

MIDDLEBURG BOROUGH COUNCIL
MEETING MINUTES
Tuesday, May 12, 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/Vice President, Judy Lynn, Michael Kerstetter, George Price, Elaine Saunter, Daniel Faust and Debbie Bilger/Mayor.
Others Present: Beau Hoffman/Solicitor, Tony Jordan/Police Chief, Dustin Zechman/Borough Foreman and Elizabeth Paige/Administrator
Public Present: None – Teleconference meeting was conducted
Declaration of Disaster Emergency due to outbreak of COVID-19 Virus

CALL TO ORDER: Middleburg Borough Council teleconference meeting was called to order by Council President Heidi Potter at 7:00 p.m.

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

Motion made by Elaine Saunter and seconded by Daniel Faust to approve the April 14, 2020 meeting minutes. With Michael Kerstetter abstained from the vote as he was absent from the April 14, 2020 meeting, motion carried.

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

Motion made by Daniel Faust and seconded by Judy Lynn to approve the financial statements as of April 30, 2020 as presented. Motion carried unanimously.

PUBLIC HEARINGS:

- Council President, Heidi Potter opened the public hearing at 7:04 p.m. for Proposed Ordinance 2020-348: An ordinance amending Chapter 10 of the Middleburg Borough Code to identify and define public nuisances and establish the processes for declaring and remediating public nuisances in the Borough of Middleburg. Borough Solicitor, Beau Hoffman stated the proposed ordinance was advertised in the Snyder County Times on May 12, 2020. Borough Administrator, Elizabeth Paige stated no public comments were received by telephone or email at the Borough office. With no other comments or questions, Heidi Potter closed the public hearing for Proposed Ordinance 2020-348 at 7:06 p.m. Motion made by Heidi Potter and seconded by Brian Swartz to adopt Ordinance 2020-348. Motion carried unanimously.
- Council President, Heidi Potter opened the public hearing at 7:07 p.m. for Proposed Ordinance 2020-349: An ordinance amending Chapter 5 of the Middleburg Borough Code to establish the position of Code Enforcement Officer for the administration and enforcement of the provisions of the Borough Building and Property Maintenance Code and establish the Code Enforcement Officer’s right to entry. Borough Solicitor, Beau Hoffman stated the proposed ordinance was advertised in the Snyder County Times on May 12, 2020. Borough Administrator, Elizabeth Paige stated no public comments were received by telephone or email at the Borough office. With no other comments or questions, Heidi Potter closed the public hearing for Proposed Ordinance 2020-349 at 7:09 p.m. Motion made by Judy Lynn and seconded by Daniel Faust to adopt Ordinance 2020-349. Motion carried unanimously. Solicitor Beau Hoffman stated the Borough Council has already appointed Light-Heigel & Associates, Inc. as the Borough’s Code Enforcement Agency.

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REPORTS:

Borough Engineer – Larson Design Group, LLC

- Borough Engineer, David Walters was not in attendance of the teleconference meeting as he had nothing to report on at this time.

Borough Solicitor – AxRunkle, P.C.

Borough Solicitor, Beau Hoffman informed Council he attended the PSATS (virtual) Solicitor's seminar, which recommended municipalities communicate in writing, to its employees a policy for COVID-19. Plus, the Borough posting the required notice regarding the employee rights under the expanded FMLA leave. Borough Administrator, Elizabeth Paige has posted the Employee Rights Notice under the FMLA leave and has communicated to the employees in writing the Borough's Policy for COVID-19. A copy of each document was distributed in tonight's meeting information packet.

Borough Police Chief – Tony Jordan

- Police Chief, Tony Jordan reviewed the monthly police reports with Council.

Borough Foreman – Dustin Zechman

- Borough Foreman, Dustin Zechman had nothing to report at this time. Council Vice President, Brian Swartz offered a "Thank You" to the public works department for painting the parking spaces established by ordinance along Main Street.

