

**MIDDLEBURG BOROUGH COUNCIL**  
**MEETING MINUTES**  
**Tuesday, November 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, James Gahring, Virgil Schlieff and Gary Thomas.  
Absent: Mayor Heidi Potter  
Others Present: Borough Solicitor/Beau Hoffman (attended via telecommunication system), Borough Engineer/Trever Hess, Police Chief/Mark Bailey, Borough Foreman/Dustin Zechman, Fire Chief/Scott Reigle and Borough Administrator/Elizabeth Paige  
Public Present: Martin Clark

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

**PUBLIC COMMENTS:**

Borough resident Martin Clark addressed the Borough Council with his concerns regarding property damage occurring at his property located at the corner of W. Oak Avenue and N. Charles Avenue when full-sized tractor trailer trucks delivering to Troutman's Meats attempt to exist W. Oak Avenue via N. Charles Avenue. Police Chief Mark Bailey stated he addressed this issue with Borough Council previously as the street signs at the intersection were damaged and the delivery company (GNC Foods) had been contacted. GNC Foods stated the delivery to Troutman's Meats would continue to be done with a full-sized tractor trailer, but they would be willing to perform an offsite delivery if Troutman's Meats could accommodate such a delivery. Martin Clark stated if the Borough will not address his concern, then he will place a concrete barrier on the corner of his property. Borough Solicitor, Beau Hoffman recommended Borough Council consider adopting an ordinance to restrict any full-sized tractor trailer trucks traveling beyond Old School Road on W. Oak Avenue. After a brief discussion, motion made by James Gahring and seconded by Virgil Schlieff directing the Borough Solicitor to draft an ordinance to present at next month's meeting. Motion carried unanimously. Martin Clark thanked the Borough Council and left the meeting.

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

Motion made by Gary Thomas and seconded by James Shull to approve October 08, 2024, monthly meeting minutes as presented. Motion carried unanimously.

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

Motion made by James Gahring and seconded by Gary Thomas to approve the financial statements as of October 31, 2024, as presented. Motion carried unanimously.

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**PUBLIC HEARING:**

At 7:28 p.m. Borough Solicitor, Beau Hoffman opened the public hearing for proposed Ordinance No. 2024-370. Beau Hoffman stated after discussion with Police Chief, Mark Bailey about the proposed Ordinance, the section of the Borough Code of Ordinances needs to be changed from Section 15-205: Turning at Certain Intersections Prohibited or Restricted to Section 15-202: Traffic Signals at Certain Locations, which will be amended to Traffic Signal or Signs at Certain Locations and add the signage "DO NOT ENTER" at the intersection of E. Oak Avenue westbound with N. Main Street. After reviewing a draft of the new proposed ordinance, Borough Council unanimously directed the Borough Solicitor to re-advertise the proposed ordinance as presented for next month's meeting.

**REPORTS:**

**Borough Engineer – Trever Hess**

- Borough Engineer, Trever Hess discussed the list of future road projects proposed by the Buildings, Streets & Sidewalk Committee. The year 2025 proposed road project will be the final paving of E. Market Street, which has been included in the 2025 Proposed Budget. The year 2026 proposed road project will be the paving of Grand Street from Wausau Road to Winey Avenue based on budgeting. The remaining list of road projects should be prioritized and reviewed for budgeting purposes as funding allows.
- Borough Engineer, Trever Hess reviewed and recommended the adoption of an official map of sidewalks and curbing throughout the Borough. After a brief review and discussion of the map presented, Borough Solicitor Beau Hoffman stated the sidewalk ordinance needs to be amended to adopt the map as the official map of sidewalks and curbing throughout the Borough. Motion made by Virgil Schlieff and seconded by Gary Thomas directing the Borough Solicitor to amend the sidewalk ordinance to adopt the map as the official map of sidewalks and curbing throughout the Borough. Motion carried unanimously.

**Borough Solicitor – Beau Hoffman**

- Borough Solicitor, Beau Hoffman informed Borough Council the draft ordinance defining and regulating street excavations and openings needs to be revised as the Borough Engineer recommended the addition of a section. Borough Foreman, Dustin Zechman also recommended revising Section 21-309 Refilling of Opening or Excavation; Restoration of Surface by changing the July 31<sup>st</sup> date to October 31<sup>st</sup> and revising Section 21-321 exhibit to require 2A material in place of 2RC material for backfill. Beau Hoffman stated he will have the Borough Engineer review Dustin's recommendations before the final draft is completed.
- Borough Solicitor, Beau Hoffman stated he will require an Executive Session with Borough Council to discuss a legal matter regarding Middleburg Yarn.

**Fire Chief – Scott Reigle**

- Fire Chief, Scott Reigle presented year-to-date fire company incident reports to Borough Council.

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- Fire Chief, Scott Reigle provided copies of the year 2025 Event Schedule for the Reliance Hose Company No. 1. The Borough Administrator will post the event schedule to the Borough's website and distribute copies to the Borough Council with next month's meeting information.
- Fire Chief, Scott Reigle reported there are planned updates for the fire station, which will be taking place in the upcoming months. Scott Reigle also reported the Fall Festival event held by the fire company went over well and has been added to the 2025 Event Schedule.

