

**Mercersburg Borough Council Meeting  
Borough Hall, Mercersburg, PA  
May 8, 2017  
MINUTES**

**Attending: President Tom Suddeth, Vice-President Jeff Main, Lisa McCoy, Amy Burkot, Jonathan Kittredge, Donald Stoner, Assistant Borough Manager Derek Stoy, and Solicitor Steve Coccoresse Mayor Defibaugh arrived at 7:20**

**Absent: Treasurer Catalin Bonciu and Engineer Lance Kegerreis, Borough manager Dawn Scheller**

**Guests/Press: Rachel Nichols: Mercersburg Journal, Linda Hargrove: Mercersburg Academy, Simon Gemerec: Salzmann Hughes, David Hozwarth: Linden Avenue**

President Suddeth called the meeting to order at 7:00 pm, Vice President Main 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 April 24, 2017 meeting Minutes as presented was made by Jonathan Kittredge, second by Donald Stoner, all ayes, motion carried.**

**MOTION: to accept the Treasurer's Report for the month ending April 30, 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.**

President Suddeth announced that the Mayor was attending the Tuscarora School Board meeting and would be arriving late. The Police Report was reviewed and Solicitor Steve Coccoresse introduced Simon Gemerec to the council. Mr. Coccoresse advised that Simon would be his fill in at meetings if needed in the future. President Suddeth moved on to the Managers report.

Assistant Manager Derek Stoy provided the Managers report for Dawn Scheller as she was attending the PSAB conference in Hershey. She reported that no new interested parties came forward for the vacant committee positions. The Sidewalk Loan Program currently has \$56,704.69 available. She also requested to hire up to 3 Part Time/Temporary/Seasonal Assistant Coordinators to assist with the Summer Playground Program. Also she requested the authorization for council to approve \$1,000 to purchase supplies for the program.

**MOTION: To hire up to 3 Part Time/Temporary/Seasonal Assistant Coordinators at the rate of \$11.00 per hour to assist with daily operations of the Summer Playground Program was made by Jeff Main, second by Jonathan Kittredge, all ayes. Motion carried.**

**MOTION: To authorize \$1,000 for expenses to the Summer Playground Program was made by Jeff Main, second by Donald Stoner. All ayes, motion carried.**

Assistant Manager Stoy continued with Manager Scheller's report. The ACT 537 Planning meeting with all entities involved is scheduled for June 20, 2017 at 6:30. She is currently waiting on Peters and Montgomery Township to confirm their attendance. The auditor has confirmed the 2016 budget year surplus as \$53,975.61. She is requesting that \$30,289.16 of that be used to reimburse the Reserve Account for the Mayo Building Demolition project.

**MOTION: To reimburse the Reserve Account \$30,289.16 from the 2016 budget year surplus with the remaining surplus balance to be discussed by the finance committee at a later date was made by Jonathan Kittredge, second by Donald Stoner. All ayes, motion carried.**

Mrs. Scheller reported that a letter has been sent to the Mercersburg Police Association as it pertained to the Health Insurance RFP as requested. The Trash collection RFP is presented to council members and they are asked to bring any corrections to the next meeting. Lastly, she requested a payroll account transfer to the general fund.

**MOTION: To transfer \$21,000 from the General Fund to the Payroll account was made by Jeff Main, second by Donald Stoner, all ayes. Motion carried.**

President Suddeth moved on to Assistant Manager Derek Stoy's report. Mr. Stoy reported that at this time, there are 3 possible properties that will not comply with the mandated curb and or sidewalk repair or replacement. He noted that letters will be sent to any and all properties in which no contact has been made with the office during the project. He will be meeting with Penn Dot's contractor on May 9 to obtain a timeline on the Main St. paving project. He also stated that the office issued 2 Land Use Permits for the month of April.

President Suddeth moved onto committee reports. HARB was the only committee to meet and had the following. 213 South Main Street submitted an application to hang a sign on an existing bracket located at the front of the building.

**MOTION: To approve COA 2017-05-01 was made by Donald Stoner, second by Jonathan Kittredge, all ayes. Motion carried.**

**MOTION: To go into executive session for personnel matters at 7:16 p.m. was made by Donald Stoner, second by Jonathan Kittredge. All ayes.**

Council returned to regular session at 7:25 p.m. Mayor Roger Defibaugh arrived at 7:20 and President Suddeth asked for his report.

Mayor Defibaugh stated that the agreement between the Police Department and the Tuscarora School District is out of date and he is not getting cooperation with the school district in moving forward with a new agreement. He recommended that police response cease at the school district properties located outside of the borough until an agreement can be made, if desired. Discussion ensued over liability and other concerns.

**MOTION: To end Mercersburg Police Department's first due response to incidents located on any properties owned by the Tuscarora School District in Peters Township unless requested by the Pennsylvania State Police was made by Jon Kittredge, second by Jeff Main, all ayes. Motion carried.**

**MOTION: To have Assistant Borough Manager Derek Stoy, in the absence of Manager Dawn Scheller, email Anne Miller, Business Manager of the Tuscarora School District, alerting the district to the stoppage of Police Coverage in Peters Township was made by Jeff Main, Jon Kittredge, all ayes. Motion carried.**

Mayor Defibaugh continued his report stating that Baltimore County Maryland recently wrote a letter to Chief Zechman stating the Police Department's record keeping and details in a recent case was the best that office had ever seen. Mayor was also upset over recent Facebook posts in reference to the police department and stated that if people had issues with the department that a complaint form was on the borough's website and they can fill it out. He also attended the James Buchanan Award Ceremony and was impressed with the program. He stated Avery Cook of 22 East Seminary Street submitted a letter of interest to him to serve on the HARB committee, although said letter was at his residence.

**MOTION: To approve Avery Cook to HARB pending the receipt of his letter of interest was made by Jonathan Kittredge, second by Amy Burkot, all ayes. Motion carried.**

Mayor Defibaugh asked for another executive session for personnel matters.

**MOTION: To go into Executive Session for Personnel Matters at 7:47 was made by Donald Stoner, second by Jon Kittredge, all ayes. Motion Carried.**

Council returned to regular session at 8:04.

**MOTION: To hire Chris Buterbaugh as a part time police officer pending Personnel Committee approval was made by Donald Stoner, second by Jeff Main. Jon Kittredge abstained, remaining ayes. Motion carried.**

**MOTION: to adjourn at 8:07 pm was made by Jeff Main, second by Donald Stoner, all ayes, motion carried.**

*These meeting minutes have been transcribed and respectfully submitted for approval by Derek Stoy with the use of his meeting notes and audio recording.*

Date approved: \_\_\_\_\_ Motion: \_\_\_\_\_ Second: \_\_\_\_\_