

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL  
2 April 16, 2013  
3

4 PRESENT ABSENT

5 Robert O. Brouse, Jr., Council President	X
6 Betsy K. Robertson, Vice President	X
7 Benjamin M. Dietrich, Council Member	X
8 Bryan E. Rohland, Council Member	X
9 Michael E. Snook, Council Member	X – Arrived at 7:15 PM
10 Tod M. Steese, Council Member	X
11 David M. Cooney, Mayor	X
12 Jeremiah D. Runkle, Solicitor	X
13 Douglas R. Bickhart, Chief of Police	X
14 Margaret A. Metzger, Borough Manager	X
15 Misty L. Ross, Assistant Secretary	X

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17 The regular meeting of Mifflinburg Borough Council was called to order at 7:00 PM.

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19 Visitors present at this meeting were Andrew Rute, Jerry Rute, and Carmen M. Andreoli.  
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22 Motion by: Tod M. Steese

23 Second by: Benjamin M. Dietrich  
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25 **MOTION: To approve the minutes of the Tuesday, March 19, 2013 regular meeting of Mifflinburg**  
26 **Borough Council.**

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28 Approved via unanimous voice vote.  
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31 Mr. Dietrich informed Borough Council that he has reviewed Bill List #2013-04 in the amount of  
32 \$613,479.87. Borough Council action is requested to approve Bill List #2013-04.  
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34 Motion by: Benjamin M. Dietrich

35 Second by: Betsy K. Robertson  
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37 **MOTION: To approve payment of Bill List #2013-04 in the amount of \$613,479.87.**

38  
39 Yes – Mr. Dietrich, Mr. Rohland, Mrs. Robertson, Mr. Steese, Mr. Brouse  
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41 No – None  
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44 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for  
45 March 2013 included in the information tonight.  
46

47 Mayor Cooney provided Borough Council with an update on the detour route for the Chestnut Street  
48 Reconstruction Project. To date, there have been no accidents, but there have been many close calls. Mr.  
49 Dietrich inquired why PennDOT is maintaining a stop sign on Market Street at the 5<sup>th</sup> Street intersection,  
50 but not at the 3<sup>rd</sup> Street intersection. Mayor Cooney explained that PennDOT is maintaining a stop sign  
51 on Market Street at the 5<sup>th</sup> Street intersection due to the Herr Memorial Library located at 500 Market  
52 Street. This matter was actually discussed during the Public Meeting for the Chestnut Street  
53 Reconstruction Project that was held on Wednesday, March 6, 2013 at 7:00 PM at the Mifflinburg Middle  
54 School LGI. Mr. Dietrich expressed that he believes there should be a stop sign on Market Street at the  
55 3<sup>rd</sup> Street intersection as well. Mayor Cooney informed Borough Council that there have been some  
56 complaints received with regard to people exceeding the speed limit on Market Street which is 25 mph,  
57 especially at the East end of the Borough; the Mifflinburg Police Department has been conducting speed  
58 enforcement in this area.  
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66 Mayor Cooney reminded Borough Council that they took action at the Tuesday, March 19, 2013 regular  
67 Borough Council meeting to authorize Mr. Brouse to send a letter to State Representative Fred Keller (R-  
68 85th District) to request his support and assistance to gain economic fairness with Police protection within  
69 the region, as well as send a copy of the letter to Senator Gene Yaw (R-23) and Congressman Tom  
70 Marino; which would require Boroughs and Townships without a Police force to either pay for the  
71 services or be taxed for Police protection and include local Police in the Highway budget as are the State  
72 Police and any Borough or Township that has a Police force and is entered into any mutual aide agreement  
73 would receive 20% of their budget by March of each year. Mr. Brouse has sent the letter and  
74 Representative Keller and has agreed to sponsor the proposed legislation. Mr. Brouse informed Borough  
75 Council that Representative Keller has met with the Committee and they are in the process of drafting  
76 legislation to introduce and trying to obtain sponsors.

77  
78 Chief Bickhart presented Borough Council with some Monthly Highlights for the Mifflinburg Police  
79 Department for March 2013. The Mifflinburg Police Department assisted with the Annual Easter Egg  
80 Hunt that was co-sponsored by the Mifflinburg American Legion Post 410 and the Mifflinburg Moose on  
81 Saturday, March 23, 2013 at 10:00 AM at the VFW Carnival Grounds.

82  
83 Chief Bickhart informed Borough Council that he has been working on the following items:

