

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL

2 June 16, 2015

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	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	

18 The regular meeting of Mifflinburg Borough Council was called to order at 7:00 PM.
19
20 Visitors present at this meeting were Bobbi Wagner, Sean Wagner, Shane Eia, Terry L. Matrey, James
21 R. Emery, Rodney D. Neitz, Michele L. Foose, Ronald M. Bennick, Tracy A. Fetterman, Richard A.
22 Hubler, Matthew J. Werrich, and Ryan Sabo.
23

24 Mr. Snook conducted a Public Hearing for Ordinance No. 2015-03; Changing the street name Klinger to
25 Klingler within any and all Borough Codes, Ordinances, Resolutions, or other regulations. Mr. Runkle
26 clarified that this ordinance has been prepared to address the name issue for Klingler Street, to make the
27 street name consistent within any and all Borough Codes and the Subdivision & Land Development
28 Plans. There being no further comments or discussion the hearing concluded at 7:01 PM.
29

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

33 **MOTION: To adopt Ordinance No. 2015-03; Changing the Street name Klinger to Klingler within**
34 **any and all Borough Codes, Ordinances, Resolutions, or other regulations.**
35

36 Approved via unanimous voice vote.
37
38

39 Mr. Snook announced that Borough Council action is requested to adopt Resolution No. 2015-07;
40 Amending the Mifflinburg Community Park/Pool Rules. Mrs. Metzger reported that Mr. Ron Bollinger,
41 Park Director, has discussed an incident with her regarding the use of e-cigarettes at the Mifflinburg
42 Community Park. Borough Council action is requested to amend that the park/pool rules to prohibit the
43 use of these devices at the Park. A copy of the resolution is included in the information tonight.
44

45 Motion by: Beverly L. Hackenberg
46 Second by: Paul E. Bottiger
47

48 **MOTION: To adopt Resolution No. 2015-07; Amending the Mifflinburg Community Park/Pool**
49 **Rules.**
50

51 Approved via unanimous voice vote.
52
53

54 Mayor Cooney and Chief Bickhart conducted a presentation to Officer Ronald M. Bennick. Mayor
55 Cooney informed Borough Council that he has prepared a Service Proclamation thanking Officer
56 Bennick for his many years of service to the Mifflinburg Police Department, which reads as follows:
57

58 WHEREAS, Police Officer Ronald M. Bennick retired from the Mifflinburg Police
59 Department effective May 18, 2015, and,
60

61 WHEREAS, Officer Bennick served dutifully and with distinction, integrity and honor, as a
62 valued member of the Police Department for over fourteen (14) years,
63

64 NOW THEREFORE, I, DAVID M. COONEY, Mayor of the Borough of Mifflinburg,
65 County of Union and Commonwealth of Pennsylvania, on behalf of the Mifflinburg Police
66 Department and the Mifflinburg Borough Council and our residents, wish Officer Bennick and
67 his family good health and happiness, and do hereby honor and commend Officer Bennick for
68 his many years of service to our community.

69 Chief Bickhart presented Officer Bennick with a framed copy of the Service Proclamation that Mayor
70 Cooney read at tonight's meeting, the thank-you letter from Borough Council which was signed by all
71 Borough Council Members and the Mayor, a professional staff portrait of Officer Bennick, as well as a
72 shadow box which displayed his badge, color brass, nametag, and a Mifflinburg Police Department
73 patch. Chief Bickhart detailed for those present at tonight's meeting that don't know Officer Bennick,
74 that Officer Bennick has been a part-time Police Officer for the Borough of Mifflinburg for almost
75 fifteen (15) years, he has been and still is employed at Central Builders Supply Company for the past
76 forty-three (43) years, in addition to owning and operating his own poultry farm for the past thirty-six
77 (36) years.

78
79 Officer Bennick stated that he graduated from the Police Academy in April 1997 and was hired as a
80 part-time Police Officer for the Borough of Mifflinburg in July 2000. The one (1) thing that he can say
81 about working as a part-time Police Officer for the Borough of Mifflinburg all these years is, not once
82 was he treated as a part-time Officer, he was treated as a full-time Officer from the very get-go. His
83 fellow Officers were tough and it took him a few years to earn their respect. Officer Bennick expressed
84 that when his end comes, these mementos will be included in his casket; that's how much this means to
85 him. Officer Bennick thanked the Borough of Mifflinburg for the memories.

