

MIDDLEBURG BOROUGH COUNCIL
MEETING MINUTES
Tuesday, December 08, 2020 @ 7:00 p.m.
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Meeting Location: Middleburg Borough Building, 13 N. Main Street, Middleburg, PA
Council Members: Present were Heidi Potter/President, Brian Swartz/Vice President, Michael Kerstetter, and George Price. Via Zoom were Judy Lynn, Daniel Faust, and Debbie Bilger/Mayor.
Others Present: Beau Hoffman/Solicitor, Tony Jordan/Police Chief, Dustin Zechman/Borough Foreman, and Elizabeth Paige/Administrator
Public Via Zoom: Greater Susquehanna Valley Chamber of Commerce (GSVCC) President, Robert Garrett

CALL TO ORDER: Middleburg Borough Council meeting was called to order by Council President Heidi Potter at 7:00 p.m. and was followed by the Pledge of Allegiance.

PUBLIC COMMENTS: None

Motion made by George Price and seconded by Michael Kerstetter to approve tonight's meeting agenda with date correction on page 2 and addition of renewal of Declaration of Disaster Emergency under New Business. Motion carried unanimously.

Motion made by Judy Lynn and seconded by Daniel Faust to approve the November 10, 2020 meeting minutes as presented. Motion carried unanimously.

Motion made by Brian Swartz and seconded by George Price to approve the bills paid in November 2020 as presented. Motion carried unanimously.

Motion made by Heidi Potter and seconded by Judy Lynn to approve the financial statements as of November 30, 2020 as presented. Motion carried unanimously.

DRAFT COMPREHENSIVE PLAN PRESENTATION:

- GSVCC President, Robert Garrett, who was attending tonight's meeting via Zoom, presented an overview of the "Draft" Middleburg Borough Comprehensive Plan. Robert Garrett noted the Borough initially started the development of a comprehensive plan in 1975 by completing a Background Studies Report with Franklin and Middlecreek Townships. The primary goal of developing this Comprehensive Plan is "to maintain and enhance Middleburg Borough's historic sense of place while promoting livability for borough residents and visitors". Robert Garrett briefly reviewed the following ten (10) planning platforms proposed to achieve, maintain, enhance, and promote the "sense of place and livability": 1) Residential neighborhoods, 2) Commercial areas, 3) Frequent and open communication, 4) Safety of Community (traffic and pedestrian safety), 5) Natural resource (Middlecreek access), 6) Community facilities, 7) Cooperation with Midd-West Area School District, 8) Government administration and police protection, 9) Inter-municipal cooperation, and 10) Capital Improvements Plan. Robert Garrett explained the implementation of the five (5) plans contained within the Comprehensive Plan. At this time, several questions and comments about the Comprehensive Plan were addressed by Robert Garrett. Robert Garrett stated he will provide copies of the "Draft" Comprehensive Plan to the Borough Administrator for distribution to the Borough Council members for review. Robert Garrett reviewed the final steps required before the Borough Council can conduct a public hearing for taking appropriate action on plan adoption.

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REPORTS:

Borough Solicitor – Beau Hoffman

- Borough Solicitor, Beau Hoffman stated the Independent Contractor/Consultant Agreement is on hold and no action is required at this time.
- Borough Solicitor, Beau Hoffman informed Council an inspection of the yarn factory building has been granted by the property owner to take place on Tuesday, December 15, 2020 at 2 p.m. with the Borough Code Inspector from Light-Heigel & Associates, Inc.
- Borough Solicitor, Beau Hoffman provided Council with an update on the new State required time frame for quarantines, which aligns its' guidance with that from the CDC. The new guidance provides for a 10-day quarantine without testing, and a 7-day quarantine with a negative test on or after day five of the quarantine.
- Borough Solicitor, Beau Hoffman provided Council with information on how to provide public notice and conduct meetings remotely.

