

**MIDDLEBURG BOROUGH COUNCIL**  
**MEETING MINUTES**  
**Tuesday, December 14, 2021 @ 7:00 p.m.**  
**Page 1**

Meeting Location: Middleburg Borough Building, 13 N. Main Street, Middleburg, PA  
Council Members: Present were George Price/Vice President, Michael Kerstetter, Judy Lynn, Daniel Faust, and Mayor Heidi Potter. Brian Swartz/President arrived at 7:20 p.m.  
Others Present: Beau Hoffman/Solicitor, Mark Bailey/Police Chief, Dustin Zechman/Borough Foreman, Fire Chief/Dwayne "Butch" Hackenberg and Elizabeth Paige/Borough Administrator  
Public Present: None

**CALL TO ORDER:** Middleburg Borough Council meeting called to order by Council Vice President, George Price at 7:00 p.m. following the pledge of allegiance.

Motion made by Daniel Faust and seconded by Judy Lynn to approve the meeting agenda with the addition under Reports of the Fire Chief. Motion carried unanimously.

**PUBLIC COMMENTS:** No public present at tonight's meeting.

Motion made by Judy Lynn and seconded by Daniel Faust to approve the November 09, 2021, meeting minutes as presented. Motion carried unanimously.

Motion made by Michael Kerstetter and seconded by Judy Lynn to approve the bills paid in November 2021 as presented. Motion carried unanimously.

Motion made by Daniel Faust and seconded by Judy Lynn to approve the financial statements as of November 30, 2021, as presented. Motion carried unanimously.

**PUBLIC HEARING:** At 7:05 p.m. Council Vice President, George Price opened the public hearing for proposed Ordinance No. 2021-355: Adoption of the Tax Rates for Fiscal Year 2022 as follows: 1) General Purpose Tax increased from Twenty-Four (24) Mills to Twenty-Six (26) Mills on each dollar of assessed property valuation, 2) Street Lighting Tax remains at Two and Five Tenths (2.5) Mills on each dollar of assessed property valuation, and 3) Special Road Tax increased from Five tenths (0.5) to One and Five Tenths (1.5) Mills on each dollar of assessed property valuation. Solicitor Beau Hoffman provided a brief overview of Ordinance No. 2021-355. With no public comments, George Price closed the public hearing at 7:08 p.m. Motion made by Daniel Faust and seconded by Judy Lynn to adopt Ordinance No. 2021-354 as presented. Motion carried unanimously.

**REPORTS:**

**Borough Solicitor – Beau Hoffman**

- Borough Solicitor, Beau Hoffman informed Council he will continue to work on a draft of a Road Cut Ordinance for Council to review at the February 2022 meeting.
- Borough Solicitor, Beau Hoffman provided a brief status update of the Middleburg Yarn building, their attorney continues to collaborate with the contractor on the demolition process of the building.

**MIDDLEBURG BOROUGH COUNCIL**  
**MEETING MINUTES**  
**Tuesday, December 14, 2021 @ 7:00 p.m.**  
**Page 2**

**Police Chief – Mark Bailey**

- Police Chief, Mark Bailey reviewed the monthly Police Department Reports with Borough Council.
- Police Chief, Mark Bailey reviewed a request to payout unused carryover vacation time of thirty-two (32) hours by Officer David Shaffer. Mark Bailey stated due to the limit staffing from the death of former Police Chief Tony Jordan in January 2021, Officer David Shaffer was only able to use forty-eight (48) hours of the eighty (80) hours carryover allowance. Solicitor, Beau Hoffman recommended the vacation time payout request document included as an attachment to the meeting minutes. After a brief discussion, motion made by Judy Lynn and seconded by Daniel Faust to approve the payout of thirty-two (32) unused vacation time by Officer David Shaffer based on the unusual circumstances presented and the vacation time payout request document attached to the meeting minutes. Motion carried unanimously.

**Borough Administrator/Zoning Officer – Elizabeth Paige**

- Borough Administrator, Elizabeth Paige reviewed Change Order Request No. 3 for the Stumps Run Channel Restoration Project as provided by the Engineer. The changes being requested are 1) Revision of substantial completion date to May 17, 2022 and final completion/ready for payment date to May 31, 2022 and 2) Reduction of the contract price by removal of the roadway base repairs in the amount of \$18,000. Motion made by Judy Lynn and seconded by Daniel Faust to approve Change Order Request No. 3 for the Stumps Run Channel Restoration Project. Motion carried unanimously.
- Borough Administrator, Elizabeth Paige reviewed the updated Borough code violations report and permit report with Borough Council.
- Borough Administrator, Elizabeth Paige reviewed Resolution 2021-08: Amending the fee schedule for matters involving the Middleburg Borough Code of Ordinances effective January 1, 2022. Motion made by Daniel Faust and seconded by Judy Lynn to adopt Resolution 2021-08. Motion carried unanimously.
- Borough Administrator, Elizabeth Paige reviewed the draft of the Winter 2021 Newsletter with Borough Council. Council held a discussion about a recommended change to page 1 of the newsletter and requested the change to page 1 be made prior to printing the newsletters.
- Borough Administrator, Elizabeth Paige reviewed the quotes received for the emergency replacement of the roof over the elevator shaft at the Borough office building. The quote from Equity Roofing LLC of \$3,584.21 was the lowest and Equity Roofing LLC will be able to perform the work either the week of December 20<sup>th</sup> or the week of December 27<sup>th</sup>.

