

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL

2 June 20, 2017

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
8	Paul E. Bottiger, Council Member	X	
9	Richard J. Fry, Council Member	X	
10	Duane L. Zimmerman, Council Member		X
11	David M. Cooney, Mayor	X	
12	Ryan M. Tira, Solicitor	X	
13	Frederick C. Dyroff III, Chief of Police	X	
14	Margaret A. Metzger, Borough Manager	X	
15	Robert M. Rowe, Borough Project Manager	X	
16	Misty L. Ross, Assistant Secretary	X	

17

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

19

20 Visitors present at this meeting were Luis Montesinos and Matt Farrand.

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23 Motion by: Tod M. Steese

24 Second by: Paul E. Bottiger

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26 **MOTION: To approve the minutes of the Tuesday, May 16, 2017 regular meeting of Mifflinburg**

27 **Borough Council.**

28

29 Approved via unanimous voice vote.

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32 Motion by: Paul E. Bottiger

33 Second by: Tod M. Steese

34

35 **MOTION: To approve payment of Bill List #2017-06 in the amount of \$777,241.22.**

36

37 Yes – Mr. Bottiger, Mr. Fry, Mr. Steese, Mrs. Hackenberg

38

39 No – None

40

41

42 Mr. Luis Montesinos is present at tonight’s meeting to obtain the final approval for the proposed

43 Mifflinburg Dog Park. Mr. Montesinos distributed copies of the Concept Plan that HRG, Inc. has

44 prepared for the dog park which layouts the dimensions of the dog park. It’s anticipated to cost around

45 \$5,500.00 for materials and delivery of materials and an additional \$6,500.00 to \$7,000.00 for everything

46 else (i.e. toys, litter basket, litter station, bags, signage, etc.) needed to open the dog park. Mr.

47 Montesinos informed Borough Council that he approached Mayor Cooney with regard to applying for a

48 PetSafe Bark for Your Park Grant that may help to provide funding for the dog park; however upon

49 reading through the materials, this grant is designed for a county, city, municipality or other local

50 governmental unit, legally organized, constituted and existing under state law (a “Local Government”) or

51 (b) a non-profit, public benefit organization legally organized and existing under state law which has

52 received tax-exempt status under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended,

53 and which manages or operates park facilities on behalf of a Local Government or which owns, manages

54 and/or operates park facilities which are open to the general public at no charge (an “Eligible Non-profit

55 Organization”). Mr. Montesinos inquired as to whether or not the Borough would be willing to apply for

56 the grant on the Mifflinburg Dog Park Association’s behalf. Mayor Cooney inquired about the long-term

57 effects of the grant. Mr. Montesinos stated that there are some rules and regulations with this grant,

58 upkeep and signage requirements for the dog park that includes the Sponsor’s PetSafe brand name and

59 logo.

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68 Mrs. Metzger reported that to be eligible to receive a grant, each Community selected as a grant recipient
69 must do the following:

- 70
- 71 • Provide land for construction and operation of the dog park, the location and suitability of
- 72 which are subject to Sponsor's reasonable approval.
- 73 • Provide a budget for the design and construction of the dog park project, which shall be
- 74 subject to Sponsor's reasonable approval.
- 75 • Provide evidence of appropriation or availability of sufficient funds to complete construction
- 76 of the dog park project in accordance with the proposed budget.
- 77 • Provide a budget for operation of the dog park, which shall be subject to Sponsor's
- 78 reasonable approval, and commit to maintain and operate the dog park for at least three (3)
- 79 years from the date the dog park opens to the general public.
- 80 • Make the dog park available for use by the general public at no charge, subject to reasonable
- 81 rules and regulations concerning such use.
- 82 • Agree to include Sponsor's PetSafe brand name and logo in all materials related to the dog
- 83 park.
- 84 • For each Community accepting a grant at the \$25,000 level, agree to permanently include
- 85 Sponsor's PetSafe brand name in the name of the dog park.
- 86 • Agree to install signage for the dog park that includes the Sponsor's PetSafe brand name and
- 87 logo, which shall be subject to Sponsor's reasonable approval.
- 88 • Coordinate the opening/reopening/unveiling of the dog park with Sponsor and participate in
- 89 promotional activities related to the Program and the dog park as reasonably requested by
- 90 Sponsor.
- 91

92 Mrs. Metzger added that grants cannot be used to purchase land and must be used only for direct costs of
93 development and construction of the dog park, such as design fees, permits, site preparation, construction
94 services, building materials, installation of utilities, and other capital expenses related to development and
95 construction of the dog park, which shall be set forth in a project budget and subject to Sponsor's
96 reasonable approval (the "Approved Expenses"). Mrs. Metzger clarified that there would be some longer
97 term commitments as well with this grant.

