

**MIDDLEBURG BOROUGH COUNCIL**  
**MEETING MINUTES**  
**Tuesday, April 10, 2018 @ 7:30 PM**  
**Page 1**

Meeting Location: Middleburg Borough Building, 13 N. Main Street, Middleburg, PA  
Council & Mayor: Michael Kerstetter/Vice President, Judy Lynn, Brian Lauver, George Price III, Brian Swartz, and Craig Rodabaugh. Absent were: Heidi Potter/President 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, Butch Hackenberg and Judy Varner

**Meeting Call to Order** – The Middleburg Borough Council meeting was called to order by Council Vice President, Michael Kerstetter 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 Lauver and seconded by George Price to approve tonight’s meeting agenda as presented. Motion carried unanimously.

Motion made by Craig Rodabaugh and seconded by Judy Lynn to approve the 3/13/2018 meeting minutes as distributed. Motion carried unanimously.

Motion made by Brian Swartz and seconded by Craig Rodabaugh to approve the bills paid in March 2018 as presented. Motion carried unanimously.

Motion made by Judy Lynn and seconded by George Price to approve the financial statements as of 3/31/2018 as presented. Motion carried unanimously.

**Public Comments**

- Freeburg Borough Mayor, Nicholas Price inquired if there was any update on the Freeburg Borough request of contracting police service from Middleburg Borough Police Department. Vice President Kerstetter stated there has been no discussion with the police department regarding the request for service. So therefore, no decision on the request has been made by Borough Council. Vice President Kerstetter requested the item remain on the meeting agenda under Old Business.

**Reports from Council Members and Others:**

- Fire Chief Butch Hackenberg reviewed the fire company’s current call report and list of upcoming events with Council.

**MIDDLEBURG BOROUGH COUNCIL**  
**MEETING MINUTES**  
**Tuesday, April 10, 2018 @ 7:30 PM**  
**Page 2**

- Borough Engineer, David Walters reported the Storm Water Improvement Project bids were opened at 2:00 pm today. David Walters reviewed the results from the bid opening and stated the apparent lower bidder was Mid-State Paving LLC. Council members briefly discussed the alternate bid work and the amendments to the project design with the Engineer. Motion made by Judy Lynn and seconded by Brian Swartz to approve Mid-State Paving LLC as the apparent lower bidder contingent upon a review of the documents by the Borough Solicitor and acquisition of all easements required for the project. Motion carried unanimously.
- Borough Engineer, David Walters requested the Borough Council approve to contract Larson Design Group, Inc. for the overview of the Storm Water Improvement Project contract with the approximate cost of \$21,000.00, which was budgeted for payment from the PENNVEST Funding. Motion made by Brian Lauver and seconded by Craig Rodabaugh to approve to contract Larson Design Group, Inc. for the overview of the Storm Water Improvement Project contract with the approximate cost of \$21,000.00. Motion carried unanimously.
- Borough Solicitor, Jeremiah Runkle provided Council with a brief update regarding the easements required for the Storm Water Improvement Project.
- Borough Solicitor, Jeremiah Runkle reviewed a draft of the “Middleburg Borough Yard Sale Ordinance” with Council. After discussion of various changes and additions to the draft ordinance presented, Council directed the Solicitor to make the various changes and additions as discussed. Council will review the revised draft of the ordinance at the May 8, 2018 meeting.
- Vice Chairman, Michael Kerstetter informed Council he contacted Snyder County Sheriff Zechman regarding the request to make West Willow Avenue a one-way street and reviewed the items previously requested by Borough Council in regards to making West Willow Avenue safer for pedestrians to cross from the Courthouse to the parking area. Items previously requested consisted of placing crossing figurines at the crosswalk, a mirror at the rear of the courthouse building and painting of a crosswalk area.
- Council Member, Judy Lynn shared some positive emailed responses she received with Council regarding the recent newsletter sent out to the Borough residents.
- Council Member, Brian Lauver inquired about the Snyder County Planning Commission’s response in regards to the requested modification to place a cell tower behind the Family Dollar Store. Solicitor Runkle stated after Horvath Communications made their presentation and public comments were heard. The Snyder County Planning Commission decided to deny the request for modification.

