

Mercersburg Borough Council Meeting
Borough Hall, Mercersburg, PA
April 24, 2017
MINUTES

Attending: President Tom Suddeth, Mayor Roger Defibaugh, Vice-President Jeff Main, Lisa McCoy, Amy Burkot, Jonathan Kittredge, Donald Stoner, Borough Manager Dawn Scheller, Assistant Borough Manager Derek Stoy, and Solicitor Steve Coccorese

Absent: Treasurer Catalin Bonciu and Engineer Lance Kegerreis

Guests/Press: Rachel Nichols: [Mercersburg Journal](#), Linda Hargrove: Mercersburg Academy, Luke Lopez: Lopez Construction, Hazel and Richard Nelson: 23 Linden Avenue

President Suddeth called the meeting to order at 7:00 pm, Mayor Defibaugh led the Pledge of Allegiance, and President Suddeth opened the floor for public comments. Hearing none they moved on to the items listed on the Agenda.

MOTION: to accept the March 13, 2017 meeting Minutes as presented was made by Jonathan Kittredge, second by Jeff Main, all ayes, motion carried.

MOTION: to accept the Treasurer's Report for the month ending March 31, 2017 and the Bills Payable Invoice List including the updated list of bills was made by Jonathan Kittredge, second by Jeff Main, all ayes, motion carried.

Mayor Defibaugh asked that Council Members not act on the previously request for the expansion of Police Services to Montgomery Township at this time. Mayor wished to attend the next Tuscarora School District Meeting. Donald Stoner entered the meeting at 7:04 pm. Mayor added that he wishes to hold another 'Meet the Chief Night' possibly at a local business and would bring that information to the next Council Meeting. Mayor Defibaugh stated that he may have someone interested to fill a vacancy on HARB and would encourage them to notify the office. He noted that the Borough does not have a credit card for business expenses and added that when the Borough needs to purchase something it is done via a personal card. He asked Council Members to consider authorizing Dawn to have a Borough business credit card. Vice-President Main stated that Dawn would be responsible for any charges placed on it. Dawn Scheller stated that a previous employer held the credit card and would authorize certain employees as users on the account. Dawn reported that the card would only be used whenever the Borough was not able to place an order via purchase order or payment by check. This was brought forward due to the annual payment of the annual fee for the .GOV site that the Police Department is in the process of applying for on the Borough's behalf. The [.GOV] site does not take any other forms of payment besides credit cards and this would be a reoccurring issue.

MOTION: to authorize Dawn Scheller to investigate a business credit card for the Borough and bring back the information to Council was made by Lisa McCoy, second by Jeff Main, all ayes, motion carried.

Mayor Defibaugh added that Chief Zechman provided the Council Members with the additional information that they had previously requested.

The Solicitor had nothing now, but would become available for any questions when they arise.

Dawn Scheller presented her report which included that the office had not received any letters of interest to fill the current vacancies. She provided Council with the available sidewalk loan money of \$59,840.76 and noted that there were still 30+ properties that needed to complete curb/sidewalk repairs or replacement. Dawn Scheller noted that the Borough Office had received a letter indicating deficiencies that the trail engineer, ARRO, would need to address prior to June 12, 2017. Dawn reviewed that the Borough was still awaiting Trail Bid Document

information. Dawn asked Council to approve sending the document to the Solicitor to review upon receipt as she wanted to keep the process moving forward.

MOTION: to approve the Trail Bid Documents to be forwarded to the Solicitor for review once received from the MACWELL's Trail Engineering Firm, ARRO, was made by Donald Stoner, second by Jeff Main, Jonathan Kittredge and Amy Burkot opposed, remaining ayes, motion carried with a 4-2 vote.

The next item on her report was saving money on the Borough phone/internet bills. Steve Coccoresse reviewed the current contract with Comcast and said he did not see anything to prohibit the Borough from requesting pricing information for the Borough's phone and internet accounts. Steve said that Dawn could simply call for quotes. Dawn Scheller reminded any Council Members to turn in the State Ethics Forms if they have not previously done so. Council President asked if there were any Council Members interested in serving on the Borough's ACT 537 Planning Committee. Jeff Main and Donald Stoner volunteered to do so, and asked that the meeting be scheduled preferably on a Tuesday or Wednesday. Steve said that he would check his schedule and provide Dawn with some dates and times to advertise and request the Townships to attend. Dawn thanked the Mercersburg Academy Students, Linda and Mr. Rotz for their recent help in files stored in the basement. She noted that there was a Resolution listed under New Business for Council to consider so that the outdated items could be shredded. The next item reviewed was that she provided a revised Table of Contents for Council Member's Ordinance Books. She also provided copies of the most recent Ordinances for them to file in their binders. Dawn stated that if anyone needed help with their books or if anyone was missing anything they should let her know. Dawn provided a recent list of Mayo Building Demo Expenses and would update Council as they still awaited paving invoices. Lastly, she provided a draft list of items that the Committees were working on and requested Council Members review the list and let her know if something was missing.

