

REGULAR MEETING MINUTES
OF THE MIDDLEBURG BOROUGH COUNCIL
Tuesday, December 13, 2016
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LOCATION OF MEETING: Middleburg Borough Building, 13 North Main Street, Middleburg PA

COUNCIL MEMBERS : James Shull-President, Michael Kerstetter-V.P, Heidi Potter (absent), William Hostler (absent), Judy Lynn, Brian Lauver

OFFICIALS PRESENT : Virginia "Ginny" A Zeiber-Administrator/Secretary/Zoning Officer, Mayor Ronald Renshaw, Tony Jordan-Police Chief

OTHERS PRESENT : Dustin Zechman-Borough Foreman, Judy Varner-Employee, David Walters-Engineer, Dwayne Hackenberg-Fire Chief

Meeting Called to Order - The Middleburg Borough Council meeting was called to order at 7:30 PM by James Shull, Council President and began with the Pledge of Allegiance to the Flag of the United States of America.

Agenda - James Shull requested additions to and/or approval of the December 13, 2016 Agenda as presented. Ginny requested the addition of "salary increases for the non-contracted employees". A motion was made by Michael Kerstetter and seconded by Judy Lynn approving the Agenda with the requested addition. MOTION UNANIMOUSLY CARRIED.

Minutes from the November 8, 2016 Council Meeting - James Shull requested approval of the November 8, 2016 meeting minutes. A motion was made by Brian Lauver and seconded by Michael Kerstetter approving the Minutes as presented. MOTION UNANIMOUSLY CARRIED.

Bills and Financial Statements - James Shull requested a motion to approve the bills and financial statements through December 13, 2016. A motion was made by Judy Lynn and seconded by Michael Kerstetter approving the bills and financial statements as presented. MOTION UNANIMOUSLY CARRIED.

PUBLIC COMMENTS: NONE

REPORTS FROM OFFICERS AND OFFICIALS:

Revitalization Committee Thanks - Mayor Ronald Renshaw said he would like to thank Adam Dietz and the rest of the Revitalization Committee for the good things they are doing for the Borough and especially the nice job they did with the Log Cabin Christmas event.

Fire Company - Dwayne Hackenberg, Fire Chief handed out the 2017 Reliance Hose Company Schedule of Events cards to everyone. He noted he did not have a report to present at tonight's meeting.

Solicitor Jeremiah Runkle:

Middleburg Yarn Factory Situation - Jeremiah stated in lieu of some possible upcoming changes with the Borough's code enforcement, he would like to wait until a later date to move forward with this situation.

Service Electric - Updating Franchise Agreement - Jeremiah explained that the Borough has the right to impose up to a 5% franchise fee on all cable TV services within the Borough which would create a source of general fund revenue without raising taxes. The cost is passed on to the consumer through the Service Electric bills. Following discussion on this proposed additional revenue and updating of the new agreement, Ginny was asked to contact Service Electric to see if they could give the Borough an idea how much revenue it would generate each year so a decision can be made at another meeting whether or not this fee would be worthwhile. Jeremiah made some recommendations on possible negotiations that could be made with Service Electric, if Council decides to move forward with a franchise agreement that includes a fee to the customer. He also recommended advertising the addition of the fee in a local newspaper, should Council choose to move forward with it.

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Old Christmas Decorations - Dustin Zechman asked Council for confirmation that they were still interested in selling the old Christmas decorations and if so, for how much money. He has a list of people who are interested in purchasing one or more of them. There are approximately 24 wreathes and 40 lanterns. Jeremiah noted if the estimated value is greater than \$1,000, they legally need to be advertised. Dustin noted someone has expressed interest in purchasing them for Troxelville. Following discussion on this situation, it was decided Dustin should check with the municipality who would purchase them for Troxelville to see if they are seriously interested because if they go to another municipality advertising may not be necessary. A motion would be required to "SELL" the Christmas decorations. Ginny noted Adams Township should most likely be making the official decision regarding the purchase of the decorations.

Larson Design Group - Engineer Dave Walters explained they had completed the field work for the stormwater study and looked at dividing the Borough into various drainage areas. Conceptual layouts and cost estimates have been included. He will present this information at the January meeting so Council can determine where they want to go with it. Once the study has been completed and accepted by Council, the next step is to set up a consultation meeting with PENNVEST and DEP to get their input on possible grant funding. The next step thereafter would be an application, permits and design. Dave will confirm when the application for the grant is due.

2017 Retainer Agreement for Larson Design Group - Ginny presented Larson Design Group's Retainer Agreement package for the 2017 year for Council's approval. Dave explained that just a few of the fees increased by only \$5 or \$10 per hour, but otherwise everything is the same as 2016. Note was made that the Authority Board had approved Larson's Retainer Agreement as it applies to the Authority at their meeting, prior to the Council meeting. A motion was made by Michael Kerstetter and seconded by Judy Lynn accepting Larson's Retainer Agreement for 2017. MOTION UNANIMOUSLY CARRIED.