98
99 Mayor Cooney directed Mr. Montesinos to reach out to the PetSafe Bark for Your Park Program and
100 speak with a Representative to explain the situation to them, that on the Mifflinburg Dog Park Association
101 is not a 501(c)(3) but the Borough is allowing them to use the land to establish a dog park, and inquire
102 what on the Mifflinburg Dog Park Association would need to do to apply for this grant. Mayor Cooney
103 stated that he thinks there would probably need to be some sort of Use Agreement between the Borough
104 and the Mifflinburg Dog Park Association.

105
106 Mr. Tira inquired about Borough Council's perspective on what their long-term vision is for the
107 Mifflinburg Dog Park and whether or not the Mifflinburg Dog Park Association would be responsible for
108 maintaining the dog park after the dog park has been created. A lengthy discussion was held; Mrs.
109 Metzger cautioned Borough Council that anytime the Borough adds anything additional to the park,
110 there's more potential liability for the Borough even though there's a Use Agreement and it's being done
111 by volunteers, not Borough Staff. Mr. Tira confirmed that there is always more exposure the more the
112 Borough does, however the same immunities and limitations on liability still apply; the Borough can't
113 create a dangerous situation. As long as the Borough is not aware of something, they have a lot of
114 protection as a Borough.

115
116 Mr. Bottiger indicated that he is okay with Mr. Tira proceeding to prepare a draft Use Agreement between
117 the Borough and the Mifflinburg Dog Park Association. Mrs. Metzger expressed that she thinks Mr.
118 Montesinos needs to obtain more information on the PetSafe Bark for Your Park Grant. Mr. Hackenberg
119 inquired when the deadline is for the grant. Mr. Montesinos reported that grants are awarded a minimum
120 of one-time per year, in September.

121
122 Motion by: Paul E. Bottiger

123 Second by: Tod M. Steese

124
125 **MOTION: To authorize Mr. Tira to proceed with preparing a draft Use Agreement between the**
126 **Borough of Mifflinburg and the Mifflinburg Dog Park Association.**

127
128 Approved via unanimous voice vote.

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134 Motion by: Paul E. Bottiger
135 Second by: Tod M. Steese

136
137 **MOTION: To approve the Mifflinburg Borough Zoning Report for May 2017 and authorize**
138 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$1,680.86.**

139
140 Yes – Mr. Fry, Mr. Steese, Mr. Bottiger, Mrs. Hackenberg

141
142 No – None

143
144
145 Mrs. Metzger reminded Borough Council that the Christkindl Market of Mifflinburg, Inc. has submitted a
146 request to close a section of 5th Street, between Market Street and High Street (on the side of the Herr
147 Memorial Library located at 500 Market Street) on Sunday, August 27, 2017 from 2:00 PM to 5:00 PM
148 for a “block party” to thank all the residents of Market and 5th Streets who are inconvenienced by the
149 Christkindl Market. The Christkindl Market of Mifflinburg, Inc. were also looking to be able to have
150 electrical service to this area during that time. This matter was discussed at the Tuesday, May 16, 2017
151 regular Borough Council meeting and referred to the Utility Committee to be discussed further. Mrs.
152 Metzger reported that Mr. Zimmerman has reviewed this request; however the Christkindl Market of
153 Mifflinburg, Inc. has decided not to hold the “block party” on the street, but rather at a house.

154
155 Mrs. Metzger informed Borough Council that she has received a request from the Buffalo Valley
156 Recreation Association (BVRA). The BVRA is requesting Borough Council consideration to waive the
157 \$60.00 service restoration charge for the Rail Trail restrooms that are located adjacent to the Mifflinburg
158 Community Park. In accordance with the Borough’s ordinance, a \$30.00 turn-on fee and a \$30.00 turn-
159 off fee shall be assessed when a customer requests that service be turned off for a period in excess of one
160 (1) week, or when service is terminated or shut-off because of the customer’s failure to pay any water
161 service charges. Water service will be restored only after payment to the Borough for the costs of
162 discontinuance and restoration of service and all other arrearages. The BVRA feel that since they are a
163 non-profit entity that is located next to and utilized as an overflow area for the Mifflinburg Community
164 Park, Borough Council should exempt them from this charge. Borough Council action is requested on
165 this request.

