

**MIDDLEBURG BOROUGH COUNCIL
MEETING MINUTES
Tuesday, August 13, 2024 @ 7:00 p.m.
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Meeting Location: Middleburg Borough Building, 13 N. Main Street, Middleburg, PA
Council Members: Present: Donald Zechman/President, James Shull/Vice-President, Beverly Inch, Brian Swartz, James Gahring, Virgil Schlief and Mayor Heidi Potter.
Absent: Gary Thomas
Others Present: Borough Solicitor/Beau Hoffman, Borough Engineer/Trever Hess, Police Chief/Mark Bailey, Borough Foreman/Dustin Zechman and Borough Administrator/Elizabeth Paige
Public Present:

CALL TO ORDER & AGENDA APPROVAL:

Middleburg Borough Council meeting called to order by Council President, Donald Zechman at 7:00 p.m. followed by the pledge of allegiance.

Council President, Donald Zechman inquired if there were any additions and/or changes to tonight's meeting agenda. Borough Administrator, Elizabeth Paige requested to add the approval for traffic light project bid assistance. Motion by James Shull and seconded by Virgil Schlief to approve the agenda with the additional request from the Borough Administrator. Motion carried unanimously.

PUBLIC COMMENTS: None

MINUTES, PAID BILLS, FINANCIAL REPORTS:

Motion made by James Shull and seconded by James Gahring to approve the July 9, 2024, monthly meeting minutes with the correction under Public Comments of changing Schoch Street to Shambach Street. Motion carried unanimously.

Motion made by Beverly Inch and seconded by Virgil Schlief to approve the bills paid in July 2024 as presented. Motion carried unanimously.

Motion made by Brian Swartz and seconded by James Gahring to approve the financial statements as of July 31, 2024, as presented. Motion carried unanimously.

REPORTS:

Borough Engineer Representative - Trever Hess

- Trever Hess reviewed a waiver request from the dental office on E. Main Street to not install curbing along Center Street as required by the ordinance when the sidewalk slabs are replaced. Trever Hess explained there is currently a grass buffer between the existing sidewalk and the edge of Center Street. Plus, the contractor will only be replacing four or five slabs of damaged sidewalk along the Center Street side of the property. After a brief discussion, motion made by Virgil Schlief and seconded by James Shull to approve a waiver for the dental office to not install curbing along the Center Street side of the property since there is an existing grass buffer between the sidewalk and edge of the roadway and only a small section of the sidewalk is required to be replaced at this time. Motion carried unanimously.

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- Trever Hess presented and reviewed a map, which was created for the Streets & Sidewalk Committee in August 2022 showing the recommended areas of the Borough where sidewalks and curbing should be required. Also, Trever Hess presented a binder of photos of the sidewalks along E. Main Street taken in August 2022, which showed the required repairs and/or replacement based on the sidewalk ordinance requirements. After briefly discussing some ordinance amendments, the Streets & Sidewalk Committee members suggested setting a date to walk through the Borough with the Engineer and review the sidewalks. At this time, the date of Thursday, August 29th at 8 a.m. was discussed. Trever will contact the Borough Administrator if this date and time is available.
- Trever Hess reviewed an arial map and recommendations for possible repairs for Time Alley with the Borough Council. Trever Hess stated there may be funding available from the Snyder County Conservation District through the PA Dirt & Gravel Low Volume Roads Program. The Borough Council requested the Borough Administrator to reach out to Snyder County Conversation District representative, Tim Hornberger, to discuss the possible funding.
- Trever Hess discussed the proposed assistance of Meck-Tech, Inc. for the bid on the traffic light replacement project. Borough Administrator, Elizabeth Paige stated there is engineering funds available in the 2024 Budget as the E. Market Street Paving Project was deferred to next year plus there was no request from the Middleburg Revitalization Committee to have the Engineer perform a project scope for their proposed park project. Motion made by James Shull and seconded by Beverly Inch to approve the assistance of Meck-Tech, Inc. for the bid on the traffic light replacement project. Motion carried unanimously.