Derek Stoy presented his report which included garage paving quote information. He reported that the paving material cost is \$7,000.00 which the Borough would purchase. He also noted that the Borough would need to hire a contractor to complete the process; the two quotes obtained were GANOE Paving: \$4,450 and Robert McCulloh: \$4,413. Derek noted that there was only one Land Use Permit issued in March and provided an update on the Penn DOT project. Derek reported that Penn Dot's contractor will be back to stake out the ADA Ramps sometime in May. Derek contacted multiple contractors seeking concrete pricing for any remaining curb/sidewalk work that is required due to the Main Street Paving Project. This approved contractor would be used in the event the property owners do not complete the work and the Borough would need to do so. The prices obtained are the lineal foot price for curb plus square foot pricing for sidewalk; Lopez Construction \$40.50; Dale Metcalfe \$70.95, Jim's Excavating \$45.50; and GANOE Paving \$33.50. A discussion about prior concrete work completed by the lowest bidder was brought forward with concerns that the contractor did not install an ADA Ramp where there should've been one.

MOTION: to approve Lopez Construction to complete any remaining concrete work required for the Penn DOT Main Street Project for properties that are required to do so at a total price of \$40.50 (Curb Linear Foot Price \$33.00 and Sidewalk Square Foot Price of \$7.50) and billed to the property owners for that work was made by Jeff Main, second by Donald Stoner, all ayes, motion carried.

MOTION: to award the garage parking area paving project to McCulloh at the cost of \$4,413 with the Borough to purchase the paving material was made by Jonathan Kittredge, second by Jeff Main, all ayes, motion carried.

Derek Stoy discussed the recent street sweeping and the delay which occurred due to equipment issues. Derek noted that the contractor was in the second day, with multiple pieces of equipment to get much of the work done. The remaining street sweeping work would be scheduled the next week.

The Public Works Report was included in the packet, no questions were brought forward at this time.

President Suddeth moved on to the Committee Reports.

Amy Burkot reviewed the information from the Beautification Committee. This included an update on the Flag Sponsor Plaque which was received and has been hung in Borough Hall. The Borough has received the Christmas decorations that Flannery's and the Chamber had fundraised during the 2016 Christmas in July fundraising event. Amy thanked them for their participation and continued support. Amy Burkot highlighted the Spring Clean-up Day that was held on Saturday, April 22, 2017. She thanked Linda Hargrove's efforts for helping plan the event and thanked the children who participated during the event from both the Academy and James Buchanan High School. She noted that it was a success that she was hopeful they would continue in future years. Amy relayed that the Committee would discuss the purchase of more flags and flowers for next year but was working on raising money for the items purchased in 2016. There were no recommendations at this time from the committee. Members of Council thanked Linda for her efforts.

Derek Stoy presented the information from the April 4, 2017 HARB Meeting.

MOTION: to approve COA: 2017-04-01 as presented was made by Jonathan Kittredge, second by Jeff Main, all ayes, motion carried.

Council discussed the current vacancy on HARB and the other two that will occur later in the meeting when they accept the two resignation letters.

MOTION: to appoint Jim McCoy to fill the current HARB vacancy with the term expiring on December 31, 2021 was made by Donald Stoner, second by Jonathan Kittredge, all ayes, motion carried.

Jeff Main presented the information and recommendations from the March 20, 2017 Personnel Committee Meeting.

MOTION: to authorize Dawn Scheller, Borough Manager, to begin shopping around for health insurance quotes for 2018 and appoint a team consisting of Dawn Scheller, Solicitor, and Donald Stoner to meet with the Police Union to discuss potential changes to the health plans was made by Jonathan Kittredge, second by Lisa McCoy, all ayes, motion carried.

