

MINUTES OF MIFFLINBURG BOROUGH COUNCIL  
September 20, 2016

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	PRESENT	ABSENT
Beverly L. Hackenberg, Council President	X	
Tod M. Steese, Vice President	X	
Troy A. Berkheiser, Council Member	X	
Paul E. Bottiger, Council Member	X	
Richard J. Fry, Council Member	X	
Duane L. Zimmerman, Council Member	X	
David M. Cooney, Mayor	X	
Jeremiah D. Runkle, Solicitor		X - (Attended executive session only)
Margaret A. Metzger, Borough Manager	X	
Robert M. Rowe, Borough Project Manager	X	
Misty L. Ross, Assistant Secretary	X	

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

Visitors present at this meeting were Steve Walter, Benjamin Dietrich, Brad Hook, and Vincent Yonai.

Motion by: Tod M. Steese

Second by: Richard J. Fry

**MOTION: To approve the minutes of the Tuesday, August 16, 2016 regular meeting of Mifflinburg Borough Council.**

Approved via unanimous voice vote.

Motion by: Troy A. Berkheiser

Second by: Paul E. Bottiger

**MOTION: To approve payment of Bill List #2016-09 in the amount of \$900,265.48.**

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

No – None

Mr. Benjamin Dietrich and Mr. Brad Hook attended tonight's meeting on behalf of the Mifflinburg Little League. Mr. Dietrich reported that the Mifflinburg Little League is requesting that the following be included in the Borough's 2017 Budget:

- \$5,000.00 in matching funds to replace the back stop and upgrade the restroom at the ball field at the Mifflinburg Community Park on N. 5<sup>th</sup> Street
- \$5,000.00 in matching funds to renovate the Scott S. Sholley Field at the Harry F. Haney Memorial Park on N. 8<sup>th</sup> Street.

Mr. Berkheiser clarified that the Mifflinburg Little League would be matching the \$5,000.00 for the ball field at the Mifflinburg Community Park and the \$5,000.00 for the Scott S. Sholley Field at the Harry F. Haney Memorial Park.

Mr. Zimmerman thanked Mr. Dietrich and Mr. Hook for their efforts in trying to renovate the ball field at the Mifflinburg Community Park and the Scott S. Sholley Field at the Harry F. Haney Memorial Park.

Mrs. Metzger thanked the Mifflinburg Little League for submitted their Budget requests before the October 1<sup>st</sup> deadline.

Mr. Vincent Yonai, a resident of 629 Chestnut Street, attended tonight's meeting concerning traffic speeding on Chestnut Street between 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> Streets. Mr. Yonai reported that there have been several accident in the past two (2) weeks and there needs to be policing in this area before someone gets seriously injured or killed; it's getting out of control. A discussion was held; Mayor Cooney stated that he would address this matter with the Mifflinburg Police Department.

67 Mr. Yonai informed Borough Council that he is also present at tonight's meeting to inquire about the 'tar  
68 and chip' work that the Borough completed on Green Street and why the Borough can't get black top.  
69 Mrs. Metzger reported that the Borough has begun using more seal coat or 'tar and chip' surfacing  
70 material and spot patch paving for pavement maintenance as opposed to the previous standard asphalt  
71 patch and over lay methods used in the past. There are several reasons for this transition, all of which boil  
72 down to a huge difference in costs. Mrs. Metzger explained that the Liquid Fuels Funds that the Borough  
73 is allotted doesn't go as far as it used to. There are guidelines as to how we can spend the funds and gets  
74 the most out of them. The 'tar and chip' work is a way to address the areas of the Borough streets that can  
75 be preserved by some additional maintenance. This work helps to seal the cracks and to extend the life of  
76 the streets that aren't in as bad of shape as some of the others. It's a cost effective way to hold the streets  
77 together. Mr. Rowe added that the Borough works closely with PennDOT representatives to select areas  
78 for this work. Mr. Yonai expressed his dislike with the 'tar and chip' work. A discussion was held; Mrs.  
79 Metzger stated that the Borough is trying to be good stewards of the funds they receive and stretch their  
80 budget as far as they can to help keep the Borough streets in the best state of repair that they can.

81  
82  
83 Motion by: Troy A. Berkheiser  
84 Second by: Paul E. Bottiger

85  
86 **MOTION: To approve the Mifflinburg Borough Zoning Report for August 2016 and authorize**  
87 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$1,603.35.**

88  
89 Yes – Mr. Bottiger, Mr. Fry, Mr. Steese, Mr. Zimmerman, Mr. Berkheiser, Mrs. Hackenberg

90  
91 No – None

92  
93  
94 Mrs. Metzger provided Borough Council with an update on the status of the itemized zoning invoice from  
95 the Central Keystone Council of Governments (CK-COG). Mrs. Metzger reported that the CK-COG has  
96 again provided a slightly more detailed Zoning Report as a result of their meetings and discussions with  
97 them. A Finance Committee meeting was held on Tuesday, August 30, 2016 at 8:30 PM to discuss other  
98 providers. Mr. Berkheiser recommended that the matter be referred to executive session to be discussed  
99 further.

