

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL

2 September 16, 2014

3

4	PRESENT	ABSENT
5 Michael E. Snook, Council President	X	
6 Beverly L. Hackenberg, Vice President	X	
7 Troy A. Berkheiser, Council Member	X	
8 Paul E. Bottiger, Council Member	X	
9 Bryan E. Rohland, Council Member		X
10 Tod M. Steese, Council Member		X
11 David M. Cooney, Mayor	X	
12 Jeremiah D. Runkle, Solicitor		X
13 Douglas R. Bickhart, Chief of Police		X
14 Margaret A. Metzger, Borough Manager		X
15 Misty L. Ross, Assistant Secretary	X	

16

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

18
19 There was one (1) visitor present at this meeting which was Kim Sawyer.

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21
22 Motion by: Beverly L. Hackenberg
23 Second by: Paul E. Bottiger

24
25 **MOTION: To approve the minutes of the Tuesday, August 19, 2014 regular meeting of**
26 **Mifflinburg Borough Council.**

27
28 Approved via unanimous voice vote.

29
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31 Motion by: Troy A. Berkheiser
32 Second by: Paul E. Bottiger

33
34 **MOTION: To approve payment of Bill List #2014-09 in the amount of \$624,982.78.**

35
36 Yes – Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg, Mr. Snook

37
38 No – None

39
40
41 Mrs. Kim Sawyer, representing the First Evangelical Lutheran Church's (located at 404 Market Street)
42 Buggytown Workcamp, attended tonight's meeting with regard to the 2015 Buggytown Workcamp
43 event that is scheduled to be held in Mifflinburg on June 21-27, 2015. Mrs. Sawyer reported that this
44 event was held in Mifflinburg in 2005 and in 2010. Mrs. Sawyer explained that nearly 400 youth and
45 adults volunteer a week of their time to provide free home repairs/improvements to local homeowners of
46 Union and Snyder counties. The volunteers will sleep on air mattresses in temporary bedrooms set up in
47 the Mifflinburg Intermediate School's (located at 250 Mabel Street) gymnasium and classrooms. These
48 services are offered to elderly, handicapped, disabled, single parents, or any lower-income residents in
49 need of home repairs/improvements. Mrs. Sawyer clarified that the Workcamp won't help with
50 repairs/improvements to rentals; they don't want to improve the home and then have the landlord evict
51 the tenants. The Workcamp doesn't ask what the residents' income is or what their resources are. Mrs.
52 Sawyer stated that each volunteer pays for the privilege of working in the community. Workcamp
53 registration fees and monies raised by the church and other area churches and organizations are used to
54 cover the costs for food, insurance and building supplies. All building materials will be purchased at
55 Mifflinburg Lumber and Building Supply (8200 Old Turnpike Road-Mifflinburg), youth groups will be
56 purchasing snacks at area businesses, vehicles used to transport the crews each day to the sites will be
57 filling their tanks with gasoline at local stations, and campers will be donating canned goods for the
58 Mifflinburg food bank. Overall this camp will be a boost to the local economy as well as a much needed
59 service to the homeowners that they are serving. Mrs. Sawyer informed Borough Council that she is
60 present at tonight's meeting because in 2005 and 2010, Borough Council was kind enough to provide
61 free use of the Mifflinburg Community Park and Pool for the Group Workcamp participants. Borough
62 Council action is requested to provide free use of the Mifflinburg Community Park and Pool again on
63 Wednesday, June 24, 2015. Mrs. Sawyer stated that the Workcamp volunteers would probably arrive at
64 the Park around 1:00 or 2:00 PM and leave by 6:00 PM.

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66
67

68 Mayor Cooney inquired how many of the Group Workcamp participants utilized the Mifflinburg
69 Community Pool in 2005 and in 2010. Mrs. Sawyer reported that there were approximately 187
70 participants who utilized the Mifflinburg Community Pool the one time and approximately 220
71 volunteers the other time.