166
167 Motion by: Paul E. Bottiger
168 Second by: Tod M. Steese

169
170 **MOTION: To waive the \$60.00 service restoration charge for the Rail Trail restrooms that are**
171 **located adjacent to the Mifflinburg Community Park.**

172
173 Approved via unanimous voice vote.

174
175
176 Mrs. Metzger reported that Mr. Jason W. Mitchell, the Borough Public Works Supervisor, has received
177 the paving bids for the 2017 Annual Street and Alley Paving Project on Monday, June 19, 2017 at 1:00
178 PM. A copy of the bid tabulation has been included in the information tonight which reads as follows:

179

180	1. Dave Gutelius Excavating, Inc.	\$ 83,677.50
181	2. Jay Fulkroad & Sons, Inc.	\$119,476.54
182	3. Meckley’s Limestone Products	\$ 76,887.00
183	4. Mid-State Paving, LLC	\$ 94,631.15
184	5. Glenn O. Hawbaker, Inc.	\$ 99,909.50
185	6. New Enterprise Stone & Lime Co., Inc.	\$ 86,328.43
186	7. HRI, Inc.	\$123,307.75

187
188 Borough Council action is requested to award the paving proposal to Meckley’s Limestone Products in
189 the unit price amount of \$76,887.00, contingent upon receipt of the completed Anti-Collusion affidavit.

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198 Motion by: Paul E. Bottiger
199 Second by: Tod M. Steese

200

201 **MOTION: To award the paving proposal for the 2017 Annual Street and Alley Paving Project to**
202 **Meckley's Limestone Products in the unit price amount of \$76,887.00, contingent upon receipt of**
203 **the completed Anti-Collusion affidavit and all other required paperwork.**

204

205 Yes – Mr. Steese, Mr. Bottiger, Mr. Fry, Mrs. Hackenberg

206

207 No – None

208

209

210 Mrs. Metzger informed Borough Council that she has received a request from for the Mifflinburg Fire
211 Police to approve Mr. Max S. Zeller as a new member of the Mifflinburg Fire Police. Borough Council
212 action is request on this matter.

213

214 Motion by: Tod M. Steese

215 Second by: Paul E. Bottiger

216

217 **MOTION: To approve Mr. Max S. Zeller as a new member of the Mifflinburg Fire Police.**

218

219 Approved via unanimous voice vote.

220

221

222 Mrs. Metzger announced that the Borough has prepared and submitted an application for a Pennsylvania
223 Council on the Arts (PCA) Grant to help support the 2018 Summer Concert Series that are held at the
224 Mifflinburg Community Park. This grant is through the Pennsylvania Partners in the Arts (PPA).
225 Borough Council action is requested to approve this application.

226

227 Motion by: Paul E. Bottiger

228 Second by: Tod M. Steese

229

230 **MOTION: To approve the application for a Pennsylvania Council on the Arts (PCA) Grant for the**
231 **2018 Summer Concert Series that are held at the Mifflinburg Community Park.**

232

233 Approved via unanimous voice vote.

234

235

236 Mrs. Metzger provided Borough Council with an update on the status of the Well PW-2 Susquehanna
237 River Basin Commission (SRBC) Compliance Assistance. Mrs. Metzger reminded Borough Council that
238 they took action at the Tuesday, May 16, 2017 regular Borough Council meeting to approve the proposal
239 from HRG, Inc. for professional engineering services related to the proposed 72-hour pump testing and
240 Docket Modification Request for the Well PW-2 on a time and materials basis for an estimated fee of
241 \$12,580.00. Mrs. Metzger reported that subsequent to the meeting, the SRBC contacted her to inform her
242 that the SRBC's Public Water Supply Assistance Program (PWSAP) may provide the Borough with some
243 assistance with this work. The PWSAP is a no-cost assistance program for small municipal public water
244 suppliers (serving up to approximately 10,000 people) that have Commission approvals expiring in the
245 next five (5) to eight (8) years or systems seeking the addition of a new water source. The PWSAP assists
246 participating systems in the areas of data collection methods, procedures related to the aquifer testing
247 process, planning for renewal of expiring approvals, or adding new water supply sources. Mrs. Metzger
248 informed Borough Council that HRG, Inc., has prepared the Aquifer Test Plan for Well PW-2 and
249 provided a copy of the Plan to the Borough for use in coordination with the SRBC. A copy of the Aquifer
250 Test Plan was shared with the SRBC to see what, if any, assistance could be provided to help defray the
251 costs and to ensure accurate recording of data during this 72-hour pump test. Mrs. Metzger requested
252 Borough Council action to authorize her to work with the SRBC and sign any necessary paperwork for
253 this assistance program.

