

REGULAR MEETING MINUTES
OF THE MIDDLEBURG BOROUGH COUNCIL
Tuesday, April 14, 2015
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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, Attorney Connor Tarr, Jamie & Christopher Fisher (Boy Scout), Dwayne Hackenberg-Fire Chief, Brian Lauver-Resident, Christine Kinney-Health Insurance Rep

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 approval of the April 14, 2015 Agenda as presented. A motion was made by Michael Kerstetter and seconded by Heidi Potter approving the Agenda. MOTION UNANIMOUSLY CARRIED.

Regular Meeting Minutes for March 10, 2015 & Special Meeting Minutes for March 27, 2015 - Roger Snook asked for a motion to approve the March 10, 2015 Minutes and the March 27, 2015 Special Meeting Minutes as presented. A motion was made by Heidi Potter and seconded by Michael Kerstetter approving both 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 April 14, 2015 as presented. A motion was made by William Hostler and seconded by James Shull approving both the bills and the financial statements. MOTION UNANIMOUSLY CARRIED.

PUBLIC COMMENTS: NONE

OFFICERS & OFFICIALS:

Donation Request for Middleburg Area Teener Baseball - Michael Kerstetter presented a letter requesting monetary support of the Middleburg Area Teener Baseball League. The Borough's budgeted annual donation for 2015 is in the amount of \$200. A motion was made by William Hostler and seconded by James Shull to donate the \$200 to the Teener Baseball team as requested and as budgeted. MOTION UNANIMOUSLY CARRIED.

Next Council Meeting - Heidi Potter announced she will not be able to attend the May Council meeting as she will be in the Dominican Republic.

Absent Tonight - Note was made that Susan Kinney emailed to say she would not be able to attend tonight's Council meeting.

Mayor Renshaw - The Mayor thanked everyone for allowing him to miss the past few meetings in an effort to help raise money for cancer through music programs. This year they were able to raise over \$4,000 for cancer research.

Solicitor Jeremiah Runkle - Jeremiah presented the new sign ordinance and announced the beginning of a public hearing, which is required prior to the adoption of ordinances. He opened the floor for public comment. Following no public comment, a motion was made by Donald Zechman Jr and seconded by Heidi Potter to adopt the amended sign ordinance as advertised. MOTION UNANIMOUSLY CARRIED.

Quit Claim Deed for Reliance Hose Company - Jeremiah presented the completed Quit Claim Deed conveying the abandoned alley next to the Reliance Hose Company's ambulance garage to the Reliance Hose Company #1. He noted the new deed requires signatures from the Borough. Since the alleyway has already been abandoned by the Borough, no further action of the Council will be required.

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Quit Claim Deed for Mrs Lovett - Jeremiah stated that Mrs Lovett's request for the Borough to abandon unopened alleys adjacent to her property requires a new ordinance. He intends to have that ordinance available for review and approval to advertise at the May Council meeting.

Bearing the Cost of Requested Ordinances - Ginny explained that years ago Council passed a motion stating that when residents of the Borough request a change that requires the preparation of an ordinance, such as in the case of the photography studio recently included on Furnace Road, the requester would be required to pay the cost for the preparation of that ordinance. Normally these situations are of no benefit to the Borough but do benefit the requester. When the recent requests for abandonment of alleys were approved by Council, they included that the Borough would cover the ordinance costs. Ginny thought of this after that meeting and wanted to bring it to the attention of Council. Council decided to let the abandonment of the alley decision stand as the people had already been informed.

Jeremiah recommended if this is the way Council still wishes to handle things, rather than searching back through the old minutes in an effort to locate the former motion, an official resolution should be prepared and adopted stating that the requester will be responsible for these costs. Jeremiah will prepare a resolution for review and possible adoption at the next meeting.

Zoning District Changes - Jeremiah explained that the ordinance implementing Council's requested zoning changes has been submitted to the Snyder County Planning Department for their review and comments. A new full time Planning Director, Lincoln Kauffman, has recently been hired and it appears he is going to be beneficial to the County. Hopefully their review of the Zoning District changes will move through the Planning Department quickly.