Borough Police Chief – Tony Jordan

- Police Chief, Tony Jordan reviewed the November 2020 Police Reports distributed to Council.
- Council Member, Brian Swartz ask the Police Chief if the new traffic monitoring device had been delivered. Police Chief, Tony Jordan stated the traffic monitoring device has been delivered and he contacted PennDOT about any permitting requirements. PennDOT does not require a permit for the sign but does request the sign be taken down after being up two (2) weeks. Borough Administrator, Elizabeth Paige reported the traffic monitoring device will be added the Borough's insurance policy for theft, vandalism, wind damage as long as the damage is over the deductible amount.

Borough Foreman – Dustin Zechman

- Council Member, Brian Swartz reported there is a street light on Grand Street, which is not turning off during the daylight hours. Borough Foreman, Dustin Zechman stated the Borough is charged a flat electrical rate on each street light and PPL Electric Utilities takes care of the maintenance.

OLD BUSINESS:

- Council President, Heidi Potter stated an alternate member is still needed to establish the UCC and IPMC Board of Appeals. Heidi Potter requested if Borough Foreman, Dustin Zechman would ask his father, who was a former Council member, to serve as the alternate member

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- Council President, Heidi Potter inquired if Council is interested in taking advantage of the membership training subscription program, which is offered the by Pennsylvania State Association of Boroughs (PSAB) for training sessions. With no interested, Council unanimously decided not to take advantage of the PSAB membership training subscription program.
- Council President, Heidi Potter presented Resolution 2020-07, which amends the fee schedule for matters involving the Middleburg Borough Code of Ordinances, for adoption. Motion made by Heidi Potter and seconded by Daniel Faust to adopt Resolution 2020-07. Motion carried unanimously

NEW BUSINESS:

- Council President, Heidi Potter informed Council the 2021 Proposed Borough Budgets was advertised for public comments. Heidi Potter stated the 2021 Proposed Borough Budget required no increase in the Borough's tax rates. With no public comments received and no comments/revisions from the Council, motion made by Brian Swartz and seconded by George Price to adopt the 2021 Borough Budgets. Motion carried unanimously.
- Council President, Heidi Potter reviewed proposed Ordinance 2020-352: fixing the tax rates for fiscal year 2021. Motion by Heidi Potter and seconded by Brian Swartz to advertise proposed Ordinance 2020-352 for a public hearing at the January 12, 2021 Council meeting. Motion carried unanimously.
- Council President, Heidi Potter reviewed the 2021 Meeting Schedule Notice. After a brief review of the meeting schedule, Council unanimously approved advertising the 2021 Meeting Schedule Notice.
- Mayor, Debbie Bilger reviewed her letter of resignation from the position of Mayor effective December 31, 2020. After much consideration, Debbie Bilger decided her full attention needs to be focused on family matters and other tasks. Debbie Bilger stated it has been a pleasure to serve as the Mayor of Middleburg Borough for the past 1 ½ years. Council unanimously accepted the resignation of Mayor, Debbie Bilger and thanked her for her years of service. Borough Solicitor, Beau Hoffman informed Council he will research the process to appoint a replacement to the office of mayor.
- Council President, Heidi Potter presented Resolution 2020-08, which approves the list of records for disposal for 2020 per the Pennsylvania Municipal Records Manual. Motion made by Brian Swartz and seconded by Daniel Faust to approve Resolution 2020-08. Motion carried unanimously.
- Council President, Heidi Potter presented Resolution 2020-09, which approves the appointment of Middleburg Municipal Authority members (Scott Brouse and Scott Reigle) for a term of four (4) years starting January 1, 2021 and ending December 31, 2024. Motion made by George Price and seconded by Brian Swartz to approve Resolution 2020-09. Motion carried unanimously.

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- Council President, Heidi Potter presented a Declaration of Disaster Emergency (COVID-19) to extend the declaration of disaster for an additional ninety (90) days effective December 8, 2020. Motion by Heidi Potter and seconded by Brian Swartz to approve the Declaration of Disaster Emergency extension. Motion carried unanimously.