254

255 Motion by: Paul E. Bottiger

256 Second by: Tod M. Steese

257

258 **MOTION: To authorize Mrs. Metzger to work with the Susquehanna River Basin Commission**
259 **(SRBC) and sign any necessary paperwork for the SRBC's Public Water Supply Assistance**
260 **Program (PWSAP).**

261

262 Approved via unanimous voice vote.

263

264 Mrs. Metzger reported that Mr. Rowe has begun preparing an ARLE Grant Application for the 4th and
265 Chestnut Street traffic signal, which will also include the 3rd Street signal since the permits are linked.
266 Mr. Rowe will be obtaining cost estimates from TRA Electric and HRG, Inc. for the required studies,
267 equipment, and work to be used in the application. This application is due by Friday, June 30, 2017.
268 Borough Council action is requested to approve this application.

269
270 Motion by: Tod M. Steese
271 Second by: Paul E. Bottiger

272
273 **MOTION: To approve the ARLE Grant application for the 4th and Chestnut Street traffic signal,**
274 **which will also include the 3rd Street signal.**

275
276 Approved via unanimous voice vote.
277

278
279 Mr. Rowe reported that he has received two (2) requests for release of Improvements Guarantees. The
280 first request was from Mr. Dominick T. Adamo, Owner/Director of Dominick T. Adamo Funeral Home,
281 for his new Funeral Home at the corner of Walnut and Line Streets. HRG, Inc. performed an inspection
282 of the site on Wednesday, May 17, 2017 to determine the extent of completion of items contained within
283 the Irrevocable Letter of Credit No. 24000000329 issued by Jersey Shore State Bank on Friday,
284 September 16, 2016. Based on HRG, Inc.'s visit to the site, they are recommending a reduction of
285 \$108,500.00 from the original amount of \$137,000.00, leaving a remaining balance of \$28,500.00.
286 Borough Council action is requested to release a portion of this Guarantee as recommended by HRG, Inc.

287
288 Motion by: Paul E. Bottiger
289 Second by: Richard J. Fry

290
291 **MOTION: To release \$108,500.00 of the Improvements Guarantee for Mr. Dominick T. Adamo,**
292 **Owner/Director of Dominick T. Adamo Funeral Home, for his new Funeral Home at the corner of**
293 **Walnut and Line Streets, as recommended by HRG, Inc.**

294
295 Yes – Mr. Bottiger, Mr. Fry, Mr. Steese, Mrs. Hackenberg

296
297 No – None
298

299
300 Mr. Rowe reported that the other request he received for release of Improvements Guarantees was from
301 Mr. Irvin Pieffer for the National Mobile Village Land Development Plan. HRG, Inc. performed an
302 inspection of the site on Wednesday, May 17, 2017 to determine the extent of completion of items
303 contained within the Irrevocable Letter of Credit No. 1393 originally issued by Integrity Bank on
304 Wednesday, December 12, 2012. Based on HRG, Inc.'s visit to the site, they are recommending a
305 reduction of \$59,310.00 from the original amount of \$65,900.00, leaving a remaining balance of
306 \$6,590.00. Borough Council action is requested to release a portion of this Guarantee as recommended
307 by HRG, Inc.

308
309 Motion by: Paul E. Bottiger
310 Second by: Tod M. Steese

311
312 **MOTION: To release \$59,310.00 of the Improvements Guarantee for Mr. Irvin Pieffer for the**
313 **National Mobile Village Land Development Plan, as recommended by HRG, Inc.**

314
315 Mr. Rowe pointed out that the developer was a little upset because the Borough wouldn't release the
316 whole amount of the Improvements Guarantees. Final stabilization of all disturbed areas and landscape
317 buffering per the final plan is to be installed prior to full reduction.