100  
101 Mrs. Metzger reported that she received a proposed new Rental Property Administrative Contract  
102 proposal from the CK-COG. This agreement changes how the program will work to be more like the  
103 Zoning Administration Contract; the CK-COG will collect the fees but remit them to the Borough and  
104 then bill the Borough separately for the time spent administering this program. The CK-COG Board is  
105 scheduled to vote on this during their annual membership meeting in October. Mr. Berkheiser informed  
106 Borough Council that he has received some additional information and recommended that this matter be  
107 referred to executive session to be discussed further.

108  
109 Mrs. Metzger reported that the CK-COG sent the Borough correspondence notifying them that they still  
110 have two (2) outstanding building permits on file for which they've never requested the final inspection  
111 for Certificate of Occupancy. One (1) of these permits is for the Borough Building and the other is for the  
112 Wastewater Treatment Plant. Mrs. Metzger informed Borough Council that subsequent to receiving the  
113 correspondence, she contacted the CK-COG and requested the final inspection for Certificate of  
114 Occupancy. These inspections were held on Monday, September 19, 2016. The inspection for the  
115 Borough Building was good and the Certificate of Occupancy is in the mail; however there were two (2)  
116 minor items that needed to be addressed at the Wastewater Treatment Plant: a vertical grab bar in the  
117 restroom and an "Exit" sign over the electrical room door. Mr. Jason Mitchell, the Borough Public Works  
118 Supervisor, has taken care of these items and the Borough should receive the Certificate of Occupancy for  
119 the Wastewater Treatment Plant in the mail as well.

120  
121 Mrs. Metzger provided Borough Council with an update on the status of the Pole Attachment Agreement  
122 with Windstream Communications. Mrs. Metzger reported that an updated Pole Attachment Agreement  
123 has been provided to Windstream Communications at Mr. Runkle's recommendation since their  
124 agreement is expired and outdated. They also still have an outdated Cable Franchise Agreement which  
125 has not been addressed. Mrs. Metzger informed Borough Council that she billed Windstream  
126 Communications for their 2016 Pole Attachments using the proposed rate. A response has been received  
127 from Windstream Communications with regard to the pole attachment agreement and not having to pay  
128 the proposed rate. Mrs. Metzger recommended that this matter be deferred until Mr. Runkle has a chance  
129 to review the response received from Windstream Communications.

130  
131  
132

133 Mrs. Metzger announced that the Borough's Annual Seal Coat work was completed on August 29-30,  
134 2016. Several residents have expressed their dislike for Seal Coat work in the Borough. Mrs. Metzger  
135 clarified that this work is completed as a maintenance measure; if Borough Council wants to opt to do  
136 more spot paving in future years they may, but much less will be accomplished.

137  
138 Mrs. Metzger reported that the Borough Maintenance Employees didn't measure the parking stalls when  
139 they painted the lines on Market Street and the stalls are way too short. Mrs. Metzger apologized and  
140 clarified that this mistake would be corrected.

141  
142 Mr. Steese expressed that he thought Hammaker East LTD, the contractor for the Borough's Annual Seal  
143 Coat work, was a little sloppy.

144  
145 Mrs. Metzger informed Borough Council that she has received a request from the Mifflinburg VFW. The  
146 Mifflinburg VFW is requesting the use of at least two (2) electrical carts for their Gun Raffle event on  
147 Saturday, September 24, 2016. A copy of the request has been included in the information tonight.  
148 Borough Council action is requested on this matter.

149  
150 Motion by: Troy A. Berkheiser  
151 Second by: Paul E. Bottiger

152  
153 **MOTION: To provide at least two (2) electrical carts to the Mifflinburg VFW for their Gun Raffle**  
154 **event on Saturday, September 24, 2016.**

155  
156 Mrs. Metzger reported that she referred the Mifflinburg VFW to a local electrician with regard to  
157 changing out their electrical service to better accommodate events like this.

158  
159 Mr. Zimmerman updated Borough Council that the Mifflinburg VFW has contacted the local electrician  
160 and is obtaining a quote for the upgrades. Mr. Zimmerman clarified that he would be hooking up the  
161 electrical carts for this event.

162  
163 Approved via unanimous voice vote.

164  
165  
166 Mrs. Metzger informed Borough Council that she has received another request from the Mifflinburg  
167 VFW. The Mifflinburg VFW is also requesting that water services be provided to the Mifflinburg VFW  
168 carnival grounds on September 17-18, 2016 in order to conduct the Tent Revival. Mrs. Metzger clarified  
169 that the Borough has already provided the water services for this event. Borough Council action is being  
170 requested to approve this request after the fact.

171  
172 Motion by: Troy A. Berkheiser  
173 Second by: Paul E. Bottiger

174  
175 **MOTION: To provide water services to the Mifflinburg VFW carnival grounds for the Mifflinburg**  
176 **VFW on September 17-18, 2016 in order to conduct the Tent Revival.**

177  
178 Approved via unanimous voice vote.

