

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL

2 October 18, 2016

3  
4 PRESENT ABSENT

5 Beverly L. Hackenberg, Council President X  
6 Tod M. Steese, Vice President X  
7 Troy A. Berkheiser, Council Member X - Arrived during executive session  
8 Paul E. Bottiger, Council Member X - Arrived at 7:01 PM  
9 Richard J. Fry, Council Member X  
10 Duane L. Zimmerman, Council Member X  
11 David M. Cooney, Mayor X  
12 Jeremiah D. Runkle, Solicitor 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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17 The regular meeting of Mifflinburg Borough Council was called to order at 7:00 PM.

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19 There was one (1) visitor present at this meeting which was Thomas Reimensnyder.

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22 Motion by: Tod M. Steese

23 Second by: Richard J. Fry

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25 **MOTION: To approve the minutes of the Tuesday, September 20, 2016 regular meeting of**  
26 **Mifflinburg Borough Council.**

27  
28 Approved via unanimous voice vote.

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31 Motion by: Richard J. Fry

32 Second by: Tod M. Steese

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34 **MOTION: To approve payment of Bill List #2016-10 in the amount of \$661,915.60.**

35  
36 Yes – Mr. Bottiger, Mr. Fry, Mr. Steese, Mr. Zimmerman, Mrs. Hackenberg

37  
38 No – None

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41 Motion by: Tod M. Steese

42 Second by: Paul E. Bottiger

43  
44 **MOTION: To approve the Mifflinburg Borough Zoning Report for September 2016 and authorize**  
45 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$1,342.46.**

46  
47 Yes – Mr. Fry, Mr. Steese, Mr. Zimmerman, Mr. Bottiger, Mrs. Hackenberg

48  
49 No – None

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51  
52 Mrs. Metzger informed Borough Council that she has received a request from the '4 Bells' Lutheran  
53 Church, located at 13765 Old Turnpike Road, Millmont, PA. The '4 Bells' Lutheran Church is requesting  
54 Borough Council permission to utilize the Mifflinburg Community Park on Sunday, May 28, 2017 in  
55 order to conduct a Father's Day Park Event, with the same activities as approved in 2016, and to rent the  
56 Mifflinburg Community Pool during their event for a donation of \$250.00. Mrs. Metzger clarified that  
57 any approval would be limited to 150 swimmers for safety reasons. Borough Council action is requested  
58 on this matter.

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68 Motion by: Paul E. Bottiger  
69 Second by: Tod M. Steese

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71 MOTION: To authorize the '4 Bells' Lutheran Church to utilize the Mifflinburg Community Park  
72 on Sunday, May 28, 2017 in order to conduct a Community Father's Day Event, contingent upon  
73 submission and completion of the required paperwork, a security deposit in the amount of \$250.00,  
74 and a certificate of insurance; and to approve their request to rent the Mifflinburg Community  
75 Pool on from 1:00 PM - 4:00 PM for a donation of \$250.00 for up to 150 swimmers.

76  
77 Approved via unanimous voice vote

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79  
80 Mrs. Metzger informed Borough Council that there was a Budget meeting held on Tuesday, October 4,  
81 2016 at 7:00 PM. At this meeting, all Budget requests were reviewed by the Borough Council Members  
82 present. A draft Budget has been prepared using the requests as discussed at the meeting. The next  
83 Budget meeting is scheduled for Tuesday, October 25, 2016 at 7:00 PM to review the draft Budget and  
84 work to balance it. Mrs. Metzger urged all Borough Council Members to attend this meeting.

85  
86 Mrs. Metzger provided Borough Council with an update on the status of the improvements at the  
87 Mifflinburg Hose Company Building located at 325 Chestnut Street. Mrs. Metzger reported that the  
88 construction work at the Mifflinburg Hose Company Building has been completed and the Borough is  
89 awaiting the concrete testing results so that they can authorize the Mifflinburg Hose Company to utilize  
90 the newly repaired concrete areas. Mr. Rowe added that the final walk-thru is scheduled for this  
91 Thursday, October 20, 2016.

