

Mercersburg Borough Council Meeting
Borough Hall, Mercersburg, PA
April 4, 2016
MINUTES

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

Absent: None

Press/Guests: See sign-in sheet

Meeting was called to order at 7:00 pm with Mayor Jim Zeger leading the Pledge of Allegiance. President Suddeth opened the floor for Public Comments.

Tom Heefner, E. Fairview Ave., thanked the Mercersburg Journal for their reporting on the recent Borough and Beautification Committee Meetings. He wished that the two bench designs discussed at the meeting would've been available to the public allowing the citizens of Mercersburg to voice their opinion. He added that someone from the community may have covered the cost of the more expensive design. He voiced his concerns with the way volunteers are treated after reading the recent Letter to the Editor written by Melissa Stuff and Donna Stuff-Fields and asked for comment from Council. Amy Burkot spoke as the Chair of the Beautification Committee Meeting and noted that the original design of the benches was ornate and members from the Committee asked if the design could be simplified. Amy noted that is what she asked Burdett to do and once the new cost/design was presented she felt that it was best to present the information to Council to have it approved so that they would be on the square in time for May 1st and Springfest as Beautification is only a recommending body. Jeff Main added that the reason why he voted for the benches was because they would be paid for with donations. Amy Burkot noted that the office received one donation and she was continuing to raise funds for the other three. Amy spoke that her vision for the committee was to help promote tourism and to get people to come to Mercersburg and say "what a lovely town". Amy added that she just wants to do what's right for Mercersburg and get the job done. Jonathan Kittredge praised Amy for her efforts and stated that the paper doesn't always get things right.

Tim Rockwell, Johnstons Lane, asked Council President to ask the Council Members to take the meeting seriously and not allow the Members to act like it is a sixth grade meeting with regards to gestures, laughing, and comments. Jonathan Kittredge and Tim Rockwell had a disagreement on behaviors of a civil servant and Tim asked Council President to call the members to order. Tim Rockwell spoke about the tourists who used to visit to Mercersburg and noted that the recent efforts of the Committee, but that he is glad to see there is progress. Lastly, he noted the Agenda Item of the Mayor's Resignation and asked that Council to consider tabling the acceptance of his resignation or simply not act on it. He noted the volunteer events, church gatherings, and other community events that Jim has participated in throughout the years and asked Council to not act and let him to finish serving his term. Council President noted that Jim would still present the James Buchanan Award and be a part of other events in the Community. Council referred to the Solicitor for clarification, Steve Coccorese stated that the Mayor if he is not a resident of the Borough would not be eligible for election to the position. Jeff Main asked if he could hold the position until the election comes up. Mayor Jim Zeger asked if that is the will of the Council to continue then he would continue. Steve Coccorese cautioned Council in setting a precedent. Jonathan Kittredge stated that Jim should resign since he moved out of the Borough. Jim Zeger said that he has no problem with the resignation and he wants to do it with respect and doesn't want to put the burden on the Borough Council. Mayor stated that another individual took three months to resign and he feels that it was dishonest and he does not want to be dishonest. Jeff Main was asked to forward the information that he found about the Mayor's position to the Solicitor and Council would table the Resignation of Jim Zeger until legal had time to review the information.

Daria Royer asked if Council could make an exception for someone who has served the Community so long. Steve Coccoresse answered that if he research concludes that Borough Code does not allow for the Mayor to continue then he would advise Council that they must accept the resignation despite his years of service and would report back to Council.

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

MOTION: to approve the Treasurer's Report and Bills Payable/Invoice List from the month ending March 31, 2016 was made by Catalin Bonciu, second by Jeff Main, all ayes, motion carried.

Mayor Jim Zeger presented his report and asked Borough Council to replenish the Police Salary Wages rather than proceeding further on a Maintenance Building. He did not believe the residents of Mercersburg would want taxes raised for a new PWD Garage when they have one that is working. Mayor also reviewed that it has been his honor and pleasure of serving as the Mayor. He noted that the experience has been very educational to him as he has had the privilege of writing and delivering Proclamations on behalf of the Borough, that he has presented the Harriet Lane and James Buchanan Awards to very deserving people, and that he added that Reece was treated in the Harriet Lane Wing of the hospital. He said that the Borough has a very special town and if Council wants to keep it safe they need to put the funds to the Police Salary Wages so they can continue to serve and protect the citizens of Mercersburg.

