

**MIDDLEBURG BOROUGH COUNCIL  
ORGANIZATIONAL & COUNCIL MEETING MINUTES**

**Tuesday, January 2, 2024**

**Page 1**

Meeting Location: Middleburg Borough Building, 13 N. Main Street, Middleburg, PA  
Council Members/Mayor: Brian Swartz, Beverly Inch, Donald Zechman, James Shull, Gary Thomas and Mayor Heidi Potter  
Others Present: Police Chief, Mark Bailey; Borough Foreman, Dustin Zechman; Borough Solicitor, Jeremiah Runkle; and Borough Administrator/Secretary, Elizabeth Paige  
Public Present: Jonathan Bastian, Gene Baker, Paul Yetter, Scott Reigle

**Organizational Meeting Call to Order:** Mayor Heidi Potter called the organization meeting to order at 6:00 p.m. with the Pledge of Allegiance.

**Oath of Office for Newly Elected Members:** Mayor Heidi Potter administered the oath of office to newly elected Council members: Beverly Inch, Donald Zechman, James Shull and Gary Thomas

**Resolution 2024-01: Appoint Council Member to a Vacant Council Position:** Resident/Former Council Member, Joseph Mizak has expressed his willingness to fill a vacancy on the Borough Council. Motion made by James Shull and seconded by Beverly Inch to appoint Joseph Mizak to Borough Council to fill a vacancy with a two (2) year term expiring December 31, 2025. Motion carried unanimously. Mayor Heidi Potter will administer the oath of office to newly appointed Council member, Joseph Mizak as he was unable to attend tonight's meeting..

**Nomination for Council President:** Mayor Heidi Potter called for nominations of Council President. James Shull nominated Donald Zechman, who accepted the nomination. Motion made by James Shull and seconded by Brian Swartz to appoint Donald Zechman as Council President. Motion carried unanimously.

**Nomination for Council Vice President:** Mayor Heidi Potter called for nominations of Council Vice President. Donald Zechman nominated James Shull, who accepted the nomination. Motion made by Donald Zechman and seconded by Gary Thomas to appoint James Shull as Council Vice President. Motion carried unanimously.

Mayor Heidi Potter turned the meeting over to newly elected Council President, Donald Zechman.

**Appointments of Authority and Board Members:**

- The Municipal Authority recommended the re-appointment of Dwayne Hackenberg for another five (5) year term. Motion made by Brian Swartz and seconded by Beverly Inch to adopt Resolution 2024-02 appointing Dwayne Hackenberg to the Middleburg Municipal Authority with a five (5) year term expiring December 31, 2028. Motion carried unanimously.

**MIDDLEBURG BOROUGH COUNCIL  
ORGANIZATIONAL & COUNCIL MEETING MINUTES**

**Tuesday, January 2, 2024**

**Page 2**

- Zoning Hearing Board Member, William Flather is willing to accept re-appointment to the Middleburg Borough Zoning Hearing Board. Motion made by James Shull and seconded by Brian Swartz to adopt Resolution 2024-03 appointing William Flather with a three (3) year term expiring December 31, 2026 to the Zoning Hearing Board. Motion carried unanimously.
- UCC/IPMC Appeal Board Member, Steven Ebright is willing to accept re-appointment to the Middleburg Borough UCC/IPMC Appeal Board. Motion made by Brian Swartz and seconded by James Shull to adopt Resolution 2024-04 appointing Steven Ebright with a three (3) year term expiring December 31, 2026 to the UCC/IPMC Appeal Board. Motion carried unanimously.
- Borough Administrator, Elizabeth Paige reported she was unable to locate someone to accept the Vacancy Board Chairperson appointment.

**Appointment of Solicitor, Engineer and Property Maintenance/Rental Inspection Agency:**

- Appointment of Borough Solicitor: Motion made by Brian Swartz and seconded by Beverly Inch to appoint AxRunkle, PC for year 2024 and year 2025. Motion carried unanimously.
- Appointment of Borough Engineer: Motion made by Gary Thomas and seconded by James Shull to appoint Meck-Tech Inc. for year 2024 and year 2025. Motion carried unanimously.
- Property Maintenance/Rental Inspection Agency: Motion made by Brian Swartz and seconded by Gary Thomas to appoint Light-Heigel & Associates, Inc. for year 2024 and year 2025. Motion carried unanimously.
- Zoning Hearing Board Solicitor: After reviewing the two (2) email responses from law firms expressing interest in the Zoning Hearing Board Solicitor appointment, motion made by Brian Swartz and seconded by James Shull to appoint Slivinski Law Offices, LLC as the Zoning Hearing Board Solicitor for year 2024 and year 2025. Motion carried unanimously.

