

**MIDDLEBURG BOROUGH COUNCIL**  
**SPECIAL MEETING MINUTES**  
**Tuesday, March 23, 2021 @ 5:30 p.m.**  
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Meeting Location: Middleburg Borough Building, 13 N. Main Street, Middleburg, PA  
Council Members: Present were Brian Swartz/President, George Price/Vice President, Michael Kerstetter and Heidi Potter/Mayor. Via Zoom were Judy Lynn, Elaine Sautner, and Daniel Faust.  
Others Present: Beau Hoffman/Solicitor, Chris Sheaffer/Engineer, Dustin Zechman/Borough Foreman and Elizabeth Paige/Administrator  
Public Present: Heather DiCristina, Kevin & Betty Klinger, Kim Ebright and Barry & Diane Fry. Via Zoom were Mike & Beverly Inch

**CALL TO ORDER:** The special meeting was called to order by Council President, Brian Swartz at 5:30 p.m. A roll call of Council members present was followed by the Pledge of Allegiance.

**STUMPS RUN PROJECT:**

Council President, Brian Swartz stated the purpose of tonight's special meeting is to review and discuss the Stumps Run Project. Borough Engineer, Chris Sheaffer reported the bids for the project were received and opened at the March 09, 2021 Borough Council meeting. Chris Sheaffer stated he had reviewed the bids for compliance and determined the lowest apparent responsible bidder was Landserv Inc. with the overall project base bid of \$562,103.90. Chris Sheaffer stated the Borough received a CFA Flood Mitigation Program Grant in the amount of \$348,300 with a municipal match of \$61,465, which gives the Borough \$409,765 of project funding (including \$85,000 of engineering fees). So therefore, the project base bid is approximately \$240,000 over the grant project construction costs allowed. Chris Sheaffer discussed the possibility of project modifications by removing items from the bid to bring the project construction costs closer to the grant funding but there would still be a shortfall in the total project funding. Two (2) modifications reviewed were: 1) removal of the retaining wall on the side opposite the resident's homes/structures, which would impact their back yards by another 10 to 15 feet and 2) the roadway base repair to fix Stetler Lane and East Oak Avenue by the contractor.

Council President, Brian Swartz called for public comments and questions regarding the information supplied by the Borough Engineer on the project. Cemetery Association member, Kim Ebright addressed several concerns about the access to the cemetery with the proposed project removal of the Cemetery Road bridge and what would happen if the Cemetery Association does not sign a project property easement. Borough Engineer, Chris Sheaffer and Mayor, Heidi Potter responded to the concerns issued by Kim Ebright. Borough Council member, Michael Kerstetter also stated he has concerns about the removal of the Cemetery Road bridge and public access to the cemetery. Chris Sheaffer stated the proposed project requires a realignment of the stream bed and the removal of the existing bridge for the new walls to be placed behind the four (4) properties along East Market Street. Mayor, Heidi Potter stated the Borough did attempt to seek funding to replace the bridge. But based on a study conducted of the bridge usage and impact on the surrounding area, a bridge replacement project would not qualify for any grant funding. Chris Sheaffer stated if the Cemetery Association does not sign a project property easement, the project will be modified so no construction work takes place on the Cemetery Association

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property. Borough Foreman, Dustin Zechman stated if the stream bed is not redirected and walls are not placed before Cemetery Road, the purpose of protecting the properties and the East Market Street bridge will be defeated. Kim Ebright stated he now understands the purpose of the project and does not want to hinder the project from moving forward. Borough Council member, Michael Kerstetter also addressed a question about the legal responsibility of the project property easements being obtained for this project. Borough Solicitor, Beau Hoffman stated the property owner easements for this project are only temporary construction easements, which will last only for the duration of the project.

Borough Council member, Elaine Sautner questioned what the final goal of the Borough Engineer is on moving this project forward and what is the next action for Borough Council to take. Borough Engineer, Chris Sheaffer stated he would like the Borough Council to provide direction on the proposed project bid modifications he reviewed earlier. At this time, Borough Council members held a discussion about the proposed project modifications of removing items from the base bid to bring the project cost closer to the grant funding allotted and the options for funding the shortfall needed to fund the cost of the project. Borough Council member, Elaine Sautner suggested Borough Council direct the Borough Engineer to discuss the proposed project modifications with the lowest apparent responsible bidder, Landserv Inc. and then report to the Borough Administrator the approximate amount of project funding still needed. The Borough Administrator should then obtain what the cost would be to borrow the shortfall in project funds before the next Borough Council meeting on April 13, 2021. With no further discussion, Borough Council unanimously agreed to follow the course of action suggested by Elaine Sautner.

Council President, Brian Swartz called for a motion to adjourn the special meeting. Motion made by Elaine Sautner and seconded by Daniel Faust to adjourn the special meeting at 6:23 p.m. Motion carried unanimously.

Respectfully Submitted,

Elizabeth Paige  
Borough Administrator/Secretary