86
87
88 Motion by: Tod M. Steese
89 Second by: Beverly L. Hackenberg

90
91 **MOTION: To approve the minutes of the Tuesday, May 19, 2015 regular meeting of Mifflinburg**
92 **Borough Council.**

93
94 Approved via unanimous voice vote.

95
96
97 Motion by: Troy A. Berkheiser
98 Second by: Paul E. Bottiger

99
100 **MOTION: To approve payment of Bill List #2015-05 in the amount of \$597,331.46.**

101
102 Yes – Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg, Mr. Rohland, Mr. Steese, Mr. Snook

103
104 No – None

105
106
107 Mr. Shane Eia, Civil Engineering Technician for the Natural Resources Conservation Service (NRCS),
108 attended tonight's meeting along with Mr. Ryan Sabo, a property owner at 510 N. 4th Street (next to the
109 Hassenplug Covered Bridge), concerning the Sabo Wetland Restoration Project. Mr. Eia distributed
110 copies of an informational packet to Borough Council which included a narrative letter for the Sabo
111 Wetland Restoration Project, along with a map, photos, and plan views for the project. Borough Council
112 permission is requested to allow Mr. Sabo to install a low berm in the road ditch and cut a channel into
113 the field; as well as remove the earthen bank between the field east of 4th Street and the road at a few
114 locations to allow runoff into the field.

115
116 Mrs. Metzger recommended that prior to taking action Borough Council should have Mrs. Erin Threet,
117 HRG, Inc., review the plans and comment on the Borough's behalf; at the very least, Borough Council
118 should see a copy of Mr. Sabo's permit from the Pennsylvania Department of Environmental Protection
119 (DEP). Mr. Bottiger and Mr. Rowe both expressed that they believe there should be some sort of
120 maintenance agreement between Mr. Sabo and the Borough for the Sabo Wetland Restoration Project in
121 the event that there would ever be any problems to arise. Mr. Rowe added that he also discussed some
122 other concerns with Mr. Eia prior to tonight's meeting. Mr. Rowe clarified that he would like to see
123 some hydraulic counts to ensure that the surface water in the watershed will be able to handle the
124 redirection; plus there are some culverts and an RCP pipe at the end of the drainage ditch (right before
125 the bridge) that are failing and need to be addressed. Mr. Runkle advised Borough Council that they
126 could take action on this matter contingent upon Mrs. Erin Threet, HRG, Inc.'s, review of the plans.

127
128 Motion by: Beverly L. Hackenberg
129 Second by: Tod M. Steese

130
131 **MOTION: To allow Mr. Sabo to install a low berm in the road ditch on his property located at 510**
132 **N. 4th Street (next to the Hassenplug Covered Bridge) and cut a channel into the field; as well as**
133 **remove the earthen bank between the field east of 4th Street and the road at a few locations to**
134 **allow runoff into the field, contingent upon Mrs. Erin Threet, HRG, Inc.'s, review of the plans for**
135 **the Sabo Wetland Restoration Project.**

136

137 A lengthy discussion was held regarding the failing culverts and RCP pipe and whether or not there
138 should be some sort of maintenance agreement.

139
140 Mr. Rohland proposed that instead of having the monitoring requirements for the Production Well No.
141 PW-2, the Borough could litigate to Mr. Sabo's wetlands. Mrs. Metzger clarified that the Susquehanna
142 River Basin Commission (SRBC) issued the monitoring requirements, not the Pennsylvania Department
143 of Environmental Protection (DEP); however she will contact Mrs. Erin Threet, HRG, Inc., to inquire
144 about the monitoring requirements.

145
146 Mrs. Hackenberg withdrew her motion and Mr. Steese withdrew his second. It was determined that
147 Borough Council would wait until the Tuesday, July 21, 2015 regular Borough Council to take action on
148 Mr. Sabo's requests.

