

Mercersburg Borough Council
Borough Hall, Mercersburg, PA
March 12, 2018
MINUTES

Attending: Donald (Dusty) Stoner Jr., Jeff Main, Sean Grove, Amy Burkot, Dr. Michael Pedersen, Mayor Roger Defibaugh, Acting Borough Manager Derek Stoy, and Solicitor Steve Coccorese

Absent: Paul Sipes, Engineer Lance Kegerreis

Guests/Press: Tom Suddeth 22 North Main St., Rachel Nichols, Mercersburg Journal, Liz George MACWELL, Joe Burkot, 41 Linden Ave.

President Stoner called the meeting to order at 7:00 p.m. and asked Mayor Defibaugh to lead in the Pledge of Allegiance.

President Stoner asked for any public comment. Joe Burkot asked who trimmed the trees in front of his residence at 41 Linden Ave. Acting Borough Manager Derek Stoy stated that the Borough Public Works was told that in the cold weather, to trim trees. Mr. Burkot called the trimming a “hack job” and Councilwoman Amy Burkot said the trees would die due to the trimming. President Stoner stated if the trees die in the future due to the trimming, the council would be responsible for replacements. Dr. Liz George provided a brief summary of previous water test results on Johnston’s Run and explained that new testing would be done in the very near future. She also requested that borough council approve a motion that stated the bid documents be sent to DCNR review as soon as they are approved. Hearing no other public comment, President Stoner went on to the remainder of the agenda.

MOTION: To approve February 12 2018 minutes was made by Jeff Main, second by Michael Pedersen. All ayes, motion carried.

MOTION: To approve the treasurer’s report ending February 28, 2018 and bills payable list ending the same date was made by Jeff Main, second by Sean Grove. All ayes, motion carried.

President Stoner moved to the Mayor’s report.

Mayor Defibaugh reported that he attended the Cumberland/Franklin borough meeting and took some good things from it. He also visited Bill Bassin on Oregon Street and Mr. Bassin was very happy with the police presence.

The police report was reviewed and Michael Pedersen asked a general question as it pertained to warnings versus citations. Mayor Defibaugh said officer’s discretion is used in most cases.

The solicitor explained that he would have things for an executive session later in the meeting.

President Stoner moved on to the borough manager’s report. Acting borough manager Derek Stoy stated that an audit was completed of the Liquid Fuel Funds. The audit stated that in 2015 expenses which are eligible for liquid fuels reimbursement were incurred by the general fund however the liquid fuels fund did not have the funds to reimburse the general fund. In the spring of 2016, when the borough received its liquid fuels money from the state, the borough directed the accounting firm to

reimburse the general fund for those expenses. The state is now directing, with citations, that the borough cannot reimburse the general fund for any expenses which would ordinarily be allowable but occurred in a prior year. So the council needs to write a check from the general fund to the liquid fuels fund to satisfy the over payment of \$10,853.

MOTION: To transfer \$10,853 from the general fund to the Liquid Fuels account was made by Jeff Main, second by Michael Pedersen. All ayes, motion carried.

MOTION: To approve an ad placement in the Mercersburg Journal for 2 summer playground coordinators with the acting borough manager to interview and hire the applicants was made by Jeff Main, second by Sean Grove. All ayes, motion carried.

Mr. Stoy went on to discuss the sewer authority appointment along with the HARB and vacancy board appointment. He also stated that he had 2 applicants for the vacant council seat. All these vacancies will be discussed under new business. The solicitor told Mr. Stoy that the borough treasurer can't be a council person and the resolution approved last month would need to be rescinded.

MOTION: To rescind resolution 10-18 naming Paul Sipes as Borough Treasurer was made by Jeff Main, second by Amy Burkot. All ayes, motion carried.

MOTION: To have credit cards for the borough in the name of Donald Stoner Jr and Derek Stoy removing Dawn Scheller and Catalin Bonciu from previous ones was made by Jeff Main, second by Michael Pedersen. All ayes, motion carried.

Mr. Stoy stated that he has been working on suggestions for replacing the window air conditioning units located in the borough office and the police department. He also stated that units will need to be installed upstairs in the former judge's office to cool that area as well. He contacted 3 firms to provide suggestions and pricing. The third firm provided their price the Thursday after the scheduled property meeting. Mr. Stoy presented all 3 suggestions and asked if council wanted to review them. All three firms would be able to install the new units in June if approved. Council members discussed the issue and made the following motion.

