

**REGULAR MEETING MINUTES
OF THE MIDDLEBURG BOROUGH COUNCIL
Tuesday, June 13, 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 (absent), William Hostler, Judy Lynn, Brian Lauver

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

OTHERS PRESENT : Dustin Zechman-Foreman, Judy Varner-Employee, Jeremiah Runkle-Solicitor, Josh Edmiston-Insurance Agent

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 June 13, 2017 Agenda. Ginny requested crossing off "absent" after James Shull's name and adding Josh Edmiston and also a letter from the Revitalization Committee under new business. A motion was made by William Hostler and seconded by Judy Lynn approving the Agenda with the changes/additions as noted. MOTION UNANIMOUSLY CARRIED.

Minutes from the May 9, 2017 Council Meeting - James Shull requested approval of the May 9, 2017 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 June 13, 2017. 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

OFFICERS AND OFFICIALS:

Proposed New Pavilion - Judy Lynn explained that she and Heidi Potter plan to get together with the idea of creating a sponsorship campaign in an effort to solicit donations for the proposed pavilion. She asked Council members if they were all in agreement with moving forward with attempting to make this project happen, if funds can be secured to pay for it. Note was made that the estimate to construct the pavilion is \$12,250 and then additional funding will be required for picnic tables and grills. Dustin recommended getting the perforated metal picnic tables, even though they are more expensive, because they are difficult to vandalize and should stay in place during high water events.

Jeremiah recommended placing an article in the paper explaining the project and also noting that the pavilions currently in place on the opposite side of South Charles Avenue are not the Borough's and are actually owned by the Reliance Hose Company. He said most people he has talked to believe the Fire Company's pavilions are owned by the Borough. He also recommended Council consider giving this project to another organization, as it seems inappropriate for the Borough to be requesting donations from their tax payers. Judy stated that the Revitalization Committee is way too busy to take anything else on at this time.

Following discussion on this project, a motion was made by Michael Kerstetter to move forward with trying to find funding for the pavilion and its accessories. The motion was seconded by Judy Lynn. MOTION UNANIMOUSLY CARRIED.

Sunbury Band Concert - Mayor Ronald Renshaw noted the Sunbury Band will be having a concert on Monday, July 10, 2017 at 7:00 PM at the Firemen's field in Middleburg.

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Flushing Hydrants - Dustin Zechman noted the Borough will be flushing hydrants beginning Monday, June 19th from approximately 9:00 PM until midnight. Flushing normally takes approximately 3 days to complete but they will continue for as long as it takes to complete the job.

Fog Seal - Dustin Zechman informed Council the fog seal coating has now been placed by Hammaker on all of the Borough streets where they had previously tarred and chipped, in an effort to get rid of the dust and extra stone. He feels this coating will solve the issues with these streets.

Yard Sale Setup - Dustin Zechman said that Emroy Musser requested permission to set up tables for a yard sale along the edge of Edmund Avenue at the south end of the Borough's baseball field during the weekend of the community yard sales. His tables will be placed off of the roadway but not very far, in an effort to keep vehicles from driving on the ballfield. A motion was made by Judy Lynn and seconded by Michael Kerstetter to allow Emroy to use this area for his yard sale set up as requested. MOTION UNANIMOUSLY CARRIED.

UCP Day Program Facility- 207 West Willow Avenue - Dustin explained he met with Dan Mauer, Facility Manager for the UCP Day Program. At their May meeting Council stated they were willing to have the maintenance crew install a handicap placard sign with the speed limit posted below it, as long as UCP paid for the signs and posts at a cost of \$225. Dan told Dustin UCP is not in favor of paying for the materials, as they have never had to do so at their other facility locations, so he didn't think they should have to in Middleburg either. Dan also requested that all further contact be through emails so he has record of their conversations. He feels someone is going to get hit and that it creates a disability and a liability because the Borough is not willing to pay for and install the requested signage.

Jeremiah recommended sending an email to Dan at UCP noting the Borough agreed to provide the labor to install their requested signage, as long as UCP paid for the materials, but they refused. This would document the Borough's willingness to cooperate with UCP's request for signage. Ginny felt the email should be sent by Jeremiah in an effort to make it appear more legal. He agreed and will copy it to Borough Council, Dustin and Ginny for review and comment.

Scobie Duck Problems - Dustin Zechman said he had contacted USDA about the problems with the domesticated ducks at the pond and asked them what our options were to get rid of them. Domesticated ducks are not protected by any regulations so their suggestions were as follows: 1. Relocate the ducks to a farm, 2. capture and euthanize them, or 3. use an air rifle and shoot them at night. No further action was taken on this issue.

