

MIDDLEBURG BOROUGH COUNCIL
MEETING MINUTES
Tuesday, December 10, 2023 @ 7:00 p.m.

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Meeting Location: Middleburg Borough Building, 13 N. Main Street, Middleburg, PA
Council Members: Present: Donald Zechman/Vice-President, Michael Kerstetter, James Shull, Joseph Mizak, Brian Pauling, Beverly Inch and Mayor Heidi Potter. Brian Swartz/President was absent from the meeting.
Others Present: Beau Hoffman/Solicitor, Police Chief/Mark Bailey, Borough Administrator/Elizabeth Paige. Fire Chief/Dwayne Hackenberg and Borough Foreman/Dustin Zechman arrived at the meeting at 7:45 p.m.
Public Present: Mary DeFalco

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

Council Vice-President, Donald Zechman inquired if there were any additions and/or changes to tonight's meeting agenda. Borough Administrator, Elizabeth Paige requested the item under "Old Business" be removed as item is listed under the Police Chief's Report. With the change requested by the Borough Administrator, motion by Brian Pauling and seconded by James Shull to approve the agenda. Motion carried unanimously.

Motion made by James Shull and seconded by Brian Pauling to approve the November 8, 2022, monthly meeting minutes as presented. Motion carried unanimously.

Motion made by Michael Kerstetter and seconded by Joseph Mizak to approve the bills paid in November 2022, as presented. Motion carried unanimously.

Motion made by Beverly Inch and seconded by Brian Pauling to approve the financial statements as of November 30, 2022, as presented. Motion carried unanimously.

2023 PROPOSED BUDGET: Borough Administrator/Elizabeth Paige reported no public comments were received at the Borough office regarding the Proposed 2023 Budget. Council Vice-President, Donald Zechman called for public comments or questions about the Proposed 2023 Budget. With no public comments or questions, motion made by Brian Pauling and seconded by James Shull to adopt the 2023 Proposed Budget as presented. Motion carried unanimously.

REPORTS:

Borough Solicitor – Beau Hoffman

- Borough Solicitor, Beau Hoffman updated Borough Council on the District Magistrate hearing for the citations filed against Middleburg Yarn held on November 10, 2022, at 10:30 a.m. Attorney Robert Davidson representing Middleburg Yarn informed the District Magisterial Judge, Bo Trawitz the International Property Maintenance Code (IPMC) Notice of Violation (NOV) by Middleburg Borough Code Enforcement Agent failed to include a statement of the right to file a lien in accordance with Section 106.3 of the IPMC. Based on this technicality, District Magisterial Judge, Bo Trawitz dismissed all charges/citations filed. Beau Hoffman stated Code Enforcement Agent, Marty Sowers will be issuing a new NOV to Middleburg Yarn. Middleburg Yarn will have 20 days to appeal after the new NOV has been served.

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- Borough Solicitor, Beau Hoffman inquired if the Middleburg Borough Comprehensive Plan has been completed and delivered by the Greater Susquehanna Valley Chamber of Commerce. Borough Administrator, Elizabeth Paige reported a pdf copy of the final Comprehensive Plan was received by email on Friday, December 9, 2022, with the hard copies to be delivered next week.

7:10 P.M. PUBLIC HEARING for ORDINANCE NO. 2022-361: Borough Solicitor, Beau Hoffman opened the public hearing at 7:10 p.m. for Ordinance No. 2022-361, which establishes the tax rates for fiscal year 2023 levied on all real property within the Borough as follows: General Purpose Tax rate shall increase One (1) mill to a sum of Twenty-Seven (27) mills, Street Lighting Tax rate of Two and Five Tenths (2.5) shall remain unchanged and Special Road Fund Tax rate shall increase One (1) mill to a sum of Two and Five Tenths (2.5) mills. All these taxes are assessed on each dollar of assessed property valuation. Beau Hoffman stated the ordinance copy needs to be corrected as the fiscal year should be 2023 not 2022. With no public comments or questions, Beau Hoffman closed the public hearing for Ordinance No 2022-361 at 7:12 p.m. Motion made by Brian Pauling and seconded by James Shull to adopt Ordinance 2022-361 with the noted correction of the fiscal year to 2023. Motion carried unanimously.

