

MIDDLEBURG BOROUGH COUNCIL
MEETING MINUTES
Tuesday, July 11, 2023 @ 7:00 p.m.
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Meeting Location: Middleburg Borough Building, 13 N. Main Street, Middleburg, PA
Council Members: Present: Brian Swart/President, Donald Zechman/Vice-President, Brian Pauling, Beverly Inch, James Shull and Mayor Heidi Potter. Absent was Joseph Mizak. Michael Kerstetter arrived at 8:43 p.m.
Others Present: Beau Hoffman/Solicitor, Police Chief/Mark Bailey, Borough Foreman/Dustin Zechman, and Borough Administrator/Elizabeth Paige
Public Present: Ryan & Jenelle VanHorn, Brenda Smith, Tyler Maneval, Scott Reigle, Donald Meredith, and Nathan Fisher

CALL TO ORDER: Middleburg Borough Council meeting called to order by Council President, Brian Swartz at 7:00 p.m. followed by the pledge of allegiance.

Council President, Brian Swartz inquired if there were any additions and/or changes to tonight's meeting agenda. Motion by Brian Swartz and seconded by James Shull to approve the meeting agenda with the addition of Brenda Smith under Public Comments. Motion carried unanimously.

Motion made by Brian Swartz and seconded by Brian Pauling to approve the June 13, 2023, monthly meeting minutes as presented. Motion carried unanimously.

Motion made by Brian Swartz and seconded by Beverly Inch to approve the bills paid in June 2023, as presented. Motion carried unanimously.

Motion made by Brian Swartz and seconded by James Shull to approve the financial statements as of June 30, 2023, as presented. Motion carried unanimously.

PUBLIC:

- Jenelle and Ryan VanHorn provided a brief update on the ongoing mural project, which should be installed by early Fall. Jenelle VanHorn reviewed a new proposed project idea, which would include the installation of forty (40) decorative solar powered street lights with a planter basket along Main Street. Jenelle VanHorn stated while investigating the proposed project they connected with a company (HAPCO Pole Products), who has been very helpful throughout their investigation of the proposed project. Jenelle and Ryan VanHorn stated they are hoping to involve Mid-West School District students in this project also. At this time, Jenelle VanHorn addressed several questions from Borough Council about the proposed project. Borough Solicitor, Beau Hoffman recommended to Borough Council the involvement of the Borough Engineer, Borough Foreman and the Borough Buildings, Streets & Sidewalks Committee if the proposed project was granted approval to move forward. With no further comments or questions, Borough Council unanimously approved allowing Jenelle and Ryan VanHorn to move forward with their proposed street lighting project.
- Brenda Smith informed Borough Council she is in the process of establishing a 501C.3 Foundation for her son, Anthony Bowersox, who passed away. Since Anthony loved skate boarding, Brenda Smith is hoping to find somewhere to build a skate park in memory of her son. Brenda Smith stated she had spoken to the Middleburg Revitalization Committee (MRC) about her vision for a skate park. MRC suggested she attend a Borough Council meeting to inquire if there was somewhere in Middleburg Borough to build a skate park. Borough Council stated Brenda Smith would need to work with the Borough's Community Improvements Committee if a possible location for a skate park would become available.

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- Reliance Hose Company representatives, Tyler Maneval and Scott Reigle stated at the request of Borough Council they were attending the meeting to discuss the Firemen's Parade line up and request the closure of Borough streets. Tyler Maneval provided Borough Council a detailed explanation about how the various streets and school parking areas are utilized in staging the parade lineup. Police Chief, Mark Bailey stated the police department is not involved in the parade lineup as the police department is monitoring the parade route detours throughout the Borough. At this time, Tyler Maneval and Scott Reigle addressed a couple questions from Borough Council. Motion made by Brian Swartz and seconded by James Shull to approve the closure of Wagenseller Street with notification being given to the property owners from S. Shuman Street to Center Street and from Center Street to Winey Avenue. Motion carried unanimously. Council President, Brian Swartz stated Borough Council approved the closure of Thomas Avenue at last month's meeting.

REPORTS:

Borough Engineer/Meck-Tech, Inc. – Trever Hess

- Borough Engineer representative, Trever Hess informed Borough Council after reviewing the stormwater washout issue on the Paxtonville Road end of Time Alley, the ultimate fix would be to install stormwater outlets and pave the roadway. After a brief discussion, the Borough Council requested Trever to develop a concept plan with a cost estimate to pave from the top of the hill and around the curve on Time Alley.
- Borough Engineer representative, Trever Hess discussed the stormwater issues observed in the area of Center Street, Stahl Street, Shambach Street and Wagenseller Street. Trever Hess stated the stormwater issue at 414 Center Street is not necessarily a Borough issue but seems to be more of a private property issue. Trever Hess stated Meck-Tech, Inc. could inform the private property owner of possible options on how to deal with their stormwater. Borough Solicitor, Beau Hoffman informed Borough Council the Borough is not responsible for personal property drainage matters but the Borough is responsible to direct and maintain roadway stormwater drainage. Trever Hess stated for the Borough to develop a plan on how to control the stormwater flow on the various roadways, an investigation of drainage easements should be completed. Motion made by Brian Swartz and seconded by James Shull to approve Meck-Tech, Inc to start investigating drainage easements, develop a scope of work to install stormwater drainage, and investigate possible grant funding. Also, Meck-Tech will be allowed one (1) hour of time to discuss stormwater drainage Issues with any private property owner, who contacts the Borough Administrator and makes a request. Motion carried unanimously.

