

**MIDDLEBURG BOROUGH COUNCIL**  
**MEETING MINUTES**  
**Tuesday, March 12, 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, Brian Swartz, Gary Thomas, James Gahring 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: Paul Rinck, Virgil Schlieff, Donald Klinger, Diane Klinger, Brenda Dombrowski, Donald Meredith

**CALL TO ORDER:** 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 Beverly Inch to approve the meeting agenda with the correction of moving Resolution 2024-10 after Public Comments and to add under the Police Chief Report the following items: 1) Review drone liability insurance quote and 2) Request approval to send a letter to PennDOT traffic unit for the reduction of the speed limit on N. Main Street. Motion carried unanimously.

Motion made by Gary Thomas and seconded by Brian Swartz to approve the February 13, 2024, monthly meeting minutes as presented. Motion carried unanimously.

Motion made by James Shull and seconded by Brian Swartz to approve the bills paid in February 2024 as presented. Motion carried unanimously.

Motion made by Brian Swartz and seconded by Gary Thomas to approve the financial statements as of February 29, 2024, as presented. Motion carried unanimously.

**EXECUTIVE SESSION:**

- Council President, Donald Zechman called for an executive session at 7:06 p.m. for discussion of legal and personnel matters. Donald Zechman called the meeting back to order at 7:29 p.m. with no formal action by Borough Council required.

**PUBLIC COMMENTS:**

- Middleburg Revitalization Committee (MRC) representative, Diane Klingler stated MRC is interested to hear what Borough Council's decision will be about flagger service for the display of the banners. So therefore, Diane Klingler requested to defer her time for public comment to later in the meeting.
- Middleburg resident, Virgil Schlieff stated he submitted a letter of interest regarding the open Borough Council position. Virgil Schlieff informed Borough Council that he is currently retired, and his doctor has advised him to become more active in his community. Borough Solicitor, Beau Hoffman explained the process for filling a vacancy on Borough Council. Beau Hoffman stated if Borough Council chooses to make the decision to approve submitting a petition to the court of common pleas to fill the vacancy by appointment, then he would begin the process.
- Middleburg resident, Donald Meredith requested to defer his time for public comment to later in the meeting.

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Council President, Donald Zechman presented Resolution 2024-10, which appoints a member (James Gahring, Jr.) of the Borough Council of Middleburg Borough to fill the vacancy of office. Motion made by Brian Swartz and seconded by James Shull to adopt Resolution 2024-10 appointing James Gahring, Jr. as a member of the Borough Council. Motion carried unanimously. At this time, Mayor Heidi Potter administered the oath of office to the newly appointed Council member, James Gahring, Jr.

**PUBLIC HEARING:**

At 7:44 p.m. Council President, Donald Zechman opened the public hearing at for Ordinance No. 2024-366: An ordinance electing to amend the Middleburg Borough police pension administered by the Pennsylvania Municipal Retirement System pursuant to Article IV of the Pennsylvania Retirement Law; agreeing to be bound by all provisions of the Pennsylvania Municipal Retirement Law as amended and as applicable to member municipalities. Borough Administrator, Elizabeth Paige stated in accordance with the Middleburg Police Contract if the police pension fund is stable with the actuarial value of the plan assets in excess of the actuarial accrual liability the Borough Council will relieve the officers from making an employee contribution to the pension fund. With no public comments, Donald Zechman closed the public hearing at 7:46 p.m. Motion made by Gary Thomas and seconded by Brian Swartz to adopt Ordinance No. 2024-366. Motion carried unanimously.

**REPORTS:**

**Fire Chief – Scott Reigle**

- Fire Chief, Scott Reigle reported the Ambulance Association’s contract with Willam Cameron Engine Company for emergency medical services starting with twenty-four (24) hour Advanced Life Support services will begin March 31, 2024, when the current contract with Evangelical Hospital expires. Scott Reigle reported all the current mutual aid agreements will remain in place.
- Fire Chief, Scott Reigle discussed what information the Borough Council would like to see in a monthly report from the fire company.