72
73 Motion by: Beverly L. Hackenberg
74 Second by: Troy A. Berkheiser

75
76 **MOTION: To provide free use of the Mifflinburg Community Pool on Wednesday, June 24, 2015**
77 **for the participants of the 2015 Buggytown Workcamp event as requested by Mrs. Kim Sawyer.**

78
79 Ms. Ross inquired if the motion should include the Mifflinburg Community Park as well. A discussion
80 was held; Mrs. Sawyer clarified that she is requesting permission to utilize both pavilions and the
81 gazebo at the Mifflinburg Community Park as well. Ms. Ross checked the availability of both pavilions
82 and the gazebo and announced that they were all available.

83
84 Motion by: Beverly L. Hackenberg
85 Second by: Troy A. Berkheiser

86
87 **MOTION: To amend the motion to provide free use of the Mifflinburg Community Pool on**
88 **Wednesday, June 24, 2015 for the participants of the 2015 Buggytown Workcamp event as**
89 **requested by Mrs. Kim Sawyer to include both pavilions and the gazebo at the Mifflinburg**
90 **Community Park as well.**

91
92 Approved via unanimous voice vote.

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

97
98 **MOTION: To approve the Mifflinburg Borough Zoning Report for August 2014 and authorize**
99 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$120.00.**

100
101 Yes – Mr. Bottiger, Mrs. Hackenberg, Mr. Berkheiser, Mr. Snook

102
103 No – None

104
105
106 Mr. Snook announced that Borough Council action is requested to adopt Resolution No. 2014-05; a
107 resolution which officially abandons the North Eighth Street bike path. A copy of the resolution is
108 included in the information tonight. Borough Council action is requested on this matter.

109
110 Motion by: Beverly L. Hackenberg
111 Second by: Paul E. Bottiger

112
113 **MOTION: To adopt Resolution No. 2014-05; A resolution which officially abandons the North**
114 **Eighth Street bike path.**

115
116 Approved via unanimous voice vote.

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118
119 Mr. Snook provided Borough Council with an update on the status of the Cherry Alley Reconstruction
120 Project. Mr. Snook reported that Gutelius Excavating, Inc., the contractor for the Cherry Alley
121 Reconstruction Project, has submitted Payment Application No. 1. A copy of the Payment Application
122 is attached to tonight's Engineer's Report for Borough Council review. This Payment Application has
123 been reviewed by Mrs. Erin Threet, HRG, Inc., and Mr. Jason Mitchell, the Borough Public Works
124 Supervisor, and is recommended for payment. Borough Council action is requested on this matter.

125
126 Motion by: Beverly L. Hackenberg
127 Second by: Troy A. Berkheiser

128
129 **MOTION: To approve Payment Application No. 1 to Gutelius Excavating, Inc. for the Cherry**
130 **Alley Reconstruction Project in the amount of \$96,429.38.**

131
132 Yes – Mrs. Hackenberg, Mr. Berkheiser, Mr. Bottiger, Mr. Snook

133
134 No – None

135 Mr. Snook reported that Mrs. Erin Threet, HRG, Inc., has been made aware that as work progressed in
136 the 200 block of the Cherry Alley Reconstruction Project, it was determined that portions of the alley
137 were constructed on unsuitable bearing materials and therefore required over-excavation and
138 replacement with suitable bearing material. This work is provided for in the contract documents, but
139 was not accounted for in the bid for the project because the condition of subgrade was unknown prior to
140 the removal of existing pavement. HRG, Inc. is recommending that Borough Council take action to
141 approve Work Change Directive No. 1 to Gutelius Excavating, Inc. for over-excavation and replacement
142 of the unsuitable bearing mater. The anticipated increase in the contract price associated with this work
143 is currently estimated at approximately \$8,000.00 based on a field view performance on Wednesday,
144 September 10, 2014. A copy of the Work Change Directive is attached to tonight's Engineer's Report
145 for Borough Council review. Borough Council action is requested on this matter.

