

Mercersburg Borough Council
113 South Main Street
Mercersburg, PA 17236
December 13, 2021
MINUTES

Attending: Donald Stoner Jr., Tom Heefner, Paul Sipes, Raymond Minton, Michael Pedersen, Borough Manager Derek Stoy, Borough Secretary Stacey Golden and Solicitor Steve Coccorese

Absent: Mayor Roger Defibaugh, Anthony Frisby, Sean Grove

Guests/Press: Lisa Minton, Andy Abel, Joe Burkot, Tim Stanton, Preston Spahr

Donald Stoner called the meeting to order at 7:00 PM. Mayor Elect Michael Pedersen lead in the Pledge of Allegiance.

Preston Spahr gave an update on the Mercersburg Vibrancy Steering Committee. Spahr spoke to council about the Johnny Mercer Music Festival that coincides with Town Fest saying this was an alternative way to make money. Spahr said he had a video to disperse to the council members about the festival. There is a tentative date for the festival but nothing has been released yet.

Craig Murray, a unit owner with Whitetail Report, spoke to council about contracting the police department for services. Murray said the HOA Board has approved a trial of provided police services of three hours a week. Murray said there is a growth in population during snow season at Whitetail and would like approval since liquor has been approved.

MOTION: To approve the November 8, 2021 meeting minutes as written was made by Tom Heefner, second by Paul Sipes. All ayes, motion carried.

MOTION: To approve the Bills Payable and Treasurer's Report A & B for month ending November 30, 2021 was made by Tom Heefner, second by Michael Pedersen. All ayes, motion carried.

No Mayor's Report.

Vice-President Tom Heefner asked about the investigation the police department was having and if there were any results. Borough Manager Derek Stoy said there was no discussion at last month's meeting.

Council moved into the Solicitor's Report. Solicitor Steve Coccorese thanked everyone for another year and wished everyone a Merry Christmas.

Police report in packet.

Council moved into the Borough Manager's Report.

Borough Manager Derek Stoy reported that the 2022 budget has been advertised without any comments and therefore would need to be approved under old business. The Tax Levy Ordinance will also need approved if the budget is approved. There will be a vacancy on council since Mr. Tim Stanton won both the 2 and 4 year term, Mr. Stanton chose to accept the 4 year term leaving the 2 year term vacant. Manager Stoy said after confirming with the solicitor, council could advertise the vacancy in December's meeting and name a person to fill the seat at the January 3, 2022 reorganizational meeting. Vice-President Tom Heefner asked about the vacant seat asking if council could appoint someone if needed, Solicitor Steve Coccoresse said technically the vacancy won't take place until January when the new council is seated. There is no requirement to advertise to seek letters of interest and no specific process that has to be legally followed. The 2022 meeting calendar will need approved, Stoy reminded council of the January 3rd reorganizational meeting and said "otherwise, the council meeting dates are the same as in years past, keeping with the second and fourth Monday of the month unless a holiday interferes". Manager Stoy reported that Water Authority member Larry Nair has resigned and asked council to officially accept his resignation. Stoy stated that there would be two vacant seats on the water authority and one vacant seat on the Sewer Authority. Stoy provided council with a quote from Henry's floor covering for the administrative offices. Moving on in his report, Manager Stoy explained the wage increases in the 2022 budget listing a 1.5% increase built into the budget for two public work employees and a 3% wage increase for the three administrative employees and finally a 3% wage increase for the uniformed employees per their collective bargaining agreement. Stoy asked for a motion to approve the increases even though they are already in the budget. A transfer of \$1,000 from the UDAG account to the Christmas/Beautification account was requested to cover the monthly electric bill for Christmas lights along the streets. Stoy said after the holiday season the bill will drop to around \$8 a month, the transfer will cover 5 years. The Green Light Go Grant application is "moving along" according to Stoy's report, PennDOT has approved the scoping form with some suggestions and Stoy said he is waiting on pricing for those suggestions and then will apply for the grant. The deadline for the grant is January 14th. An official approval from the Franklin County Conservation District for repaving Meyers Alley has been received. Manager Stoy said the borough residents will now have two alleys paved next year with this grant program. Stoy concluded his report with wishing everyone a Merry Christmas and listed the dates the borough office would be closed, Friday, December 24th, Monday December 27th, and Friday, December 30th.

Council moved into the Committee Reports.

