

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL

2 March 15, 2016

3 PRESENT ABSENT

4 Beverly L. Hackenberg, Council President X
5 Tod M. Steese, Vice President X
6 Troy A. Berkheiser, Council Member X
7 Paul E. Bottiger, Council Member X
8 Richard J. Fry, Council Member X
9 Duane L. Zimmerman, Council Member X
10 David M. Cooney, Mayor X
11 Jeremiah D. Runkle, Solicitor X
12 Douglas R. Bickhart, Chief of Police X
13 Margaret A. Metzger, Borough Manager X
14 Robert M. Rowe, Borough Project Manager X
15 Misty L. Ross, Assistant Secretary X

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

19
20 Visitors present at this meeting were Kim Bridge, Alan Wagner, Dottie Foust, Harrison Martin, Bronwen
21 A. Sanders, Owen Sanders, Marcia Cooney, Matt Farman, Joel Heasley, Steve Forcheski, Jim Emery, Steve
22 Walter, John R. Walter, Jeremiah S. Allen, Rigel Bechdel, Leanne Keefer Bechdel, and Beth Holmes.

23
24
25 Motion by: Tod M. Steese
26 Second by: Richard J. Fry

27
28 **MOTION: To approve the minutes of the Tuesday, February 16, 2016 regular meeting of Mifflinburg**
29 **Borough Council.**

30
31 Approved via unanimous voice vote.

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34 Motion by: Troy A. Berkheiser
35 Second by: Paul E. Bottiger

36
37 **MOTION: To approve payment of Bill List #2016-03 in the amount of \$545,481.69.**

38
39 Yes – Mr. Berkheiser, Mr. Bottiger, Mr. Fry, Mr. Steese, Mr. Zimmerman, Mrs. Hackenberg

40
41 No – None

42
43
44 Mr. Alan Wagner, owner of Wagner's Surveying, LLC located at 512 Chestnut Street, informed Borough
45 Council that he is present at tonight's meeting along with Mr. Steve Forcheski, General Manager at Ritz-
46 Craft Corporation, on behalf of Ritz Finance, LLC. Mr. Wagner provided Borough Council with copies of
47 the design plans for the Rusty Rail Parking Lot sidewalks located at 701 Walnut Street. Borough Council
48 consideration is requested to allow an exception for detached sidewalks.

49
50 Mr. Rowe explained that Ritz Finance, LLC would like to construct attached sidewalks at the Rusty Rail
51 Parking Lot in order to allow for more parking. In accordance with the Borough Code all sidewalks shall
52 be detached sidewalks. There's nothing written formally as to the waiver process, so he suggested that Mr.
53 Wagner attend tonight's meeting.

54
55 Mr. Runkle advised Borough Council that he doesn't think a waiver is required, the ordinance states that all
56 sidewalks shall be detached sidewalks; however, the Borough may permit attached sidewalks under the
57 following conditions upon request by the landowner:

- 58
59 (a) When existing natural or manmade conditions cause physical constraints, such as
60 insufficient distance between an existing stream or structure on existing roadway, which will
61 not accommodate detached sidewalks.
62 (b) When the construction will complete an existing attached sidewalk and the length of
63 sidewalk to be completed is less than 100 feet.

64
65 The ordinance is unclear as to who, at the Borough, may permit attached sidewalks.

66
67
68

69 Mr. Wagner provided Borough Council with a brief background for this project and stated that he needs to
70 have an answer in order to move forward with other design considerations that he has to address with
71 PennDOT; knowing whether he can have detached or attached sidewalks is going to dictate how he works
72 with PennDOT on that.

73
74 Motion by: Troy A. Berkheiser
75 Second by: Duane L. Zimmerman

76
77 **MOTION: To allow an exception for detached sidewalks at Ritz Finance, LLC's property located at**
78 **701 Walnut Street.**

79
80 Approved via unanimous voice vote.

81
82
83 Mr. Joel Heasley, Integrity Sports, attended tonight's meeting along with Mr. Jeremiah Allen, Mifflinburg
84 Cross Country/Track & Field Coach, with regard to conducting the Mifflinburg Miracle Mile. Mr. Heasley
85 distributed an informational packet to Borough Council which detailed the proposed race as well as the race
86 course. Mr. Heasley reported that Integrity Sports Event Timing in conjunction with the Mifflinburg Cross
87 Country/Track & Field Team is looking to host a 1-mile road race in Mifflinburg on Thursday, June 9,
88 2016. The race would begin on Market Street between 3rd and 4th Street and finish in front of the
89 Mifflinburg Middle School on East Market Street, just past Mabel Street. The race will be a point-to-point
90 race and will be broken up into several heats starting at 6:00 PM and ending at 7:00 PM (Heat 1 - 6:00 PM,
91 Heat 2 - 6:15 PM, Heat 3 - 6:25 PM, Heat 4 - 6:35 PM, Heat 5 - 6:45 PM). This is a new event and will
92 require approval to close Market Street from 5:30 PM to 7:30 PM in order to allow the race.

