

**Mercersburg Borough Council**  
**113 South Main Street**  
**Mercersburg, PA 17236**  
**November 9, 2020**  
**MINUTES**

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

**Absent:** Anthony Frisby

**Guests/Press:** Ms. Elsa Yelk, Preston Spahr, Raymond Minton, Numerous Via Zoom

President Donald Stoner called the meeting to order at 7:00 PM and read over virtual meeting public comment instructions.

President Stoner opened up the floor for public comments.

Ms. Elsa Yelk, a student at the Mercersburg Academy, spoke to Borough Council about creating plaques for the storm drains in town to reduce pollution that flows directly from the drains into the Johnston Run. Ms. Yelk said she is passionate about protecting natural resources and wanted to do something for the community. The plaques design would be a brown trout with the Two Top mountain in the middle (a source of the Johnston Run). Installation would be above the curb and be 4" in diameter and 1/8" thick, made out of pewter. Yelk noted that the plaques would only last 3-5 years at which that time Franklin Bell, a teacher at the Academy would order new ones made out of stainless steel with the same design and install with his stream ecology class. Yelk said she got the idea from her mother who works for the Central Pennsylvania Conservancy who did a very similar project in Carlisle, PA.

Preston Spahr gave an update on the Vibrancy Steering Committee. Spahr noted that the meeting time has changed to meet at 11 AM on the third Wednesday of each month. Mr. Spahr talked about "property inventory" of mostly Main Street saying it would identify issues. Pennsylvania Downtown Center offered information on how to do a property inventory. Spahr said he is hoping Peter's Township will join the Steering Committee as a member. Rockwell Construction made a contribution to the committee. There is a possibility of having a music festival in the fall that will be a fundraiser which will help in hiring a planner. The committee has a monthly article in the Mercersburg Journal.

**MOTION: To accept the October 12, 2020 minutes 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 October 31, 2020 was made by Michael Pedersen, second by Tom Heefner. All ayes, motion carried.**

Council moved onto the Mayor's Report.

Mayor Roger Defibaugh said Trick or Treating occurred on the 31st of October and was busy. Mr. Wilhelm had a "Law Enforcement Appreciation Day Rally" on October 24th with Representative Jesse Topper in attendance. Defibaugh said there have been some complaints for violations of the crosswalk. Mayor Defibaugh addressed Borough Council regarding the budget and police scheduling. After discussion, Defibaugh said there will be a change in the scheduling until the end of the year. Parking meters will be free from November 23rd until the first week of January.

Council moved onto the Borough Manager's Report.

Borough Manager Derek Stoy reported that there were two residents that applied for the vacant council position. The total cost for the McConnell Alley project was \$17,718.39, a grant was received for \$9,236.63 with total out of pocket expense being \$8,481.76. Stoy continued in his report saying he applied for a grant through State Farm for crosswalk enhancements. Stoy said he got pricing from a local company, Alpha Space, \$13,000 for one style of thermoplastic and over \$15,000 for the other style. Stoy took those figures and proposed a safety program to educate drivers and pedestrians on crosswalk safety. Stoy also stated he applied for a Franklin County COVID-19 County Relief Block Grant for a total of \$12,347.12, Stoy said the commissioners will be meeting to decide. Manager Stoy said the website RFP would be under New Business for review, Stoy said the plan is to have council review bids in December and hopefully award the bid to have a new website in the Spring of 2021. An account was created for the Johnstons Run Trail to deposit DCNR grant funding for the trail, DCNR signed off the trail and advised that \$14.65 can be kept in the account. Stoy suggested transferring the money into the UDAG account and closing out the trail account. The Franklin County Area Tax Board budget will need reviewed and a representative and alternative named, currently it is Borough Manager Derek Stoy and Borough Secretary Stacey Golden. An application was received for a handicap parking stall in front of 21 Oregon Street, normally the Streets Committee would review but the committee agreed to have council review due to scheduling. Mr. Joel Bradnick submitted a resignation letter for the Planning Committee. Manager Stoy said there are several resolutions to be approved to include naming Mr. Heefner as Vice-President to Borough Council and a check signer, the other one is for the vacant council seat. Stoy stated in his report that he is hopeful that an all call system will be up and running in December noting that the initial upload of information has been given to the company for review. One right to know request for the month of October. Stoy said the 2021 budget will need approved for advertising. Stoy concluded with dates he will be on vacation and stated there was no need for a Personnel or Streets Committee meeting.

Council President Dusty Stoner moved into Committee Reports.

President Stoner reviewed the October 27th and November 2nd Finance Committee notes. Council discussed potentially raising taxes in the future.

**MOTION: To accept the 2021 budget and advertise as presented was made by Paul Sipes, second by Michael Pedersen. All ayes, motion carried.**

Council moved onto the HARB Committee report. HARB member Tom Heefner went over the three requests; 37 North Main Street, 13 East Seminary Street and 35 South Main Street.

