

**MIDDLEBURG BOROUGH COUNCIL**  
**MEETING MINUTES**  
**Tuesday, March 10, 2020 @ 7:00 p.m.**  
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Meeting Location: Middleburg Borough Building, 13 N. Main Street, Middleburg, PA  
Council Members: Heidi Potter/President, Brian Swartz, Judy Lynn, Michael Kerstetter, George Price, Elaine Saunter, Daniel Faust and Debbie Bilger/Mayor.  
Others Present: Beau Hoffman/Solicitor, David Walters/Engineer, Dustin Zechman/Borough Foreman, Tony Jordan/Police Chief and Elizabeth Paige/Administrator  
Public Present: Levi Aurand, Cam Shaffer, Steve Ebright, Bill Fegley, Ken Hassinger, Cheryl Moyer, Dustin Stahl, Branden Rounds, Henry Chiarkas, Bill Burns

**Meeting Call to Order** – The Middleburg Borough Council meeting was called to order by Council President Heidi Potter at 7:00 p.m. The meeting began with the Pledge of Allegiance.

Motion made by Judy Lynn and seconded by George Price to approve tonight’s meeting agenda. Motion carried unanimously.

Motion made by Brian Swartz and seconded by Elaine Saunter to approve the February 11, 2020 meeting minutes. Motion carried unanimously.

Motion made by Michael Kerstetter and seconded by Brian Swartz to approve the bills paid in February 2020 as presented. Motion carried unanimously.

Motion made by George Price and seconded by Daniel Faust to approve the financial statements as of February 29, 2020 as presented. Motion carried unanimously.

**Public Comments:** Council President, Heidi Potter stated based on the number of people present at tonight’s meeting, each person addressing the Council will be allowed to speak one (1) time for no longer than five (5) minutes and should state their name before speaking.

- Middleburg Moose representative, Cheryl Moyer informed Council the Middleburg Moose is planning to hold their annual Car Show Event and is requesting approval from Borough Council. The Liquor Control Board (LCB) requires approval by Council for the Middleburg Moose to be approved for a Liquor Control Event license. After a brief discussion regarding parking for the event, motion made by Judy Lynn and seconded by Michael Kerstetter to approve the request of the Middleburg Moose to conduct their annual Car Show Event. Motion carried unanimously.
- Rental property owner, Hank Chiarkas requested Borough Council to consider amending the section of the ordinance regulating the inspections of rental properties. Hank Chiarkas stated he received a recent letter from the Borough stating he must have one of his rental units re-inspected before June 30, 2020 due to the unit failing a 2019 inspection. Hank Chiarkas stated he made the necessary corrections to the unit and a re-inspection was performed by the rental property inspector as required. Hank Chiarkas requested the Council amend the ordinance regulation to state if a rental property unit fails an inspection and passes the required re-inspection within the same year then the rental unit would qualify for an inspection every three (3) years. Rental property owner, Ken Hassinger stated he agreed with Hank Chiarkas but would also like to request Council to allow input from the rental property owners if ordinance amendments were going to be considered. Ashley Hassinger stated the rental inspection list provided with the current ordinance regulations is not the one being used by the

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- rental inspector. Several other rental property owners also stated they were in agreement with Hank Chiarkas about passing an amendment, which would state if a re-inspection of a rental unit occurs within the same year then the rental unit will be inspected every three (3) years. Rental property owner, Bill Fegley questioned the requirement to have a new inspection each time a tenant changes if the rental unit recently passed an inspection. Council member, George Price stated safety was a high priority when the Council adopted the current ordinance amendments regulating rental units by providing for regular inspections and the permitting of rental units. With no further public comments about rental property inspection regulations, Council President, Heidi Potter thanked those who came to address their concerns about the rental property inspection regulations. Heidi Potter requested Council members to review the ordinance amendments so any recommended regulation changes can be discussed at next month's meeting.
- 2020 Census Recruiting Assistant for Snyder County, Ted DiCola informed Council about the importance of an accurate count of people during the census and how the census impacts distribution of federal funds to local communities for schools, roads and other public services. Ted DiCola stated the census takes place every ten (10) years with the next census scheduled for year 2030. This year the Census Bureau is looking to recruit census takers in Middleburg Borough and the surrounding Snyder County area. If people do not complete the 2020 Census questionnaire online or request a paper questionnaire by April 1<sup>st</sup> then a census taker will be sent to collect the information in person. Each census taker will have appropriate ID for identification purposes. Council requested the Borough Administrator to add a notice to the Spring Newsletter about the importance of completing the 2020 Census and how to identify a census taker.