93
94 Mayor Cooney stated that a Public Safety Committee meeting should be scheduled to review the proposed
95 race course. A discussion was held; Mr. Steese suggested that Borough Council approve this event with the
96 condition that they comply with any recommendations by the Public Safety Committee.

97
98 Motion by: Tod M. Steese
99 Second by: Richard J. Fry

100
101 **MOTION: To approve Mr. Joel Heasley's request to conduct the Mifflinburg Miracle Mile event on**
102 **Thursday, June 9, 2016 from 5:30 PM to 7:30 PM with the condition that they comply with any**
103 **recommendations by the Public Safety Committee.**

104
105 Approved via unanimous voice vote.

106
107
108 Mayor Cooney clarified that a Public Safety Committee meeting would be scheduled subsequent to
109 tonight's meeting to review the proposed race course for the Mifflinburg Miracle Mile.

110
111
112 Motion by: Troy A. Berkheiser
113 Second by: Paul E. Bottiger

114
115 **MOTION: To approve the Mifflinburg Borough Zoning Report for February 2016 and authorize**
116 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$1,271.00.**

117
118 Yes – Mr. Bottiger, Mr. Fry, Mr. Steese, Mr. Zimmerman, Mr. Berkheiser, Mrs. Hackenberg

119
120 No – None

121
122
123 Motion by: Paul E. Bottiger
124 Second by: Tod M. Steese

125
126 **MOTION: To adopt Resolution No. 2016-08; Establishing a Sister City relationship with the town of**
127 **Seiffen in the free state of Saxony in Germany.**

128
129 Approved via unanimous voice vote.

130
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134
135

136 Mayor Cooney announced that there was a Public Safety Committee meeting held on Tuesday, March 1,
137 2016 at 7:00 PM to discuss the Christkindl Market safety recommendations and the Christkindl
138 Committee's response to these initial recommendations. Mayor Cooney addressed the *Facebook* postings
139 regarding the Market. Mayor Cooney reported that the Christkindl Market of Mifflinburg, Inc. stated in
140 their last post that: "We're hopeful the Mayor and the Borough Council will see how feasible and practical
141 it would be to enact these two suggestions and thus allow the Christkindl Market to stay in Mifflinburg."
142 The two (2) points that the Christkindl Market of Mifflinburg, Inc. is referring to is as follows:

- 143 1. Run the shuttle from the East end of town directly to the main entrance at 4th and Market
144 Streets.
- 145 2. Expanding the available space for the Market to alleviate crowding inside the Market.

146
147
148 Mayor Cooney explained the reasons why the Public Safety Committee is against these suggestions.

149
150 Ms. Dottie Foust, owner of Whispering Willow Primitives & Antiques located at 451 Chestnut Street,
151 indicated that she hopes the Borough and the Christkindl Market of Mifflinburg, Inc. can work together to
152 keep the Market in Mifflinburg; the Market brings a lot of business to the community.

153
154 Ms. Leanne Keefer Bechdel expressed that she is concerned with the following comment made on the
155 Christkindl Market of Mifflinburg, Inc.'s *Facebook* post:

156
157 "As a resident on this street it is a huge inconvenience. I am a mother of a disabled child who
158 has consistently had to struggle when the Market is running. For example, the handicap parking
159 space in front of the house is always blocked off because that's the entrance to the market.
160 That's where the stage goes and Mr. Stickys parks right on the spot. Then, all the surrounding
161 lots are full and blocked so you can't even get into your own house let alone parking blocks
162 away trying to get your disabled child through all the traffic and nonsense! Also, handicap
163 school buses cannot effectively run their routes because the roads are blocked. These buses need
164 to put their lifts down to load the wheelchairs and have been forced to do it on a main road that
165 is extremely busy and a huge safety concern. Myself and my child have almost been hit on
166 several occasions! Not to mention the fact that we may need Emergency services such as an
167 ambulance or paramedics and you can't even get to us in a timely manner!!!! And we are not the
168 only disabled family on this street! We have no say about our needs when it comes to the
169 Market. You all just set up you market without any consideration or accommodations for the
170 handicap/disabled community that you are inconveniencing! I support the fact that it brings
171 business to our community, but ALL RESIDENTS should be considered when making your
172 choices of which way and where to extend your Market! We have rights too! How about the
173 community park? The carnival grounds? Everyone needs to be considered!"

174
175 Ms. Bechdel added that she hopes this matter is addressed. Mayor Cooney clarified that he plans on
176 contacting the resident personally, not over *Facebook*.

177
178 Mrs. Marcia Cooney, a resident located at 407 Green Street, expressed that she wishes there was a way for
179 everybody to focus more on the options that could make the Market successful than the things that can't.