In addition to the County's review, letters need to be sent to the property owners and their properties posted. Those letters should be going out this week and the properties will need to be posted by May 22nd. Jeremiah said he will provide the posters if the maintenance crew will post them. Dustin said they have the supplies required to post them so they will be able to do it whenever they are available.

The required hearing for this ordinance is planned for the June Council meeting. Ginny stated once the ordinance has been adopted, she will take care of working with Larson Design Group's mapping department, in coordination with the County GIS Group, to create a new zoning map.

Fire Company Report - Dwayne Hackenberg, Fire Chief, handed out copies of the monthly Reliance Hose Company report. Dwayne noted the Fire Company's events coming up in May are a Golf Tournament on May 8th at the Shade Mountain Golf Course, a Mother's Day Dinner at the Fire Hall on Sunday, May 11th, and a Chinese Auction/Pig Roast/Chicken Barbeque on Monday, May 26th for Memorial Day.

Playground Project at Charles Park - Dustin said the maintenance crew worked with Playground Pros last week putting the new playground equipment together and in place. He noted that although the inspector was expensive, it was worthwhile as they got everything done in one day with his assistance. He knew where every nut and bolt went and it would have most likely taken them a week to do the same without him. The new wood carpet is anticipated to be delivered next week.

Stump Grinding at Charles Park - Dustin spoke with George Long about grinding up the stumps at Charles Park. He recommended grinding approximately 60 stumps. Although there are more there than that, most of the rest are flush with the ground so he does not anticipate any problems with them. George is willing to grind up the 60 stumps for \$10 each. Dustin said they cannot even rent the equipment for that price. He feels this is extremely generous of George and recommended hiring him for the job. A motion was made by Heidi Potter and seconded by William Hostler to accept George Long's offer as stated above. MOTION UNANIMOUSLY CARRIED.

Part Time Summer Help - Dustin said he spoke with Selinsgrove Borough regarding what they do for summer part time help. They told him they use PHEAA (PA Higher Education Assistance Agency) who covers 40% of their cost for part time help. They partner that with the Degenstein Grant, which covers 50% of the cost. This agency requires the employee be a resident of either Snyder, Montour or Northumberland County. Selinsgrove Borough stated they love these programs and have never had any problems with them.

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Michael Kerstetter said he had already been in contact with Career Link, who already posted the job for Middleburg's summer help. Now that Dustin explained this newly found situation with the grants, he feels that would be a much better way to go.

Community Room in Borough Building - Ginny once again recommended the building committee take a good look at the upstairs community room as, in her opinion, it is an embarrassment to the Borough. She also feels more people will use it if it is in better condition. The floor tiles can actually be lifted up by hand and there are holes in the tiles. In addition, they are scratched, have black marks all over them, and are just plain old and ugly. She recommended putting the appropriate underlayment down to level out the floor and then install a commercial strength linoleum which would be easy to clean and should last for a long time. The room should be painted, new chairs and tables purchased and the ceiling tiles and blinds replaced. The maintenance crew can replace the ceiling tiles and blinds. Once those things have been completed, the room should be in good shape as all of the windows have been replaced, there is a newer air conditioner installed in the window and a wall heating unit for supplemental heat. Currently the room rents out for \$40 to anyone other than nonprofits who use it for free. There is currently money available in the General Fund so it is time this room be updated.

COMMITTEE REPORTS:

Street & Sidewalk Committee - Michael Kerstetter handed out spreadsheets he had prepared showing the proposed areas of streets this committee is recommending for upgrading during 2015. The total estimated cost for these areas, using Brian Haight's estimates, is \$86,833.50. It was determined there is approximately \$90,000 available in the State Liquid Fuels PLGIT Fund to be spent on road repairs. Donald Zechman Jr stated he would like to get the bid packets out as soon as possible so the project can be completed in a timely manner. Michael said he would email the information to Brian Haight at PENNDOT and urge him to prepare the bid packets and get them to us at his earliest convenience. Once the bids have been properly advertised and received, Jeremiah recommended advertising a meeting of the committee to open the bids. That way a spreadsheet can be prepared displaying the bids as read at the committee meeting and Council doesn't have to take time to go through all of that at their regular meeting. The motion approving a bidder will need to take place at the regular meeting of Council.

