

**MIDDLEBURG BOROUGH COUNCIL
MEETING MINUTES
Tuesday, January 14, 2025 @ 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, James Gahring, Virgil Schlieff, Gary Thomas and Mayor Heidi Potter
Absent: Brian Swartz, Beverly Inch
Others Present: Borough Solicitor/Beau Hoffman, Police Chief/Mark Bailey, Borough Foreman/Dustin Zechman, Fire Chief/Scott Reigle and Borough Administrator/Elizabeth Paige
Public Present: Jonathan Hummel, Zachery Hackenberg, Tyler Maneval

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. Motion by Gary Thomas and seconded by James Shull to approve the agenda as presented. Motion carried unanimously.

PUBLIC COMMENTS:

- Jonathan Hummel of Troutman's Meats questioned Borough Council if there have been any problems as their delivery truck is now backing down W. Oak Avenue, across N. Main Street to E. Oak Avenue and then existing onto N. Main Street. Jonathan Hummel informed Borough Council he has hired Meck-Tech, Inc. to conduct a feasibility study of his properties to find out if there is a better way to turn the delivery trucks around. Police Chief Mark Bailey stated there are still safety concerns to be considered with the delivery trucks backing down W. Oak Avenue, across N. Main Street into IGA parking area via E. Oak Avenue and existing onto N. Main Street. After a brief discussion, Borough Solicitor Beau Hoffman recommended Borough Council wait for the results of the feasibility study from Meck-Tech, Inc., who is also the Borough's Engineer. Borough Council agreed unanimously with the Borough Solicitor's recommendation and requested the proposed ordinance be tabled again.

MINUTES, PAID BILLS, FINANCIAL REPORTS:

Motion made by James Shull and seconded by James Gahring to approve December 10, 2024, monthly meeting minutes as presented. Motion carried unanimously.

Motion made by Gary Thomas and seconded by Virgil Schlieff to approve the bills paid in December 2024 as presented. Motion carried unanimously.

Motion made by James Gahring and seconded by Gary Thomas to approve the financial statements as of December 31, 2024, as presented. Motion carried unanimously.

REPORTS:

Borough Solicitor – Beau Hoffman

- Borough Solicitor, Beau Hoffman stated he would like an executive session to discuss the court order and demolition of the Middleburg Yarn building.

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Police Chief – Mark Bailey

- Police Chief, Mark Bailey reviewed the December 2024 monthly police reports with the Borough Council.

Borough Administrator/Zoning Officer – Elizabeth Paige

- Borough Administrator, Elizabeth Paige reviewed Resolution 2025-01, which appoints KPI Technology as the Sewage Enforcement Officer with the attached fee schedule, which did not change from year 2024. Motion made by James Shull and seconded by James Gahring to adopt Resolution 2025-01 as presented. Motion carried unanimously.
- Borough Administrator, Elizabeth Paige reviewed Resolution 2025-02, which amends the fee schedule for matters involving the Middleburg Borough Code of Ordinances. Elizabeth Paige stated the only change to the fee schedule is the Appointed Code Enforcement Official's fee and the addition of the new fee for Road Opening/Excavation Permit. Motion made by Gary Thomas and seconded by James Shull to adopt Resolution 2025-02 as presented. Motion carried unanimously.
- Borough Administrator, Elizabeth Paige reviewed the new Road Opening/Excavation Permit form. After a brief discussion, the form was approved with the removal of the signature line and inserting a line requesting the applicant print their name and title.

EXECUTIVE SESSION:

- Council President, Donald Zechman called for an executive session at 7:25 p.m. for discussion of legal and personnel matters. Council President, Donald Zechman called the meeting back to order at 8:13 p.m. The following actions were taken:
 - Motion made by James Gahring and seconded by Virgil Schlieff to approve the request of Middleburg Yarn to allow the one intact foundation to remain on the property. Motion carried unanimously.
 - Motion made by James Shull and seconded by James Gahring to approve the annual salary under Article 3. Salary of the Police Chief's Employment Agreement to reflect a 3% increase for the year 2025. Motion carried unanimously. Borough Council directed the Borough Administrator to make the necessary corrections to the salary in the employment agreement and make any necessary payroll adjustment to reflect the salary increase.

REPORTS CONTINUED:

Fire Chief – Scott Reigle

- Fire Chief, Scott Reigle presented and reviewed the year 2024 fire company reports. Scott Reigle and Tyler Maneval discussed the man hours needed for training, the state regulations and the various grants applied for by the fire company. Tyler Maneval stated the fire company is very grateful for the community support shown for the fire company. Borough Council thanked the fire company members for all the services provided by the fire company to the borough and surrounding communities. Plus, the Borough will place an update in the Spring Newsletter about the various services and man hours provided by the Reliance Hose Co. #1.

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Borough Foreman – Dustin Zechman

- Borough Foreman, Dustin Zechman stated the public works employee union contract request an employee to provide a two (2) week notice of resignation. Plus, the union contract states vacation time and personal time may not be used during the resignation notice period without express written approval of the Borough Council. Kyle Rhoads has accepted a job position elsewhere and would like to request the Borough Council approve the usage of his personal time during his two (2) weeks' notice along with the payout of his accrued vacation time not used. Dustin Zechman informed Borough Council Kyle's resignation letter states his last day of employment would be 01/31/2025 and that he is willing to work for the Borough per diem in the event of a snow storm or water/sewer emergency if needed from 02/01/2025 to 04/01/2025. Borough Council held a brief discussion with the Borough Solicitor, who reviewed the union contract. At this time, motion by James Shull and seconded by Gary Thomas to accept Kyle Rhoad's letter of resignation and to approve his request for usage of his personal time during his two (2) weeks' notice along with payout of his accrued vacation time not used. Motion carried unanimously.

OLD BUSINESS: No old business matters to be addressed at this meeting.

NEW BUSINESS:

- Personnel Committee Chairman, Gary Thomas reported since Kyle Rhoads made the decision to take a different job position, the Borough Supervisor position will need to be re-advertised. After a brief discussion, Borough Council directed the Borough Administrator to advertise the job position in the Snyder County Times and place the job posting on the INDEED job website.

COUNCIL MEMBER & MAYOR REPORTS:

- Borough Council Vice-Chairman, James Shull reported on a vehicle, which has been parked on N. Charles Avenue for a several weeks without being moved. The vehicle registration and inspection are in good standing so there is nothing under current Borough Code regulations to cause the vehicle owner to move the vehicle. James Shull stated he will investigate if other boroughs have any vehicle regulations regarding the length of time a vehicle can be parked on a street.

BOROUGH COMMITTEE UPDATES:

- Buildings, Streets & Sidewalks Committee Chairman, Donald Zechman stated he will be reaching out to the committee members to schedule a meeting before the next Borough Council meeting.
- MMA Management Agreement Committee Chairman, Gary Thomas reported the Municipal Authority and Borough Council members held a meeting on Monday, January 13, 2025. The Municipal Authority members stated there is an active sales agreement for the Smith property and the proposed date of separation is December 31, 2025. A discussion was held about creating a new management agreement for the year 2025. At this time Borough Foreman, Dustin Zechman stated the Municipal Authority directed their Solicitor, Robert Slivinski to draft a new management agreement, which will then be present to the committee for review.

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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, the motion made by James Shull and seconded by Virgil Schlieff to adjourn tonight's meeting at 9:03 p.m. Motion carried unanimously.

Respectfully Submitted,

Elizabeth Paige
Borough Administrator/Secretary