MOTION: to adopt a policy to delete audio recordings of meetings once the official minutes have been approved and approve Resolution 04-17 as presented was made by Donald Stoner, second by Amy Burkot, member Jonathan Kittredge expressed the opinion that he believes that the recordings should be retained, President Suddeth asked for the Mayor's opinion, Mayor Defibaugh expressed that he would like the Borough to establish a 12-18 month retention policy, Jonathan Kittredge stated that the minutes are pretty good, but not exact and keeping the recordings would show the exact, Jeff Main asked if Dawn's minutes were exact, and Dawn said no that they are not verbatim, but the meeting minutes are not supposed to be exact. Lisa McCoy asked what the current policy is and Council members answered they are to be kept forever. Tom Suddeth said that since there isn't a storage problem they should be kept forever and asked about the redacting of a recording. Dawn Scheller answered that the Borough Solicitor agrees that if it was said during a public meeting the entire recording would be subject to the RTK Law and the entire recording would be provided with nothing redacted. Dawn Scheller stated that this policy/Resolution complies with the records retention guidelines and the Borough is not able to listen to old tapes or know who is who on the recordings. She also reviewed that the Borough does not have the budget or manpower to digitize old recordings and keep them current as technology continuously changes. Tom Suddeth reviewed that he was still in favor of keeping the recordings and asked for a vote, a vote was taken, Jonathan Kittredge and Tom Suddeth opposed, remaining were ayes, motion carried 4 to 2.

Jeff Main presented the information from the Fire Board and reviewed that the construction should begin sometime in the next two weeks and noted that the Borough had received a request from the County Commissioners Office for consideration.

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

President Suddeth opened the floor for Harriet Lane Award Nominations; he nominated two 2017 recipients; Dr. John C. Stauffer and nominated the Conococheague Institute for the work they have done for outstanding Service in the Arts, History, and Child Welfare. He asked for any other nominations, hearing none he closed the nominations, a vote was taken and unanimously approved both to receive the award. Dawn Scheller was asked to notify the winners and ask former Mayor Jim Zeger if he would present the two awards. If he were unavailable Amy Burkot volunteered to do it, the presentation would be made on May 6, 2017 at 11:30 am in the Social Room, of the First United Methodist Church on North Fayette Street.

MOTION: to approve the Notice of Lease Termination and Amendment to provide Franklin County the option to exercise a month-to-month lease was made by Jonathan Kittredge, second by Donald Stoner, all ayes, motion carried.

MOTION: to approve Resolution 05-17: For the disposition for destruction of specific records pursuant to the Municipal Records Act removing any Water or Sewer items listed was made by Donald Stoner, Jeff Main, all ayes, motion carried.

MOTION: to accept with regret the letters of resignation from; Josh Meyers - from HARB, Planning Commission, and the Vacancy Board, and Michael Cokash - from HARB was made by Donald Stoner, second by Jeff Main, all ayes, motion carried.

MOTION: to appoint Jeff Main to fill the vacancy on HARB with the term expiring December 31, 2017 was made by Jonathan Kittredge, second by Donald Stoner, all ayes, motion carried.

MOTION: to approve Council President to sign the annual review of any changes to the Electronic Funds Transfer Agreement as presented from the First Community Bank of Mercersburg was made by Donald Stoner, second by Jonathan Kittredge, all ayes, motion carried.

MOTION: to approve the estimate for repair from Martin's Garage Doors for \$700 was made by Jonathan Kittredge, second by Donald Stoner, all ayes, motion carried.

President Suddeth asked if there was any additional business, Council reviewed the correspondence and upcoming meeting schedule. Mayor Defibaugh stated that he and the Police Chief would attend the Franklin County Drug Task Force Breakfast. The cost is nothing and President Suddeth asked if any additional Council Members wished to attend. Mayor reviewed that he would be late to the May 8, 2017 meeting and Dawn reminded Council Members that she would not be present as she was attending the PSAB Conference. Jeff Main announced the cancellation of the Streets Meeting, Derek reviewed that HARB would meet on May 2nd at 7 pm, Derek announced the cancellation of the Property Committee Meeting as the Chair has not returned, and Amy Burkot cancelled the Beautification Meeting on May 4, 2017 as she is only working on fundraising. The next Borough Council Meeting is scheduled for May 8, 2017.

MOTION: to enter into executive session at 8:38 pm for personnel matters with no action to be taken after was made by Jeff Main, second by Jonathan Kittredge, all ayes, motion carried.

Regular session resumed at 8:54 pm with no actions from executive session.

MOTION: to adjourn at 8:54 pm was made by Jonathan Kittredge, second by Amy Burkot, all ayes, motion carried.

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

Date approved: _____ Motion: _____ Second: _____