#### **REPORTS:**

- Borough Engineer, David Walters stated Chris Sheaffer of Larson Design Group, Inc. will be the lead for the Stumps Run Project. Chris Sheaffer is currently preparing to start the preliminary work of surveying and the filing for the necessary permits for the project. The Borough Administrator received a phone call from one of the property owners located within the project area inquiring if a meeting would be held to update the property owners about the project scope of work and tentative schedule. Chris Sheaffer will contact the Borough Administrator to discuss the tentative project schedule and how project information can be relayed to the property owners so their questions about the project can be addressed. A meeting with the property owners will be scheduled prior to the project going out for bids.
- Borough Engineer, David Walters informed Council a final walk through of the Stormwater Project must be conducted with representatives from the Department of Environmental Services prior to the final disbursement of grant funds. This final walk through has been scheduled for Wednesday, March 11<sup>th</sup>.

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- Borough Solicitor, Beau Hoffman informed Council the engineering agreement from Larson Design Group, Inc. for the Stumps Run Project has been revised as requested and is ready for Council approval. Motion made by George Price and seconded by Daniel Faust to approve the engineering agreement from Larson Design Group, Inc. for the Stumps Run Project. Motion carried unanimously.
- Borough Solicitor, Beau Hoffman presented revised Resolution 2020-01: Regulating the use of public official social media accounts. With no comments or questions about Resolution 2020-01, motion made by Heidi Potter and seconded by Judy Lynn to approve Resolution 2020-01 as presented. Motion carried unanimously.
- Police Chief, Tony Jordan reviewed the February 2020 monthly police report.
- Police Chief, Tony Jordan requested approval to file parade permits for the following: Memorial Day Parade, May 25<sup>th</sup> at 5:30 p.m. and Firemen's Parade, August 6<sup>th</sup> at 6:30 p.m. Motion made by Elaine Saunter and seconded by George Price to approve the request to file the parade permits. Motion carried unanimously.
- Police Chief, Tony Jordan inquired if the members of the Safety Committee would be available for a meeting on Thursday, March 26<sup>th</sup> at 5 p.m. All Safety Committee members were able to verify their availability for holding a meeting as requested.
- Borough Foreman, Dustin Zechman informed Council that Middleburg Revitalization Committee (MRC) representatives requested to hold a meeting with the Borough Administrator and himself to discuss the placement of the electrical service for the new picnic pavilion site.
- Borough Foreman, Dustin Zechman stated the Borough Administrator held a meeting with the Police Chief and himself to discuss and map out the improvements the Borough would require the Snyder County Commissioners to install and maintain in order to consider the request made to change the section of West Willow Avenue behind the courthouse to a one-way street. Borough Administrator, Elizabeth Paige presented copies of the map laying out the improvements as discussed for Council to review. Council Member, Michael Kerstetter stated he does not favor the creation of one-way streets. Borough Solicitor, Beau Hoffman added if Council sends a letter of request to the Commissioners regarding the installation and maintenance of the required improvements for West Willow Avenue then Council may also like to request the County Solicitor be directed to draw up the necessary proposed ordinance for review. After a brief discussion, Council President directed the Borough Administrator to send a letter and the map exhibiting the improvements placement to the Commissioners. If the Commissioners approve to fund the cost of the improvements and the future maintenance of those improvements, they should then direct the County Solicitor to draw up the necessary proposed ordinance to change the section of West Willow Avenue behind the courthouse to a one-way street.

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**EXECUTIVE SESSION:** Borough Council entered an executive session for a legal discussion at 8:14 p.m. Council President, Heidi Potter called the meeting back to order at 8:17 p.m. and stated no action required.

**OLD BUSINESS:**

- Council President, Heidi Potter reported Brian Lauver has not responded back to the request sent to him about becoming a member of the Property Maintenance Appeals Board.
- Borough Solicitor, Beau Hoffman reported there are no new updates regarding the property maintenance enforcement of the old yarn factory building.
- Council President, Heidi Potter reported the draft of the comp plan is ready for review by the steering committee. A meeting of the steering committee will be held at the fire company on Monday, March 30<sup>th</sup> at 7 p.m. All council members are welcome to attend the meeting.
- Council President, Heidi Potter inquired if there were any questions or discussion about the recommended Borough Code updates, which were distributed to Council at last month's meeting. With no discussion or questions, Heidi Potter requested the Borough Administrator scan/email the recommended Borough Code updates to the Council members again so they can review the updates for discussion at next month's meeting.

