

MIDDLEBURG BOROUGH COUNCIL
MEETING MINUTES
Tuesday, January 12, 2021 @ 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, Elaine Saunter and George Price. Via Zoom were Judy Lynn, Daniel Faust, and Michael Kerstetter.
Others Present: Beau Hoffman/Solicitor (Via Zoom), Dustin Zechman/Borough Foreman, and Elizabeth Paige/Administrator
Public Via Zoom: Shane Vanscyoc of Benco Realty/Sissyboy Trucking LLC

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 Brian Swartz and seconded by Daniel Faust to approve tonight's meeting agenda. Motion carried unanimously.

Motion made by Judy Lynn and seconded by George Price to approve the December 9, 2020 meeting minutes and the December 15, 2020 special meeting minutes as presented. With Elaine Saunter abstaining from the vote as she was not present at the meetings, motion carried unanimously.

Motion made by Elaine Saunter and seconded by Brian Swartz to approve the bills paid in December 2020 as presented. Motion carried unanimously.

Motion made by Brian Swartz and seconded by Judy Lynn to approve the financial statements as of December 31, 2020 as presented. Motion carried unanimously.

BENCO REALTY/SISSYBOY TRUCKING LLC:

- Shane Vanscyoc representing Benco Realty/Sissyboy Trucking, LLC, who was attending tonight's meeting via Zoom, stated he was requesting Borough Council to consider granting a waiver from Ordinance 2020-350: Rental Inspection and Permitting. The properties located at 240 W Market Street and 17 E Market Street were purchased by Benco Realty for the purpose of providing an employee housing benefit to Sissyboy Trucking employees. Shane Vanscyoc stated the company does not consider the employees as tenants as the company is providing housing as an employee benefit. Borough Solicitor, Beau Hoffman reviewed the ordinance definitions of property owner and rental unit with Borough Council. After a brief discussion about the purpose and compliance requirements of the ordinance, Shane Vanscyoc requested Borough Council to table their decision to next month's meeting so he could have his legal counsel attend with him. Solicitor Beau Hoffman ask Shane Vanscyoc to create a written list of the ordinance sections he would not be able to comply with and submit the list for Borough Council to review prior to next month's meeting. Borough Council unanimously agreed to table Benco Realty/Sissyboy Trucking, LLC waiver request to next month's meeting.

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PUBLIC HEARING – ORDINANCE 2021-352:

- Council President, Heidi Potter open the public hearing at 7:28 p.m. for Ordinance 2021-352: Establishing the tax rates for fiscal year 2021. With no public comments, Heidi Potter closed the public hearing at 7:29 p.m. Motion by Elaine Saunter and seconded by Daniel Faust to adopt Ordinance 2021-352. Motion carried unanimously.

REPORTS:

Borough Solicitor – Beau Hoffman

- Borough Solicitor, Beau Hoffman informed Council the inspection of the yarn factory building took place on Tuesday, December 15, 2020 at 2 p.m. with the Borough Code Inspector from Light-Heigel & Associates, Inc.
- Borough Solicitor, Beau Hoffman presented Resolution 2021-01: Abolishing the Per Capita Tax for the 2021 fiscal year, which Borough Council agreed to with the adoption of the 2021 Budget at the December 8, 2020 monthly meeting. Motion made by Heidi Potter and seconded by George Price to adopt Resolution 2021-01 as presented. Motion carried unanimously.

Police Department – Monthly Report

- Council President, Heidi Potter inquired if there any questions/comments about Police Department monthly reports. Council Vice President, Brian Swartz questioned if the Police Department could provide a breakdown by municipality of the total monthly calls and incidents.

OLD BUSINESS:

- Council President, Heidi Potter stated an alternate member is still needed to establish the UCC and IPMC Board of Appeals. Borough Solicitor, Beau Hoffman suggested contacting the former Mayor, Debbie Bilger about serving as an alternate member. Heidi Potter stated she would contact Debbie Bilger.

NEW BUSINESS:

- Borough Administrator, Elizabeth Paige informed Borough Council the Borough office received no inquires regarding the appointment of Mayor for year 2021. Borough Solicitor, Beau Hoffman informed Borough Council in the absence of a Mayor the Council President shall act as the Mayor. The Borough Council has 30 days after the vacancy occurs to fill the vacancy or filled within 15 additional days by the vacancy board.

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- Borough Council reviewed the 2019 Audit Report and letter of recommendations from Herring Roll & Solomon, P.C. Council Member, Elaine Saunter suggested a plan of action be submitted by the Borough Administrator at the next meeting addressing the audit firm's recommendations.
- Council President, Heidi Potter reviewed the 2021 Budget Modification proposed via the information provided by the Borough Administrator. After a brief discussion, Borough Council unanimously decided no budget modification would be needed at this time.

COUNCIL MEMBERS REPORTS:

- Council President, Heidi Potter informed Borough Council a request from Adam Deitz, Middleburg Revitalization Committee member to store the lanterns use in the barrel arrangements at his house instead of storing them in the Borough building basement. Borough Council unanimously agreed to allow Adam Deitz to store the lanterns at his house.
- Council Member, Brian Swartz informed the Borough Foreman about an old length of cable hanging down in Cedar Alley. Borough Foreman, Dustin Zechman stated he will remove the cable as Verizon does not respond to regarding requests to remove old cables.
- "Acting" Mayor, Heidi Potter informed Borough Council Police Chief Tony Jordan has been hospitalized with COVID. Based on the Police Chief Jordan's recommendation, "Acting" Mayor, Heidi Potter is appointing officer Mark Bailey as the "Officer in Charge" until Police Chief Jordan can resume his duties as chief of police.
- Council Member, Elaine Saunter inquired about recognizing Municipal Authority Secretary, Beverly Inch, who will be retiring this year.

COUNCIL COMMITTEE REPORTS:

- Personnel Committee Chairman, Brian Swartz informed Borough Council new Employee Performance Evaluation Procedures should be ready for review at the February monthly meeting. Borough Solicitor, Beau Hoffman stated as a personnel policy matter the Employee Performance Evaluation Procedures should be adopted by resolution.
- Parks & Recreation Committee was informed by Council Member, Brian Swartz there are Boy Scouts, who need to perform public service hours. Parks & Recreation Committee, Chairperson Judy Lynn stated she will review park maintenance needs with the Borough Foreman and get back to Brian Swartz.

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BOROUGH ADMINISTRATOR/ZONING OFFICER:

- Borough Administrator, Elizabeth Paige reviewed a notification received from Snyder County Director of Elections, Debbie Bilger. The notification sets forth all offices to be filled at the Municipal Primary Election on May 18, 2021.

With no further comments or questions, motion made by Brian Swartz and seconded by Elaine Saunter to adjourn tonight's meeting at 8:25 p.m.

Respectfully Submitted,
Elizabeth Paige
Borough Administrator/Secretary