**EXECUTIVE SESSION:**

- Council President, Donald Zechman called for an executive session at 7:57 p.m. for discussion of legal and personnel matters. Council President, Donald Zechman called the meeting back to order at 8:37 p.m. The following action was taken:
  - Motion made by James Shull and seconded by Brain Swartz to amend the Middleburg Borough Employee Personnel Manual – Section 200.10 Pay Period to include the following: Each employee will be paid for the pay period via direct deposit only to the depository bank account of their choice effective the 1<sup>st</sup> payroll period being paid starting January 2025. Any employee may request a change to their direct payroll deposit by completing and submitting a new direct deposit form available from the Borough Administrator. Motion carried unanimously.

❖ Borough Solicitor left the meeting via the telecommunications system.

**Police Chief – Mark Bailey**

- Police Chief, Mark Bailey reviewed the October 2024 monthly police reports with the Borough Council.
- Police Chief, Mark Bailey, reported the police department had received complaints about the new 25MPH sign placed on N. Main Street not being visible. Chief Bailey stated he requested the Borough Administrator to reach out to PennDOT about the sign placement and the possibility of relocating the sign for better visibility.

**Borough Foreman – Dustin Zechman**

- Borough Foreman, Dustin Zechman informed Borough Council the NPDES Renewal Application letter sent to the Borough is a requirement of the permit renewal process, which is required every five (5) years.
- Borough Foreman, Dustin Zechman reported the Middleburg Municipal Authority was awarded a CFA Grant for UV lighting upgrades at the sewer plants.
- Borough Foreman, Dustin Zechman informed Borough Council the repairs to the large park fountain performed by Orchard Pump & Supply Co. cost \$579.60. The control panel was replaced under warranty, which has now expired. Dustin Zechman stated he reached out to the Middleburg Revitalization Committee (MRC), who purchased the fountain to be installed in the park lake, about contributing to the cost of the repairs. MRC stated they will not be paying for any repairs to the fountain.

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

- Borough Administrator, Elizabeth Paige reviewed the year-to-date Zoning Violation Report and Code Enforcement Violation Report with Borough Council. Council Member, James Gahring questioned if a letter could be sent to the property owner about the white birch tree along Thomas Avenue, which has damaged branches.
- Borough Administrator, Elizabeth Paige reviewed the year 2025 Meeting Schedule with Borough Council. Motion made by Gary Thomas and seconded by James Gahring to approve the year 2025 Meeting Schedule for advertising. Motion carried unanimously.
- Borough Administrator, Elizabeth Paige informed Borough Council the Midd-West School District Art Teacher, Ryan VanHorn has requested permission to paint winter scenes on the two (2) front doors of the Borough office as done in previous years. Elizabeth Paige reported she granted permission for the Midd-West School District students to paint winter scenes on the Borough office front doors.
- Borough Administrator, Elizabeth Paige reviewed proposed Ordinance No. 2024-371: Amending the Police Pension Plan for year 2025 to require a zero percent (0.00%) of contribution of the qualified police officers' compensation. Elizabeth Paige explained the current Police Union Contract states "If the pension fund is stable that the actuarial value of assets is in excess of the actuarial accrual liability, the officers will not have to make an employee contribution to the fund." December 31, 2023, GASB Report of the Police Pension Plan indicates that pension funds are stable that the actuarial value of the assets is in excess of the actuarial accrual liability. Motion made by James Gahring and seconded by Beverly Inch to advertise proposed Ordinance No. 2024-371 for adoption at the next meeting. Motion carried unanimously.

**NEW BUSINESS:**

- Borough Administrator, Elizabeth Paige reviewed a draft of the 2025 Borough Budget, which presented two (2) options for consideration. Option #1 added a real estate tax increase of 0.5 mills to the budget income and Option #2 eliminated the cleanup expense from the budget expenses. Elizabeth Paige stated either option will require the Borough to expend funds from the Borough's reserve fund to obtain a balanced budget. After a brief discussion of the budget options, motion made by Gary Thomas and seconded by Virgil Schlieff to advertise the year 2025 Borough Budget (Option #1) for public comment and adoption at the December 10, 2024, meeting.
- Borough Council President, Donald Zechman reviewed the letter of recommendation from the Middleburg Municipal Authority to reappoint the following members: Timothy Folk, Scott Reigle, and Douglas Hassinger to serve another five (5) year term ending December 31, 2029. Motion made by James Shull and seconded by James Gahring offered by Resolution 2024-12 to approve the appointment of Timothy Folk, Scott Reigle, and Doug Hassinger to serve as members of the Middleburg Municipal Authority for a term of five (5) years ending December 31, 2029. Motion carried unanimously.

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- Borough Council Vice-President, James Shull discussed the option of establishing a recreation park season for Charles Park such as what is established at State Parks. After a brief discussion, Borough Council directed the Borough Administrator to contact the Borough insurance company about liability and check with the Borough Solicitor if a policy is required to be adopted.
- Borough Council Member, Beverly Inch, thanked Borough Zoning Officer, Elizabeth Paige, for providing the information regarding the signage she had inquired about. Beverly Inch addressed her concern about the lack of public parking for business employees and customers throughout the Borough.

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

- Borough Council Vice-President, James Shull inquired if the Borough should consider the sale of the extra parcel of land located next to the Borough Maintenance Shed. After a brief discussion of the property in question, Borough Council agreed the possible sale of the property could be part of the Budget Committee's investigation of the Borough's financial status.

**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, the motion made by James Shull and seconded by Virgil Schlieff to adjourn tonight's meeting at 9:23 p.m. Motion carried unanimously.

Respectfully Submitted,

Elizabeth Paige  
Borough Administrator/Secretary