

**REGULAR MEETING MINUTES  
OF THE MIDDLEBURG BOROUGH COUNCIL  
Tuesday, January 13, 2015  
Page 1 of 4**

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 (Absent)

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 Lauer-Resident, Jeremiah Runkle-Solicitor, Dwayne Hackenberg-Fire Chief

\*\*\*\*\*  
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.

Susan Kinney - Roger Snook made note that Susan Kinney was unavailable to attend tonight's meeting.

Agenda - Roger Snook requested approval of the January 13, 2015 Agenda as presented. A motion was made by Michael Kerstetter and seconded by Donald Zechman Jr approving the Agenda. MOTION UNANIMOUSLY CARRIED.

Regular Meeting Minutes for December 9, 2014 - Roger Snook asked for a motion to approve the December 9, 2014 Minutes as presented. A motion was made by William Hostler 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 January 13, 2015 as presented. A motion was made by Heidi Potter and seconded by William Hostler to approve both the bills and the financial statements. MOTION UNANIMOUSLY CARRIED.

PUBLIC COMMENTS: NONE

OFFICERS & OFFICIALS:

Budgeted Swimming Pool Donation - Donald Zechman Jr recommended not paying the amount budgeted for a donation to the swimming pool until closer to summer as there is a rumor the pool may close forever. All Council members agreed.

5K Run Sponsored by Kiwanis - Michael Kerstetter circulated papers announcing a 5K Run sponsored by the Kiwanis Club. The run will take place on Saturday, August 8<sup>th</sup>, during the week of the Firemen's Carnival. The event will be in the morning on the roads in the area of the Firemen's field such as Edmond Avenue, Furnace Road and South Charles Avenue. No state highways will be used for this event. A motion was made by Michael Kerstetter and seconded by Donald Zechman Jr approving the 5K Run event as described. MOTION UNANIMOUSLY CARRIED.

Mayor Ronald Renshaw - Mayor Renshaw explained information he received in a recent email from the Governor's Center for Local Government Services, Act 164 of 2014, addressing training that is now required for local tax collectors. Effective 2015 all local tax collectors will be required to become qualified through DCED with training and testing before they can take the Oath of Office.

The Mayor informed everyone he had read somewhere that Milheim Borough is pursuing an energy independence program and New Berlin did a similar thing a year or two ago. This program is being offered through SEDA COG and provides energy testing at a reduced cost for residential properties.

Mayor Renshaw stated he will not be available to attend the next two meetings as he will be involved with other events.

**REGULAR MEETING MINUTES  
OF THE MIDDLEBURG BOROUGH COUNCIL  
Tuesday, January 13, 2015  
Page 2 of 4**

SOLICITOR ITEMS:

Amendment to Burning Ordinance - Jeremiah asked if there were any public comments following the advertisement of Ordinance No. 325 amending the burning ordinance. Following no comments, a motion was made by Heidi Potter and seconded by William Hostler to adopt Ordinance No. 325 as advertised. MOTION UNANIMOUSLY CARRIED.

Ordinance No. 326 Establishing Attorney Fees - Jeremiah asked if there were any public comments following the advertisement of Ordinance No. 326. This new ordinance establishes attorney fees to prepare and file liens and the ability for the Borough to charge interest on the lien amounts.

Following no comments from the public, a motion was made by Donald Zechman Jr and seconded by Michael Kerstetter adopting Ordinance No. 326 as advertised. MOTION UNANIMOUSLY CARRIED.

Rental License Fee Resolution - Jeremiah presented a resolution establishing a \$25 Annual Rental License Fee per EDU as well as an hourly rate of \$61 for rental inspection services currently being provided by the Central Keystone COG (the COG). This hourly rate coordinates with the hourly rate established by the COG for their services. A motion was made by Heidi Potter and seconded by James Shull adopting the resolution as presented. MOTION UNANIMOUSLY CARRIED.

Property Maintenance Ordinance No. 327 - Jeremiah explained that the Borough's current Property Maintenance Ordinance language may not hold up in court so he prepared a new one with more appropriate legal language. Following review of the new ordinance, a motion was made by Heidi Potter and seconded by James Shull to proceed with advertising the ordinance to be adopted at the February meeting. MOTION UNANIMOUSLY CARRIED.

This ordinance will need to be amended approximately every 3 years when the International Property Maintenance Code is updated. Jeremiah recommended everyone read through the new Codes when they come out.

Amended Signage Ordinance - Jeremiah noted that at the last Council meeting he indicated he would be cleaning up the language in the signage ordinance and presenting it at tonight's meeting. He just completed it today and therefore has not distributed it to anyone. Following some discussion, it was decided Jeremiah would email the signage language so the Council, especially the committee members, can take time and read through it before the February meeting. Any recommended changes can then be discussed at the February Council meeting. Jeremiah noted zoning changes are required to be reviewed by the County Planning Commission. Planning does not approve or disapprove the ordinance, they just comment. It was decided to forward the ordinance to Planning at the same time it is presented to Ginny and Council for review. If changes are made, it will simply be resubmitted to Planning.

