

**REGULAR MEETING MINUTES  
OF THE MIDDLEBURG BOROUGH COUNCIL  
Tuesday, June 9, 2015  
Page 1 of 5**

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, Jeremiah Runkle-Solicitor, Dwayne Hackenberg-Fire Chief, Brian Lauver-Resident, Douglas Hassinger, Josh Edmiston-Insurance Representative, David Walters-Engineer, Wesley & Janice Schleig, Maggie Martin, Jeff Loss

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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 June 9, 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 May 12 and Special Meeting Minutes for May 19, 2015 - Roger Snook asked for a motion to approve the regular May 12, 2015 meeting minutes and the May 19, 2015 special meeting minutes as presented. A motion was made by William Hostler and seconded by Susan Kinney approving both sets of Minutes. MOTION CARRIED. Heidi Potter abstained because she had not attended either of these meetings.

Payment of Bills & Approval of Financial Statements - Roger Snook asked for a motion approving payment of the bills and financial statements through June 9, 2015 as presented. A motion was made by Heidi Potter and seconded by Michael Kerstetter approving payment of the bills and the financial statements. MOTION UNANIMOUSLY CARRIED.

PUBLIC COMMENTS: NONE

OFFICERS & OFFICIALS:

Girls' Softball League - Michael Kerstetter presented a letter from the Girls' Softball League requesting a donation. A motion was made by Michael Kerstetter and seconded by Donald Zechman Jr to donate \$200.00 to the Girls' Softball League as budgeted for 2015. MOTION UNANIMOUSLY CARRIED.

Edmiston's Insurance - Josh Edmiston presented costs to renew the Borough's insurance for another year. Josh explained the increase for this next year was only \$142.00 more than last year, which is an amazingly low increase. The total cost to renew, including Worker's Compensation, is \$67,511.00.

Josh recommended including the playground equipment on the policy. He said since the Park has been upgraded, it would be a shame if the new items were damaged, like if a tree fell on them. Ginny will get these costs to Josh following tonight's meeting.

Ginny handed Josh copies of costs for fire alarm systems being proposed to be installed at the water and sewer plants. Josh was asked, if these fire alarm systems were purchased and installed at both plants, would it cut down on the insurance costs. Josh said he would have to look into the situation to be sure, but felt it would not be more than a 1% decrease on that area of the policy, which is currently around \$10,000. He said it would definitely not be anything significant but would have an answer for Council by their next meeting.

**REGULAR MEETING MINUTES  
OF THE MIDDLEBURG BOROUGH COUNCIL  
Tuesday, June 9, 2015  
Page 2 of 5**

Dwayne Hackenberg asked if the Authority installed a fire suppression system, would that make a significant difference in the insurance. That system is designed to actually put the fire out. Josh will check on this too.

A motion was made by Donald Zechman Jr and seconded by Heidi Potter to accept the insurance renewal package presented at tonight's meeting for the 2015/ 2016 year. MOTION UNANIMOUSLY CARRIED.

Young Lungs At Play Award - Roger Snook explained that approximately two years ago a young lady visited the Borough to describe the Young Lungs at Play Program and asked the Borough to adopt it at Charles Park. After the Borough adopted the policy, Center Township was inspired to do the same. As a reward for being in the program for two years and inspiring another municipality adoption the policy, a bronze award was presented to the Borough and a photo and article was included in the Snyder County Times. Roger recommended encouraging other communities to adopt this program in an effort to keep the young lungs of the community free from diseases caused by second hand smoke or putting tobacco products in their mouths. The longer the Borough is in this program and the more municipalities that join as a result, the higher the award will go, such as bronze, silver or gold.

Maggie Martin - Health & Wellness Group - Maggie explained she would like to put on a 5K series this summer based in Charles Park. She is hoping to do it every Tuesday night during July and August beginning at 7:30 PM. There would be a 1 mile fun run for the kids and then a 5K for anyone who felt they could make it. She would also do presentations on how to live a healthy life style. She was not requesting any road closings for these events. Tony stated that PENNDOT has recently come up with some new requirements for runners/walkers using state roads. He will check to see if anything applies to Borough roads. A motion was made by Heidi Potter and seconded by Michael Kerstetter approving Maggie's request. It was agreed she would not schedule this event the week of the Firemen's Carnival. MOTION UNANIMOUSLY CARRIED.

Michael Kerstetter said that the Middleburg Kiwanis is sponsoring a 5K and it has been approved for Saturday morning, the week of the Firemen's Carnival, using the same route requested by Maggie for her events. Maggie was invited to have her group join in on Saturday, rather than Tuesday, of that week.