179  
180  
181 Mrs. Metzger informed Borough Council that she has also received a request from Mrs. Beverly  
182 Hackenberg on behalf of the Wildcat Softball Booster Club. The Wildcat Softball Booster Club is  
183 requesting Borough Council permission to utilize the Mifflinburg Community Park and Borough Streets  
184 on Sunday, January 1, 2017 at 10:00 AM for a Fundraising 5k Run event. Mrs. Metzger clarified that the  
185 Wildcat Softball Booster Club has already secured and provided event insurance. A copy of the request  
186 has been included in the information tonight. Borough Council action is requested to approve this event.

187  
188 Motion by: Duane L Zimmerman  
189 Second by: Paul E. Bottiger

190  
191 **MOTION: To approve the Wildcat Softball Booster Club's request to utilize the Mifflinburg**  
192 **Community Park on Sunday, January 1, 2017 at 10:00 AM in order to hold a Fundraising 5k Run**  
193 **event.**

194  
195 Approved via unanimous voice vote.

196  
197

198 Mrs. Metzger reported that the Borough's insurance carrier, H.A. Thomson Company, held a renewal  
199 meeting on Wednesday, September 14, 2016 regarding the Borough's 2017 coverage. H.A. Thomson  
200 Company indicated that the Borough's Worker's Compensation policy premium with AmeriHealth  
201 Casualty Services will likely increase significantly due to a recent Pennsylvania Compensation Rating  
202 Bureau (PCRB) Audit regarding labor classifications. Mrs. Metzger explained that the Borough Water  
203 Works Employees need to be reclassified as Borough Maintenance Worker Employees since they perform  
204 other work and the Borough can't justify that they do 100 % of their work with water. In addition, the  
205 Borough's Safety Committee was audited by the Department of Labor and Industry on Monday,  
206 September 12, 2016. The Safety Committee has not been audited previously. The Auditor indicated that  
207 the Safety Committee has had some non-compliance issues over the three (3) year period, mostly  
208 regarding the attendance of a quorum at the monthly meetings. This was only because the Borough was  
209 actually trying to always have someone from each department present at the Safety Committee meeting,  
210 rather than only working with a specified number of committee members. The Borough may have to  
211 reapply for their Safety Committee status which provides the Borough with a 5% discount on their  
212 Worker's Compensation claim. Mrs. Metzger clarified that she thinks the Borough will still receive the  
213 5% discount on their Worker's Compensation claim; however the Auditor wasn't sure. H.A. Thomson  
214 Company has indicated that the prices for the Borough's PIRMA Liability and Property coverage would  
215 remain the same for 2017 as in 2016. Mrs. Metzger informed Borough Council that she asked H.A.  
216 Thomson Company to provide a quote for Cyber Liability Insurance. This coverage is recommended  
217 based on potential exposure due to the Borough's automated systems. Mrs. Metzger clarified that this  
218 information will be presented to Borough Council upon receipt for consideration for 2017.

219  
220 Mrs. Metzger announced that she has been notified of a Benecon (health insurance) renewal meeting date.  
221 The meeting scheduled for the Borough's area is on Friday, October 7, 2016 at which time they will  
222 provide the renewal pricing and information on any potential refunds.

223  
224 Mrs. Metzger reported that Mr. Jared Sholley, of the Sholley Agency, has contacted her and indicated that  
225 they are interested in again working up a proposal for the Borough Insurance Services for 2017. In order  
226 to authorize Mr. Sholley to move forward with the applications necessary to obtain additional pricing, we  
227 would again have to put the PIRMA liability pool on notice that we could potentially leave the pool.  
228 Mrs. Metzger informed Borough Council that if they are interested in her moving forward with this, they  
229 would need to take action to authorize her to send the required letter to PIRMA and to work with the  
230 Sholley Agency to obtain a proposal for insurance coverage. Mrs. Metzger stated that if Borough Council  
231 takes action to authorize her to send the required letter to PIRMA and to work with the Sholley Agency to  
232 obtain a proposal for insurance coverage, she would recommended that the Sholley Agency be given a  
233 very specific date in which to provide the alternate pricing so that the Borough does not have the same  
234 issue as last year.

235  
236 Mrs. Metzger informed Borough Council that Mr. Rowe has been working on the following two (2)  
237 projects for the Green Light GO Grant application:

- 238 1. The update of the project that the Borough previously submitted for the upgrading of the SR  
239 45 and Mabel Street Traffic Signal to video detection.
- 240 2. The updates to the 3<sup>rd</sup> and 4<sup>th</sup> Street traffic signals as discussed previously.

241  
242  
243 The deadline to submit applications is Friday, September 30, 2016. Borough Council authorization is  
244 requested to submit an application for both of these projects by the deadline.

245  
246 Motion by: Duane L Zimmerman  
247 Second by: Paul E. Bottiger

248  
249 **MOTION: To submit a Green Light GO Grant application to PennDOT for the update of the**  
250 **project that the Borough previously submitted for the upgrading of the SR 45 and Mabel Street**  
251 **Traffic Signal to video detection and for the updates to the 3<sup>rd</sup> and 4<sup>th</sup> Street traffic signals.**

252  
253 Mr. Hackenberg inquired if video surveillance could be implemented for the 4<sup>th</sup> & Chestnut Street  
254 intersection. Mr. Rowe stated that he doesn't think video surveillance could be implemented with this  
255 grant; however there are other programs and grant opportunities. Mr. Rowe clarified that he would look  
256 into this matter.