OLD BUSINESS:

- Council President, Heidi Potter stated the Middleburg Yarn building enforcement status will be discussed at the June 9th Council meeting in an executive session as legal counsel has provided information for review, which has been provided to Council members by the Borough Administrator.
- Council President, Heidi Potter reminded Council the Property Maintenance Code – Appeals Board still has an opening to be filled.
- Council President, Heidi Potter informed Council the Comprehensive Plan Steering Committee will be meeting on June 1st to review the Final Comprehensive Plan. Robert Garrett will then attend the June 9th Council meeting to present the Final Comprehensive Plan to Borough Council.

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NEW BUSINESS:

- Council President, Heidi Potter stated the Borough Administrator has completed the application for County Liquid Fuels Tax Fund Allocation in the amount of \$1,265.00. With no comments, motion made by Heidi Potter and seconded by Brian Swartz to approve the application for County Aid. Motion carried unanimously.
- Council President, Heidi Potter presented Resolution 2020-03, which would extend the face date for the payment of Borough taxes to September 30, 2020. With no comments, motion made by Elaine Saunter and seconded by George Price to approve Resolution 2020-03. Motion carried unanimously.
- Council President, Heidi Potter presented Resolution 2020-04, which would adopt the Snyder County Hazard Mitigation Plan as the official plan for Middleburg Borough. Heidi Potter recommended Resolution 2020-04 be tabled to the June 9th Council meeting as the one hundred and eighty (180) page Snyder County Hazard Mitigation Plan was received only a week before tonight's meeting. Council unanimously agreed to table Resolution 2020-04 to the June 9th meeting.
- Borough Administrator, Elizabeth Paige reviewed the employee health and dental insurance renewal for the coverage period of June 1, 2020 through May 31, 2021. The monthly premium will increase by approximately 27% for health and 3% for dental.
- Council President, Heidi Potter stated the 2020 Sidewalk Inspection was cancelled due to the COVID-19 Pandemic Event. Heidi Potter called for discussion on moving forward with the 2020 sidewalk inspection and options about the required enforcement action. Council Member, Brian Swartz stated he would like to move forward with the sidewalk inspection and notification to the property owner but defer any enforcement action this year. Borough Solicitor, Beau Hoffman stated Borough Council could move forward with the inspection, which then Council would recognize any necessary compliance requirements per the ordinance and defer any required action to be taken this year due to the COVID-19 Pandemic Event. With no further discussion, motion made by Heidi Potter and seconded by Dan Faust as follows: 1) move forward with having the Borough Engineer, Larson Design Group perform the sidewalk inspection and prepare a report of properties not in compliance with the ordinance, 2) send notice to the property owner regarding the required repairs with a note about deferral of enforcement action due to the COVID-19 Pandemic Event and 3) create a plan of action and investigate sidewalk repair options available. Due to his concern about possible liability to the Borough if a letter of violation and enforcement is not sent to the property owner, Michael Kerstetter voted no. Motion carried with six (6) yeas.

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COUNCIL MEMBERS/MAYOR/COMMITTEE REPORTS:

- Budget Committee Chairperson, Heidi Potter stated she would like to plan on holding the first 2021 Budget Committee meeting in the month of August. Heidi Potter informed the Borough Committees, they should be working on developing a list of prioritized projects along with cost estimates, which should be submitted to the Budget Committee via the Borough Administrator by the beginning of August.

BOROUGH ADMINISTRATOR/ZONING OFFICER:

- Borough Administrator, Elizabeth Paige informed Council she is currently working with The Kilmer Group on the renewal of the Borough's Insurances, which renew July 1, 2020. The insurance renewal quote will be available for review at the June 9th meeting.
- Borough Administrator, Elizabeth Paige reviewed the Zoning Violation and Zoning Permit reports distributed.

CORRESPONDENCE, MINUTES AND/OR REPORTS:

- Council President, Heidi Potter inquired if there were any questions or comments on any of the information distributed to Council. With no questions or comments, Heidi Potter called for a motion to adjourn the meeting.

Motion by Heidi Potter and seconded by Judy Lynn to adjourn the meeting at 7:48 p.m.

Respectfully Submitted,

Elizabeth Paige
Borough Administrator/Secretary