

REGULAR MEETING MINUTES
OF THE MIDDLEBURG BOROUGH COUNCIL
Tuesday, September 9, 2014
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LOCATION OF MEETING: Middleburg Borough Building, 13 North Main Street, Middleburg PA

COUNCIL MEMBERS : Roger Snook-President, Donald Zechman Jr.-Vice President, Michael Kerstetter, Heidi Potter, William Hostler, James Shull, Susan Kinney

OFFICIALS PRESENT : Virginia "Ginny" A Zeiber-Administrator/Secretary/Zoning Officer, Mayor Ronald Renshaw, Tony Jordan-Police Chief

OTHERS PRESENT : Dustin Zechman-Foreman, Judy Varner-Employee, Brian Lauver-Resident, David Walters, P.E.-Engineer

Meeting Called to Order - The Middleburg Borough Council meeting was called to order by Roger Snook at 7:30 PM and began with the Pledge of Allegiance to the Flag of the United States of America.

Agenda - Roger Snook requested approval of the September 9, 2014 Agenda as presented. A motion was made by Michael Kerstetter and seconded by Heidi Potter approving the Agenda as presented. MOTION UNANIMOUSLY CARRIED.

Regular Meeting Minutes for August 12, 2014 - Roger Snook asked for a motion to approve the August 12, 2014 Minutes as presented. A motion was made by William Hostler and seconded by Susan Kinney approving the Minutes as presented. MOTION UNANIMOUSLY CARRIED.

Thanks To Heidi Potter & the 150th Year Celebration Committee - Donald Zechman Jr thanked Heidi and the committee for doing a great job with the 150th year of Middleburg Borough celebration event this past Saturday, September 6. Michael Kerstetter added he also thought it was a great event and noted that his minister even mentioned during their Sunday morning church service that he too thought it was very nice community event.

Heidi said she has a list of people to thank but there are so many, she does not know where to begin. So many residents came together to help with this event that it was a blessing. Ginny asked Heidi to write an article stating exactly what she wanted to say and email it to her. She will then forward it to the Snyder County Times to see what they would charge to publish it. Heidi said she wants to be able to thank everyone, including Mayor Renshaw, who took care of scheduling all of the musical events which everyone seemed to enjoy.

Roger suggested building off of this event by scheduling something yearly, such as New Berlin does, as a way for the community to get together.

William Hostler said he brought a group of cub scouts along to the celebration event and they had a great time, especially with the rope making.

James Shull asked everyone what they see for the future of the Borough. He hoped everyone would think of ways to make improvements each year in an effort to move in a forward direction. Ginny noted everything had to do with money and the Borough operates on a limited budget. Without money, things that should get done often do not.

Heidi said this year the Borough celebrated their past and now her hopes were to begin shaping the future. If there is no vision for what Council wants to do, they won't be able to move forward and get things accomplished.

Susan Kinney said she agreed and liked those ideas. She felt it would be a good idea to create a revitalization committee that could consist of not only Council members, but other residents of the community.

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Public Hearing and Adoption of Ordinance # 322 Amending the Table of Permitted Uses - This ordinance amends the Table of Permitted Uses to allow photography studios up to 500 square feet in the R-4 Districts and studios with larger square footage by special exception. Roger Snook read from information provided by Solicitor Jeremiah Runkle noting that this ordinance has been properly advertised and opened the required public hearing. He asked if anyone had any comments. Following no comments from the public, the hearing was closed.

A motion was made by Susan Kinney and seconded by William Hostler to adopt Ordinance #322 as presented. MOTION UNANIMOUSLY CARRIED.

Public Hearing and Adoption of Ordinance #321 Establishing Minimum Fines - This ordinance establishes minimum fines for violations of the Borough Codes. Roger Snook read from information provided by Solicitor Jeremiah Runkle noting this ordinance has been properly advertised and opened the required public hearing at this time. The floor was then opened for public comments. Following no comments from the public, the hearing was closed.