257  
258 Approved via unanimous voice vote.

263 Mrs. Metzger provided Borough Council with an update on the status of the blighted property at 1 Oak  
264 Avenue. Mrs. Metzger reported that she has obtained the demolition permit necessary for 1 Oak Avenue  
265 and consent for Schlegel Excavating, Inc. to use the private street for access if necessary. This work is  
266 scheduled to begin October 17, 2016. Mrs. Metzger clarified that she posted the property and the  
267 demolition permit and that she also attempted to notify Deutsche Bank just as an extra precaution.  
268

269 Mrs. Metzger informed Borough Council that American Municipal Power, Inc. (AMP) has presented an  
270 offer for the Borough to participate in a joint Solar Power Generating Project. This proposal has been  
271 reviewed by Utility Engineers, Inc. and they have provided their opinion for Borough Council  
272 consideration. Mrs. Metzger requested that a Utility Committee meeting be scheduled to review and  
273 discuss the offer presented.  
274

275 Mr. Zimmerman scheduled a Utility Committee meeting for Tuesday, September 27, 2016 at 7:00 PM to  
276 review and discuss the offer presented by American Municipal Power, Inc. (AMP) for the Borough to  
277 participate in a joint Solar Power Generating Project.  
278

279 Mrs. Metzger reported that she has been working with Mrs. Erin Threet, HRG, Inc., to obtain some  
280 assistance with developing costs for some potential projects for the 2017 Budget. One (1) of these  
281 projects is the upgrade to the pump station which is fairly extensive and requires some input from  
282 Borough Council before any additional time is spent on this concept. Mrs. Metzger requested that the  
283 Utility Committee meeting also discuss this matter at their meeting on Tuesday, September 27, 2016 at  
284 7:00 PM, in order to plan for the 2017 Budget. Mrs. Metzger clarified that Mrs. Threet will be present at  
285 the Utility Committee meeting regarding this matter.  
286

287 Mrs. Metzger reported that the Borough has taken delivery of and placed in service the three (3) new  
288 trucks that were bid and awarded earlier this year. The three (3) trucks that were replaced now need to be  
289 disposed. Borough Management is requesting that Borough Council authorize them to solicit bids for the  
290 sale of the three (3) trucks that were replaced and to incorporate some other old and unused equipment in  
291 these bids. Mrs. Metzger informed Borough Council that she received a letter earlier today from West  
292 Buffalo Township. West Buffalo Township is offering \$4,000.00 for the 2000 Chevy Utility truck. A  
293 copy of the letter has been included in the information tonight. Mrs. Metzger stated that in accordance  
294 with the Borough Code no borough personal property may be disposed of, by sale or otherwise, except  
295 upon approval of council by resolution. In cases when council approves a sale of the property, council  
296 shall estimate the fair market value of the item to be disposed. If council estimates the fair market value  
297 to be \$1,000 or more, the item shall be advertised for sale. An exception to this is if borough real or  
298 personal property is to be sold to a county, city, borough, town, township, institution district, school  
299 district, volunteer fire company, volunteer ambulance service or volunteer rescue squad located within the  
300 borough. Borough Council action is requested on this matter.  
301

302 Motion by: Duane L. Zimmerman

303 Second by: Tod M. Steese  
304

305 **MOTION: To approve the sale of the 2000 Chevy Utility truck to West Buffalo Township for**  
306 **\$4,000.00.**  
307

308 Approved via unanimous voice vote.  
309  
310

311 Mrs. Metzger requested Borough Council authorization to solicit bids for the sale of remaining two (2)  
312 trucks that were replaced and to incorporate some other old and unused equipment.  
313

314 Motion by: Paul E. Bottiger

315 Second by: Duane L. Zimmerman  
316

317 **MOTION: To authorize Borough Management to solicit bids for the sale of the remaining two (2)**  
318 **trucks that were replaced and to incorporate some other old and unused equipment in these bids.**  
319

320 Approved via unanimous voice vote.  
321  
322

323 Mrs. Metzger provided Borough Council with an update on the status of the trees in the Harry Haney  
324 Park, located along N. 8<sup>th</sup> Street. Mrs. Metzger reminded Borough Council that they took action at the  
325 Tuesday, August 16, 2016 regular Borough Council meeting to authorize the Borough to proceed with the  
326 tree removal and timber sale at the Harry Haney Park. Mrs. Metzger reported that Mr. Rowe has  
327 distributed the Timber Sale bids. The bid opening was held on Wednesday, September 14, 2016. There  
328 were no bids received. Borough Council direction is requested on this matter.  
329

330 Mr. Rowe informed Borough Council that he contacted Mr. Martin Melville, Melville Forestry Services,  
331 who has done work for the Merrill Linn Conservancy and plans to assist them with the tree removal on  
332 one (1) of the adjacent properties, to see why he didn't submit a bid. Mr. Melville indicated that he had  
333 forgotten, but would be interested in just cutting down the trees and taking the wood for no cost. A  
334 discussion was held; Mrs. Metzger clarified that a contract and proof of insurance would still be required  
335 and the Borough would need to ensure that Mr. Melville completes this work prior to fishing season.  
336

