

Mercersburg Borough Council Meeting
Borough Hall, Mercersburg, PA, 17236
October 19, 2015
MINUTES

Attending: President Tom Suddeth, Mayor Jim Zeger, Treasurer Catalin Bonciu, Lisa McCoy, Donald (Dusty) Stoner, Jonathan (Jon) Kittredge, Assistant Borough Manager Derek Stoy

Absent: Vice-President Jeff Main, Amy Burkot, Borough Manager Dawn Scheller

Press: Rachel Nichols, Mercersburg Journal

Guests: See sign-in sheet

President Tom Suddeth called the meeting to order at 7:00 pm with Mayor Zeger leading the Pledge of Allegiance. Tom Suddeth opened the floor for Public Comment.

Misty Patrick was checking the status of the parking permit issue. Jon Kittredge advised her that he has brought this issue up 3 times to the Streets Committee and he would not bring it forward again. President Suddeth advised her that they are still working on the issue and hopefully the Streets Committee can come up with a plan. Tim Rockwell asked if the council had spoken with other municipalities to see what they do. President Suddeth responded that they have in the past. The discussion quickly turned to parking meters and the need for repairs. Assistant Manager Derek Stoy stated that if the council so desires to agree to free parking from Thanksgiving to the New Year's Day holiday, the Public Works Department would remove every meter in town. During that time period the meters would be repaired and calibrated.

Daria Royer took the floor next and spoke about parking permits as well. She wants the council to "start somewhere" with the permits and give it a shot. She stated the council can always tweak the permits as they see fit. She then went on to express concern on decreasing the Police Department Budget in the proposed 2016 budget. She doesn't understand why the council would want to put its residents in jeopardy by reducing the coverage of the police department. She has severe concerns with waiting on Pennsylvania State Police when the local police department is not on duty. She stated that overnight the State police might only have 4 vehicles covering the entire county and one of them is designated to Interstate 81. The response time to Mercersburg would be too great if something serious is happening. She said the average response time would be 30 minutes and that isn't acceptable when there is a serious incident. She stated the State Police doesn't know the area and the people. When they drive through town they don't know that "that person doesn't belong there." Danielle Hartz stated that the Police Department is 40% of the budget and Mrs. Royer replied, "The percentages don't matter, I understand you're trying to balance the budget but you are decreasing the protection of your residents." Jon Kittredge stated "the \$22,000 was supposed to be cut from the chief of police position which is an administrative position not from any patrol hours." He wants the money cut from his position and not the patrol hours, therefore not decreasing patrol hours. And he stated he will argue that fact later in the meeting. Catalin Bonciu stated if a criminal wants to kill us they will do it no matter what. He also went on to say it would take a 15 to 20 mill tax increase to have 7/24 police coverage. Daria Royer also brought up the fact that benches would be a great fit at the square. Public comment ended at 7:20 p.m.

MOTION: To approve revised minutes from September 21, 2015 and October 5, 2015 with minor changes was made by Jon Kittredge, second by Donald Stoner, all ayes, motion carried.

Mayor Zeger presented his report. He stated he recently attended the PSAB conference and enjoyed the keynote speaker Col. Mark Tillman who piloted Air Force One. Mayor Zeger thanked the council for allowing him to attend.

Mayor Zeger reminded everyone of the parade on November 2 at 7:00 p.m. Mayor also expressed his sympathy for Borough Manager Dawn Scheller's grandmothers passing.

There was no Engineer, Solicitor and Borough Manager's report.

Assistant Borough Manager Derek Stoy noted that the final paving was complete on Linden Avenue with the remaining streets to be done by Wednesday evening. He went on to state that Leaf pick up will be on October 29 and 30 along with November 12 and 13.

President Suddeth went on to committee reports.

HARB committee report was presented by Derek Stoy.

MOTION: To approve COA 15-10-01 was made by Jon Kittredge second by Catalin Bonciu, all ayes, motion carried.

Personnel committee report was presented by Donald Stoner.

The committee recommended the authorization of the Mercersburg Police Department to conduct a thorough background check and upon receiving a clean back ground check outcome, to hire Mr. Culbertson as a part time police officer.

Jon Kittredge asked that if 3 council members were present at the personnel committee meeting, why they would recommend hiring a part time police officer with the proposed budget. Donald Stoner explained that this is not increasing the wage line item in the budget and Mayor Zeger stated it was simply creating a larger pool of officers to choose from when scheduling. Lisa McCoy asked the council, why if the police budget is so large, do they not want to have enough police coverage within that budget. She agreed that the pool needed to be larger from a part time scheduling viewpoint. President Suddeth wanted to wait until January 1 to see where the \$22,000 would be pulled out of the Police Department's budget. Mayor Zeger expressed concern with where the conversation was leading in not hiring another part time officer.

MOTION: To NOT hire a part time police officer was made by Catalin Bonciu, second by Jon Kittredge. Tom Suddeth, Catalin Bonciu and Jon Kittredge aye, Donald Stoner and Liza McCoy no. On a 3-2 vote, motion carried.