A motion was made by William Hostler and seconded by Roger Snook to proceed by submitting the committee's recommended street upgrades to Brian Haight at PENNDOT so bid packets can be prepared. MOTION UNANIMOUSLY CARRIED.

Repairs to Prior Paving Project - Michael Kerstetter explained there are repairs that need to be made to an area on Grand Street that was recently paved by Meckley's Limestone Products. He believes that the 1.5" of Amesite they were supposed to have put down was actually only about 1", when it was originally rolled and compacted. The pieces that have broken off make it obvious it was not a full 1.5". However, it is Michael's opinion that the reason the newly placed paving material broke up is due to a lack of proper base on the roadway, and not due to any fault of Meckley's paving project. They have agreed to come back and make the repairs at their cost, however, no estimated cost has been established at this time. This expense would be in addition to the \$86,833.50 estimated for new paving in 2015 but the repairs to Grand Street need to be done. It is anticipated Meckley's Limestone will not be doing this project until some time next month as they have another large project coming up soon.

Requested Crosswalk - Michael noted, following a resident's request for a crosswalk, he took a look at the area crossing South Shuman Street where it intersects with Wagenseller Street and there is no sidewalk there. He does not recommend putting a crosswalk at a location where there is no sidewalk and also feels without continuing police presence that a crosswalk would not benefit anyone by keeping them safer. He asked William Hostler if he would report that information to the lady who requested the crosswalk, so she is aware they did do something following her request.

Playground Project - Dustin Zechman explained to Council that while the maintenance crew was constructing the bio-retention pond required as part of the Charles Park improvements, they were digging a ditch to relieve some of the water from the swale. While doing so, they unknowingly dug up two property markers at the rear of a property fronting on South Main Street.

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Dustin met with the property owner and told him once the project had been completed and the area has dried up and been cleaned out, the Borough will have a surveyor come back in to replace the markers. The markers will need to be replaced by a registered surveyor. The property owner was not upset but wanted to make the Borough aware they were working on his land.

New Management Agreement for Water and Sewer - Ginny explained the letter she had prepared that was distributed to the Authority Board members listing the way things work at this time between the Borough and the Authority. This information is meant to be a tool to be used as information only, in hopes it will be helpful for them to put together a new management agreement by the end of 2015. Jeremiah said this situation can either move forward as a discussion between the two parties, or one side can prepare a document that can be shared with the other for consideration and editing, or the groups can sit down together and try to hash out points of agreement and then direct one solicitor or the other to put it into a document. He said there is no specific way this is "supposed" to work but it is something where one of the groups needs to take the bull by the horns and establish language for an agreement. Ginny recommended the Authority and the Council have a special meeting/work session in an effort to reach an agreement on new language.

Penn Valley Airport Authority - Note was made that the Heritage Group has pulled out of the Airport operations and it has been taken over by a different entity. She feels John Glenn may not come to a Borough meeting at this point since things seem to have been resolved at the Airport.

Personnel Committee: AFSCME - Chairman James Shull noted that the Borough had recently received correspondence from the AFSCME Union requesting negotiations begin for non-uniform contract renewal. The current contract expires December 31, 2015.

Health Insurance for Borough Employees - James Shull explained that the personnel committee had met with Christine Kinney, Health Insurance Rep, to go over the proposed new health insurance plans she will be presenting tonight. The committee is recommending the Borough change to the Highmark Plan, as recommended by Christine.