- 84  
85 • Action response plan; working with the Mifflinburg Area School District to prepare action  
86 response plans for all participating school buildings within the school district, including the  
87 administration building. The plan provides a basic emergency response plan, recommended  
88 emergency response teams, site-specific hazard vulnerabilities, employee emergency  
89 procedures, training requirements, exercise procedures, and employee and family disaster  
90 preparedness. It's anticipated that an action response plan will be prepared within the next  
91 two (2) or three (3) months.
- 92 • School zones; working with Mr. Runkle and PennDOT to establish locations for school  
93 zones in the Borough. Chief Bickhart explained that due to the detour route for the Chestnut  
94 Street Reconstruction Project, it was brought to the Mifflinburg Police Department's  
95 attention that there is only one (1) official school zone in the Borough which is located in  
96 front of the Mifflinburg Area High School (75 Market Street); cautionary signs are posted at  
97 the Mifflinburg Area Middle (100 Mabel Street) and Elementary (115 Shipton Street)  
98 Schools. Chief Bickhart clarified that cautionary signs are yellow and black and are advisory  
99 only; regulatory signs are black and white and are enforceable. In accordance with  
100 PennDOT's rules and regulations, the municipality and/or school district is responsible for  
101 conducting an Engineering and Traffic Study to determine if a school speed zone can be  
102 established, with PennDOT having final approval. If a school speed zone can be established,  
103 PennDOT will issue the application to install flashing warning devices upon approval of the  
104 Engineering and Traffic study. A permit for electrified installations will be issued to the  
105 municipality upon receipt of the completed application. It doesn't matter whether it's a  
106 Borough street or not, PennDOT still has final approval. Mrs. Robertson inquired what  
107 impact school zones have. Chief Bickhart reported that school zones generally have a  
108 reduced speed limit between 15 and 25 mph during certain hours. Chief Bickhart stated that  
109 it's anticipated that this matter will be taken care of prior to the beginning of the next (2013-  
110 2014) school year.

111  
112 Mr. Steese clarified that Chief Bickhart called in the fire that occurred at 404 Thompson Street on  
113 Monday, April 15, 2013. Mr. Steese reported that Chief Bickhart was patrolling by the structure near the  
114 N. 4<sup>th</sup> Street intersection when he noticed smoke and called the fire in. It was determined that sparks from  
115 a hand grinder used to sharpen a lawn mower's blades got into the dry wooden walls of the structure used  
116 as a garage, setting off a fire that burned through the roof. No one was injured, but the garage and its  
117 contents, including a yellow Jeep Wrangler, were severely damaged. Mr. Steese expressed that Chief  
118 Bickhart was being observant and because of that the garage is still standing; good job to Chief Bickhart.

119  
120 Mrs. Metzger provided Borough Council with an updated on the Chestnut Street Reconstruction Project.  
121 The main portion of the project is underway. Don E. Bower, Inc., contractor for the Chestnut Street  
122 Reconstruction Project, completed the work at the Forest Hill Road intersection Friday, April 5, 2013 to  
123 Saturday, April 7, 2013. The contractor has now started Phase A/B- from 8<sup>th</sup> Street to 5<sup>th</sup> Street, this  
124 includes complete reconstruction of the street, sidewalks, curbs, storm water facilities, and waterline.  
125 Work in this phase is scheduled to be completed by Wednesday, June 12, 2013. The detour routes have  
126 also taken effect and the Borough is dealing with various resident concerns about these changes. The  
127 Mifflinburg Police Department has been working hard to ensure that they are carefully monitoring these  
128 routes for both speed control and safety.

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131 Mrs. Metzger informed Borough Council that the Borough has received continued financing for years four  
132 (4) and five (5) for the Elm Street Grant for New Communities Program Elm Street Project for both the  
133 Operational and Residential Reinvestment funds from the Pennsylvania Department of Community and  
134 Economic Development (PA DCED) in the amount of \$350,000.00. The contract is dated July 1, 2011 to  
135 June 30, 2014. The funding will include Operational funds for the Elm Street office in the amount of  
136 \$100,000.00 and Residential Reinvestment funds in the amount of \$250,000.00 for additional funding to  
137 allow for the continuation of the Streetscape Project which will include the installation of new sidewalks,  
138 curbs, streetlights, and trees along Green Street between 5<sup>th</sup> Street and 6<sup>th</sup> Street on both sides of the street,  
139 as well as continuing the committees and other work that is designated. A new updated set of goals and  
140 objectives are part of this application to cover the next few years. Mrs. Metzger reminded Borough  
141 Council that in accordance with Section II – Closeout Guidelines for Contracts with State Funding  
142 \$100,000.00 or More, all PA DCED contracts funded 100 percent with state funds in the amount of  
143 \$100,000.00 or more require the submission of an audit (“Project Audit”) of the contract within 120 days  
144 after the contract termination date or 120 days after the termination of contract activities, whichever  
145 comes first. The format of the audit report must comply with Section D of this section to be acceptable by  
146 the PA DCED. Annual financial statement audits or financial statements from Federal Single Audits may  
147 not be substituted for a financial compliance (project) audit. Mr. Neal Lewis of Lewis, Barlett, Klees, is  
148 scheduled to begin work on the closeout audit for the previous Elm Street Grant at the end of this month.  
149 The next step will be to prepare a Request for Proposal (RFP) for design services for the Green Street area  
150 for the work to be done under the Residential Reinvestment portion of the Elm Street Grant.

151  
152 Mr. Brouse inquired if Borough Council is required to execute the Keystone Communities Program Grant  
153 Contract. Mrs. Metzger reported that the Keystone Communities Program Grant Contract is ready for  
154 execution tonight.

