

**REGULAR MEETING MINUTES
OF THE MIDDLEBURG BOROUGH COUNCIL
Tuesday, December 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 (Absent), 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, Jeremiah Runkle-Solicitor, Dwayne Hackenberg-Fire Chief, Darwin Swope

Meeting Called to Order - The Middleburg Borough Council meeting was called to order by Roger Snook at 7:36 PM and began with the Pledge of Allegiance to the Flag of the United States of America.

Heidi Potter - Roger Snook made note that Heidi Potter was unavailable to attend tonight's meeting.

Agenda - Roger Snook requested approval of the December 9, 2014 Agenda as presented. A motion was made by Donald Zechman Jr and seconded by Susan Kinney approving the Agenda. MOTION UNANIMOUSLY CARRIED.

Regular Meeting Minutes for November 12, 2014 - Roger Snook asked for a motion to approve the November 12, 2014 Minutes as presented. A motion was made by Michael Kerstetter and seconded by James Shull approving the Minutes. MOTION UNANIMOUSLY CARRIED.

Payment of Bills & Approval of Financial Statements - Roger Snook asked for a motion to approve payment of the bills and financial statements through December 9, 2014 as presented. A motion was made by Susan Kinney and seconded by William Hostler to approve both the bills and the financial statements. MOTION UNANIMOUSLY CARRIED.

PUBLIC COMMENTS:

Darwin Swope - Darwin introduced himself as the District Constituent Outreach Specialist for State Representative Fred Keller. He explained he was born and raised in this area and handles mostly municipal issues for Representative Fred Keller's office. He is available to assist the Borough any time.

OFFICERS & OFFICIALS:

Photographs - Michael Kerstetter gave Ginny a photo of the presentation of a plaque to Douglas App for his years working for the Borough in addition to two photos of the old metal fire escape slide. Note was made that the fire escape has not yet been torn down. These photos will be kept on file at the Borough for future use.

Mayor Renshaw - Ronald Renshaw noted that he and Michael Kerstetter had attended the Susquehanna Valley River Bureau breakfast last month. He feels this group does a very good job promoting the area. He noted there was valuable information available On Line that is provided through email, if anyone was interested in signing up.

Jeremiah Runkle, Solicitor - Amendment to Signage Language - Jeremiah stated he had full intentions of presenting a completed draft of the new signage language at tonight's meeting, however, during a meeting today with the engineer for Monroe Township, he discovered there were some flaws in Monroe Township's language. These changes are mostly clarification of the language. The new language for Middleburg's signage portion of the Zoning Ordinance was modeled from Monroe Township's ordinance. Jeremiah wants to be sure the language is appropriate before presenting the newly amended ordinance. If all goes as planned, he will present the amended document at next month's meeting.

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Amendment to the Burning Ordinance - The amended language to the burning ordinance was presented for approval to be advertised. This document had been circulated to all Council members by email for their review prior to the Council meeting. Only one section of the ordinance was changed by removing "allowing outdoor burning in Chiminea's only", to "allowing burning outdoor fires in a noncombustible structure". This structure must be 3 feet in diameter. A motion was made by Michael Kerstetter and seconded by Susan Kinney to advertise this amendment. MOTION UNANIMOUSLY CARRIED.

Ordinance for Attorney Fees - A new ordinance was circulated for Council's review. Jeremiah explained this language establishes two things that apply to municipal liens. Right now the Borough can recover the costs for the municipal lien but not for the attorney's fees to prepare and file the liens. Also the Borough cannot charge Interest on these lien amounts unless they have established a rate of interest. This ordinance creates an interest rate of 10% which is the maximum percentage allowed. A motion was made by Susan Kinney and seconded by Michael Kerstetter to advertise the new ordinance. MOTION UNANIMOUSLY CARRIED.

