

MINUTES OF MIFFLINBURG BOROUGH COUNCIL

July 21, 2015

	PRESENT	ABSENT
Michael E. Snook, Council President	X	
Beverly L. Hackenberg, Vice President	X	
Troy A. Berkheiser, Council Member	X	
Paul E. Bottiger, Council Member	X	
Bryan E. Rohland, Council Member		X
Tod M. Steese, Council Member		X
David M. Cooney, Mayor	X	
Jeremiah D. Runkle, Solicitor	X	
Douglas R. Bickhart, Chief of Police		X
Margaret A. Metzger, Borough Manager	X	
Robert M. Rowe, Borough Project Manager	X	
Misty L. Ross, Assistant Secretary	X	

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

Visitors present at this meeting were Jeff Kline and Rich Schrader.

Mr. Snook conducted a Public Hearing for Ordinance No. 2015-04; Amending Part 1 "RESIDENTIAL RENTAL UNITS" in Chapter 13 "HOUSING" of the Borough Code to change the method of giving required notices, to change the time for filing an appeal, to change the time for holding a hearing on an appeal and to make other minor editorial changes. Mr. Runkle clarified that the minor editorial changes have to do with mostly references throughout the ordinance to perhaps the Borough or Borough Manager when Code Official would have been more appropriate. Mr. Runkle expressed that he believes Borough Council is pretty familiar with the ordinance and with these proposed amendments. There being no further comments or discussion the hearing concluded at 7:02 PM.

Motion by: Beverly L. Hackenberg
Second by: Paul E. Bottiger

MOTION: To adopt Ordinance No. 2015-04; Amending Part 1 "RESIDENTIAL RENTAL UNITS" in Chapter 13 "HOUSING" of the Borough Code to change the method of giving required notices, to change the time for filing an appeal, to change the time for holding a hearing on an appeal and to make other minor editorial changes.

Approved via unanimous voice vote.

Mr. Snook informed Borough Council that action is requested to adopt Resolution No. 2015-08; Establishing the base purchased power cost for the purchased power cost adjustment. Mrs. Metzger reported that with the Borough's new Power Supply Contract, the contract extension pricing was contractually blended with the existing contract pricing to provide a discounted rate. It's anticipated that the annual energy contract savings will be about \$352,000.00/year. A Utility Committee meeting was held on Tuesday, June 23, 2015 to discuss the Borough's electric rates and what should be done with the reduction that has been received. The Utility Committee feels that part of the reduction should be kept for infrastructure improvements and part should be passed back to the customers. Mrs. Metzger added that she contacted Mr. Jim Havrilla, Utility Engineers, PC, to help provide revised rate resolutions and rate comparisons. Both the revised rate resolutions and rate comparisons were distributed to Borough Council members via email prior to tonight's meeting.

Motion by: Beverly L. Hackenberg
Second by: Paul E. Bottiger

MOTION: To adopt Resolution No. 2015-08; Establishing the base purchased power cost for the purchased power cost adjustment.

Mr. Berkheiser inquired what percentage of the annual energy contract savings this resolution passes back to the customers. Mrs. Metzger clarified that this resolution establishes the base purchased power calculation; there's another resolution to amend the rates under the Mifflinburg Borough Electric System Ordinance to pass back a percentage of the annual energy contract savings to the customers.

Yes – Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg, Mr. Snook

No – None

68 Mr. Snook informed Borough Council that action is requested to adopt Resolution No. 2015-09;
69 Amending the rates under the Mifflinburg Borough Electric System Ordinance.

70
71 Motion by: Beverly L. Hackenberg
72 Second by: Paul E. Bottiger

73
74 **MOTION: To adopt Resolution No. 2015-09; Amending the rates under the Mifflinburg Borough**
75 **Electric System Ordinance.**

76
77 Mrs. Metzger inquired what percentage of the annual energy contract savings Borough Council is
78 recommending be passed back to the customers. Mrs. Metzger explained that there are two (2) different
79 revised rate resolutions; one (1) passes back 50% of the annual energy contract savings and the other
80 passes back 30% of the annual energy contract savings to the customers. Copies of both resolutions
81 have been included in the information tonight.