155  
156 Mrs. Metzger informed Borough Council that they received a copy of the Engineer’s Report for April  
157 2013 included in the information tonight. Mrs. Metzger reported that Mrs. Erin Threet, HRG, Inc. has  
158 finalized and submitted the Borough’s Annual Chapter 94 Report to DEP via correspondence dated  
159 Thursday, March 28, 2013. PA DEP has indicated that the report appears “complete and accurate” in their  
160 Tuesday, April 9, 2013 correspondence to the Borough. DEP has reviewed this report together with the  
161 updated Corrective Action Plan (CAP) Status report and has accepted both reports. Upon review of these  
162 reports, DEP has lifted the connection restrictions on the Borough Sewer system, with the understanding  
163 that the Borough will continue to complete the corrective action plan work.

164  
165 Mrs. Metzger reported that she has filed the Annual Water System Report and the Annual Electric System  
166 Report for 2012 by the required due dates.

167  
168 Mrs. Metzger reminded Borough Council that the Annual Spring Drop-Off event is scheduled to be held  
169 for the following dates:

- 170
- 171 • Wednesday, April 24, 2013 12:00 PM-8:00 PM
  - 172 • Thursday, April 25, 2013 12:00 PM-8:00 PM
  - 173 • Friday, April 26, 2013 12:00 PM-8:00 PM
  - 174 • Saturday, April 27, 2013 8:00 AM-12:00 PM

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176 This event is being done in conjunction with the Great American Cleanup Event, which will allow the  
177 Borough to take advantage of the absence of tipping fees at the landfill for our event.

178  
179 Mrs. Metzger informed Borough Council that the Borough will begin termination of utilities for  
180 nonpayment on Thursday, April 25, 2013. Any Council Member who receives any phone calls requesting  
181 assistance should refer the customer to the Borough Office.

182  
183 Mrs. Metzger reminded Borough Council that the Utility Committee met on Tuesday, April 9, 2013 to  
184 discuss an update to the Electric ordinance to allow for customer-owned generation, and a possible asset  
185 sale to Elkay Manufacturing Co., to allow them to have one (1) billing point. The Borough’s Electrical  
186 Consultant, Mr. Jim Havrilla of Utility Engineers, PC, provided a draft customer-owned generation  
187 ordinance and resolution for review. The ordinance itself sets forth an overall review of what the amount  
188 of generation would be allowed within the Borough’s system; where the resolution has a lot of technical  
189 details about the actual generation equipment, the cost and how it will work. The draft ordinance and  
190 resolution were forwarded to Mr. Runkle for review. Borough Council action is requested to either  
191 advertise the ordinance for adoption, table action until further review can be made, or table the ordinance  
192 permanently. Mr. Runkle informed Borough Council that he has received the draft ordinance and  
193 resolution; however he has not had a chance to review them. Mr. Snook tabled action on the ordinance  
194 until further review can be made.

195 Mrs. Metzger reported that Utility Committee also considered a proposed project to sell some of the  
196 Borough-owned infrastructure to Elkay Manufacturing Co., to allow them to combine services. This  
197 proposal was prepared by the Borough Electrical Foreman, Mr. Joe Zimmerman, and the Borough's  
198 Electrical Consultant, Mr. Jim Havrilla of Utility Engineers, PC, and would allow Elkay Manufacturing  
199 Co., to purchase some of the Borough's infrastructure in an attempt to combine services and ultimately  
200 reduce some of their electricity costs. The project proposed would cost Elkay Manufacturing Co.,  
201 approximately \$57,336.48 to purchase the assets, and would allow them to combine three (3) of their four  
202 (4) electric services. The Utility Committee is requesting that Borough Council take action to authorize  
203 her and Mr. Runkle to draft an offer for consideration by Elkay Manufacturing Co.  
204

205 Mr. Runkle inquired how much dialog the Utility Committee has had with Elkay Manufacturing Co. as to  
206 whether or not the numbers are even likely to be palatable prior to the Borough incurring costs to draft an  
207 offer for consideration by Elkay Manufacturing Co. Mrs. Metzger announced that the consultant for  
208 Elkay Manufacturing Co., Mr. Carmen M. Andreoli, is present at tonight's meeting and referred this  
209 matter to him. Mr. Andreoli reported that since he just heard the numbers at tonight's meeting it's hard to  
210 say how palatable they'll be; on the surface a four (4) or five (5) year payback normally isn't something an  
211 industrial customer would entertain, but he can't say for certain. Mr. Andreoli informed Borough Council  
212 that he has a meeting scheduled with Elkay Manufacturing Co. tomorrow morning and requested that  
213 copies be provided of the details for the numbers in order to evaluate them.  
214

215 Mr. Brouse inquired whether another month delay would hinder Elkay Manufacturing Co. Mr. Andreoli  
216 stated that another month delay wouldn't hinder Elkay Manufacturing Co. with regard to the possible asset  
217 sale; the customer-owned generation is of more paramount. A discussion was held; Mr. Brouse directed  
218 Mr. Andreoli to work on gathering information for the possible asset sale to Elkay Manufacturing Co. and  
219 Mr. Runkle to work on the update to the Electric ordinance for next month. Mr. Runkle clarified that he is  
220 only working on the update to the Electric ordinance to allow for customer-owned generation; not the  
221 possible asset sale to Elkay Manufacturing Co.  
222