146
147 Mrs. Hackenberg informed Borough Council that Mrs. Erin Threet, HRG, Inc. contacted her with regard
148 to this matter since Mrs. Metzger is on vacation and Mr. Jason Mitchell, the Borough Public Works
149 Supervisor, was unavailable. Mrs. Hackenberg clarified that Mrs. Threet wanted to notify someone of
150 what was going on.

151
152 Motion by: Beverly L. Hackenberg

153 Second by: Paul E. Bottiger

154
155 **MOTION: To approve Work Change Directive No. 1 to Gutelius Excavating, Inc. for over-**
156 **excavation and replacement of the unsuitable bearing materials for the Cherry Alley**
157 **Reconstruction Project in the amount of \$8,000.00.**

158
159 Yes – Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg, Mr. Snook

160
161 No – None

162
163
164 Mr. Snook reported that Gutelius Excavating, Inc., the contractor for the Cherry Alley Reconstruction
165 Project, has submitted a change order request to delay final pavement restoration until spring of 2015.
166 Gutelius Excavating, Inc. feel that by deferring the paving until spring they can provide a better job, by
167 eliminating any settling that occurs during the winter months before putting the top coat in place. This
168 request does not include any additional costs. The proposed change order would increase final
169 completion times by 175 days to May 15, 2015. HRG, Inc. has reviewed this request and prepared
170 Change Order No. 1. A copy of the request and the change order is attached to tonight's Engineer's
171 Report for Borough Council review. Borough Council action is requested on this matter.

172
173 Motion by: Paul E. Bottiger

174 Second by: Troy A. Berkheiser

175
176 **MOTION: To approve Change Order No. 1 to Gutelius Excavating, Inc. to delay final pavement**
177 **restoration for the Cherry Alley Reconstruction Project until spring of 2015.**

178
179 Approved via unanimous voice vote.

180
181
182 Motion by: Beverly L. Hackenberg

183 Second by: Troy A. Berkheiser

184
185 **MOTION: To amend the motion to approve Payment Application No. 1 to Gutelius Excavating,**
186 **Inc. for the Cherry Alley Reconstruction Project in the amount of \$96,429.38; to change the**
187 **amount to \$91,119.37 as recommended by HRG, Inc.**

188
189 Yes – Mr. Bottiger, Mrs. Hackenberg, Mr. Berkheiser, Mr. Snook

190
191 No – None

192
193
194 Mr. Snook informed Borough Council that Mrs. Metzger is requesting Borough Council action to
195 authorize her to approve any change orders relating to the Cherry Alley Reconstruction Project up to
196 \$10,000.00 in order to keep the project moving forward.

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

204
205 **MOTION: To authorize Mrs. Metzger to approve any change orders relating to the Cherry Alley**
206 **Reconstruction Project up to \$10,000.00.**

207
208 Yes – Mrs. Hackenberg, Mr. Berkheiser, Mr. Bottiger, Mr. Snook

209
210 No – None

211
212
213 Mrs. Hackenberg reported that the Personnel Committee has reviewed the proposed job description for
214 the Water/Wastewater Technician 3 Apprentice position. Borough Council action is requested to
215 approve this job classification and description.

216
217 Motion by: Beverly L. Hackenberg
218 Second by: Paul E. Bottiger

219
220 **MOTION: To approve the job classification and description for the Water/Wastewater Technician**
221 **3 Apprentice position.**

222
223 Approved via unanimous voice vote.

224
225
226 Mrs. Hackenberg informed Borough Council that Mrs. Metzger is requesting Borough Council action to
227 authorize her to advertise to fill two (2) vacancies: a Water/Wastewater Technician 3 Apprentice and a
228 General Maintenance 2. Borough Council action is requested is requested on this matter.

229
230 Motion by: Beverly L. Hackenberg
231 Second by: Troy A. Berkheiser

232
233 **MOTION: To authorize Mrs. Metzger to advertise the Water/Wastewater Technician 3**
234 **Apprentice position and the General Maintenance 2 position.**

235
236 Mr. Snook stated that the General Maintenance 2 position has been vacant for well over a year.

237
238 Approved via unanimous voice vote.

