

**Mercersburg Borough Council Meeting**  
**Borough Hall, Mercersburg, PA**  
**September 6, 2016**  
**MINUTES**

**Attending: President Tom Suddeth, Mayor Roger Defibaugh, Treasurer Catalin Bonciu, Lisa McCoy, Amy Burkot, Jonathan Kittredge (Jon), Donald Stoner, Borough Manager Dawn Scheller, Assistant Borough Manager Derek Stoy, Solicitor Mary Beth Shank, and Engineer Lance Kegerreis**

**Absent:** Vice-President Jeff Main

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

**Guests: Tom Heefner**- 22 E. Fairview Ave., **Nancy Robinson**- 203 S. Main St., **Tim Rockwell**- 153 Johnston Ln., **Chris Ardinger**- 3 S. Main St., **Danny Myers**- 6499 Charlestown Road, **Bruce Jacobs**- 240 Linden Ave., and **Josh Meyers**- 19 W. Seminary St.

President Suddeth called the meeting to order at 7:00 pm and opened the floor for public comments.

Danny Myers asked that a committee be formed to openly evaluate the need for parking meters and weigh the pros and cons of them. He asked that this committee discuss and review cost to enforce and maintain the parking meters versus the impact/value they have to the community. Danny also asked that they discuss placing attention to the Hitching Post Public Parking Lot.

Tim Rockwell asked about the preliminary budget being presented to Council tonight and asked that during the review they provide the public a clearer explanation on the proposed tax millage increase. He again asked that Council prepare and send out communication to the public on current plans and future plans to the Borough.

Chris Ardinger asked Borough Council to approve allowing the JB Booster Club to both place and remove white bows on the parking meters for the upcoming football game. He noted the bows would be placed on the meters on Friday and removed on Sunday by the Booster.

**MOTION: to approve the request and authorize white bows being placed on the parking meters on Friday, 9/9/16 and removed on Sunday, 9/11/16 was made by Jonathan Kittredge, second by Lisa McCoy, a recommendation was made that they be green and white, all ayes, motion carried.**

Bruce Jacobs asked that Council increase the Police Department as he has concerns of not receiving response from them when he has called. Mayor Defibaugh asked that he provide the details to him directly and Mayor would look into the matter further.

Chris Ardinger spoke on behalf of the Chamber that they don't have an opinion on parking meters as he has heard pros and cons on the matter, but felt that a committee of businesses and residents would be beneficial.

Council Member Jonathan Kittredge voiced his opinion of the parking meters and noted that they provide approximately \$10,000 to the Borough as part of the Borough budget and he would not vote to

remove them. Danny Myers asked how many labor hours are used to monitor them. Jon answered he would think 1-2 hours per day, but he wasn't sure.

President Suddeth reviewed that it is good to have the Police walking the streets and noted that they are not just paid to write tickets and collect the money. He added that the in years past the Borough at times had a specific employee who would complete the daily items needed for the parking meters. Tom suggested that the Chamber form a committee and meet with the Borough Management Staff to review the information. President Suddeth noted that the meters have been in place for a long time, he noted that he doesn't think they are appropriate in the Historic District, but said they do serve a purpose.

Danny Myers asked if the meters serve a purpose when only three cars are parked on the square. Danny Myers asked Tom for a response on whether a Committee would be formed made up of Businesses, Residents, and the Streets Committee?

Mayor suggested that this may be a discussion that the Finance Committee should be a part of. Dawn Scheller noted that if the question is how many labor hours does the Police Department work with parking meters, then that is a question that Council would have to ask the Police Department. She added that Council would need to provide them time to gather the information. Mayor said that he would speak with the Police Chief and ask him for a labor assessment for parking meters and report back to Council. It was reviewed that the Streets Committee Meetings are open to the public and this item could be added to the Agenda for an upcoming meeting if Council wished and Community Members are able to attend.

