

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL
2 August 19, 2014
3

4		PRESENT	ABSENT
5	Michael E. Snook, Council President	X	
6	Beverly L. Hackenberg, Vice President	X	
7	Troy A. Berkheiser, Council Member	X	
8	Paul E. Bottiger, Council Member	X	
9	Bryan E. Rohland, Council Member	X	
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	

16
17 The regular meeting of Mifflinburg Borough Council was called to order at 7:00 PM.

18
19 Visitors present at this meeting were Bob Steinberg, Steve Forcheskie, Matt Ross, Leo Weidner, Erin
20 Threet, John Blake, and Amy Stoak.
21

22
23 Motion by: Tod M. Steese
24 Second by: Beverly L. Hackenberg
25

26 **MOTION: To approve the minutes of the Tuesday, July 15, 2014 regular meeting of Mifflinburg**
27 **Borough Council.**

28
29 Approved via unanimous voice vote.
30

31
32 Motion by: Troy A. Berkheiser
33 Second by: Beverly L. Hackenberg
34

35 **MOTION: To approve payment of Bill List #2014-08 in the amount of \$553,548.43.**

36
37 Yes -- Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg, Mr. Rohland, Mr. Steese, Mr. Snook
38

39 No -- None
40
41

42 Mr. Bob Steinberg, President of the Downtown Lewisburg Rotary Club, attended tonight's meeting on
43 behalf of the Milton Rotary Club to request Borough Council permission to utilize the Mifflinburg
44 Community Park on Saturday, May 30, 2015 to conduct their "Rotary Day" event. The purpose of this
45 event is to inform the public what Rotary is about, as well as a fundraiser for the eradication of polio.
46 The event would be headquartered at the Mifflinburg Community Park and would be open to the public.
47 The event would include two (2) bike rides: one (1) group would travel up over Route 235 to Troxelville
48 and come back while the other group would use the Buffalo Valley Rail Trail beginning at the
49 Mifflinburg Community Park and ride towards Lewisburg as far as they want and come back. The
50 Rotary Clubs are discussing having free food such as hot dogs for the event.
51

52 Mrs. Metzger informed Borough Council that Mrs. Irene Henninger, Assistant Governor of the
53 Lewisburg Sunset Rotary Club, contacted her earlier today with regard to this event; this event would
54 utilize the entire park. Mrs. Metzger clarified that neither of the pavilions or the gazebo have been
55 reserved, so they would be available for the event. Borough Council action is requested on this matter.
56

57 Motion by: Troy A. Berkheiser
58 Second by: Paul E. Bottiger
59

60 **MOTION: To approve the Rotary Clubs' request to utilize the Mifflinburg Community Park on**
61 **Saturday, May 30, 2015 to conduct a "Rotary Day" event.**
62

63 Mrs. Hackenberg inquired whether this event would be considered a special event or not. Mrs. Metzger
64 stated that that's part of the question; normally there's a cost to reserve the pavilions, but when there's
65 an event held at the Mifflinburg Community Park a \$250.00 security deposit is required as well as a
66 certificate of insurance for the event.
67

68 Mrs. Metzger asked Mr. Steinberg if the public would be required to pre-register for the bike ride. Mr.
69 Steinberg stated that the Rotary Clubs are discussing requiring pre-registration, but typically what
70 happens with these events is people show up who haven't pre-registered. Mr. Steinberg clarified that the
71 Rotary Club has no idea how many people are going to show up.

72
73 Mrs. Metzger suggested that if the Rotary Clubs anticipates a big event, they may want to consider
74 providing additional porta-potties for the event in addition to the restrooms at the Mifflinburg
75 Community Park.

76
77 Mr. Berkheiser suggested that the Rotary Clubs may also want to consider having crossing guards at
78 Forest Hill Road if there are a lot of bicycles. Mayor Cooney agreed with Mr. Berkheiser and added that
79 there should be some kind of traffic control at all of the intersections for this event.

80
81 Mayor Cooney inquired if the Rotary Club has contacted the Buffalo Valley Recreation Authority
82 (BVRA) with regard to using the Buffalo Valley Rail Trail. Mr. Steinberg reported that the Rotary
83 Clubs just met this morning to decide what they were going to do for Rotary Day for Polio; no final
84 decisions have been made. Mayor Cooney clarified that the Rotary Club would want to contact the
85 BVRA with regard to using the Buffalo Valley Rail Trail as well.

86
87 Mr. Steese expressed that he believes Borough Council should amend the motion to authorize the Rotary
88 Clubs' request to utilize the Mifflinburg Community Park on Saturday, May 30, 2015 to conduct a
89 "Rotary Day" event to include contingent upon submission and completion of the required paperwork, a
90 security deposit in the amount of \$250.00, and a certificate of insurance.