Request for Signs - Dustin presented Heidi Moyer's request for "Watch Children" signs to be paid for and placed by the Borough at the rear of their property along Cedar Alley. Heidi and her spouse care for foster children and want drivers to be aware there are children playing at that location. Their home faces Grand Street. Following discussion on this request, it was decided that the Borough cannot approve signs every time they are requested or there will end up being signs everywhere. Note was made that if the foster kids are playing on or near the roadway, they should have constant adult supervision. Heidi's request was denied.

Dustin noted that some time ago someone placed a "Watch Children" sign along Time Alley at the rear of their property. Officer Chad Thomas made them remove it.

NEW BUSINESS:

Josh Edmiston - Edmiston's Insurance - Josh handed out copies of the new liability, etc insurance policy language to each Council member and Ginny for review. He explained this information includes Worker's Compensation costs and coverage that used to be with AmeriHealth but is now with Amtrust, who bought them out. Following information presented by Josh regarding the new policy versus the old one, a motion was made by William Hostler and seconded by Judy Lynn approving the new policy at a total annual cost of \$63,161.00 for the 2017 - 2018 year as presented. MOTION UNANIMOUSLY CARRIED.

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Executive Session - Council went into executive session at 8:25 PM to discuss personnel issues. The session ended at 8:55 PM. As a result, Council decided to create a special committee to review applications and interview applicants for the Borough Administrator position. The special committee members will be appointed by Michael Kerstetter.

Alternate Zoning Officers - Ginny recommended appointing Light Heigel & Associates as their alternate zoning officers should the Borough's zoning officer not be available or for a second opinion. Following a brief discussion, a motion was made by William Hostler and seconded by Brian Lauver appointing Light Heigel & Associates as the Borough's Alternate Zoning Officers. MOTION UNANIMOUSLY CARRIED.

Street & Sidewalk Committee - Chairman Michael Kerstetter explained that this year the street and sidewalk committee will only be looking at basic repairs to the streets due to the possibility of getting a grant for a large stormwater project. They feel it would not be a good idea to have to dig up a newly paved street should it be required for the stormwater project.

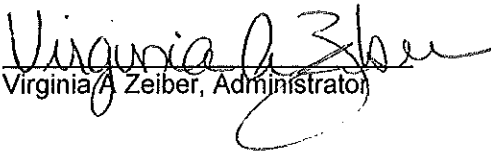
Grace Covenant Community Church (GCCC) Request - A letter was received prior to the meeting from GCCC requesting use of Charles Park on Sunday, July 16, 2017 for their Annual Worship Day and also on Sunday, August 20, 2017 for their Annual Day in the Park. GCCC has been doing these two events for the past several years. Ginny noted the church normally cleans things up and makes a donation to the Borough.. A motion was made by Michael Kerstetter and seconded by Judy Lynn approving both of these events as requested above. MOTION UNANIMOUSLY CARRIED.

Log Cabin Christmas Event - The Borough received a letter from the Revitalization Committee requesting closure of an area on East Market Street for their Log Cabin Christmas event. They would like to close East Market Street from Main Street to the east end of East Willow Avenue, Friday December 1, 2017 (Dec 2nd - Alternate date) from 3:00 PM until 9:30 PM. A motion was made by Judy Lynn and seconded by Michael Kerstetter approving the above request. MOTION UNANIMOUSLY CARRIED. Council asked Ginny to be sure to let the Police Department know about this event.

160' Cell Tower Proposal - Jeremiah Runkle informed everyone that in early May the Borough received notification that Horvath Towers V is planning on constructing a communications tower in Middleburg Borough. The proposed location is on the parcel where the Family Dollar Store is now located on Wausau Road. The tower would sit on the north end of the parking lot area. He noted that the current Zoning Ordinance does not technically address these towers as communication or cell phone towers but does have a line item for telephone relay towers which are allowed only in the Industrial Districts and this location is Industrial. He said this language is decades outdated, however, it is the closest use that applies. Jeremiah noted the only way to prevent this type of tower from being built within the Borough would be to quickly amend the Zoning Ordinance. The moment they file a request for a zoning permit, it will be too late to stop it. Council asked Jeremiah to bring a sample ordinance that would apply to this type of situation to the next regular meeting for review.

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

The meeting adjourned at 9:27 PM.


Virginia A. Zeiber, Administrator