337 Motion by: Paul E. Bottiger  
338 Second by: Duane L Zimmerman  
339

340 **MOTION: To authorize Borough Management to allow Mr. Martin Melville, Melville Forestry**  
341 **Services, to cut down the trees in the Harry Haney Park, located along N. 8<sup>th</sup> Street and take the**  
342 **wood at no cost to the Borough, subject to Mr. Runkle's approval of the contract.**  
343

344 Approved via unanimous voice vote.  
345  
346

347 Mrs. Metzger reported that Mr. Jason Mitchell, the Borough Public Works Supervisor, has obtained  
348 quotes to replace the arborvitae trees which died along the fence at the Wastewater Treatment Plant. Mr.  
349 Mitchell worked with the Pennsylvania Department of Conservation and Natural Resources (DCNR) and  
350 Mr. Ben Dietrich, owner of BM Dietrich Landscape Architecture, to help determine the best types of trees  
351 to plant in these conditions and also to help buffer the noises from the Wastewater Treatment Plant. The  
352 quote opening was held on Friday, September 16, 2016 at 8:00 AM. There were three (3) quotes received  
353 and are as follows:  
354

355	Country Farm & Home	\$ 7,900.00
356	Shaffer Landscaping	\$10,000.00
357	BM Dietrich Landscape Architecture	\$ 7,450.00

358

359 A copy of the quote tabulation has been included in the information tonight. Borough Council action is  
360 requested to award the 2016 Wastewater Treatment Plant Tree quote to BM Dietrich Landscape  
361 Architecture, the low bidder, for a total amount of \$7,450.00.  
362

363 Motion by: Tod M. Steese  
364 Second by: Paul E. Bottiger  
365

366 **MOTION: To award the 2016 Wastewater Treatment Plant Tree quote to BM Dietrich Landscape**  
367 **Architecture for a total amount of \$7,450.00.**  
368

369 Yes – Mr. Fry, Mr. Steese, Mr. Zimmerman, Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg  
370

371 No – None  
372  
373

374 Mrs. Metzger requested an executive session to discuss personnel matters and potential litigation.  
375

376 Mrs. Metzger reported that Mr. William C. Asay, President of Mockenhaupt Benefits Group (Actuary for  
377 the Borough), has prepared the 2017 Minimum Municipal Obligations (MMOs) for both the Police and  
378 Non-Uniformed Pension Plans and the Non-Uniformed Money Purchase Plan which are as follows:  
379

380	Police Pension Plan	\$85,083.00
381	Non-Uniformed Pension Plan	\$76,000.00
382	Non-Uniformed Money Purchase Plan	\$10,509.00

383

384 Mrs. Metzger informed Borough Council that the law requires that these MMOs be adopted/approved for  
385 the 2017 budget by September 30<sup>th</sup> of the preceding year. Copies of the three (3) MMOs have been  
386 included in the information tonight. Borough Council action is requested to adopt these MMOs as  
387 prepared by Mockenhaupt Benefits Group.  
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397 Motion by: Tod M. Steese  
398 Second by: Paul E. Bottiger

399  
400 MOTION: To adopt the Police Pension Plan Minimum Municipal Obligation in the amount of  
401 \$85,083.00; the Non-Uniformed Pension Plan Minimum Municipal Obligation in the amount of  
402 \$76,000.00; and the Non-Uniformed Money Purchase Plan Minimum Municipal Obligation in the  
403 amount of \$10,509.00 for the 2017 budget.

404  
405 Yes – Mr. Fry, Mr. Steese, Mr. Zimmerman, Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg

406  
407 No – None

408  
409  
410 Mayor Cooney requested an executive session to discuss personnel matters.

411  
412 Mayor Cooney reminded Borough Council that there was a Public Safety Committee meeting held on  
413 Tuesday, August 30, 2016 to discuss the flagger requirements for the 2016 Christkindl Market.  
414 Subsequent to the meeting, correspondence was received from the Christkindl Market of Mifflinburg, Inc.  
415 which reads as follows:

416  
417 To: Mifflinburg Borough Council  
418 Mayor David Cooney  
419 cc: Rick Fry  
420 Steve Walter  
421 Harrison Martin  
422 From: Christkindl Market of Mifflinburg, Inc.

423  
424 Re: Requirements for 2016 Christkindl Market

425  
426 Attached please find the preliminary Christkindl Market layout.

427  
428 Information concerning the shuttle will follow pending the decision of Borough Council at  
429 their September meeting, as we cannot enter into a contract with the shuttle company until  
430 the matter is finalized.

431  
432 We strongly recommend that the east end shuttle stop be returned to 4<sup>th</sup> and Market for  
433 safety reasons as expressed by Assistant Fire Chief, Larry Brown, at the Safety Committee  
434 meeting on August 30<sup>th</sup>. To reiterate, keeping the shuttle stop at 6<sup>th</sup> Street will necessitate  
435 our hiring two (2) more buses for a total of four (4) coming from the east end of town. Mr.  
436 Brown spoke against this, stating that in the event of a fire, it would be much easier to have  
437 cars move to the side than large buses. The comment was made by either Mr. Brown or Mr.  
438 Walter that he “would rather have two (2) buses on Market Street than four (4) on Chestnut  
439 Street.

