

**MIDDLEBURG BOROUGH COUNCIL**  
**MEETING MINUTES**  
**Tuesday, October 12, 2021 @ 7:00 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, Judy Lynn, and Mayor Heidi Potter.  
Others Present: Beau Hoffman/Solicitor, Mark Bailey/Police Chief, Christopher Sheaffer/Engineer, Dustin Zechman/Borough Foreman, and Elizabeth Paige/Borough Administrator  
Public Present: Glendale Cemetery Association Members

**CALL TO ORDER:** Middleburg Borough Council meeting called to order by Council President, Brian Swartz at 7:00 p.m. following the pledge of allegiance.

Motion made by George Price and seconded by Judy Lynn to approve the meeting agenda as presented.  
Motion carried unanimously.

**PUBLIC COMMENTS:**

- Glendale Cemetery Association member, Kim Ebright inquired if Borough Council considered the request of the association for the Borough to pay for and install the stormwater drainage at the new proposed roadway access to the cemetery off E. Market Street. Borough Administrator, Elizabeth Paige stated the estimated cost to install the stormwater drainage is \$10,000 if done as single project but if the stormwater drainage installation would be included in the Borough's E. Market Street improvement project for next year, then the cost would be \$8,200. After a brief discussion, the Glendale Cemetery Association members agreed to allow the Borough to include the stormwater drainage installation with the E. Market Street improvement project. Kim Ebright inquired if the Borough could specify in the road improvement project contract that the roadway millings be placed on the cemetery property for use in their roadway access project. Borough Council agreed to allow all the E. Market Street road project millings to be trucked to the cemetery roadway access property. Glendale Cemetery Association also inquired if signage could be installed to identify the alternate route for accessing the cemetery since the bridge was removed. Borough Council directed the Borough Road Foreman to order and place the necessary signage to identify the alternate access route to the cemetery.

Motion made by Judy Lynn and seconded by Brian Swartz to approve the September 14, 2021, meeting minutes as presented. Motion carried unanimously.

Motion made by Michael Kerstetter and seconded by George Price to approve the bills paid in September 2021 as presented. Motion carried unanimously.

Motion made by George Price and seconded by Brian Swartz to approve the financial statements as of September 30, 2021, as presented. Motion carried unanimously.

**REPORTS:**

**Fire Chief – Dwayne “Butch” Hackenberg (Not present)**

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**Borough Engineer – Chris Sheaffer**

- Borough Engineer, Chris Sheaffer presented Change Order No. 2 for the Stumps Run Stream Restoration Project, which increases the project cost for revisions to new storm sewer system based on the existing system differing from what was anticipated from previous mapping and OneCall markings. Additional walk, curb, and pavement are also needed to facilitate the change. A reduction in pipe and elimination of MH-1 is also included. After a brief discussion, motion made by Michael Kerstetter and seconded by Judy Lynn to approve Change Order Request No. 2 with the net cost increase not to exceed \$2,868 as stated on the Change Order presented. Motion carried unanimously.
- Borough Foreman, Dustin Zechman stated resident, Betty Klinger questioned if the project contractor could place more fence posts across her property if she would pay for the extra fence posts requested. Dustin informed Betty Klinger that the cost of any additional fence posts would be the responsibility of the property owner and informed the project contractor about Betty Klinger's request for additional fence posts.

**Borough Solicitor – Beau Hoffman**

- Borough Solicitor, Beau Hoffman reviewed the draft Ordinance No. 2021-354, which amends the 2018 IPMC regarding weeds along with repealing Ordinance No. 208. After a brief review of the proposed ordinance, Borough Council directed the Borough Solicitor to advertise the ordinance for a public hearing at next month's meeting.
- Borough Solicitor, Beau Hoffman reviewed a copy of Monroe Township's ordinance defining and regulating street excavations and openings. Beau Hoffman informed Borough Council the next step would be to draft an ordinance and contact the engineer to supply the necessary road specifications to include in the ordinance. Borough Council directed the Borough Solicitor to start working on a draft ordinance and to contact the engineer about the road specifications to include in the ordinance.

**Police Chief – Mark Bailey**

- Police Chief, Mark Bailey reviewed the monthly Police Department Reports with Borough Council.
- Police Chief, Mark Bailey stated the new police vehicle has been picked up and put into service.