223 Mrs. Metzger informed Borough Council that the Borough employees have began the required testing for  
224 Production Well No. PW-2 in accordance with the requirements of the Susquehanna River Basin  
225 Commission (SRBC) and the Department of Environmental Protection (DEP). This testing is required to  
226 be suspended during the 'growing' season per the terms of the permit.  
227

228 Mrs. Metzger reminded Borough Council that the Department of Environmental Protection (DEP) is  
229 required to review/approve the repair/replacement of the sixty (60) HP raw water pump located in the  
230 Headworks of the Wastewater Treatment Plant. HRG, Inc. has submitted the required letter to DEP  
231 requesting that they consider a letter amendment to our Water Quality Permit. Mrs. Metzger updated  
232 Borough Council that DEP has approved the installation of a submersible pump to replace the closed shaft  
233 raw water pump. The pump has been ordered and will be installed as soon as it's delivered. It's  
234 anticipated that the pump will be delivered by mid to late May.  
235

236 Mrs. Metzger reported that the Mifflinburg Community Park has been cleaned and prepared for their  
237 opening on Monday, April 15, 2013. To date, the spring's dry weather has allowed the Borough  
238 maintenance employees to roll the ball field at the Mifflinburg Community Park on N. 5<sup>th</sup> Street and the  
239 Scott S. Sholley Field at the Harry F. Haney Memorial Park on N. 8<sup>th</sup> Street as requested by the agencies  
240 at the Tuesday, March 19, 2013 regular Borough Council meeting. The Borough maintenance employees  
241 will begin work to ready the Mifflinburg Community Pool for the 2013 season following the Annual  
242 Spring Drop-Off event. The pool officially opens for the season on Saturday, May 25, 2013.  
243

244 Mrs. Metzger informed Borough Council that the Borough did not receive suitable applications for the  
245 Second Assistant Park Director position for the 2013 Season at the Mifflinburg Community Pool. Mr.  
246 Ron Bollinger, Park Director, is requesting that Borough Council take action to authorize the addition of  
247 an Acting Head Lifeguard position for the 2013 Season on an as-needed bases. This will give Mr.  
248 Bollinger and Mr. Wells the opportunity to schedule some of the more experienced lifeguards to close the  
249 pool on occasional evenings and weekends to help keep their hours reasonable, as well as help to groom  
250 some of the existing lifeguards for next season. Mr. Bollinger is also requesting that when assigned to the  
251 Head Life Guard position these employees would receive a wage increase of \$0.50/hr. Borough Council  
252 action is requested on this matter.  
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260 Motion by: Betsy K. Robertson  
261 Second by: Benjamin M. Dietrich

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263 **MOTION: To authorize the addition of an Acting Head Lifeguard position for the 2013 Season at**  
264 **the Mifflinburg Community Pool on an as-needed bases and authorize a wage increase of \$0.50/hr**  
265 **when employees are assigned to this position.**

266  
267 Yes – Mr. Rohland, Mrs. Robertson, Mr. Snook, Mr. Steese, Mr. Dietrich, Mr. Brouse

268  
269 No – None

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271  
272 Mrs. Metzger informed Borough Council that Mr. Ron Bollinger, Park Director, is requesting that Mr.  
273 Brandon Lepley be hired for the 2013 Season at the Mifflinburg Community Pool.

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275 Motion by: Betsy K. Robertson  
276 Second by: Benjamin M. Dietrich

277  
278 **MOTION: To hire Mr. Brandon Lepley for the 2013 Season at the Mifflinburg Community Pool.**

279  
280 Yes – Mrs. Robertson, Mr. Snook, Mr. Steese, Mr. Dietrich, Mr. Rohland, Mr. Brouse

281  
282 No – None

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285 Mrs. Metzger reminded Borough Council that they took action at the Tuesday, March 19, 2013 regular  
286 Borough Council meeting to offer employment to Mr. Jarad Seidel at the starting wage of \$16.75/hr; Mr.  
287 Christopher Klinger at the starting wage of \$14.00/hr under the terms of the AFSCME employment  
288 agreement, as an Electric Lineman Apprentice/Lineman III, contingent upon successful completion of the  
289 required pre-employment testing and criminal and child abuse clearances. Mrs. Metzger updated Borough  
290 Council that both Mr. Seidel and Mr. Klinger have accepted the positions; Mr. Seidel will begin  
291 employment on Monday, April 29, 2013 and Mr. Klinger will begin employment on Monday, May 13,  
292 2013.

293  
294 Mrs. Metzger informed Borough Council that there is a Police Pension Committee meeting schedule for  
295 Tuesday, April 30, 2013 at 7:00 PM.

296  
297 Mrs. Metzger requested an executive session to discuss potential litigation and personnel related matters.

