

**REGULAR MEETING MINUTES
OF THE MIDDLEBURG BOROUGH COUNCIL
Tuesday, August 11, 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, Jeremiah Runkle-Solicitor, Brian Lauver-Resident, David Walters-Engineer, Sandy Ebright, Josh Edmiston

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 additions and/or approval of the August 11, 2015 Agenda as presented. Ginny noted Josh Edmiston should be added under Borough Solicitor Business. A motion was made by Donald Zechman Jr and seconded by James Shull approving the Agenda with the addition. MOTION UNANIMOUSLY CARRIED.

Regular Meeting Minutes for July 14, 2015 & Special Meeting Minutes for July 28, 2015 - Roger Snook asked for a motion to approve the two sets of Minutes as presented. A motion was made by Heidi Potter and seconded by Michael Kerstetter approving the July 14th and the July 28th minutes. MOTION UNANIMOUSLY CARRIED.

Payment of Bills & Approval of Financial Statements - Roger Snook asked for a motion approving payment of the bills and financial statements through August 11, 2015 as presented. A motion was made by Michael Kerstetter and seconded by Heidi Potter approving payment of the bills and financial statements. MOTION UNANIMOUSLY CARRIED.

PUBLIC COMMENTS:

Potholes on Bachman Alley - Brian Lauver requested something be done about the large potholes on Bachman Alley. He asked Dustin if he was aware of the situation. Dustin said he was and explained it was part of the paving project that had been cut due to lack of funding. Brian said the area is becoming increasingly worse and that vehicles are bottoming out. He asked that something be done to fix it.

New Zoning Map on Borough's Web Site - Brian Lauver asked Ginny if she had sent the newly updated Zoning Map in to be included on the Borough's Web Site. She said she had not done so yet but would contact the appropriate person at Larson Design Group and request the file be emailed in the appropriate format to send it to the Webmaster.

Firemen's Parade - Donald Zechman Jr asked Police Chief Tony Jordan if he had received any complaints about the Firemen's Parade this year. Tony said he had not received any.

Jeremiah Runkle, Solicitor:

Edmiston's Insurance - Josh Edmiston explained that the Borough currently has a limit of \$35,000 under the commercial auto coverage for both the uninsured and the under-insured. He said that Jeremiah Runkle, following his review of the Borough/Authority's insurance policy, had contacted him with some concerns. Jeremiah expressed his concerns regarding the impact on the Borough's future premiums for Workers Compensation coverage, if the Borough has a large loss paid for by Workers Comp that could have been paid under the uninsured and under insured coverages on the commercial auto policy, if those coverages were available at a greater limit. Josh agreed that in rare situations this could happen but that it wasn't something that occurred often.

Following discussion on this situation a motion was made by James Shull and seconded by Heidi Potter to increase the limit to \$1 Million each for the uninsured and the under insured at a cost of \$1,100 per year. This would be divided equally between the three funds costing each fund approximately \$367 per year. MOTION UNANIMOUSLY CARRIED.

**REGULAR MEETING MINUTES
OF THE MIDDLEBURG BOROUGH COUNCIL
Tuesday, August 11, 2015
Page 2 of 4**

Landlord Ordinance - Following discussions and a request at an earlier Council meeting, Jeremiah was asked to provide a copy of Mifflinburg's Landlord Ordinance for consideration for Middleburg Borough. Jeremiah explained this was a 38 page document and he had worked long and diligently with Mifflinburg Borough Committee members and their Mayor to get this language to where they wanted it. He also noted there would be a considerable amount of enforcement required by the police department and expenses to the Central Keystone COG. He recommended a committee be formed that included Mayor Renshaw and Police Chief Tony Jordan and several members of Council to review this language and decide if they are prepared for the commitment of time it will require for enforcement. A committee was formed that includes William Hostler as Chairperson, Heidi Potter, Mayor Renshaw and Tony Jordan. Copies of Mifflinburg's Ordinance was given to each committee member and William Hostler will be responsible for contacting the members to set up meetings to discuss the situation.

Overhead Spouting Ordinance - Copies of language mandating the relocating of all spouting that discharges storm water from spouting attached to buildings and delivers it onto sidewalks and streets was circulated for review. Jeremiah recommended everyone review this language until the next meeting keeping in mind if they decide to adopt it, they need to know what they are going to do regarding where to mandate redirection of the storm water flows. Grand fathering of existing illegal spouting would not be allowed.

