

REGULAR MEETING MINUTES
OF THE MIDDLEBURG BOROUGH COUNCIL

Tuesday, April 11, 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, Tony Jordan-Police Chief

OTHERS PRESENT : Larissa Savitsky, Christine Kyler & Rhoda Miller w/UCP Day Program, Dwayne Hackenberg (for a short time), Mark Morgan-Central Keystone COG, David Walters-Engineer, Jeremiah Runkle-Solicitor, Judy Varner, Dustin Zechman

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.

Agenda - James Shull requested additions to and/or approval of the April 11, 2017 Agenda. Ginny requested adding Mark Morgan with the Central Keystone COG and a proposed new pavilion for Charles Park. A motion was made by Michael Kerstetter and seconded by Judy Lynn approving the Agenda with the additions. MOTION UNANIMOUSLY CARRIED.

Minutes from the March 14, 2017 Council Meeting - James Shull requested approval of the March 14, 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 April 11, 2017. A motion was made by Heidi Potter and seconded by William Hostler approving the bills and financial statements as presented. MOTION UNANIMOUSLY CARRIED.

PUBLIC COMMENTS: NONE

OFFICERS AND OFFICIALS:

Proposed Pavilion - Judy Lynn explained there is an area at Charles Park where trees were recently removed that would be perfect for a new pavilion. A printout of a proposed structure was included within each agenda packet as a sample of what Judy was proposing. She felt it would also be nice to include a grill on either end of it like at the state parks. Ginny explained the pavilion information was given to several contractors for pricing and is being presented to Council at this time for thoughts and comments, until pricing is obtained.

Cats in the Borough - Mayor Ron Renshaw noted there are stray cats in the area of Schoch Street and Thomas Avenue and he wondered if anything could be done to eliminate the problem. Ginny noted she has assisted with feral cat spay neutering programs at Susquehanna University, as well as numerous other locations, and basically it is the volunteers who take care of these situations and most times at their own expense. These volunteers ask that the residents of neighborhoods where feral cats are a problem to step up to the plate and take care of the cats themselves. There are numerous low cost spay and neuter programs available now but there are no official rescues for cats that will cover those fees. In general, it is up to the residents with the problems to do the trapping and transporting and most times to cover all of the costs. Jeremiah told Ginny to contact Michelle Shaffer with Monroe Township as they had someone come in and do a presentation on low cost spay and neutering of feral cats and they will do the trapping.

Thomas Avenue - Mayor Renshaw asked Council to consider making Thomas Avenue wider and also consider making it a one way street. It was decided the street and sidewalk committee would assess the situation with Thomas Avenue and make a recommendation at the next meeting. The committee was also asked to take another look at West Willow Avenue next to the Sheriff's office regarding numerous requests over the years to make it one way.

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Fire Company Report - Dwayne Hackenberg circulated the Fire Company Report for the month of March and read from the information. He noted their next scheduled event is Spring Yard Sales on Saturday April 29th. The event will include BBQ chicken at the carnival grounds.

Water/Sewer for the Ambulance Building - Dwayne also asked if Council would consider waiving the water and sewer fees for the new ambulance building, since this fee was waived for the Fire Company building. Ginny and Jeremiah agreed this would be a decision for the Authority Board.

Larson Design Group - David Walters, PE - Dave presented the monthly engineering report for March. He said Larson recently started design for the proposed stormwater project and their survey crew had been in the area gathering field data to develop the base mapping for the design. The initial PENNVEST application has been filed but everything has to be done On Line. He anticipates needing information from Jeremiah and the Borough's accountant in order to complete the application. It is due May 11th and the first meeting is on July 22nd to take action on all of the applications received. Dave met with representatives from DEP and PENNVEST regarding the grant and felt things went well and were positive.

Dave noted Larson had submitted an agreement to the Council for the stormwater design work for the March meeting but things were delayed due to the big snow. The agreement includes a lump sum fee of \$21,500 for the Topographic Survey and a lump sum fee of \$32,300 for Final Design, totaling \$53,800. The Bidding/Construction Administration fee is estimated at \$21,500, which includes completing the grant application. During the construction and bidding process Larson will have involvement with PENNVEST as well, and that estimated fee is \$19,800. The total for everything is \$95,100. If the Borough is successful in getting the PENNVEST grant, then those costs are reimbursable. If the Borough is not successful getting a grant, Larson will stop work on the bidding and construction phases. PENNVEST's program will automatically roll the application over into the next two meetings, however, if the Borough is not funded during those meetings, they would have to reapply.

