

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL
2 November 17, 2015
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 Robert M. Rowe, Borough Project Manager X
16 Misty L. Ross, Assistant Secretary X

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

19
20 There were no visitors present at this meeting.

21
22 Mr. Snook conducted a Public Hearing for Ordinance No. 2015-07; Amending Chapter 29, Section 501,
23 Subsection 2, which regulates corner lots.

24
25 Mr. Runkle explained that when this ordinance was sent to the General Code for codification, the
26 General Code staff identified a section of the ordinance that didn't make any sense. This section has
27 been revised and Borough Council action is requested to adopt Ordinance No. 2015-07.

28
29 There being no further comments or discussion the hearing concluded at 7:02 PM.

30
31
32 Motion by: Beverly L. Hackenberg
33 Second by: Paul E. Bottiger

34
35 **MOTION: To adopt Ordinance No. 2015-07; Amending Chapter 29, Section 501, Subsection 2,**
36 **which regulates corner lots.**

37
38 Approved via unanimous voice vote.

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

43
44 **MOTION: To approve the minutes of the Tuesday, October 20, 2015 regular meeting of**
45 **Mifflinburg Borough Council.**

46
47 Approved via unanimous voice vote.

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50 Motion by: Troy A. Berkheiser
51 Second by: Tod M. Steese

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53 **MOTION: To approve the minutes of the Wednesday, November 4, 2015 special meeting of**
54 **Mifflinburg Borough Council.**

55
56 Approved via unanimous voice vote.

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59 Motion by: Troy A. Berkheiser
60 Second by: Beverly L. Hackenberg

61
62 **MOTION: To approve payment of Bill List #2015-11 in the amount of \$520,201.56.**

63
64 Yes – Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg, Mr. Rohland, Mr. Steese, Mr. Snook

65
66 No – None
67

68 Mr. Runkle informed Borough Council that at the Mifflinburg Planning Commission meeting that was
69 held earlier tonight, a discussion was held as to whether or not the Zoning Permit fees need to be
70 revised, since the cost to the Central Keystone Council of Governments (CK-COG) seem to far exceed
71 the fees collected. Mrs. Metzger clarified that the "Cost to Borough" on the Mifflinburg Borough
72 Zoning Report include that following:

- 73
- 74 • Administration
- 75 • Site Investigations
- 76 • Hearings/Meetings
- 77 • Plan Review
- 78 • Postage
- 79

80 A discussion was held; Mrs. Metzger stated that she would contact the Central Keystone Council of
81 Governments (CK-COG) to see if they can provide an itemized invoice of the "Cost to Borough".

82

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

85

86 **MOTION: To approve the Mifflinburg Borough Zoning Report for October 2015 and authorize**
87 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$1,120.47.**

88

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

90

91 No – None

92

93

94 Mrs. Metzger informed Borough Council that she has received correspondence from the Allegheny
95 Electric Cooperative, Inc. the bargaining agent for the Commonwealth of Pennsylvania with the New
96 York Power Authority. Mrs. Metzger stated that the Borough purchases an allotment of low cost hydro-
97 electric power to help supply our needs and the St. Lawrence portion is up for renewal in 2017.
98 Allegheny Electric Cooperative, Inc. is requesting that interested recipients complete and return an
99 Expression of Interest form by January 31, 2016 for consideration. A copy of the correspondence has
100 been included in the information tonight for Borough Council review. Mr. Jim Havrilla, Utility
101 Engineers, PC, has reviewed this form and is recommending that the Borough complete the Expression
102 of Interest for receiving a St. Lawrence allocation. Borough Council action is requested to authorize the
103 completion of the Expression of Interest Form.

104

105 Motion by: Bryan E. Rohland
106 Second by: Beverly L. Hackenberg

107

108 **MOTION: To authorize the completion of the Expression of Interest Form with Allegheny Electric**
109 **Cooperative, Inc.**

110

111 Approved via unanimous voice vote.

112

113

114 Mrs. Metzger reported that Mr. Runkle has reviewed the final amortization and the Modification of the
115 Note and other Loan Documents from the Pennsylvania Infrastructure and Investment Authority
116 (PENNVEST) that she was questioning and he was able to determine that the amortization used by
117 PENNVEST was correct. Mrs. Metzger confirmed that she returned the required paperwork to
118 PENNVEST for closeout of this project.