COMMITTEES:

Personnel Committee - Executive Session - At 8:00 PM Council went into an executive session to discuss personnel matters. At 9:50 PM Council came out of executive session.

Non-Contracted Employee Rate Increases - As a result of the executive session, a motion was made by James Shull to increase Beverly Inch's hourly rate from \$13.02 per hour to \$13.32 and increase Cam Ferguson's hourly rate of \$10.00 to \$10.30 per hour for the 2017 year. The motion was seconded by Michael Kerstetter. MOTION UNANIMOUSLY CARRIED.

Virginia Zeiber and Dustin Zechman's salary increases will be announced at the regular January 10, 2017 Council meeting. The increase will be retroactive to January 1.

Police Chief - As a result of the executive session, a motion was made by Michael Kerstetter and seconded by Judy Lynn for the Labor Attorney to prepare a petition to have the Chief of Police removed from the Bargaining Unit. MOTION UNANIMOUSLY CARRIED.

Street & Sidewalk Committee - Traffic Light Request - Michael Kerstetter noted he was approached by a resident of the Borough who asked if Borough Council was considering a traffic light at the intersection of Rt 104 (Wausau Rd) and Rt 522 (East Main St) at the Middle Creek Bridge. He informed the citizen that the Borough had been looking into replacing the traffic light at the square using a grant to cover those costs, but there is no money available for a new traffic light at the intersection he was referring to. Ginny noted placement of a traffic signal at the requested location would require a traffic study to be done at the expense of the Borough and then PENNDOT would tell the Borough if they would be permitted to place one at that location. Chief Tony Jordan noted there has not been an accident at that intersection in many years so it would be unlikely PENNDOT would consider approving a new traffic light at this time.

Health Insurance Information - Michael Kerstetter explained he had recently discussed the Borough's health plan with employee Markel Kline and Mark expressed interest in knowing why the Borough had NOT chosen to go with the health insurance pool that was presented at the time the Borough was renewing the insurance. Ginny noted the meeting minutes were always available on the Borough's web site for the employees to read to see what happened during that time OR any other information they wish to know. Michael said he would contact the Borough's health insurance representative, Christine Kinney, to see if she had any information to offer.

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Additional New Street Lights for the Borough - Judy Lynn handed out a drawing she completed showing the eight areas of the Borough where she feels additional street lighting would be beneficial. She reminded Council that the only expense incurred by the Borough would be the approximate \$17 per month per light for the electricity once the lights were installed. As long as there are transformers on the requested poles, PPL will install the lights for free and as far as she could tell all of the poles recommended for the additional lights already have transformers on them. Following review of her information and discussion on the situation a motion was made by Judy Lynn and seconded by Michael Kerstetter to add the eight (8) lights as recommended. MOTION UNANIMOUSLY CARRIED.

Brian Haight/PENNDOT - Crosswalk at Trinity UM Church - Dustin noted that Brian was scheduled to visit the Borough the next day, Wednesday at 8:30 AM to take a look at the crossing area at the Trinity United Methodist Church to see if adding a new crosswalk would be feasible. Michael Kerstetter was invited to join the on site meeting.

2017 Budgets - A motion was made by Michael Kerstetter and seconded by Brian Lauver adopting the 2017 General Fund, Water Fund, and Sewer Fund budgets following proper advertisement for public review and as recommended by the Budget Committee. MOTION UNANIMOUSLY CARRIED.

Penn Valley Airport - Included within the agenda packet was a copy of an email sent by John Glenn regarding the Penn Valley Airport. Jeremiah noted they (the Airport) are still trying to figure things out but they would really like a "yes" or a "no" from each municipality regarding whether or not the municipality will back their proposed loan for the new hanger. Former documentation stated the amount backed by Middleburg Borough would not exceed \$70,000. The Airport has always stated that each shareholder would be responsible for backing an equal 1/9th of the project so it is unknown at this time if that would end up being \$70,000. John also requested the Borough consider a donation of \$1,000 for the 2017 year. Jeremiah said his opinion and recommendation remains the same as before that the Borough should not commit to anything regarding backing the loan until they know exactly what the amount will be. Even then, it is a hard sell why Middleburg Borough should commit at all, especially for 1/9th of the project. John also requested that if the Borough decides to get out of their share completely, they notify him first, since he is their representative. It was thought that the Borough would never see any money as a result of the sale of the Airport even as shareholders. Ginny will respond to John Glenn informing him of the Borough's donation as stated in the 2017 General Fund Budget and also that Council does not plan to take any action at this time until they know exactly how much money will be involved in the project.

Recycling - Ginny received an email from Tom Gibson, Snyder County Recycling Coordinator, indicating there was a meeting scheduled with the Commissioners today at 2:30 PM to discuss options to cover the new costs for the recycling centers throughout the County. He was requesting a commitment from the Borough that they would be willing to share in the expenses. Ginny informed him Council was not scheduled to meet until this evening, so there was no way a commitment could be made prior to the meeting with the Commissioners.