440  
441 With respect to flaggers, we would again refer to information received from both the  
442 regional and state offices of PennDOT that having two (2) crossing guards at an intersection  
443 with a four-way stop is improper procedure. Based on testimony by Mr. Tom  
444 Reimensnyder, a veteran flagger, who stated that he would not want to have to watch another  
445 flagger in addition to the traffic and pedestrians, we would offer the following compromise:  
446 After review of their qualifications by Mr. Reimensnyder and Mr. Fry, one (1) OR two (2)  
447 flaggers be employed based on their experience and preference. The Christkindl Board  
448 would have a relief flagger ready at all times.

449  
450 The final arrangements for both of the above matters will be sent to Council by the deadline  
451 of October 15<sup>th</sup>.

452  
453 A copy of the correspondence has been included in the information tonight. Mayor Cooney reported that  
454 he spoke to Mr. Steve Walter, Chief of the Mifflinburg Hose Company, regarding the east end shuttle stop  
455 being returned to 4<sup>th</sup> and Market Street; Chief Walter indicated that the Mifflinburg Hose Company would  
456 like to see the shuttle buses off of the east end of Chestnut Street and that he doesn't want the shuttle  
457 buses dropping off passengers at 4<sup>th</sup> and Market Street, but would recommend a compromise where they  
458 drop off passengers in the 300 block of Market Street east of the Union County parking lot, but no closer  
459 to 4<sup>th</sup> Street than that. Mayor Cooney clarified that Chief Walter is only considering the buses and  
460 realizes that this recommendation does not solve the pedestrian problem at 4<sup>th</sup> and Market Street.

461  
462

463 Mayor Cooney informed Borough Council that the route and drop off for the east end shuttle buses would  
464 be as follows:

465  
466 Shopping center to Chestnut Street; west on Chestnut Street to Mabel Street; south on Mabel  
467 Street to Market Street; west on Market Street to drop off before the Union County parking  
468 lot exit. Empty buses proceed west on Market Street to 4<sup>th</sup> Street, south on 4<sup>th</sup> Street to  
469 Maple Street; east on Maple Street to East Street; north on East Street to Market Street; east  
470 on Market Street to Mabel Street; north on Mabel Street to Chestnut Street; east on Chestnut  
471 Street to the shopping center.

472  
473 The route and drop off for the west end shuttle buses would remain the same, unloading at 6<sup>th</sup> and Market  
474 Street. In doing this, the route and drop off does not block the westward lane of Chestnut Street for fire  
475 and EMS. Mayor Cooney clarified that Chief Walter has expressed that he does not want congestion of  
476 any kind, pedestrian or buses, at the corner of 4<sup>th</sup> and Market Street.

477  
478 Chief Walter mentioned that the Mifflinburg Hose Company is also recommending that the Christkindl  
479 Market of Mifflinburg, Inc. contact School Districts and other outside buses from the previous year's  
480 Markets to notify them of the changes and that they have the proper signage. Chief Walter added that the  
481 other thing that he and Mr. Fry discussed was State signs detouring traffic from Mifflinburg during the  
482 Christkindl Market. Chief Walter informed Borough Council that he spoke with Mr. Harrison Martin,  
483 Captain of the Mifflinburg Community Ambulance Company, and he indicated that he was in favor with  
484 these recommendations. Mayor Cooney stated that the only other thing that was discussed was staggering  
485 buses as they come to pick up students at the Market.

486  
487 Mayor Cooney reported that the other issue that the Public Safety Committee discussed at their meeting is  
488 with regard to flaggers. Mayor Cooney stated that he spoke with all nine (9) of the Mifflinburg Fire  
489 Police and most of them agreed that one (1) flagger is not adequate; you need at least two (2) flaggers.  
490 When speaking with the Mifflinburg Fire Police, he inquired if they're stopping traffic in their course of  
491 doing this job. All of the Mifflinburg Fire Police said yes; you don't do the job without stopping traffic.  
492 In accordance with PennDOT specifications, a Special Events Permit is required if you stop or delay  
493 traffic on a State highway. Traffic stoppages greater than 20 minutes also requires a detour route. Mayor  
494 Cooney clarified that the flaggers would not be stopping traffic for more than 20 minutes, so a detour  
495 route would not be required. Without a permit the flaggers are only allowed to control the pedestrians; if  
496 they are stopping traffic from proceeding or delaying traffic to allow pedestrians to cross, then they would  
497 need to obtain a Special Event Permit. Mayor Cooney informed Borough Council that he spoke with Mr.  
498 Runkle and he agreed that a Special Event Permit would be required for the SR 304 and Market Street  
499 intersection. In accordance with the PennDOT TE-300 Special Events Permit you must either have (1) or  
500 four (4) flaggers. Since most of the Mifflinburg Fire Police indicated that you need at least two (2)  
501 flaggers; he is recommending that four (4) flaggers be provided for the SR 304 and Market Street  
502 intersection. A lengthy discussion was held; Mr. Zimmerman mentioned that if flaggers are there then  
503 there should be signage. Mayor Cooney requested that Borough Council take action to amend the  
504 requirements for the 2016 Christkindl Market to allow the east end shuttle buses to travel Market Street  
505 and drop off passengers in a designated drop off zone located in the 300 Block of Market Street east of the  
506 Union County parking lot, as long as the Christkindl Committee secures the required PennDOT TE-300  
507 Special Events Permit for the SR 304 and Market Street intersection and provides four (4) PennDOT  
508 certified flaggers and any required signage to secure this intersection for all hours that the Market is open.  
509 All other Safety requirements listed in the March 16, 2016 letter would remain the same.