82
83 Mr. Runkle reiterated that Mrs. Metzger is asking whether the motion on the table is to amend the rates
84 to pass back 50% of the annual energy contract savings or 30% of the annual energy contract savings to
85 the customers.

86
87 Mrs. Hackenberg expressed that she believes Borough Council should amend the rates to pass back 50%
88 of the annual energy contract savings to the customers. Mr. Bottiger disagreed with Mrs. Hackenberg
89 and asked if Borough Council could discuss the resolutions prior to taking action. Mrs. Hackenberg
90 clarified that Mr. Bottiger could second the motion to adopt Resolution No. 2015-09; Amending the
91 rates under the Mifflinburg Borough Electric System Ordinance to pass back 50% of the annual energy
92 contract savings to the customers and then vote against the motion subsequent to discussion.

93
94 Motion by: Beverly L. Hackenberg
95 Second by: Paul E. Bottiger

96
97 **MOTION: To adopt Resolution No. 2015-09; Amending the rates under the Mifflinburg Borough**
98 **Electric System Ordinance to pass back 50% of the annual energy contract savings to the**
99 **customers.**

100
101 Mr. Berkheiser announced that there was a meeting held with Mr. Brenton Horting, Hartman Employee
102 Benefits, Inc. (Health Insurance Consultant for the Borough), on Wednesday, July 16, 2015 at 8:30 AM
103 to discuss the Affordable Care Act and what changes Mr. Horting anticipates will affect the Borough.
104 Mr. Berkheiser provided Borough Council with a brief summary of the meeting and stated that after
105 hearing what Mr. Horting had to say at the meeting, he doesn't believe it's a good idea to pass back 50%
106 of the annual energy contract savings to the customers. A discussion was held; Mrs. Metzger clarified
107 that she doesn't believe anyone has a crystal ball and knows what's going to happen with the Affordable
108 Care Act, including Mr. Horting. The Borough will receive their new rates on October 1, 2015. Mrs.
109 Metzger added that it's anticipated that the annual energy contract savings would be about
110 \$176,377.00/year for both the Borough and the customer with the resolution on the table.

111
112 Mr. Bottiger agreed with Mr. Berkheiser that the Borough could really use the money and recommended
113 that only 30% of the annual energy contract savings be passed back to the customers.

114
115 Yes -- Mrs. Hackenberg, Mr. Snook

116
117 No -- Mr. Bottiger, Mr. Berkheiser

118
119 The motion to adopt Resolution No. 2015-09; Amending the rates under the Mifflinburg Borough
120 Electric System Ordinance to pass back 50% of the annual energy contract savings to the customers tied.

121
122 Mayor Cooney, cast the final vote not to adopt Resolution No. 2015-09; Amending the rates under the
123 Mifflinburg Borough Electric System Ordinance to pass back 50% of the annual energy contract savings
124 to the customers. The motion to adopt Resolution No. 2015-09 failed 2-3.

125
126
127 Motion by: Paul E. Bottiger

128
129 **MOTION: To adopt Resolution No. 2015-09; Amending the rates under the Mifflinburg Borough**
130 **Electric System Ordinance to pass back 30% of the annual energy contract savings to the**
131 **customers.**

132

133 The motion to adopt Resolution No. 2015-09; Amending the rates under the Mifflinburg Borough
134 Electric System Ordinance to pass back 30% of the annual energy contract savings to the customers died
135 due to lack of a second.

136
137
138 Motion by: Beverly L. Hackenberg
139 Second by: Troy A. Berkheiser

140
141 **MOTION: To approve the minutes of the Tuesday, June 16, 2015 regular meeting of Mifflinburg**
142 **Borough Council.**

143
144 Approved via unanimous voice vote.

145
146
147 Motion by: Troy A. Berkheiser
148 Second by: Paul E. Bottiger

149
150 **MOTION: To approve payment of Bill List #2015-07 in the amount of \$658,408.25.**

151
152 Yes – Mrs. Hackenberg, Mr. Berkheiser, Mr. Bottiger, Mr. Snook

153
154 No – None

155
156
157 Mr. Jeff Kline, General Manager of Designer Homes, a Division of Ritz-Craft, attended tonight's
158 meeting along with Mr. Rich Schrader, General Manager of the Rusty Rail Brewing Co., regarding the
159 abandonment of 7th Street between Walnut and Cherry Streets. Mr. Kline distributed copies of a letter to
160 Borough Council which read as follows:

161
162 Designer Homes, a Division of Ritz-Craft, recently purchased the Wagner Building which
163 houses Rishel's Meats, Top Notch Hair Salon, four (4) apartment units and a grass/stone
164 parking area east of 7th Street. Tonight, as General Manager of Designer Homes, I ask for your
165 consideration to remove 7th Street from Walnut Street to Cherry Street through the street
166 abandonment program.