239
240
241 Mr. Snook informed Borough Council that Mr. William C. Asay, President of Mockenhaupt Benefits
242 Group (Actuary for the Borough), has prepared the 2015 Minimum Municipal Obligations (MMOs) for
243 both the Police and Non-uniformed Pension Plans and the Non-Uniformed Money Purchase Plan which
244 are as follows:

245
246 Non-Uniformed Pension Plan \$104,813.00
247 Police Pension Plan \$108,956.00
248 Non-Uniformed Money Purchase Plan \$ 1,679.00

249
250 Copies of the three (3) MMOs are included in the information tonight for Borough Council review.
251 Borough Council action is required to adopt the MMOs as prepared by Mockenhaupt Benefits Group.

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

255
256 **MOTION: To adopt the Non-Uniformed Pension Plan Minimum Municipal Obligation in the**
257 **amount of \$104,813.00 and the Police Pension Plan Minimum Municipal Obligation in the amount**
258 **of \$108,956.00 for the 2015 budget.**

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

261
262 No – None

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269 Motion by: Troy A. Berkheiser

270 Second by: Paul E. Bottiger

271

272 **MOTION: To adopt the Non-Uniformed Money Purchase Plan Minimum Municipal Obligation in**
273 **the amount of \$1,679.00 for the 2015 budget.**

274

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

276

277 No – None

278

279

280 Mr. Snook reported that H.A. Thomson Company, the Borough's Insurance agency, has received the
281 Borough's Workers' Compensation Insurance Renewal from AmeriHealth Casualty, the Borough's
282 current carrier. The estimated renewal amount is \$101,851.00. This premium is based on the payroll
283 estimates provided and represents a slight decrease in Premium from 2014. Borough Council action is
284 requested to approve this renewal.

285

286 Motion by: Beverly L. Hackenberg

287 Second by: Troy A. Berkheiser

288

289 **MOTION: To approve the Workers' Compensation Insurance Renewal from AmeriHealth**
290 **Casualty, the Borough's current carrier, with the estimated renewal amount of \$101,851.00.**

291

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

293

294 No – None

295

296

297 Mr. Snook reported that Mrs. Metzger has received the renewal quote for the ESI Employee Assistance
298 Group for 2015. The cost per agreement year in 2014 was \$2,685.00, but has increased to \$2,760.00 for
299 2015; this represents a \$75.00 increase. Borough Council action is requested to approve the renewal of
300 this program.

301

302 Motion by: Troy A. Berkheiser

303 Second by: Beverly L. Hackenberg

304

305 **MOTION: To enter into the Employee Assistance Program Agreement between the Borough of**
306 **Mifflinburg and the ESI Employee Assistance Group at the Premium Benefit Level for the period**
307 **of Wednesday, October 1, 2014 through Wednesday, September 30, 2015 to provide professional**
308 **employee assistance to Borough employees at the cost of \$2,760.00 per agreement year.**

309

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

311

312 No – None

313

314

315 Mr. Snook reminded Borough Council that there was a lightning strike at the Mifflinburg Community
316 Park on Thursday, June 19, 2014. There was significant damage to the public restrooms and to the
317 camera system. Mr. Snook informed Borough Council that Mrs. Metzger has filed an insurance claim
318 for these items; the Insurance Company has offered a settlement amount of \$9,156.93. This amount
319 represents the actual repair costs for the restroom and the cost for a replacement camera system less a
320 depreciation factor since it's a much more advanced system than was there, less the deductible.
321 Borough Council action is requested to approve this settlement.

322

323 Motion by: Beverly L. Hackenberg

324 Second by: Troy A. Berkheiser

325

326 **MOTION: To approve the settlement offer of \$9,156.93 from the Insurance Company for damages**
327 **to the public restrooms and the camera system at the Mifflinburg Community Park.**

328

329 A lengthy discussion was held; Mr. Bottiger expressed that he is okay with the settlement amount the
330 Insurance Company has offered.

