

**REGULAR MEETING MINUTES  
OF THE MIDDLEBURG BOROUGH COUNCIL  
Tuesday, February 10, 2015  
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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 (Absent), Tony Jordan-Police Chief
- OTHERS PRESENT : Dustin Zechman-Foreman, David Walters-Engineer, Judy Varner-Employee, Brian Lauver-Resident, Jeremiah Runkle-Solicitor, Dwayne Hackenberg-Fire Chief (Short Time), Donald Chubb (Short Time)

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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 February 10, 2015 Agenda as presented. A motion was made by Michael Kerstetter and seconded by Heidi Potter approving the Agenda. MOTION UNANIMOUSLY CARRIED.

Regular Meeting Minutes for January 13, 2015 - Roger Snook asked for a motion to approve the January 13, 2015 Minutes as presented. A motion was made by William Hostler and seconded by James Shull approving the Minutes. MOTION UNANIMOUSLY CARRIED. Susan Kinney abstained from this vote because she was unable to attend the January meeting.

Payment of Bills & Approval of Financial Statements - Roger Snook asked for a motion to approve payment of the bills and financial statements through February 10, 2015 as presented. A motion was made by Susan Kinney and seconded by Michael Kerstetter to approve both the bills and the financial statements. MOTION UNANIMOUSLY CARRIED.

PUBLIC COMMENTS: NONE

OFFICERS & OFFICIALS:

Mayor Ronald Renshaw - Mayor Renshaw was unavailable to attend tonight's meeting as announced at the last meeting.

Chamber of Commerce - William Hostler asked if anyone other than the Mayor, himself, and possibly Heidi were interested in scheduling a meeting with the Chamber to discuss what they might be able to do for the Borough. Since Heidi was unavailable on Saturday, February 14<sup>th</sup>, it was decided to schedule a meeting on another day. Ginny was asked to contact the Chamber to see if they were available to meet Saturday, February 21<sup>st</sup> at 10:00 AM. Susan, Roger, William and Heidi expressed interest in attending this meeting.

SOLICITOR ITEMS:

International Property Maintenance Code Ordinance No. 327 - Jeremiah explained after proper advertisement this ordinance is now ready for adoption. He asked if there was any public comment on the ordinance. Following no comments from the public, a motion was made by Heidi Potter to adopt the ordinance implementing the use of the 2012 International Property Maintenance Code. The motion was seconded by William Hostler. MOTION UNANIMOUSLY CARRIED.

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Amended Signage Ordinance - Ginny explained she had completed additional review of this ordinance language and found a few minor typos. Jeremiah noted at this point he was looking for any additional changes or thoughts anyone has before the typos are corrected and the ordinance is advertised.

Heidi Potter questioned the section on yard sale signs. She noted numerous signs are normally placed all over the Borough advertising yard sales, however, the new ordinance language states these signs will only be allowed to be placed on the property where the yard sale is being held. Ginny felt if the police officers would go to the property as advertised and inform the people they need to remove all of their signs that are not on their property, word would get around pretty quickly and people would stop putting them all over town. It would be a bit labor intensive in the beginning, just like the burning ordinance was, but once people were made aware and knew the police were on top of it, the situation would stop. Following additional discussion on this language, it was decided to leave it in the ordinance. Jeremiah noted the Borough would need to be very dogmatic about this situation until people get the message. He added this language was already in the current signage ordinance but no one has been enforcing it.

At this point Jeremiah plans to send the most recently updated language to Snyder County Planning for their review. He was unanimously directed to proceed with advertising this ordinance for adoption at an upcoming Council meeting.

Zoning District Change - Jeremiah stated he has not had time to review this situation.

Request to Vacate the Unopened Alley Adjacent to the Ambulance Storage Garage - The Reliance Hose Company is planning to construct a new building behind the Hose Company where the ambulances are currently being stored. They are requesting the Borough abandon the portion of South Station Street, from Reliance Avenue to the end of their parcel and from the Railroad Avenue right of way to Station Street, and convey it to them.

Dwayne Hackenberg explained they are planning to tear down the Quonset hut where the ambulances are being stored and build a new structure that will access Railroad Avenue directly from the east end of the new building. Jeremiah discussed an option of a quit claim deed vacating this portion of the alley and giving it to the Reliance Hose Company. Following a lengthy discussion on this request, it was agreed Jeremiah will research the issue further to be sure no properties will be land locked, the appropriate legal procedures are followed, and safe and appropriate traffic flow will be applied for this situation. He will get back to Council with his findings at a future Council meeting.