Christine presented spreadsheets explaining new health insurance plans and how they compare. If the Borough renews the current plan with Geisinger, there will be a 29.40% increase in the yearly cost. That would equate to an increase of over \$16,000 for the year. After review of all of the plans presented in detail and following Christine's recommendation, a motion was made by Heidi Potter and seconded by William Hostler to change to the Highmark Blue Shield Plan at a cost increase of only 3% over the current rate. This motion includes the employee payroll deductions for health insurance be changed to pre-taxed rather than post taxed. This will save both the Borough and the employee money. MOTION UNANIMOUSLY CARRIED.

Mini-Cobra - Christine explained that she has been covering the cost of the Borough's Mini-Cobra plan but her company will no longer allow her to continue paying it, since there are now less than 8 employees on the health insurance plan. She said the cost for the Mini-Cobra Plan is \$225 annually. A motion was made by William Hostler and seconded by James Shull for the Borough to cover that cost at \$225 per year with Cobra administering the Mini Cobra Plan. MOTION UNANIMOUSLY CARRIED.

Scrap Metal Collection Business - Ginny explained that the residents at 559 East Main Street recently began hauling truck loads of metal to their property and were unloading it into a garage at the rear of the property. In addition, they were sorting out plastics and burning them, which created a noxious smoke. They had circulated advertisements about their business door to door throughout the town which presented evidence they considered it to be a scrap metal collection business. She sent the residents a letter informing them they did not have a permit for the business and that they were burning illegally. A copy of the burning ordinance was included and a copy of everything was also given to the Police.

The next day Tony Jordan visited the site and discussed the two violations with the residents. Both Jeremiah and Ginny reviewed the permitted use section of Zoning to ensure there was nothing allowed in the N/C District that related to this type of business. Jeremiah recommended encouraging the residents to complete the permit application as it would provide written proof that their intent was to have a business. The application should then be denied. He explained that the junk section of the Code prohibits the collection of other people's junk and bringing it into the Borough. That section would also apply to this situation.

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County Liquid Fuels - Ginny explained it was the time of the year to apply for County Liquid Fuels money. The amount used to be \$2,500, however, for many years now it has only been \$1,265. The process is after the application has been completed, Council is required to pass a motion stating what they want the money to be used for and it must be related to roads. Last year the motion was to use the money for payment of road salt, cold patch, or blacktop. A motion was made by Heidi Potter and seconded by William Hostler to use the 2015 County Liquid Fuels for road salt, cold patch, or blacktop. MOTION UNANIMOUSLY CARRIED.

Building & Grounds Committee - William Hostler explained he had met with Nate Zechman who was waiting for appropriate weather to lay the bricks where some of the basement windows in the Borough building had been removed. He dropped off a sample of the bricks for everyone to see. The new brick is not the same width as the brick that is already on the building, so if he fills in the areas going from bottom to top, there will end up being a large gap and it will not look right. Nate offered two suggestions as to how to make it look right, but was open for additional suggestions. William feels taking the bricks and running a vertical leg up the left and right sides of the window, and then filling in the center, will break up the grout line and throw your eye in a way it will look the best. It would be way too labor intensive to cut all of the bricks to fit. All Council members agreed with William's recommendation. He will contact Nate to explain it and be sure he understands clearly how to proceed.

Gutters on the Borough Building - Roger Snook asked what Ginny had heard from contractors regarding the problem with ice jamming the gutters outside the emergency exit of the Borough building foyer. Ginny noted she had received only one response to her request for proposals to repair the area and their estimated cost was around \$4,000. That contractor felt the pipe that goes under the ground and the sidewalk has collapsed and needs to be replaced. This would force the replacement of a section of sidewalk too. He also feels the grade of the drain pipe is not at a sharp enough angle for the water to exit effectively.

Dustin said he does not believe the pipe is crushed, as it has not been that long since they replaced it. When it was replaced, they also surrounded it in concrete. He feels the main problem is when they plow snow, the pipe is plowed shut at the end where it exits at the curb. If they forget to push the snow away each time, the water can't get out of the pipe and it backs up and freezes. Ginny suggested using the sewer camera to TV the area of gutter line from the curb toward the building to ensure it is not actually crushed. If it is crushed, it will need to be replaced. The bidding contractor is waiting for Ginny to respond as to whether or not the Borough wants him to do the project. Ginny asked Dustin to TV the line as soon as possible so a decision can be made based on the results. Heidi noted \$4,000 sounds like a lot of money but if there is new railing involved and new roofing along with the gutters and sidewalk replacement, it may not really be that much.