**Borough Foreman – Dustin Zechman**

- Borough Foreman, Dustin Zechman informed Borough Council he received a request to place more parking spaces at park playground area.
- Borough Foreman, Dustin Zechman reviewed the two (2) letters from PennDOT regarding the proposed project for Route 522 letting in the spring of 2023 and the proposed project for Route 104 letting in the spring of 2024. Dustin Zechman informed Borough Council the stormwater cross pipes under the state roadways are the responsibility of the Borough to maintain and/or replace. Dustin Zechman stated the Borough should consider writing a letter to PennDOT pleading the Borough's case regarding safety that the Borough does not have enough staff or sufficient funds to maintain and/or replace the stormwater cross pipes under Route 522 or Route 104.

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- Borough Foreman, Dustin Zechman updated the Borough Council on the progress of the Water Improvements Project and informed Borough Council the bid opening for the CDBG Shadeview Sewer Line Replacement Project is scheduled for Thursday, October 14<sup>th</sup> at 2 p.m.

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

- Borough Administrator, Elizabeth Paige reviewed the updated Borough code violations report and permit report with Borough Council.
- Borough Administrator, Elizabeth Paige informed Borough Council a draft copy of the audited financial statements was received from the auditor by email. Elizabeth Paige presented a representation letter from the auditor, which needs to be signed by the Council President.
- Borough Administrator, Elizabeth Paige stated the Middleburg Revitalization Committee inquired if the Borough has considered doing anything about the substantial number of geese at the Charles Park area. Borough Council members stated this subject has been addressed in the past with no positive solutions on a way to address the substantial number of migrating geese at the park.

**EXECUTIVE SESSION:** Borough Council entered an executive session for the discussion of personnel and legal matters at 7:57 p.m. Council President, Brian Swartz called the meeting back to order at 8:11 p.m. with no action required by Borough Council. Borough Council President, Brian Swartz requested the Borough Administrator include on the November meeting agenda the consideration of the Police Contract for approval.

**NEW BUSINESS:**

- Borough Administrator, Elizabeth Paige reviewed a Medicare Option Memo for the full-time eligible employees, which would be offered to an employee, who meets the qualifications and is interested in transferring off the borough-sponsored health insurance plan onto Medicare. The employee would receive a month discretionary bonus payment equal to the cost of a Geisinger Gold Medicare Plan plus the Medicare Part B premium. After a brief discussion, motion made by Brian Swartz and seconded by Judy Lynn to approve the Medicare Option for the full-time eligible employees. Motion carried unanimously.
- Budget Committee Chairperson, Heidi Potter and Borough Administrator, Elizabeth Paige reviewed the Draft 2022 General Fund and State Liquid Fuels Fund Budgets with Borough Council. General Fund budget items discussed were two options for tax increases, adding the expense for a part-time police officer, borough office building operating expense split, new utility truck purchase, and the additional funds needed for the E. Market Street paving/improvements project. Borough Council unanimously agreed to the Option #2 tax increase, adjusting the non-union employee wage increase to 3% and adding the expense for a part-time police officer. Borough Administrator will adjust the draft General Fund budget, which will then be emailed to the Budget Committee members for a final review before the November meeting. The draft State Liquid Fuels Fund budget reflects the expenditure of \$287,000 on the E. Market Street paving/improvement project with the project estimate costs being provided by Municipal Services Representative, Brian Haight.

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- Council President, Brian Swartz called for any nominations to fill the vacant Council member position due to the approval of the resignation of Elaine Sautner at the September 14, 2021 meeting. There were no nominations made at this time.

**COUNCIL MEMBER & COMMITTEE REPORTS:**

- Mayor, Heidi Potter informed Borough Council she has received requests to perform wedding ceremonies, which under Pennsylvania's Marriage Law the mayor has the privilege of performing marriage ceremonies. Heidi Potter stated there is no established Borough fee schedule, which would allow the mayor to charge a fee for performing a marriage ceremony. Borough Council directed the Borough Administrator to investigate the options to establish a fee schedule for the mayor.

**Correspondence, Minutes or Reports:**

- Council President, Brian Swartz called for any questions or comments of the correspondence, minutes or reports included on tonight's meeting agenda.

With no comments or further business to conduct, motion made by George Price and seconded by Judy Lynn to adjourn tonight's meeting at 9:12 p.m.

Respectfully Submitted,  
Elizabeth Paige  
Borough Administrator/Secretary