A motion was made by Heidi Potter and seconded by James Shull to adopt Ordinance #321 as presented. MOTION UNANIMOUSLY CARRIED.

Traffic Light Survey for PENNDOT's ARLE Grant - David Walters, Borough Engineer, explained he had been asked to prepare an estimate from Larson Design Group's Traffic Department to perform the required study to be included in the application for the ARLE Grant. This grant would provide funding to update all of the traffic light equipment at the Intersection of Routes 104 and 522 in Middleburg Borough. David explained the contents within the Scope of Services for the proposal and noted the amount for the study is not to exceed \$3,000 and would include preparation of the ARLE Grant Application. It was not determined exactly when this survey would be performed until the Borough finds out more about the ARLE application requirements.

Mayor Renshaw asked if the cost for this service would be covered by the grant. Matt Swartz with PENNDOT, informed the Borough at the August meeting that if the grant was awarded to the Borough this cost would be covered, but if not, it would be an out of pocket expense. David noted if the Borough was not approved for the grant the first time around, the engineering study could most likely be used to reapply for it the next time it becomes available.

Council agreed that this study should not be performed until the New Berlin Road bridge project was finished and the bridge reopened to traffic and that the hours for the study should be between 5:00 AM and 6:00 PM to include the highest traffic flows possible.

A motion was made by Heidi Potter and seconded by Susan Kinney to accept Larson Design Group's proposal to perform the traffic light study as presented with some changes. The changes included the hours of the study to be during 5:00 AM and 6:00 PM, or whatever 13 hour period was permitted by the grant, and for the study to take place after the opening of the New Berlin Highway bridge. MOTION UNANIMOUSLY CARRIED.

Water Plant Emergency Generator Bid - David explained that bids were received at tonight's Municipal Authority meeting for the purchase and installation of an emergency generator for the water plant. The bid was awarded, pending the engineer and solicitor's reviews, to Mountainside Electric as the apparent low bidder at \$67,572.00. Eight bidders ranged from the low bid to a high bid of \$88,232. The original engineer's estimate was around \$64,000.

Well Project - The 72 hour pump test was completed on Friday and the samples were sent out for analysis. Larson Design Group should have them back by Thursday of this week. They will then do a quick evaluation of the water quality criteria to make sure it looks good and then they intend to work with Senator Gordner to try and get the CDBG grant funding completion date extended. David hoped to have the public water supply permit application submitted to DEP by the beginning of September, however, they will now be pushing in order to have it submitted by the end of September. At this point David feels they are really up against the wall for completing the project by the required time frame of July of 2015.

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DEP has 4 months to review and approve the permit. Hopefully Senator Gordner will be able to work with DCED to give an appropriate time extension on this project. David expressed his concern about one potential snafu. Environmental Associates is performing a microscopic particulate analysis on the water supply to the well which essentially establishes whether or not surface water is infiltrating into the well supply. If that would be the case, the water would need to be treated the same way it is treated at the filtration plant. The permit cannot be completed until they receive this information.

Small Paving Repair on E Main St - Dustin Zechman explained that the Authority is considering doing a small paving repair on East Main Street and it would piggyback off of the Borough's paving contract with Meckley's Limestone Products. The project is in the area of Pauline Buchanan's house and is estimated to cost around \$200.

Request for Millings - Dustin said that Mark Kuhns, former police officer for Middleburg Borough, is requesting about 20 tons of millings from the Borough and Mark is willing to pay to transport them to his house. Dustin noted that the Borough has millings stockpiled at the maintenance shed as contractors give them to the Borough following paving projects. Millings are ground up blacktop.

Ginny said she thought the Borough used these millings on their own roads. Dustin said he uses them on the roads to the intakes, but they are difficult to grade out because they often have large chunks that take a lot of time to pick out, especially if the millings came from Borough streets. Dustin feels the Borough has more than they need and if Mark wants 20 tons, it would not be a problem. PENNDOT recently did milling work on Rt 522 and asked the Borough if they wanted those millings. Dustin refused them because he felt the Borough already had more than enough and they are trying to use them wherever they can just to get rid of them.