91
92 Motion by: Troy A. Berkheiser

93 Second by: Paul E. Bottiger

94
95 **MOTION: To amend the motion to approve the Rotary Clubs' request to utilize the Mifflinburg**
96 **Community Park on Saturday, May 30, 2015 to conduct a "Rotary Day" event to include**
97 **contingent upon submission and completion of the required paperwork, a security deposit in the**
98 **amount of \$250.00, and a certificate of insurance.**

99
100 Approved via unanimous voice vote.

101
102
103 Mr. Steve Forcheskie, General Manager of Ritz-Craft, attended tonight's meeting along with Mr. Matt
104 Ross, Structural Engineer at Ritz-Craft, to request Borough Council action for a variance of some type to
105 allow them to move forward with their plans to install a holding tank on their property.

106
107 Mr. Forcheskie explained that Ritz-Craft has a situation where they are ready to reopen Plant No. 2
108 which went inactive seven (7) years ago in 2007 amid the housing downturn. Extensive upgrades are
109 needed to incorporate current technology into Plant No. 2. A 1,000 gallon holding tank needs to be
110 installed in order to incorporate one (1) bathroom and a deep sink to do some washing at the old truck
111 wash facility. In accordance with the current Borough ordinances, the installation or use of holding
112 tanks or any on lot septic system shall not be permitted; any sewer must be connected to the sewer
113 system. Mr. Forcheskie expressed that he believes it's quite costly for Ritz-Craft to connect to the sewer
114 system so he's here to request Borough Council action for a variance of some type. Mr. Snook inquired
115 what Ritz-Craft did prior to Plant No. 2 closing. Mr. Forcheskie reported that Ritz-Craft had a holding
116 tank since 1978 which was removed in 2007 when Plant No. 2 went inactive.

117
118 Mrs. Metzger informed Borough Council that she became aware via a PA One Call report that Ritz-
119 Craft Corporation was planning to install a holding tank on their property. Current Borough ordinances
120 do not permit the installation or use of holding tanks or any on lot septic system, any sewer must be
121 connected to the sewer system. This matter was reported to the Borough's Sewage Enforcement
122 Officer, who advised that he could not issue a permit for a holding tank under the provisions of Act 537,
123 the Pennsylvania Sewage Facilities (the law that governs these installations) since the Borough does not
124 have an ordinance which allows holding tanks. Therefore, Ritz-Craft has the following two (2) options:

- 125
126
- 127 1. Ritz-Craft must connect to the sewer system, which they feel is very difficult and expensive
128 at the proposed location.
 - 129 2. Borough Council may choose to adopt an ordinance that would allow for the installation of
130 holding tanks.
- 131
132
133

134 Mr. Runkle stated that the Borough's situation isn't unusual; it's pretty typical for a Borough to require
135 that all residents must connect to the sewer system. It's what we commonly refer to as a Mandatory
136 Connection Ordinance. The only mechanism to permit holding tanks would be for Borough Council to
137 adopt a new ordinance to amend the existing ordinance's regulations to include a section that states
138 holding tanks are permitted under the following circumstances. Mrs. Metzger informed Borough
139 Council that she requested assistance from Mrs. Erin Threet, HRG, Inc., with regard to this matter; per
140 her request Mrs. Threet visited the site to determine where Ritz-Craft could potentially connect to the
141 sewer system. Mrs. Metzger distributed copies of the two (2) proposed routes with the estimated
142 construction costs attached from Mrs. Threet. Mrs. Metzger clarified that there is pretty substantial cost
143 involved for this work; it's estimated to cost \$38,000.00 - \$48,000.00. Mr. Rohland suggested that the
144 Pennsylvania Department of Environmental Protection (DEP) might allow a holding tank on a
145 temporary basis. Mrs. Threet agreed with Mr. Rohland and added that in her experience with DEP, DEP
146 will allow holding tanks as long as it's for a temporary situation. A lengthy discussion was held; Mrs.
147 Metzger reported that she would contact DEP to schedule a meeting to discuss a proposed amendment to
148 the sewer ordinance regarding holding tanks and then notify Ritz-Craft and Borough Council once the
149 meeting has been scheduled.