Dwayne explained the plan is to construct a three bay building with a training room, a meeting room, a lounge and a couple of offices because they cannot do much with the building as it is now. Ginny reminded Dwayne the Hose Company will need a zoning permit before proceeding with any construction and if the new building is not connected to the rental area of the existing building, it could create a zoning issue. Glenco had informed both Ginny and Dustin that the roof would connect to the rental building. Dwayne said that when the plan has been completed by Glenco, they will bring it to the Borough to apply for a zoning permit.

Request to Vacate a Portion of Wausau Road - Jeremiah explained he received a request from Craig Bahn, who owns and lives at 207 North Wausau Road, for the Borough to vacate the area of roadway that surrounds his property. This includes an area adjacent to the property of Swineford Bank's drive thru. The Bahn property was formerly owned by Dan Edelman and is located next to Middle Creek. Jeremiah showed Council members the area of roadway he was referring to on the parcel map.

Dustin noted there is a sewer main located in that area, along with a drainage swale and additional private water lines for Swineford Bank. It was decided Dustin will need to assess this area for both public and private utilities and will get back to Council and Jeremiah with his findings at the next Council meeting. Jeremiah will also have additional information at that time so a decision can be made. Utility and drainage easements will need to be established for any water and or sewer utilities. Council was not opposed to the idea of vacating areas of North Wausau Road to Beaver Avenue, once the appropriate easement areas have been identified, and it was assured no parcels would be land locked.

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Lake Overflow Permitting - Dave Walters explained that the Lake Overflow Permit Application was sent to DEP on February 3<sup>rd</sup>. Normally it takes 3 to 4 months for the approval. Once approval has been received, the structure can be constructed. Dustin was asked if the Borough's maintenance crew was interested in doing this project. Dustin said if it has to be done during 2015, then they did not have time. Ginny recommended putting the project out to bid to see where the bids come in. Dave noted the project estimate is around \$24,000. Dustin said part of the structure is rusted out and it could potentially collapse. He does not feel the collapse would cause the lake to overflow. Following a short discussion, a motion was made by Heidi Potter and seconded by Susan Kinney for this project to be advertised for bids. MOTION UNANIMOUSLY CARRIED.

Traffic Signal Survey - Dave said he received a copy of this report from Larson's traffic division today by email and he will pass it along to Ginny for further distribution.

ARLE Grant Application - Dave reminded everyone Larson had been directed to proceed with the application for PENNDOT's ARLE Grant to replace the traffic light signals, however, the application packet is not yet available. It is estimated this packet will be available around May. Roger asked Tony Jordan if this grant would fund the entire traffic light project or if the Borough would be responsible for some of the cost. Tony felt the Borough would be responsible for part of the cost. Dave estimated the project would cost approximately \$150,000 which would include replacement of the automated signalization, four (4) curb cuts, the control box, conduits and design fees. Larson will proceed with the completion of the application as soon as it becomes available.

Dave Walters left the meeting at this time.

REPORTS:

Reliance Hose Company Report - Fire Chief Dwayne "Butch" Hackenberg gave the Fire Company report for the month of January 2015.

Dwayne noted the Fire Company's seafood supper is scheduled for this coming weekend.

Police Report - Police Chief Tony Jordan noted everyone should have received a copy of the police report for the month of January 2015.

Middleburg Parades - The parade permit applications have been sent in to PENNDOT, however no permits have been received back from them to date.

COMMITTEE REPORTS:

Building & Grounds Committee - Donald Zechman Jr recommended putting a sign on the emergency exit door leaving the Borough building foyer that states "Emergency Use Only" until the weather allows the freezing water situation to be repaired. Donald noted that the emergency lights are not working when you leave through the exit door. Ginny explained that the ice forms inches thick on the steps due to the backing up and freezing of water and it has just been fortunate that no one has slipped and hurt themselves.

Following discussion on the storm drain freezing water issue, a motion was made by Heidi Potter and seconded by Michael Kerstetter to contact several contractors and get a cost estimate for what might be involved in correcting this situation. MOTION UNANIMOUSLY CARRIED.

Ginny noted the small roof over the porch has been growing moss and should be replaced. Also Rural Utilities informed the Borough some time ago they wanted a banister installed along the porch and steps of the emergency exit area. Dustin felt the moss was only growing because the area does not get sunlight but Ginny felt the roof needed replaced.

Ginny will contact several contractors to get some ideas and prices.