NEW BUSINESS:

Blind Person Street Sign - Ginny explained that the father, Tim Phillips, of an approximate 27 year old man who had a stroke that left him blind, is requesting the Borough place "Blind Person" street signs in the vicinity of his son's residence. Toby Phillips lives at 137 West Market Street with his wife and three young children and is now blind as a result of a recent stroke. West Market Street is State Legislative Route 522 so PENNDOT would need to be involved in this decision. The Borough would be required to provide and install the required signs but PENNDOT would need to give their blessing and designate the type of signs as well as the required locations. A motion was made by Michael Kerstetter to contact the appropriate person at PENNDOT and find out if they would approve the signage and if so, also get the information regarding their requirements. The motion was seconded by Heidi Potter. MOTION UNANIMOUSLY CARRIED.

Cleanup Day - Ginny noted she had sent out a request for proposals to four garbage haulers but the only one who ever responds any more is Hometown Disposal. Their costs are the same as last year's and there is normally enough revenue generated to cover that cost. A motion was made by William Hostler and seconded by Donald Zechman Jr awarding the contract to Hometown Disposal. MOTION UNANIMOUSLY CARRIED.

Strongman Competition - Bill Fegley contacted Ginny asking if Council would approve closing South Charles Avenue on June 20th from 8:30 AM until 12:00 noon. Donald Zechman Jr thought it was more like 3:00 PM. Ginny said this event was held last year and it did not seem to create any problems closing the street then. A motion was made by Heidi Potter and seconded by William Hostler to allow the closing of South Charles Avenue from 8:30 AM until the Strongman event ends. MOTION UNANIMOUSLY CARRIED.

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Heidi Moyer's Request for Eye Reimbursement - Ginny explained that Heidi Moyer submitted a request for reimbursement from her yearly eye/dental \$500 allotment for non-prescription sun glasses that she purchased from Lens Crafters, where her friend works. Although it is not specifically noted in the Union Contract, reimbursements from the \$500 allotment have always related to medical or prescription expenses. Heidi has had corrective vision surgery for her eyes so she no longer requires prescription glasses or sunglasses.

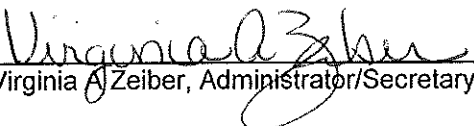
Jeremiah stated he would argue it is commonly understood this allotment is for medical related conditions. Following further discussion on this situation, Council decided they would be willing to approve this request under the \$150 clothing allowance but not the eye/dental. A motion was made by Heidi Potter that if the sunglasses are not prescription, the expense could be reimbursed under the clothing allowance, if Heidi (Moyer) wished to use it. The motion was seconded by William Hostler. MOTION UNANIMOUSLY CARRIED.

Request to Remove Signs - Dustin noted there are three signs posted near the school that say "No Construction Vehicles Beyond This Point". These signs were placed during the construction phase of the District's upgrades to the schools and now that all construction is complete, the signs no longer apply. Dustin asked Council if he should remove them. A motion was made by William Hostler and seconded by Michael Kerstetter for Dustin to remove the signs. MOTION UNANIMOUSLY CARRIED.

Roof Spouting - A question was asked about spouting that comes off of roofs of private residences running overhead across the sidewalk and splashes the storm water onto the streets. Jeremiah said that Mifflinburg Borough has written an effective Ordinance to get rid of these situations and they have also included a clause that does not allow any grand fathering. Jeremiah was asked to bring a copy of Mifflinburg's Ordinance to the next Council meeting for consideration.

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

The meeting adjourned at 9:55 PM.


Virginia A. Zeiber, Administrator/Secretary