510  
511 Motion by: Paul E. Bottiger

512 Second by: Richard J. Fry

513  
514 **MOTION: To amend the requirements for the 2016 Christkindl Market to allow the east end**  
515 **shuttle buses to travel Market Street and drop off passengers in a designated drop off zone located**  
516 **in the 300 Block of Market Street east of the Union County parking lot, as long as the Christkindl**  
517 **Committee secures the required PennDOT TE-300 Special Events Permit for the SR 304 and**  
518 **Market Street intersection and provides four (4) PennDOT certified flaggers and any required**  
519 **signage to secure this intersection for all hours that the Market is open.**

520  
521 Approved via unanimous voice vote.

522  
523  
524 Mrs. Hackenberg called an executive session to discuss potential litigation and personnel matters. An  
525 executive session was held from 9:01 PM to 11:32 PM.

526  
527  
528 Mayor Cooney requested that Borough Council take action to add the Christkindl Market to the 2016  
529 Special Events list for the Mifflinburg Fire Police.



530 Motion by: Paul E. Bottiger  
531 Second by: Tod M. Steese  
532  
533 **MOTION: To add the Christkindl Market to the 2016 Special Events list for the Mifflinburg Fire**  
534 **Police.**  
535  
536 Approved via unanimous voice vote.  
537  
538  
539 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for  
540 August 2016 included in the information tonight.  
541  
542 Mayor Cooney presented Borough Council with some Monthly Highlights for the Mifflinburg Police  
543 Department for August 2016.  
544  
545  
546 Motion by: Tod M. Steese  
547 Second by: Paul E. Bottiger  
548  
549 **MOTION: To hire Mr. Trey Toland as a part-time Police Officer for the Mifflinburg Police**  
550 **Department, contingent upon successful completion of the following four (4) items: psychological**  
551 **and physical exam, pre-employment drug and alcohol testing and re-installment of Act 120**  
552 **Certification at a rate of \$15.00/hr.**  
553  
554 Approved via unanimous voice vote.  
555  
556  
557 Motion by: Tod M. Steese  
558 Second by: Paul E. Bottiger  
559  
560 **MOTION: To increase Mr. Bradley Sauers's pay rate to \$17.35/hr.**  
561  
562 Yes – Mr. Zimmerman, Mr. Berkheiser, Mr. Bottiger, Mr. Fry, Mr. Steese, Mrs. Hackenberg  
563  
564 No – None  
565  
566  
567 Motion by: Paul E. Bottiger  
568 Second by: Tod M. Steese  
569  
570 **MOTION: To grant Mr. Carl Kratzer permanent full-time employment status effective Thursday,**  
571 **September 1, 2016 as an Electric Lineman Apprentice/Lineman II under the terms of the current**  
572 **non-uniformed employment contract and grant Mr. Kratzer a \$0.50/hr. raise.**  
573  
574 Yes – Mr. Berkheiser, Mr. Bottiger, Mr. Fry, Mr. Steese, Mr. Zimmerman, Mrs. Hackenberg  
575  
576 No – None  
577  
578  
579 Motion by: Duane L. Zimmerman  
580 Second by: Paul E. Bottiger  
581  
582 **MOTION: To give Mr. Chris Klinger a \$0.50/hr. merit raise, contingent upon completion of the**  
583 **American Municipal Power, Inc. (AMP) Class in October.**  
584  
585 Yes – Mr. Bottiger, Mr. Fry, Mr. Steese, Mr. Zimmerman, Mr. Berkheiser, Mrs. Hackenberg  
586  
587 No – None  
588  
589  
590  
591  
592  
593  
594  
595  
596

597 Motion by: Paul E. Bottiger  
598 Second by: Duane L. Zimmerman

599  
600 MOTION: To authorize Mrs. Metzger to send a letter to the Mifflinburg Planning Commission  
601 supporting the use of Blue Brute piping for the water main and high-density polyethylene (HDPE)  
602 piping for the water laterals for the Gutelius Development on N. 8<sup>th</sup> Street in Mifflinburg.

603  
604 Approved via unanimous voice vote.

605  
606  
607 Motion by: Duane L. Zimmerman  
608 Second by: Paul E. Bottiger

609  
610 MOTION: To give Mr. Tony Romig a \$0.50/hr. merit raise for completing the American Municipal  
611 Power, Inc. (AMP) training school.

