

**REGULAR MEETING MINUTES
OF THE MIDDLEBURG BOROUGH COUNCIL
Tuesday, February 14, 2017
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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, William Hostler, Judy Lynn, Brian Lauver
- OFFICIALS PRESENT : Virginia "Ginny" A Zeiber-Administrator/Secretary/Zoning Officer, Mayor Ronald Renshaw (absent), Tony Jordan-Police Chief
- OTHERS PRESENT : Dustin Zechman-Borough Foreman, Judy Varner-Employee, David Walters-Engineer, Dwayne Hackenberg-Fire Chief (left for a fire call), Michael Wise & Gregory Flury with New York Life Insurance, Dena & Robert Klingerman

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 February 14, 2017 Agenda. A motion was made by William Hostler and seconded by Judy Lynn approving the Agenda as presented. MOTION UNANIMOUSLY CARRIED.

Minutes from the January 10, 2017 Council Meeting - James Shull requested approval of the January 10, 2017 meeting minutes. A motion was made by Heidi Potter and seconded by Brian Lauver 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 February 14, 2017. A motion was made by Judy Lynn and seconded by Heidi Potter approving the bills and financial statements as presented. MOTION UNANIMOUSLY CARRIED.

PUBLIC COMMENTS:

Winey Avenue & Center Street/Tar & Chip Complaints - Dena Klingerman stated she and her husband were extremely unhappy with the tar and chip project done during 2016 by the Borough. She said the tar and chip work that was completed during the 2015 year, especially on Shambach Street using the same material, turned out completely different than 2016's project on Winey Ave and Center Street. She said those roadways are covered with so much dust, dirt and loose stones it is awful. Ginny noted that Bernadette Schwalm stopped at the office to complain, stating they are unable to sit on their front porch or open their windows, due to the extreme amount of dust generated by passing vehicles on Winey Avenue. She requested the Borough NEVER tar and chip any streets next to their properties ever again!! Dena said her neighbors Dawn and Kevin Wenrich, and Donald and Pat Meredith also expressed their disappointment of the material. Michael Kerstetter said he talked with Pastor George Price who also expressed his disappointment with the tar and chip portion of the project. Dena thought things would subside through the winter months, but it seems the situation has actually gotten worse. She wondered if there may be something wrong with the materials used on the 2016 project, since it turned out so different from the areas done during the 2015 project.

Michael Kerstetter explained North Creamery Avenue, North Shuman Street, and Essex Road were also tarred and chipped during the 2016 project at the same time as Center Street and Winey Avenue. He felt there may be a concern about the tar and chip materials and the Borough plans to ask Brian Haight from PENNDOT to visit the sites and assess the situation. If Brian feels there may be a problem with the product, the contractor will need to be notified. Michael noted he had also received numerous complaints from residents.

Dustin Zechman, Borough Foreman, explained that normally they use the street sweeper on the tarred and chipped streets and that takes care of the excess dust and stone, however, because of drought conditions and the street sweeper breaking down, they were unable to sweep as often as usual. He also explained that the tar and chipped streets don't melt off as quickly as the paved streets, so they have to add more anti-skid to take care of the ice and that continues to build up. Dena still felt that Shambach Street, right from the beginning, was way less dusty and had less loose stone. Dustin felt this was due to a significantly larger amount of heavy truck traffic compacting the material, along with better weather conditions on Shambach Street.

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REPORTS FROM OFFICERS AND OFFICIALS:

Municipal Recycling Centers - Following presentation of a letter sent to the Borough from Franklin Township and discussion by Council members, Michael Kerstetter made a motion for the Borough to contribute \$1,000 for the 2017 year to Franklin Township's Recycling Center to help support their costs. The motion was seconded by Brian Lauver. MOTION CARRIED. Judy Lynn opposed the motion as she did not feel enough Borough residents actually use the Franklin Township site to warrant using tax payer money.

Reliance Hose Company Report - Dwayne Hackenberg left a copy of the Fire Company report for each Council person, then received a fire call and had to leave.

Stormwater Grant Funding - James Shull reminded everyone a meeting has been scheduled for Wednesday, February 15th at 10:30 AM in the Council room with representatives from PENNVEST, DEP, Senator Gordner's office and David Walters to discuss the Borough's grant eligibility for storm water improvements throughout the Borough. The street and sidewalk committee members are planning to attend this meeting, as requested.

Approval of Parades - Police Chief Tony Jordan requested a motion to approve the Memorial Day Parade scheduled for May 29th at 6:30 PM and the Firemen's Parade scheduled for August 10th at 6:30 PM. A motion was made by Heidi Potter and seconded by Judy Lynn approving these two parades as presented. MOTION UNANIMOUSLY CARRIED.

Adoption of the Zoning Hearing Board - Zoning Hearing Board members' names were circulated to all Council members for their review. Ginny noted Jeremiah had recommended reappointing the Board each year by resolution. This action was tabled until the March meeting when Jeremiah will have a resolution prepared.

Middleburg Yarn Factory - Jeremiah noted he had reached out to Matt Sauers with Light-Heigel regarding the Yarn Factory situation, however, they have not connected yet.