92  
93 Mrs. Metzger announced that Mr. Dustin Martin, the masonry contractor hired to complete the lintel  
94 repair work at the Borough Building, completed the repair work earlier today.

95  
96 Mrs. Metzger provided Borough Council with an update on the status of the two (2) Green Light GO  
97 Grant applications. Mrs. Metzger reminded Borough Council that they took action at the Tuesday,  
98 September 20, 2016 regular Borough Council meeting to authorize submission of two (2) Green Light GO  
99 Grant applications to PennDOT for the update of the project that the Borough previously submitted for the  
100 upgrading of the SR 45 and Mabel Street traffic signal to video detection and for the updates to the 3<sup>rd</sup> and  
101 4<sup>th</sup> Street traffic signals. Mrs. Metzger reported that Mr. Rowe was unable to submit both grant  
102 applications to PennDOT; PennDOT only permits one (1) grant application per cycle. Mr. Rowe  
103 submitted the Green Light GO Grant application for the upgrading of the SR 45 and Mabel Street traffic  
104 signal to video detection. Mrs. Metzger informed Borough Council that PennDOT has an alternative  
105 program, the ARLE Program, which seems like the best program for the 3<sup>rd</sup> and 4<sup>th</sup> Street signal changes.  
106 Borough Management will submit an application using that program when the next round of funding  
107 opens up.

108  
109 Mrs. Metzger provided Borough Council with an update on the status of the blighted property at 1 Oak  
110 Avenue. Mrs. Metzger reported that the demolition of 1 Oak Avenue is scheduled to be completed the  
111 week of October 17<sup>th</sup>.

112  
113 Mrs. Metzger reported that the Plant Operators continue to gather information regarding the Wastewater  
114 Treatment Plant membranes as recommended by the Memcor Audit. Replacement of a broken valve and  
115 programming issues have delayed some of the CIPs. Mr. Zimmerman inquired about the cleaning  
116 schedule for the membranes. A discussion was held; Mr. Zimmerman stated that he would like to review  
117 the Plant Operators' log to ensure that the membranes are being cleaned properly.

118  
119 Mrs. Metzger provided Borough Council with an update on the status of the 3<sup>rd</sup> Street Lift Station coating  
120 work done. Mrs. Metzger reported that HRI, Inc., the contractor for the 3<sup>rd</sup> Street Bridge Replacement  
121 Project, has completed the Wet Well lining at the 3<sup>rd</sup> Street Lift station. This work was problematic  
122 because the first application did not pass the testing we required (which the subcontractor had originally  
123 refused to perform). This required that the lining be removed, reapplied and retested which also resulted  
124 in a longer period of bypass pumping.

125  
126 Mrs. Metzger provided Borough Council with an update on the status of the 3<sup>rd</sup> Street Bridge  
127 Replacement Project. Mrs. Metzger reported that a job conference for the 3<sup>rd</sup> Street Bridge Replacement  
128 Project was held on Wednesday, October 12, 2016. It's unlikely that the contractor will finish the work  
129 before the winter shut down date of Tuesday, November 29, 2016. The contractor will be required to  
130 perform snow removal and maintenance during the winter months. Pavement work will be completed in  
131 the Spring. The contract deadline for completion is Friday, May 26, 2017.

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134 Mrs. Metzger informed Borough Council that American Municipal Power, Inc. (AMP) has presented an  
135 offer for the Borough to participate in a joint Solar Power Generating Project. This proposal has been  
136 reviewed by Utility Engineers, Inc. and they have provided their opinion for Borough Council  
137 consideration. Mrs. Metzger reported that the Utility Committee met on Tuesday, September 27, 2016 at  
138 7:00 PM to review and discuss the offer presented by AMP. Mrs. Metzger reported that some changes  
139 had been made to the original offer and she deferred action on this matter until she hears from Utility  
140 Engineers, Inc.