**Borough Solicitor – Beau Hoffman**

- Borough Solicitor, Beau Hoffman reported the law suit against Middleburg Yarn has been filed.
- Borough Solicitor, Beau Hoffman reviewed and discussed the parking situation along Schoch Street between S. Wausau Road and Winey Avenue. At this time, Beau Hoffman reviewed three (3) viable options for Borough Council to consider for resolving the parking situation. After a brief discussion, Borough Council made the decision to refer this matter to the Buildings, Streets & Sidewalks Committee for review and requested a recommendation be presented at next month's meeting.

**Police Chief – Mark Bailey**

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

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- Police Chief, Mark Bailey reviewed the letter of resignation from police officer, Alexander Yoder effective February 24, 2024. Per the “Cadet” agreement signed by Alexander Yoder, a reimbursement payment in the amount of \$5,492.50 for the unfulfilled service hours for the Cadet tuition paid by the Borough should be invoiced to Alexander Yoder. Motion made by James Shull and seconded by James Gahrng to invoice Alexander Yoder for the payment of unfulfilled service hours per the “Cadet” agreement in the amount of \$5,492.50. Motion carried unanimously.
- Police Chief, Mark Bailey reported Borough Administrator, Elizabeth Paige was contacted by the Borough’s insurance company, who stated to add Snyder County as an additional insured on the police liability insurance for Officer Chad Thomas to operate the county’s drone an additional \$500.00 of insurance cost would need to be paid. After a brief discussion, motion made by James Shull and seconded by Gary Thomas to approve the additional \$500.00 of insurance cost to add Snyder County as an additional insured on the police liability insurance for Officer Chad Thomas to operate the county’s drone. With a no vote from Brian Swartz, the motion was approved.
- Police Chief, Mark Bailey informed Borough Council a meeting with PennDOT District 3-0 representatives was held on Friday, March 8<sup>th</sup> to discuss the Reliance Hose Company’s annual firemen’s parade route. The parade route for the year 2024 will remain the same as permitted in year 2023 but the year 2025 parade permit will need to be revised due to a PennDOT project, which will require W. Market Street and N. Main Street to remain open. Chief Bailey stated he questioned the PennDOT representatives about the possibility of reducing the speed limit on N. Main Street from the current 35 MPH posting to a 25 MPH posting. PennDOT Traffic Unit representative stated a letter of request from Borough Council could be submitted to PennDOT for the consideration of the speed limit reduction on N. Main Street. If the speed limit reduction is approved, the Borough would be responsible to purchase and post the new speed limit signage. Motion made by Gary Thomas and seconded by Beverly Inch to approve the Borough Administrator to send a letter of request to PennDOT for the consideration of the speed limit reduction on N. Main Street from 35 MPH to 25 MPH.

**Borough Foreman – Dustin Zechman**

- Borough Foreman, Dustin Zechman reviewed the only price quote received from Disposal Management Services, Inc. for the 2024 Spring Cleanup. Dustin Zechman also recommended eliminating the previous year’s fee charge for larger items. After a brief discussion of the fee charge, motion made by James Shull and seconded by Gary Thomas to approve the price quote from Disposal Management Services, Inc. and to eliminate the large item fee charge for cleanup. Motion carried unanimously.

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

- Borough Administrator, Elizabeth Paige reviewed the draft of the 2024 Spring Newsletter with Borough Council for any corrections and/or additions. With one correction to the “What’s Happening” section, Borough Council unanimously approved the printing of the 2024 Spring Newsletter.
- Borough Administrator, Elizabeth Paige reviewed the Code Enforcement – Notice of Violations Report and the 2024 Permits Issued Report with Borough Council.
- Borough Administrator, Elizabeth Paige reviewed the tentative schedule from Gannett Fleming (Consulting Project Engineer) for the Green Light Go traffic signal grant project, which has begun.

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- Borough Administrator, Elizabeth Paige informed Borough Council the Snyder County Commissioners secured a grant to complete the 2025 Hazard Mitigation Plan (HMP) update. The plan update will be completed with involvement and input from all the municipalities of Snyder County. Elizabeth Paige reported she will attend the meetings and complete the surveys/worksheets to update the HMP as the Middleburg Borough representative. The tentative date for adoption of the HMP is March 2025.

