

Mercersburg Borough Council
Borough Hall, Mercersburg, PA
May 13, 2019
MINUTES

Attending: President Donald (Dusty) Stoner Jr., Vice-President Jeff Main, Dr. Michael Pedersen, Paul Sipes, Sean Grove, Amy Burkot, Tom Heefner, Mayor Roger Defibaugh, Borough Manager Derek Stoy, Borough Secretary Stacey Golden and Solicitor Steve Coccoresse

Absent: None

Guests/Press: Raymond Minton, Lisa Minton, Rachel Nichols, Heather Bowders, Jeremy Fletcher, Liz George, Becky Wall, Preston Spahr, Kristen Varner, Joe Burkot, Jen Cramer, Jodi Glenny, Angela Cook

President Donald Stoner Jr. called the meeting to order at 7:00 PM and asked Mayor Roger Defibaugh to lead in the Pledge of Allegiance.

President Stoner opened the floor for public comments and reminded everyone to keep their comments brief due to large attendance. Preston Spahr noted that the Mercersburg Vibrancy Planning group would be speaking at the June council meeting. Several Mercersburg residents expressed concern about the Summer Playground Program, how it has impacted them and their desire to see the program remain in Mercersburg.

MOTION: To approve the April 8, 2019 meeting minutes was made by Jeff Main, second by Tom Heefner. All ayes, motion carried.

MOTION: To approve the Treasurer's Report and Bills Payable for the month ending April 30, 2019 was made by Jeff Main, second by Tom Heefner. All ayes, motion carried.

President Stoner moved into the Mayor's Report. Mayor Roger Defibaugh reported that there were no negative reports from Springfest regarding the police department. Mayor Defibaugh noted that the speeding device has been in use for the past couple of weeks and has been a success. Borough Manager Derek Stoy was asked about insurance coverage for the device, Stoy said he just needed the serial number to have it added. Defibaugh continued in his report saying he received an email from Council President Donald Stoner Jr. about employees parking their personal vehicles in the garage and asked for it to cease. Defibaugh stated that in the 90's personal vehicles were parked in the garage and stated that it was being done for various reasons to include safety. President Stoner commented saying that he sent the email because he didn't want to segregate and allow employees to park in the garage. Inquiries were made to Solicitor Steve Coccoresse and after much discussion council decided to continue to discuss under New Business.

Jeremy Fletcher with CES Engineering, LLC presented a subdivision plan for Kuhn/Hockenberry. The plan shows an exchanging of Parcel A, measuring 0.0137 acres, 595 square feet in exchange for eliminating the right away owned by Mr. Hockenberry through the land of Mr. Kuhn. Council member Amy Burkot said she was concerned that the proper channels were not gone through saying there is to be a 90 day process. Solicitor Steve Coccoresse stated that the 90 day process starts when the plan is submitted.

Council Member Paul Sipes arrived at 7:25 PM.

MOTION: To approve Subdivision Plan 18054.01.02 for the Hockenberry/Kuhn properties was made by Jeff Main, second by Tom Heefner. Donald Stoner Jr, Yay; Jeff Main, Yay; Michael Pedersen, Yay; Sean Grove, Yay; Tom Heefner, Yay; Amy Burkot; Nay; Paul Sipes, Abstained. Motion carried on a five to one vote with one abstaining.

Nothing to report from the Solicitor.

President Stoner Jr. moved into the Borough Manager's Report. Borough Manager Derek Stoy updated the council on the trail bid. One bid was received in the amount of \$162,566. After consulting with Dr. Liz George and talking with the bidder, David H. Martin, a few changes were made concerning the plans as to what was to be provided by donation versus what the contractor provides, resulting in a change order bid of \$141,305. Stoy also noted that the borough will still be providing a donation, however, MACWell will now be purchasing the stone. Stoy said the borough can ask for 50% of the total project cost immediately and then the 40% of the total funds after signed contracts are in hand. The 10% remaining will be held until final inspections. Manager Stoy requested approval from council to open a separate bank account for the Johnston's Run Trail saying it would keep things cleaner.

MOTION: To accept the bid from David H. Martin for the Johnston's Run Trail in the amount of \$162,566 was made by Jeff Main, second by Sean Grove. All ayes, motion carried.

MOTION: To accept the change order to lower the bid to \$141,305 from David H. Martin for the Johnston's Run Trail was made by Jeff Main, second by Tom Heefner. All ayes, motion carried.

MOTION: To approve asking DCNR for 50% of the total project cost for the Johnston's Run Trail project, upon award of the bid, was made by Jeff Main, second by Tom Heefner. All ayes, motion carried.

MOTION: To approve asking DCNR for the additional 40% of the total funds after the materials and construction contracts are secured was made by Jeff Main, second by Tom Heefner. All ayes, motion carried.

MOTION: To create a separate bank account for the Johnston's Run Trail account at Orrstown Bank was made by Jeff Main, second by Tom Heefner. All ayes, motion carried.

MOTION: To give a notice to proceed with construction of the Johnston's Run Trail once the borough manager and solicitor receive, review and approve all additional paperwork including but not limited to bonding and insurance information was made by Tom Heefner, second by Jeff Main. All ayes, motion carried.