119

120 Mrs. Metzger provided Borough Council with an update on the status of the Third Street Bridge
121 Replacement Project. Mrs. Metzger reported that she received a telephone call from Mr. Bob Renn,
122 PennDOT; Mr. Renn indicated that this project is scheduled to go out to bid in December with bids to be
123 awarded in February of 2016. It's anticipated that this work will be completed in 2016.

124

125 Mrs. Metzger provided Borough Council with an update on the status of the Lease Agreement between
126 the Borough of Mifflinburg and Preservation Mifflinburg Inc. (PMI) for the Little Log House property
127 located at 308 Market Street. Mrs. Metzger announced that PMI has returned the signed Lease
128 Agreement. The Borough will be working with PMI to transition both the locks and insurance over to
129 them for this property.

130

131 Mrs. Metzger informed Borough Council that the Borough staff will be doing some preliminary work to
132 finalize the location of some of the Borough's utilities in preparation for the Walnut Street Project. The
133 Borough staff will also be planning for the installation of some new valves in order to be able to shut off
134 smaller service areas during this project work and improve the water distribution system.
135

136 Mrs. Metzger announced that the Borough will continue leaf pick-up through Wednesday, December 2,
137 2015, in order to transition the trucks for use with the Christkindl Market set-up and winter season.
138

139 Mrs. Metzger reported that Mrs. Erin Threet, HRG, Inc., was able to provide some assistance in
140 verifying warranty information and replacement costs for the membranes at the Wastewater Treatment
141 Plant. It seems that the membranes do have a ten (10) year warranty with a five (5) year cliff (proration
142 for years 6-10). There are one hundred and sixty (160) modules per tank and four (4) tanks at the plant.
143 The proposed cost is \$1,450.00 per module, making replacement of all six hundred and forty (640)
144 modules come in at a cost of approximately \$938,000.00. Mrs. Threet also scheduled a meeting with the
145 vendor to look at the membranes; the meeting is scheduled for Tuesday, December 1, 2015. More
146 information will be provided following that meeting.
147

148 Mrs. Metzger informed Borough Council that she has solicited a quote for leak detection services from
149 Fluid Conservation Technologies, Inc. The Borough's unaccounted for water losses continue to climb
150 and we have to take action to curb these losses. The proposed cost for this work is \$8,281.25 for
151 approximately 6 ¼ days of leak detection. Borough Council action is requested to approve this proposal.
152

153 Motion by: Beverly L. Hackenberg

154 Second by: Paul E. Bottiger

155

156 **MOTION: To approve the proposal from Fluid Conservation Technologies, Inc. for leak detection**
157 **services for a cost of \$8,281.25.**
158

159 Yes -- Mrs. Hackenberg, Mr. Rohland, Mr. Steese, Mr. Berkheiser, Mr. Bottiger, Mr. Snook
160

161 No -- None
162
163

164 Mrs. Metzger reported that the Finance Committee has reviewed and balanced the 2016 tentative budget
165 for the Borough of Mifflinburg. Borough Council action is requested to adopt the 2016 tentative budget
166 for the Borough of Mifflinburg with revenues in the amount of \$18,382,850.00 and to authorize her to
167 advertise the availability of the budget for public inspection in accord with the Borough Code prior to
168 final budget adoption at the Tuesday, December 15, 2015 regular Borough Council meeting.
169

170 Motion by: Troy A. Berkheiser

171 Second by: Paul E. Bottiger
172

173 **MOTION: To adopt the 2016 tentative budget for the Borough of Mifflinburg with revenues in the**
174 **amount of \$18,382,850.00 and to authorize Mrs. Metzger to advertise the availability of the budget**
175 **for public inspection in accord with the Borough Code prior to final budget adoption at the**
176 **Tuesday, December 15, 2015 regular Borough Council meeting.**
177