Fee for Transient Merchants Resolution - Jeremiah presented a resolution, as directed at the July meeting, establishing a \$50 fee for a Transient Merchant Permit. A motion was made by Heidi Potter and seconded by James Shull adopting the resolution as presented. MOTION UNANIMOUSLY CARRIED.

Sandy Ebright - Sandy explained she was attending tonight's meeting on behalf of the Reliance Hose Company #1, Middleburg. She said the Fire Company spent hundreds of dollars painting their picnic tables and benches and then vandals etched things in them. The etchings were so deep those areas had to be sanded down and repainted. In addition, a noose was found hanging inside the one pavilion and it was long enough and sturdy enough to actually be used. She asked Council for suggestions on how to resolve the vandalism that continues to go on and is getting worse. The Fire Company had to start locking the bathrooms during times when there are no events because there was so much destruction done to them. The noose incident, along with ongoing vandalism, has made them fearful something really bad is going to happen. She said the Fire Company also spent hundreds of dollars on signs that they posted following the recommendation of the Police Department, but the signs have not helped.

A discussion was held on whether motion cameras would help, however, it was noted most of these people wear "hoodies" or clothing that covers their face. There was also a concern that the vandals would find and destroy the cameras. LED lighting was also discussed for the Charles Park area in an effort to discourage vandals from being there after dark.

In conclusion, Sandy will take the ideas discussed tonight to the Fire Company Board to see what they want to do and how they think it should be funded. Motion lighting at the Park will be investigated as to its feasibility and cost.

Larson Design Group - David Walters, P E Engineer - Dave explained that the SWIP monitoring of new Well #3 is moving along and so far things are looking good.

Executive Session - At 8:25 PM Council went into an executive session to discuss legal matters.

At 9:03 PM Council came out of executive session. No action was taken as a result of the executive session.

Ventrac Mower Attachments - Dustin Zechman read from a list of attachments he recommended purchasing for the Ventrac Mower. The total cost for these items was \$14,940. One of the requested items was a cab, however, it may no longer be available due to the age of the mower as the company requires 6 orders before they will make any. If he is unable to get the cab, it would eliminate some of the other items, as they should be used with a cab. Ginny noted the cost for this purchase should be split between the three funds and in order to do that, permission must be granted from the Authority Board for the water and sewer portions. It was decided to wait until the next Council meeting, which will give Dustin time to check to see which items will actually be available and also approach the Authority Board. Having a cab would allow this piece of equipment to be used in many more applications including winter projects such as snow removal. If it ends up the cab is unavailable, the cost for the remaining equipment being requested is approximately \$8,000. Dustin noted that the school has this same piece of equipment with a cab and the additional attachments and they claim it has saved them a considerable amount of money in man hours.

**REGULAR MEETING MINUTES
OF THE MIDDLEBURG BOROUGH COUNCIL
Tuesday, August 11, 2015
Page 3 of 4**

New Flooring Choices for the Upstairs of the Borough Building - Ginny displayed numerous samples of Luxury Vinyl Tiles proposed for the new floor in the upstairs of the Borough building. A motion was made by Michael Kerstetter and seconded by Heidi Potter to form a committee consisting of Ginny Zeiber, Beverly Inch and Dixie Kreamer to choose an appropriate tile. MOTION UNANIMOUSLY CARRIED.

Police Report & Information - Tony Jordan noted everyone was given a copy of the police report for the month of July.

Tony explained that Snyder County was awarded a grant to pay for new equipment which will allow the police to run background checks and driver's license checks while sitting in their cars. At this time they have to rely on the 911 Center to get this information. Some additional brackets and equipment will need to be purchased out of pocket, however, he did not have a cost to present at this time.

Firemen's Parade - Tony noted that the Firemen's Parade went well, especially with the Fire Company purchasing new "Detour Signs". The parade was shorter this year too, which also made things nicer.

Personnel Committee - Approximately one week prior to tonight's Council meeting, all committee members received copies of the applicants' resumes for the full time maintenance position. Chairman James Shull said he had reviewed them and had also conferred with Dustin Zechman on the matter and is taking his thoughts into consideration. The committee hopes to have a recommendation for the Board at the next Council meeting.