150
151 Mr. John Blake, pastor for the Mifflinburg Assembly of God Church, attended tonight's meeting to
152 request Borough Council permission to utilize the Mifflinburg Community Park to conduct a
153 Community Christian Carnival on Friday, September 12, 2014 from 5:00 PM to 8:00 PM. Rev. Blake
154 informed Borough Council that the Mifflinburg Assembly of God Church would like to primarily use
155 the open grass field next to pavilion #1 (which they have already reserved for the event) for an inflatable
156 obstacle course, moon bounce, and have a local musician play. There will also be areas with canopies
157 for balloon animals, hamburgers, hotdogs, slushies, giving away prizes, Bibles and other things all free
158 for the community. The only thing that might have a cost for someone coming is if the musician wants
159 to have a place to sell his CDs. Rev. Blake added that the Mifflinburg Assembly of God Church would
160 like to use the gazebo as well if it's available by that time.

161
162 Mrs. Metzger informed Borough Council that a copy of the request is included in the information
163 tonight. In accordance with Chapter 18 of the Borough Code of Ordinances the dates during which the
164 recreation area shall be used by the general public shall be April 15 through October 15 of each calendar
165 year. Borough Council action is requested to approve this first time event. Mrs. Metzger stated that
166 there would be a \$250.00 security deposit required as well as a certificate of insurance for the event.
167 Rev. Blake clarified that the Mifflinburg Assembly of God Church has already reserved pavilion #1 at
168 the Mifflinburg Community Park and paid the \$72.00 rental amount.

169
170 Motion by: Bryan E. Rohland
171 Second by: Troy A. Berkheiser

172
173 **MOTION: To approve the Mifflinburg Assembly of God Church's request to utilize the**
174 **Mifflinburg Community Park on Friday, September 12, 2014 from 5:00 PM to 8:00 PM to**
175 **conduct a Community Christian Carnival.**

176
177 Rev. Blake inquired if the Mifflinburg Assembly of God Church would be allowed to use the basketball
178 court at the Mifflinburg Community Park during the event. Mr. Hackenberg reported that the basketball
179 courts at the Mifflinburg Community Park would still be open.

180
181 Mrs. Metzger requested Borough Council action to amend the motion to approve the Mifflinburg
182 Assembly of God Church's request to utilize the Mifflinburg Community Park on Friday, September 12,
183 2014 from 5:00 PM to 8:00 PM to conduct a Community Christian Carnival to include contingent upon
184 submission and completion of the required paperwork, a security deposit in the amount of \$250.00, and
185 a certificate of insurance.

186
187 Motion by: Bryan E. Rohland
188 Second by: Troy A. Berkheiser

189
190 **MOTION: To amend the motion to approve the Mifflinburg Assembly of God Church's request to**
191 **utilize the Mifflinburg Community Park on Friday, September 12, 2014 from 5:00 PM to 8:00 PM**
192 **to conduct a Community Christian Carnival to include contingent upon submission and**
193 **completion of the required paperwork, a security deposit in the amount of \$250.00, and a**
194 **certificate of insurance.**

195
196 Approved via unanimous voice vote.

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200

201 Mr. Leo Weidner, a concerned resident of 1 Shipton Street, attended tonight's meeting with regard to
202 some traffic concerns he has at the intersection of Apple Alley and Shipton Street. Mr. Weidner
203 distributed a layout of the area and requested that a stop sign be installed. Mr. Weidner explained that
204 you can't really see down Shipton Street when you're traveling on Apple Alley or down Apple Alley
205 when you're traveling west on Shipton Street. Mr. Weidner expressed that his concern is trying to slow
206 down traffic traveling south on Apple Alley; there's not a lot of traffic in this area, however there are a
207 lot of rolling stops at the stop sign on Shipton Street. Since school has begun parents discovered that
208 you can miss two (2) stop signs by traveling up Apple Alley and down Shipton Street. Mr. Weidner
209 expressed that he understands that there will be a lot of rolling stops if a stop sign is installed on Apple
210 Alley, but it will at least slow the traffic down. Mr. Bottiger agreed with Mr. Weidner that there are a
211 lot of individuals using Apple Alley as a bypass at school time.

212
213 Mrs. Metzger inquired if the Mifflinburg Police Department is required to complete a traffic study.
214 Chief Bickhart reported that the Mifflinburg Police Department has already completed a traffic study in
215 which they've documented numerous vehicles. Chief Bickhart informed Borough Council that if a stop
216 sign is installed on Apple Alley, it will be close if not in Mrs. Burn's driveway. Chief Bickhart clarified
217 that this is a bad intersection and suggested that if Borough Council is going to do anything, they should
218 consider converting Apple Alley a one-way street traveling north. Mr. Runkle expressed that as a
219 resident of Shipton Street he believes converting Apple Alley a one-way street traveling north is an
220 excellent idea; visibility is terrible. Mrs. Metzger inquired if Borough Council should try this
221 conversion on a trial basis first. A discussion was held; it was unanimously determined to convert Apple
222 Alley to a one-way street traveling north on a trial basis.