298  
299 Mrs. Metzger informed Borough Council that she is working to complete the following:

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- The Consumer Confidence Reports (CCR); the report is due to customers by July 1<sup>st</sup>.
  - The Annual Drinking Water Compliance Report; the report is due to the U.S. Environmental Protection Agency (EPA) by July 1<sup>st</sup>.
  - Update and submit the sample monitoring plans for trihalomethane (THM); the plan is due by the end of September. Mrs. Metzger clarified that she may need to obtain assistance from the Borough Engineer, Mrs. Erin Threet of HRG, Inc.
  - Update the National Pollutant Discharge Elimination System (NPDES) Permit; an application for permit amendment must be submitted to the Department of Environmental Protection (DEP) to request that the Chronic Toxicity testing requirements for the Wastewater Treatment Plant be reduce from quarterly to annually.
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311  
312 Mrs. Metzger reminded Borough Council that Mr. Jeffrey L. Mensch, Union County Magisterial District  
313 Judge, has contacted Mr. Brouse regarding the Borough relocating the electric service to the flag pole for  
314 the Memorial Monument at the Old Borough Building located at 333 Chestnut Street to the Union County  
315 Government Services Building located at 343 Chestnut Street. The Union County Commissioners have  
316 requested that the Borough pay the electric bill which would cost approximately \$3.80/month, since they  
317 paid to have part of High Street paved. Mrs. Metzger updated Borough Council that Mr. Joe Zimmerman,  
318 the Borough Electrical Foreman, has designed a solution that would allow the Borough to relocate the  
319 electric service to the flag pole to the power along Chestnut Street in order to resolve this matter. Mrs.  
320 Metzger clarified that Borough Council has no objections. Mr. Brouse directed Mrs. Metzger to contact  
321 the Union County Commissioners and notify them that this matter has been resolved.

322  
323 Mayor Cooney informed Borough Council that there was no Mifflinburg Regional Economic  
324 Development (MRED) Alliance meeting this month.

325 Mrs. Metzger presented Borough Council with the Engineer's Report for April 2013. A copy of the  
326 Engineer's Report is included in the information tonight. Mrs. Metzger provided Borough Council with  
327 the following brief summary of the various miscellaneous engineering services that HRG, Inc. has  
328 provided:

- 329
- 330 • Review of contractor submittals for the Chestnut Street Reconstruction Project on the  
331 Borough's behalf.
- 332 • Wastewater Treatment Plant (WWTP) data entry/compilation for use in analysis to quantify  
333 infiltration & inflow reduction for the Borough's use in reporting Corrective Action Plan  
334 (CAP) updates to the Department of Environmental Protection (DEP). Mrs. Metzger  
335 reminded Borough Council that due to some issues with the Borough's flow meters, specific  
336 flow details are not available. Flow information from 2010, 2011 and 2012 bench sheets  
337 from the WWTP has been provided to Mrs. Erin Threet, HRG, Inc., in an effort to provide  
338 flow data to support the release of additional sewer EDU's.
- 339 • Provision on sewer service area mapping for the Borough's use in communications with  
340 prospective developers.
- 341

342 Mr. Runkle provided Borough Council with an update on the property located at 403 Thompson Street.  
343 Mr. Runkle stated that he doesn't recall exactly the status with the Central Keystone Council of  
344 Government (CK-COG), but he believes there may have been a notice period they were waiting for to  
345 expire. Assuming that the notice period expires and no action is taken, the CK-COG is most likely  
346 looking to complete the cleanup; at the Tuesday, March 19, 2013 regular Borough Council meeting the  
347 question was asked if the Borough is going to incur additional costs on the property located at 403  
348 Thompson Street, where does it end. The question was also asked about what the status of the property  
349 was in terms of the mortgage on the property. Mr. Runkle informed Borough Council that there is an  
350 open mortgage on the property; the initial balance of the mortgage was \$30,000.00 in 2000 when the  
351 mortgage was taken out for a term of seventeen (17) years. There's no way to know for certain what  
352 payments were missed along the line, but the balance is likely to be much less than \$30,000.00. The 2012  
353 taxes are delinquent on the property in the amount of about \$900.00; however the property wouldn't go  
354 for Sheriff Sale until 2014. Mr. Runkle clarified that Borough Council action isn't requested to make a  
355 decision at this point. Mr. Runkle stated that based on what he has seen and heard from the CK-COG, he  
356 believes that if the Borough ends up having to proceed with the sale of the property to collect on the lien,  
357 the value exceeds \$30,000.00. Mayor Cooney informed Borough Council that when he attended the  
358 meeting with the Mifflinburg Senior Citizens, Club 39, one (1) of the Senior Citizens who resides next-  
359 door to the property located at 403 Thompson Street stated that she spoke to an appraiser who was  
360 completing an appraisal on the property. Mrs. Metzger reported that she believes the final notice period  
361 expires on Thursday, April 25, 2013.

362 Mr. Runkle provided Borough Council with an update on the status of the ordinance revisions with regard  
363 to the no parking ordinance and the stop intersection portion of the ordinance to incorporate Miriam  
364 Street. There were numerous revisions that needed to be made to the ordinance and it needed to be a more  
365 comprehensive amendment. An amendment needs to be drafted which essentially states that the section  
366 will be replaced in its entirety with the following. Mr. Runkle reminded Borough Council that there are a  
367 few questions that require Borough Council direction on how they want to handle. Mr. Runkle stated that  
368 he'll present the questions to Borough Council subsequent to drafting the ordinance amendment and that  
369 he anticipates a draft amendment will be ready for Borough Council review at the Tuesday, May 21, 2013  
370 regular Borough Council meeting. Mr. Runkle reported that Mrs. Metzger has provided him with a copy  
371 of the Mifflinburg Borough Code of Ordinances in word format in order to speedup the process of drafting  
372 the amendment.