318
319 Yes – Mr. Fry, Mr. Steese, Mr. Bottiger, Mrs. Hackenberg

320
321 No – None
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328

329 Mr. Tira provided Borough Council with an update on the status of the Oak Avenue Sanitary Sewer Main
 330 Replacement Project. Mr. Tira reported that Dave Gutelius Excavating, Inc.'s Attorney, E. Lee Stinnett II
 331 with Salzmann Hughes, P.C., has submitted a letter dated Tuesday, June 20, 2017 agreeing to extend and
 332 keep open its bid offer for an additional sixty (60) day period. It's anticipated that the Developer's
 333 Agreement for Dave Gutelius Excavating, Inc. private work will be prepared by the Tuesday, July 18,
 334 2017 regular Borough Council meeting. Mr. Tira clarified that the project is moving forward, there's just
 335 some coordination issues.

336
 337 Mrs. Metzger provided Borough Council with an update on the status of the necessary repairs to the
 338 screens in the Wastewater Treatment Plant (WWTP) Head Works Facility. Mrs. Metzger reported that
 339 Headworks, Inc. was on site beginning Monday, May 15, 2017 to inspect and complete the necessary
 340 repairs to the screens. The repairs did not go smoothly and this work has become far more involved than
 341 originally anticipated. Headworks, Inc. has performed inspection of the five (5) main pieces of screening
 342 equipment (1- Coarse Screen, 2 – screwpactor units, and 2 fine screens) located in the Head Works
 343 Facility; however they can only inspect some of the equipment at a time since the Borough must continue
 344 to maintain flows during this work. So far, most of this equipment has shown significant wear that
 345 requires replacement or repair of the parts. These parts are special order and expensive; however it's
 346 important to the 2017 WWTP Project that this equipment be in top shape so we are proceeding with these
 347 repairs in hopes to have them completed by mid-August. Current cost estimates for these repairs are
 348 nearing \$40,000.00 and we know that more repairs will be required after Headworks, Inc. has fully
 349 inspected all of the equipment. Mrs. Metzger clarified that the Borough is still within their budget;
 350 however she hasn't seen the bids for the installation yet.

351
 352 Mrs. Metzger reported that Mr. Jason W. Mitchell, the Borough Public Works Supervisor, has been
 353 working with Hammaker East LTD to resolve the inferior work for the 2016 Annual Street and Alley
 354 Paving Project. The recommended sealant was applied by Hammaker East, LTD on Monday, June 12,
 355 2017; it appears that this product should eliminate the dust issue that developed following last year's
 356 work. Mrs. Metzger informed Borough Council that she had Mr. Mitchell work through the cost per
 357 square foot of product that was applied; it was around \$18,000.00 worth of product that was applied.

358
 359 Mrs. Metzger provided Borough Council with an update on the status of the Woodland Estates Water
 360 Main Replacement Project. Mrs. Metzger reported that Mr. Rowe has received and reviewed the
 361 preliminary plans and specifications for the Woodland Estates Water Main Replacement Project together
 362 with Mr. Jason W. Mitchell, the Borough Public Works Supervisor, and provided comment to HRG, Inc.
 363 The bid opening for this project is scheduled for Thursday, July 13, 2017 at 3:00 PM with award
 364 scheduled to take place at the Tuesday, July 18, 2017 regular Borough Council meeting. Mrs. Metzger
 365 informed Borough Council that the Borough may have one (1) potential issue with this project. Mrs.
 366 Metzger explained that this project is a Community Development Block Grant (CDBG) Project and as
 367 such there's very specific rules. The CDBG did not like one (1) of the sentences that was in the bid
 368 advertisement and they are questioning it. Mrs. Erin Threet, HRG, Inc., is trying to work through the
 369 situation with the SRBC in hopes that we won't have to do any additional advertisements.

370
 371 Mrs. Metzger reported that Mr. Jason W. Mitchell, the Borough Public Works Supervisor, and Mr. Rowe
 372 have prepared specifications for the 2017 Water Treatment Plant Roof. The quotes were opened on
 373 Friday, May 19, 2017 at 1:00 PM. A copy of the quote tabulation has been included in the information
 374 tonight which reads as follows:

	<u>J&C Roofing & Gutter's</u>		<u>Boss Insulation & Roofing, Inc.</u>	
	<u>Qty.</u>	<u>Price</u>	<u>Qty.</u>	<u>Price</u>
375				
376				
377				
378				
379	1.	Removal of existing roof		\$ 0.00
380	2.	Installation of new sheathing & bracing (sq. ft.)	280	\$ 425.00
381	3.	Installation of new steel roof & materials (sq. ft.)	5940	\$14,500.00
382	4.	Installation of ridge capping & materials (ft.)	125	\$ 700.00
383	5.	Removal & disposal of old roof & roofing materials		\$ 750.00
384	6.	Installation of snow/ice guard bars (qty.)	320'	\$ 940.00
385				\$17,315.50
386				\$18,860.00

387 Borough Council action is requested to award this contract to J&C Roofing & Gutter's, on a unit price
 388 basis in the amount of \$17,315.00, contingent upon receipt of proof of liability insurance documentation
 389 naming the Borough of Mifflinburg as an additional insured in the amount stipulated in the bid
 390 specification.