President Suddeth reviewed that the Police Report was included in the Council Packets. Council asked the Mayor why there was nothing listed under the Parking Meter receipts, Mayor said that he would ask the Chief.

There were no items from the Solicitor or the Borough Engineer at this time.

Dawn Scheller presented her report that included information on previous Harriet Lane Award Winners, the Trail Grant Award along with National Honor Society Students wishing to trim a five-foot wide path along the trail route starting by Oregon Street until the salt shed. She added that the work would be completed on April 27th from 1 pm until 4 pm. She asked Council Members to approve the volunteer work with the Solicitor drafting a liability waiver form for the students.

MOTION: to approve the Solicitor to draft a liability waiver form to be signed by any National Honor Society Student/Adult Participants allowing them to trim a five-foot wide path along the trail route from Oregon Street entrance until the salt shed along the trail route was made by Jonathan Kittredge, second by Catalin Bonciu, all ayes, motion carried.

Dawn Scheller also reviewed that Easement Agreements would need to be drafted for the Water, Sewer, Electric Company and the McCulloh properties. She asked for clarification if Council wished for the Solicitor work/invoices be included in the in-kind contribution or if this was in addition to the in-kind donation that they have indicated to MacWELL totaling \$17,260. She explained that management time spent or Solicitor time/invoices spent does not count toward the 50/50 match and it is important to communicate that to MACWELL as it will affect the fundraising needed. Lance noted that he may be asked to review items and that time for professional services should be added.

MOTION: to approve the Easement Agreements to be drafted by the Solicitor and set the policy that the invoice costs for any other professional services needed and paid by the Borough for the trail will reduce the in-kind donation for the project despite whether DCNR accepts it as a matching contribution was made by Jonathan Kittredge, second by Amy Burkot, all ayes, motion carried.

Dawn Scheller then discussed the Summer Playground Program. She reviewed that many more children attended last year's program and that the program would be run similarly to last year's operating two days a week. She noted that the Lions Club has approved the use of the playground, the School District would provide lunches for the children, and Dawn asked that Council approve the Program to operate Tuesdays and Thursdays from June 21st until August 4th with hiring

two Assistant Coordinators to operate the program. She asked that Council approve the funds for this year as they did last year noting that the funds for the program are donated to the program.

MOTION: to approve the 2016 Summer Playground to operate from June 21st until August 4th on Tuesdays and Thursdays at the Lions Club and associated expenses as done in the prior year was made by Donald Stoner, second by Catalin Bonciu, all ayes, motion carried.

Dawn Scheller noted the unappropriated 2015 Surplus funds and noted that the Borough received a larger amount of Liquid Fuels Funds that would be spent on the Borough's Street Light Electric Bills.

Derek Stoy presented his Assistant Manager's Report which included an update on the proposed PWD Garage Plans. He described the two different proposals included in the packet. He asked Council to consider where funding would come from before spending more money for plans. Borough Council discussed the different building options for the garage and asked what direction they wished to go. They discussed having the office in an enclosed building and having the equipment in a three sided building vs. the entire garage should be enclosed and heated. Council Members discussed how they could fund the project. Catalin Bonciu discussed a safety issue with site distance leaving the garage in a plow truck. Catalin expressed interest in the removal of the Mayo Building. President Suddeth asked that Council make a motion on this matter providing direction.

MOTION: to put the PWD Garage building on hold was made by Donald Stoner, second by Lisa McCoy, more discussion occurred whether Council should set aside funds for a future project before moving ahead, or if a loan would be better with selling the current PWD Garage and use those funds for the new building, Council discussed the current condition of the MAYO Building and noted the utilities were off to the building as it was winterized, Tom Suddeth-Amy Burkot-Jonathan Kittredge opposed the motion, remaining were ayes, and the motion was carried.