**MOTION: to approve the August 1, 2016 Meeting Minutes as presented was made by Jonathan Kittredge, second by Catalin Bonciu, all ayes, motion carried.**

**MOTION: to approve the items listed on the Agenda under the Treasurer's Report and the Bills Payable/Invoice List for the months ending July 31, 2016 and August 31, 2016 including the updated list was made by Jonathan Kittredge, second by Donald Stoner, all ayes, motion carried.**

Mayor Defibaugh reviewed his Mayor's Report which included a needles box was added in Borough Hall above the prescription drug collection box. He reported that the Police Department received a donation in the amount of \$2,000 from the Mercersburg Academy to purchase items needed. He asked that Council approve the purchase of a Taser and an AR15.

**MOTION: to approve the purchase of a Taser and not an AR 15 was made by Jonathan Kittredge, motion failed for lack of a second.**

**MOTION: to approve the purchase of both items as presented, Taser and AR 15, was made by Catalin Bonciu, second by Donald Stoner, Jonathan Kittredge and Lisa McCoy opposed, remaining ayes, motion carried.**

Mayor Defibaugh reported that the Fair Week went smoothly with little activity and he added that the Police Department was monitoring traffic speed in the school zone once school was back in session. He noted that the Department received a few calls from Rutter's when it first noted and the Department responded when an officer was on duty.

Mayor asked about Trick-or-Treating. Council Members reviewed that last year the Trick-or-Treat schedule was changed to a Saturday rather than a Sunday due to Borough Council receiving complaints that too many children participated during trick-or-treat. They noted that the day change still resulted in over 600 children participating. A schedule of surrounding communities trick-or-treat dates and times were provided to the Council Members for review as requested. Rachel Nichols commented that if last year Saturday didn't cut down on the traffic, what about a Thursday.

**MOTION: to schedule Trick-or-Treat on Thursday, October 27, 2016 from 5:00 pm until 7:00 pm was made by Catalin Bonciu, second by Lisa McCoy, Amy Burkot opposed, remaining ayes, motion carried.**

President Suddeth noted that the Police Report was included in the meeting packet. Jonathan Kittredge questioned the financial parking meter money listed in the report and noted that it was not computed right.

Mayor Defibaugh when asked about the 2016 Holiday Parking Schedule, he announce that the 2016 Free Holiday Parking would begin on November 21, 2016 and the last day would be January 2, 2017. This was a total of Free Parking for six weeks.

Chris Ardinger announced that the Mercersburg Tree Lighting would take place on Saturday, November 26, 2016 Small Business Saturday.

Mary Beth Shank introduced herself and noted that she was filling in for Steve Coccoresse as he was traveling and she had nothing to present at this time.

Lance Kegerreis was present and noted that he would be available to answer questions during the Streets Committees report.

Dawn Scheller provided the Borough Manager's report which included the remaining amount available for curb and/or sidewalk improvements of \$68, 848.63. She confirmed that the Pension Plan Transfer occurred on August 1<sup>st</sup> and prior to the transfer Principal did not withdraw their second quarter fees. She noted that the invoice was listed under the bills payable and was approved when the Treasurer's Report was approved. Dawn reviewed the total of donations received from the Chamber of \$479 along with \$440 from Flannery's during the Christmas in July fundraiser. Dawn Scheller reviewed that Calvin looked at the electrical outlets on the square and due to the wiring he was not able to add any additional outlet plugs. He recommended that the Borough not add any additional stress on the current system. She provided an update on the Trail. She noted that West Penn Power has received the ROW documents and plan drawings of the trail. Dawn noted that West Penn Power had some questions and a meeting was scheduled on site to review the plans and discuss the concerns with people from West Penn, the Borough, and MAC Well. Dawn Scheller said that she would keep Council updated on the progress. She reviewed that Amy and other parents from the Summer Playground were interested in entering a float for the Halloween Parade. To do so would require additional insurance for the both the parade and the decorating day along with funds for the decorations and snacks for the children. Dawn Scheller provided a total of money donated to the Summer Playground Program and expenses paid for the 2016 Program.