A motion was made by Heidi Potter and seconded by William Hostler to give the millings to Mark Kuhns as requested with Mark paying to transport them. MOTION UNANIMOUSLY CARRIED.

150th Celebration Monetary Results - Ginny explained this event cost the Borough \$1,138.00. Currently this expense was spent out of the General Fund, with an additional bill submitted tonight of \$46.50 to TNC Trophies for award ribbons. There is \$586.00 in the PLGIT Celebration Account to reimburse part of the expenses which then leaves \$552.00 in the red. Heidi handed Ginny \$750.00 tonight from the sale of T-shirts so that will reimburse the expenses and let \$151.50 remaining in the black.

Request for a Crosswalk - Ginny explained that a male parent of a high school student had stopped in the Borough office one day while she was in a closed meeting. The following message was left for her by Beverly: "*A parent of a high school student stopped at the office today. He and numerous other parents are upset with the unorganized walking system for the high school where students cross from the school to Grand Street's sidewalk. They would like consideration to be given to installing a crosswalk in that area.*" The man did not leave his name or where he lived.

Following a lengthy discussion and the realization that this issue was discussed some time ago, it was determined that it would be too costly as all 4 corners would need to be made ADA compliant. Heidi felt there could be visibility issues also with vehicles coming down the hill on Shuman Street. There is also an issue regarding whether or not a crosswalk at that location would even be enforceable and if the required signage would work due to short distances of roadway. Ginny noted if crosswalks were installed and the yellow pedestrian crossing signs placed in the middle of the road, it could create a nightmare of backed up traffic turning onto South Shuman Street coming from Rt 522, as that is already a problem especially in the morning.

Council members agreed that a crosswalk at the requested location would create too many safety and liability issues, would be way too costly, and would most likely be unenforceable.

Police Report - Police Chief Tony Jordan read from the monthly police report for August. He added that people he had been interacting with also expressed their enjoyment of Saturday's Celebration event. He too thought it was nice.

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East Market Street - Michael Kerstetter said he and Dustin met with Brian Haight from PENNDOT to examine the condition of East Market Street regarding paving and trees and shrubs that needed to be cut back. Brian generated some cost estimates to repair the surface of East Market Street. Using only binder or base material and paving only from the east Borough line to a little before the entrance to PBS, the cost was estimated at \$58,000. If the street were to be milled all the way out to the traffic light and repaved, the estimate was \$133,000. Dustin noted when streets are resurfaced where curbing is already in place, PENNDOT requires the installation of ADA ramps at each corner. That estimated cost is around \$4,000 per ramp. Dustin counted around 14 curb areas along East Market Street that would require ADA compliance and that is from the Borough line to the traffic light. Brian suggested guide rails in the area of the steep bank at the east end, but then changed his mind.

Dustin said the County Commissioners are planning to replace the sidewalk in front of the old jail on South Main Street. There is an ADA curb cut already in place that was installed by PENNDOT some time ago. Brian said since the County will be installing a new sidewalk, they will also be required to replace the existing curb cut to comply with current ADA regulations.

Dustin questioned who would be responsible to pay for new ADA compliant curb cuts on a Borough street, since the property owner is normally responsible for the cost to replace the sidewalks in front of their homes. No one was sure whose responsibility this would be. Heidi wondered if it could be a shared cost between the municipality and the property owner.

Roger Snook suggested asking PBS to contribute to the improvements to East Market Street, since their large trailers and employees traveling to and from work contribute to the wear and tear of the road surface.

Dustin stated the estimated cost of resurfacing East Market Street, from the traffic light to the east Borough line, including ADA corner improvements, would be in the range of \$300,000. Ginny recommended concentrating on the area of the roadway from the Stumps Run Bridge to the east Borough line, rather than the area from the bridge to the traffic light, as the east side is in the worst condition. She stated she does not have an answer to the funding for this project but that it could not continue to be ignored. The General Fund could take out a loan for the project and pay it back monthly and get the street taken care of properly and all at one time. The Borough has never taken a loan against the General Fund, during the time Ginny has worked for the Borough, as putting a debt load against this fund has always been frowned upon.