149
150 Mr. James R. Emery, Code Enforcement Supervisor for the Central Keystone Council of Governments
151 (CK-COG), informed Borough Council that he is present at tonight's meeting along with Ms. Terry L.
152 Matrey, Office Manager for the CK-COG, and Mr. Rodney D. Neitz, Building Code Official for the CK-
153 COG, to address any questions or concerns that Borough Council may have with regard to the recent
154 changes within the CK-COG. Mr. Neitz provided Borough Council with an update on the status of the
155 recent changes within the CK-COG. Mr. Neitz reported that applications are being accepted for the
156 Planning Director position and he anticipates that the CK-COG will interview candidates and make a
157 recommendation for hire to their Board of Directors in early July 2015.

158
159 Mayor Cooney expressed that he's concerned with the CK-COG having an Enforcement Officer in place
160 to implement the Residential Rental Unit Ordinance. Mr. Runkle provided an update on the status of the
161 Borough's Residential Rental Unit Ordinance (Ordinance No. 2015-02). Mr. Runkle reported that he
162 anticipates that the draft ordinance to amend Part 1 "RESIDENTIAL RENTAL UNITS" in Chapter 13
163 "HOUSING" of the Borough Code to change the method of giving required notices, to change the time
164 for filing an appeal, to change the time for holding a hearing on an appeal and to make other minor
165 editorial changes will be ready for Borough Council action at the Tuesday, July 21, 2015 regular
166 Borough Council meeting. Mr. Neitz clarified that Mr. Emery already handles implementation of the
167 Residential Rental Unit Ordinances.

168
169 Mr. Steese requested an update on the status of Ms. Marcine Moyer's property located at 617 Chestnut
170 Street. Mr. Emery reported that Mr. Christopher Moyer, Ms. Moyer's Power Of Attorney (POA), has
171 begun demolition of the porch; however Mr. Moyer has been moving very slowly. Every time the CK-
172 COG sends a notice to Mr. Moyer, he removes a few boards and then stops. Mr. Runkle expressed that
173 he's concerned with the porch collapsing on a pedestrian walking by and inquired at what point will the
174 CK-COG just finish the demolition and lien the property. A discussion was held; Mr. Emery requested
175 Borough Council action to authorize the CK-COG to send Mr. Moyer a letter notifying him that he has
176 so many days to complete the demolition of the porch or the CK-COG will finish the demolition and lien
177 the property. Mr. Runkle advised Borough Council that it's not their job to make these decisions; it's
178 the CK-COG's. Borough Council previously discussed this matter and they took action to authorize the
179 CK-COG to expend up to \$5,000.00 for action deemed to be necessary to address emergency situations
180 to protect the health and welfare of Borough residents. Mr. Runkle stated that if he were Mr. Emery, he
181 would obtain quotes for demolition of the porch; if the quotes exceeded \$5,000.00, then he would attend
182 another Borough Council meeting to request Borough Council action.

183
184 Mrs. Hackenberg inquired how the CK-COG plans to enforce the Residential Rental Unit Ordinance if
185 they can't enforce deadlines. Mr. Emery stated that unlike Code Enforcement deadlines, the Residential
186 Rental Unit Ordinances sets penalties for violations which may be punishable by criminal action.

187
188 Motion by: Beverly L. Hackenberg
189 Second by: Troy A. Berkheiser

190
191 **MOTION: To approve the Mifflinburg Borough Zoning Report for May 2015 and authorize**
192 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$366.00.**

193
194 Yes – Mr. Bottiger, Mrs. Hackenberg, Mr. Rohland, Mr. Steese, Mr. Berkheiser, Mr. Snook

195
196 No – None

197
198
199 Mayor Cooney introduced Boy Scout, Sean Wagner; Mr. Wagner is present at tonight's meeting to
200 achieve his Communications Merit Badge for Boy Scouts.

201
202
203
204

205 Mrs. Metzger reported that the Borough continues to receive additional complaints about the drainage on
206 Chestnut Street during rainfall events. Mrs. Metzger reminded Borough Council that she contacted
207 PennDOT Representatives; PennDOT indicated that they recently surveyed the job and would be
208 comparing the actual construction data against the design and would then formulate a plan. Mrs.
209 Metzger updated Borough Council that PennDOT Representatives have reported that the survey showed
210 that the project was built in accordance with the design and that no further action is recommended by
211 PennDOT. A formal response has been received from PennDOT and a copy is included in the
212 information tonight. Mrs. Metzger added that she and Mr. Jason W. Mitchell, Public Works Supervisor,
213 met onsite with PennDOT and Don E. Bower regarding the sidewalk and other warranty issues on
214 Wednesday, June 3, 2015. Don E. Bower has made all of the repairs that PennDOT required.
215