Former Middleburg Pharmacy Building - Ginny explained that the former Middleburg Pharmacy building is being sold this week to the Miller Travel Agency. This means the building will have a rental on the second floor, which has been there for a long time, and the Travel Agency on the bottom floor. She noted there is nothing specific within the Zoning Uses allowing for a travel agency. Ginny said she intended to fit it in under something like Offices of a General Business Nature. Jeremiah stated that use currently requires a special exception in the N/C District. Everyone agreed that was not appropriate so Heidi Potter made a motion, seconded by William Hostler, to allow Offices of a General Business Nature in the N/C District. This means the "S" designating special exception required will be changed to an "X" designating the use is allowed. MOTION UNANIMOUSLY CARRIED.

Zoning District Change - Ginny directed Council members to an area along Furnace Road and West Willow Avenue on the Zoning Map colored blue. This area is comprised of several parcels currently owned by one family. The property was formerly Bilger Fuels and the blue color indicates an "Industrial" District. The property is adjacent to the Neighborhood Commercial (N/C) District and Ginny feels that would be a more appropriate designation as it will most likely never be used again for an Industrial use. Jeremiah said he needed to review the Borough's Comprehensive Plan first to see if there was any reference to future use of this property before making a decision.

**REGULAR MEETING MINUTES  
OF THE MIDDLEBURG BOROUGH COUNCIL  
Tuesday, January 13, 2015  
Page 3 of 4**

There was additional discussion regarding whether it might be a good idea to consider changing the parcels on either one side, or possibly both sides of Furnace Road, to N/C also. On the west side of Furnace Road this proposed change would only be to the Chip Plant property which is currently zoned Industrial. This change would open up additional areas for businesses.

**REPORTS:**

Reliance Hose Company Report - Fire Chief Dwayne "Butch" Hackenberg gave the Fire Company report for the month of December 2014. He noted their seafood dinner was successful and another one is coming up in March. Heidi asked if he had accomplished anything setting up NIMS classes. Butch said he is still attempting to put things together.

Police Report - Police Chief Tony Jordan noted everyone should have received a copy of the police report for the month of December 2014.

Middleburg Parades - Tony asked Council for a motion to approve the Memorial Day Parade scheduled for May 25, 2015 at 5:30 PM and the Firemen's Parade scheduled for August 6, 2015 at 6:30 PM. A motion was made by James Shull and seconded by Heidi Potter approving the two parades. MOTION UNANIMOUSLY CARRIED.

Tony explained it has been difficult finding fire police to assist with management of the parades. Middleburg's Fire Department only has 3 or 4 and approximately 26 are needed for each parade. He sent letters to Milton, Northumberland and Sunbury asking for assistance from their fire police but since they do not receive any pay for their services, no one was interested. Lack of fire police assistance could cause the parades to end in the future.

**COMMITTEE REPORTS:**

Streets & Sidewalks Committee - Michael Kerstetter asked Dustin to contact Brian Haight, PENNDOT Municipal Services Representative, to schedule a meeting with the committee to discuss paving improvements for the 2015 year. Following his visit, the committee will create a list of proposed projects for presentation to Council.

Ginny asked if the asphalt sidewalks that run from Subway around the corner of the Middleburg Auto Parts store were considered legal. Jeremiah noted the Code states they must meet PENNDOT requirements when located along state highways. This area is located along SL Rts 104 and 522 and apparently someone allowed them to be paved with asphalt. Ginny felt this area is beginning to look bad.

Budget Committee - Ginny reminded everyone that hiring a part time employee for part time summer help had been included in all three budgets for 2015. The purpose would be for the part time person to take over things such as mowing, etc which would free up the full time employees to do other more skilled projects. Michael asked that this information remain on the Agenda so they don't neglect to address it. Ginny said the original discussion was to consider hiring an extremely reliable retired person who needed the additional income. The committee will address this issue in a month or so.

Parks & Recreation Committee - Dustin said nothing much has been done to Charles Park due to weather conditions. Heidi asked if he had looked into the cost for the required plantings. He said he wanted to wait until the fabric has been placed so he has a better idea how to properly install them.

Celebration Event for 2015 - Heidi Potter noted she would need to know very soon if Council wanted to proceed with some type of celebration event during 2015 as it would take time to pull things together. At this point no one expressed interest in this type of event. Heidi requested Council members contact her between meetings if they come up with any ideas.