**Appointment of Committee Members by Council President, Donald Zechman as follows:**

**Personnel Committee:** Gary Thomas/Chairman, James Shull and Brian Swartz

**Buildings, Streets & Sidewalks Committee:** Donald Zechman/Chairman, Gary Thomas and Joseph Mizak

**Community Improvements Committee:** Beverly Inch/Chairperson, James Shull and Mayor Heidi Potter

**Sign/Zoning Amendment Committee:** Brian Swartz/Chairman, Joseph Mizak and Donald Zechman

**MIDDLEBURG BOROUGH COUNCIL  
ORGANIZATIONAL & COUNCIL MEETING MINUTES**

**Tuesday, January 2, 2024**

**Page 3**

**Budget Committee:** Brian Swartz/Chairman, Beverly Inch, James Shull and Timothy Folk (Municipal Authority Representative)

**Snyder County Tax Collection Committee:** Mayor Heidi Potter-Borough Representative

**Risk Assessment & Management Policy Committee:** Mayor Heidi Potter and Elizabeth Paige

**BOROUGH COUNCIL MEETING:**

**Council Meeting Call to Order:** Council President, Donald Zechman called the monthly Council meeting to order at 6:20 p.m.

- Motion made by Gary Thomas and seconded by James Shull to approve the monthly meeting agenda as presented. Motion carried unanimously.
- Motion made by Brian Swartz and seconded by Gary Thomas to approve the December 12, 2023 meeting minutes as presented. Motion carried unanimously.

**PUBLIC:**

- Evangelical Hospital/EMS Division representative, Jonathan Bastian informed Borough Council the current agreement to provide services with the Reliance Hose Company Ambulance Association will be ending April 1, 2024. Reliance Hose Company Ambulance Association has requested a six (6) month extension of the current contract. Jonathan Bastian stated a proposed new service agreement with two (2) different options has been presented to the Ambulance Association. Reliance Hose Company Ambulance Association representative, Paul Yetter informed Borough Council the Ambulance Association is investigating other options available for providing services. At this time, several questions from Council members and the Borough Solicitor were addressed regarding both the current agreement and the proposed agreement to provide services.

**EXECUTIVE SESSION:**

Council President, Donald Zechman called for an executive session for discussion of a legal matter at 6:42 p.m. Donald Zechman called the meeting back to order at 6:58 p.m. Motion made by Gary Thomas and seconded by Beverly Inch to approve the modification recommended to the "Independent Contractor/Consultant Agreement" with Community Networking Resources, LLC. Motion carried unanimously.

**MIDDLEBURG BOROUGH COUNCIL  
ORGANIZATIONAL & COUNCIL MEETING MINUTES**

**Tuesday, January 2, 2024**

**Page 4**

**PUBLIC HEARING:**

- Council President, Donald Zechman open the public hearing for Ordinance No. 2024-365: An ordinance of the Borough of Middleburg to fix the general tax rate for fiscal year 2024 at 27 mills, to fix the street light tax rate at 2.5 mills, and to fix the road tax rate at 3.5 mills at 7:00 p.m. With no public present and no comments/questions from Borough Council, the public hearing was closed at 7:01 p.m. Motion made by Brian Swartz and seconded by Gary Thomas to adopt Ordinance No. 2024-365. Motion carried unanimously.

**REPORTS:**

**Police Chief, Mark Bailey**

- Police Chief, Mark Bailey informed Council the Masonic Lodge has requested to cone off the public parking spaces along W. Market Street on Friday, January 6, 2024, at 7 p.m. for an event being held at the Masonic Lodge.

**Borough Foreman, Dustin Zechman**

- Borough Foreman, Dustin Zechman informed Council the USDA will to be conducting an upcoming duck relocation along with checking the birds for Avian Flu at Charles Park.
- Borough Council requested Dustin Zechman update the current full-time public works employee job description since the Borough has budgeted for the hiring of a new full-time public works employee.

**Borough Administrator, Elizabeth Paige**

- Borough Administrator, Elizabeth Paige reviewed Resolution 2024-06: Amending the Borough Fee Schedule per the Middleburg Borough Code of Ordinance. Motion made by James Shull and seconded by Brian Swartz to adopt Resolution 2024-06. Motion carried unanimously.
- Borough Administrator, Elizabeth Paige reviewed Resolution 2024-07: Amending the Borough Equipment/Labor Fee Schedule. Motion made by Gary Thomas and seconded by James Shull to adopt Resolution 2024-07. Motion carried unanimously.
- Borough Administrator, Elizabeth Paige reviewed Resolution 2024-08: Disposition of Borough Records per the Pennsylvania Municipal Records Manual. Motion made by James Shull and seconded by Beverly Inch to adopt Resolution 2024-08. Motion carried unanimously.

**MIDDLEBURG BOROUGH COUNCIL  
ORGANIZATIONAL & COUNCIL MEETING MINUTES**

**Tuesday, January 2, 2024**

**Page 5**

**NEW BUSINESS:**

- Council President, Donald Zechman called for discussion and/or comments on the Community Improvements Committee recommended draft letter to the Middleburg Revitalization Committee (MRC) regarding the Hometown Hero Banner Project and recommendation to invoice the MRC for costs to install/display the banners since MRC is collecting an annual maintenance fee of \$35.00 per banner. After a brief discussion of the recommended draft letter to MRC, Borough Council unanimously approved the letter and requested the Borough Administrator send the letter to the MRC.

With no further business to conduct, motion made by Brian Swartz and adjourned the meeting at 7:28 p.m.

Respectfully submitted,

Elizabeth Paige  
Borough Administrator/Secretary