**MOTION: To approve HARB application COA 2020-11-01 submitted by 3 Clovers Roofing & Construction to replace current shingle and metal roof with Certain Teed Shingles in Moire Black was made by Sean Grove, second by Paul Sipes. All ayes, motion carried.**

**MOTION: To approve HARB application COA 2020-11-02 to issue a certificate of appropriateness for COA 2020-11-02 for 13 East Seminary Street to approve the work as described in the application for boarding up windows on the North side of the building, re-pointing up brick mortar, winterizing the building, and posting no trespassing and no parking signs. As part of the motion, HARB recognizes that in removing and relaying brick if structural issues are found appropriate measures can be taken; so that HARB does not need to reapprove the application. HARB requires special attention to the mortar used. It is necessary the mix be appropriate for the brick used. Motion made by Michael Pedersen, second by Paul Sipes. All ayes, motion carried.**

**MOTION: To approve HARB application COA 2020-11-03 submitted by Susan and Ron Simar for 35 South Main Street to install hand railing for the left and right front entrance was made by Michael Pedersen, second by Paul Sipes. All ayes, motion carried.**

Council moved onto the Personnel Committee Report.

**MOTION: To approve paying 5 non uniformed employees \$2,000 each out of the Health Insurance Surplus account to reduce out of pocket health insurance expenses as was done for the 2020 calendar year, this payment will be divided per 26 payments, was made by Tom Heefner, second by Paul Sipes. All ayes, motion carried.**

**MOTION: To deposit \$6,682.51 payments from Benecon to the Health Insurance Surplus account, was made by Tom Heefner, second by Michael Pedersen. All ayes, motion carried.**

**MOTION: To allow employees to still be eligible for the sick leave payback even if they use Family First Corona Response Act sick time, was made by Tom Heefner, second by Paul Sipes. All ayes, motion carried.**

Council moved onto Old Business.

**MOTION: To approve the Labers quote for police furniture and use Capital Improvement Funds was made by Tom Heefner, second by Paul Sipes. All ayes, motion carried.**

Council moved onto New Business.

Council discussed the open council seat. Nomination was made by Michael Pedersen for Raymond Minton. Nomination was made by Paul Sipes for Tim Stanton.

**MOTION: To appoint Raymond Minton to fill the open Borough Council seat was made by Tom Heefner, second by Paul Sipes. All ayes, motion carried.**

Borough Manager Derek Stoy noted that Mr. Minton would need to be sworn in by Judge Eyer. Manager Stoy said he would get in touch with Mr. Minton and Judge Jody Eyer to get that set up.

**MOTION: To accept the website RFP was made by Michael Pedersen, second by Tom Heefner. All ayes, motion carried.**

**MOTION: To close the Johnstons Run Trail bank account and transfer \$14.65 to the UDAG account was made by Tom Heefner, second by Sean Grove. All ayes, motion carried.**

**MOTION: To not approve the Franklin County Area Tax Board budget was made by Michael Pedersen, second by Sean Grove. All ayes, motion carried.**

**MOTION: To appoint Borough Manager Derek Stoy as the Franklin County Area Tax Board Representative and Borough Secretary Stacey Golden as the alternative was made by Tom Heefner, second by Paul Sipes. All ayes, motion carried.**

**MOTION: To approve the handicap parking space application for 21 Oregon Street was made by Tom Heefner, second by Sean Grove. All ayes, motion carried.**

**MOTION: To accept with regret the resignation of Joel Brandick for the Planning Committee was made by Tom Heefner, second by Paul Sipes. All ayes, motion carried.**

**MOTION: To approve Resolution 25-20 appointing Tom Heefner as Borough Council Vice-President was made by Paul Sipes, second by Michael Pedersen. All ayes, motion carried.**

**MOTION: To approve Resolution 26-20 naming Tom Heefner as a Borough Council authorized check signer was made by Paul Sipes, second by Sean Grove. All ayes, motion carried.**

**MOTION: To approve Resolution 27-20 appointing Raymond Minton to Borough Council was made by Michael Pedersen, second by Tom Heefner. All ayes, motion carried.**

**MOTION: To approve the Mutual Aid Agreement with the Franklin County Sheriff's Department was made by Paul Sipes, second by Tom Heefner. All ayes, motion carried.**

**MOTION: To approve the inlet structure markers for the storm drains as presented by Ms. Elsa Yelk was made by Michael Pedersen, second by Paul Sipes. All ayes, motion carried.**

Council reviewed meeting dates.

**MOTION: To adjourn at 8:44 PM and move into Executive Session for personnel and collective bargaining matters not to reconvene was made by Michael Pedersen, 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: \_\_\_\_\_