Dr. Michael Pedersen reported on Fire Board and stated that there was some talk of a new tanker and a need for another ambulance as soon as possible. Pedersen said they are currently borrowing one from Marion. \$37,000 was made on the fund drive.

Council moved into Old Business.

MOTION: To adopt the 2022 budget as advertised was made by Tom Heefner, second by Michael Pedersen. All ayes, motion carried.

Council moved into New Business.

MOTION: To accept Larry Nair's resignation from the Water Authority with regret was made by Paul Sipes, second by Tom Heefner. All ayes, motion carried.

MOTION: To appoint someone to fill the two year council vacancy on January 3, 2022 was made by Tom Heefner, second by Michael Pedersen. All ayes, motion carried.

MOTION: To accept the wage increases as outlined in the Borough Manager's Report (1.5% for two public works employees, 3% for three administrative employees and 3% for the uniformed employees) was made by Paul Sipes, second by Tom Heefner. All ayes, motion carried.

MOTION: To approve the 2022 meeting calendar schedule, keeping the meeting dates the same as the prior year, was made by Michael Pedersen, second by Tom Heefner. All ayes, motion carried.

MOTION: To accept the Henry's Floor Covering Quote, Opt. #2, to install carpet in the administrative offices of Borough Hall to be paid for out of the Capital Improvement Fund was made by Tom Heefner, second by Raymond Minton. All ayes, motion carried.

MOTION: To approve Tax Levy Ordinance 2-32 was made by Paul Sipes, second by Tom Heefner. All ayes, motion carried.

MOTION: To accept the current Representative and Alternate, Borough Manager Derek Stoy and Secretary Stacey Golden respectively for the Franklin County Area Tax Board was made by Michael Pedersen, second by Tom Heefner. All ayes, motion carried.

MOTION: To approve a transfer of \$1,000 from the UDAG account to the Christmas Fund Account was made by Tom Heefner, second by Raymond Minton. All ayes, motion carried.

Council discussed in further detail with the unit owner from Whitetail Ski Resort about their request for police services. President Donald Stoner explained that the Mercersburg Police Department does not currently have enough time to provide coverage for the borough and expressed his concern about them being utilized elsewhere. Vice-President Tom Heefner stated that the department has said they expressed that they do not have enough time to empty parking meters and he doesn't think they are in a position to be contracted out. Paul Sipes stated he wished they could provide services but also agreed with Tom Heefner. Michael Pedersen and Raymond Minton also made statements supporting Stoner and Heefner's

concerns. The Whitetail unit owner stated that the Mercersburg Police Department has “arresting rights” unlike a security company. Council stated that the police department did not consult with them first and felt that was unprofessional and disrespectful, the Whitetail unit owner disagreed saying he was advised what steps to take from the department. Solicitor Steve Coccorese added some advice to council saying he was not asked specifically to research this proposal but said he could tell council they would need an intermunicipal agreement with the township giving the borough police jurisdiction to go into the township to carry out their law enforcement duties stating currently without that agreement services would be limited. Coccorese said if that agreement were in place that would cover the entire township and not just specific entity within. Coccorese said as far as the cost, the only people who pay for the borough’s police force are the borough residents unless there is that sort of agreement in place whereby the township would provide the borough with some sort of compensation for the police services. Coccorese stated “short of a complete regional police department, the borough could effectively sell police services to the neighboring municipalities on a contractual basis, not specific to one HOA or one entity but rather an agreement between the borough and the township board supervisors as far as what that compensation looks like. Coccorese added It wouldn’t necessarily cost the borough more money to provide police coverage outside the borough boundaries but would be taking the borough resident funded limited resource and spreading that to other municipalities who are not funding that borough police department.

MOTION: To require the Mercersburg Police Department to seize all discussions with Whitetail Ski Resort HOA and any outside organizations, not approved by council, but that council remains open to discussion by boards of supervisors from surrounding townships who wish to contract services that may be provided by the Borough of Mercersburg was made by Paul Sipes, second by Raymond Minton. All ayes, motion carried.

President Donald Stoner asked Solicitor Steve Coccorese to draft a letter to the Mercersburg Police Department.

Council reviewed committee meeting dates.

MOTION: To adjourn the regular session meeting at 8:00 PM and go into Executive Session for personnel matters not to reconvene was made by Paul Sipes, second by Tom Heefner. 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: _____