Janice & Wesley Schleig/Storm Water Problems - Wesley introduced himself and his wife Janice and explained they have lived along Furnace Road for 15 years. He circulated packets of photos of their stormwater issues that continue to flood their rear yard during storm events. Wes noted this has been an ongoing issue even prior to their ownership of the property but things are becoming progressively worse. The storm water starts all the way up at the west end of West Willow Avenue, draining off of Rt 522/W Market Street and travels down a channel in the field. This storm water joins the water from a second storm drain located on Bachman Alley that also drains from Rt 522 and all of that water comes rushing into their back yard flooding it and causing damage to their property. The storm waters have caused damage to their fence, house foundation, deck and basement. He has replaced parts of his fence and has been forced to spend thousands of dollars cleaning up and repairing things following aggressive events. In addition, property owners behind their property have done things to keep the water off of their properties. Those flows are then forced toward the Schleig property creating additional water issues and damage.

Ginny explained that prior to tonight's meeting she asked the Borough engineer, Dave Walters, to visit the site in an effort to make a recommendation as to how to fix this problem. Dave presented a map showing everyone at the meeting an overview of the areas of concern.

Dave explained that the new well project was located on the west end of these flows. Something needs to be done there also in an effort to keep storm water from eroding the well site, which should help with the Schleig's situation.

After additional discussions on the storm water problems, Dave noted that in order to address this problem appropriately, an engineering Feasibility Study would need to be completed. He felt the results of this study could be made available within a month or so.

A motion was made by James Shull and seconded by William Hostler for Larson Design Group to proceed with the Feasibility Study as recommended by Dave. MOTION UNANIMOUSLY CARRIED.

**REGULAR MEETING MINUTES  
OF THE MIDDLEBURG BOROUGH COUNCIL  
Tuesday, June 9, 2015  
Page 3 of 5**

Lake Overflow Project - Dave Walters explained that the DEP Permit had been received for this project and now documents need to be prepared to put it out for bids. The estimated project cost is \$22,000 which will be taken from the Middleswarth Chip Plant donation money. The costs to put the bid packet together, review the bids, getting the agreements in place, periodic site visits, etc would be in the range of \$3,500 to \$5,000. A motion was made by James Shull and seconded by Michael Kerstetter for Larson Design Group to proceed with the preparation of the bidding specifications, advertising the project for bids, and additional work as described above. MOTION UNANIMOUSLY CARRIED.

ARLE Grant - Dave Walters explained that Larson Design Group is preparing the ARLEY Grant Application which is due June 30<sup>th</sup>. This grant is for upgrades to the traffic lights.

Re-Zoning Ordinance - Jeremiah explained this ordinance has now been properly advertised. He opened a public hearing for comments on the re-zoning as described in the ordinance. A few questions were presented by the public attending the meeting. Following discussion on the information in the ordinance, a motion was made by William Hostler and seconded by Susan Kinney to adopt the Ordinance as presented. MOTION UNANIMOUSLY CARRIED.

Ordinance Abandoning Unopened Alleys - Jeremiah noted this ordinance to abandon several unopened alleys will be advertised this month and available for adoption at the July meeting.

Resolution - Jeremiah explained everyone had been given a copy of a resolution he prepared, following Council's direction, that obligates the requester of any ordinance to bear all costs involved with preparation and advertisement of the ordinance. A motion was made by Heidi Potter and seconded by Susan Kinney to adopt this resolution as presented. MOTION UNANIMOUSLY CARRIED.

Transient Merchant Permit (Peddler's Permit) - Ginny explained that the Borough currently has an ordinance in place requiring transient merchants to get a permit. This permit is commonly referred to as a "Peddler's Permit" and is required for anyone who wishes to go door to door selling their wares. Currently there is no fee being charged for the permit, as it was waived years ago by a former Council. Ginny noted she requires copies of the proposed peddler's driver's license, complete identification of all individuals and vehicles that will be used for the solicitation, the name and contact information of the company they work for, the type of wares they intend to peddle and how long they will be working within the Borough. There is nothing within the ordinance stating what type of wares are allowed to be solicited, so anything a person can legally sell door to door would be allowed. Note was made that any fee charged for this type of permit must be based on cost recovery. Jeremiah noted another municipality with a similar ordinance charges \$100 per day and the merchant has to pay up front to get the permit. Their ordinance also limits the peddler's time to a maximum of 30 days. Middleburg's ordinance states that fees are supposed to be set by resolution. No action was taken on this issue at this time.