216 Mrs. Metzger informed Borough Council that Dave Gutelius Excavating, Inc. has submitted Change
217 Order No. 3 for the Cherry Alley Project for a price increase of \$3,386.41. This change order reconciles
218 the differences between the estimated bid quantities and final quantities as determined per the General
219 Conditions and as authorized by Work Change Directive No. 1. A copy of the change order has been
220 included in the information tonight. The change order has been reviewed by Mrs. Erin Threet, HRG,
221 Inc., and Borough Management and is recommended for payment.
222

223 Motion by: Beverly L. Hackenberg
224 Second by: Paul E. Bottiger
225

226 **MOTION: To approve Change Order No. 3 to Dave Gutelius Excavating, Inc. for the Cherry**
227 **Alley for a price increase of \$3,386.41.**
228

229 Yes – Mrs. Hackenberg, Mr. Rohland, Mr. Steese, Mr. Berkheiser, Mr. Bottiger, Mr. Snook
230

231 No – None
232
233

234 Mrs. Metzger informed Borough Council that Dave Gutelius Excavating, Inc. has also submitted
235 Payment Application No. 4 (final payment application) for the Cherry Alley Project in the amount of
236 \$64,109.50. A copy of the payment application has been included in the information tonight. The
237 payment application has been reviewed by Mrs. Erin Threet, HRG, Inc., and Borough Management and
238 is recommended for payment.
239

240 Motion by: Beverly L. Hackenberg
241 Second by: Troy A. Berkheiser
242

243 **MOTION: To approve Payment Application No. 4 (final payment application) and the associated**
244 **Release and Waiver of Liens to Dave Gutelius Excavating, Inc. for the Cherry Alley in the amount**
245 **of \$64,109.50.**
246

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

249 No – None
250
251

252 Mrs. Metzger provided Borough Council with an update on the status of the New Communities Program
253 Elm Street Project – Phase III. Mrs. Metzger reported that McBryan Contracting, the contractor for this
254 project, requested that a substantial completion walk-through be completed. A walk-through has been
255 completed and subsequent to the walk-through a punch list was completed.
256

257 Mrs. Metzger reported that Uni-Tec began preliminary survey work for the design of the Walnut Street
258 Project on Friday, June 12, 2015. Residents located in the project area were notified of the work and
259 upcoming project. Mrs. Metzger added that she also notified the 4th of July 5K Director that they should
260 prepare an alternate route for the 2016 race since Walnut Street won't be available.
261

262 Mrs. Metzger informed Borough Council that she received a request from Ms. Karen Fritz, Preservation
263 Mifflinburg Incorporated (PMI) Board President, concerning PMI's interest in the Little Log House
264 property located at 308 Market Street. PMI Board Members and their consultant, Frank Stroik, have
265 inspected the Little Log House and are requesting that a Property Committee meeting be scheduled to
266 discuss how a lease might be structured so that they can further consider this matter with their Board.
267

268 Mrs. Metzger announced that Union County is accepting applications for the Community Development
269 Block Grant (CDBG) Program. Borough Council action is requested to authorize Mrs. Metzger to
270 submit an application for a Water Line Replacement Project at Woodland Estates. This water line has
271 been problematic and is in need of replacement. Mrs. Metzger expressed that she believes this project
272 may be a very good candidate for the CDBG Program.

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

275
276 **MOTION: To authorize Mrs. Metzger to submit an application for the Community Development**
277 **Block Grant (CDBG) Program for a Water Line Replacement Project at Woodland Estates.**

278
279 Approved via unanimous voice vote.

280
281
282 Mrs. Metzger informed Borough Council that she received a few pieces of correspondence regarding the
283 Borough's Electrical Supplier and their Electrical System. This correspondence was forwarded to Mr.
284 Jim Havrilla, Utility Engineers, PC, for his review and recommendation. Mr. Havrilla is recommending
285 that Borough Council take action to approve the First Amendment to the Coordination Agreement
286 between PPL Electric Utilities Corporation and the Borough of Mifflinburg.