Brian Lauver said he had again talked to Greg Snook, Franklin Twp Supervisor, and he found out Spring Township has decided to pull out of recycling unless they end up receiving grant funding from the County. Franklin Township estimated, based on the number of pulls they had in the past, there would be a significant expense for their recycling center. Penn Township stated in a newspaper article recently that based on their prior number of pulls at \$130 per pull, their estimated annual expense for this service could be around \$25,000. No action was taken at this time regarding sharing in recycling expenses.

UNFINISHED BUSINESS:

Marty Sowers/Light-Heigel Associates - Jeremiah explained he talked with Matt Sauers, who formerly worked for the Central Keystone COG, but now is employed with Light-Heigel. Judy Lynn said she was impressed with Marty Sowers presentation at the November meeting and she felt they would not be afraid to take action when required for Code violations. They also currently represent many other municipalities and have done so for many years. They are comfortable going to court over required issues and do so on a regular basis. Although Matt is on the Planning side of things and not code enforcement, he has been through the transition from the Keystone COG to Light-Heigel several times with other municipalities. Matt recommended any action that has been started through the COG should be completed through them. This means there will be a period of time where there is an overlap so the COG can complete those projects.

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Jeremiah also spoke with Matt about building permits regarding outstanding files and permits, etc. Matt again stated it should be the responsibility of the COG to complete anything they had started. He felt it was important that the files be turned over to the Borough for look back information and seemed confident that the COG's files for the Borough would not be voluminous. Light-Heigel does not store these files at their place of business so they would become the responsibility of the Borough. Ginny noted the Borough already has files on all of the properties within the Borough so this information could just be added to the existing files. Light-Heigel knows how to make the transition happen without a problem. If it is the Council's desire to change to Light-Heigel, Jeremiah recommended a motion to send notice to the Central Keystone COG terminating their appointment as the Borough's enforcement officer.

Brian Lauver expressed some concern regarding the comparison of building permit fees between the COG and Light-Heigel as shown on some information he had gotten. It was decided to investigate fees for building permits and inspections between the two entities before deciding to change to Light-Heigel for this service.

A motion was made by Michael Kerstetter and seconded by Judy Lynn to change rental inspection services and code enforcement services for property maintenance from the Central Keystone COG to Light-Heigel as soon as possible. The motion includes direction for Jeremiah to review the existing agreement with the COG and prepare an appropriate letter to them indicating the Borough's intent to terminate their services for those two entities. MOTION UNANIMOUSLY CARRIED.

Back Up for the Borough's Computers - Ginny asked Council if they wanted to move forward with the backup system offered by Dan Renkel at a cost of \$608.99. Note was made that this system would continuously back up the office computers and the equipment would be located in the Borough building but would not be fireproof. Jeremiah said he uses Harris Micrographics out of Sunbury to back up all of the computers in his office building and recommended contacting them to see what they could offer for the Borough. The information is transferred on a regular basis to an off site area that is safe and fire protected. Ginny will get information from this company for presentation at the January 2017 regular meeting.

Barricades - Dustin presented information on costs to construct barricades but noted they would most likely not be PENNDOT compliant and Tony Jordan wanted to be able to use them on State highways during flooding events. Following discussion on this issue, it was decided to wait until Dustin meets with Brian Haight on Wednesday morning and he could then discuss barricade requirements with him. Dustin will report that information to Council at the January meeting.

NEW BUSINESS:

Tax Ordinance - Jeremiah Runkle opened a hearing for Tax Ordinance #333 and requested comments from the public on the properly advertised ordinance. He read language from the Ordinance setting the real estate tax at 24.5 mills and the lighting mills at 2.0. Following no comments from the public the hearing was ended. A motion was made by Michael Kerstetter and seconded by Brian Lauver to adopt Tax Ordinance #333 as advertised and presented. MOTION UNANIMOUSLY CARRIED.

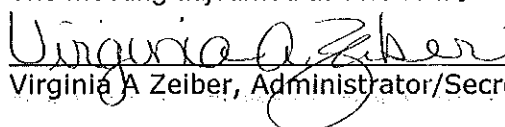
Borough Council's Meeting Dates for 2017 - A motion was made by Judy Lynn and seconded by Michael Kerstetter adopting the following dates for the Borough Council meetings for 2017:

January 10, February 14 (Val Day), March 14, April 11, May 9, June 13, July 11,
August 8, September 12, October 10, November 14, December 12.

All meetings listed above will be the second Tuesday of the month at 7:30 PM. Motion UNANIMOUSLY CARRIED.

Adjournment - A motion was made by Michael Kerstetter and seconded by Judy Lynn to adjourn. MOTION UNANIMOUSLY CARRIED.

The meeting adjourned at 11:02 PM.


Virginia A. Zeiber, Administrator/Secretary