Reliance Hose Company Report - Dwayne Hackenberg presented the Reliance Hose Company Report for the month of May. He noted the mini-dog show was a success and that coming up is their Father's Day dinner.

Ash Trees At Charles Park - Dustin Zechman explained that before winter they had taken down every dead tree in Charles Park. There are now twelve Ash trees in the Park that did not survive the winter due to the Emerald Ash Borer Beetle. George Long gave a price to cut the twelve trees down, clean and chip the brush and grind the stumps for \$800 and the Borough would keep the wood for firewood. A motion was made by Heidi Potter and seconded by Donald Zechman Jr for George Long to proceed with this project as quoted above. MOTION UNANIMOUSLY CARRIED.

Snapping Turtles At The Pond - Ginny explained that for a very long time there has been a problem with very large snapping turtles living in the lake that should be removed. They have been seen pulling the baby ducks underwater and eating them. July 1 thru October 31<sup>st</sup> is snapping turtle season. She wondered if Council was interested in advertising the harvesting of snapping turtles at the Middleburg lake. William Hostler asked if consideration should be given to allowing only a certain number of people to be removing them at one time. Dustin said he feels many of these turtles come from the wetlands area located behind the maintenance shed. Following discussion on this situation, Heidi Potter volunteered to take over and "manage" the situation with the snapping turtles.

Police Report - Tony Jordan noted everyone has a copy of the May police report.

**REGULAR MEETING MINUTES  
OF THE MIDDLEBURG BOROUGH COUNCIL  
Tuesday, June 9, 2015  
Page 4 of 5**

PENNDOT & Parade Permits - Tony explained that the Police Department and members of the Borough Council recently met with PENNDOT. They were able to reach some common grounds during their discussion and recently received the permits for the upcoming parades. The permits are being issued with the agreement the police will comply with PENNDOT's requests. PENNDOT is also indicating that if someone has a run or a walk or a 5K event that takes up any portion of the state's roadway, they now need a permit. Initially they wanted a fire policeman to be located at every turn of the parade detour, which would have been impossible. It would have taken 38 or 39 fire police to cover the route and that amount of man power is just not available. Now they are allowing signage rather than man power. Hopefully they will continue to allow the signage for future parades. Electronic signage was discussed, however, PENNDOT was reluctant to use them as they cost \$35,000 EA. Tony noted all they need is just a few complaints to PENNDOT from people who are frustrated with the wait and that could end future parades.

Roger Snook asked if the Fire Company intended to do something to make the parade time shorter. Dwayne Hackenberg said they do the best they can but it is difficult to shorten the time frame.

Middleburg Events - Mayor Ronald Renshaw announced that the Sunbury City Band will be performing on the Reliance Hose Company's fairground area, Monday, June 29, 2015 at 7:00 PM. He hoped everyone would make an effort to attend.

Also on Saturday, June 20, 2015, the Emanuel Lutheran will be sponsoring a car show that benefits their Bible School. All vehicles are welcome and there will be a public vote on which one is the winner.

**COMMITTEES:**

Building & Grounds Committee -

**Community Room** - Chairman Donald Zechman Jr noted that the committee looked at the Community Room and they feel it is in bad shape. He asked Dustin if he could do something about the EXIT door as it is difficult to open and an elderly person may not be able to open it at all. The flooring definitely needs to be replaced. He noted there is a dip in the center of the floor. Ginny felt this could most likely be off set with sub-flooring. She said commercial grade linoleum may be the best way to go as it is easy to clean and would be forgiving on a not so level surface. The committee recommended painting the paneling a light color and creating a policy of no tape on the walls. Ginny said she informed the Library long ago that they should not hang anything on the walls with tape. The chalk boards also have tape marks on them. A recommendation was made to put cork board over top of the chalk boards since they are no longer used as chalk boards. There are several radiators that will need to be either moved or worked around that may make the project a little more difficult. Also all of the ceiling tiles need to be replaced and the grids painted.

Ginny was directed to get bids on the above proposed upgrades to the Community Room.

**Storm Drains and Exit Area** - Dustin said he televised the storm drain pipe that takes the water from the Borough building's spouting outside the EXIT door of the foyer onto the street. He found a small crack on the top the pipe, as you can see grass roots growing into it, but otherwise it was in good shape. The pipe is only about 2" underground so it won't take much to repair it. Dustin recommended putting two T's into it and running it into the line that goes directly into the Inlet, rather than running it through the sidewalk. He does not feel the small crack is causing water to freeze and backup. Ginny asked if the pipe had the appropriate grade to insure the water does not lay inside it and freeze. Dustin said the water does not lay in the pipe.