180
181 Mayor Cooney reported that the Public Safety Committee is recommending the following safety
182 requirements for the 2016 Christkindl Market:

- 183 1. The Market will maintain the same footprint and hours of operation as in previous years.
- 184 2. The same street closures as approved for the previous years' Market.
- 185 3. All shuttle buses to drop-off and pick-up at 6th and Market Streets; same as the 2015 Market.
- 186 4. All Christkindl Market entrances to have a twenty (20) foot buffer, free of decorations and
187 vendor equipment from the corner of any street; same as the 2015 Market.
- 188 5. Two (2) flaggers to be working at the intersection of 4th and Market Streets at all times the
189 Market is open, with certified volunteers to provide relief to flaggers as necessary.
- 190 6. Firefighter access gaps are to be clearly marked, and spaced at regular intervals throughout
191 the Market setup as recommended by the Mifflinburg Hose Company during the layout
192 planning meeting and actual market set-up.
- 193 7. All required paperwork (preliminary market layout plan, shuttle bus company contact
194 information & shuttle bus routes, flaggers' certifications, and certificates of insurance,
195 contract with flagging company or contracts with individual flaggers) to be provided to the
196 Borough by September 15, 2016.
- 197 8. Intersection of Chestnut and 5th Streets to be marked with a PennDOT sign and also flashing
198 reflective triangular warning markers.
- 199 9. No parades or processions on, or crossing, State Route (SR) 304 without PennDOT permits.

200
201
202 Borough Council action is requested to authorize Mrs. Metzger to send a letter to the Christkindl Market of
203 Mifflinburg, Inc. detailing the safety requirements for the 2016 Christkindl Market.

204 Motion by: Troy A. Berkheiser

205 Second by: Paul E. Bottiger

206
207 **MOTION: To authorize Mrs. Metzger to send a letter to the Christkindl Market of Mifflinburg, Inc.**
208 **detailing the safety requirements for the 2016 Christkindl Market.**

209
210 Yes – Mr. Fry, Mr. Steese, Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg

211
212 No – Mr. Zimmerman

213
214
215 Mr. Steve Walter, Chief of the Mifflinburg Hose Company No. 1, detailed the Hose Company's plans for
216 during the 2016 Christkindl Market and the procedures that they are trying to implement. Mr. Walter
217 added that he believes the Christkindl Market can remain in the Borough if the Christkindl Market of
218 Mifflinburg, Inc. really wants to. A discussion was held; Mr. Steese expressed that he strongly believes
219 that Mr. Walter, or one of his designees, needs to be present at the Christkindl Market planning session and
220 setup in case there are any questions regarding the access gaps; the Hose Company has the say as far as the
221 distance between the huts.

222
223 Mrs. Metzger provided Borough Council with an update on the status of the improvements at the
224 Mifflinburg Hose Company Building located at 325 Chestnut Street. Mrs. Metzger reported that Borough
225 Management met with the Hose Company Officers at their request to discuss the 2016 Mifflinburg Hose
226 Company Project. At this meeting, the Hose Company Officers informed Borough Management that they
227 have reconsidered their original request to reduce the number of overhead doors from four (4) small doors
228 to two (2) large doors, due to the idea that in case of an electrical outage, they would not be able to
229 manually operate the larger doors. The Hose Company Officers also informed Borough Management that
230 they would appreciate it if as a part of the project we would instead look into four (4) slightly wider doors
231 (maybe 6 inches wider) if at all possible and that they still feel that the floor in the truck bays should be
232 looked at. Borough Management told the Hose Company Officers that the structural engineer did not see a
233 problem in the previous structural analysis, but that as a part of the drainage replacement at the front of the
234 building, we would have them look at it.

235
236 Mr. Rowe informed Borough Council that he has obtained two (2) engineering quotes for the planned
237 replacement and modifications to the concrete apron and the trench drain at the entrance to the Mifflinburg
238 Hose Company Building located at 325 Chestnut Street which were as follows:

239		
240	Providence Engineering Corporation	\$10,500.00
241	Larson Design Group, Inc.	\$10,800.00
242		

243 A copy of the quotes that were obtained have been included in the information tonight for Borough Council
244 review. Borough Council action is requested to award the engineering work for the 2016 Mifflinburg Hose
245 Company Project to Providence Engineering Corporation for the lump sum fee of \$10,500.00.

246
247 Motion by: Troy A. Berkheiser

248 Second by: Paul E. Bottiger

249
250 **MOTION: To award the engineering work for the 2016 Mifflinburg Hose Company Project to**
251 **Providence Engineering Corporation for the lump sum fee of \$10,500.00.**

252
253 Yes – Mr. Steese, Mr. Zimmerman, Mr. Berkheiser, Mr. Bottiger, Mr. Fry, Mrs. Hackenberg

254
255 No – None

256
257
258 Mrs. Metzger reminded Borough Council that the Central Keystone Council of Governments (CK-COG) is
259 requesting that Borough Council take action to adopt the 2015 version of the International Property
260 Maintenance Code (IPMC); the Borough is still using the 2003 version of the IPMC. Mrs. Metzger
261 reported that Mr. Chad N. Smith, Executive Director for the CK-COG, has provided a comparison of the
262 2003 version of the IPMC to the newest version 2015. This information was forwarded to Borough
263 Council members via email prior to tonight's meeting.

