

**Mercersburg Borough Council**  
**113 South Main Street**  
**Mercersburg, PA 17236**  
**May 10, 2021**  
**MINUTES**

**Attending Via Zoom:** President Donald (Dusty) Stoner Jr., Vice-President Tom Heefner, Dr. Michael Pedersen, Sean Grove, Paul Sipes, Anthony Frisby, Raymond Minton, Mayor Roger Defibaugh, Borough Manager Derek Stoy, Borough Secretary Stacey Golden and Solicitor Steve Coccorese

**Absent:** None

**Guests/Press:** Andy Abel-Mercersburg Journal, Tim Stanton, Joseph & Amy Burkot, Lena Eckstine and unidentified others.

President Donald Stoner called the meeting to order at 7:00 PM and did roll call. Borough Manager Derek Stoy read a letter from Tim Stanton who expressed concern about the time frame of agenda postings on the website.

**MOTION: To approve the April 12, 2021 minutes was made by Michael Pedersen, second by Anthony Frisby. All ayes, motion carried.**

**MOTION: To approve the Bills Payable and Treasurer's Report A & B for month ending April 30, 2021 was made by Anthony Frisby, second by Michael Pedersen. All ayes, motion carried. Voting member Sean Grove absent during voting.**

Council moved onto the Mayor's Report.

Mayor Defibaugh reported that he and Chief Zechman collected \$429 from parking meters at the square. Defibaugh also said that the police officers are offering "vacant house checks" if you let them know or by contacting on the non-emergency number at 717-328-0150.

Council moved onto the Solicitor's Report.

Solicitor Steve Coccorese spoke on litigation regarding COVID-19 and public meetings. Coccorese said by the end of May restrictions on gatherings will be lifted, masks will still be required to be worn until 70% of all Pennsylvania adults are vaccinated.

Council moved onto the Borough Manager's Report

Borough Manager Derek Stoy reported on the Summer Playground Program saying that advertisement has been made on the website and newspaper. Stoy asked council which direction they wanted to go because he reached out to the previous coordinator but there was no interest and no applications have been received so far. Council Member Anthony Frisby said he would volunteer to do the program since there were no applications. Manager Stoy shared that Mr. Rotz, a neighbor south of the public works garage, expressed interest in upgrading the borough garage windows. Mr. Rotz has proposed to remove the existing windows and have new windows built with iron framing as the old ones have. The new size would be approximately 3.5" wide and 7' tall. Mr. Rotz is also proposing wood panels with LED lighting on them and to brick the area around the windows to match his. Manager Stoy said Mr. Rotz and his contractors have not submitted a proposal yet and does not know the exact amount Mr. Rotz will be paying but will know for the June HARB meeting. Stoy noted that Mr. Rotz "takes pride in his yard and wants everything to look uniform" and asked council to allow the administration to send an application to HARB for the June meeting. Manager Stoy continued in his report to ask council's approval for an age increase benefit for the life insurance policy offered free to employees, the policy currently offers reduced benefits for employees and no benefits to their spouses once the age of 70 is reached, the company has offered to extend the age to 75 for no additional cost. Stoy reported that the first health insurance surplus check has been received and thanked employees for staying healthy, the second payment will be received later this year. Bulky Item Day will be held for borough residents June 4<sup>th</sup> and June 5<sup>th</sup> in Leidy's Woodworking parking lot, Stoy remarked that Dave Leidy was "gracious enough to let us use his parking lot". The Borough office will be closed Friday, June 4<sup>th</sup> from 8-1 PM to assist with the event. The hours will be Friday, June 4<sup>th</sup> from 8-1 PM and Saturday June 5<sup>th</sup> from 8-12 PM. Advertising will be paid from the recycling funds, and money made from scrap metal will go back into that fund. Stoy thanked Park's Garbage for "really helping us out" and said there will be something posted to the website regarding what items will and won't be accepted. Stoy concluded his report by saying that he will be on the radio show WRGG 93.7 with Chris Ardinger from the Chamber of Commerce to discuss Mercersburg and the surrounding area and various topics.

Council moved into the Committee Reports.

Michael Pedersen stated that there was no Fire Board meeting to report on.

Tom Heefner reported on the HARB Committee meeting. Heefner went over application COA 2021-05-01 to replace siding.

**MOTION: To approve HARB application COA 2021-05-01 subject to the following conditions; To use T1-11 siding only because of limited visibility from alley and proposed dark stain. A board & batten appearance will be required on the gable elevation with the most visibility to the district was made by Sean Grove, second by Paul Sipes. All ayes, motion carried.**

Paul Sipes reported on the Streets Committee meeting.