167
168 The abandonment of 7th Street would be the first step in following the local and country
169 protocols and requirements required to turn the area east of 7th Street into a paved parking
170 facility. We are asking for this request so the land east of 7th Street can be adjoined to the
171 existing parking area to create more professional public parking.

172
173 I don't think anyone will question the anticipation and enthusiasm associated with the Rusty
174 Rail opening and delivering yet another destination site to Mifflinburg. With the
175 improvements made to the current Rusty Rail Building, we believe this area of town will
176 become prime Real Estate and professional parking will add value to visitor's retail experience.
177 While great for Mifflinburg, this increased traffic causes a concern for adequate public parking.

178
179 The abandonment of 7th Street will allow Designer Homes to create a larger, cleaner, more
180 professional parking area for the customers of Rishel's Meats, the Hair Salon and the Rusty
181 Rail, and will add as many as 15 new parking spaces to alleviate street parking levels.

182
183 When the abandonment of 7th Street is approved, Designer Homes will convey maintenance
184 rights, allowing the Borough and all of its sub-contractors access to the property for any utility
185 and/or stormwater repairs. Designer Homes will assume all upkeep and maintenance of the
186 parking area.

187
188 We thank you in advance for your consideration and look forward to working with Council and
189 its Sub Committees to make the Walnut and Eight Street intersection home to safer, more
190 professional parking area.

191
192 Sincerely,
193 Jeff Kline
194 General Manager
195 Designer Homes, a Division of Ritz-Craft

196
197 Mr. Kline informed Borough Council that attached to the letter is a bird's-eye view of 5 North 8th Street
198 with the area to be abandoned (7th Street between Walnut and Cherry Streets) highlighted, as well as a
199 layout for the paved parking facilities.

200 Mr. Runkle announced that in accordance with the Borough Code, public notice must be provided to
201 abutting property owners, Borough Council is required to enact an ordinance and conduct a Public
202 Hearing, and survey work needs to be completed and included with the ordinance. Mr. Kline informed
203 Borough Council that there are no abutting property owners since Ritz Finance Company own both
204 parcels on either side of this section of street, and that he already notified Rishel's Meats and the Top
205 Notch Hair Salon of their plans.

206
207 Mr. Runkle cautioned Mr. Kline that even if Borough Council vacates 7th Street between Walnut and
208 Cherry Streets all rights won't be extinguished; Ritz Finance Company would still be responsible for
209 any private right-of-ways that may exist. The Borough could offer Ritz Finance Company a Quitclaim
210 Deed which basically conveys any interest the grantor has in the property to the grantee. The grantor
211 terminates ("quits") any rights or claims to the property, thereby allowing the rights or claims to transfer
212 to the grantee. Quitclaim Deeds contains no title covenant and thus offers the grantee no warranty as to
213 the status of the property title; the grantee is entitled only to whatever interest the grantor actually
214 possesses at the time the transfer occurs. Mr. Runkle reiterated again that Ritz Finance Company would
215 be left with any private rights that may exist.

216
217 Mrs. Metzger pointed out that there are stormwater facilities located on 7th Street, but no other utilities.
218 Mr. Runkle suggested that Borough Council that may want to direct him to draft an easement for the
219 stormwater facilities located on 7th Street, as well as any future utilities. A discussion was held; Mr.
220 Runkle stated that he's uncertain as to whether or not this work requires Sub-Division & Land
221 Development approval and recommended that the Mifflinburg Planning Commission also review and
222 approve the plans. Mr. Runkle detailed the costs (advertising, legal fees, survey work, etc.) that would
223 be incurred by the Borough to abandon 7th Street between Walnut and Cherry Streets and inquired if
224 Ritz Finance Company would be willing to incur the costs. Mr. Kline indicated that he believes Ritz
225 Finance Company would be willing to incur the costs. A discussion was held; Mr. Runkle
226 recommended that Borough Council take action to direct him to draft and advertise an ordinance
227 provided that Ritz Finance Company incurs the costs.