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269 Mr. Runkle informed Borough Council that he has reviewed the information that the CK-COG provided
270 and determined that there are some decisions that require Borough Council direction before adopting the
271 Ordinance adopting the 2015 version of IPMC. Mr. Runkle clarified that Borough Council was all right
272 with the following additions, insertion and/or changes to the 2015 version of IPMC:

- 273
274 Section 101.1. Insert: Borough of Mifflinburg for [NAME OF JURISDICTION].
275 Section 103.5. Replace with: The fees for activities and services performed by the
276 department in carrying out its responsibilities under this code shall be
277 established by Resolution of Borough Council.
278 Section 112.4. Insert: \$100.00 for the [AMOUNT] of the minimum fine and \$1,000.00 for
279 the [AMOUNT] of the maximum fine.
280 Section 302.4. Insert: six (6) inches.
281 Section 304.14. Insect: May 1st to October 31st.
282 Section 602.3. Insert: October 1st to May 31st.
283 Section 602.4. Insert: October 1st to May 31st.
284

285 Mr. Runkle reminded Borough Council that they took action at the Tuesday, February 16, 2016 regular
286 Borough Council meeting to authorize him to prepare an ordinance to adopt the 2015 version of the IPMC.
287 Mr. Runkle stated that he would advertise the ordinance and conduct a Public Hearing at the Tuesday, April
288 19, 2016 regular Borough Council meeting.

289
290 Mrs. Metzger reported that she has received a letter from the American Legion, Post 410, requesting that
291 the Borough be permitted to provide assistance with the moving of the hut and the wiring for the Annual
292 Kids Fishing Derby scheduled for April 30 and May 1, 2016. Borough Council action is requested to
293 approve this request.

294
295 Motion by: Tod M. Steese
296 Second by: Richard J. Fry
297

298 **MOTION: To authorize the Borough of Mifflinburg to provide assistance with the moving of the hut**
299 **and the wiring for the Annual Kids Fishing Derby scheduled for April 30 and May 1, 2016.**

300
301 Approved via unanimous voice vote.
302
303

304 Mrs. Metzger reported that she received a request from Mr. Eldon Hoy, the Athletic Director for the
305 Mifflinburg Area School District (MASD). Mr. Hoy is requesting that thirty (30) cones be placed on the
306 corner of Market Street and 1st Street, on the Mifflinburg High School's property, on Saturday, May 7,
307 2016 for the annual promenade. Mrs. Metzger clarified that the Borough Maintenance Employees would
308 place the cones by 7:15 AM on Saturday morning, May 7th and then the MASD would remove the cones
309 subsequent to the promenade and place them back by the high school for pick-up on Sunday morning, May
310 8, 2016. Borough Council action is requested to approve this request.

311
312 Motion by: Tod M. Steese
313 Second by: Duane L. Zimmerman
314

315 **MOTION: To approve Mr. Eldon Hoy's request for thirty (30) cones to be placed on the corner of**
316 **Market Street and 1st Street, on the Mifflinburg High School's property, by 7:15 AM on Saturday,**
317 **May 7, 2016 for the annual promenade.**

318
319 Approved via unanimous voice vote.
320
321

322 Mrs. Metzger reported that she also received a request from Ms. Sharon Hixson, Chairperson for the
323 Family Place at Evangelical Community Hospital's Annual Walk for Remembrance and Hope, requesting
324 Borough Council permission to utilize the Mifflinburg Community Park on Saturday, October 1, 2016 to
325 conduct their Annual Walk for Remembrance and Hope. Registrants will participate in a one-mile walk on
326 the Buffalo Valley Rail Trail (BVRT), a service of remembrance, a balloon release, and an optional picnic
327 meal. In accordance with Chapter 18 of the Borough Code of Ordinances the dates during which the
328 recreation area shall be used by the general public shall be April 15th through October 15th of each calendar
329 year; pavilion reservations are accepted May 15th through September 15th of each calendar year. The
330 Family Place at Evangelical Community Hospital has already completed and submitted the required
331 pavilion reservation forms. Mayor Cooney will be speaking with the coordinator regarding the route for
332 the walk. Borough Council action is requested to approve this event contingent upon submission of the
333 security deposit in the amount of \$250.00 as well as a certificate of insurance
334
335
336

337 Motion by: Troy A. Berkheiser
338 Second by: Paul E. Bottiger

339
340 **MOTION: To approve the Family Place at Evangelical Community Hospital's request to utilize the**
341 **Mifflinburg Community Park on Saturday, October 1, 2016, to conduct the Annual Walk for**
342 **Remembrance and Hope, contingent upon submission of the security deposit in the amount of**
343 **\$250.00 as well as a certificate of insurance.**

344
345 Approved via unanimous voice vote.

346
347
348 Mrs. Metzger informed Borough Council that Mayor Cooney and Chief Bickhart have been working with
349 the Mifflinburg 5K Committee to help plan the route for this year's 4th of July 5K race and to obtain the
350 proper permits to conduct the event for 2016. The Mifflinburg 5K Committee have already submitted a
351 certificate of insurance for the event. Borough Council action is requested to approve this event.