**MOTION: to approve up to \$500 for the insurance and supplies needed for the Summer Playground float to be paid out of the Summer Playground Program account was made by Jonathan Kittredge, second by Donald Stoner, all ayes, motion carried.**

Derek Stoy presented the Assistant Manager's report. He noted that he would be meeting with West Penn Power to discuss a LED Street Lighting Options for the Borough and he would continue to keep Borough Council updated on the matter. He added that he sent out three weed ordinance violations in August and issued two Land Use Permits.

Council President moved on to the reports from the Committee Meetings. Suddeth asked that the Streets Committee present their meeting information first as he was hopeful that Jeff may still attend the meeting after completing the fire call.

Jonathan Kittredge presented the information from the Streets Committee and read the recommendation of to have both curb and sidewalks repaired along Main Street as determined by Assistant Borough Manager Derek Stoy and Engineer Lance Kegerreis.

**MOTION: to approve to have both curb and sidewalks repaired along Main Street as determined by Assistant Borough Manger Derek Stoy and Engineer Lance Kegerreis was made by Donald Stoner, second by Catalin Bonciu. Council Members asked Jon to repeat the motion, he did so, and noted that the last time Council only authorized curbs to be completed but this time the recommendation was for both curb and sidewalks. Jon stated that he feels that it should be curbs only. Lisa McCoy remarked that she did not feel that it was right to put the burden of the expense on the property owners. Tom Suddeth asked if Penn DOT was requiring new curbs or requesting them. Derek Stoy answered and said that Penn DOT isn't requiring them per say, there are some places that they can't get there machine up against as the curb is deteriorating or there are trees growing out into the roadway. Derek added that if you are putting down new paving, you should have something to pave against. Tom Suddeth noted that when Main Street was last paved approximately 20 plus years ago the curbs, sidewalks, and trees were not required to be repaired. Derek said that he can't answer for what was done twenty couple years ago. Tom also noted that in Chambersburg Penn DOT was able to pave around trees that had roots growing in the curbs or on the street and why can't they do that here. Derek Stoy responded that he would have to ask Penn DOT. Derek reported that Penn DOT will be removing two trees at Penn DOT's expense because they are not able to repave without doing so. Tom Suddeth stated that there are some members of Council who do not wish for the trees to come down. Derek reviewed that Council has approved a Shade Tree Ordinance where Council can authorize the removal of trees and a Sidewalk Ordinance that states  $\frac{3}{4}$  of an inch of separation either elevation or a crack Council can enforce a resident to repair a sidewalk. Tom Suddeth stated that Council can also say no. Donald Stoner stated that he too will have to fix his curb/sidewalk when Penn DOT repaves Park Ave. He said that this is why Council created the low interest loan program to lessen the burden on them but doesn't change that it still needs to be done. Jon Kittredge said that he thinks it should be curb only with the option to the property owner if they wish to repair the sidewalk they can. Jon reiterated the need for good curbs and that they should be required to be repaired. Amy Burkot asked Council if the curbs and sidewalks are part of the community and if they have been deemed as dangerous shouldn't Council enforce them be fixed. Council President called on Josh Meyers to speak. Josh Meyers noted that some of the oldest sidewalks are left on Main Street and asked that Council if the property owners are going to be able to relay what they have? Derek Stoy noted that there is a paver spec in the Ordinance and if they can be recycled and meet the specs than they can be used. Dawn Scheller noted that the state will be replacing multiple ADA Ramps along Main Street making them compliant with today's standards. She also noted that the curb and sidewalks are next two each other and only fixing the curb could create a tripping hazard or ponding of water which in the winter would be ice. Her suggestion was to try to fix as many of the issues at once unless this was something that Council wanted to revisit a few years from now. Jonathan**

**Kittredge restated that Council should remain consistent and only require the curbs at this time. Derek reviewed that the notices would be sent out and the property owners would have the ability to submit an appeal if they wished. Derek reviewed that a large number of properties have curb and sidewalk. A vote was taken, Jonathan Kittredge, Tom Suddeth, and Lisa McCoy opposed the motion, Donald Stoner, Amy Burkot, and Catalin Bonciu were in favor of the motion, Mayor broke the tie in favor of the Committee's recommendation, the motion passed.**

Jonathan Kittredge reviewed the second item of a complaint on the curb and sidewalk along Park Avenue across from the Elementary School.

