

**MIDDLEBURG BOROUGH COUNCIL  
MEETING MINUTES  
Tuesday, July 09, 2024 @ 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, Beverly Inch, Gary Thomas, James Gahring, and Virgil Schlieff  
Absent: Brian Swartz and Mayor Heidi Potter  
Others Present: Beau Hoffman/Solicitor, Police Chief/Mark Bailey, Borough Foreman/Dustin Zechman, Fire Chief/Scott Reigle and Borough Administrator/Elizabeth Paige  
Public Present: Michael Kerstetter, Donald Meredith, Nick Jacobson

**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 James Shull and seconded by James Gahring to approve the agenda as presented. Motion carried unanimously.

**PUBLIC COMMENTS:**

- Resident Donald Meredith questioned if Borough Council had any updates on the three (3) previous proposals he introduced for consideration. Donald Meredith was supplied with the following information on his three (3) proposals: 1) Time Alley proposal was referred to the Borough Engineer for further investigation, 2) Property Drainage Issues (Shambach Street, Center Street, Stahl Street) – Borough Council approved for any resident wanting to discuss a drainage issue to contact the Borough Office and an appointment with the Borough Engineer would be scheduled to discuss their drainage issue, and 3) Construction of a Welcome Center and drive-thru ATM kiosk near the Middleburg Hotel – Donald Meredith was informed there is a series of steps in the process of developing a property (property ownership, land development plan submission to Snyder County Planning Commission for approval, project funding).

**MINUTES, PAID BILLS, FINANCIAL REPORTS:**

Motion made by Gary Thomas and seconded by James Gahring to approve the June 11, 2024, monthly meeting minutes as presented. Motion carried unanimously.

Motion made by James Gahring and seconded by Beverly Inch to approve the bills paid in June 2024 as presented. Motion carried unanimously.

Motion made by James Shull and seconded by James Gahring to approve the financial statements as of June 30, 2024, as presented. Motion carried unanimously.

**REPORTS:**

**Borough Solicitor – Beau Hoffman**

- Borough Solicitor, Beau Hoffman reviewed the Court Order for a status conference regarding the Middleburg Yarn building to be held on August 19, 2024, with Judge Lori Hackenberg. McNeese, Wallace & Nurick, LLC will be contacting the Judge to follow up on filing of praecipe for default judgment.

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- Borough Solicitor, Beau Hoffman reviewed the draft of the notice of violation to be sent to E45 Real Estate, LLC – property owner of 312 E. Main Street. Resident Michael Kerstetter questioned why all property owners are not being sent notices about sidewalk repairs and who painted the parking spaces along Center Street for E45 Real Estate, LLC? Beau Hoffman stated this notice of violation is being sent as currently there is an intentional misuse of the sidewalk and curb at this property.
- Borough Solicitor, Beau Hoffman informed Borough Council the ordinance amendment to change maximum speed limits on N. Charles Avenue and Edmond Avenue is ready to be advertised for public comment. The Borough Council requested to review the ordinance amendment at next month's meeting and approved the Solicitor to move forward with advertising the ordinance amendment for public comment at the September 10, 2024, meeting.

**Fire Chief – Scott Reigle**

- Fire Chief, Scott Reigle supplied the current Reliance Hose Company call report to the Borough Administrator for distribution to Borough Council.
- Fire Chief, Scott Reigle reported the mailer for the upcoming parade closure of streets has been mailed out to the residents within the parade staging area.
- Fire Chief, Scott Reigle reported that he was informed the Borough office did not receive the annual fire company donation mailer. Scott Reigle stated he will be checking with Dwayne Hackenberg, who oversees the annual donation mailer program. At this time, the Borough Council presented Fire Chief, Scott Reigle with the Borough's annual donation check.

**Police Chief – Mark Bailey**

- Police Chief, Mark Bailey reviewed the June 2024 monthly police reports with Borough Council.
- Police Chief, Mark Bailey recommended the Borough Council approve an offer of employment as a part-time police officer to Connor Erdley. After a brief discussion of the employment offer, a motion was made by Gary Thomas and seconded by James Gahring to approve the hiring of Connor Erdley as a part-time officer pending Connor Erdley obtaining the required state certification. Motion carried unanimously.
- Police Chief, Mark Bailey reported speed timing lines have been painted on Edmond Avenue and S. Charles Avenue by the Borough's Public Works Department.
- Council Member, Gary Thomas questioned Police Chief, Mark Bailey about the recent grant funding received by the Police Department. Police Chief Bailey stated the funding received is part of the Highway Safety Grant, which is currently an initiative to improve roadway safety.

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**Borough Foreman – Dustin Zechman**

- Borough Foreman, Dustin Zechman reported an onsite meeting was held with the Snyder County Commissioners, Snyder County Clerk, Snyder County Maintenance representative, Borough Council President, Borough Administrator and himself on Thursday, June 20<sup>th</sup> at 9 a.m. The maintenance agreement for the “Cut” was discussed. Snyder County Commissioners reported they will be upgrading the lighting on the property and discussed the property maintenance requirements of the agreement. A request was made for the Borough Administrator to send the expected maintenance cost calculation for the “Cut” for year 2025 to the Snyder County Clerk for consideration in the 2025 Snyder County Budget.
- Borough Foreman, Dustin Zechman reported he reached out to PennDOT regarding the mid-street crosswalk installed near Center Street but has not received a response as to why the mid-street crosswalk was installed.
- Borough Foreman, Dustin Zechman reported Municipal Authority members would like to meet with members of Borough Council to discuss the Management Agreements.