352
353 Motion by: Tod M. Steese
354 Second by: Richard J. Fry

355
356 **MOTION: To approve this year's 4th of July 5K race as proposed and to obtain the proper permits to**
357 **conduct the event for 2016.**

358
359 Mayor Cooney clarified that he would send the Mifflinburg 5K Committee a letter.

360
361 Approved via unanimous voice vote.

362
363
364 Mrs. Metzger reminded Borough Council that they took action at the Tuesday, February 16, 2016 regular
365 Borough Council meeting to approve the dates for the Annual Spring Drop-Off event for April 27-29, 2016
366 (12:00-8:00 PM) and April 30, 2016 (8:00 AM-12:00 PM) and authorize Borough Management to solicit
367 bids for hauling fees for this project. Mr. Jason Mitchell, the Borough Public Works Supervisor, has
368 solicited quotes for hauling fees for this project. The quotes are due on Friday, March 18, 2016 at 1:00 PM.
369 Mrs. Metzger requested Borough Council action to authorize her to award the Annual Spring Drop-Off
370 Event to the lowest quote received.

371
372 Motion by: Paul E. Bottiger
373 Second by: Richard J. Fry

374
375 **MOTION: To authorize Mrs. Metzger to award the Annual Spring Drop-Off Event to the lowest**
376 **quote received.**

377
378 Approved via voice vote, with Mr. Steese voting no.

379
380
381 Mrs. Metzger provided Borough Council with an update on the status of the 3rd Street Bridge Replacement
382 Project. Mrs. Metzger reported that the bid opening for this project was held by the State on Thursday,
383 February 25, 2016. The low bidder was HRI, Inc. for the total bid price of \$964,691.50, which was under
384 the estimated cost according to the County. The cost estimates for the Borough's utility work were slightly
385 under the actual cost overall; the sewer work exceeding the estimate by about \$20,000.00 and the water
386 work coming in under the estimate by about \$13,000.00. The County Representative indicated that this
387 should not be a problem, but may require an amendment to the Reimbursement Agreement depending on
388 what PennDOT requires.

389
390 Mrs. Metzger reported that Borough Management has been considering some improvements to the 3rd
391 Street Lift Station (which was originally constructed in the 1970s) since the 3rd Street Bridge Replacement
392 Project will require bypass pumping during construction, because the project will require raising the top of
393 the pump station by a few feet due to the bridge size and elevation changes. The upgrades that are being
394 considered are as follows:

- 395 1. Lining of the interior of the wet well.
- 396 2. A panel and communications upgrade to make this pump station part of the SCADA system
397 (like 8th Street).

398
399
400 It's estimated that the cost to line the interior of the wet well would be around \$27,000.00 (estimate
401 provided by Mrs. Erin Threet, HRG, Inc.) and the cost to upgrade the communications would be about
402 another \$15,000.00 (estimate provided by Mr. Bob Stoddard, Process Control Solutions).

403

404 Mrs. Metzger informed Borough Council that these improvements were not previously incorporated into
405 the project because PennDOT would only cover replacement costs and that these costs were not included in
406 the 2016 budget as a specific project, but could perhaps be included in the \$58,000.00 annual maintenance
407 work in the budget. Borough Council direction is requested as to whether or not the Borough should
408 pursue this additional work.
409

410 Mr. Zimmerman stated that he believes the Borough should pursue the lining of the interior of the wet well
411 since the Borough has the opportunity to complete this work; as far as the panel and communications
412 upgrade to make this pump station part of the SCADA system, he feels that that's something the Borough
413 can include in the budget down the road. A discussion was held; Mrs. Metzger clarified that the Borough
414 would move forward with obtaining prices and quotes for the lining of the interior of the wet well to see if
415 they can get the work done. It will be a little bit tricky with PennDOT being involved in the project.
416

417 Mr. Rowe reported that he has been working to prepare vehicle specifications for three (3) Borough
418 maintenance vehicles and to obtain State contract pricing for these vehicles. Mr. Rowe explained that this
419 type of purchasing requires obtaining pricing for upgrades from additional vendors. A bid tabulation has
420 been prepared showing basic bid prices and upgrades and a copy has been included in the information
421 tonight. Mr. Rowe recommended that Borough Council take action to approve the purchases of the
422 following three (3) completed built vehicles packages from Day Fleet:
423

- | | | |
|-----|----------------------|-------------|
| 424 | 1. Chevy 4x2 1500 | \$23,616.00 |
| 425 | 2. Ford 4x4 F250 | \$39,294.00 |
| 426 | 3. Ford 4x4 F350 Gas | \$54,902.00 |
- 427

428 A lengthy discussion was held regarding whether the Borough should pursue purchasing a diesel or a gas
429 vehicle and the benefits of both. Mr. Bottiger added that another thing that was brought up when this was
430 being discussed was Day Fleet is willing to deliver all three (3) vehicles.
431