Dave requested a motion approving the \$53,800 for the survey and final design as shown in Larson's agreement. Note was made that the general fund may have to take out a loan initially to fund this project but it would be worth it considering the possibility of getting this significant grant. A motion was made by Heidi Potter and seconded by Judy Lynn approving the total amount of \$53,800, as requested, to move forward with the stormwater project.
MOTION UNANIMOUSLY CARRIED.

UCP Group on West Willow Avenue - Included within each Agenda packet was an email from Larissa Savitsky, with the UCP Group, requesting discussion on an issue they are having with loading and unloading their handicapped clients in front of their business along West Willow Avenue.

Larissa stated that while the van drivers are attempting to load and unload the disabled people, drivers appear to be speeding up and down the alleyway swerving past them, even though they are now loading and unloading within their parking lot. She feels placing speed limit signs along with handicap signage might help and requested the Borough consider the signs she presented sketched on a paper. Jeremiah asked how many times a day the vans were loaded and unloaded. Larissa noted there are two separate vans and each of them come twice daily. She said it takes an average of 6 to 7 minutes for each van to load or unload.

Tony Jordan said he was not aware they had started loading and unloading in their parking area. Prior to that change, while they were loading and unloading within the alley right of way, he actually timed them on two separate occasions and it took approximately 22 minutes each time. In an effort to get past the van, frustrated drivers circled around the van into private yards.

Larissa noted some of their employees are also disabled and need to use the handicap accessible area in front of the building to park their own vehicles and use the handicap access ramp. Tying up the parking area could force the vans back into the public right of way to load and unload.

Michael Kerstetter noted he had visited the site on behalf of the street committee and a lengthy discussion followed. As a result, it was decided the street committee will contact Brian Haight with PENNDOT and ask him to visit the site and assess the situation. This would include the requested signage. A decision can then be made by Council based on Brian's and the street committee's recommendations.

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Central Keystone Council of Governments (COG) - Mark Morgan - Mark said he wanted to stop by in an effort to clean up some outstanding paperwork on hand at the COG. He handed out some brochures and business cards for anyone interested in them. He brought with him a completion certificate for the new sidewalk along the side of the Borough building. He said they did the inspections for the framing and foundations for the maintenance building but never returned to finish up the inspections for electrical, etc. He requested setting up a time to do that inspection so a completion certificate can also be issued for the maintenance building project. One of the inspectors will call to schedule a suitable time with Dustin.

Zoning Hearing Board Resolution - Jeremiah circulated Resolution 2017-03 adopting the Zoning Hearing Board as discussed at a prior meeting. Following review of Resolution 2017-03, a motion was made by Brian Lauver and seconded by Judy Lynn adopting it as presented. MOTION UNANIMOUSLY CARRIED.

Voluntary Water Restriction - Dustin Zechman noted he had lifted the voluntary water restriction but if the weather continues to be warm and dry, it may have to be put back on.

Executive Session - Council went into executive session at 8:40 PM to discuss legal issues. The executive session ended at 9:02 PM. No action was taken as a result of the session.

Health Insurance Change - James Shull explained that the personnel committee met with Christine Kinney, health insurance broker, to discuss health insurance renewal options which will become effective June 1st. After reviewing all of the options presented, the committee is recommending the Geisinger Health Insurance Plan as shown on the chart. Ginny explained that the AFSCME Union Rep and the Union employees were in agreement with this plan and also agreed if the Geisinger Plan was chosen, they would be willing to go back to the Borough covering only \$1,000/\$2,000 of the deductible like it was before the Amendment. A motion was made by William Hostler and seconded by Heidi Potter approving the Geisinger Plan as recommended. This would include returning to the Borough covering \$1,000/\$2,000 of the deductible. MOTION UNANIMOUSLY CARRIED.

Seal Coated Streets - Dustin Zechman explained that Mifflinburg Borough had the same problem with their seal coat project last year that was also done by Hammaker and the stone was purchased at the same quarry as Middleburg's project. Hammaker said although the stone was properly certified, it is not the quality of stone they normally use. They would like to use a fog seal that has a 15 minute dry time and gives the appearance of black top over the seal coated streets. He is going to do a trial in Mifflinburg and then come to Middleburg and do a trial also to see how we like it. If it works out, they will fog seal all of the remaining streets that were seal coated during the 2016 paving project free of charge. Jeremiah recommended doing the trail coating on the most highly traveled street in Middleburg. Everyone agreed that should be Center Street. Michael Kerstetter recommended rather than doing one entire street for the trial to see if they would be willing to do one block on two streets to see how well it wears in two different areas. Dustin said he would ask them.

