

**MIDDLEBURG BOROUGH
COUNTY OF SNYDER, PENNSYLVANIA**

RESOLUTION NO. 2023 - 08

**A RESOLUTION OF THE BOROUGH OF MIDDLEBURG, SNYDER
COUNTY, PENNSYLVANIA, CREATING THE MIDDLEBURG BOROUGH
CIVIL SERVICE COMMISSION AND APPOINTING INDIVIDUALS TO
SERVE ON THE COMMISSION.**

WHEREAS, the Borough of Middleburg has created the Middleburg Borough Police Department; and

WHEREAS, the Middleburg Borough Police Department currently employs four (4) police officers; and

WHEREAS, the Borough Code states that, “A civil service commission is established in each borough where a police force or paid fire apparatus operators are maintained.” 8 Pa.C.S. Section 1172(a) (Emphasis supplied).¹

WHEREAS, because the Middleburg Borough Police Department employs more than two (2) officers, a civil service commission is automatically created and the Middleburg Borough Council is responsible for appointing individuals to the civil service commission. See 8 Pa.C.S. Section 1172(b).

WHEREAS, the civil service commission shall be comprised of three (3) individuals who are qualified electors whose terms shall be for two, four and six years. As each member’s initial term expires, individuals will be appointed for six-year terms. See id.

WHEREAS, Council may appoint up to three (3) alternate members who shall be qualified electors and who shall serve for six (6) year terms.

NOW THEREFORE, in consideration herein, and in the exercise of the

¹ The Borough Code, however, creates an exemption for the requirement of a civil service commission for borough’s that employ less than three (3) police officers. See 8 Pa.C.S. Section 1171(a)(1).

powers granted to the Borough of Middleburg under the health, welfare and safety provisions of the Borough Code, as well as the powers specifically granted to Borough Council under Subchapter J of the Borough Code entitled "Civil Service for Police and Fire Apparatus Operators", and the statutes of the Commonwealth of Pennsylvania, it is hereby resolved as follows:

1. The Middleburg Borough Council hereby affirms the requirements in the Borough Code to form the Middleburg Civil Service Commission.

2. The Middleburg Borough Council hereby appoints the following individuals to serve on the Middleburg Borough Civil Service Commission:

- A. GARY THOMAS (2 year term)
- B. JOHN STETLER (4 year term)
- C. BRIAN PAULING (6 year term)
- D. _____ (alternate)
- E. _____ (alternate)
- F. _____ (alternate)

3. The Middleburg Civil Service Commission shall organize within ten (10) days of this appointment and shall elect one of its members as the chair of the Middleburg Civil Service Commission and one member as the secretary.

4. The Middleburg Civil Service Commission shall follow all requirements of the Borough Code and the laws of the Commonwealth of Pennsylvania, specifically including the provisions of 8 Pa.C.S. 1170, *et. seq.*

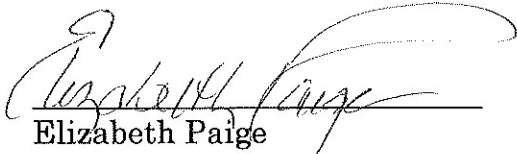
5. This resolution shall become effective immediately upon enactment or as otherwise provided under law.

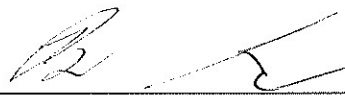
6. Any resolution or parts thereof which are in conflict herewith, are repealed and replaced only to the extent of such conflict.

RESOLVED AND ENACTED, ON DECEMBER 12, 2023, UPON MOTION DULLY MADE AND SECONDED THE FOREGOING RESOLUTION IS HEREBY ADOPTED.

ATTEST:

MIDDLEBURG BOROUGH:


Elizabeth Paige
Administrator/Secretary

BY: 
Brian Swartz, Council President

(Middleburg Borough Seal)