432 Motion by: Paul E. Bottiger
433 Second by: Troy A. Berkheiser
434

435 **MOTION: To approve the purchase of the Chevy 4x2 1500 in the amount of \$23,616.00; the Ford 4x4**
436 **F250 in the amount of \$39,294.00; the Ford 4x4 F350 Gas in the amount of \$54,902.00 from Day**
437 **Fleet.**
438

439 Yes – Mr. Berkheiser, Mr. Bottiger, Mr. Fry, Mr. Steese, Mrs. Hackenberg
440

441 No – Mr. Zimmerman
442
443

444 Mrs. Metzger reported that Dave Gutelius Excavating, Inc. and PennDOT Maintenance were doing some
445 maintenance work to the drainage ditch located along the eastern side of N. 8th Street in order to fix some
446 drainage issues in this area. This work began on Tuesday, March 8, 2016 and by Wednesday, March 9,
447 2016 it became obvious that the ditch had become too deep to be safe if it remained an open ditch.
448 PennDOT Maintenance and Permitting Officials, Mr. Rowe, Mr. Jason Mitchell, the Borough Public Works
449 Supervisor, and Mr. Dave Gutelius, Dave Gutelius Excavating, Inc., met on site on Wednesday, March 9,
450 2016, at which time PennDOT and Mr. Gutelius proposed that storm water pipe be laid in lieu of an open
451 ditch; however this configuration would then require that the Borough agree to then own and maintain these
452 facilities after construction. It was also suggested that in order to complete this work properly, instead of
453 ending this work at the north end of the concession stand, it should actually be enclosed south to Buffalo
454 Creek. This work was not budgeted for 2016 by the Borough since we were not aware of this project or
455 request. Borough Council direction is requested on whether the Borough should take responsibility for the
456 storm water work north of the concession stand with construction to be completed by PennDOT and Dave
457 Gutelius Excavating, Inc. at no expense to the Borough, and to provide direction regarding the additional
458 work south of concession stand. A discussion was held; Mr. Rowe clarified that first, Borough Council
459 direction is requested on whether the Borough should take ownership and be responsible for the storm
460 water work north of the concession stand with construction to be completed by PennDOT and Dave
461 Gutelius Excavating, Inc. at no expense to the Borough.
462

463 Motion by: Tod M. Steese
464 Second by: Troy A. Berkheiser
465

466 **MOTION: To take ownership and be responsible for the storm water work north of the concession**
467 **stand with construction to be completed by PennDOT and Dave Gutelius Excavating, Inc. at no**
468 **expense to the Borough.**
469

470 Approved via unanimous voice vote.
471

472 Mrs. Metzger informed Borough Council that Dave Gutelius Excavating, Inc. has submitted that following
473 four (4) proposals:

- | | | |
|-----|--|------------|
| 474 | | |
| 475 | 1. Install storm water pipe and inlet along east side of N. 8 th Street | \$9,500.00 |
| 476 | 2. Retire water service along N. 8 th Street | \$4,450.00 |
| 477 | 3. Cap two (2) abandon sewer laterals near ballfield entrance | \$7,200.00 |
| 478 | 4. Replace ¾" copper water service near the concession stand | \$6,975.00 |
| 479 | | |

480 Mrs. Metzger detailed the proposal and clarified that there was \$103,000.00 budgeted under maintenance
481 for 2016. A lengthy discussion was held; Mr. Zimmerman stated that he believes the Borough
482 Maintenance Employees are capable of retiring water service along N. 8th Street and that the Borough has
483 the required equipment.

484
485 Motion by: Duane L. Zimmerman
486 Second by: Troy A. Berkheiser
487

488 **MOTION: To approve the proposal from Dave Gutelius Excavating, Inc. to cap two (2) abandon**
489 **sewer laterals near the ballfield entrance in the amount of \$7,200.00.**

490
491 Yes – Mr. Berkheiser, Mr. Bottiger, Mr. Fry, Mr. Steese, Mr. Zimmerman, Mrs. Hackenberg
492

493 No – None
494
495

496 Motion by: Troy A. Berkheiser
497 Second by: Paul E. Bottiger
498

499 **MOTION: To approve the proposal from Dave Gutelius Excavating, Inc. to install storm water pipe**
500 **and inlet along the east side of N. 8th Street in the amount of \$9,500.00.**

501
502 Yes – Mr. Bottiger, Mr. Fry, Mr. Steese, Mr. Zimmerman, Mr. Berkheiser, Mrs. Hackenberg
503

504 No – None
505
506

507 Motion by: Paul E. Bottiger
508 Second by: Duane L. Zimmerman
509

510 **MOTION: To approve the proposal from Dave Gutelius Excavating, Inc. to replace ¾" copper water**
511 **service near the concession stand in the amount of \$6,975.00.**

512
513 Yes – Mr. Fry, Mr. Steese, Mr. Zimmerman, Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg
514

515 No – None
516
517

518 Mr. Fry inquired where Borough Council draws this fine line on what the Borough Maintenance Employees
519 can do and what they can't do. Mr. Bottiger agreed that it does seem like there's a conflict of ideas on what
520 the Borough Maintenance Employees should be doing or what they can or want to do. A discussion was
521 held; Mr. Bottiger added that he doesn't know what the Borough Maintenance Employees should and
522 shouldn't be doing, but if the Borough Maintenance Employees are capable of doing the work and it's not
523 dangerous, they should be utilizing what they have; if it's dangerous and the Borough Maintenance
524 Employees are not trained, they shouldn't be doing it.