228
229 Motion by: Paul E. Bottiger
230 Second by: Troy A. Berkheiser

231
232 **MOTION: To direct Mr. Runkle to draft and advertisement an ordinance to abandon 7th Street**
233 **between Walnut and Cherry Streets with all the provisions mentioned with the private right-of-**
234 **ways and the fact that Ritz Finance Company are going to incur the costs.**

235
236 Mr. Runkle inquired if Borough Council wants an easement retained by the Borough for all utilities or
237 just what's currently there. Mr. Bottiger and Mayor Cooney both expressed that they believe an
238 easement should be retained by the Borough for all utilities.

239
240 Approved via unanimous voice vote.

241
242
243 Mr. Rich Schrader, General Manager of the Rusty Rail Brewing Co., inquired if Borough Council has
244 given any thought to the intersection at Chestnut (State Route 45) and 8th Streets. Mr. Schrader
245 expressed that he's only asking because he knows what kind of traffic is at this intersection now; maybe
246 he's being overly optimistic about what the Rusty Rail Brewing Co. is going to do, but he really feels
247 this intersection will become a safety concern. Mr. Berkheiser reported that a ninety (90) day traffic
248 study would be required. Mrs. Metzger clarified that Chestnut Street (State Route 45) and 8th Street are
249 both State Routes; the Borough could certainly make a request to PennDOT to complete a traffic study
250 at this intersection if they see an issue or a potential for an issue.

251
252
253 Motion by: Beverly L. Hackenberg
254 Second by: Troy A. Berkheiser

255
256 **MOTION: To approve the Mifflinburg Borough Zoning Report for June 2015 and authorize**
257 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$378.83.**

258
259 Yes – Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg, Mr. Snook

260
261 No – None

262
263
264
265

266 Mrs. Metzger provided Borough Council with an update on the status of the Borough wide Advanced
267 Metering Infrastructure (AMI) System. Mrs. Metzger reported that the Borough Electric Crew continues
268 to install new electric meters; they have installed eight hundred and twenty (820) meters to date. The
269 Borough also continues to have problems with the 'mass meter change out' program, especially with
270 regard to the demand meters; they continue to work with Nexgrid and Logics to resolve this issue.
271 Nexgrid has shipped the majority of the new water meters; the Borough is waiting to receive the
272 communications modules and to schedule training for the Borough employees, instructing them on how
273 to install the new water meters. The Borough will begin to work on the replacement of the water meters
274 over the next few months.

275
276 Mrs. Metzger informed Borough Council that she and Mr. Rowe have reviewed the proposals for
277 upgraded internet service to help with the problems that the Borough Office has been experiencing with
278 inconsistent internet speeds. Mr. Rowe detailed the proposals received and requested Borough Council
279 action to award the proposal to Windstream for a dedicated service which will guarantee up and
280 download speeds, for a fee of \$237.00 per month.

281
282 Motion by: Beverly L. Hackenberg

283 Second by: Paul E. Bottiger

284
285 **MOTION: To award the proposal for upgraded internet service at the Borough Office to**
286 **Windstream for a dedicated service which will guarantee up and download speeds, for a fee of**
287 **\$237.00/month.**

288
289 Yes – Mr. Bottiger, Mrs. Hackenberg, Mr. Berkheiser, Mr. Snook

290
291 No – None

292
293
294 Mrs. Metzger reported that the Borough has become aware that back in the 90's the Mifflinburg Area
295 School District (MASD) attached their own fiber lines, from the Administration Building located at 178
296 Maple Street down to the Mifflinburg Area Middle School located at 100 Mabel Street to several of the
297 Borough's utility poles. This attachment was approved by Borough Council via a letter and without cost
298 to the MASD. Borough Management recently worked with the MASD to allow their contractor access
299 to the Borough's right-of-way and poles to repair a damaged section of their fiber line. Mrs. Metzger
300 expressed that she believes that a pole attachment with the MASD should be prepared to better
301 indemnify the Borough. Borough Council action is requested to authorize Mr. Runkle to prepare a Pole
302 Attachment Agreement between the Borough of Mifflinburg and the MASD.