287
288 Motion by: Paul E. Bottiger
289 Second by: Troy A. Berkheiser

290
291 **MOTION: To approve the First Amendment to the Coordination Agreement between PPL**
292 **Electric Utilities Corporation and the Borough of Mifflinburg.**

293
294 Approved via unanimous voice vote.

295
296
297 Mrs. Metzger reported that American Municipal Power (AMP) also offered a Solar Project and a Power
298 Supply Alignment to the Borough; however Mr. Havrilla is not recommending that Borough Council
299 take action on these items since the power contract extension that the Borough just signed with NextEra
300 is a full requirements contract.

301
302 Mrs. Metzger announced that there is a Utility Committee meeting scheduled for Tuesday, June 23,
303 2015 at 6:30 PM. The purpose of this meeting is to discuss the Intermunicipal Agreement between the
304 West Buffalo Township and Municipal Authority and the Borough of Mifflinburg, as far as the
305 discounted rates they receive for water/sewer.

306
307 Mrs. Metzger requested that a Utility/Finance Committee meeting be scheduled to discuss the Borough's
308 electric rates since the new contract pricing is in effect. Mrs. Metzger explained that the current rate
309 structure passes the entire rate reduction back to the Borough's customers. Borough Council members
310 have indicated that they believe that the rate reduction should be split between the Borough and the
311 customers, rather than passed back 100% to the customers.

312
313 Mr. Bottiger scheduled a Utility/Finance Committee meeting and a Property Committee meeting for
314 Tuesday, June 23, 2015. Mr. Bottiger clarified that both of these meetings will be held following the
315 Utility Committee meeting that is scheduled for 6:30 PM.

316
317 Mrs. Metzger informed Borough Council that she has contacted PENNVEST and HRG, Inc. Financial
318 Services for assistance in obtaining the final payment from PENNVEST and in closing out the
319 Wastewater Treatment Plant Project and loan. An updated Signature Authorization is required in order
320 to submit some of the necessary paperwork. An updated Signature Authorization and/or Change Form
321 has been prepared and Borough Council action is requested to approve this form.

322
323 Motion by: Tod M. Steese
324 Second by: Bryan E. Rohland

325
326 **MOTION: To approve the updated Signature Authorization and/or Change Form.**

327
328 Approved via unanimous voice vote.

329
330
331 Mrs. Metzger provided Borough Council with an update on the status of the removal of approximately
332 twenty (21) dead trees at the Mifflinburg Community Park. Mrs. Metzger reported that she and Mr.
333 Rowe met with the Department of Conservation and Natural Resources (DCNR) Representatives at the
334 Mifflinburg Community Park to review the condition of Ash Trees that were scheduled for removal
335 previously, but did not get removed due to the issue with the previous contractor. At the meeting Mr.
336 Gerald Hoy, Forester at DCNR, expressed that he felt these trees posed a danger to the public and should
337 be removed as soon as possible. Mrs. Metzger informed Borough Council that she and Mr. Rowe
338 reviewed the trees and determined that nine (9) of the trees could be removed by the Borough
339 Maintenance Employees; however the remaining trees would need to be removed by an insured tree
340 removal contractor due to their size and location.

341 Mrs. Metzger reported that Mr. Jason W. Mitchell, Public Works Supervisor, met with three (3)
342 contractors and obtained pricing to have the dead trees at the Mifflinburg Community Park removed as
343 soon as possible, in order to complete this work before the 4th of July Celebration. The following three
344 (3) quotes were received:

345		
346	Dincher & Dincher Tree Surgeons, Inc.	\$15,500.00
347	Hackenberg's Tree Service	\$15,000.00
348	Apache Tree Service	\$ 7,300.00
349		

350 A copy of the quote tabulation has been included in the information tonight. Borough Council action is
351 requested to award the emergency work to Apache Tree Service. It's anticipated that this work will be
352 completed by Thursday, June 18, 2015.