**Borough Administrator/Zoning Officer – Elizabeth Paige**

- Borough Administrator, Elizabeth Paige reviewed the final contract documents and traffic light signal plan submitted by Gannett Fleming, Inc., which have been approved by PennDOT. After a brief review, a motion was made by James Shull and seconded by James Gahring to approve the final contract documents and traffic light signal plan. Motion carried unanimously.
- Borough Administrator, Elizabeth Paige reviewed the 2023 Audit Report and letter to provide Year 2024 Audit service for \$6,750.00 from Herring Roll & Solomon, P.C.
- Borough Administrator, Elizabeth Paige reviewed the year-to-date Zoning Permit Report, Violation Report and Code Enforcement Violation Report with Borough Council.
- Borough Administrator, Elizabeth Paige reported the invoice for the 2024 Spring Cleanup in the amount of \$2,427.26 was paid. There were three (3) containers pulled with a total tonnage of 19.23 tons, which was slightly higher than the 2023 tonnage.

**OLD BUSINESS:**

- Borough Administrator, Elizabeth Paige requested the Borough Council approve the Project Proposal Form submitted at last month’s meeting by the Community Improvements Committee. Motion made by Gary Thomas and seconded by James Shull to approve the Project Proposal Form to be distributed to any group, individual or organization when a proposed project is on Borough property. Motion carried unanimously.
- Borough Administrator, Elizabeth Paige requested Borough Council approval to move forward with the advertising of the amendments to Chapter 27: Zoning – Part 9: Signs per the draft distributed at last month’s meeting. Motion made by James Shull and seconded by James Gahring to approve the Borough Solicitor to move forward with advertising the ordinance amendments. Motion carried unanimously.

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**EXECUTIVE SESSION:**

- Council President, Donald Zechman called for an executive session at 7:44 p.m. for discussion of legal and personnel matters. Council President, Donald Zechman called the meeting back to order at 8:18 p.m. Borough Solicitor, Beau Hoffman stated there was discussion of legal and personnel matters with no action required by Borough Council.

**NEW BUSINESS:**

- Borough Administrator, Elizabeth Paige reviewed a list of identified concerns from the Risk Assessment & Management Policy Committee regarding adopted ordinances and policies. The following concerns were briefly discussed with Borough Council: 1) Maintenance of sidewalks and curbs ordinance compliance, 2) Inventory of assets available to control or mitigate emergency risks or hazards (flooding or power outages), 3) Review and update of the Borough Personnel Manual (update job descriptions), and 4) Proposed development of a five-year capital improvements budget plan. At this time, Michael Kerstetter, who was a former Borough Council member and served on the Buildings, Streets & Sidewalks Committee, provided some background information on the previous action taken by Borough Council on compliance of the maintenance of sidewalks and curbs ordinance.

**COUNCIL MEMBERS, MAYOR & COMMITTEE REPORTS:**

- Council President, Donald Zechman selected the following members of Borough Council to serve on a committee to meet with the Municipal Authority for discussion of the Management Agreements: Gary Thomas/Chairman, James Shull and Donald Zechman.
- The Personnel Committee questioned Borough Foreman, Dustin Zechman about the number of hours the Midd-West High School Work Study Program required the student to work per week. Dustin Zechman stated the agreement states a 12 hours per week is the requirement of the Work Study Program. Motion was made by Gary Thomas and seconded by James Shull to pay a stipend of \$10.00 per hour worked by the student under the Work Study Program. Motion carried unanimously.
- Borough Administrator, Elizabeth Paige stated the Budget Committee Chairman, Brian Swartz requested the Borough Foreman, Police Chief and Borough Administrator be informed that budget requests should be submitted to the Borough office by July 31<sup>st</sup>.

**OTHER BUSINESS:**

- Candidate, Nick Jacobson running for State Representative of the 85<sup>th</sup> Legislative District introduced himself and provided a brief review of his background to Borough Council. Nick Jacobson extended an invitation to Borough Council members to attend his next campaign event, Service Appreciation Day held at the MAC YMCA, Beaver Springs on July 20<sup>th</sup>.

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- Borough Solicitor, Beau Hoffman suggested the Borough Engineer be invited to attend next month's meeting for a discussion on the sidewalks and curbs ordinance compliance plus provide updates on any street or stormwater matters. The Borough Council requested the Borough Administrator to contact and invite the Borough Engineer to next month's meeting.

**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, motion made by James Shull and seconded by Virgil Schlieff to adjourn tonight's meeting at 8:44 p.m. Motion carried unanimously.

Respectfully Submitted,

Elizabeth Paige  
Borough Administrator/Secretary