303
304 Motion by: Troy A. Berkheiser

305 Second by: Beverly L. Hackenberg

306
307 **MOTION: To authorize Mr. Runkle to prepare a Pole Attachment Agreement between the**
308 **Borough of Mifflinburg and the Mifflinburg Area School District (MASD).**

309
310 Approved via unanimous voice vote.

311
312
313 Mr. Runkle inquired if the Pole Attachment Agreement between the Borough of Mifflinburg and the
314 Mifflinburg Area School District (MASD) should limit the MASD to the utility poles they're already
315 attached to or allow the MASD to attach to additional utility poles, but only if they ask. It was the
316 consensus of Borough Council that the Pole Attachment Agreement between the Borough of
317 Mifflinburg and the MASD should limit the MASD to the utility poles they're already attached to; if
318 they ever decide they require additional poles, they would need to request Borough Council approval.

319
320 Mrs. Metzger provided Borough Council with an update on the status of the improvements at the
321 Mifflinburg Hose Company Building located at 325 Chestnut Street. Mrs. Metzger reported that the bid
322 opening for the masonry repairs/painting at the Mifflinburg Hose Company Building was held on
323 Friday, June 26, 2015 at 1:00 PM. There were five (5) bids received and are as follows:

<u>Engineering Company</u>	<u>Bid</u>	<u>Requirements</u>
C & D Waterproofing	\$34,000.00	YES
Jones Masonry Corp.	\$35,395.00	YES*
Talanca Masonry	\$59,548.00	YES
T Ross Brothers, Inc.	\$43,336.00	YES
J.P.S. Construction Co, Inc.	\$43,000.00	YES

331
332 *Dollar amount of Bid Bond was not 5%.

333 A copy of the bid tabulation has been included in the information tonight. Mr. Ted Strosser, Strosser
334 Architecture & Conservation, Inc., and Borough Management have reviewed the bids. Borough Council
335 action is requested to award the bid to the low bidder. Mrs. Metzger noted that the low bid exceeds the
336 estimated cost (\$25,000.00); however the bid does not exceed the amount budgeted for work on the
337 Hose Company in 2015.

338
339 Motion by: Paul E. Bottiger
340 Second by: Beverly L. Hackenberg

341
342 **MOTION: To award the masonry repairs/painting at the Mifflinburg Hose Company Building**
343 **located at 325 Chestnut Street to C & D Waterproofing for a not-to-exceed fee of \$34,000.00.**

344
345 Yes – Mrs. Hackenberg, Mr. Berkheiser, Mr. Bottiger, Mr. Snook

346
347 No – None

348
349
350 Mrs. Metzger provided Borough Council with an update on the status of New Communities Program
351 Elm Street Project – Phase III. Mrs. Metzger reported that McBryan Contracting, the contractor for the
352 Elm Street Project, has submitted Payment Application No. 2 in the amount of \$136,383.55. A copy of
353 the payment application has been included in the information tonight. Mrs. Metzger informed Borough
354 Council that Larson Design Group and Mr. Rowe have reviewed the payment application and noticed
355 there's a charge of \$750.00 included in the billing for work that was incurred in order to meet ADA
356 requirements. This charge is still being discussed since the work wasn't completed as it was originally
357 designed. Mrs. Metzger clarified that any difference in costs would be made-up once this matter has
358 been resolved. Borough Council action is requested to approve Payment Application No. 2 in the
359 amount of \$135,633.55.

360
361 Motion by: Paul E. Bottiger
362 Second by: Beverly L. Hackenberg

363
364 **MOTION: To approve Payment Application No. 2 to McBryan Contracting for the New**
365 **Communities Program Elm Street Project – Phase III in the amount of \$135,633.55.**

366
367 Yes – Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg, Mr. Snook

368
369 No – None

370
371
372 Mr. Rowe provided Borough Council with an update on the status of the Walnut Street Project. Mr.
373 Rowe reported that Uni-Tec began preliminary survey work for the design of the Walnut Street Project
374 on Friday, June 12, 2015. An interim meeting was held with Uni-Tec and it's anticipated that another
375 meeting will be scheduled in about two (2) weeks.