223
224 Mr. Runkle advised Borough Council that action is not required to convert Apple Alley to a one-way
225 street traveling north on a trial basis; however action is required to authorize the Borough to purchase
226 the signs to convert Apple Alley to a one-way street traveling north.

227
228 Motion by: Troy A. Berkheiser
229 Second by: Beverly L. Hackenberg

230
231 **MOTION: To authorize the Borough to purchase the signs to convert Apple Alley to a one-way**
232 **street traveling north.**

233
234 Mr. Rohland inquired if there are enough funds in the budget to purchase signs. Mrs. Metzger stated
235 that she believes there are funds remaining for signs in the budget.

236
237 Yes – Mr. Bottiger, Mrs. Hackenberg, Mr. Rohland, Mr. Steese, Mr. Berkheiser, Mr. Snook

238
239 No – None

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241
242 Motion by: Beverly L. Hackenberg
243 Second by: Paul E. Bottiger

244
245 **MOTION: To approve the Mifflinburg Borough Zoning Report for July 2014 and authorize**
246 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$300.00.**

247
248 Yes – Mrs. Hackenberg, Mr. Rohland, Mr. Steese, Mr. Berkheiser, Mr. Bottiger, Mr. Snook

249
250 No – None

251
252
253 Mr. Snook reported that Borough Council action is requested to adopt Resolution No. 2014-04; A
254 resolution for the appointment of a Board of Appeals under the Pennsylvania Construction Code Act.
255 Mr. Runkle informed Borough Council that Mrs. Metzger received a letter from Mr. Thomas E. Sauer,
256 Executive Director at the Central Keystone Council of Governments (CK-COG), and Ms. Terry Matrey,
257 Officer Manager at the CK-COG, recommending that this resolution be adopted. In accordance with
258 Act 45, any municipality that has adopted an ordinance for the administration and enforcement of the
259 PA Construction Code shall establish a board of appeals. The CK-COG has an established Appeals
260 Board; recently, a situation presented itself and the resolution to appoint an Appeals Board needed to be
261 revised to list all the Codes in which the Appeals Board will hear. The Borough is not required to
262 appoint the CK-COG Appeals Board, but then the Borough would need to establish a board. A
263 resolution has been prepared for consideration and Borough Council action is requested on this matter.

268 Motion by: Troy A. Berkheiser
269 Second by: Paul E. Bottiger

270
271 **MOTION: To adopt Resolution No. 2014-04; A resolution which appoints the Central Keystone**
272 **Council of Governments (CK-COG) Board of Appeals under the Pennsylvania Construction Code**
273 **Act.**

274
275 Approved via unanimous voice vote.

276
277
278 Mrs. Metzger provided Borough Council with an update on the Chestnut Street Reconstruction Project.
279 Mrs. Metzger reported that the Borough has received additional complaints about the drainage on
280 Chestnut Street; PennDOT Representatives have been made aware of the issues and they have visited
281 the site. The Borough has provided photos from a normal rain event to better help PennDOT evaluate
282 the complaints. Complaints about the quality of the grass planted between the sidewalk and curb have
283 also been forwarded to PennDOT.

284
285 Mrs. Metzger reported that the paving work for the 2014 Annual Street and Alley Paving Project was
286 recently completed by Eastern Industries, Inc. There were some issues with the way Eastern Industries,
287 Inc. staged the work; they closed both South 2nd and South 3rd Streets at the same time and closed 7th
288 Street for longer than necessary. This created some problems for residents and the Borough received
289 several complaints. Mrs. Metzger informed Borough Council that the Borough will be sure that future
290 bid documents include some clarification about street closures; this is not something that the Borough
291 has had problems with in the past, but will be sure to address for future projects since there was a
292 problem this time.

293
294 Mr. Runkle provided Borough Council with an update on the revisions to Chapter 5 of the Zoning
295 Ordinance. Mr. Runkle reported that Ms. Pam Mabus, Community Planner at the Union County
296 Planning Department, has created the table of historic properties and forwarded the proposed
297 amendment to him for review. A discussion was held; Mrs. Metzger clarified that the proposed
298 amendment still needs to go to the Union County Planning Department for their review. Mr. Runkle
299 stated that he anticipates that the proposed amendment will be ready for adoption at the Tuesday,
300 October 21, 2014 regular Borough Council meeting.