353
354 Motion by: Bryan E. Rohland
355 Second by: Beverly L. Hackenberg

356
357 **MOTION: To award the emergency tree removal work at the Mifflinburg Community Park to**
358 **Apache Tree Service for a not-to-exceed fee of \$7,300.00.**

359 Yes – Mr. Steese, Mr. Bottiger, Mrs. Hackenberg, Mr. Rohland, Mr. Snook

360
361 No – Mr. Berkheiser

362
363
364
365 Mrs. Metzger informed Borough Council that as the tree removal at the Mifflinburg Community Park
366 was being completed, Apache Tree Service noted that there were two (2) additional trees that were
367 dead/damaged and should also be considered for removal. Mr. Jason W. Mitchell, Public Works
368 Supervisor, has obtained prices for the removal of these trees. Borough Council action is requested to
369 award this work to Apache Tree Service for a not-to-exceed fee of \$600.00/tree.

370
371 Motion by: Beverly L. Hackenberg
372 Second by: Tod M. Steese

373
374 **MOTION: To award the additional tree removal work at the Mifflinburg Community Park to**
375 **Apache Tree Service for a not-to-exceed fee of \$1,200.00.**

376
377 Yes – Mr. Bottiger, Mrs. Hackenberg, Mr. Rohland, Mr. Steese, Mr. Snook

378
379 No – Mr. Berkheiser

380
381
382 Mrs. Metzger reported that since the tree removal work at the Mifflinburg Community Park happened in
383 an emergency fashion, the timber/logs are being stacked in the former ice skating rink area at the Park
384 and will need to be advertised for sale. Borough Council action is requested to authorize her to advertise
385 for sale the timber/logs.

386
387 Motion by: Bryan E. Rohland
388 Second by: Paul E. Bottiger

389
390 **MOTION: To authorize Mrs. Metzger to advertise for sale the timber/logs from the emergency**
391 **tree removal work at the Mifflinburg Community Park.**

392
393 Approved via voice vote, with Mr. Berkheiser voting no.

394
395
396 Mrs. Metzger informed Borough Council that Mr. Gerald Hoy, Forester at DCNR, also recommended
397 that the Borough consider applying for some Tree-Vitalization Grants to help obtain new trees to replace
398 the trees that were removed at the Mifflinburg Community Park and to perform a tree inventory to help
399 the Borough keep better track of shade trees and other Borough owned trees. Borough Council action is
400 requested to authorize her to apply for these grants.

401
402 Motion by: Beverly L. Hackenberg
403 Second by: Tod. M. Steese

404
405 **MOTION: To authorize Mrs. Metzger to apply for some Tree-Vitalization Grants to help obtain**
406 **new trees to replace the trees that were removed at the Mifflinburg Community Park.**

407
408 Approved via voice vote, with Mr. Rohland voting no.

409 Mrs. Metzger reported that Mr. Ron Bollinger, Park Director, is requesting that Borough Council take
410 action to hire Mr. Tyler Bailey for the 2015 Season at the Mifflinburg Community Park/Pool. This
411 additional employee is needed due to the limited schedule of some of the other employees.

412
413 Motion by: Beverly L. Hackenberg
414 Second by: Paul E. Bottiger

415
416 **MOTION: To hire Mr. Tyler Bailey for the 2015 Season at the Mifflinburg Community Park/Pool.**

417
418 Approved via unanimous voice vote

419
420
421 Mrs. Metzger reported that she's been working to eliminate the water leaks that were detected by
422 Pennsylvania Rural Water Association (PRWA) when they visited the Borough in May 2015. Mrs.
423 Metzger clarified that she's bringing this to Borough Council's attention since they'll see invoices from
424 both Gutelius Excavating, Inc. and Blue Water Construction, Inc. included in the Bill List.

425
426 Mrs. Metzger requested an executive session to discuss personnel matters and potential litigation.

427
428 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for
429 May 2015 included in the information tonight.

430
431 Mayor Cooney thanked Borough Council for their support with Resolution No. 2015-07; Amending the
432 Mifflinburg Community Park/Pool Rules, to prohibit the use of e-cigarettes at the Park.

433
434 Mayor Cooney informed Borough Council that he approved a request to close 5th Street between
435 Chestnut Street and Cherry Alley on Wednesday, July 01, 2015 for a few hours for a Public Sale at Mr.
436 Thomas Downs's former property located at 8 N. 5th Street. Mayor Cooney stated that he discussed the
437 street closure with both Mrs. Metzger and Chief Bickhart. The Borough Maintenance employees will
438 drop-off barricades for the sale and pick-up the barricades the following day.