Note was made that bids would need to be acquired to replace the porch roof, add railing and repair the spouting. Ginny was directed to get bids on this project too.

Street & Sidewalk Committee - **Sidewalk Replacement** - Michael Kerstetter asked Ginny if she had received any response to her letter to the property owner at 249 West Market Street mandating they replace their sidewalks and curbing. Ginny explained that the ordinance allows them 90 days so that is what she gave them. The house is being purchased by the owner's grandson and converted from a double residence to a single residence and then the grandson will be living there.

**Paving Bids** - Michael explained the paving bids were received and opened at a special meeting on June 19<sup>th</sup>. The prices were in the range of the estimates, so the project was awarded at that meeting. The paving portion was awarded to Mid-State Paving and the seal coat portion to Midland Asphalt.

REGULAR MEETING MINUTES  
OF THE MIDDLEBURG BOROUGH COUNCIL  
Tuesday, June 9, 2015  
Page 5 of 5

Personnel Committee - James Shull noted that the two candidates they considered for summer employment, who qualified for the PHEAA funding, found jobs elsewhere.

Since time is now of the essence, a motion was made by William Hostler and seconded by Heidi Potter for the personnel committee to look for and hire someone they feel is appropriate for the part time summer employment position. All of the committee members and Dustin should agree on the individual offered the job. MOTION UNANIMOUSLY CARRIED.

Park & Recreation Committee - Heidi noted that Dustin had updated everyone on the progress at Charles Park and she had heard there was an interest in creating a walking trail around the pond. She wondered what would need to be done to move forward with a project like that. Ginny said this idea had been discussed several times in the past, however, it was decided that the pond itself should be cleaned up first. Ginny had applied for a grant a couple years ago, but the Borough was not accepted. She recommended that the parks and recreation committee look into applying for another grant to clean up the lake and possibly to also construct a walking trail around it. Heidi said she would work on that.

Planting a Tree Next to the Bridge - Ginny asked if Council was interested in moving forward with purchasing and planting a pine tree next to the bridge where the large Christmas tree is placed each year. This had been discussed before and a comment made that we should wait until spring. Dustin said his recollection was that we were going to fit this purchase in when it was time to do the plantings at the bio-retention area. He added that as soon as the bio-retention pond dries out and they can get back and work at it, he would like to order the plantings and include a tree to be planted next to the bridge.

Fencing Around the Bio-retention Pond - Ginny said she has received numerous complaints that people feel the bio-retention pond area should have a fence around it as it is unsafe for their small children. Since the Park is located within an aggressive floodway area, it was decided placing a fence there would be a waste of money and not legal within the floodway.

Zoning Permit for the Ambulance Building - Ginny noted the cost of the zoning permit for the proposed ambulance building is \$530.00. She wanted to be sure the Council did not want to waive that payment since it was the ambulance company and possibly they wanted to consider it as a donation. Jeremiah Runkle reminded everyone that he had spent a considerable amount of time working with Ginny on this permit in an effort to figure out how to make it work with setbacks. The permit fee would help to offset the charge for the Solicitor's time. Ginny said she had not considered the Solicitor's fees and agreed that the permit fee would help to cover it. It was decided the permit fee should not be waived.

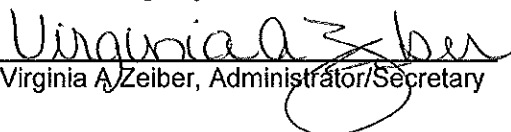
Middleburg Swimming Pool Donation - Ginny noted Council had asked her to hold off on the 2015 budgeted donation to the swimming pool until it was a certain that the pool would open this year. A motion was made by Michael Kerstetter and seconded by William Hostler to proceed by sending the budgeted \$500.00 donation to the swimming pool. MOTION UNANIMOUSLY CARRIED.

Police Department Computer Request - Tony Jordan explained that the police computers were purchased in 2010. They are now required to update the police software, which requires Windows 7 and their computers are too old to support the new software. The Borough's computer man, Dan Renkel, submitted a cost of \$700.00 each to replace the police computers. Since it is time to update the computers anyway, a motion was made by James Shull and seconded by Heidi Potter to purchase new computers for the Police Department as requested. MOTION UNANIMOUSLY CARRIED.

Executive Session - Council went into executive session at 9:27 PM to discuss personnel issues. They came out of the session at 9:55 PM. No action was taken as a result of the executive session.

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

The meeting adjourned at 9:57 PM.

  
Virginia A. Zeiber, Administrator/Secretary