301
302 Mrs. Metzger inquired if Mr. Rohland had any updates concerning the noise coming from Elkay, Inc.
303 facilities. Mr. Rohland informed Borough Council that he doesn't have any updates concerning the
304 noise coming from Elkay, Inc. facilities

305
306 Mrs. Metzger provided Borough Council with an update on the replacement of the roof at the
307 Mifflinburg Hose Company Building located at 325 Chestnut Street. Mrs. Metzger reported that the
308 completion date for this project will be Monday, October 13, 2014.

309
310 Mrs. Metzger provided Borough Council with an update on the Cherry Alley Reconstruction Project.
311 Mrs. Metzger reported that the pre-construction walk through for the Cherry Alley Reconstruction
312 Project was held on Monday, August 11, 2014 at 2:30 PM. The project is scheduled to begin on
313 Monday, August 25, 2014. The contractor will begin work on Cherry Alley at 2nd Street and will work
314 west towards 3rd Street. Once that section of sewer line is completed they will remobilize and start the
315 next block behind the ambulance building and work to replace the sewer line to the east and west. Once
316 the sewer line work is completed, the alley reconstruction will begin. The pavement must be completed
317 by Friday, October 31, 2014.

318
319 Mrs. Metzger provided Borough Council with an update on the East Green Street Sewer Line and
320 Manhole Replacement Project. Mrs. Metzger reported that the Project is scheduled to begin on
321 Thursday, August 21, 2014 and be completed in 2-3 working days. Residents of this area have been
322 notified of the project start time and how it may affect them.

323
324 Mrs. Metzger provided Borough Council with an update on the status of the New Communities Program
325 Elm Street Project – Phase III. Mrs. Metzger reported that Mr. Justin Ross, Project Manager at Larson
326 Design Group, contacted her and informed her that the plans are not yet ready, but will be provided for
327 Borough Council review and consideration before the Tuesday, September 16, 2014 regular Borough
328 Council meeting, when action will be requested.

329
330 Mrs. Metzger reported that the double bituminous seal coat work for the 2014 Annual Street and Alley
331 Paving Project has been tentatively scheduled to be completed on Wednesday, August 20, 2014.

332
333

334 Mrs. Metzger provided Borough Council with an update on the status of the Borough wide Advanced
335 Metering Infrastructure (AMI) System. Mrs. Metzger reported that she and Mr. Jason Mitchell, the
336 Borough Public Works Supervisor, participated in the AMI Project kick-off meeting with Nexgrid on
337 Wednesday, July 16, 2014 at 10:00 AM. Nexgrid began installation and training for the AMI Project on
338 Tuesday, August 19, 2014. As a part of the AMI Project, a separate IP address had to be obtained and
339 installed at the Borough office. Mrs. Metzger expressed that Windstream Customer Service has been
340 absolutely horrible to deal with regarding this request.

341
342 Mrs. Metzger informed Borough Council that the Wastewater Treatment Plant suffered a catastrophic
343 event on Wednesday, August 13, 2014 at approximately 12:30 AM. The wet well pumps failed to work
344 and consequently caused the entire headworks building to flood since this failure occurred during a
345 heavy rainfall event. The Borough had to by-pass pump the sewer flows away from the headworks
346 building into a nearby drainage ditch and pump out the flooded building. The Borough is still working
347 to return to normal operations as various pieces of damaged equipment are repaired or replaced. The
348 violation was reported to the Pennsylvania Department of Environmental Protection (DEP) using the
349 required process and an insurance claim was submitted for the damages. The Borough continues to
350 work with both to get back online under the terms of their permit as soon as possible. As a part of this
351 process, Borough Staff has been working with Mrs. Erin Threet, HRG, Inc., and Process Control
352 Solutions to re-locate the VFDs (Variable Frequency Drive) and PLC (Programmable Logic Controller)
353 to a location that will no longer be susceptible to flooding, should another event like this occur. Mrs.
354 Metzger expressed that she believes re-location is merited since this is the second time that this
355 equipment has been flooded since the Borough has been operating the plant, and it also happened once
356 during construction. The Borough Maintenance Employees have been manning the Wastewater
357 Treatment Plant 24/7 to ensure that operations continue until the equipment is repaired or replaced. Mr.
358 Metzger clarified that it's anticipated that the Borough will incur approximately \$140,000.00 (minimum)
359 until the equipment is repaired or replaced; hopefully the Borough will be reimbursed for these costs by
360 the insurance company. Mr. Runkle inquired what DEP's position is on this matter and whether or not
361 the Borough will be penalized for the violation. Mrs. Metzger stated that it's still unknown whether
362 DEP will penalize the Borough or not. A lengthy discussion was held; Mrs. Metzger clarified that she
363 requested that Mrs. Threet be present at tonight's meeting due to the severity of this matter.