Borough Solicitor – Beau Hoffman

- Borough Solicitor, Beau Hoffman informed the Borough Council due to the request for a search warrant, a request was filed to reschedule the magisterial hearing for the citations filed against Middleburg Yarn. The Borough did receive the administrative search warrant, which Magisterial District Judge, Bo Trawitz issued for 48 hours, only. As a result, the Borough Code Officer, along with the Chief of Police, executed the search warrant on Monday, July 10, 2023.

Police Chief – Mark Bailey

- Police Chief, Mark Bailey reviewed the June 2023 monthly police reports with Borough Council.

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- Police Chief, Mark Bailey reported Nathan Fisher, who was hired to fill the School Resource Officer (SRO) position, will be available to start full-time on Monday, July 24, 2023. Police Chief Bailey requested Borough Council approve the hiring of Nathan Fisher full-time with a starting salary of \$58,500.00 plus two (2) weeks of vacation time, which will be prorated for the year 2023. Motion made by Donald Zechman and seconded by Beverly Inch to approve the hiring of Nathan Fisher full-time with a starting salary of \$58,500.00 plus two (2) weeks of vacation time, which will be prorated for the year 2023. Motion carried unanimously.
- Police Chief, Mark Bailey requested Borough Council approve the hiring of Thomas Garlock as a part-time officer to act as the substitute for the SRO position. Motion made by Brian Swartz and seconded by Brian Pauling to approve the hiring of Thomas Garlock as a part-time officer to act as the substitute for the SRO position. Motion carried unanimously.
- Police Chief, Mark Bailey discussed the possibility of purchasing another police patrol vehicle with Borough Council. After a brief discussion, Council President, Brian Swartz stated the Budget Committee will be working on the 2024 Budget and can investigate the possibility of purchasing another police patrol vehicle.

Borough Foreman – Dustin Zechman

- Borough Foreman, Dustin Zechman reported the Municipal Authority is working with Franklin Township regarding sewer problems reported to DEP with several properties located along Route 522.
- Borough Foreman, Dustin Zechman informed Borough Council PennDOT had contracted a tree service to trim trees within the resurfacing project area of Route 522 (E. Main Street) and Route 104 (Wausau Road). Dustin Zechman stated a PA One Call has been placed by PennDOT for the replacement of the storm drainage pipe on Route 522 (E. Main Street) in front of the school.

Borough Administrator – Elizabeth Paige

- Borough Administrator, Elizabeth Paige reviewed the updated Borough Code Violation Reports and Zoning Permit Report with Borough Council. Borough Council Member, James Shull questioned the zoning requirements for installation of a swimming pool.

COUNCIL MEMBERS, MAYOR & COMMITTEE REPORTS:

- Borough Council Member, James Shull reported on some street signs/sign posts, which are leaning or needing repair.
- Borough Council Member, Beverly Inch stated the Middleburg Revitalization Committee will not be pursuing the possibility of a new “Welcome to Middleburg” sign location any longer. Beverly Inch questioned the Borough Foreman about trees near the Route 522/Route 104 intersection, which interfere with the sight distance. Borough Foreman, Dustin Zechman stated the area in question is within PennDOT’s right-of-way.
- Community Improvements Chairperson, Heidi Potter reported the committee held a meeting with Donald Meredith and Robert Straub to discuss the possibility of a pedestrian bridge at Stumps Run. Donald Meredith and Robert Straub have decided to pursue the matter through private channels.

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- Mayor Heidi Potter reminded both the Police Chief and Borough Foreman about her recent email regarding submitting 2024 Budget figures for their departments. Borough Administrator, Elizabeth Paige stated she will prepare 2024 Budget spreadsheets for the Police Chief and Borough Foreman to complete and return to the Borough office.

CORRESPONDENCE, MINUTES, REPORTS:

- Council President, Brian Swartz called for any comments or questions regarding the Middleburg Municipal Authority draft minutes of June 13, 2023.

With no comments or further business to conduct, motion made by Brian Swartz and seconded by Brian Pauling to adjourn tonight's meeting at 8:45 p.m. Motion carried unanimously.

Respectfully Submitted,

Elizabeth Paige
Borough Administrator/Secretary