**MIDDLEBURG BOROUGH COUNCIL**  
**MEETING MINUTES**  
**Tuesday, April 10, 2018 @ 7:30 PM**  
**Page 3**

- Council Member, Brian Lauver requested to hold an executive session to address personnel matters. Vice Chairman Kerstetter stated an executive session will be held at the end of tonight's meeting.
- Council Member, George Price reported the fire company is considering a lease of their rental property to a small commercial soap business. At this time, discussion was held about the zoning regulations in regards to whether the property can be leased by a small commercial business. Council requested the Borough Administrator/Zoning Officer investigate the zoning regulations and send a copy of the zoning regulations to Kim Ebright at the fire company.
- Council Member, Brian Swartz informed Council he has a request for an Eagle Scout Project, which is the proposed development of a dog park at Charles Park. Judy Lynn stated the development of a dog park was investigated in the past and there was not enough interest in having a dog park at that time. After a brief discussion on possible other locations for the proposed dog park, motion made by Brian Swartz and seconded by Craig Rodabaugh to have the Eagle Scout move forward with the proposed dog park development. Motion carried unanimously. Brian Swartz should have the Eagle Scout contact Borough Foreman, Dustin Zechman to discuss a possible location for the proposed dog park.
- Streets & Sidewalks Committee: Committee Chairman, Mike Kerstetter informed Council he contacted Glenda Ruch, Community Development Director at SEDA-COG regarding grant funding for sidewalk replacements. Mike Kerstetter stated Glenda Ruch is willing to attend a Council meeting and discuss various grant funding opportunities. Motion made by Judy Lynn and seconded by Brian Lauver to have Mike Kerstetter invite Glenda Ruch to the May 8, 2018 Council meeting. Motion carried unanimously. Mike Kerstetter stated the stop sign at Cedar Alley and Center Street needs to be replaced due to the current sign having no reflectivity. Mike Kerstetter discussed the possibility of posting a weight limit on Railroad Avenue or turning the road back to Penn DOT as the current condition of the road is not good. Motion made by Judy Lynn and seconded by Craig Rodabaugh to investigate if the road can be turned back to Penn DOT or a weight limit posted. Motion carried unanimously.
- Borough Foreman, Dustin Zechman reported Middleburg Borough was the lower bidder for the street sweeper on MuniBid with a bid price of \$10,100.00. Dustin Zechman informed Council he has also ordered approximately \$2,000.00 of new parts needed for the street sweeper. Dustin Zechman informed Council he is removing all the useful parts from the old street sweeper and stated Mr. Kreider has expressed interest in the old street sweeper engine.
- Borough Foreman, Dustin Zechman informed Council the Charles Park ballfield needs new material on the infield. After a brief discussion, motion made by Craig Rodabaugh and seconded by Judy Lynn to purchase the new material for the ball park infield. Motion carried unanimously.

**MIDDLEBURG BOROUGH COUNCIL**  
**MEETING MINUTES**  
**Tuesday, April 10, 2018 @ 7:30 PM**  
**Page 4**

- Borough Foreman, Dustin Zechman informed Council he spoke with the Municipal Authority Board about the SWIFT 911 Notification System as a possible way to provide weather notifications, water notices, police department and EMS notifications to the Borough residents and commercial businesses. Beavertown Borough is currently using the SWIFT 911 Notification System for an approximate cost of \$2,000.00 a year. Dustin stated the Municipal Authority expressed interest in investigating the costs and a willingness to share in the cost with the Borough. Motion made by Craig Rodabaugh and seconded by George Price to have Dustin Zechman investigate the cost and report back at the next month's meeting. Motion carried unanimously.
- Borough Foreman, Dustin Zechman discussed the removal of the blind person area sign on West Market Street as he has been informed the blind person is no longer living at this address. After a brief discussion, Council directed Dustin Zechman to contact the owner of the property to obtain written permission before any action is taken on removing the sign.
- Police Chief, Tony Jordan reviewed the monthly police department report with the Council. Council Member, Brian Swartz questioned if a breakdown by municipality of the monthly report was possible. Chief Jordan stated he will request the police department secretary to breakdown the monthly report by municipality. Vice President, Michael Kerstetter questioned Chief Jordan about a recent incident involving a young man leaving treats on doorsteps in the Borough. Chief Jordan informed Council the incident was investigated and currently the police department is working with the parent of young man.
- Borough Administrator, Elizabeth Paige reviewed the invitation to attend the Municipal Leaders Meeting on May 16, 2018 at 6 pm being held by Representative Fred Keller. Council members: Heidi Potter, Judy Lynn and George Price expressed interest in attending the meeting. Elizabeth Paige will send an RSVP to Representative Keller's district office for the all Council members, who expressed interest in attending the meeting.
- Borough Administrator, Elizabeth Paige provided Council with the 2018 Employee Health Insurance renewal information from Christine Miller Insurance Agency, LLC. After a brief discussion of the renewal information, motion made by Michael Kerstetter and seconded by Craig Rodabaugh to approve the renewal of the current employee health insurance plan. Motion carried unanimously.