364
365 Mrs. Metzger requested an executive session to discuss personnel matters.
366

367 Mrs. Metzger reported that the Borough received the final NPDES Permit Amendment for the Chronic
368 Toxicity or WETT testing. Mrs. Metzger reminded Borough Council that the Borough requested that
369 the testing frequency be reduced from quarterly to annually.
370

371 Mrs. Metzger reported that a representative of the Scarlet D has contacted her to request an extension of
372 time to comply with the Borough's order to place parking blocks along 3rd Street, until after the Cherry
373 Alley Reconstruction Project has been completed. The original correspondence dated Monday, June 23,
374 2014 gave them sixty (60) days from the date received to comply with this request. Mrs. Metzger
375 clarified that Borough Council action will be requested if and when a formal request is received.
376

377 Mr. Runkle provided Borough Council with an update on the status of the Third Street Bridge
378 Relocation Project. Mr. Runkle informed Borough Council that Mr. Robert Renn, Local Bridge
379 Coordinator at PennDOT District 3-0, has requested that a meeting be scheduled via email; a meeting is
380 currently trying to be scheduled.
381

382 Mrs. Metzger reported that she has become aware of a potential problem on N. 8th Street with regard to a
383 previously constructed bike path that was designed and built using Federal Revenue Sharing Funds to
384 connect the Mifflinburg Community Park (N. 5th Street) to the Harry F. Haney Memorial Park (N. 8th
385 Street). Mrs. Metzger explained that the bike path was located on N. 8th Street and it ran between Park
386 Road and out to the Harry F. Haney Memorial Park and over a little bridge. Throughout the years, the
387 road got wider and the berm got narrower; consequently there's no longer a bike path, however the signs
388 are still installed. Mrs. Metzger expressed that it seems to her that it's a liability issue to have signs
389 posted for a bike path when there isn't a path to ride on. Mr. Runkle inquired if N. 8th Street was a State
390 Route when the bike path was constructed. Mrs. Metzger clarified that N. 8th Street was a State Route
391 when the bike path was constructed. Mr. Runkle agreed with Mrs. Metzger that the Borough does have
392 liability exposure; it's an exception to the Federal Tort Claims Act. Borough Council has three (3)
393 options which are as follows:

- 394
395
- 396 1. Ask PennDOT to repair/reconstruct the bike path.
 - 397 2. Design a safe bike path; which means obtaining design standards that says it's safe.
 - 398 3. Try to minimize the Borough's liability by removing the sign for the bike path. Borough
399 Council may even want to consider installing a sign at the offshoot to the bridge that says
something about no bikes allowed.

400 Mr. Runkle informed Borough Council that he believes action is not required to formally abandon the
401 bike path since the easements to construct the bike path were road right-of-ways and the easement to
402 construct the offshoot to the bridge was a sewer easement. Mr. Runkle suggested that he could draft a
403 resolution if Borough Council wants it documented for the Borough's records; the resolution wouldn't
404 absolutely protect the Borough from liability, there's no absolute protection, but it would go a long way.
405 A discussion was held; it was unanimously decided that a resolution should be drafted to abandon the
406 bike path. Mrs. Metzger clarified that the Borough Maintenance Employees would remove the signs for
407 the bike path and Mr. Runkle clarified that he would draft a resolution to abandon the bike path.

408
409 Mrs. Metzger informed Borough Council that the Borough Office Staff converted to the new 'Eagle'
410 billing program provided by Logics, Inc. with the May 1st billing. The Office Staff continue to work
411 through the 'bugs' in the system and the learning curve. The Borough still hopes to convert their bills to
412 a full page format by the end of the year. In working towards that end, Logics, Inc. has provided a quote
413 with options for this billing change. A copy of the quote has been included in the information tonight.
414 Mrs. Metzger requested that either Borough Council take action on this matter or schedule a committee
415 meeting to further discuss this matter. A discussion was held; Mr. Berkheiser scheduled a Finance
416 Committee meeting for Tuesday, August 26, 2014 at 7:00 PM to further discuss this matter.

417
418 Mrs. Metzger reported that the Borough has solicited bids for the painting of the Gazebo at the
419 Mifflinburg Community Park. There was one (1) bid received in the amount of \$6,800.00. Mrs.
420 Metzger reminded Borough Council that the budget for this project was \$5,000.00. Borough Council
421 action is requested to either reject all bids or to accept the bid and then to determine where the additional
422 funds are to come from.