612  
613 Yes – Mr. Fry, Mr. Steese, Mr. Zimmerman, Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg

614  
615 No – None

616  
617  
618 Mrs. Hackenberg announced that there is Budget meeting scheduled for Tuesday, October 4, 2016 at 7:00  
619 PM.

620  
621 Mr. Zimmerman reminded Borough Council that there is a Utility Committee meeting schedule for  
622 Tuesday, September 27, 2016 at 7:00 PM.

623  
624 Mayor Cooney presented Borough Council with an update for the Mifflinburg Regional Economic  
625 Development (MRED) Alliance. Mayor Cooney provided Borough Council with the following updates:

- 626
- 627 1. The business to business breakfast networking that was held at the Old Turnpike Restaurant
  - 628 on Tuesday, September 13, 2016 at 8:30 AM was a success.
  - 629 2. The Historic Walking Map is in its final stages.
  - 630 3. Domino's Pizza will be opening up shop at 317 E. Chestnut Street in about six (6) weeks.

631  
632 Mrs. Metzger informed Borough Council that they received a copy of the Engineer's Report for  
633 September 2016 included in the information tonight. Mrs. Metzger pointed out that HRG, Inc. has  
634 provided the Borough with assistance in evaluating a potential solution to the loss of water service during  
635 electricity outages for the approximate 142 residents (Borough and Limestone Township) served by the  
636 existing booster station, including an on-site meeting with Borough Staff. This issue will be discussed  
637 further at the Utility Committee meeting on Tuesday, September 27, 2016 at 7:00 PM

638  
639 Mayor Cooney informed Borough Council that they received a copy of the Proclamation he issue to the  
640 Mifflinburg Hose Company for their 9/11 Memorial March event which read as follows:

641  
642 Mifflinburg Hose Company  
643 9/11 Memorial March Proclamation

644  
645 WHEREAS, members of the Mifflinburg Hose Company want to honor and remember those  
646 343 Firefighters whose lives were lost in the 9/11 attacks; and

647  
648 WHEREAS, members of the Mifflinburg Hose Company departed this morning at 03:00  
649 hours and marched eastward; and

650  
651 WHEREAS, these men and women of the Mifflinburg Hose Company were joined by others  
652 along the way and encouraged by many along the route; and

653  
654 WHEREAS, they reached their destination in Hughesville, having marched 34.3 miles; and

655  
656 NOW, THEREFORE, I, DAVID M. COONEY, MAYOR OF THE BOROUGH OF  
657 MIFFLINBURG, PENNSYLVANIA, DO HEREBY PROCLAIM

658  
659 September 11th 2016 as the Mifflinburg Hose Company Memorial March and Day of  
660 Remembrance in Mifflinburg, and urge all citizens to be mindful of the 343 Firefighters who  
661 made the ultimate sacrifice this day 15 years ago.

662  
663 David M. Cooney, Mayor

664 Mr. Fry expressed his disappointment with the disrespect shown by Mayor Cooney to the Mifflinburg  
665 Hose Company with regard to their assistance request for this 9/11 event.

666  
667 Mayor Cooney reported that the Mifflinburg Hose Company asked for a police escort. Mayor Cooney  
668 explained that he spoke with Officer Mark Baily regarding this and a police escort was provided. Legally  
669 the Mifflinburg Police Department can only provide a police escort to the Borough line without getting  
670 into any trouble; however Mayor Cooney authorized the Officer on duty to go far as they felt comfortable  
671 or until they met up with the Buffalo Valley Regional Police, as long as there was nothing going on in the  
672 Borough. Mayor Cooney informed Borough Council that he also approved use of the Borough Streets  
673 under Ordinance 15-2 and sent that approval directly to PennDOT so that the Mifflinburg Hose Company  
674 could get their permit approved. Mayor Cooney stated that the 9/11 Memorial March was at 3:00 AM, so  
675 he doesn't frankly know what Mr. Fry was looking for. Mayor Cooney clarified the he got out of bed to  
676 see the Mifflinburg Hose Company off and greeted them with a proclamation when they returned. Mayor  
677 Cooney expressed that he doesn't know what more Mr. Fry wants; he did what the Mifflinburg Hose  
678 Company asked him to do.

679  
680 Mr. Fry reported that the story he got from the Mifflinburg Hose Company is different than Mayor  
681 Cooney's story, so they're just going to let it at that. Mr. Fry added that the Mifflinburg Hose Company  
682 is already planning something for next year so he hopes there is a 100% coming from the community.

683  
684 Mayor Cooney stated that he would ask that the Mifflinburg Hose Company tell him what they want him  
685 to do because no one asked him to do anything other than the police escort and grant permission to use the  
686 Borough streets. The Mifflinburg Hose Company didn't ask him to see them off or to greet them with a  
687 proclamation when they returned; he just thought those were things that should have been done so he did  
688 them on his own.

689  
690  
691 Motion by: Troy A. Berkheiser

692  
693 **MOTION: To adjourn the Mifflinburg Borough Council meeting.**

694  
695 Approved via unanimous voice vote.

696  
697  
698 Meeting adjourned at 11:54 PM.

699  
700 Respectfully Submitted,

701  
702  
703 Misty L. Ross  
704 Assistant Borough Secretary