Derek Stoy provided an update on the trail with regards to the topography being updated along with the trail path marked with pink flags. He updated that the Members that the PWD has successfully completed the first quarter injury free so the approved reward program will be in place. The Property Committee was asked to review the options for the sale of the Mayo Building/Garage. Derek Stoy then provided Council with an update about the street sweeper and provided Council with an estimate to get it fixed of approximately \$19,000. He provided Council with four options; 1) fix it for \$19,000, 2) purchase a used one for approximately \$45,000, 3) Local Company to contract to sweep the streets at \$115 per hour, or 4) to rent a machine from Chambersburg using the Intergovernmental Ordinance that Council had approved last year for the amount of \$60 per hour that we could have at the Borough's leisure (plus \$100 delivery fee paid). Jeff Main suggested a skid loader with a box sweeper on it and share the cost with Water and Sewer. Council President asked that the next Property Committee Meeting discuss it at the next meeting.

Council Members then discussed accepting the Grant provided MACWELL is able to raise the matching funds, obtain the easements necessary, before any funds from the grant are spent. Bob Whitmore reviewed that there were additional changes that were needed to be made to the design, which their Engineer was now working on. Jeff Main asked where were they at with the fundraising. Bob Whitmore reported that he had it to the 50% match, and that MACWELL never expected the Borough to share the costs, however the changes made resulted in an Engineering cost of \$7,600 for the redesign. Derek asked him to clarify that the Engineer was charging \$7600 for a couple hundred feet of trail redesign, Bob confirmed. He reviewed that the recent changes and unexpected costs he was not sure how that would affect things. He reviewed that the grant funds were provided on a reimbursement basis, he also explained that the Borough wasn't committed until they actually awarded the bid. Dawn Scheller reviewed the funding would be provided as the project proceeded forward in stages of 50%, 40% and final 10% upon completion.

MOTION: to accept the terms of the DCNR Grant of \$145,000 contingent upon the 50% matching money being raised by MACWELL, with no grant money to be spent until the approvals from DCNR approving the 50% match invoices was made by Jonathan Kittredge, second by Catalin Bonciu, all ayes, motion carried.

President Suddeth asked for the Committee Reports.

Dawn Scheller noted that there were additional items copied in yellow for Council Members to review which included an estimate for Flowers from Stuff & Seed Company and also an American Pride initiative. This was in addition to the committee notes, agenda, and quotes for bike racks and flags. Amy Burkot presented the information from the Committee Meeting and wished to begin on the May 1st event. She reviewed that it was expected that 25 students from the Academy and the Tuscarora School District would be participating along with parents to clean up the square, work on elderly properties raking, painting porches, or cleaning up flower beds. Amy asked Steve his thoughts about this initiative. Steve Coccorese asked who determines which properties to work on and what ones you don't. Amy Burkot said that it would be determined on a need basis and have the churches and meals on wheels would provide the list of elderly and then she and Tom would determine what to work on and what not. Steve recommended that the homeowner should be the one to determine what needs to be done. Amy asked Council for paint for meters, paint for porches, and cleaning supplies. Lisa McCoy asked why is it Council's responsibility to organize and manage a social project. Amy Burkot communicated that she wants the sweeping/cleaning up the square, installing the benches/bike racks, installing flags, planting flowers, painting meters, painting porches to all occur on May 1st. Amy stated that she wants to go to the press and announce all the nice things that the Borough is doing. Lisa McCoy said that the Borough should give money for the project, but it shouldn't be a Borough Project due to the liability. Amy noted that the Academy students already participate with the project and the JB Students would participate. Jonathan Kittredge asked if she is sure that she can get all the details worked out in time with the waivers and list of items from the elderly. Amy Burkot stated that that is why Borough Council isn't leaving until they get these things figured out.

MOTION: to approve \$500 for supplies needed for May 1st Swing into Spring day provided the Solicitor prepare the necessary waivers for the volunteers and property owners was made by Jonathan Kittredge, second by Catalin Bonciu, all ayes, motion carried.