376
377 Mrs. Metzger informed Borough Council that Mr. Rowe and Mr. Jason W. Mitchell, the Borough Public
378 Works Supervisor, met with Mr. Brian Haight, the Borough's local PennDOT Local Service
379 Representative, to review the list for the Annual Street and Alley Paving Project. Subsequent to the
380 meeting, bids were solicited for paving and double bituminous seal coat. The bid opening is scheduled
381 for Thursday, August 13, 2015 at 1:00 PM.

382
383 Mrs. Metzger provided Borough Council with an update on the status of the removal of approximately
384 twenty (21) dead trees at the Mifflinburg Community Park. Mrs. Metzger reminded Borough Council
385 that they took action to authorize her to advertise for sale the timber/logs from the emergency tree
386 removal work at the Mifflinburg Community Park. Mrs. Metzger reported that she and Mr. Jason W.
387 Mitchell, the Borough Public Works Supervisor, have advertised for sale the timber/logs; the bid
388 opening was held on Tuesday, July 21, 2015. There was one (1) bid received from Mr. Michael
389 Mitchell in the amount of \$575.00. Mrs. Metzger added that Mr. Mitchell still needs to provide proof of
390 liability insurance. Borough Council action is requested to award the sale of the timber/logs to Mr.
391 Mitchell, contingent upon proof of liability insurance.

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402 Motion by: Beverly L. Hackenberg
403 Second by: Paul E. Bottiger

404
405 **MOTION: To award the sale of the timber/logs from the emergency tree removal work at the**
406 **Mifflinburg Community Park to Mr. Michael Mitchell for the amount of \$575.00, contingent upon**
407 **proof of liability insurance.**

408
409 Yes – Mr. Bottiger, Mrs. Hackenberg, Mr. Berkheiser, Mr. Snook

410
411 No – None

412
413
414 Mrs. Metzger reported that Mr. Rowe, Mr. Jason W. Mitchell, the Borough Public Works Supervisor,
415 and Mr. Cody Lytle, HRG, Inc., met with, Mr. Shane Eia, Civil Engineering Technician for the Natural
416 Resources Conservation Service (NRCS), on Friday, July 17, 2015 to follow-up on design specifications
417 and hydraulic calculations for the Ryan Sabo Wetland Restoration Project. Mr. Rowe provided Borough
418 Council with an update on the status of the Ryan Sabo Wetland Restoration Project. Mr. Rowe
419 informed Borough Council that since Mr. Eia was unable to provide the specific details concerning
420 hydraulic calculations for the design of this project, he plans to proceed without using the Borough's
421 stormwater ditch. After reviewing this approach with Mr. Runkle and reviewing the Borough's
422 Floodplain Ordinance, it was determined that a Zoning Permit would be required and a review under the
423 Zoning Ordinance.

424
425 Mrs. Metzger announced that the Central Keystone Council of Government (CK-COG) has hired a
426 Zoning Officer. Mr. David Hines will begin employment on Monday, August 3, 2015. Mr. Hines was
427 previously a Zoning Administrator for Lycoming County.

428
429 Mrs. Metzger requested an executive session to discuss several personnel matters and potential
430 litigation.

431
432 Mrs. Metzger reported that the Borough's Wastewater Treatment Plant experienced a Sanitary Sewer
433 Overflow on 8th Street on Saturday, July 4, 2015 during the heavy rains. Mrs. Metzger added that the
434 Borough's Water Treatment Plant also experienced a violation which began on Saturday, July 18, 2015
435 at approximately 5:00 PM until Sunday, July 19, 2015 at approximately 7:00 AM. The Borough's
436 Chlorine Analyzer did not continuously record the chlorine residual as required by the Borough's
437 permit. Mrs. Metzger informed Borough Council that both the overflow and the violation was reported
438 to the Pennsylvania Department of Environmental Protection (DEP) and followed-up with the required
439 five (5) day letter. The Borough awaits a formal response from DEP.

440
441 Mrs. Metzger informed Borough Council that the Borough has received a request from Kelsey's Dream.
442 Kelsey's Dream is requesting that water services be provided to the Mifflinburg VFW carnival grounds
443 on Saturday, October 10, 2015 from 11:00 AM - 7:00 PM in order to conduct the 9th Annual Kelsey's
444 Fall Festival. Borough Council action is requested on this matter

445
446 Motion by: Troy A. Berkheiser
447 Second by: Beverly L. Hackenberg

448
449 **MOTION: To provide water services to the Mifflinburg VFW carnival grounds for Kelsey's**
450 **Dream on Saturday, October 10, 2015 from 11:00 AM - 7:00 PM in order to conduct the 9th**
451 **Annual Kelsey's Fall Festival.**

452
453 Approved via unanimous voice vote.