EXECUTIVE SESSION:

Borough Council entered an executive session for discussion of personnel matters and legal matters at 7:59 p.m. Council President, Heidi Potter called the meeting back to order at 8:38 p.m. Executive session discussion resulted in the following motions being made:

- Motion made by Heidi Potter and seconded by Judy Lynn to close the borough office building to the public starting Monday, December 14, 2020 and allowing the Middleburg Library to provide curbside services if they choose to do so. Motion carried unanimously.
- Motion made by Brian Swartz and seconded by Michael Kerstetter to offer the position of Municipal Authority Secretary at a starting pay rate of \$12.00 per hour to Jodie Sheafer. Motion carried unanimously. Personnel Committee Chairman, Brian Swartz requested the Borough Administrator, Elizabeth Paige to contact Jodie Sheafer with the job offer and a start date of January 4, 2021.
- Motion made by Heidi Potter and seconded by Brian Swartz based on the Proposed Decision and Order dated November 25, 2020 received from the Pennsylvania Labor Relations Board Hearing Examiner, Police Comp Time cap will be set to zero (0) effective January 1, 2021 with payout by December 31, 2020 of the current Police Comp Time, which was recognized by Borough Council in the 2020 budget. At this time, Council and the Borough Solicitor addressed a question from Police Chief, Tony Jordan about the possibility of an exception filing by the Police Officers Association. With no further questions or comments, motion carried unanimously.

COUNCIL MEMBERS REPORTS:

- Council Member, Daniel Faust offered a "Thank You" to Robert Garrett of the Greater Susquehanna Valley Chamber of Commerce (GSVCC) for offering to host tonight's "ZOOM" meeting.
- Council Member, Michael Kerstetter questioned if the GSVCC could continue to host the Borough Council meetings through "ZOOM" since the Borough office building is closed to the public. Borough Solicitor, Beau Hoffman stated the 2021 Meeting Schedule public notice should include the "ZOOM" option for the public attendance and if there is a request to attend the meeting in person, it should be by appointment in order to observe the PA Department of Health's public attendance limit. Council unanimously agreed the Borough Administrator should contact GSVCC about hosting the 2021 Borough Council meetings and provide the "Zoom" instructions as part of the 2021 Meeting Schedule public notice.

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BOROUGH ADMINISTRATOR/ZONING OFFICER:

- Borough Administrator, Elizabeth Paige reviewed information received from Central Keystone Council of Governments, which included 2021 Hourly Inspection Rate Increase, Year-to-Date Permit Reports, October 15, 2020 General Membership Meeting Minutes, and Approved 2021 CKCOG Budget.

- Borough Administrator, Elizabeth Paige stated Jamon Folk, new owner of “North Main” former “Towne Tavern” contacted her to find out if there are any regulations in the Borough Code about “Bring Your Own Bottle”. Elizabeth Paige reviewed Borough Code, Part 5 – Alcoholic Beverages and information/guidance from the PA Liquor Control Board on “Bring Your Own Alcoholic Beverage” with Borough Council. Borough Solicitor, Beau Hoffman stated based on the Borough Code, Part 5 – Alcoholic Beverages, there is no action need by Council. Elizabeth Paige stated she will inform Jamon Folk there is no action necessary by Borough Council for “Bring Your Own Bottle”.

- Borough Administrator, Elizabeth Paige reviewed the updated Borough Code Violation Report. Council President, Heidi Potter stated she noticed the Smith property on West Willow Avenue has broken windows on the front and scattered rubbish, which should be addressed. Elizabeth Paige stated she will investigate and mail a property maintenance notice to the owner.

With no further comments or questions, motion made by Brian Swartz and seconded by George Price to adjourn tonight’s meeting at 9:18 p.m.

Respectfully Submitted,
Elizabeth Paige
Borough Administrator/Secretary