**NEW BUSINESS:**

- Borough Administrator, Elizabeth Paige reviewed the Zoning Hearing Application for a Special Exception filed by Craig and Carol Gemberling. The hearing is scheduled to be held on Tuesday, March 24<sup>th</sup> at 5:30 p.m.

**REPORTS FROM COUNCIL MEMBERS & MAYOR:**

- Council President, Heidi Potter stated the newly elected Council Members and Mayor will be required to take the National Incident Management System (NIMS) training. Heidi Potter requested the Borough Administrator email the NIMS training information to the newly elected Council Members and Mayor.
- Council Member, Michael Kerstetter inquired if the portable toilet company has been contacted about placing the portable toilet at Charles Park. Michael Kerstetter stated since the weather is seasonable, there seems to be quite a few people in the park. Borough Administrator, Elizabeth Paige stated she will contact the portable toilet company tomorrow for delivery of the portable toilet.

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- Council Member, Michael Kerstetter requested approval for the Kiwanis to conduct their annual 5K race on August 8<sup>th</sup> from 8:30 a.m. to 11 p.m. The 5K race would require the same road closures as last year's race. Motion made by Heidi Potter and seconded by Elaine Saunter to approve the Kiwanis 5K Race request. Motion carried unanimously.
  
- Council Member, Elaine Saunter inquired if the current rental inspection form could be obtained from Light-Heigel Associates, Inc. and distributed to the rental property owners. Elaine Saunter stated she agreed with the rental property owners, who address Council earlier tonight, about their request if a rental property unit fails inspection and then passes the required re-inspection within the same year then the rental unit would be inspected every three (3) years. Elaine Saunter also stated for safety purposes if a new tenant moves in then an inspection should be performed. After a discussion of the ordinance language about re-inspections, Council directed the Borough Solicitor to review and work on a proposed ordinance amendment for review. Council unanimously agreed until an ordinance amendment can be reviewed, the Borough Administrator should notify the rental property owners that if their rental unit was re-inspected and all the 2019 inspection issues were addressed then their rental unit will not need to be inspected until year 2022 unless there is a change of tenant.
  
- Mayor Debbie Bilger reported she was invited to read to the Midd-West School District elementary school students as part of National Reading Month.

**COUNCIL COMMITTEE REPORTS:**

- Personnel Committee Chairman, Brian Swartz reported the committee held a meeting prior to tonight's meeting. The committee has a list to present to the Borough Administrator of personnel information they would like to review.
  
- Buildings & Grounds Committee Chairman, George Price inquired if there are any updates on the office carpet installation or the baseball field fence installation. Borough Administrator, Elizabeth Paige stated the office carpet has been ordered and she is now waiting to confirm a date for the installation. Elizabeth Paige stated she has not heard from Apollo Fence about the installation of the baseball field fence but will call for an update.
  
- Parks & Recreation Committee: No report
  
- Safety Committee: No report

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- Streets & Sidewalk Committee: Borough Foreman, Dustin Zechman reported on tentative dates received from PennDOT about the road resurfacing project for Main Street slated for this year. Council President, Heidi Potter stated since the road project will not affect the portion of Main Street where designated parking spaces are to be painted, then the parking spaces should be painted as soon as possible. Borough Administrator, Elizabeth Paige questioned who will be performing the annual sidewalk inspection, which needs to take place before any notices under the newly adopted sidewalk ordinance can be mailed. Council unanimously agreed the Borough Administrator should contact the Borough Engineer, Larson Design Group, Inc. to schedule them to do the annual sidewalk inspection.
- Snyder County Tax Collection: Committee Representative, Heidi Potter informed Council she attended the annual committee meeting. The committee's contract with Berkheimer Associates as the earned income tax collector will expire at the end of this year.

**ADMINISTRATOR/ZONING OFFICER REPORT:**

- Borough Administrator, Elizabeth Paige reviewed a draft copy of the Spring Newsletter.
- Borough Administrator, Elizabeth Paige reported Franklin Township changed their drop off recycling hours. The new hours are Monday, Tuesday, Wednesday, Friday from 8 a.m. to 12 p.m. and Thursday from 8 a.m. to 6 p.m.

With no further business, motion by Judy Lynn and seconded by Brian Swartz to adjourn the meeting at 9:02 p.m. Motion carried unanimously.

Respectfully Submitted,  
Elizabeth Paige  
Borough Administrator/Secretary