178 Approved via unanimous voice vote.
179
180

181 Mrs. Metzger announced that the Borough has received notification from the Pennsylvania Urban &
182 Community Forestry Council that they've been awarded a TreeVitalize Grant in the amount of
183 \$1,800.00 in support of planting twelve (12) trees at the Mifflinburg Community Park. A copy of the
184 notification and the Grant Award Agreement and Certification Agreement Form has been included in the
185 information tonight for Borough Council review. The Grant Award Agreement and Certification
186 Agreement Form must be received by the Pennsylvania Urban & Community Forestry Council in order
187 to receive the first 70% of the approved grant amount; the remaining 30% will be issued upon successful
188 completion of both the Borough's project and approved close out documentation. Borough Council
189 action is requested to enter into the Grant Award Agreement and Certification Agreement Form with the
190 Pennsylvania Urban & Community Forestry Council.
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198 Motion by: Beverly L. Hackenberg
199 Second by: Troy A. Berkheiser

200
201 MOTION: To enter into the TreeVitalize Grant Award Agreement and Certification Agreement
202 Form with the Pennsylvania Urban & Community Forestry Council.

203
204 Approved via voice vote with Mr. Rohland voting no.

205
206
207 Mrs. Metzger informed Borough Council that she expects the new Auditor, Mr. Michael Fuller,
208 Certified Public Accountant (CPA) at Wagner, Dreese, Elsasser (W.D.E.) & Associates, P.C., will
209 provide the 2015 Annual Auditing Contract for the Borough by the Tuesday, December 15, 2015 regular
210 Borough Council meeting.

211
212 Mrs. Metzger reported that Service Electric has contacted her earlier today stating that they will be
213 submitting an application for connection to an additional two hundred and twelve (212) poles.

214
215 Mrs. Metzger announced that the Borough has submitted an Act 101 Section 902 Recycling Grant
216 Application to the Department of Environmental Protection (DEP) with assistance from the Union
217 County Planning Department.

218
219 Mrs. Metzger announced that the Reorganizational meeting has been scheduled for Monday, January 4,
220 2015 at 7:30 PM. The purpose of this meeting shall be to install all newly elected officials and to elect
221 new officers and any other business to come before Borough Council. District Justice, Jeffrey L.
222 Mensch, will be present at the meeting to issue the Oaths of Office to the newly elected officials.

223
224 Mrs. Metzger requested an executive session to discuss several personnel matters and potential
225 litigation.

226
227 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for
228 November 2015 included in the information tonight.

229
230 Mayor Cooney informed Borough Council that they received a copy of a complimentary letter dated
231 November 5, 2015 from Scott A. Lizardi, Chief Probation Officer for Union County, included in the
232 information tonight which reads as follows:

233
234 Mayor Cooney,

235
236 I am sending this letter to express my gratitude to Chief Bickhart, Detective Bailey and
237 Patrolman Wenrick for their assistance on October 20, 2015, relative to the arrest of a client
238 currently on supervision in Union County. On October 20, 2015, our office was charged with
239 taking a client into custody. This client posted threats of violence on social media. Those
240 threats involved potential use of firearms. In consultation with Detective Bailey, it was
241 determined that the residence was located just outside Mifflinburg Borough limits and would
242 require contact with the Pennsylvania State Police to assist in this matter. Officers from Union
243 County Adult Probation office in combination with support from Chief Bickhart, Detective
244 Bailey, Officer Wenrick and troopers from the Pennsylvania State Police were able to take the
245 client into custody without incident.

246
247 It is important to note that in this instance, the potential for violence toward law
248 enforcement and the risk to public safety was significant. Surveillance, arrest planning and
249 assistance with the arrest were done with courage and professionalism by all representatives in
250 the Mifflinburg Borough Police Department. Their professionalism and courage in this matter
251 prevented what could have been a violent encounter with great risk to public safety.

252
253 Please pass on my sincere thanks to Chief Bickhart, Detective Bailey, and Patrolman
254 Wenrick for their assistance in this matter.

255
256 Respectfully,
257
258 Scott A. Lizardi
259 Chief Probation Officer

260
261 Chief Bickhart presented Borough Council with some Monthly Highlights for the Mifflinburg Police
262 Department for October 2015.