REGULAR MEETING MINUTES  
OF THE MIDDLEBURG BOROUGH COUNCIL  
Tuesday, January 13, 2015  
Page 4 of 4

UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Raymond Colestock - The 5 year term of office for Ray ended December 31, 2014, therefore, he is up for reappointment. Roger noted that the Authority Board recommended reappointing him. A motion was made by Michael Kerstetter and seconded by James Shull to reappoint Raymond Colestock for another 5 years on the Authority Board. MOTION UNANIMOUSLY CARRIED.

Vacant Seat on Municipal Authority Board - Roger noted the Municipal Authority Board passed a motion recommending Timothy Folk to fill the vacant seat on their Board. This position should be filled by someone who resides in Franklin Township and is served by either public water or sewer. Tim currently lives in Paxtonville and is a former resident of Middleburg Borough. A motion was made by Donald Zechman Jr and seconded by James Shull to appoint Timothy Folk to fill the vacant seat on the Middleburg Municipal Authority Board representing Franklin Township. MOTION UNANIMOUSLY CARRIED.

Representative to the Central Keystone COG - Ginny explained Council reappointed her for this position at the 2014 Reorganization Meeting, however it was too soon. The 3 year term expired December 31, 2014 so the appointment needed to be made at this time. A resolution was included in the agenda packet to be adopted designating Ginny as the representative. She said she would be more than willing to give up the position if someone else was interested in trying it. A motion was made by Heidi Potter and seconded by William Hostler adopting the Resolution as presented reappointing Ginny as the Borough's representative to the Central Keystone COG. MOTION UNANIMOUSLY CARRIED.

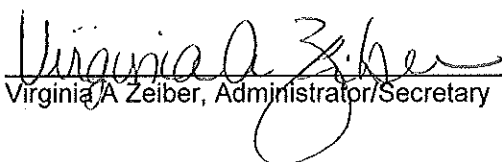
\$250 Membership Fee to the COG - Ginny reminded everyone of the COG's request for Council's opinion on their organization beginning to charge a \$250 annual membership fee to each member municipality. It was felt this was a way for them to generate revenue without raising their hourly rates or fees. Following a discussion on this matter, a motion was made by Donald Zechman Jr and seconded by James Shull saying the Council is NOT In favor of this annual fee. MOTION UNANIMOUSLY CARRIED. (Following the meeting, it was confirmed the COG serves 47 municipalities.)

Larson Design Group Retainer Agreement for 2015 - Ginny presented Larson Design Group's retainer agreement for the 2015 year. She explained the Authority had reviewed the Fee Schedule, comparing it to the 2014 rates, and noted there were a couple rates that increased by \$5 or \$10 per hour. They motioned to retain Larson as their engineer.

Ginny circulated the agreement earlier in the Council meeting for everyone's review. A motion was made by Michael Kerstetter and seconded by Heidi Potter accepting Larson's 2015 Retainer Agreement Proposal as presented. MOTION UNANIMOUSLY CARRIED.

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

The meeting adjourned at 8:57 PM.

  
Virginia A. Zeiber, Administrator/Secretary

**BOROUGH OF MIDDLEBURG**  
**RESOLUTION NO. 2015 - 01**

At a meeting of the Borough of Middleburg, Snyder County, Pennsylvania, held at the Middleburg Borough Building, 13 North Main Street, Middleburg, Snyder County, Pennsylvania, on January 13, 2015, there was a quorum of Council present.

Borough Council Member Heidi Potter offered the following Resolution and moved its adoption:

It is hereby resolved that effective January 1, 2015, the Rental Unit Inspection and Licensing Fees shall be:

1. **Rental License:** \$25.00 annually. This fee will be billed quarterly as a separate listing on the water/sewer bill.

2. **Inspection By Code Official:** The inspection fee will be charged at the hourly rate then in effect (which hourly rate shall be set from time to time by resolution of Borough Council) for all time spent on the inspection by the Code Official from the time the Code Official leaves his or her office until the time the Code Official returns to his or her office. The inspection fee will be charged if the owner or their representative does not show for the inspection and has not called 24 hours prior to the inspection to re-schedule.

3. **Re-Inspection By Code Official:** Any re-inspection required will be charged at the hourly rate then in effect (which hourly rate shall be set from time to time by resolution of Borough Council) for all time spent on the inspection by the Code Official from the time the Code Official leaves his or her office until the time the Code Official returns to his or her office. The re-inspection fee will be charged if the owner or their representative does not show for the re-inspection and has not called 24 hours prior to the re-inspection to re-schedule.

4. **Current Hourly Rate:** Effective with the adoption with this resolution, the hourly inspection rate shall be \$61.00 per hour.

Seconded by Council Member James Shull.

Upon roll-call vote, the Resolution was unanimously adopted and enacted.

ATTEST:

Virginia Zeiber BY:  
Virginia Zeiber, Administrator/Secretary

MIDDLEBURG  
BOROUGH:

Roger L. Snook  
Roger L. Snook, President.

(Middleburg Borough Seal)