Snyder County Tax Committee - Heidi Potter noted she had attended the most recent meeting of this committee and has now been appointed as their secretary. There have been no other changes.

NEW BUSINESS:

Snow Plowing/Street Sweeping Complaints - Ginny explained she had received a call from Dave Carpenter who lives on Schoch Street. He spent a considerable amount of time complaining about the Borough maintenance crew's lack of snow plowing and street sweeping skills and requested being on the Agenda. He noted he works for Union County and they are regularly required to participate in Webinars. He feels the maintenance crew should be mandated to participate in snow plowing Webinars so they learn how to plow correctly. He elaborated on these issues noting when they plowed Schoch Street in front of his house, they did not clear the blacktop all the way to the edge of the street like they are supposed to do. This in turn created parking problems for him.

Dustin said that Schoch Street was plowed to the full width of the paved area and the reason they could not get closer in front of Carpenter's house is because the dump truck will not fit underneath his low tree limbs. Michael Kerstetter actually witnessed Dustin, during another snow event, damage the box of the truck on the limbs of the Carpenter tree when he attempted to get closer to that side of the street. Council was in agreement that Ginny should write a letter to Dave informing him that the Borough would be happy to plow closer to the front of his house if he would trim his trees so the Borough trucks can safely drive underneath the branches.

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Regarding the street sweeper and what Dave witnessed, it was toward the end of the day one of the sheer pins had broken in the gutter broom causing them to the use of their side broom. Mark was attempting to clean up the mess he had made with the main broom so he was going back and forth getting the worst of the dirt that was left on the street.

County Liquid Fuels - Ginny explained that the 2017 amount of County Liquid Fuels is \$1,265.00 which is the same as it has been for many years. This money must be used for the same type of things as the State Liquid Fuels money and due to the small amount, it is normally designated for road salt and/or paving materials. A motion was made by Heidi Potter and seconded by William Hostler to use the County Liquid Fuels money for paving and road salt. MOTION UNANIMOUSLY CARRIED.

Clean Up Day (Thursday, May 18, 2017) - Two proposals were presented to Council, one from Hometown Disposal and the other from Disposal Management Services Inc (DMS) for the Borough's annual clean up day scheduled for May 18th. DMS's rates were lower so a motion was made by Heidi Potter and seconded by William Hostler awarding the clean up day contract to DMS as quoted. MOTION UNANIMOUSLY CARRIED.

Middleburg Area Teener Baseball - A letter from Middleburg Area Teener Baseball was presented requesting a donation for 2017. A motion was made by William Hostler and seconded by Brian Lauver to donate \$200 as budgeted for 2017 to this organization. MOTION UNANIMOUSLY CARRIED.

Adoption of Resolution 2017-01 - A motion was made by Heidi Potter and seconded by Judy Lynn adopting Resolution 2017-01 recommending the following changes to House Bill No. 290, Session of 2013, relating to community charitable organizations, to read as follows: "(b) Aggregate prize limit - There shall be no monetary limit in prizes awarded from games of chance by a licensed eligible organization during any time period, so long as the provision outlined in Section 502(a), Distribution of Proceeds, is not found in violation". MOTION UNANIMOUSLY CARRIED.

Adoption of Resolution 2017-02 - A motion was made by Michael Kerstetter and seconded by William Hostler to adopt Resolution 2017-02 recommending the State permit any police officer to be entitled to use the most modern and accurate electronic equipment to enforce local speed limits. MOTION UNANIMOUSLY CARRIED.


These resolutions will be sent to the Borough's Association to show municipal support toward these proposed changes to the House Bills.

Request to Allow Chickens in the Borough - Copies of a letter from Sherry Faust, 129 N Main Street, Middleburg was presented for discussion. Sherry requested the Borough amend their ordinance that prohibits certain farm animals from residing within the Borough to allow chickens. Ginny noted she heard some of the other local municipalities have been allowing chickens in certain Zoning Districts and under certain terms. She also reminded Council that a motion was passed a few years ago stating that anyone requesting either a new or amended ordinance would be required to cover all costs. Jeremiah said the cost for the preparation of the ordinance language, advertising etc would most likely be \$1,000 or more. Following a lengthy discussion on this request, Ginny was asked to contact Sherry to see if she would be willing to cover the cost, should Council consider her request further.

Executive Session - Council went into executive session at 9:54 PM to discuss personnel issues. The executive session ended at 9:55 PM. No action was taken as a result of the executive session.

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

The meeting adjourned at 9:56 PM.


Virginia A. Zeiber, Administrator/Secretary