454
455
456 Mrs. Metzger announced that the *Standard Journal* will be present at the Tuesday, August 18, 2015
457 regular Borough Council meeting to take a group photo of Borough Council to insert in the "*2015*
458 *Welcome to Mifflinburg Community Map & Information Guide*".

459
460 Mrs. Metzger informed Borough Council that Mr. Andy Stahl, Probation Officer with Snyder County
461 Probation-Parole, has contacted the Borough regarding several juveniles completing community service
462 within the Borough. Mrs. Metzger expressed that the Borough has worked with the Snyder County
463 Probation-Parole in the past and likes that the Snyder County Probation-Parole provides supervision for
464 the juveniles completing the work. The juveniles will be painting the fire hydrants that located
465 throughout the Borough.

466
467 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for
468 June 2015 included in the information tonight.

469 Mayor Cooney provided Borough Council with an update on the status of the new police car for the
470 Mifflinburg Police Department. Mayor Cooney reported that the bid opening for the sale of the
471 Mifflinburg Police Department's 2010 Dodge Charger was held on Tuesday, July 14, 2015. There were
472 four (4) bids received and are as follows:

473		
474	Asia Motors	\$3,865.00
475	Chicago Motors Inc.	\$3,907.00
476	Kim Gaudino	\$3,610.00
477	Yousel Dabbagh	\$4,068.00
478		

479 A copy of the bid tabulation has been included in the information tonight. Borough Council action is
480 requested to accept the bid from Yousef Dabbagh, the high bidder, for the purchase of the Mifflinburg
481 Police Department's 2010 Dodge Charger in the amount of \$4,068.00.

482 Motion by: Beverly L. Hackenberg
483 Second by: Paul E. Bottiger

484
485
486 **MOTION: To accept the bid from Yousef Dabbagh, the high bidder, for the purchase of the**
487 **Mifflinburg Police Department's 2010 Dodge Charger in the amount of \$4,068.00.**

488
489 Approved via unanimous voice vote.

490
491
492 Mayor Cooney presented Borough Council with some Monthly Highlights for the Mifflinburg Police
493 Department for June 2015 in the absent of Chief Bickhart.

494
495 Mrs. Hackenberg requested an executive session to discuss personnel matters.

496
497 Mr. Berkheiser reported that the Non-uniformed Negotiations meeting that was scheduled for
498 Wednesday, July 21, 2015 at 4:30 PM has been canceled.

499
500 Mayor Cooney presented Borough Council with an update for the Mifflinburg Regional Economic
501 Development (MRED) Alliance. Mayor Cooney provided Borough Council with an update on the
502 following businesses in the Borough:

- 503
504 1. Tom Sweet's property located at 313-315 Chestnut Street has sold. The individuals who
505 purchased the property reside in Lewisburg, PA and own Black Dog Jewelers located at
506 437 Market Street, Lewisburg, PA. The individuals will be bringing a new business to
507 Mifflinburg that's not a Jewelry Store.

508
509 Mr. Snook informed Borough Council that they received a copy of the Engineer's Report for July 2015
510 included in the information tonight.

511
512 Mr. Runkle provided Borough Council with an update on the status of the Cable TV and Franchise
513 Agreements with Atlantic Broadband. Mr. Runkle reminded Borough Council that there was a Utility
514 Committee held with Cohen Law Group (they were hired to negotiate with Atlantic Broadband) to
515 discuss the Cable TV and Franchise Agreements. Mr. Runkle informed Borough Council that a
516 tentative agreement has been reached with Atlantic Broadband regarding the Cable Franchise
517 Agreement and Pole Attachment License Agreement for the Borough of Mifflinburg. Attorney, Phillip
518 M. Fraga, of Cohen Law Group, provided an Executive Summary of Cable Franchise Agreement and
519 Pole Attachment License Agreement with Atlantic Broadband which highlights the major provisions of
520 each agreement negotiated with Fran Bradley - Consultant for Atlantic Broadband. The Executive
521 Summary was distributed to Borough Council members via email prior to tonight's meeting, as well as
522 the Cable Franchise Agreement, the Pole Attachment License Agreement, and a separate side letter
523 agreement to provide complimentary internet service to a single Borough facility of the Borough's
524 choosing (in addition to all schools and all public libraries) within three (3) months of the effective date
525 of the agreement or they'll comp the Borough the difference. Borough Council action is requested to
526 adopt Resolution No. 2015-09; Authorizing execution of the agreements with Atlantic Broadband.