525
526 Motion by: Beverly L. Hackenberg
527 Second by: Paul E. Bottiger
528

529 **MOTION: To approve the proposal from Dave Gutelius Excavating, Inc. to retire water service**
530 **along N. 8th Street in the amount of \$4,450.00.**

531
532 A discussion was held; Mr. Bottiger clarified that he does believe the Borough needs to start exploring
533 other avenues like Mr. Zimmerman said, at least on some things. When smaller things come up, let the
534 Borough Maintenance Employees try to complete it, as long as everyone agrees it's completely safe and no
535 one is going to kill themselves over it.
536

537 Yes – Mr. Steese, Mr. Bottiger, Mrs. Hackenberg
538

539 No – Mr. Zimmerman, Mr. Berkheiser, Mr. Fry

540 The motion to approve the proposal from Dave Gutelius Excavating, Inc. to retire water service along N. 8th
541 Street in the amount of \$4,450.00 was tied; Mayor Cooney cast the tie-breaking vote in favor of the motion.

542
543 Mrs. Metzger announced that there is a Zoning Hearing Board meeting scheduled for Wednesday, March
544 23, 2016 at 7:00 PM. The Zoning Hearing Board will be considering an application submitted by Ritz
545 Finance, LLC. Ritz Finance, LLC is requesting a variance from the parking and loading requirements of
546 Section 29-512 A/B and maximum impervious coverage Section 29-403.2.A of the Borough Zoning
547 Ordinance for their property located at 701 Chestnut Street.

548
549 Mr. Runkle inquired if he should attend the Zoning Hearing Board meeting that is scheduled for
550 Wednesday, March 23, 2016 at 7:00 PM. A discussion was held; it was the consensus of Borough Council
551 that Mr. Runkle did not need to attend the Zoning Hearing Board meeting.

552
553 Mrs. Metzger reported that she has been contacted by a Board Member of the First Evangelical Lutheran
554 Church, located at 404 Market Street, regarding a project that they are doing this summer, with the hopes
555 that the Borough could also plan for a project at the same time. The church plans to sandblast and repoint
556 the brick at the church including the tower; their contractor will have a crane in place to do this work and
557 the Borough may be able to utilize this crane in order to paint the face of the town clock located in their
558 tower. Mrs. Metzger informed Borough Council that she has asked the church to provide the Borough with
559 a contact person for their contractor so that they can pursue quotes for the work to see if it can be
560 coordinated. This was not budgeted to be done this year, so the Borough will have to look at pricing as
561 well as coordination to see if it can be done. Mr. Steese stated that a crane will already be in place; what's
562 it going to hurt to at least obtain quotes, the work needs done. Mrs. Metzger clarified that the Borough
563 would work on finding a contractor and obtaining prices.

564
565 Mrs. Metzger provided Borough Council with an update on the status of the leak detection services. Mrs.
566 Metzger reported that all of the letters have been sent out to West Buffalo Township and the property
567 owners regarding the water leaks found and requiring repairs within sixty (60) days. Most of the Township
568 and the Borough owned line leaks have been repaired, only the private repairs remain.

569
570 Mrs. Metzger reported that Wagner, Dreese, Elsasser (W.D.E.) & Associates, PC has completed their field
571 work for the 2015 Annual Audit and are awaiting the return of several confirmations. W.D.E. &
572 Associates, PC expects to have the report completed by the end of March in order for Borough Council to
573 meet in April to review the Audit report. An audit meeting was tentatively scheduled for Tuesday, April
574 19, 2016 at 6:00 PM.

575
576 Mrs. Metzger informed Borough Council that she has been contacted by the Auditor General's office; they
577 plan to begin the audit for the Police and Non-uniformed Pension Plans for the years ending 2014 and 2015
578 in the very near future.

579
580 Mrs. Metzger announced that Mockenhaupt Benefits Group (MBG) has prepared the Borough's Act 205
581 reports for two (2) of the three (3) Borough Pension Plans. Once the 3rd plan is completed and submitted to
582 the State, a meeting will be scheduled with MBG to review the Act 205 report findings with Borough
583 Council Members and to meet with Borough Employees regarding their annual pension statements.

584
585 Mrs. Metzger requested an executive session to discuss several personnel matters and potential litigation.

586
587 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for
588 February 2016 included in the information tonight.

589
590 Mayor Cooney announced that the Mifflinburg Safety Fair is scheduled for Wednesday, June 8, 2016 from
591 5:00 PM to 8:00 PM at the Mifflinburg Community Park. In accordance with the Borough of Mifflinburg
592 Pavilion Reservation Terms and Conditions of Agreement all special events held at the Mifflinburg
593 Community Park/Pool must be pre-approved by Borough Council or the Borough Manager and will require
594 a security deposit in the amount of \$250.00. Borough Council action is requested to approve this event and
595 waive the \$250.00 security deposit.