439
440 Mr. Steese requested permission to close Mountview Road between Crestview and Boro Line Roads on
441 Saturday, July 4, 2015 for a few hours, so that he can conduct a non-alcoholic community block party
442 for the neighborhood kids. A discussion was held; Mayor Cooney stated that he and Chief Bickhart
443 would review the road closure and contact Mr. Steese subsequent to their review.

444
445 Mayor Cooney provided Borough Council with an update on the status of the Borough's Residential
446 Rental Unit Ordinance (Ordinance No. 2015-02).

447
448 Chief Bickhart presented Borough Council with some Monthly Highlights for the Mifflinburg Police
449 Department for May 2015.

450
451 Chief Bickhart provided Borough Council with an update on the status of the new police car for the
452 Mifflinburg Police Department. Chief Bickhart reported that the 2010 Dodge Charger has been
453 advertised for sale. It's anticipated that Borough Council action will be requested to award the sale of
454 the 2010 Dodge Charger at the Tuesday, July 21, 2015 regular Borough Council meeting.

455
456 Chief Bickhart announced that the Mifflinburg Police Department is working with Mr. John "Jack" F.
457 Devine, DO, FACP, at Evangelical Community Hospital Department of Emergency Medicine, to
458 support a Heroin Overdose Reversal Program. Chief Bickhart explained that Dr. Devine is applying for
459 a grant to provide local law enforcement with training and supplies for the reversal drug. Mrs.
460 Hackenberg inquired if the Mifflinburg Police Department would administer the reversal drug. Chief
461 Bickhart confirmed that the Mifflinburg Police Department would administer the reversal drug when
462 dispatched to an overdose scene.

463
464 Chief Bickhart requested that Borough Council take action to add §907 "Use of Body Armor" to the
465 Police Policy Manual. A copy of the policy has been included in the information tonight. The policy
466 was forwarded to Mr. Runkle for his review prior to tonight's meeting. A discussion was held; Mr.
467 Runkle advised Borough Council that if they desire, they may take action to add §907 "Use of Body
468 Armor" to the Police Policy Manual subject to his review.

469
470 Mrs. Metzger inquired if a resolution is required to add §907 "Use of Body Armor" to the Police Policy
471 Manual. Chief Bickhart stated that a resolution is not required to add §907 "Use of Body Armor" to the
472 Police Policy Manual.

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474
475
476

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

479
480 **MOTION: To adopt §907 "Use of Body Armor" to the Police Policy Manual, subject to Mr.**
481 **Runkle's review the policy.**

482
483 Approved via unanimous voice vote

484
485
486 Chief Bickhart provided Borough Council with an update on the status of the Drug-Buy concept for the
487 Mifflinburg Police Department. Chief Bickhart reported that a short policy and forms have been drafted
488 and Borough Council action is requested to authorize the Mifflinburg Police Department to withdraw
489 \$200.00 cash from the DARE Program Expenditure Account, Fund 001-410-245, for the Drug-Buy
490 Program.

491
492 Motion by: Paul E. Bottiger
493 Second by: Troy A. Berkheiser

494
495 **MOTION: To authorize the Mifflinburg Police Department to withdraw \$200.00 cash from the**
496 **DARE Program Expenditure Account, Fund 001-410-245, for the Drug-Buy Program.**

497
498 Approved via unanimous voice vote

499
500
501 Mrs. Hackenberg reminded Borough Council that there is a Non-uniformed Negotiations meeting
502 scheduled for tomorrow Wednesday, June 17, 2015 at 4:30 PM.

503
504 Mrs. Metzger reiterated that she's not sure how the Affordable Care Act will affect the Borough Health
505 Insurance. A meeting is scheduled with Mr. Brenton Horting, Hartman Employee Benefits, Inc. (Health
506 Insurance Consultant for the Borough), for Wednesday, July 16, 2015 at 8:30 AM to discuss the
507 Affordable Care Act and what changes that Mr. Horting anticipates will affect the Borough.

508
509 Mayor Cooney presented Borough Council with an update for the Mifflinburg Regional Economic
510 Development (MRED) Alliance. Mayor Cooney provided Borough Council with an update on the
511 following businesses in the Borough:

512
513 1. Tom Sweet's property located at 313-315 Chestnut Street has sold.