373

374 Chief Bickhart inquired if an ordinance is required to establish locations for school zones in the Borough.  
375 Mr. Runkle reported that he would have to look into this matter in order to determine whether or not an  
376 ordinance is required to establish locations for school zones in the Borough; if an ordinance is required,  
377 Borough Council should draft an ordinance at this time in order to include the ordinance with the other  
378 amendments to this section.

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389 Mr. Runkle provided Borough Council with an update on the Landlord-Tenant Ordinance for the Borough  
390 of Mifflinburg. Mr. Runkle reported that Mayor Cooney has provided him with information on the  
391 Sunbury Landlord-Tenant Ordinance and the Berwick Landlord Registration Ordinance. Mr. Runkle  
392 stated that he did a cursory review of the information provided; however he needs to perform a more  
393 comprehensive review of the information. Mayor Cooney encouraged Mr. Runkle to take his time  
394 reviewing the information. Mayor Cooney indicated that he was concerned with the Borough  
395 incorporating the Landlord-Tenant Ordinance into their current procedures; there would be a little  
396 difference since the Borough uses the Central Keystone Council of Government (CK-COG) for  
397 enforcement. Mayor Cooney explained that all of the Code Officers for Sunbury and Berwick are  
398 employees of the City/Borough. Mayor Cooney informed Borough Council that he spoke to Ms. Rebecca  
399 A. Kilps, Office Assistant at the CK-COG, regarding this matter; Ms. Kilps has indicated that this  
400 wouldn't be a major concern since the CK-COG already provides these services for the Borough of  
401 Beavertown. Many of the forms and necessary paperwork have already been created by the CK-COG and  
402 copies have been obtained. Mr. Runkle asked Mayor Cooney to provide him with a copy of the  
403 information obtained from the CK-COG in order to continue preparing an edited version of the Landlord-  
404 Tenant Ordinance for the Borough of Mifflinburg.

405  
406 Mr. Runkle informed Borough Council that they received a copy of the draft ordinance amending the  
407 signs and billboards ordinance of the Mifflinburg Borough Code of Ordinances to include horizontal  
408 banners included in the information tonight. Mr. Runkle reminded Borough Council that at the Tuesday,  
409 March 19, 2013 regular Borough Council meeting the discussion was held regarding allowing horizontal  
410 banners in the Borough at the following two (2) locations on Chestnut Street:

- 411 1. 8<sup>th</sup> Street.
- 412 2. Line Street.

413  
414 Mr. Runkle updated Borough Council that Mr. Brouse has provided him with information on PennDOT's  
415 requirements for horizontal banners across a State Route; as well as information from the Borough of  
416 Lewisburg. Mr. Runkle clarified that the draft ordinance is about 75% completed, but there are some  
417 things with the existing ordinance that require clarification. § 21-103 Vertical Banners; states the  
418 following:

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420 Vertical banners are suspended from rods and brackets attached to metal street light poles  
421 ("poles") located in the public street right-of-way. Poles bearing traffic signals are excluded.  
422 Horizontal banners crossing any street, alley, or highway within the Borough shall be prohibited.

- 423 1. General Requirements. Vertical banners must:
  - 424 A. Must measure 30 1/2 inches wide by 70 inches tall.
  - 425 B. Only be installed at designated locations approved by the Borough where existing  
426 banner mounting brackets and hardware exist. No banners shall be erected in a  
427 manner or location that either create an unsafe condition for motor vehicles,  
428 bicycles, or pedestrian traffic or interfere with the view of traffic signs, signal or  
429 devices.
  - 430 C. Be provided to the Borough a minimum of one week in advance of placement and  
431 be constructed to meet the Borough's pole hardware requirements.
  - 432 D. Banners may not include for display vulgar, lewd, distasteful, or otherwise  
433 offensive language or design components.
- 434 2. State Route Banners. "State route banners" refer to banners mounted on poles located  
435 within the rights-of-way (ROW) of state routes. Banners may be placed on poles located  
436 in the ROW of a roadway provided that the property on each side of the ROW meets the  
437 criteria of this section. State route banners will be permitted for a period not to exceed 60  
438 days, subject to an approved banner permit. State route banners may be used for general  
439 promotion of the organization or promotion of special events/exhibits to be held on a  
440 specific date (or dates).
- 441 3. Non-State Route Banners. "Non-state route banners" refer to banners mounted on poles  
442 which are contiguous to any Borough owned and maintained street or alley. Such banner  
443 placement shall be restricted to the regulations and requirements of the Borough Zoning  
444 Ordinance as it pertains to signage.

445  
446 However § 21-101 states that the purpose of this Part is to govern the placement of vertical banners within  
447 the public rights-of-way (ROW) of Pennsylvania State Routes located within Mifflinburg Borough. The  
448 Borough Manager or his/her designated representative will administer this Part.

