

MIDDLEBURG BOROUGH COUNCIL
MEETING MINUTES
Tuesday, March 13, 2018 @ 7:30 PM
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Meeting Location: Middleburg Borough Building, 13 N. Main Street, Middleburg, PA
Council & Mayor: Heidi Potter/President, Michael Kerstetter/Vice President, Judy Lynn, Brian Lauver, George Price III, Brian Swartz, Craig Rodabaugh and Susan Kinney/Mayor
Others Present: Jeremiah Runkle/Solicitor, David Walters/Engineer, Tony Jordan/Police Chief, Dustin Zechman/Borough Foreman and Elizabeth Paige/Secretary/Administrator
Public Present: Nicholas Price/Freeburg Borough Mayor, Angela Shipe/Middleburg Moose, Butch Hackenberg and Judy Varner

Meeting Call to Order – The Middleburg Borough Council meeting was called to order by Council President, Heidi Potter at 7:30 PM. The meeting began with the Pledge of Allegiance to the Flag of the United States of America.

Motion made by Brian Swartz and seconded by George Price to approve tonight’s meeting agenda as presented. Motion carried unanimously.

Motion made by Brian Lauver and seconded by Craig Rodabaugh to approve the 2/13/2018 meeting minutes as distributed. Motion carried unanimously.

Motion made by Judy Lynn and seconded by Michael Kerstetter to approve the bills paid in February 2018 as presented. Motion carried unanimously.

Motion made by Judy Lynn and seconded by Brian Swartz to approve the financial statements as of 2/28/2018 as presented. Motion carried unanimously.

Public Comments

- Middleburg Moose representative, Angela Shipe informed Borough Council the Middleburg Moose is completing an application to the Liquor Control Board (LCB) for an extension of their liquor license in order to serve beer and provide music outside on their property at the April 22nd Car Show Event. The LCB application is being made due to the number of public comments received during last year’s Car Show. Council raised the question about being able to provide adequate parking for the event. Angela stated last year there was enough space available on the property for parking but if the event would require additional parking would Borough Council approve blocking off Grand Street to provide for additional parking. After a brief discussion, Council stated if approval for additional parking would be required along Grand Street, the residents should be contacted first and approval for parking will be considered at the April 10th Borough meeting. With no further discussion, motion was made by Judy Lynn for approval of the Middleburg Moose extension of their liquor license by the LCB to serve beer and provide music outside on their property. Motion seconded by Brian Lauver and carried unanimously.

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- Mayor of Freeburg Borough, Nicholas Price informed Borough Council that Freeburg Borough is interested in contracting police service from Middleburg Borough Police Department once again. A meeting was held with Police Chief Tony Jordan to discuss the possibility for police service. Mayor Price stated Freeburg Borough has budgeted for approximately 22 – 25 hours of police service depending on the hourly contracted rate. Council President Heidi Potter informed Mayor Price that Borough Council will need to review and discuss the request for the additional contracted police service with Police Chief Jordan, Mayor Sue Kinney and the Borough Solicitor.

Reports from Council Members and Others:

- Council President, Heidi Potter reviewed a list of goals for 2018 Middleburg Borough Council. (copy of 2018 goals attached) Council member, Brian Swartz inquired if a security system at Charles Park would be something to include along with the upgrades at Charles Park. After a brief discussion, Police Chief Jordan stated he will investigate the cost of adding a security system at the park.
- Council member, Judy Lynn reported Bailey Evans from Branch Banking & Trust of Beavertown contacted her as the Bank has selected Middleburg Borough as the community to receive their 2018 recreation project funding. Judy stated possible projects discussed were the mulching of Charles Park and adding a piece of additional playground equipment. Once BB&T decides on the amount of funding available for the recreation project, Bailey Evans will contact Judy Lynn again.
- Council member, Brian Lauver informed Council he has been questioned about the condition of East Market Street and the possibility of road repairs being considered. Since this year's upcoming stormwater project will be impacting a section of East Market Street, no road upgrades are being considered at this time.
- Mayor Sue Kinney informed Council she has established a new email address for the position of Middleburg Mayor (mayormiddleburg@gmail.com). Mayor Kinney stated Police Chief Jordan and she have begun discussions regarding the police department.
- Fire Chief Butch Hackenberg reviewed the fire company's current call report and list of upcoming events with Council. Also, Butch Hackenberg informed Council a new ambulance has been ordered.
- Engineer David Walters reported on the meeting held on Tuesday, March 6th regarding the easements needed for the upcoming stormwater project. At this time, David Walters requested Council grant approval to advertise the stormwater project for bids with the bid opening on Friday, April 6, 2018 at 2 p.m. and review of bid results at the April 10, 2018 Borough Council meeting. Solicitor Jeremiah Runkle stated the remaining easements will continue to be processed through his office. At this time, Solicitor Runkle informed Council there should be no need to file for any eminent domain. Motion was

