried.

Steve Coccorese reviewed the items listed under the Solicitor's Report. The first item was regarding an eleven-acre property on Fox Road with the current zoning of Planned Commercial. It was noted that a local metal manufacturing business wanted to purchase the property to expand, however due to the zoning restrictions they would not be able to do so. Borough Council was presented the idea to consider a Map Amendment with that property being changed to Industrial. Steve reported that the Map Amendment would require a hearing that could be held the same night of the next Council Meeting. It would require an advertisement of the meeting, the change to the Ordinance, and the property posted. Steve reviewed that anticipation of this the Planning Commission has a meeting scheduled for February 4th and a copy would also be sent to the County for review.

MOTION: to approve the Map Amendment and Ordinance change to be drafted, advertised, and hearing to be scheduled for March 7, 2016 during the next Borough Council Meeting with copies to be provided to the Mercersburg Planning Commission and the County as required was made by Donald Stoner, second by Catalin Bonciu, all ayes, motion carried.

Steve Coccorese presented the letter from Fox & Associates Inc. dated January 11, 2016 concerning Findlay Park Phase II. Steve noted that both Mercersburg Borough and Divinity Homes were both clients of Salzmann & Hughes and before he could proceed further Borough Council would need to authorize the Acknowledgement and Waiver of Potential Conflict of Interest letter as presented. Steve reviewed that this document once approved by the Borough would be forwarded to Divinity Homes for approval. Steve Coccorese stated that he would recommend the Borough and Divinity Homes to enter into a Developers Agreement with details of their proposal written in the agreement. He noted that it has been past practice of the Borough to do so. Steve Coccorese requested that the waiver be forwarded to both the Water and Sewer Authorities for discussion and approval. Lance Kegerreis expressed his opinion that the request to put the plan back to preliminary status was a good thing for the Borough. Catalin Bonciu was concerned with the current quality of the local roads and having heavy construction equipment on it would damage it further.

MOTION: to authorize Council President to sign the Acknowledgement and Waiver of Potential Conflict of Interest with the Solicitor to forward the document to Divinity Homes for approval was made by Catalin Bonciu, second by Jonathan Kittredge, all ayes, motion carried.

Steve Coccorese provided the Borough Council Members with an update that there were some questions from the Police Department concerning abandoned vehicles. Steve was able to clarify the matter and answer the Police Departments concerns. Steve then discussed the matter regarding the surplus funds from 2015. After further review and discussion with Sam Wisner, Steve relayed that Borough Council did not need to re-advertise the budget when determining where the surplus funds are to be used. He said that Borough Council could approve it by motion.

The notes from the Finance Committee was reviewed with the added information on money spent due to the recent snow fall. Borough Council Members reviewed that the Mayor had announced a Snow Emergency for the storm and additional contractors were needed to be called. Dawn Scheller reported that the Borough would be filing for PEMA Funds. She asked that Borough Council formally recognize that this occurred.

MOTION: to formally recognize the MERCERSBURG's SNOW EMERGENCY implemented by Mayor James C. Zeger from Friday, January 22, 2016 thru Wednesday, January 27, 2016 was made by Jeff Main, second by Jonathan Kittredge, all ayes, motion carried.

MOTION: to pay the invoices for the Contractors work during the Snow Emergency using the surplus funds was made by Jonathan Kittredge, second by Catalin Bonciu, all ayes, motion carried.

MOTION: to approve the following recommendations from the Finance Committee; 1) Refunding UDAG for the past two years of withdrawals, 2) remove the \$7510.00 transfer from UDAG in the 2016 Budget, 3) increase the 2016 Police Wages to \$138,696.50, 4) Combine the Christmas Committee with the Beautification Committee and increase the budget to \$8,300.00, 5) increase the Police Cruiser Fund 2016 budget to \$7,500.00 was made by Catalin Bonciu, second by Jonathan Kittredge, all ayes, motion carried.

Dawn Scheller reviewed her Managers Report which included the annual request to complete the Financial Interest Statements and return them to the office before April 1, 2016. She informed Council that during the snow storm two trucks broke down and needed service calls placed. She noted that the invoices were listed under New Business for approval. Dawn Scheller reviewed that the trail did receive a \$145,000 Grant but noted that the office has not received any of the Grant Documents yet. She notified Council that the Auditors would begin the 2015 Audit next week and much of her week would be working with them and she would keep Council informed of the progress.

Derek Stoy presented his Assistant Manager's Report with included an update with the Snow Removal, an additional repair invoice that was listed under New Business for approval, and a notation that 8 Parking Permits were issued during the trial period. He noted that the Streets Committee had recommendations to consider.

Council President moved on to the remaining Committee Reports which included the Fire Board and Streets.

Jeff Main noted that the Fire Department Report was included in the packets for Council Members to review and to forward any questions to him or the Fire Chief.

Jeff Main asked that Derek review the Streets Committee notes as he was not able to make the meeting. Derek reviewed that the Borough Council Members had received the notes in the packets however a copy of the draft Ordinance was not provided. Council Members received a copy of the draft Ordinance at their seats. Derek reviewed the meeting notes and highlighted the draft Ordinance which was recommended to approve for advertisement and adoption at the March Council Meeting. At this time Council Members began discussion whether the permits not be permitted at the meters to the first Alley in all directions from the square. One concern was the two-hour limit being enforced as during the holiday concerns were brought forward. Mayor stated that the Police Department does not enforce the two-hour limit and does not have a way to do so. A concern was brought forward that a business wished to have a special loading zone in-front of their property as they have a hotel with guests who need a place to load and unload luggage. Jeff Main invited that concern to be brought to the Streets Committee for discussion/action.

MOTION: to approve the Parking Ordinance to be advertise with one revision that the permits would not be permitted to be used at the meters on the square and for the following additional meters a. From the square south on Main St to Fallons Alley and Magaw Alley, b. From the Square North on Main St to Fendrick Alley and McLaughlin Alley, c. From the Square West on West Seminary Street to Ice House Alley and Finafrock Alley, d. From the Square East on East Seminary St to JEB Stuart Alley; with the adoption to occur at the March 7, 2016 Borough Council Meeting was made by Jeff Main, second by Amy Burkot, Catalin Bonciu opposed, remaining ayes, motion carried.

Steve Coccorese reviewed that his meeting commitments have changed and if Council wished to change the meetings to the 2nd and 4th Mondays he would be available. Council Members noted that the meeting dates have been advertised and they did not wish to change them at this time.

MOTION: to approve the following under New Business; Approve B & M Estimate for 2011 International Plow truck work in the amount of \$977.74 (this was discussed at the Finance Committee Meeting); Approve Invoice 14603 for Service call on Plow Truck on in the amount of \$180.00; Approve Invoice 14604 for Service call on 1997 Ford F-350 in

the amount of \$225.00; Approve PERCS Estimate on Pedestrian Base Cover Replacement at the intersection of Main/Fry/Johnstons in the amount of \$1254.00 was made by Jonathan Kittredge, second by Jeff Main, all ayes, motion carried.

Meeting Calendar information was reviewed.

MOTION: to adjourn into executive session for possible litigation matters with possible action to be taken at 8:50 pm was made by Jeff Main, second by Jonathan Kittredge, all ayes, motion carried.

Regular session resumed at 9:02 pm.

MOTION: to adjourn at 9:02 pm was made by Jeff Main, second by Jonathan Kittredge, 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: _____