REPORTS CONTINUED:

Police Chief – Mark Bailey

- Police Chief, Mark Bailey reviewed the November 2022 monthly police reports with Borough Council.
- Police Chief, Mark Bailey reported the PCCD Grant application selection for funding will take place on December 14, 2022. If the Borough's application receives grant funding approval, Chief Bailey requested approval to lock-in the equipment price quotes with Axxon as there will be pricing increases after the end of the month. After a brief discussion, motion made by Beverly Inch and seconded by Joseph Mizak to approve the request to lock-in the equipment price quotes with Axxon based on grant funding approval. Motion carried unanimously.
- Police Chief, Mark Bailey questioned Borough Council about filling the open full-time police officer position due to the resignation of David Shaffer. The current Middleburg Police Contract states the starting salary for a new full-time officer shall be \$34,000 and increased after one year of employment to \$36,000. After a brief discussion of the full-time police officer position, motion made by Joseph Mizak and seconded by Beverly Inch to approve advertising the full-time police officer position. Motion carried unanimously.
- Police Chief, Mark Bailey informed Borough Council the newly hired part-time officer, Michael Mitchell has started and part-time officer, Scott Rood will be leaving the police department to start a new job on January 2, 2023.
- Police Chief, Mark Bailey reviewed the program for sponsoring a Police Cadet, which the Borough pays 100% (\$5,750.00) of the tuition costs of the Academy training program. Chief Bailey stated 75% of the costs will be reimbursed by the state upon graduation of the Cadet. Chief Bailey reported Alex Yoder of Mifflinburg is currently enrolled in an accredited police training program and would be interested in entering into an agreement with Middleburg Borough to sponsor him through the Cadet in the Academy training program. After a brief discussion, motion made by Beverly Inch and seconded by Joe Mizak to approve the sponsorship of Alex Yoder as a Police Cadet. Motion carried unanimously.

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Borough Administrator – Elizabeth Paige

- Borough Administrator, Elizabeth Paige reviewed the year-to-date Zoning Permits Issued Report, Zoning Violations Report, and Code Enforcement Report with Borough Council.
- Borough Administrator, Elizabeth Paige reviewed the draft of the Winter Newsletter with Borough Council. Elizabeth Paige made note of a couple minor additions/changes to the newsletter, which will be made to the Winter Newsletter before printing and mailing.

NEW BUSINESS:

- Borough Administrator, Elizabeth Paige reviewed the Green Light-Go Grant Program, which is a state grant program designed to improve the efficiency and operation of existing traffic signal. The program is a reimbursement grant program and applicants are required to provide a minimum 20% match. Elizabeth Paige presented a “Funding Commitment Letter” for approval by Borough Council to move forward and submit for grant funding. After a brief discussion, motion made by Michael Kerstetter and seconded by James Shull to approve the “Funding Commitment Letter” and grant application submission by the Borough Administrator, Elizabeth Paige. Motion carried unanimously.
- Borough Administrator, Elizabeth Paige reviewed the 2023 Meeting Schedule and requested approval to advertise the 2023 Meeting Schedule. With no comments, motion made by Michael Kerstetter and seconded by Brian Pauling to approve the 2023 Meeting Schedule for advertising as presented. Motion carried unanimously.

REPORTS CONTINUED:

Fire Chief – Dwayne Hackenberg

- Fire Chief, Dwayne Hackenberg reviewed the year-to-date call reports with Borough Council.
- Fire Chief, Dwayne Hackenberg requested Borough Council grant approval of the 2023 Fire Company Events, which will be the same as those held in year 2022. Motion made by Brian Pauling and seconded by Beverly Inch to approve the 2023 Fire Company Events. Motion carried unanimously.

COUNCIL MEMBER, MAYOR & COMMITTEE REPORTS:

- Mayor Heidi Potter informed Borough Council the Police Chief’s Employment Agreement has not been approved. Mayor Potter inquired what was the salary increase percentage used to calculate the 2023 budget line. Borough Administrator, Elizabeth Paige informed Mayor Potter a 10% salary increase was calculated into the budget line for year 2023.
- Mayor Heidi Potter informed the Building, Streets & Sidewalks Committee that Snyder County Commissioner, Joe Kantz had emailed her about getting together in year 2023 to discuss various proposed improvements. Borough Administrator, Elizabeth Paige stated the Green Light-Go Grant Program and application should also be reviewed with the Snyder County Commissioners.

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- Community Improvements Chairperson, Heidi Potter informed Borough Council the mural project for the side of the Thrift Store building has received Degenstein Foundation Grant funding approval in the amount of \$15,000. Heidi Potter stated she would like to hold a committee meeting in January 2023 and invite Ryan and Jenelle VanHorn, who are heading the mural project.

EXECUTIVE SESSION: At 7:52 p.m. Council Vice-President, Donald Zechman called for an executive session to discuss personnel matters. Donald Zechman called the meeting back to order at 8:02 p.m. Motion made by Michael Kerstetter and seconded by Joseph Mizak to approve a salary increase of 3.33% for year 2023 for Police Chief, Mark Bailey. Motion carried unanimously.

CORRESPONDENCE, MINUTES, REPORTS:

- Council Vice-President, Donald Zechman called for any comments or questions about the Middleburg Municipal Authority draft minutes of November 08, 2022, shared with Borough Council.

With no comments or further business to conduct, motion made by Joseph Mizak and seconded by James Shull to adjourn tonight's meeting at 8:05 p.m. Motion carried unanimously.

Respectfully Submitted,

Elizabeth Paige
Borough Administrator/Secretary