527
528 Motion by: Paul E. Bottiger
529 Second by: Beverly L. Hackenberg

530
531 **MOTION: To adopt Resolution No. 2015-09; Authorizing execution of the agreements with**
532 **Atlantic Broadband.**

533
534 Approved via unanimous voice vote.

535

536 Mr. Runkle requested an executive session to discuss potential litigation.

537

538 Mr. Runkle provided Borough Council with an update on the status of Albert and E. Green Streets. Mr.
539 Runkle reminded Borough Council that in 1979 Borough Council took action to abandon Albert and E.
540 Green Streets; however an ordinance was never adopted to abandon these streets. At the Tuesday, June
541 16, 2015 regular Borough Council meeting, Borough Council directed him to prepare an ordinance to
542 abandon these streets. Mr. Runkle reported that he has prepared a draft ordinance and inquired whether
543 Borough Council wants him to expressly authorize the execution of Quick Claim Deeds for the portions
544 of Albert and E. Green Streets that they're vacating, to transfer those property interest to adjoining
545 property owners in the ordinance. Mr. Runkle advised Borough Council that in this particular situation
546 he would leave this out of the ordinance since they haven't received any specific requests. A discussion
547 was held; Mr. Runkle informed Borough Council that in accordance with the Borough Code a survey is
548 required to be included with this ordinance. Mrs. Metzger stated that she would look to see if there is a
549 map with the Subdivision & Land Development Plans.

550

551 Mr. Runkle reminded Borough Council that Mr. Jim Emery, Central Keystone Council of Government
552 (CK-COG), attended the Tuesday, March 19, 2013 regular Borough Council meeting to request that the
553 Borough agree to use the 2012 edition or the current edition of the International Property Maintenance
554 Code (IPMC); it was the consensus of Borough Council to wait to take action until the 2015 edition of
555 the IPMC was released. Mr. Runkle announced that the 2015 edition of the IPMC has been released.

556

557 Mayor Cooney informed Borough Council that he participated in the following meetings or events:

558

- 559 • The Mifflinburg Safety Fair that was held on Tuesday, June 23, 2015 from 5:00 PM to 8:00
560 PM at the Mifflinburg Community Park. Mayor Cooney thanked Officer Ross Mitchell for
561 all his help with hosting the event. The event went well without any problems.
- 562 • The Annual 4th of July festivities at the Mifflinburg Community Park that were rescheduled
563 until Friday, July 10, 2015 due to rain.

564

565

566 Mr. Snook called an executive session to discuss potential litigation and personnel matters. An
567 executive session was held from 9:04 PM to 10:26 PM.

568

569

570 Motion by: Beverly L. Hackenberg

571 Second by: Paul E. Bottiger

572

573 **MOTION: To extend Mr. Bradley Sauers's probationary period for an additional two (2) months**
574 **with the requirement that Mr. Sauers obtain his CDL License; if Mr. Sauer's obtains his CDL**
575 **License before the two (2) months, offer full-time benefits to him at that time.**

576

577 Approved via unanimous voice vote.

578

579

580 Motion by: Beverly L. Hackenberg

581 Second by: Troy A. Berkheiser

582

583 **MOTION: To approve the Sick Leave Side Agreement to transfer 280 sick hours from Mr. Duane**
584 **Zimmerman to Mr. David Jacka.**

585

586 Approved via unanimous voice vote.

587

588

589 Motion by: Troy A. Berkheiser

590

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

592

593 Approved via unanimous voice vote.

594

595

596 Meeting adjourned at 10:28 PM.

597

598 Respectfully Submitted,

599

600

601 Misty L. Ross

602 Assistant Borough Secretary