Continuing in the Borough Manager's Report, Vice-President Jeff Main asked when the finish date of the trail project would be and if it would be in the contract. Main also inquired about a deadline for the grant. Stoy said the grant is good until the end of the year. Stoy moved along in his report explaining that the Franklin County Tax Assessment office sent a letter requesting an exoneration of taxes due to property being turned over to the borough for roads. The property is in the Findlay Park subdivision. Approving the exoneration would mean the borough agrees to not collect outstanding taxes on the property. Stoy asked council to approve a "Health Insurance Surplus" bank account for surplus funds received for having healthy employees. Stoy sought retroactive approval for repairs made to the Public Works Ford F-350 truck, repairs were needed to pass inspection. A proposal from Baxter Group for asbestos removal in the police department was included in Stoy's report.

MOTION: To approve creating a “Health Insurance Surplus” bank account with the stipulation that it cannot be accessed unless all three entities agree was made by Tom Heefner, second by Jeff Main. All ayes, motion carried.

MOTION: To approve Baxter Group’s Proposal in the amount of \$1747 for asbestos removal was made by Jeff Main, second by Tom Heefner. Donald Stoner Jr., Yay; Jeff Main, Yay; Michael Pedersen, Yay; Paul Sipes, Yay; Sean Grove, Yay; Tom Heefner, Yay, Amy Burkot, Nay. Motion carried on a six to one vote.

MOTION: To increase the spending amount on maintenance for borough vehicles to \$2000 was made by Amy Burkot. Motion failed due to lack of a second motion.

MOTION: To increase the spending amount on maintenance for borough vehicles from \$500 to \$1000, with anything over \$1000 requiring approval from Council President, was made by Amy Burkot, second by Paul Sipes. All ayes, motion carried.

Borough Manager Derek Stoy inquired if the motion was narrowed down to vehicles and or equipment. Vice-President Jeff Main said “Vehicles, if it has tires on it and runs, has a motor and goes in forward and reverse, it is a vehicle.”

President Stoner moved into Committee Reports. Vice-President Main reported on Fire Board saying he would get back to council with some workshop dates.

President Stoner moved into Old Business. Council agreed to continue the Summer Playground Program. Borough Manager Derek Stoy stated that there were funds in the Summer Playground account saying it was “currently shy of \$1300.” Stoy said he hadn’t solicited for donations because of the uncertainty of the direction of the program. Council discussed age requirements for the program. Solicitor Steve Coccorese stated that whether the child was 14 or 4 months, the child was considered a minor as far as the law is concerned.

MOTION: To continue the Summer Playground Program in it’s current form was made by Jeff Main, second by Paul Sipes. All ayes, motion carried.

MOTION: Approving the Borough to cover the cost temporarily, if need be, for the Summer Playground Program with UDAG funds, if donated funds do not come in, with the stipulation of replacing the money back into the UDAG fund when donations come in was made by Paul Sipes, second by Sean Grove. All ayes, motion carried.

MOTION: To hire a Coordinator and two Assistant Coordinators for the Summer Playground Program at the same hourly rate as 2018, \$12 an hour for the Coordinator and \$10 an hour for the Assistant Coordinators, was made by Jeff Main, second by Tom Heefner. Donald Stoner Jr., Yay; Jeff Main, Yay; Michael Pedersen, Yay; Paul Sipes, Yay; Sean Grove, Yay; Tom Heefner, Yay; Amy Burkot, Nay. Motion carried on a six to one vote.

MOTION: To approve the full time police officer job description, pending approval from Chief of Police, was made by Paul Sipes, second by Sean Grove. All ayes, motion carried.

Council President Donald Stoner Jr. moved into New Business.

MOTION: To approve both Fire Police requests from the Greencastle Police Department for the Memorial Day Parade on Monday, May 27, 2019 and for the God Bless America Motorcycle Run on Sunday, June 2, 2019, was made by Jeff Main, second by Michael Pedersen. All ayes, motion carried.

MOTION: To retroactively approve Invoice #4345 from Dale's Tire & Auto Repair in the amount of \$725 for the Ford F-350 Public Works truck was made by Tom Heefner, second by Sean Grove. All ayes, motion carried.

MOTION: To continue the use of the Borough Hall garage by the police officers on duty at the Mayor's approval and if need be require a written log stating who uses it and what it is being used for was made by Sean Grove, second by Tom Heefner. Donald Stoner Jr., Nay; Jeff Main, Nay; Michael Pedersen, Yay; Sean Grove, Yay; Paul Sipes, Yay; Amy Burkot, Yay; Tom Heefner, Yay. Motion carried on a five to two vote.

MOTION: to approve adoption of the Franklin County Tax Exoneration Resolution was made by Paul Sipes, second by Sean Grove. All ayes, motion carried.

Borough Manager Derek Stoy reviewed committee meeting dates.

Mayor Roger Defibaugh inquired about using the Council Chambers for officer testing, Borough Manager Stoy said to just collaborate with the office to make sure it is available.

MOTION: To adjourn at 8:55 PM was made by Jeff Main, second by Sean Grove. All ayes, motion carried.

These meeting minutes were transcribed and respectfully submitted for approval by Stacey M. Golden with the use of her meeting notes and audio recording.

Date approved: _____ Motion by: _____ Second by: _____