**MOTION: To approve the handicap parking spot application at 34 North Park Ave. was made by Tom Heefner, second by Paul Sipes. All ayes, motion carried.**

**MOTION: To approve the handicap parking spot application for 30 East Seminary St. was made by Tom Heefner, second by Michael Pedersen. All ayes, motion carried.**

Council discussed weight limits on West Seminary St. according to Ordinance 1-37. Solicitor Steve Coccorese stated that in order for the ordinance to be enforced that a traffic engineering study needed to be performed. Gannett Fleming was the engineer before Dennis E. Black. Gannett Fleming gave files to Dennis E. Black but they cannot find anything on a traffic study. Borough Manager Derek Stoy said he would reach out to Gannett Fleming. Discussion was made about the possibility of reprogramming the parking meters to allow for a change in parking prices, every meter would have to be physically pulled to be reprogrammed but they would not require recalibration. It was noted that if the fines do increase from \$5.00 to \$10.00 it would require new envelopes to be printed, a schedule of fees change with a resolution. Councilman Michael Pedersen said it has been \$.25 for a long time and he hears "it's only \$5" for a parking fine from residents. Pedersen commented that with the increase in fines that it could potentially make more parking availability for people to park for businesses. President Donald Stoner said he would like to see what other municipalities are charging and how much money is generated from parking tickets. Solicitor Steve Coccorese interjected that the parking fines can't be set as a source of revenue. Mayor Defibaugh said he would never tell officers to do this as a source of revenue. Borough Manager Derek Stoy recommended the police to reach out to other departments. Tom Heefner stated that in the 90's meters protected parking spots to keep people from parking 24/7.

**MOTION: To allow the Borough Manager to draw up a resolution to adjust the Schedule of Fees to increase the parking meter fine from \$5.00 to \$10.00 was made by Michael Pedersen, second by Tom Heefner. Motion carried on a 6 to 1 vote. Donald Stoner- Yay; Tom Heefner- Yay; Michael Pedersen- Yay; Sean Grove- Yay; Paul Sipes- Yay; Raymond Minton- Yay; Anthony Frisby- Nay.**

Council continued on to discuss changes to the parking meters.

**MOTION: To table having the Borough Manager research the possibility of the existing parking meters being reprogrammed to allow for a change in parking charges was made by Michael Pedersen, second by Sean Grove. Motion carried on a 6 to 1 vote. Donald Stoner- Yay; Tom Heefner- Yay; Michael Pedersen- Yay; Sean Grove- Yay; Paul Sipes- Yay; Raymond Minton- Yay; Anthony Frisby- Nay.**

Discussion was made about Ordinance 10-10, the skateboarding ordinance.

**MOTION: To allow Chairman Paul Sipes and Councilman Sean Grove to have a discussion with the Borough Solicitor for a possible amendment to Ordinance 10-10 was made by Paul Sipes, second by Sean Grove. All ayes, motion carried.**

Council moved onto Old Business.

Michael Pedersen talked to council about the landscaping proposal from Snavely's when the work in front of Borough Hall gets done. Pedersen made a recommendation to make a motion to approve the proposal.

**MOTION: To approve Snavely's proposal for landscaping in front of Borough Hall in the amount of \$1665 was made by Sean Grove, second by Tom Heefner. All ayes, motion carried.**

**MOTION: To fund the Snavely's proposal for landscaping in front of Borough Hall from the Capital Improvements Fund was made by Tom Heefner, second by Michael Pedersen. All ayes, motion carried.**

Council moved onto New Business.

Borough Manager Derek Stoy explained that many years ago several benches were made for the square and were offered at a purchase price of \$750. Part of the funding was to be used to purchase dedication plates to be placed on the benches. Pat Friese has submitted a letter asking to purchase a bench at \$500 in memory of Maryann Stoner Riley. Councilman Paul Sipes offered to pay the offset amount.

**MOTION: To accept \$500 from Pat Friese for a bench on the square in memory of Maryann Stoner Riley and the dedication plate be taken care of by Ms. Friese was made by Michael Pedersen, second by Anthony Frisby. All ayes, motion carried.**

Michael Pedersen said he would pay for the 4th bench and take care of the dedication plate. Pedersen asked Borough Manager Stoy to find out how much he would owe.

**MOTION: To accept a life insurance policy change from American United Life Insurance/One America for employees to increase the age limit from 70 to 75 for benefits at no additional increase in cost was made by Tom Heefner, second by Raymond Minton. All ayes, motion carried.**

**MOTION: To approve using recycling funds for advertisement for bulky item days at Leidy's Woodworking was made by Tom Heefner, second by Raymond Minton. All ayes, motion carried.**

Councilman Paul Sipes thanked Borough Manager Derek Stoy for taking care of bulky item days.

**MOTION: To move funds that are generated from scrap metal returned back to the recycling fund from the bulky item days was made by Tom Heefner, second by Raymond Minton. All ayes, motion carried.**

**MOTION: To approve allowing borough administration to submit a HARB application for window remodeling at the Borough Garage, 118 South Main Street, was made by Tom Heefner, second by Raymond Minton. All ayes, motion carried.**

Borough Manager Derek Stoy made note that this did not commit anything but just allowed the application to be reviewed by HARB and then taken to the Property Committee to discuss cost.

Council reviewed committee meeting dates. There will be a Finance Committee meeting in July to start working on the budget for 2022.

**MOTION: To adjourn at 8:33PM was made by Tom Heefner, second by Paul Sipes. All ayes, motion carried.**

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

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