141  
142 Mrs. Metzger reported that the Borough Electric Crew has changed the electrical service for the Booster  
143 Pump Station to provide service on a dedicated line to ensure fewer outages as recommended by Mr.  
144 Zimmerman. Borough Management has also been in contact with Process Control Solutions to restore the  
145 alarms to this facility. Mrs. Metzger informed Borough Council that the Borough's local Sanitarian has  
146 contacted her regarding some possible assistance they could offer with projects like this. A meeting has  
147 been scheduled for Wednesday, November 2, 2016 with the Department of Environmental Protection  
148 (DEP) to discuss what programs are available and determine whether or not any of the programs would  
149 work for the Borough

150  
151 Mrs. Metzger informed Borough Council that the Borough has advertised for the sale of the surplus  
152 equipment items. Bids are due by Monday, November 7, 2016 at 1:00 PM. Mrs. Metzger added that the  
153 Borough has also transferred the title for the 2000 Chevy Utility truck to West Buffalo Township.

154  
155 Mr. Rowe provided Borough Council with an update on the status of the trees in the Harry Haney Park,  
156 located along N. 8<sup>th</sup> Street. Mr. Rowe reminded Borough Council that they took action at the Tuesday,  
157 September 20, 2016 regular Borough Council meeting to authorize Borough Management to allow Mr.  
158 Martin Melville, Melville Forestry Services, to cut down the trees in the Harry Haney Park, located along  
159 N. 8<sup>th</sup> Street and take the wood at no cost to the Borough, subject to Mr. Runkle's approval of the  
160 contract. Mr. Rowe reported that a signed contract has been received from Mr. Melville; however the  
161 Borough is still waiting on a copy of his certificate of insurance.

162  
163 Mrs. Metzger reported that Mr. Jason Mitchell, the Borough Public Works Supervisor, has obtained  
164 quotes for the Annual Snow Removal Equipment Rental. The quotes were opened on Tuesday, October  
165 11, 2016 at 1:00 PM. There were three (3) quotes received and are as follows:

	<u>Schlegel</u>	<u>Dave Gutelius</u>	<u>Iddings</u>
	<u>Excavating</u>	<u>Excavating, Inc.</u>	<u>Quarry, Inc.</u>
Dump w/ Operator			
Single-Axle	NO BID	NO BID	\$ 52.00
Tandem-Axle	\$ 62.00	NO BID	\$ 65.00
Tri-Axel	\$ 65.00	\$ 86.00	NO BID
Snow Blower w/ Operator			
Tractor/Loader Mounted	NO BID	\$133.00	NO BID

175  
176 A copy of the bid tabulation is included in the information tonight. Borough Council action is requested  
177 to award the quotes to the lowest responsible bidder on an as-needed basis for each size/type of equipment  
178 specified.

179  
180 Motion by: Paul E. Bottiger  
181 Second by: Duane L. Zimmerman

182  
183 **MOTION: To award the Single-Axle Dump w/ Operator to Iddings Quarry, Inc. in the amount of**  
184 **\$52.00; the Tandem-Axle Dump w/ Operator to Schlegel Excavating in the amount of \$62.00; the**  
185 **Tri-Axle Dump w/ Operator to Schlegel Excavating in the amount of \$65.00; and the**  
186 **Tractor/Loader Mounted Snow Blower w/ Operator to Dave Gutelius Excavating, Inc. in the**  
187 **amount of \$133.00 on an as-needed basis for the Annual Snow Removal Equipment.**

188  
189 Approved via unanimous voice vote

190  
191  
192 Mrs. Metzger informed Borough Council that the Borough has located two (2) fairly substantial water  
193 leaks during this past month. The first leak was located on the Mifflinburg Area School District's water  
194 line in front of the Mifflinburg Middle School, and the second was located on Albert Street on the  
195 Borough's side of a service line. Both of these leaks have been repaired.

196  
197 Mrs. Metzger requested an executive session to discuss personnel matters and potential litigation.

