

**MIDDLEBURG BOROUGH COUNCIL
REORGANIZATION/REGULAR MEETING MINUTES**

Tuesday, January 2, 2018 @ 5:30 PM

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Meeting Location: Middleburg Borough Building, 13 N. Main Street, Middleburg, PA
Council Members: Michael Kerstetter, Heidi Potter, Judy Lynn, Brian Lauver, George Price III, Brian Swartz
Others Present: Elizabeth Paige-Administrator/Secretary/Zoning Officer, Tony Jordan-Police Chief,
Dustin Zechman-Borough Foreman, Jeremiah Runkle-Borough Solicitor
Public Present: Judy Varner

Meeting Call to Order – The Middleburg Borough Council meeting was called to order by Solicitor, Jeremiah Runkle at 5:35 PM. The meeting began with the Pledge of Allegiance to the Flag of the United States of America.

Nomination of Temporary Council President – Solicitor Runkle called for nominations for temporary Council President. Michael Kerstetter nominated Brian Lauver, who accepted the nomination. With no other nominations, Brian Lauver was appointed as temporary Council President.

Oath of Office for New Members – New Council members, George Price III and Brian Swartz submitted their Affidavit of Residency prior to taking the oath of office. The oath of office was read and signed by new Council members, George Price III and Brian Swartz.

Nomination of President – Brian Lauver called for nominations of Council President. Brian Lauver nominated Michael Kerstetter, who declined the nomination. Michael Kerstetter nominated Heidi Potter, who accepted the nomination. Motion was made by Michael Kerstetter and seconded by Judy Lynn to appoint Heidi Potter as Council President. Motion was carried with Heidi Potter abstaining from the vote.

The gavel was handed to Heidi Potter, Council President, to continue the meeting.

Nomination of Vice President – Heidi Potter called for nominations of Council Vice President. Brian Lauver nominated Michael Kerstetter, who accepted the nomination. With no other nominations, motion was made by Brian Lauver and seconded by Brian Swartz to appoint Michael Kerstetter as Council Vice President. Motion was carried with Michael Kerstetter abstaining from the vote.

Nomination of President Pro-Tem – Heidi Potter called for nominations of Council President Pro-Tem. Michael Kerstetter nominated Brian Lauver, who accepted the nomination. With no other nominations, motion was made by Michael Kerstetter and seconded by Judy Lynn to appoint Brian Lauver as Council President Pro-Tem. Motion was carried with Brian Lauver abstaining from the vote.

Vacancy on Council – Heidi Potter noted there is a vacancy on the Borough Council. Jeremiah Runkle stated the Council has thirty (30) days to fill the vacancy and then the vacancy board has an additional fifteen (15) days to fill the vacancy. Michael Kerstetter stated he would speak with resident, Craig Rodabaugh, who was previously contacted by former Council President James Shull.

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Vacancy of Mayor – Heidi Potter stated two (2) letters of interest for the Mayor were received by the council. Heidi Potter called for nominations for Mayor. Jeremiah Runkle stated the Mayor needs to be appointed by Resolution. Michael Kerstetter nominated Raymond Colestock, who submitted a letter of interest. Judy Lynn nominated James Shull, who submitted a letter of interest. With no other nominations, motion was made by Michael Kerstetter and seconded by Brian Lauver to appoint Raymond Colestock as Mayor by resolution. Vote was 2 yeas, 3 nays and George Price III abstained. Motion died for lack of majority votes. Motion was made by Judy Lynn and seconded by Brian Lauver to appoint James Shull as Mayor by resolution. Vote was 1 yeas, 3 nays, George Price III and Brian Swartz abstained. Motion died for lack of majority votes. Council held a discussion about placing a public notice in the Snyder County Times for the vacancy of Mayor and Council member. Motion was made by Judy Lynn and seconded by Brian Swartz to have a public notice placed in the Snyder County Times. Motion unanimously carried.

Vacancy Board Chairperson – Elizabeth Paige stated former Vacancy Board Chairperson, Bernadette Schwalm was contacted and she is willing to accept the position again. Motion was made by Brian Lauver and seconded by Judy Lynn to appoint Bernadette Schwalm as Vacancy Board Chairperson. Motion unanimously carried.

The Vacancy Board consists of the Borough Council, exclusive of the Mayor, and one registered elector of the Borough, which would be the appointed Vacancy Board Chairperson. Vacancy Board meetings would need to be advertised the same as a Council meeting. So therefore, Jeremiah Runkle stated if advertised the Vacancy Board could hold a meeting prior to the Council meeting on February 13, 2018 to appoint a qualified resident as Mayor and/or Borough Council.

Appointment of Borough Solicitor, Zoning Solicitor & Borough Engineer – Motion was made by Brian Lauver and seconded by Judy Lynn to appoint Jeremiah Runkle as Borough Solicitor at a rate of \$140.00 per hour, Brian Kerstetter as Zoning Hearing Board Solicitor at a rate of \$150.00 per hour, and Larson Design Group as Borough Engineer per the retainer agreement submitted for 2018. Motion unanimously carried.

Heidi Potter called to recess the meeting at 6:09 PM. Heidi Potter called the meeting back to order at 6:12 PM.