423
424 Motion by: Paul E. Bottiger
425 Second by: Troy A Berkheiser

426
427 **MOTION: To reject all bids for the painting of the Gazebo at the Mifflinburg Community Park.**

428
429 Mayor Cooney inquired about what if the bidder is willing to lower their bid amount to \$5,000.00 when
430 Mrs. Metzger contacts them to inform them that Borough Council took action to reject all bids since the
431 budget for this project was \$5,000.00. Mr. Bottiger stated that Mrs. Metzger can accept the bid if the
432 bidder is willing to lower their bid amount to \$5,000.00. A discussions was held; Mr. Runkle clarified
433 that Borough Council should amend the motion to include unless the bidder is willing to accept the
434 budgeted amount of \$5,000.00

435
436 Motion by: Paul E. Bottiger
437 Second by: Troy A Berkheiser

438
439 **MOTION: To amend the motion to reject all bids for the painting of the Gazebo at the**
440 **Mifflinburg Community Park; to include unless the bidder is willing to accept the budgeted**
441 **amount of \$5,000.00.**

442
443 Mr. Berkheiser inquired if the Borough would receive as good of a quality job if the bidder lowers their
444 bid amount to \$5,000.00. Mr. Bottiger stated that the bidder has bid specifications.

445
446 Yes – Mr. Rohland, Mr. Steese, Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg, Mr. Snook

447
448 No – None

449
450
451 Mrs. Metzger informed Borough Council that she has received a request from Kelsey's Dream for the
452 Borough to provide water services to the Mifflinburg VFW carnival grounds on October 8-13, 2014 in
453 order to conduct the 8th Annual Kelsey's Fall Festival. Borough Council action is requested on this
454 matter.

455
456 Motion by: Tod M. Steese
457 Second by: Beverly L. Hackenberg

458
459 **MOTION: To provide water services to the Mifflinburg VFW carnival grounds for Kelsey's**
460 **Dream on October 8-13, 2014 in order to conduct the 8th Annual Kelsey's Fall Festival.**

461
462 Approved via unanimous voice vote.

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467 Mrs. Metzger informed Borough Council that she has received a request via an email from Mr. Ron
468 Bollinger, Park/Pool Director. Ms. Amy Wehr, School Social Worker at the Mifflinburg Area School
469 District (MASD), is requesting Borough Council support for the Mifflinburg Area Elementary School's
470 Behavioral Support Program. Mrs. Metzger explained that the Mifflinburg Elementary School's
471 Behavioral Committee has been working to implement school-wide behavioral support throughout their
472 building. The program (which they are calling the ROAR Program) works by teaching students
473 appropriate behavioral, and validating when they meet behavioral expectations. Student's positive
474 behavioral is tracked, and ultimately, students' names are entered into a lottery to win specific prizes,
475 such as participating in activities, eating special lunches with school staff, earning opportunities for
476 leadership in front of their peers, and coupons for purchases or events in their communities. About once
477 monthly, fourteen (14) students from the MASD's kindergarten through 2nd grade building will win the
478 same prize. The Mifflinburg Elementary School's Behavioral Committee is hoping that local business
479 will be willing to donate items or opportunities that these children will be able to use in the community
480 with their families. An example of an ideal prize would be a coupon for a one-day free admission to the
481 Mifflinburg Community Pool, or a few dollars off of pool concessions. A copy of the email is included
482 in the information tonight. Borough Council action is requested to donate fourteen (14) coupons for a
483 one-day free admission for the 2015 season at the Mifflinburg Community Pool for the Mifflinburg Area
484 Elementary School's school-wide Behavioral Support Program.

485
486 Motion by: Tod M. Steese
487 Second by: Troy A. Berkheiser

488
489 **MOTION: To donate fourteen (14) coupons for a one (1) day free admission at the Mifflinburg**
490 **Community Pool for the 2015 season to be used as prizes for the Mifflinburg Area Elementary**
491 **School's Behavioral Support Program (the ROAR Program).**

492
493 Yes – Mr. Steese, Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg, Mr. Rohland, Mr. Snook

494
495 No – None

496
497
498 Mrs. Metzger reported that Mr. Ron Bollinger, Park/Pool Director, is requesting the following
499 reimbursement for two (2) lifeguards that have conducted Lifeguard Instruction Services in addition to
500 their regular duties at the at the Mifflinburg Community Pool this summer.

501
502 1. Mr. Matt Wells \$150.00
503 2. Miss Maura McLaughlin \$ 75.00

504
505 Mrs. Metzger informed Borough Council that Mr. Bollinger is also requesting that Miss Megan Nogle
506 be hired as a Lifeguard for the remainder of the 2014 season. Borough Council action is requested on
507 these two (2) requests.