David Walters/Larson Design Group:

Lake Overflow Structure Permitting - A representative from Larson Design Group contacted DEP and confirmed a permit would be required to complete this project. One of their survey crews visited the site and completed what was needed to prepare the design plans with the intention of preparing the design work in January of 2015. The permit application should be ready for consideration at the February Council meeting. Once reviewed and approved by Council, the application package would be submitted to DEP. DEP approval typically takes around 3 months to complete.

Traffic Signal Survey - Larson has not started this project yet. Data will need to be collected before the project can be put together. The intent is to complete this project during January 2015.

David left the meeting at this time.

Reliance Hose Company Report - Fire Chief Dwayne Hackenberg circulated the Fire Company Report for the month of November. Next Friday night the Fire Company will have Santa available for the kids.

Emergency Management - Dwayne was finally able to have a discussion with the County representative regarding required emergency management courses for the Borough employees and Council. They hope to have something set up the beginning of 2015.

Dwayne left the meeting at this time.

Silk Mill - Roger Snook asked Jeremiah if Attorney Ken Potter had gotten back to him about anything new on the Silk Mill. Jeremiah noted he did not anticipate Ken would contact him since there was nothing else that could be done unless the Silk Mill violated their last order to stay in the back section they agreed to divide off. The situation remains the same as the last time it was discussed and unless the Borough has the money to demo it, nothing will happen. The only other alternative would be to pursue penalties through the court system against them. The two alternatives would be to pursue some fines against the owner in court, or order them to demo it and if they don't, then the Borough has the right to do it. There is no point in giving the order to demo the building unless the Borough is prepared to take appropriate action. The cost to drop the building into a hole and cover it with clean dirt was around \$150,000 to \$200,000. Even if the Borough had the money to put into the demolition, the recourse after that would be to lien the property and who is going to pay anything for it. Roger added that figure did not include removal of the water tower or the asbestos. Jeremiah said if Council reached a point where they want to pursue the other alternatives as described above, they can talk about taking further action at that time. The Silk Mill owner has already threatened to close the Selinsgrove facility if the Borough takes further action with the Middleburg facility. It was thought that approximately 60 people are employed at the Selinsgrove facility.

Darwin Swope commented there used to be nothing available for blighted commercial structures but new things may be available now. He will look into the situation to see if any grant money might now be available to demolish this structure.

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Charles Park Playground Project - Dustin Zechman reported that he hopes to continue with construction of new equipment at the playground during January.

New Payroll Proposal - Ginny explained she was recently contacted by Shannon Magill, representative for Keystone Payroll out of State College. They provide a lot more services than we already receive for half of the money. They will even supply the checks at the proposed cost and currently the Borough pays extra for their checks. James Shull reviewed the proposal information and Council asked Ginny to contact the references. Ginny noted since Council does not meet until January, she would need to have permission at this time to switch over for the new year, pending good references. Council agreed if the references are good, to go ahead and switch to Keystone Payroll.

Police Report - Chief Tony Jordan noted everyone has a copy of his report and read from the information provided.

COMMITTEES:

Building & Grounds Committees - Donald Zechman Jr reported on the information given to him at the last meeting that appeared to be upgrading to solar heating in an effort to save money. He found that information was misleading and it is actually about upgrading existing utilities.

Streets & Sidewalks Committee - Michael Kerstetter explained that he and James Shull got together and did a quick review of the streets throughout the Borough in anticipation of a paving project to be done during 2015. They are ready to submit their list to the other committee members who were unavailable at the time of their meeting. Brian Haight from PENNDOT will come down to look over the proposed streets and give them a better understanding of the situation.

Budget Committee - Ginny explained that during tonight's Authority meeting the Board expressed that in the future they would appreciate if the Borough Council, or the committee, would ask them before assuming they would be willing to donate toward expenses. This was brought to their attention when they noticed the budgets included an \$800 donation each from the water fund and the sewer fund toward heating oil for the Borough building. Ray Colestock had a copy of the Minutes from an earlier meeting where they agreed to the donation from each fund for the 2014 year and it stated "for one year". They felt it was presumptuous on the part of the Borough to assume they would be willing to continue this contribution without presenting a yearly request from the Council.