MOTION: to approve the recommended language prepared by the solicitor in Resolution 22-15 amending the Personnel Manual to delete Article X, "Overtime Compensation," Section A-Salaried Employees (Exempt)" in its entirety and replace it with the following paragraph:

OVERTIME COMPENSATION

A. Salaried Employees (Exempt)

Salaried employees who are exempt from the FLSA's overtime requirements shall not receive any overtime pay compensation. Salaried (Exempt) employees who are not eligible for overtime shall include the Chief of Police, Borough Manager, and the Assistant Borough Manager. Salaried (Exempt) Employees shall also not be eligible for accrual of compensatory time in lieu of overtime. Was made by Jon Kittredge, second Donald Stoner. All ayes, motion carried.

MOTION: to allow Chief of Police Zechman to use his previously accrued Flex Time as he sees fit, not to force the use of the time, and authorize a maximum of 120 hours of flex time may be carried over from one calendar year to the next. A determination of excess flex time will be made at of the end of the first pay period, which extends into the next calendar year. The employee must take off all excess flex time during the first 90 days of the next calendar year or forfeit the excess hours was made and unanimously approved. Was made by Catalin Bonciu, second by Jon Kittredge, all ayes, motion carried.

MOTION: To approve Jack Martin as Fire Police for M.M.P.& W. was made by Donald Stoner second by Catalin Bonciu, all ayes, motion carried.

The streets committee report was presented by Jon Kittredge.

The timing loops at the traffic light on both Fry St. and Johnstons Lane are in need of repair. PERCS presented a price to repair.

MOTION: To approve the estimate of \$3,967.16 presented by PERCS for loop repairs at the intersection of Loudon Rd., Fry St., North Main St. and Johnstons Lane was made by Catalin Bonciu, second by Jon Kittredge, all ayes, motion carried.

Discussion went to the storm water pipe replacement on Rutledge Road in the area of Hydra-Pneu. Assistant Borough Manager Derek Stoy explained that a pipe needed to be replaced due to the pipe being filled with dirt and tree roots. The existing pipe was completely covered at the outlet end on the Hydra-Pneu property by approximately 16" of dirt. The existing pipe would not drain any water off the road. A new one had to be installed with a swale being placed on the Hydra-Pneu property to allow proper drainage. Mr. Stoy advised Hydra-Pneu personnel of the situation and they advised they would contract Robert McCulloh to do the work. After the work was complete Hydra-Pneu requested that the borough pay half of Mr. McCulloh's bill. Jon Kittredge advised council that even though he voted for it at the street committee, he would vote against it here due to not wanting to pay for work on other people's property.

MOTION: To pay half of the \$932.25 bill IF Hydra-Pneu agrees to remove both trees at the end of the pipe along with stabilizing the area of the pipe with additional rip rap was made by Donald Stoner, second by Lisa McCoy. Donald Stoner, Tom Suddeth, Catalin Boniu, Lisa McCoy aye, Jon Kittredge, no. Motion carried on a 4-1 vote.

MOTION: To approve Wormer's Spray Repair to repair the sprayer at a cost of \$763.10 with a possible additional \$150.00 to replace the primer if needed was made by Catalin Bonciu, second by Jon Kittredge. All ayes, motion carried.

Assistant Borough Manager Derek Stoy advised council that the Mercersburg Academy is placing a new water line on Rutledge and McFarland Rd. The Academy is inquiring if the borough would want to go together and pave the both streets where the water line is installed. The Academy advised that they should have a 4' wide trench cut for installation of the water line and felt that now would be a good time to pave the roads completely. Donald Stoner suggested tabling the discussion until after the Borough met with Mercersburg Academy representatives.

President Suddeth ask if there was any old business to bring before the council.

Jon Kittredge inquired about the millage change as it pertained to the Library. He wanted the increased funds to the library to be paid out of the general fund instead of increasing the millage to the library.

MOTION: To pay the increased funds to the library from the general fund instead of increasing the library millage was made by Jon Kittredge. No second. Motion failed.

Mr. Kittredge then stated, "You realized you just raised taxes?" Assistant Manager Derek Stoy replied that the total millage did not increase, the total millage in the approved budget for advertisement still remained at 24.96 just as it was the previous year's budget.

Mr. Kittredge then stated the \$3,000 he wanted taken out of the Future Building Plan Line Item of the proposed budget was put back into the Police Wage line item. He did not want that \$3,000 to be put there.

Mr. Kittredge then stated that the \$25,000 taken out of the Police Department's budget for wages was supposed to be taken out of the Police Chief's wage line item for the proposed 2016 budget. He did not agree with the placement of this deduction and felt it should be taken out of the Chief's wages and not the entire department's wages.

President Suddeth recognized Tim Rockwell as he asked if work sessions were done with the proposed budget. Several members advised Mr. Rockwell that the finance committee met on several occasions and the council had a chance to review the budget several times before voting to advertise the proposed budget as presented. Mr. Rockwell stated that there seemed to be confusion as to the budget and where the priorities were among council members. Mr. Rockwell stated that this is an embarrassment in this town as he left the meeting.

President Suddeth went on to new business.

MOTION: To give approval to the MACWELL group to trim the trail area pending a waiver agreement being created by the solicitor is signed was made by Catalin Bonciu. Mr. Bonciu rescinded his motion.

MOTION: To ask MACWELL to prepare a waiver for access to the property and allow trimming to be done. This waiver is to be reviewed by the Borough Solicitor prior to signing, was made by Catalin Bonciu, second by Jon Kittredge. All ayes, motion carried.

MOTION: To adjourn at 8:39 p.m. was made by Jon Kittredge, second by Donald Stoner, all ayes, motion carried.

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

Date Approved: _____ Motion Made By: _____ Second By: _____