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- *Continued from page 2:* made by Craig Rodabaugh to approve advertising the stormwater project for bids with the bid opening on Friday, April 6, 2018 at 2 p.m. and review of bid results at the April 10, 2018 Borough Council meeting. Motion seconded by George Price and carried unanimously.
- Solicitor Jeremiah Runkle informed Council he reviewed an email from the Sign Ordinance Amendment Committee regarding the proposed revisions to the yard sale/garage sale sign section of the zoning ordinance. Solicitor Runkle informed Council the enforcement provisions regarding such signs could be better addressed if Council would repeal the yard/garage sale sign section of the zoning ordinance and adopt a separate ordinance for the regulation of yard sale/garage sale signs. After a brief discussion, Brian Lauver made the motion to have Solicitor Runkle move forward on creating a separate ordinance for the regulation of yard sale/garage sale signs and Craig Rodabaugh seconded. Motion carried unanimously.
- Solicitor Jeremiah Runkle encouraged Council members to attend the March 19, 2018 meeting of Snyder County Planning Commission as the Horvath Cell Tower Project consultants will be making a presentation. Snyder County Planning Director, Lincoln Kaufman has strongly suggested if the Borough still has objections and/or concerns about the proposed cell tower that Council members attend the meeting to voice those objections and/or concerns. After a brief discussion, a temporary committee of Council members (Craig Rodabaugh and George Price) was formed to draft a message of concerns from the Borough, which Solicitor Runkle will deliver at the meeting.
- Streets & Sidewalks Committee Chairman, Mike Kerstetter informed Council he had contacted PennDOT regarding sweeping of the roads and the cleaning of the school crosswalks. PennDOT regulations state they are responsible to clean “only to the curb”. Council requested the Borough Foreman, Dustin Zechman contact the Midd-West School District to find out if they are willing to clean/clear the crosswalks on both sides of East Main Street. Michael Kerstetter discussed the possibility of not allowing left hand turns at the intersection of Railroad Avenue and East Main Street. After a brief discussion, the consensus of Council was not to make any changes at this intersection.
- Snyder County Tax Collection Representative, Heidi Potter reported she attended the annual meeting of the tax collection committee. At this time, Heidi Potter presented reports distributed at the tax collection committee meeting for review.
- Borough Administrator, Elizabeth Paige reviewed the zoning compliance letter completed by Light-Heigel & Associates, Inc. representative, Matt Sauers regarding the GDK Properties Plan (Burger King) with Council. A copy of the letter was emailed to the Snyder County Planning Director and GDK Properties developer.

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- Borough Administrator, Elizabeth Paige presented Resolution 2018-05, which appoints the Borough Administrator as the liaison to receive tax information for Middleburg Borough from Berkheimer. Solicitor Runkle requested the wording “to the Borough Administrator” be added to the end of the line regarding the release of said confidential information. Motion made by Craig Rodabaugh and seconded by Brian Swartz to approve the adoption of Resolution 2018-05. Motion carried unanimously.
- Borough Administrator, Elizabeth Paige reviewed a draft of the Middleburg Borough newsletter, which will be mailed out with the 1st quarter 2018 Water/Sewer bills. The newsletter will be sent to Council President, Heidi Potter for a final review before printing and mailing.
- Borough Administrator, Elizabeth Paige informed Council that Richard’s Portable Toilets called to inform the Borough the portable toilet will be placed at Charles Park and the cost will be \$100.00 per month. Council informed the Borough Administrator the placement of the portable toilet has been calculated into the 2018 Budget.
- Borough Foreman, Dustin Zechman reported stop bars were added at the intersection of W. Oak Avenue and Spring Alley. Resident Helen Zechman stated she was happy to see the addition of the stop bars at the intersection.
- Borough Foreman, Dustin Zechman informed Council about a used street sweeper available on the MuniBid website. Dustin Zechman and Mike Kerstetter went to the municipality to look at the street sweeper. Dustin Zechman informed Council he would like approval to bid up to a maximum bid of \$16,000, which he estimates would cover the cost of transportation and the 8% buyers fee included on the bid proposal. Motion made by Heidi Potter and seconded by Craig Rodabaugh to approve the Borough Foreman to bid on the street sweeper with a maximum bid of \$16,000. Motion carried unanimously.
- Police Chief, Tony Jordan reviewed the monthly police department report with Council.

Executive Session:

- Borough Council entered into an executive session for personnel matters at 9:35 p.m.
- Council President, Heidi Potter called the meeting back to order at 10:38 p.m. with no action required by Council on the personnel matters discussed.

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Old Business:

- Council President, Heidi Potter reviewed the information obtained by the Borough Administrator on the National Incident Management System (NIMS) training requirements for local government officials. Heidi Potter requested all the council members and the mayor to complete the minimum NIMS training requirements within the next two months and supply the Borough Administrator with a copy of each course certification for the Borough's files.

- Borough Administrator, Elizabeth Paige Informed Council and the Solicitor Light-Heigel & Associates, Inc. representative, Matt Sauers is reviewing and comparing the 2012 IMPC vs. the 2018 IMPC. Matt Sauers stated he will provide a comparison of changes to the Borough Administrator and Solicitor once his review is completed.

- Council Member, Michael Kerstetter reported he discussed the request made by Snyder County Safety Committee to make West Willow Avenue a one-way street with Borough Foreman, Dustin Zechman. Michael Kerstetter stated the same previous request made by Snyder County had resulted in several recommendations by the Borough to enhance the safety crossing West Willow Avenue, which consisted of: placement of a mirror at the rear entrance of the courthouse, placement of crosswalk signage and limiting the rear entrance of the courthouse as an emergency exit only. After a brief discussion, Council requested Michael Kerstetter contact the Snyder County Safety Committee representative, Sheriff Zechman in order to discuss why there was no follow up on the Borough's previous recommendations.

New Business:

- NONE

Motion was made by Judy Lynn and seconded by Brian Swartz to adjourn the meeting at 10:50 p.m.

Respectfully Submitted,

Elizabeth Paige
Borough Administrator/Secretary