198  
199 Mayor Cooney provided Borough Council with an update on the status of the part-time Police Officer for  
200 the Mifflinburg Police Department. Mayor Cooney reported that Mr. Trey Toland has passed his Act 120  
201 Certification and now has to complete his psychological and physical exam.

202 Mayor Cooney announced that the required PennDOT TE-300 Special Events Permit for the 2016  
203 Christkindl Market has been completed and submitted to PennDOT.

204  
205 Mayor Cooney announced that he has also submitted an application to PennDOT for a Yield to Pedestrian  
206 Channelizing Device; however he has not received a response from PennDOT yet.

207  
208 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for  
209 September 2016 included in the information tonight.

210  
211 Mayor Cooney presented Borough Council with some Monthly Highlights for the Mifflinburg Police  
212 Department for September 2016.

213  
214 Mr. Fry asked Mayor Cooney if they were going to discuss Mulberry Street. Mayor Cooney informed  
215 Borough Council that he met with Mr. Fry at the Mifflinburg Farmers Exchange, located at 660 Mulberry  
216 Street, to discuss trucks traveling on 8<sup>th</sup> Street that are turning onto Mulberry Street to deliver to Sunbury  
217 Meats. Mayor Cooney explained that there is a pole located at this intersection that is sort of in the way.  
218 Mayor Cooney stated that he spoke with Mr. Jason Mitchell, the Borough Public Works Supervisor, and  
219 Mr. Mitchell placed reflective tape around the pole to make the pole more visible. Mr. Rowe reported  
220 that Mulberry Street is one (1) of the street projects that the Borough is looking to budget towards in  
221 2017. A discussion was held; Mr. Rowe clarified that this project is only in the planning stages; it won't  
222 happen right away.

223  
224 Mr. Fry informed Borough Council that he was contacted by some concerned residents regarding the 2016  
225 Christkindl Market. Mr. Fry informed Borough Council that at the Tuesday, August 16, 2016 regular  
226 Borough Council they discuss the flagger requirements for the 2016 Christkindl Market. At this meeting,  
227 a Public Safety Committee meeting was scheduled to further discuss and determine what certifications for  
228 the flaggers would be required. Then, at the Tuesday, September 20, 2016 regular Borough Council they  
229 took action to amend the requirements for the 2016 Christkindl Market to allow the east end shuttle buses  
230 to travel Market Street and drop off passengers in a designated drop off zone located in the 300 Block of  
231 Market Street east of the Union County parking lot, as long as the Christkindl Committee secures the  
232 required PennDOT TE-300 Special Events Permit for the SR 304 and Market Street intersection and  
233 provides four (4) PennDOT certified flaggers and any required signage to secure this intersection for all  
234 hours that the Market is open. The residents are a little bewildered with what is going on with the 2016  
235 Christkindl Market. A lengthy discussion was held; Mr. Bottiger clarified that the change to the east end  
236 shuttle bus route and drop off was at the recommendation of Mr. Steve Walter, Chief of the Mifflinburg  
237 Hose Company. Mayor Cooney stated that the other issue that the Public Safety Committee discussed at  
238 their meeting is with regard to flaggers. Mayor Cooney stated that he spoke with all nine (9) of the  
239 Mifflinburg Fire Police and most of them agreed that one (1) flagger is not adequate; you need at least  
240 two (2) flaggers. When speaking with the Mifflinburg Fire Police, he inquired if they're stopping traffic  
241 in their course of doing this job. All of the Mifflinburg Fire Police said yes; you don't do the job without  
242 stopping traffic. In accordance with PennDOT specifications, a Special Events Permit is required if you  
243 stop or delay traffic on a State highway. In accordance with the PennDOT TE-300 Special Events Permit  
244 you must either have (1) or four (4) flaggers. Since most of the Mifflinburg Fire Police indicated that you  
245 need at least two (2) flaggers; he recommended that four (4) flaggers be provided for the SR 304 and  
246 Market Street intersection.