Snapping Turtles - Heidi Potter said she did not know if the original people who were interested in trapping the snapping turtles at the lake had actually done anything yet. She spoke with a man who is going to contact some of his friends with hunting interests to see if they may want to pursue the turtles. Dustin noted some people were waiting until the lake was lowered for the standpipe project with the hope they will be able to catch the turtles as they crawl out of the lake. He said there was a live turtle stuck in the valve box when they began lowering the lake, however, they were able to flush it out.

Risk Management Policy - Ginny explained she had contacted Mifflinburg Borough, Selinsgrove Borough and Lewisburg Borough and none of them had Risk Management Policies. It was decided since this was only a recommendation of the Auditor, and not a mandate, Middleburg would hold off on adopting the policy at this time.

NEW BUSINESS:

Timekeeping Policy and Resolution - All Council members were given a copy of a resolution and language recommended by the personnel committee to be added to the Personnel Policy Manual. Committee Chairman James Shull explained these improvements would include the establishment of a uniform timekeeping policy and a policy requiring proper notification and tracking of law enforcement services provided to the Borough by the Pennsylvania State Police. Ginny added this policy would allow for much more accurate time keeping for actual hours worked and hours used as vacation, sick or personal on each day of the week.

Jeremiah explained the real meaning of the resolution, as he sees it, is that the PA State Police will assume responsibility of law enforcement service to the Borough when the Borough police are not on duty and the Chief of Police will notify the Borough Administrator in advance that this situation will be taking place. The resolution also states that the members of the police department will record their time on time cards consistent with the way the other employees are already recording theirs.

Jeremiah noted that the timekeeping policy, which is separate from the Resolution, should be adopted separately as it will be an addendum to the existing Personnel Policy Manual.

Both Mayor Renshaw and Chief Tony Jordan expressed their concerns and objections as to why this was all necessary. Ginny attempted to explain that every employee of the Borough, except for the Police Department, currently keeps track of their working hours on a daily time card and those cards are submitted to her (the Administrator) on a bi-weekly basis. These cards exhibit where the employee is each day of the week such as at work during stated hours, on vacation, off sick, or taking personal time, etc. The personnel committee agreed "all employees" should be required to show their working hours daily and in a consistent manner.

**REGULAR MEETING MINUTES
OF THE MIDDLEBURG BOROUGH COUNCIL
Tuesday, August 11, 2015
Page 4 of 4**

Following additional discussion, Tony requested a meeting with the personnel committee on this matter prior to adopting the policy and the resolution. James Shull said he would schedule a meeting of the committee with the police department for this purpose. Ginny requested this be accomplished prior to the next Council meeting in an effort to resolve the situation in a timely manner.

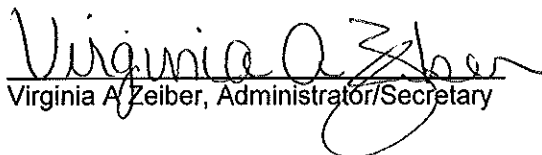
New Copier - Ginny explained that each time a new copier is purchased for the Borough office, it is done under a 5 year lease/purchase option. During the 5 year time period a monthly fee is paid that covers the cost to purchase the new copier and all maintenance, parts and labor on that machine. During the past 5 years, the monthly fee has been \$116.00. At the end of the 5 year lease to buy plan, there is a buyout of \$1.00 and then the Borough owns the copier. At that point a new copier is normally purchased and the one that was just paid off goes to the police department. The police department's monthly cost is then much lower because the machine has already been paid for and the payments, from there on, are specifically for maintenance of the equipment. Both maintenance agreements are based on the average number of copies made each month by each department and the police department makes considerably less copies than the Borough office.

Tony asked if a color copier had been considered. Ginny said she had discussed that option, but it was concluded that the Borough office did not require that many color copies to warrant the additional costs and maintenance fees. Tony noted the police department has a small color copier and they make color copies on a fairly regular basis. This color copier is quite costly to operate and maintain because of the cost of ink and parts and it is not under a maintenance contract..

It was decided the Borough office would keep their current copier for a few more years and Ginny should get prices on a new color copier for the police department.

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

The meeting adjourned at 10:00 PM.


Virginia A. Zeiber, Administrator/Secretary