Borough Solicitor – Beau Hoffman

- Borough Solicitor, Beau Hoffman presented the ordinance amendment to change maximum speed limits on S. Charles Avenue and Edmond Avenue. After a brief review, there was a discussion about changing the maximum speed limit of Church Street to 25 MPH. Motion made by James Gahring and seconded by James Shull to approve the advertising of the ordinance amendment with the addition of Church Street. Motion carried unanimously.
- Borough Solicitor, Beau Hoffman presented and recommended the adoption of the Open Records Policy, which is required for denial of any anonymous record requests being made. Motion made by James Shull and seconded by Virgil Schlieff to adopt the Open Records Policy presented by the Borough Solicitor. Motion carried unanimously.
- Borough Solicitor, Beau Hoffman stated he would not require an Executive Session. Beau Hoffman reported on the Middleburg Yarn Processing Co., Inc. court filing. Since Middleburg Yarn is moving forward with the demolition of the building, he is recommending the Borough Council approve the filing of a stay on the open court judgement provided the demolition is completed within 180 days of the demolition permit issue date. Motion made by James Gahring and seconded by James Shull to approve the filing of a stay on the open court judgement provided the demolition is completed within 180 days of the demolition permit issue date. Motion carried unanimously.
- Borough Solicitor, Beau Hoffman informed the Borough Council that the Borough's insurance carrier's legal counsel has been informed of the potential legal threats being made in the correspondence being received from Mr. Daniel Bozin of Bozin Media Group LLC.

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Police Chief – Mark Bailey

- Police Chief, Mark Bailey reviewed the July 2024 monthly police reports with the Borough Council.
- Police Chief, Mark Bailey reviewed the Middleburg Borough Civil Service Commission’s Police Officer Applicant Eligibility List with the Borough Council. Chief Bailey stated the applicant listed does not have Act 120 Certification. Chief Bailey stated the Borough Council can request the Civil Service Commission to establish a new eligibility list or consider sending the applicant, Trey Toby to the academy for Act 120 Certification. Chief Bailey reported the academy in the Wilkes-Barre/Scranton area is accepting applications for the Act 120 Certification program to begin in October 2024. Chief Bailey reviewed the costs involved in sending Trey Toby to the academy along with the reimbursement programs available to cover a percentage of the costs. After a brief discussion about budget concerns, coverage of contracted police services and a cadet agreement, motion was made by James Shull and seconded by James Gahring to offer applicant Trey Toby to attend the academy for Act 120 Certification as presented by Chief Bailey along with the signing of a cadet agreement. With a no vote from Brian Swartz, the motion was carried with five (5) yeas. Motion made by James Shull and seconded by Brian Swartz to request the Civil Service Commission to establish a new Police Officer Applicant Eligibility List. Motion carried unanimously. The Borough Council requested the Borough Administrator to email the Civil Service Commission the request to establish a new Police Officer Applicant Eligibility List.
- Police Chief, Mark Bailey reported he received an announcement for funding by the Senate’s Fiscal Appropriations Committee (10 Year Program) for the purchase of body cameras and a vehicle license plate reader for the police department. The funding is now waiting for budget approval, which should happen sometime between September 2024 and March 2025.

Borough Foreman – Dustin Zechman

- Borough Foreman, Dustin Zechman reported the Mid-West School District student, who was going to participate in the Work Study Program, has decided to take a Work Study Program job elsewhere.
- Borough Foreman, Dustin Zechman reported he reached out to PennDOT Municipal Representative, Brian Haight regarding the mid-street crosswalk installed near Center Street, PennDOT is claiming the crosswalk was there prior to the E. Main Street project planning but PennDOT will continue to investigate.
- Borough Council President, Donald Zechman issued a “Thank You” to the public works department employees for all their extra work efforts during the firemen’s carnival week.

Borough Administrator/Zoning Officer – Elizabeth Paige

- Borough Administrator, Elizabeth Paige reviewed the year-to-date Zoning Permit Report, Violation Report and Code Enforcement Violation Report with Borough Council.

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NEW BUSINESS:

- Borough Administrator, Elizabeth Paige reviewed a letter of request from the IGA to confirm the Borough does not require the installation of crosswalk markings for the IGA patrons to traverse across E. Oak Avenue to the parking lot area. After a brief discussion about the Borough not performing any maintenance on E. Oak Avenue, motion made by Brian Swartz and seconded by Beverly Inch to approve the letter of request as presented. Motion carried unanimously.

COUNCIL MEMBERS, MAYOR & COMMITTEE REPORTS:

- Mayor Heidi Potter issued a “Thank You” to the Police Department for all their extra time and efforts during the firemen’s parade and carnival. Also, “Thank You” to the Police Department Secretary, Cam Ferguson for driving her in the police cruiser through the firemen’s parade.
- Budget Committee Chairman, Brian Swartz requested the Borough Administrator to reach out to the committee members to request dates and times to schedule the first Borough Budget review meeting.

CORRESPONDENCE, MINUTES, REPORTS:

- Council President, Donald Zechman called for any comments or questions regarding the correspondence, minutes or reports provided to Borough Council for review.

With no comments or further business to conduct, motion made by James Shull and seconded by Beverly Inch to adjourn tonight’s meeting at 8:55 p.m. Motion carried unanimously.

Respectfully Submitted,

Elizabeth Paige
Borough Administrator/Secretary