**MOTION: to enforce that the curb and sidewalk be repaired or replaced along Park Avenue for the property located at 34 West Seminary Street was made by Jonathan Kittredge, second by Catalin Bonciu, Tom Suddeth abstained, remaining ayes, motion carried.**

Catalin Bonciu presented the information from the August 23, 2016 Finance Committee Meeting. The Committee reviewed the 2017 MMO Information along with the required Resolution regarding eliminating employee contributions to the Police Pension Plans for 2012-2016. The Committee recommended that the information be added to Council's Agenda for approval and signature. The Committee also discuss obtaining a [.GOV] domain for the Borough to use for a website and email. The Committee made the recommendation that Council approve and apply to obtain a [.GOV] domain for the Borough website use and email use for the police department employees only. The next item that the Committee discussed was the 2017 Proposed Budget. Catalin noted that the Police Department, Borough Office, and the Fire Company had submitted requests for the budget which totaled over a six mill increase. After much discussion the Committee presented a 2017 Proposed Budget that included a 2.5 mill increase where .5 mills would be added to the fire emergency service tax and a 2 mill increase would be added to the general purposes tax for the budget line item of the Police Salaries.

Members of the public began expressing concern if the request from the Fire Company would be paid evenly across all four entities (Mercersburg, Montgomery, Peters, and Warrant Township), if the amount requested was a dollar amount increase or a millage increase, and if this had anything to do with the recent property purchases that the fire company has made over the last few years. Tom Suddeth answered that it was not due to the recent property purchases, but that the tax increase would fund salaries for the department. Tom noted that M.M.P. & W. had applied for and was awarded a grant which would cover the cost of added personnel for two years, but once that time was over those salaries would need to be paid for a period of time otherwise those funds would need to be paid back. Dawn Scheller noted that when it was discussed at the Committee Meeting it was asked for a millage increase doubling the taxes collected at the end of three years. The Finance Committee thought that a .5 millage increase for 2017 year would begin that process. Comments from the audience asked if this was a donation to the fire company and if they could use it as a tax deduction. Other persons present remarked that the Borough should not do this increase unless the other Townships were willing to do the same. Some Council Members were not satisfied with the proposal as presented specifically with the increase to the fire company and the police salary increase and asked that the Committee prepare and bring back alternatives to consider for the next meeting.

President Suddeth moved on to the other items listed on the Agenda.

**MOTION: to approve the request from Mercersburg Mennonite Church Motorcycle Sunday Committee for September 11, 2016 was made by Jonathan Kittredge, second by Catalin Bonciu, all ayes, motion carried.**

**MOTION: to retroactively approve the request from Greencastle Police Department for Fire Police Assistance on August 12, 2016 was made by Jonathan Kittredge, second by Donald Stoner, all aye, motion carried.**

**MOTION: to Acknowledge the receipt of the Police Retirement Plan 2017 MMO, the Non-Uniformed Retirement Plan 2017 MMO, and approve Resolution 15-16 Eliminating Employee Contributions to the Police Pension Plan for 2012, 2013, & 2016 was made by Jonathan Kittredge, second by Donald Stoner, all ayes, motion carried.**

**MOTION: to authorize the hiring of Keith Culbertson as a Part-time Mercersburg Police Officer conditional upon all certifications have been received was made by Donald Stoner, second by Catalin Bonciu, all ayes, motion carried.**

Council President reviewed the upcoming meetings, Council Members Jeff, Tom, and Lisa would be willing to attend the HARB Meeting.

**MOTION: to enter into executive session at 9:30 pm for personnel matters with no actions to be taken was made by Jonathan Kittredge, second by Catalin Bonciu, all ayes, motion carried.**

Regular session resumed at 9:40 pm with no action to be taken.

**MOTION: to adjourn at 9:40 pm was made by Donald Stoner, second by Amy Burkot, all ayes, motion carried.**

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

Date approved: \_\_\_\_\_ Motion made by: \_\_\_\_\_ Second by: \_\_\_\_\_