**Fire Chief – Dwayne “Butch” Hackenberg**

- Fire Chief, Dwayne Hackenberg distributed and reviewed the year-to-date fire company reports.
- Fire Chief, Dwayne Hackenberg informed Council the fire company has decided not to print an annual events card for year 2022. The Borough office should let people know they can visit the Reliance Hose Co. #1 Facebook page for event updates. Dwayne Hackenberg stated he will email the event list to the Borough office.

**MIDDLEBURG BOROUGH COUNCIL**  
**MEETING MINUTES**  
**Tuesday, December 14, 2021 @ 7:00 p.m.**  
**Page 3**

**Borough Foreman – Dustin Zechman**

- Borough Foreman, Dustin Zechman informed Borough Council the Municipal Authority is recommending the reappointment of Scott Herbster for another five (5) year term.
- Borough Foreman, Dustin Zechman provided Borough Council with an update on the Water Improvements Project and the CDBG Sewer Project.
- Borough Foreman, Dustin Zechman informed Borough Council the new Glendale Cemetery entrance signs have been installed.

**EXECUTIVE SESSION:** Borough Council entered an executive session for the discussion of personnel matters at 7:50 p.m. Council Vice President, George Price called the meeting back to order at 8:31 p.m. Personnel Committee Chairman, Brian Swartz requested the Borough Administrator, Elizabeth Paige to calculate 6% and 8% wage increase for the Police Secretary and the Municipal Authority Secretary, which will be reviewed along with other possible 2022 Budget Amendments. Brian Swartz requested a discussion with possible adoption of 2022 Budget Amendments be added to the January 3, 2022 meeting agenda.

**NEW BUSINESS:**

- Borough Administrator, Elizabeth Paige informed Borough Council the draft of the 2022 Borough Budgets was both advertised and posted on the Borough website for public comments and questions. Elizabeth Paige stated there was no public comments or questions received regarding the 2022 Borough Budgets. Council requested Elizabeth Paige to contact Franklin Township about whether their recycling center will remain open to the public as the Borough has budgeted a donation for annual recycling. With no further discussion, motion made by Brian Swartz and seconded by Daniel Faust to adopt the 2022 Borough Budgets. Motion carried unanimously.
- Borough Administrator, Elizabeth Paige reviewed the following 2021 Election Results: Heidi Potter elected as Mayor (4 year term), Brian Swartz elected to Borough Council (4 year term), George Price elected to Borough Council (4 year term) and three (3) vacant Council positions received write-in votes as follows: John Kreighbaum, who declined the position; Gary Thomas, who declined the position; and Daniel Faust, who did not respond back. At this time, Daniel Faust stated he is willing to remain on Borough Council. Borough Solicitor, Beau Hoffman stated he will review the method necessary for Borough Council to appoint Daniel Faust at the January 3, 2022 meeting.
- Borough Council held a brief discussion about payment of compensation to Borough Council members and the Mayor starting in year 2022. Borough Council stated payment of compensation will be discussed as a possible 2022 Budget Amendment at the January 3, 2022 meeting.

**MIDDLEBURG BOROUGH COUNCIL**  
**MEETING MINUTES**  
**Tuesday, December 14, 2021 @ 7:00 p.m.**  
**Page 4**

**COUNCIL MEMBER & COMMITTEE REPORTS:**

- Mayor Heidi Potter offered a “Thank You” to the Borough Foreman, Police Chief and Borough Administrator for all their hard work done throughout the year.
- Personnel Committee Chairman, Brian Swartz stated he will be performing annual evaluations of the Borough Foreman and Borough Administrator on Wednesday, December 15<sup>th</sup> starting at 9 a.m.
- Buildings & Grounds Chairman, George Price stated since the Borough received notification from the elevator maintenance company about the operating system becoming obsolete and needing to be upgraded or replaced before June 2023 that obtaining pricing for upgrading the elevator should be a top priority consideration.

**Correspondence, Minutes or Reports:**

- Council Vice President, George Price called for any questions or comments regarding the November 8, 2021 Municipal Authority meeting minutes.

With no comments or further business to conduct, motion made by Judy Lynn and seconded by Daniel Faust to adjourn tonight’s meeting at 9:02 p.m.

Respectfully Submitted,  
Elizabeth Paige, Borough Administrator/Secretary