263

264 Chief Bickhart requested an executive session to discuss a civil suit matter.

265

266 Mayor Cooney provided Borough Council with an update on the status of the Christkindl Market of
267 Mifflinburg, Inc. Mayor Cooney reminded Borough Council that they directed Mrs. Metzger to send a
268 letter to the Christkindl Market of Mifflinburg, Inc. reminding them of the following details for the 2015
269 Christkindl Market:

270

- 271 1. The 4th Street entrance will be moved west fifteen (15) feet from the westward crosswalk
272 line crossing Market Street and that the 6th Street entrance is placed east of the driveway
273 access on Market Street.
- 274 2. Chief Bickhart will need to review the shuttle route for the Christkindl Market prior to the
275 end of October.
- 276 3. Provide Chief Bickhart with the name and contact information for the firm hired to provide
277 the crossing guards at 4th and Market Streets.

278

279 The 1st two (2) requirements have been met; however with regard to the 3rd requirement, the Christkindl
280 Market of Mifflinburg, Inc. has indicated that the Committee has not hired a contractor to provide
281 crossing guard at 4th and Market Streets, but instead will be using individuals with PennDOT
282 certification to provide this service. A lengthy discussion was held; it was the consensus of Borough
283 Council (based on the recommendation of the Public Safety Committee) to directed Mrs. Metzger to
284 send another letter to the Christkindl Market of Mifflinburg, Inc. advising them that Borough Council is
285 willing to agree to try this method for the 2015 Market as long as they provide Chief Bickhart with a
286 valid proof of certification for each individual providing this service.

287

288 Mrs. Hackenberg requested an executive session to discuss personnel matters.

289

290 Mr. Berkheiser announced that there is a Negotiating Committee meeting scheduled for Wednesday,
291 November 18, 2015 at 4:30 PM with the AFSCME representatives.

292

293 Mayor Cooney presented Borough Council with an update for the Mifflinburg Regional Economic
294 Development (MRED) Alliance. Mayor Cooney informed Borough Council that each year Mrs. Cherie
295 Ross, Main Street Manager for the Mifflinburg Heritage and Revitalization Association (MHRA), does a
296 nice job organizing the Business Open House (from 4:00 PM - 8:00 PM) during the Community
297 Christmas Tree Lighting.

298

299 Mr. Snook informed Borough Council that they received a copy of the Engineer's Report for November
300 2015 included in the information tonight.

301

302 Mayor Cooney informed Borough Council that he participated in or will be participating in the
303 following meetings or events:

304

- 305 • Emceed the Annual Halloween Parade that was held on Monday, October 26, 2015.
- 306 • The Veteran's Day Service that was held at the Mifflinburg Community Park on
307 Wednesday, November 11, 2015. Mr. Juergen Seefeldt's daughter was the speaker this
308 year and she did a fantastic job.
- 309 • The annual "Turkey Trot 5K and Kids' ½ mile Fun Run" event that is scheduled for
310 Thanksgiving morning, Thursday, November 26, 2015, at the Mifflinburg Community
311 Park. Mayor Cooney announced that he will again be dressed as a turkey for this event.
- 312 • The Community Christmas Tree Lighting that is scheduled for Sunday, November 29, 2015
313 from 7:00 PM – 8:00 PM with the actual "switching on the lights" at 7:30 PM. The
314 Business Open House is scheduled from 4:00 PM – 8:00 PM.

315

316
317 Mr. Snook called an executive session to discuss potential litigation and personnel matters. An
318 executive session was held from 8:17 PM to 9:14 PM.

319

320

321 Motion by: Beverly L. Hackenberg

322

323 Second by: Bryan E. Rohland

324

325 MOTION: To give Mr. Bradley Sauers a \$0.40/hr. merit raise effective immediately.

326

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

328

329 No – None

329

330 Motion by: Beverly L. Hackenberg
331 Second by: Troy A. Berkheiser

332
333 **MOTION: To give Mr. David Moroskie a \$0.40/hr. merit raise effective immediately.**

334
335 Yes – Mr. Steese, Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg, Mr. Rohland, Mr. Snook

336
337 No – None

338
339 Motion by: Beverly L. Hackenberg

340
341 **MOTION: To adjourn the Mifflinburg Borough Council meeting.**

342
343 Approved via unanimous voice vote.

344
345
346 Meeting adjourned at 9:16 PM.

347
348 Respectfully Submitted,

349
350
351 Misty L. Ross
352 Assistant Borough Secretary
353