331

332 Approved via unanimous voice vote.

333

334

335 Mr. Snook informed Borough Council that Mrs. Metzger has received a request from the Mifflinburg
336 Heritage and Revitalization Association (MHRA) for the Borough to provide water services to the
337 Mifflinburg VFW carnival grounds and other assistance for the Annual Oktoberfest Event on October 3
338 & 4, 2014. Borough Council action is requested on this matter.

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

342
343 **MOTION: To provide water services to the Mifflinburg VFW carnival grounds and other**
344 **assistance as seen fit by Mrs. Metzger for the Mifflinburg Heritage and Revitalization Association**
345 **(MHRA) on October 3 & 4, 2014 in order to conduct the Annual Oktoberfest Event.**

346
347 Yes – Mr. Bottiger, Mrs. Hackenberg, Mr. Berkheiser, Mr. Snook

348
349 No – None

350
351
352 Mayor Cooney requested Borough Council action to set Trick or Treat night for Friday, October 31,
353 2014 from 6:00 PM - 9:00 PM.

354
355 Motion by: Paul E. Bottiger
356 Second by: Troy A. Berkheiser

357
358 **MOTION: To set Trick or Treat night for Friday, October 31, 2014 from 6:00 PM - 9:00 PM.**

359
360 Approved via unanimous voice vote.

361
362
363 Mayor Cooney provided Borough Council with an update on the status of Apple Alley. Mayor Cooney
364 reported that Apple Alley has been converted to a one-way street traveling north. Mr. Berkheiser
365 informed Borough Council that Mr. Douglas Lauver, a resident located at 148 East Street, approached
366 him to express his concerns with regard to Apple Alley; Mr. Lauver expressed that when traveling north
367 on Apple Alley you can't see to pull out because of the hedges. Mr. Berkheiser clarified that Mr. Lauver
368 indicated that he believes Apple Alley should be converted to a one-way street traveling south. A
369 discussion was held; Mayor Cooney stated that he's not interested in converting Apple Alley to a one-
370 way street traveling south.

371
372 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for
373 August 2014 included in the information tonight.

374
375 Mayor Cooney presented Borough Council with some Monthly Highlights for the Mifflinburg Police
376 Department for August 2014 in the absent of Chief Bickhart.

377
378 Mayor Cooney announced that the Annual Homecoming Parade will be held on Friday, October 3, 2014
379 at 5:30 PM. The parade will begin at 6th Street, travel east on Chestnut Street to 1st Street, and end at the
380 Mifflinburg Area High School located at 75 Market Street.

381
382 Mr. Berkheiser scheduled a Finance Committee meeting for Tuesday, September 30, 2014 at 7:00 PM.
383 The purpose of the meeting will be to review the 2013 Audit Report with Mr. Neal Lewis, CPA
384 (Certified Public Accountants) and Chairman/CEO at Lewis Barlett Klees, PC.

385
386 Mayor Cooney informed Borough Council that he participated in or will be participating in the
387 following meetings or events:

- 388
389
- The ribbon cutting for Verizon Wireless located at 8 East Chestnut Street.
 - The Buffalo Valley Rail Trail (B.V.R.T.) Ground Breaking that was held in Vicksburg, PA.
 - The Annual Oktoberfest Festival that is scheduled for Friday, October 3, 2014 from 1:00 PM - 11:00 PM and Saturday, October 4, 2014 from 11:00 AM - 10:00 PM at the VFW Carnival Grounds. Mayor Cooney announced that he will be performing the traditional cry of "O' zapft is!" ("It's tapped!") on Friday, October 3, 2014 at 1:00 PM to officially mark the beginning of the festival.
 - A meeting with the Senior Citizen, Club 39 that is scheduled for Wednesday, September 17, 2014 at 2:00 PM.
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402 Motion by: Troy A. Berkheiser

403

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

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406 Approved via unanimous voice vote.

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408

409 Meeting adjourned at 8:12 PM.

410

411 Respectfully Submitted,

412

413

414 Misty L. Ross

415 Assistant Borough Secretary