247  
248 Mr. Fry provided Mrs. Hackenberg with a copy of a memo that he received from the Christkindl Market  
249 of Mifflinburg, Inc. regarding the requirements for the 2016 Christkindl Market. Mrs. Hackenberg  
250 informed Borough Council that the memo reads as follows:

251  
252 As required, we are submitting or have submitted the following information:

- 253  
254 1) Preliminary Market layout plan, submitted Sept. 15.  
255 2) Shuttle bus company information:  
256  
257 Deb Heydrich  
258 Charter Sales Representative  
259 Susquehanna Trailways  
260 11 West Church Street  
261 Williamsport, PA 17701  
262  
263 3) Shuttle bus routes as stipulated by Borough Council.  
264 4) Flagger certifications can be verified by R&P Security Company.  
265 5) Certification of Insurance will be sent when it is renewed in November.  
266 6) Contract with R&P Security Company, Inc. will be forwarded separately.

267  
268 Mr. Fry clarified that a copy of the contract between the Christkindl Market of Mifflinburg, Inc. and R&P  
269 Security Company, Inc. has been attached to the memo.

270 Mr. Bottiger reminded Borough Council that there is Budget meeting scheduled for Tuesday, October 25,  
271 2016 at 7:00 PM.

272  
273 Mr. Zimmerman announced that there was a Utility Committee meeting held on Tuesday, September 27,  
274 2016 at 7:00 PM. At this meeting, the Utility Committee discussed the following items:

- 275  
276 – The offer presented by American Municipal Power, Inc. (AMP) for the Borough to  
277 participate in a joint Solar Power Generating Project.  
278 – Membrane replacement at the Wastewater Treatment Plant.  
279

280 Mrs. Metzger added that the Utility Committee also discussed some potential projects for the 2017  
281 Budget at their meeting on Tuesday, September 27, 2016 at 7:00 PM.

282  
283 Mayor Cooney presented Borough Council with an update for the Mifflinburg Regional Economic  
284 Development (MRED) Alliance. Mayor Cooney provided Borough Council with the following updates:

- 285  
286 1. Rishel's Meat Market has opened up shop at 60 E. Chestnut Street.  
287 2. Domino's Pizza will be opening up shop at 317 E. Chestnut Street.  
288 3. Ms. Cherie Ross, Executive Director for the Mifflinburg Heritage and Revitalization  
289 Association (MHRA), will be conducting the Business Open House again during this year's  
290 Community Christmas Tree Lighting.  
291

292 Mrs. Metzger informed Borough Council that they received a copy of the Engineer's Report for  
293 September 2016 included in the information tonight. Mrs. Metzger reported that the National Pollutant  
294 Discharge Elimination System (NPDES) permit renewal was submitted to the Department of  
295 Environmental Protection (DEP) via correspondence dated Monday, May 2, 2016. A response still has  
296 not been received from DEP.  
297