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Streets & Sidewalks Committee - Michael Kerstetter noted this committee has reviewed most of the Borough's streets for required improvements. Dustin has been in contact with Brian Haight with PENNDOT, and he will be visiting the Borough as weather permits to review the selected streets in an effort to create a final plan.

Budget Committee - Part Time Summer Help - Michael Kerstetter said he was not sure where to begin in an attempt to find competent part time summer help and thought maybe Career Link would be a good starting point. Dustin said he knew a man who works for George Long by the name of Austin who is a good worker. George and Austin worked with the maintenance crew cutting trees in the park and Austin did a great job. Michael asked Dustin to see if Austin might be interested in this part time position with the Borough. The starting rate, as per the Union Contract, will be \$10 per hour. The budgeted hours are up to 35 hours per week for 28 weeks.

NEW BUSINESS:

John Glenn - Penn Valley Airport Authority - John was unable to attend tonight's meeting because the Airport Authority is still negotiating with the entity who presently operates them. Previously it was thought they were quitting but now things have changed. John may be attending a future meeting to explain the situation.

Moving Checking Accounts from M & T Bank - Ginny explained that although she recommended switching all of the accounts currently at M & T Bank to Northumberland National Bank, the Municipal Authority decided they wanted the sewer fund moved to Swineford Bank. Their reasoning was the water fund is already at Swineford and they would like to work with businesses and banks within the Borough whenever possible.

The two funds left to be moved are the general fund and the payroll fund. Ginny said she really has no problem using either Swineford or Northumberland National however Northumberland National has consistently had higher interest rates and are extremely professional and easy to work with. In the past Council made all of the decisions about the checking accounts and they never wanted to have all of the accounts with one bank. Following discussion on this situation, a motion was made by Donald Zechman Jr and seconded by William Hostler to move the general fund and payroll fund from M & T Bank to the Northumberland National Bank. MOTION UNANIMOUSLY CARRIED.

Disposal of Municipal Records - A list of Municipal records was presented to Council for permission to dispose. A motion was made by Heidi Potter and seconded by Susan Kinney to dispose of the records as presented on the list. MOTION UNANIMOUSLY CARRIED.

EIT Committee (Earned Income Tax Committee) - Ginny explained that Snyder County is requesting an appointee to serve on this committee, as well as an appointed alternate when the regular member was unable to attend. Barbara Megahan was the previous appointee until she left Council and during her term they only met approximately once per year. Heidi Potter said she was appointed to attend last year's meeting. Ginny said she attempted to locate something in the minutes indicating if anyone had been appointed after Barbara left, but was unable to find anything. Jeremiah recommended Heidi be reappointed for the record. Judy Varner noted these meetings are normally held in the basement of the Snyder County Courthouse.

A motion was made by Michael Kerstetter and seconded by Susan Kinney appointing Heidi Potter to serve on the EIT Committee. MOTION UNANIMOUSLY CARRIED.

A motion was then made by Heidi Potter and seconded by Donald Zechman Jr appointing Susan Kinney as the alternate for the EIT Committee. MOTION UNANIMOUSLY CARRIED.

Trash On North Shuman Street - Ginny received a complaint from a local citizen who enters Middle Creek at the end of North Shuman Street on a regular basis to fish and boat. He indicated the area is covered with trash strewn all around the stream banks and the end of North Shuman Street. It has gotten so bad that he regularly takes a garbage bag with him and cleans up as much as he can. He is tired of picking it up and is hoping the Borough will do something about it. Heidi noted that people drive down to the creek at that location on a regular basis and sit down there. She would not be surprised if they bring their garbage and dump it. There is also evidence of fire rings and empty beer cans where people have been observed with camp fires.

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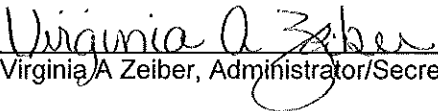
Ginny recommended the Borough at least place a sign in this area so there is something to enforce. Jeremiah recommended the sign state, "No Littering. Violators will be prosecuted with a fine up to \$1,000", assuming that is what the Crimes Code indicates is appropriate. At this point a motion was made by William Hostler and seconded by Heidi Potter to place a sign according to the recommended language as stated above. MOTION UNANIMOUSLY CARRIED.

(The Crime Code states: First offense \$50 to \$300. Second offense \$300 to \$1,000)

The Police Department was directed to keep an eye on this area in an effort to catch and cite the offenders.

Adjournment - A motion was made by Donald Zechman Jr and seconded by James Shull to adjourn. MOTION UNANIMOUSLY CARRIED.

The meeting adjourned at 9:23 PM.

  
Virginia A Zeiber, Administrator/Secretary