453 Mr. Runkle inquired whether Borough Council has any intent to allow vertical or horizontal banners on  
454 non-state routes and suggested that if Borough Council has no intent to allow vertical or horizontal  
455 banners on non-state routes, that any reference to "Non-state route banners" should be deleted. Mayor  
456 Cooney expressed that he doesn't see a problem with allowing vertical or horizontal banners on non-state  
457 routes and then letting Borough Council make a decision. Mr. Runkle clarified that he will draft the  
458 ordinance amending the signs and billboards ordinance to allow horizontal banners on non-state routes  
459 with basically the same general criteria as vertical banners and it would be up to Borough Council to  
460 decide based on an application. Mayor Cooney stated that subparagraph A under Paragraph 1; states that  
461 vertical banners must measure 30 1/2 inches wide by 70 inches tall and he believes this needs to be  
462 revised to allow more flexibility. A discussion was held; Mr. Runkle stated that he will revise  
463 subparagraph A under Paragraph 1 to state that vertical banners must be sized to fit the Borough's existing  
464 banner mounting brackets as established by Borough Council from time to time.

465  
466 Mr. Runkle reported that § 21-103, Paragraph II. Horizontal Banners of the draft ordinance states the  
467 following:

- 468  
469 A. Horizontal Banners are temporary horizontal signs composed of flexible material that are  
470 stretched across a public street.
- 471 1. General Requirements. Horizontal banners must:
    - 472 (a) Must measure 20 feet to 40 feet long by 3 feet tall.
    - 473 (b) Only be installed at designated locations approved by the Borough from time to  
474 time by resolution.
    - 475 (c) Not be erected in a manner or location that either creates an unsafe condition for  
476 motor vehicles or interferes with the view of traffic signs, signal or devices.
    - 477 (d) Be provided to the Borough a minimum of one week in advance of placement and  
478 be constructed to meet the Borough's requirements.
    - 479 (e) Not include for display vulgar, lewd, distasteful, or otherwise offensive language or  
480 design components.
    - 481 (f) Be made of heavy-duty reinforced vinyl (Minimum 14 oz.).
    - 482 (g) Be stitched on 4-sides with metal D-rings at each corner and grommets spaced  
483 every 3 feet along the top. Loose D-rings will be returned.
    - 484 (h) Have at least one wind slit per square foot.
    - 485 (i) Include 100 feet of 1/4" nylon posting rope. Clothesline is unacceptable. (Due to  
486 weathering, posting rope is not reusable and cannot be returned).
    - 487 (j) Comply with all requirements of the Pennsylvania Department of Transportation as  
488 established from time to time by policy, regulation or other action.
  - 489 2. State Route Banners. "State route banners" refer to horizontal banners stretched across  
490 a state route. State route banners will be permitted for a period not to exceed 60 days,  
491 subject to an approved banner permit. State route banners may be used for general  
492 promotion of the organization or promotion of special events/exhibits to be held on a  
493 specific date (or dates).
  - 494 3. Non-State Route Banners. "Non-state route banners" refer to horizontal banners  
495 stretched across a Borough maintained street or alley. Such banner placement shall be  
496 restricted to the regulations and requirements of the Borough.

497  
498 A discussion was held regarding the general requirements for horizontal banners. Mayor Cooney inquired  
499 if Borough Council could determine the measurements of the banners on a case by case basis. Mr. Runkle  
500 stated that Borough Council could determine the measurements of the banners on a case by case basis;  
501 however he would encourage Borough Council to have some kind of standards in terms of size. Mrs.  
502 Metzger explained that if the new ordinance is similar to the previous ordinance, Borough Council isn't  
503 going to approve or deny each and every request. Borough Council sets the ordinance and the non/not-  
504 for-profit organization submits a request to the Borough Manager; Borough Council needs to have  
505 standards on what is acceptable. Mrs. Robertson expressed that she believes there should be some  
506 limitation in order to prevent other than non/not-for-profit organizations from placing a banner. Mr.  
507 Runkle informed Borough Council that in accordance with § 21-102 of the existing ordinance; only a  
508 non/not-for-profit organization (hereinafter referred to as "Organization") may request permission to place  
509 vertical banners within the public rights-of-way of Pennsylvania state routes for the purpose of promoting  
510 the Organization or a special event and/or exhibit held by the Organization. If promoting an event/exhibit,  
511 it must be held in Mifflinburg Borough and be open to the public, or of common interest to the general  
512 community, or recognize and/or contribute to the cultural fabric of the Borough. Such events/exhibits may  
513 include (but are not limited to): an arts, entertainment or education related activity; a public social  
514 occasion; a sports contest, festival event; or public concert. Therefore Borough Council already has a  
515 certain amount of limitation; however the ordinance only states if they're promoting an event/exhibit, if  
516 they're promoting an organization it doesn't have to be held in the Borough of Mifflinburg.