MOTION: To send the HVAC proposals to the Property Committee for review was made by Jeff Main, second by Sean Grove. All ayes, motion carried.

Amy Burkot stated she was upset that the last property committee meeting was canceled. President Stoner advised her that he canceled the meeting due to only having one member of the committee available for a meeting. He felt that with only one person in attendance, it wouldn't reflect a committee recommendation but only a recommendation of one person. Ms. Burkot disagreed with this statement. Jeff Main asked the size of the various committees. Mr. Stoy stated that the property, beautification and finance committees contained 3 members, streets 5 members, personnel and HARB contained 7 members.

MOTION: Any committee meetings moving forward are required to have 3 members in attendance or the meeting is to be canceled was made by Jeff Main, second by Sean Grove. Dusty Stoner, Jeff Main, Michael Pedersen, Sean Grove all Aye, Amy Burkot no. Motion carried 4-1.

President Stoner went on to committee reports.

Michael Pedersen and Amy Burkot presented the Beautification committee report stating that there has been ongoing fundraising to obtain funds to place hanging baskets on the light poles at center square. Mr. Pedersen explained that these baskets and the flowers were to be paid for out of these funds and not from the borough budget. He also stated he would take care of watering the flowers throughout the year.

MOTION: To approve the baskets to be placed at center square on the existing light poles along with no borough funds to be used to finance the project was made by Jeff Main, second by Amy Burkot. All ayes, motion carried.

MOTION: To send letters to 4 property owners who are interested in planting trees in existing tree wells as well as advertising those addresses per the Shade Tree Ordinance was made by Jeff Main, second by Amy Burkot. All ayes, motion carried.

Amy Burkot stated that the spring cleanup day will be May 5th.

Jeff Main discussed the personnel committee next.

MOTION: To approve the Anti-Discrimination Policy as written was made by Amy Burkot, second by Sean Grove. All ayes, motion carried.

MOTION: To have the solicitor review the current borough manager's ordinance along with the final draft of the updated borough manager's job description was made by Jeff Main, second by Amy Burkot. All ayes, motion carried.

MOTION: To approve advertisement of the Borough Managers Ordinance in the form as approved by the borough solicitor was made by Jeff Main, second by Amy Burkot. All ayes, motion carried.

Jeff Main moved onto the HARB committee report.

MOTION: To approve COA-2018-03-01 was made by Amy Burkot, second by Sean Grove. All ayes, motion carried.

MOTION: To approve COA 2018-04-01 was made by Jeff Main, second by Amy Burkot. All ayes, motion carried.

President Stoner moved onto new business.

MOTION: To approve Gene Headley to the Sewer Authority Board was made by Jeff Main, second by Sean Grove. All ayes, motion carried.

MOTION: To approve Melissa Stuff to the HARB committee was made by Jeff Main, second by Michael Pedersen. Dusty Stoner, Jeff Main, Michael Pedersen, Sean Grove all ayes. Amy Burkot no. Motion carries 4-1.

MOTION: To appoint Tom Heefner to fill the borough council vacancy created by Lisa McCoy was made by Michael Pedersen, second by Jeff Main. All ayes, motion carried.

MOTION: To appoint Tom Suddeth to the Vacancy Board was made by Jeff Main, second by Michael Pedersen. All ayes, motion carried.

MOTION: To award James Zeger the James Buchanan Award was made by Jeff Main, second by Amy Burkot. All ayes, motion carried.

MOTION: To approve Resolution 12-18 Schedule of Fees, was made by Amy Burkot, second by Sean Grove. All ayes, motion carried.

Mayor Defibaugh requested a Finance committee meeting. Mr. Stoy stated he would send an email to all the committee members and gather dates as the meeting would need to be advertised.

MOTION: To go into executive session for personnel matters at 8:40 was made by Jeff Main, second by Sean Grove. All ayes, motion carried.

Regular session resumed at 8:56.

MOTION: To allow Acting Borough Manager Derek Stoy to reach out to other solicitors for possibly appointing a conflict council was made by Jeff Main, second by Michael Pedersen. All ayes, motion carried.

MOTION: To allow the solicitor to review the new borough secretary job description and once he approves, then allow acting Borough Manager Derek Stoy to advertise for the position was made by Jeff Main, Michael Pedersen second. All ayes, motion carried.

MOTION: To adjourn was made by Jeff Main, second by Sean grove. All ayes, meeting adjourned at 8:58 pm.

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

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