508
509 Motion by: Beverly L. Hackenberg
510 Second by: Bryan E. Rohland

511
512 **MOTION: To hire Miss Megan Nogle as a Lifeguards at the Mifflinburg Community Pool for the**
513 **remainder of the 2014 season and reimburse Mr. Matt Wells \$150.00; Miss Maura McLaughlin**
514 **\$75.00, which reflects reimbursement for the Lifeguard Instruction Services they conducted in**
515 **addition to their regular duties at the Mifflinburg Community Pool this summer.**

516
517 Yes – Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg, Mr. Rohland, Mr. Steese, Mr. Snook

518
519 No – None

520
521
522 Mr. Snook clarified that the Mifflinburg Community Pool will close on Sunday, August 24, 2014.

523
524 Mrs. Metzger requested an executive session to discuss personnel matters.

525
526 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for
527 July 2014 included in the information tonight.

528
529
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531
532

533 Mr. Runkle provided Borough Council with an update on the status of the Landlord Ordinance for the
534 Borough of Mifflinburg. Mr. Runkle reported that the Public Safety Committee met on Thursday, July
535 10, 2014 to further discuss the Landlord Ordinance. There were some additional revisions made to the
536 ordinance. Mr. Runkle stated that the next step is for him to go through and reorganize the ordinance.
537 It's anticipated that the ordinance will be ready for Borough Council action at the Tuesday, October 21,
538 2014 regular Borough Council meeting.

539
540 Mr. Runkle announced that he will be on vacation during the Tuesday, September 16, 2014 regular
541 Borough Council meeting.

542
543 Mrs. Metzger announced that she will also be on vacation during the Tuesday, September 16, 2014
544 regular Borough Council meeting. Mrs. Metzger clarified that she will still provide Borough Council
545 with a copy of the Borough Manager's Report in her absence.

546
547 Mayor Cooney reported that there has been multiple complaints and issues with individuals loitering in
548 the Mifflinburg Community Park. The Pavilions have been posted with "No Loitering" signs and that
549 seems to have helped. The individuals have relocated to the Buffalo Valley Rail Trail and the 5th Street
550 parking lot. Mr. Runkle informed Borough Council that he advised Mayor Cooney and Chief Bickhart
551 to try to enforce for specific kind of conduct or things the individuals may be doing that are
552 inappropriate; not just on loitering because you have a constitutional right to free assembly and the
553 Mifflinburg Community Park is a public place.

554
555 Chief Bickhart presented Borough Council with some Monthly Highlights for the Mifflinburg Police
556 Department for July 2014.

557
558 Mr. Steese stated that kudos go to the three (3) Mifflinburg Police Officers that were working during the
559 Mifflinburg Fireman's Parade; the Police Officers did a nice job and helped out a lot.

560
561 Mrs. Hackenberg requested an executive session to discuss personnel matters.

562
563 Mr. Berkheiser reminded Borough Council that a Finance Committee meeting is scheduled for Tuesday,
564 August 26, 2014 at 7:00 PM. The purpose of the meeting will be to further discuss the quote received
565 by Logics, Inc. with options for the Borough to convert their bills to a full page format.

566
567 Mrs. Erin Threet, HRG, Inc., informed Borough Council that the first annual report summarizing the
568 results for the Production Well No. PW-2 has been submitted. DEP has indicated that they will issue the
569 permit in the very near future. The Susquehanna River Basin Commission (SRBC) is still unsure of the
570 use of this well and therefore has not issued testing requirements. The Borough contact the SRBC after
571 the official DEP Permit is issued and request a meeting to discuss the testing requirements.

572
573 Mr. Runkle requested an executive session to discuss potential litigation.

574
575 Mayor Cooney informed Borough Council that he participated in or will be participating in the
576 following meetings or events:

- 577
- 578 • The Mifflinburg Fireman's Parade that was held on Saturday, July 26, 2014 at 4:00 PM.
 - 579 • A meeting in September with Club 39.
- 580

581
582 Mr. Snook called an executive session to discuss potential litigation and personnel matters. An
583 executive session was held from 9:40 PM to 10:28 PM.

584
585
586 Motion by: Beverly L. Hackenberg
587 Second by: Paul E. Bottiger

588
589 **MOTION: To renew the Borough's disability policy with USABLE Life.**

590
591 Yes – Mr. Bottiger, Mrs. Hackenberg, Mr. Rohland, Mr. Steese, Mr. Berkheiser, Mr. Snook

592
593 No – None

594
595
596
597
598
599

600 Motion by: Troy A. Berkheiser

601

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

603

604 Approved via unanimous voice vote.

605

606

607 Meeting adjourned at 10:30 PM.

608

609 Respectfully Submitted,

610

611

612 Misty L. Ross

613 Assistant Borough Secretary