298 Mr. Runkle requested an executive session to discuss potential litigation.  
299

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

- 302  
303 • The ribbon cutting for YMCA that was held on Friday, September 23, 2016.  
304 • The ribbon cutting for Whispering Willow Primitives and Antiques located at 451 Chestnut  
305 Street that was held on Saturday, September 24, 2016. The grand reopening was held to  
306 celebrate the combining of Karen's Korner with the Whispering Willow.  
307 • A meeting with Mrs. Hornberger, a member of the Mifflinburg Area School District  
308 (MASD) Curriculum Planning Committee, in preparation for the Mid-States Accreditation.  
309 • Sent a letter to Eagle Scout, Jonathan Bergmueller. Mayor Cooney clarified that Mr.  
310 Bergmueller was the gentleman that was interesting in completing some trash removal  
311 projects.  
312 • Hosted the Mifflinburg Cub Scout Pack at the Borough Building for their Government Merit  
313 Badge.  
314 • The Annual Oktoberfest Festival that was held on Friday, September 30, 2016 from 1:00 PM  
315 - 11:00 PM and Saturday, October 1, 2016 from 11:00 AM - 10:00 PM at the VFW Carnival  
316 Grounds. Mayor Cooney announced that he performed the traditional cry of "O' zapft is!"  
317 ("It's tapped!") on Friday, September 30, 2016 at 1:00 PM to officially mark the beginning  
318 of the festival.  
319 • A meeting with Boy Scout, Tyler Berkheiser.  
320 • The Annual Jack-O-Lantern Contest that is scheduled for Wednesday, October 26, 2016  
321 from 7:00 PM – 8:00 PM at the Herr Memorial Library.  
322 • Will be emceeing the Annual Halloween Parade that is scheduled for Thursday, October 27,  
323 2016 at 6:00 PM.  
324 • The Veteran's Day Service at the Mifflinburg Community Park that is scheduled for  
325 Saturday, November 5, 2016 at 11:00 AM.  
326 • The Community Christmas Tree Lighting that is scheduled for Sunday, November 27, 2016  
327 from 7:00 PM – 8:00 PM.  
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330 Mrs. Hackenberg called an executive session to discuss potential litigation and personnel matters. An  
331 executive session was held from 7:49 PM to 10:18 PM.  
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337 Motion by: Tod M. Steese  
338 Second by: Paul E. Bottiger

339  
340 MOTION: To accept the resignation of Mr. David Moroskie as a Water-Wastewater Tech 1 for the  
341 Borough of Mifflinburg effective Friday, October 28, 2016.

342  
343 Approved via unanimous voice vote.

344  
345  
346 Motion by: Tod M. Steese  
347 Second by: Richard J. Fry

348  
349 MOTION: To authorize Mrs. Metzger to advertise for a Water-Wastewater Tech for the Borough  
350 of Mifflinburg.

351  
352 Approved via unanimous voice vote.

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354  
355 Motion by: Tod M. Steese  
356 Second by: Paul E. Bottiger

357  
358 MOTION: To authorize Mrs. Metzger and Mr. Runkle to negotiate a favorable deal for the sale of  
359 the available Nutrient Credits so that it can occur prior to Wednesday, November 30, 2016.

360  
361 Approved via unanimous voice vote.

362  
363  
364 Mr. Zimmerman reported that he thinks the Borough should consider seeing if the First Evangelical  
365 Lutheran Church, located at 404 Market Street, is interested in taking over the town clock that is located  
366 in their tower now that the clock has been repaired and is in working order.

367  
368 Mr. Zimmerman informed Borough Council that he has received three (3) to five (5) complaints about the  
369 color of emblem on the Borough Equipment trucks. Mrs. Metzger reported that the emblem on the  
370 Borough Equipment trucks is the Borough logo which was designed three (3) or four (4) years ago to  
371 match the Welcome to Mifflinburg signs.

372  
373 Mr. Zimmerman stated that he believes the Borough needs to consider making Mr. Jason Mitchell, the  
374 Borough Public Works Supervisor, a working foreman so that he can help the crew and direct them.

375  
376 Mr. Zimmerman expressed that he doesn't think it's proper for Mr. Jason Mitchell, the Borough Public  
377 Works Supervisor, to wear a Dave Gutelius Excavating, Inc. shirt to work every day. Mr. Bottiger  
378 inquired if the Borough Maintenance Employees have a dress code. Mrs. Metzger stated that the Borough  
379 Maintenance Employees don't have a dress code; they're just not allowed to wear shorts.

380  
381 Mr. Zimmerman also expressed that he doesn't think the Borough Maintenance Employees should be  
382 driving around wasting time and would like to see a list of what the employees are doing every day. Mr.  
383 Bottiger agreed with Mr. Zimmerman that the guys shouldn't be driving around wasting time.

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386 Motion by: Tod M. Steese

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388 MOTION: To adjourn the Mifflinburg Borough Council meeting.

389  
390 Approved via unanimous voice vote.

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393 Meeting adjourned at 10:30 PM.

394  
395 Respectfully Submitted,

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397  
398 Misty L. Ross  
399 Assistant Borough Secretary