596
597 Motion by: Tod M. Steese

598 Second by: Troy A. Berkheiser

599
600 **MOTION: To approve Mayor Cooney's request to utilize the Mifflinburg Community Park on**
601 **Wednesday, June 8, 2016 from 5:00 PM to 8:00 PM to conduct the Mifflinburg Safety Fair and to**
602 **wave the \$250.00 security deposit.**

603
604 Approved via unanimous voice vote.

605
606

607 Chief Bickhart presented Borough Council with some Monthly Highlights for the Mifflinburg Police
608 Department for February 2016.

609
610 Chief Bickhart informed Borough Council that they received a copy of a letter of appreciation which reads
611 as follows:

612
613 Dear Officer Mitchell:

614
615 I would like you to know how much I appreciate your handling of the official notification of the
616 death of my daughter, Lynne. Your courtesy and tact were impeccable. Your description of the
617 circumstances at the scene; your queries as to our recent interactions with Lynne and confirmation
618 that her recent interactions with her Mifflinburg family were also reasonably happy, allowed
619 myself and the rest of the family some measure of assurance that Lynne's passing was not
620 deliberate on her part but almost certainly accidental or even the result of a natural event (no small
621 thing, given her history and illnesses).

622
623 Thank you also for taking charge of the many powerful prescription drugs in Lynne's possession;
624 and ensuring their proper disposal. It is a relief to us to know that they will not be mishandled or
625 misused.

626
627 And, lastly, thank you for the delicacy and tact with which you made the necessary inquiries as to
628 the desired preservation of Lynne's personal belongings and the family's wishes in that regard.

629
630 In all respects, in this very unhappy situation, you demonstrated uncommon diplomacy, an
631 extraordinary sense of and value for Lynne's humanity, and great concern for her family's
632 personal loss. You are a credit to your profession: I hope that you manage to retain these qualities
633 over the course of a successful career in the demanding field of law enforcement.

634
635 Sincerely,
636 Kathleen G. LeBlanc

637
638 Chief Bickhart requested Borough Council permission to begin the process of purchasing an unmarked
639 Police vehicle for the Mifflinburg Police Department not-to-exceed the 2016 budgeted allotment of
640 \$42,000.00.

641
642 Motion by: Troy A. Berkheiser

643 Second by: Tod M. Steese

644
645 **MOTION: To authorize Chief Bickhart to begin the process of purchasing an unmarked Police**
646 **vehicle for the Mifflinburg Police Department not-to-exceed the 2016 budgeted allotment of**
647 **\$42,000.00.**

648
649 Yes – Mr. Zimmerman, Mr. Berkheiser, Mr. Bottiger, Mr. Fry, Mr. Steese, Mrs. Hackenberg

650
651 No – None

652
653
654 Chief Bickhart requested an executive session to discuss personnel matters.

655
656 Mr. Berkheiser reminded Borough Council that there is an audit meeting tentatively scheduled for Tuesday,
657 April 19, 2016 at 6:00 PM.

658
659 Mayor Cooney presented Borough Council with an update for the Mifflinburg Regional Economic
660 Development (MRED) Alliance. Mayor Cooney provided Borough Council with an update on the
661 following businesses in the Borough:

- 662
663 1. The Buggy Town Sub Shop will soon be opening up shop at 456 Chestnut Street.

664
665 Mrs. Hackenberg informed Borough Council that they received a copy of the Engineer's Report for March
666 2016 included in the information tonight.

667
668 Mr. Runkle requested an executive session to discuss potential litigation.

669
670 Mr. Runkle informed Borough Council that he will be meeting with Mrs. Metzger and Mrs. Pam Eberhart,
671 the Borough Billing Clerk, on Thursday, March 17, 2016 to discuss the Borough's Collection Policy.

672
673

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

- 676
- 677 • Read to the Mifflinburg Area Elementary School (located at 115 Shipton Street) students at
678 Dr. Seuss Night on Friday, March 4, 2016 at 6:30 PM.
- 679 • The Annual Easter Egg Hunt that is scheduled for Saturday, March 19, 2016 at 11:00 AM at
680 the VFW Carnival Grounds.

681

682 Mrs. Hackenberg announced that she will be taking the Borough Clerks out for lunch on Thursday, April
683 27, 2016 for Administrative Professionals Day like she does every year.

684

685 Mr. Steese thanked Borough Council and the Mifflinburg Police Department for the sympathy cards on the
686 passing of his mother.

687

688

689 Mrs. Hackenberg called an executive session to discuss potential litigation and personnel matters. An
690 executive session was held from 10:13 PM to 10:44 PM.

691

692

693 Motion by: Tod M. Steese

694

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

696

697 Approved via unanimous voice vote.

698

699

700 Meeting adjourned at 10:45 PM.

701

702 Respectfully Submitted,

703

704

705 Misty L. Ross
706 Assistant Borough Secretary