514
515 Mr. Runkle reported that Borough Council took action in 1979 to abandon Albert and E. Green Streets;
516 however an ordinance was never adopted to abandon these streets. Mr. Alan C. Wagner, Owner of
517 Wagner's Surveying, LLC, recently uncovered this matter while performing some work for a client and
518 brought it to Mrs. Metzger's attention. A discussion was held; Borough Council direct Mr. Runkle to
519 prepare an ordinance to abandon Albert and E. Green Streets.

520
521 Mr. Runkle requested an executive session to discuss potential litigation.

522
523 Mr. Runkle provided Borough Council with an update on the status of the Borough's 457 Plan (Deferred
524 Compensation Plan). Mr. Runkle reminded Borough Council that they directed Mrs. Metzger to obtain
525 additional information regarding the Borough's 457 Plan together with information regarding Third
526 Party Administrators. Mr. Runkle reported that he and Mrs. Metzger are working with an Attorney from
527 McNees Wallace & Nurick LLC located in Harrisburg, PA who specializes in these matters. Mr.
528 Runkle informed Borough that he contacted the Attorney via telephone to obtain a better understanding
529 of what options are available in terms that he can relate to Borough Council. Mr. Runkle caution
530 Borough Council that there are potentially some real problems with the 457 Plan; the plan is invalid as
531 written and therefore could potentially force the individuals who have money in these accounts, from the
532 Deferred Compensation, to pull their money out and not have the money be tax advantaged. This is
533 potentially very bad. Mr. Runkle clarified that he anticipates that he will hear back from the Attorney
534 prior to the Tuesday, July 21, 2015 regular Borough Council meeting.

535
536 Mr. Runkle provided Borough Council with an update on the status of Ms. Marcella Swartzlander's
537 property located at 1 Oak Avenue. Mr. Runkle reported that the property is still owned by the estate, the
538 late Marcella Swartzlander; however there was never an estate opened. The bank, Deutsche Bank which
539 is a huge mortgage company, has delayed foreclosure of the property which has been filed since 2010.
540 Mr. Runkle informed Borough Council that Mr. James R. Emery, Code Enforcement Supervisor for the
541 Central Keystone Council of Governments (CK-COG), inquired what Borough Council wants done with
542 the property and expressed that he believes the house needs to be demolished. A discussion was held;
543 Mr. Runkle suggested that Borough Council could authorize Mrs. Metzger to submit an application for
544 the Community Development Block Grant (CDBG) Program.

545 Motion by: Bryan E. Rohland
546 Second by: Paul E. Bottiger

547
548 **MOTION: To authorize Mrs. Metzger to submit an application for the Community Development**
549 **Block Grant (CDBG) Program for demolition of the property located at 1 Oak Avenue.**

550
551 Approved via unanimous voice vote.

552
553
554 Mr. Runkle provided Borough Council with an update on the status of the Borough's Collection Policy.
555 Mr. Runkle reported that he will be providing a packet of information to Mrs. Metzger following
556 tonight's meeting which includes the proposed resolution, a checklist for utility collection procedures, as
557 well as revamped sample model/form letters. It's anticipated that the draft resolution will be ready for
558 Borough Council action at the Tuesday, July 21, 2015 regular Borough Council meeting.

559
560 Mayor Cooney informed Borough Council that he participated in or will be participating in the
561 following meetings or events:

- 562
- 563 • A meeting with Miss Sayre Cohen, a Girl Scout, who is working to achieve her Gold
 - 564 Award.
 - 565 • The Mifflinburg Safety Fair scheduled for Tuesday, June 23, 2015 from 5:00 PM to 8:00
 - 566 PM at the Mifflinburg Community Park.
 - 567 • The Annual 4th of July festivities at the Mifflinburg Community Park. Mayor Cooney
 - 568 announced that he will be emcee for the "Mifflinburg's Got Talent!" competition.
- 569

570
571 Mr. Snook called an executive session to discuss potential litigation and personnel matters. An
572 executive session was held from 9:07 PM to 9:49 PM.

573
574
575 Motion by: Troy A. Berkheiser

576
577 **MOTION: To adjourn the Mifflinburg Borough Council meeting.**

578
579 Approved via unanimous voice vote.

580
581 Meeting adjourned at 10:24 PM.

582
583 Respectfully Submitted,

584
585
586
587 Misty L. Ross
588 Assistant Borough Secretary