**OLD BUSINESS:**

- Council President, Donald Zechman stated the Borough has received two (2) price quotes for flagging services required on PennDOT state roadways. Borough Administrator, Elizabeth Paige briefly reviewed the price quotes received and stated based on the past hours required to install or remove the banners the Borough would need to contract for 2 days of flagging service.
  - **Public Comment/Middleburg Revitalization Committee (MRC):** MRC representative, Diane Klingler stated MRC had contacted PennDOT and was informed certified flaggers are needed for every project performed by the Borough on PennDOT roadways. The Borough may not choose which projects require certified flaggers. Diane Klingler questioned if MRC could provide certified flaggers and a certificate of liability insurance coverage, would the Borough contract with MRC to install and/or remove the Hometown Hero Banners? Borough Solicitor, Beau Hoffman stated if MRC could provide certified flaggers and a certificate of liability insurance coverage then Borough Council may consider a contract between the Borough and MRC regarding the installing/removal of the banners.

After further discussion of the flagging service price quote, motion made by Brian Swartz and seconded by Gary Thomas to approve Flagger Force Service for any project on state roadways as required. Motion carried unanimously. Motion made by Brian Swartz and seconded by Gary Thomas to require the public works department employees obtain flagger certification to provide flagging services in emergency situations as required. Motion carried unanimously. At this time, Mayor Heidi Potter made the recommendation to invoice the MRC in May 2024 for the invoiced charges to the Borough for flagger services provided and the rental fee for the lift to install the banners. Motion made by Gary Thomas and seconded by Brian Swartz to approve an invoice to be sent to MRC in May 2024 after the Hometown Hero Banners are installed for the flagger services provided and the rental fee for the lift to install the banners. Motion carried unanimously. After a brief discussion of the removal of the banners and installation of holiday decorations in November 2024, motion made by Gary Thomas and seconded by Brian Swartz to split the costs between the Borough and MRC of the invoiced charges for the flagger services provided and the rental fee for the lift to remove the banners and install the holiday decorations. Motion carried unanimously.

**PUBLIC COMMENTS:**

- Middleburg resident, Donald Meredith provided and read the following statement to Borough Council: "I move that any further discussion on the issue of revitalization and Borough Council be limited to responses from both parties to a committee to be formed that shall report to the council at the next scheduled meeting. Such a committee shall consist of members of both groups and shall include a legal representative at a shared cost and include a citizen non-voting member". After a brief discussion of Donald Meredith's statement, Borough Council agreed no action is required at this time.

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- Middleburg resident, Donald Meredith reported he is investigating the design and construction of a “Welcome Center” to be placed on a property within Middleburg Borough. The “Welcome Center” may include the potential of an ATM. Donald Meredith stated the design and construction shall fall within the existing ordinances, permits and all other legal requirements of the borough.

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

- Council President, Donald Zechman added new Council member, James Gahring to the Community Improvements Committee and the Zoning/Sign Ordinance Committee.
- Council Vice President, James Shull reported on a property maintenance code violation to the Borough Zoning Officer, Elizabeth Paige.
- Personnel Committee, Brian Swartz stated the committee should schedule a meeting to discuss the hiring of a new public works employee, which was budgeted with an effective start date of July 1, 2024.
- Snyder County Tax Collection Committee member, Heidi Potter reported a committee meeting was held on February 29, 2024. Heidi Potter stated the Middleburg Borough’s 2024 Member Contribution will be \$46.27, which was based on the 2023 Municipal Earned Income Tax Revenue collected.

**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 Brian Swartz and seconded by Gary Thomas to adjourn tonight’s meeting at 9:04 p.m. Motion carried unanimously. Motion made by Gary Thomas and seconded by James Gahring to reconvene the meeting at 9:05 p.m. so Borough Council can take action on the vacant Borough Council position. Motion carried unanimously.

Motion made by James Shull and seconded by James Gahring to approve the Borough Solicitor move forward with filing a petition to the court of common pleas to fill the vacancy on Borough Council with the appointment of Middleburg Borough resident, Virgil Schlieff. Motion carried unanimously.

With no further business, motion made by James Shull and seconded by Gary Thomas to adjourn the meeting at 9:07 p.m. Motion carried unanimously.

Respectfully Submitted,

Elizabeth Paige  
Borough Administrator/Secretary