New York Life Insurance Financial Advisors - Michael Wise and Gregory Flury, representatives with New York Life Insurance, presented information on the company adding that NY Life is a business member of the PA Borough's Association. They have been visiting as many Boroughs as possible introducing their company and what they have to offer. Following their presentation they requested a motion of Council allowing them to present the information to the Borough employees. The motion would also serve as an agreement for them to bill the Borough for the amounts deducted from each employee who joined their plan. There is no cost to the Borough for their plans. Council members are eligible for the plans if they are paid at least \$60 per month for their services on the Board.

A motion was made by Heidi Potter and seconded by William Hostler approving NY Life to proceed with the presentation of their multi option plans to the Borough employees and for payroll deductions to be put in place for any of the employees who choose plans. MOTION UNANIMOUSLY CARRIED.

Snyder Co Tax Collection Committee (SCTCC) - Heidi Potter noted she received a packet of information indicating the next meeting of the SCTCC is scheduled for Thursday, February 23rd. As the representative for the Borough, she plans to attend.

Service Electric Franchise Agreement - Ginny asked Jeremiah if he had prepared a new Service Electric Franchise Agreement. Jeremiah stated he had not prepared anything yet and did not have it on his priority list, especially since it had been so long since the old one expired and it was only recently discovered it was so outdated. Brian Lauver asked if the agreement was necessary and what exactly it did for the Borough. Jeremiah explained that technically the Cable Company is not supposed to operate in the Borough without an agreement. The purpose of franchise agreements is to give the municipality some control over the service provided to the constituents and have some leverage against the cable TV provider whenever the service is down. Municipalities sometimes negotiate things such as service standards, callback time for service calls, public announcement channels, etc. Ginny provided Jeremiah with an agreement proposed by Service Electric some time ago, and Jeremiah also has an agreement he has used for other municipalities. He will review both and come up with something he believes will be best for Middleburg Borough.

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Old Christmas Decorations - Dustin Zechman said he called Adams Township and left a voice message and also sent them an email informing them if they do not show interest in the old Christmas decorations by next month, he will be moving forward by offering them to another municipality. Dustin noted Deb Troutman and Adam Dietz had expressed interest in keeping them to use on the back streets of the Borough. He explained to them the cost just for PPL to install the photo cell is around \$300 per pole, along with the bills for electric while they are being used. Heidi Potter said she would speak to both Deb and Adam about this and Council agreed they were not interested in paying that amount of money to use the old ornaments elsewhere in town.

Dustin Zechman's Salary Clarification - Ginny asked Council to clarify Dustin's salary increase stated at the last meeting as \$1,000 per license for the 2017 year. When she received the letter Jeremiah was directed to prepare describing the new terms of Dustin's benefits, it stated the \$1,000 per license would be given "annually" and that was not stated in the motion. She wanted to be sure that adding an additional \$1,000 per license annually was Council's intent. Everyone agreed that was their intent.

PA 811 Safe Digging Proclamation - Included in each agenda packet were copies of a Proclamation stating that Middleburg Borough agrees to designate the month of April 2017 as "PA 811 Safe Digging Month". This request is being made by the PA One Call Service in an effort to make people more aware when excavating. They are hoping to prevent injuries and property damage by making sure either the property owner, contractor, or excavator contacts the PA One Call System before proceeding with their projects. A motion was made by William Hostler and seconded by Michael Kerstetter to adopt the Proclamation as presented. MOTION UNANIMOUSLY CARRIED.

Telecommunication Participation in Council Meetings - Ginny included a copy of a question/answer article from the Borough News Magazine noting Council members are sometimes allowed to participate in meetings using a telecommunication device when they are unable to attend a meeting. The Borough must first enact a resolution allowing for participation using a telecommunication device. Allowed reasons, according to the Borough Code, include illness or disability of the council member, care for the ill or a newborn in the council member's immediate family, emergency, and family or business travel. She thought this might be something to consider should there ever be a timely decision that needed to be made and not enough members showed up to make a quorum for the scheduled Council meeting. Jeremiah stated he did not know of any other municipality who has adopted this idea, so the issue was tabled.

Zoning Permit Fee Increase - Ginny included a copy of Zoning Permit rates for Rockefeller Township and explained other municipalities rates seem to be much higher than the Borough's and since Middleburg has not increased their rates in many years, she felt it might be a good idea to consider it at this time. Council asked Ginny to get additional rates from other municipalities in Snyder County before making a decision. The Borough's fee schedule is adopted by resolution.

Foyer Tiles - Ginny included a copy of a cost estimate from Drewes Flooring to strip all of the wax off of the tile in the foyer of the Borough building. When the new cleaning lady first started, she rented wax removal equipment and attempted to strip the floor and wax it but it has not looked very good since then. Also, some of the grout cleaned up to a lighter beige and some stayed a darker color. The cost estimate from Drewes Flooring proposes to strip the wax, stain all of the grout a dark color so it all matches, and to finish it with three coats of clear wax at a cost of \$1,450.00.

Ginny explained she also received a price from Fike Carpeting to strip the wax and put fresh wax on the floor for somewhere around \$600. That would not include anything being done to stain the grout. Following discussion on the foyer floor, a motion was made by William Hostler and seconded by Heidi Potter to accept Fike Brothers proposal to remove the old wax and wax the floor, plus additional carpeting should be purchased for foot traffic to help keep the floor tiles in better condition. MOTION UNANIMOUSLY CARRIED.

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

The meeting adjourned at 8:55 PM.


Virginia A. Zeiber, Administrator/Secretary