APPOINTMENT OF COMMITTEES - Council President Heidi Potter appointed the following committee members:

Personnel Committee: Brian Lauver-Chairman, Brian Swartz, Michael Kerstetter

Building & Grounds Committee: George Price III-Chairman, Brian Lauver, Dustin Zechman

Budget Committee: Heidi Potter-Chairperson, Michael Kerstetter, Brian Swartz

Parks & Recreation Committee: Judy Lynn-Chairperson, Beverly Inch, George Price III

Safety Committee: Appointments tabled to next month's meeting.

Snyder County Tax Collection Committee: Heidi Potter-Borough Representative/SCTCC Secretary, Michael Kerstetter/Alternate Borough Representative

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Sign Ordinance Amendment Committee: Heidi Potter, Brian Swartz, Brian Lauver

Street & Sidewalks Committee: Michael Kerstetter-Chairman, Judy Lynn, Dustin Zechman

Economic Development Committee: George Price-Chairman, Judy Lynn

Jeremiah Runkle recommended the committee check with other municipalities as to how they reached out to the business owners.

Resolution 2018-01: Appointment of Central Keystone Council of Governments Representative – Motion was made by Heidi Potter and seconded by Brian Lauver to adopt Resolution 2018-01 appointing Elizabeth Paige/Borough Administrator as the Central Keystone Council of Governments Representative. Motion unanimously carried.

Resolution 2018-02: Appointment of Zoning Hearing Board Members – Members listed on the Resolution accepted the following terms: Susan Weaver – 3 year term expiring 12/31/20, Donald Schwalm – 2 year term expiring 12/31/19, Lori Shull – 1 year term expiring 12/31/18 and William Flather/Alternate – 3 year term expiring 12/31/20. Motion was made by Judy Lynn and seconded by Michael Kerstetter to adopt Resolution 2018-02 appointing Zoning Hearing Board members as listed. Motion unanimously carried

Jeremiah Runkle left the meeting at 6:30 PM.

REGULAR MEETING OF BOROUGH COUNCIL

Approval of December 12, 2017 Minutes – Motion was made by Brian Lauver and seconded by Heidi Potter to approve the December 12, 2017 meeting minutes as presented. Motion unanimously carried.

Approval of Bills Paid Thru December 29, 2017 – Motion was made by Brian Lauver and seconded by Brian Swartz to approve the bills paid through December 29, 2017 as presented. Motion unanimously carried.

Approval of Financial Statements as of December 29, 2017 – Motion was made by Heidi Potter and seconded by Judy Lynn to approve the Financial Statements as of December 29, 2017 as presented. Motion unanimously carried.

PUBLIC COMMENTS - NONE

Snyder County Planning Director, Lincoln Kaufman: Elizabeth Paige stated Lincoln Kaufman emailed to inform everyone he was ill and unable to attend tonight's meeting but would like Council to review the submitted plan and waivers proposed for the cell tower by Horvath at the Family Dollar site. Council reviewed and discussed the submitted plan and waivers. Council unanimously agreed the same comments submitted to Lincoln Kaufman at the July 11, 2017 council meeting should be passed onto the Snyder County Planning Commission as Council still feels the proposed cell tower would be a safety hazard.

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REPORTS BY COUNCIL MEMBERS:

- Michael Kerstetter reported he received a call regarding the cleaning of snow from sidewalks at Main Street and Market Street. Police Chief Tony Jordan made note to check the location.

OTHER REPORTS:

- Elizabeth Paige stated the Borough Tax Collector was informed by Northumberland National Bank that she should request approval from Council to use the Borough's EIN to establish a new account as this is a new banking regulation. Motion was made by Judy Lynn and seconded by Heidi Potter to allow the Borough Tax Collector, Stacey Hood to establish a new account using the Borough's EIN. Motion unanimously carried.
- Elizabeth Paige stated new bank account signature cards for the Borough will need to be completed at both Swineford National Bank and Northumberland National Bank. Previously bank account signers were Council President-James Shull, Council Vice President-Michael Kerstetter, Borough Administrator-Virginia Zeiber and Municipal Authority Secretary-Beverly Inch. New bank account signers will be Council President-Heidi Potter, Council Vice President-Michael Kerstetter, Borough Administrator-Elizabeth Paige and Municipal Authority Secretary-Beverly Inch. Council unanimously approved the change to the signers of the bank accounts
- Elizabeth Paige presented the agreement to register for electronic access to PennDOT's dotGrants system, which requires the signature of the Council President. Motion was made by Brian Lauver and seconded by Judy Lynn to approve registering for electronic access to PennDOT's dotGrants system with signature of the Council President. Motion unanimously carried.
- Dustin Zechman informed Council the traffic signal on Market Street went into conflict/flashing mode on Saturday, December 30, 2017. He was unable to reset the traffic signal and had to call for maintenance.

With no other business to be conducted, motion was made by Judy Lynn and seconded by Brian Swartz to adjourn the meeting. Motion unanimously carried.

Meeting adjourned at 7:00 PM.

Respectfully Submitted,
Elizabeth Paige, Administrator/Secretary