Michael noted the Borough has patched areas of East Market Street but that will not resolve the issue in the long run and it is all the Borough can afford to do this year. He said the situation should be considered for upgrades in 2015 when weather permits. He reminded everyone there will be a gradual increase in State Liquid Fuels over the next 5 years (this includes 2014) of approximately 60%. Michael hopes in the spring the project could be put out for bids and possibly it will come in at a lower cost than the estimate. Copies of Brian's estimates were circulated to each Council member for their review.

Tree Trimming on East Market Street - Dustin explained that the tree branches are hanging out over East Market Street in the area past the entrance to PBS, creating a tunnel like situation. Brian Haight estimated it would cost approximately \$5,000 to have a professional tree trimmer trim them. Dustin asked permission to get three cost estimates from tree trimmers and if any come in under \$5,000, to accept the lowest bidder. Ginny noted there is State Liquid Fuels money available as well as General Fund money and it is the Borough's responsibility to take care of these trees.

A motion was made by Susan Kinney and seconded by Heidi Potter for Dustin to proceed as requested above.
MOTION UNANIMOUSLY CARRIED.

Budget Committee - Ginny said the budget committee will need to schedule some meetings beginning in early October to work on the 2015 budgets.

Park Committee - Heidi Potter said as far as she knew, nothing new has been done regarding the Charles Park project. Dustin said he told the contractors to schedule something in late September but he has not heard anything from them yet. He will call them to schedule.

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Weatherization Testing - Ginny stated that Michael Rhodes, a member of the Authority Board, does home inspections as his business and works with a company out of State College to do commercial work that he is not licensed to do. The company is Davis Home Inspection, LLC and the owner is Ray Davis. Ray visited the Borough at Ginny's request to see what it would cost for him to perform the test. It would be a blower test that should determine any loss of air/energy anywhere within the building at a cost of \$750.00.

In addition, Ginny got cost estimates from Cam Shaffer to close off and insulate some of the basement windows and to replace others. His cost is \$340 per window to remove and insulate and \$570 per window to replace. The building and grounds committee will need to meet and go through the basement to decide how many windows they want to replace and how many they want removed, closed off and insulated. Dustin went to the basement and counted 18 windows. Donald Zechman Jr recommended including Tony Jordan in the window assessment because they use the basement for police storage, etc.

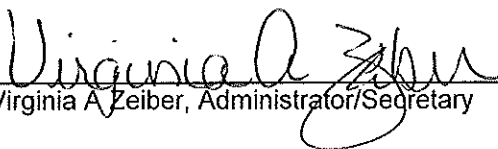
After some discussion on this situation, Council decided to focus on the basement windows first and after that project has been completed, they would reconsider the weatherization testing. The committee and Tony will take a look at the windows and make a recommendation to Council.

Bills & Financial Statements through September 9, 2014 - Roger Snook asked if there were any questions on the financial statements or bills and if not requested a motion to approve them. A motion was made by James Shull and seconded by Heidi Potter approving the financial statements and payment of the bills as presented. MOTION UNANIMOUSLY CARRIED.

Yearly Meeting of the Central Keystone COG - Ginny explained the contents of the yearly meeting with the COG noting that although she was the designated representative and would be attending, everyone else on Council is also invited to participate. This meeting takes place at the Union County Government Center in Lewisburg on October 9th at 7:00 PM. The designated representatives from each municipality actually vote on things like the COG's yearly budget and other issues at hand. The meeting normally lasts about an hour to an hour and a half and a large amount of snacks and refreshments are provided by the COG.

Adjournment - A motion was made by Susan Kinney and seconded by James Shull to adjourn. MOTION UNANIMOUSLY CARRIED.

The meeting adjourned at 8:55 PM.



Virginia A. Zeiber, Administrator/Secretary