Note was made that the Authority members were invited to sit in on the preparation of the water and sewer budgets in an effort to make them aware of what was being included and for them to be able to make recommendations, however no one attended.

Michael Kerstetter wanted to make Council aware that the Rental Occupancy Fee amount in the General Fund Budget reflects an increase from \$12 per year to \$25 per year per rental unit, so when the budget is approved, Council is approving that increase also. Jeremiah stated the Rental License Resolution will need to be amended to reflect this new figure. Michael said he originally hoped to increase it much higher than the \$25, however after contacting other municipalities, it was felt that \$25 was a more appropriate amount.

At this time a motion was made by Michael Kerstetter and seconded by Susan Kinney approving the 2015 General Fund, Water Fund, and Sewer Fund Budgets as presented which includes the rental occupancy fee increase. MOTION UNANIMOUSLY CARRIED.

2015 Tax Ordinance - A motion was made by Donald Zechman Jr and seconded by James Shull to adopt the 2015 Tax Ordinance as presented. MOTION UNANIMOUSLY CARRIED. This ordinance does not reflect any increases in taxes.

Franklin Township Representative on Authority Board - Ginny again reminded everyone that the position on the Authority Board, currently held by Sam Herman, will be vacant beginning January 1, 2015. As a courtesy, Franklin Township Supervisors and the Authority Board have been asked for their recommendations as to who they would like to serve on the Board representing the Township. This person should live in the Township and be served by either public water or sewer.

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CORRESPONDENCE:

All American Sports Posters - Ginny explained she had included information in the Agenda packet on this group who has contacted her at least 3 times in an extremely aggressive manner asking the Borough to place an advertisement on their poster that would generate money for Mid-West School District's sports teams. Mayor Renshaw recommended if Council was even considering doing something like this to contact Bree Solomon, the Athletic Director, first as many times the school is never notified about these events.

Council was not interested in proceeding with this situation.

NEW BUSINESS:

Meeting Dates for 2015 - A motion was made by Michael Kerstetter and seconded by William Hostler to schedule the 2015 Borough Council meetings at 7:30 PM on the following 2nd Tuesdays of each month:

January 13, February 10, March 10, April 14, May 12, June 9, July 14, August 11, September 8, October 13, November 10, and December 8. MOTION UNANIMOUSLY CARRIED. This information is required to be advertised.

Executive Session - 8:31 PM Council went into an executive session to discuss personnel issues. Council came out of the executive session at 9:30 PM.

Salary Increases for 2015 Non-Contracted Employees - As a result of the executive session, the following action was taken. James Shull made a motion to increase the salaries for the following employees for the 2015 year by 3% and read the increases out loud:

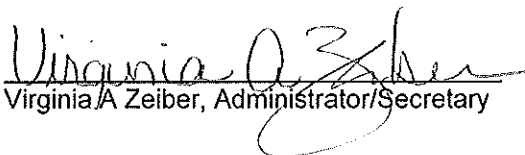
Virginia Zeiber	\$1,434.00 per year
Dustin Zechman	\$1,359.00 per year
Frona Rothermel	\$.32 per hour
Beverly Inch	\$.37 per hour
Dixie Kreamer	\$.36 per hour

The motion was seconded by Susan Kinney. MOTION UNANIMOUSLY CARRIED.

Christmas Eve Day - Donald Zechman Jr asked Council if they were interested in allowing all employees to have off work at noon on Christmas Eve day. This time off will be with pay. After a short discussion a motion was made by Michael Kerstetter and seconded by Donald Zechman Jr to allow all Borough employees to leave work at noon on Christmas Eve day with paid time for the remaining hours. MOTION UNANIMOUSLY CARRIED.

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

The meeting ended at 9:38 PM.


Virginia A Zeiber, Administrator/Secretary