517 Mr. Runkle suggested that Borough Council revise § 21-102 to state that whether you're promoting a  
518 organization or event/exhibit all those other things apply; then it gives some standards for your decision  
519 maker (for the ordinance) to say it doesn't meet the criteria. If the organization disagrees with the  
520 decision they may submit a written request to Borough Council and then Borough Council may decide.  
521 Mr. Runkle informed Borough Council that they have insurance requirements in the ordinance which state  
522 a dollar amount, and is suggesting a change to say insurance requirements as established by resolution  
523 from time to time. Mr. Runkle reported that subsection (i) under the General Requirements for horizontal  
524 banners states that horizontal banners must include 100 feet of ¼" nylon posting rope. Clothesline is  
525 unacceptable. (Due to weathering, posting rope is not reusable and cannot be returned). Mr. Runkle  
526 clarified that he included a sample that he found in another ordinance and expressed that he believes  
527 Borough Council should state what they want regarding cable, rope, etc. for hanging banners. A  
528 discussion was held; Mr. Runkle informed Borough Council that he would revise subsection (i) to state  
529 that horizontal banners must be hung from a cable permanently installed by the Borough. Mr. Runkle  
530 clarified that Borough Council wants the fee to be non-refundable.

531  
532 Mayor Cooney informed Borough Council that he participated in the following events:  
533

- 534 • Emceed and helped out at the Annual Easter Egg Hunt that was co-sponsored by the  
535 Mifflinburg American Legion Post 410 and the Mifflinburg Moose on Saturday, March 23,  
536 2013 at 10:00 AM at the VFW Carnival Grounds.
- 537 • Spoke to the Senior Citizens Group, Club 39. As in the past, they're concerned about cats  
538 running at large in the Borough and making messes. Mayor Cooney informed Borough  
539 Council that they also spoke about the possibility of a YMCA coming to town as well as the  
540 detour route for the Chestnut Street Reconstruction Project.

541  
542 Mayor Cooney reported that he has been receiving a lot of inquiries with regard to the Market Street Yard  
543 Sale days. In the past the Market Street Yard Sale days were coordinated by Ms. Paula Christy who has  
544 since stepped down; however the Yard Sale days continued. Mayor Cooney informed Borough Council  
545 that his response to the people inquiring about the Market Street Yard Sale days is: "the Market Street  
546 Yard Sale days are not an official Borough event; however his PERSONAL opinion is that he wishes the  
547 residents would let the yard sales go for a year and maybe start back up next year due to the detour route  
548 for the Chestnut Street Reconstruction Project." Mayor Cooney expressed that traffic on Market Street is  
549 already a mess during the Market Street Yard Sale days, and then to throw the whole detour route for the  
550 Chestnut Street Reconstruction Project into the equation, he can't imagine that not ending badly.

551  
552 Mrs. Metzger reported that she received a voicemail from Ms. Heather Reid who coordinates the  
553 Mifflinburg Food Pantry which is held on the third Friday of every month from 1:00 to 2:00 PM at the  
554 Mifflinburg United Methodist Church located at 279 Market Street. Ms. Reid expressed her concerns  
555 with the detour route for the Chestnut Street Reconstruction Project since there are a lot of people that  
556 pick up their items on Market Street. Mrs. Metzger informed Borough Council that she tried to contact  
557 Ms. Waltman's and is awaiting a return call.

558  
559 Mayor Cooney announced that he created a *Facebook* page for lost and found pets in Union and Snyder  
560 County. People that are located in Union and Snyder Counties can forward a picture of the pet that is lost  
561 or found to him for him to post on the page.

562  
563 Mr. Steese inquired if Borough Council can forward a request to PennDOT to uncover or reinstate the  
564 stop signs on Market Street at the Third Street intersection, due to some near accidents and sight distance  
565 concerns within the Market Street detour. Mr. Steese expressed that he feels very strongly that this is a  
566 very serious safety matter occurring on the Borough streets and that this matter should be addressed  
567 immediately to avoid a serious accident or injury at this location. Mrs. Metzger informed Borough  
568 Council that there is a project meeting scheduled on Thursday, April 18, 2013; she will forward the  
569 request to PennDOT at this meeting. Mr. Runkle recommended that Mrs. Metzger be directed to send a  
570 letter to PennDOT.

571  
572 Motion by: Tod M. Steese  
573 Second by: Benjamin M. Dietrich

574  
575 **MOTION: To authorize Mrs. Metzger to send a request to PennDOT to uncover or reinstate the**  
576 **stop signs on Market Street at the Third Street intersection, and that flashing lights be added on**  
577 **these stop signs once they are uncovered, due to some near accidents and sight distance concerns**  
578 **within the Market Street detour during the Chestnut Street Reconstruction Project.**

579  
580 Approved via unanimous voice vote.

581 Mr. Brouse called an executive session to discuss potential litigation and personnel matters. An executive  
582 session was held from 8:26 PM to 9:50 PM.

583

584

585 Motion by: Benjamin M. Dietrich

586

587 **MOTION: To adjourn the Mifflinburg Borough Council meeting.**

588

589 Approved via unanimous voice vote.

590

591

592 Meeting adjourned at 9:51 PM.

593

594 Respectfully Submitted,

595

596

597 Misty L. Ross

598 Assistant Borough Secretary