**MIDDLEBURG BOROUGH COUNCIL**  
**MEETING MINUTES**  
**Tuesday, April 10, 2018 @ 7:30 PM**

**Page 5**

- Borough Administrator, Elizabeth Paige presented information on optional dental and eye insurance for the full time employees with the dental insurance effective June 1, 2018 through May 31, 2020 and the eye insurance effective June 1, 2018 through February 29, 2020. After review and discussion of the optional insurances, motion made by Craig Rodabaugh and seconded by George Price to approve the Borough providing the full time employees with dental and eye insurances as presented. Motion carried with a vote of five (5) yeas and one (1) no.
  
- Borough Administrator, Elizabeth Paige informed Council that Harris Micrographics, Inc. had installed a demo version of the document storage/search system on the borough office computer using a scan of the Borough's 2015 meeting minutes. Elizabeth Paige stated if any of the council members would like a demonstration of the system, they should stop by the borough office. Elizabeth Paige presented the pricing information from Harris Micrographics, Inc. for the cost of software, annual system maintenance and scanning of documents for Council to review.
  
- Borough Administrator, Elizabeth Paige presented a comparison of electricity usage rates from energy brokers; NavigatePower and Patriot Energy. Current electric rate contract is with energy provider, Direct Energy with a fixed rate of \$0.06699 per kWh, which will expire April 2019. After a review and brief discussion of the electric rates being offered by the energy brokers, motion made by Craig Rodabaugh and seconded by Brian Lauver to approve the fixed rate of \$0.05699 for 48 months from SOURCE Power offered by NavigatePower. Motion carried unanimously.
  
- Borough Administrator, Elizabeth Paige informed Council during a review of employee payroll deductions in the new online payroll service with Keystone Payroll, it was discovered the Borough was being invoiced by Washington National Insurance for a personal cancer policy, which was no longer being payroll deducted from the employee. Elizabeth Paige informed Council she contacted Washington National Insurance regarding the invoice error of the Borough being charged for a cancer policy premium no longer being deducted from the employee's payroll. Washington National Insurance investigated and a refund will be issued to the Borough for the insurance premiums paid by the Borough as the employee requested a change to the cancer policy.
  
- Borough Administrator, Elizabeth Paige reviewed an email request from the Middleburg Revitalization Committee (MRC) regarding the need to obtain a certificate of liability insurance for their re-creation event of a May 30<sup>th</sup>, 1917 WWI War Safety Meeting at the Snyder County Courthouse on May 12, 2018 at 1 pm. Since the courthouse balcony will be used in the re-creation event, the County Commissioners have approved the usage of the balcony if MRC can provide a certificate of liability insurance. Motion made by Craig Rodabaugh and seconded by Judy Lynn for the Borough to obtain a certificate of liability insurance for MRC's event. Motion carried unanimously.

**MIDDLEBURG BOROUGH COUNCIL**  
**MEETING MINUTES**  
**Tuesday, April 10, 2018 @ 7:30 PM**  
**Page 6**

**Old Business:**

- Borough Administrator, Elizabeth Paige reviewed an email from Matt Sauers of Light-Heigel & Associates regarding the changes to the International Property Maintenance Code (IMPC) from the 2012 version vs. the 2018 version. Matt Sauers stated the changes to the Code were minor changes to sentence structure to emphasize or provide more clarity to the regulations. The major changes include: Standards for nonpotable water reuse systems (rainwater collection), requirement of a carbon monoxide detector, plus extensive changes to Chapter 7 – Fire Safety Requirements, and numerous changes to Section 704 – Fire Protective Systems. Also, the addition of Section 103.4.1 provisions for legal defense plus Definitions of: 1) Cost of such demolition or emergency repairs, and 2) Historic Building. After a brief discussion, Council requested the Borough Solicitor review the changes mentioned by Matt Sauers in order to make a determination in regards to updating the Borough Code to reflect the 2018 IMPC.

**Other Business:**

- Vice President, Michael Kerstetter called for an executive session at 11:20 p.m. for discussion of a personnel matter. Vice President, Michael Kerstetter called the meeting back to order at 11:50 p.m. stating no action needed at this time.

Motion by Brian Swartz and seconded by Craig Rodabaugh to adjourn the meeting at 11:53 p.m.

Respectfully Submitted

Elizabeth Paige  
Borough Administrator/Secretary