Amy Burkot reviewed that she wanted to discuss flags that she liked. Amy reviewed that the reason she chose the Hugh Mercer Design is because it's the one on Borough Hall, Borough Vehicles, Borough Uniforms, on the Borough Web Site, Letter Head, and Business Cards. Council Members agreed and said that it makes sense. Amy Burkot said that she worked with a designer who has worked on the Holiday Decorations. Amy Burkot asked Council to start with approving 20 flags and she would like to start an Adopt a Pole Program that she would announce at Springfest seeking donations. Jeff Main asked what about American Flags. Dawn Scheller stated that the American Flag was another idea that was discussed at the Committee Meeting along with a design a flag contest. Amy Burkot reviewed that Chris Ardinger was going to get some American Flags for free and those could be used around the square or eventually switch out the flags using American Flags for certain times of the year. Amy spoke that she feels the flag design is the most important thing for Council to discuss and decide on. She reviewed that there were different ideas discussed at the meeting, but was concerned about not having flags up for May 1st. The ideas discussed were; 1) was to have a contest to design a flag, 2) the proposed Hugh Mercer Flags included in the packet, 3) American Flags. Amy reviewed that she wished that the flags would be up before May 1st which would require Council to make a decision at the meeting if they agreed on the Hugh Mercer Flags as they needed to be ordered. Other ideas at the Council Meeting was that different schools or organizations may wish to have their flags hung. The size of the flags that were being discussed were 30"x 60" and would hang on the telephone poles where the Holiday Decorations would be hung. Tom Suddeth asked Amy what she wanted Council to decide on one color or more than one color. After more discussion Borough Council made the following motion.

MOTION: to approve the purchase of 20 - 30" x 60" Hugh Mercer Flags, 10 Green and 10 Teal, and purchase 10 brackets not to exceed \$1800 from the GF: 458.03 was made by Jonathan Kittredge, second by Lisa McCoy, all ayes, motion carried.

The next item on that Borough Council Members discussed was the purchase of flowers. They reviewed the price quote provided and Amy asked that Council approve the flowers for the flower boxes as other flowers/baskets can be looked at next year. She wanted to focus on raising funds for the benches and the flags.

MOTION: to approve \$225.00 to Buck Run Nursery for flowers and supplies for the square from GF: 458.03 was made by Jonathan Kittredge, second by Lisa McCoy, all ayes, motion carried.

Council discussed holiday decorations, during the discussion they noted the sale on decorations. They determined that the snowflakes would replace the damaged lanterns.

MOTION: to approve the purchase of snowflake decorations not to exceed \$800.00 was made by Donald Stoner, second by Jeff Main, all ayes, motion carried.

The Personnel Committee had no recommendations for Council to review.

Streets Committee recommended Alley Loop signs paid for by MACWELL, that the Borough Management would record the amount of time spent on the trail projects, and not to place a temporary loading and unloading sign in front of 15 North Main Street.

MOTION: to approve the smaller Alley Loop sign paid for by MACWELL, the policy that Borough Management would record the amount of time spent on the trail projects was made by Donald Stoner, second by Jonathan Kittredge, all ayes, motion carried.

MOTION: to approve Resolution 11-16 Borough of Mercersburg Fee Schedule with prorating the annual parking permit to \$131.25 for the remaining of 2016 or \$50.00 per quarter was made by Jonathan Kittredge, second by Donald Stoner, Catalin Bonciu abstained, remaining ayes, motion carried.

President Suddeth opened the floor for nominations for the Harriet Lane Award. Liza Main was nominated, nominations were closed, a vote was taken all ayes, LIZA MAIN was the 2016 Harriet Lane Award recipient.

MOTION: to table the resignation letter from James Zeger until Borough Council Members receive legal opinion was made by Catalin Bonciu, second by Lisa Main, Jonathan Kittredge said that he did not feel that this was right, Jonathan Kittredge opposed the motion, remaining ayes, motion carried.

MOTION: to enter into executive session at 9:17 pm for potential litigation matters with possible action to be taken was made by Donald Stoner, second by Jeff Main, all ayes, motion carried.

Regular session resumed at 9:28 pm with the follow motion.

MOTION: to approve the Solicitor to draft a letter to Principal to transfer all the pension funds to the new Pension Provider was made by Catalin Bonciu, second by Jeff Main, all ayes, motion carried.

MOTION: to adjourn at 9:30 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: _____