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395 Motion by: Paul E. Bottiger
396 Second by: Tod M. Steese

397

398 **MOTION: To award the 2017 Water Treatment Plant Roof contract to J&C Roofing & Gutter's on**
399 **a unit price basis in the amount of \$17,315.00, contingent upon receipt of proof of liability insurance**
400 **documentation naming the Borough of Mifflinburg as an additional insured in the amount**
401 **stipulated in the bid specification.**

402

403 Yes – Mr. Steese, Mr. Bottiger, Mr. Fry, Mrs. Hackenberg

404

405 No – None

406

407

408 Mrs. Metzger provided Borough Council with an update on the status of the Ritz-Craft Corporation
409 directory sign that was located on the western corner of the Chestnut Street and Industrial Park Road
410 intersection. Mrs. Metzger reported that Borough Council met with Ritz-Craft Corporation at their Work
411 Session on Tuesday, June 6, 2017 to further discuss this matter. Ritz-Craft Corporation is requesting that
412 Borough Council amend the Zoning Ordinance and Map to extend the General Commercial District to
413 include all of the right-of-way for Industrial Park Road, and then grant permission for their sign to be
414 placed on the Borough's right-of-way once the amendment has been adopted. Borough Council action is
415 requested to authorize Mr. Tira to prepare an amendment to the Zoning Ordinance and Map, make all
416 required notifications, and advertise for a Public Hearing,

417

418 Mr. Tira inquired if Ritz-Craft Corporation has submitted a written request. Mrs. Metzger reported that
419 Ritz-Craft Corporation has not submitted a written request; Ritz-Craft Corporation met with Borough
420 Council at the Borough's Work Session on Tuesday, June 6, 2017. Mr. Tira clarified that there would be
421 application fees involved to amend the Zoning Ordinance and Map. Mrs. Metzger stated that Ritz-Craft
422 Corporation indicated that they feel the Borough should have to pay any and all costs incurred since it's
423 their ordinance. Mr. Bottiger and Mr. Tira both agreed that they think Ritz-Craft Corporation should have
424 to pay any and all costs incurred if they want an amendment to the ordinance to suit them. Mr. Steese
425 expressed that he really feels Borough Council should help in any way that they can. Mr. Bottiger stated
426 that the problem he has with this, is Ritz-Craft Corporation is looking at the directory sign to be their sign
427 and to dictate what goes on the sign; if it's really a Mifflinburg sign and Mifflinburg's Industrial Park,
428 then the directory sign should say that and list all of the things on Industrial Park (i.e. Elkay, Water Plant,
429 Borough Equipment Shed, etc.), not just the things owned by Ritz-Craft Corporation. Mr. Tira informed
430 Borough Council that if the motion is to authorize him to prepare an amendment to the Zoning Ordinance
431 and Map, make all required notifications, and advertise for a Public Hearing, than that really has nothing
432 to do with the directory sign and everything to do with the Zoning Ordinance. Mr. Tira advised Borough
433 Council that from a legal perspective, if Borough Council doesn't want to pay the application fee for the
434 amendment, then they should get something in writing from Ritz-Craft Corporation stating their request
435 and that they will pay the application fee prior to taking action.

436

437 Mrs. Metzger stated that the first step would be to amend the Zoning Ordinance and Map and then enter
438 into an agreement with Ritz-Craft Corporation to allow them to place their sign on the Borough's right-of-
439 way. Ritz-Craft Corporation would then have to apply for a sign permit with PennDOT. Mrs. Metzger
440 clarified that Ritz-Craft Corporation would have to meet the Borough's zoning and sign requirements, in
441 addition to PennDOT's rules and regulations for signs.

442

443 Mr. Bottiger expressed that he personally thinks Borough Council can only look at this matter one (1)
444 way or the other and to him it seems Borough Council is looking at it two (2) ways. Mr. Bottiger
445 reiterated that if the directory sign is going to be a sign for Ritz-Craft Corporation and its going to be their
446 sign, then he thinks Ritz-Craft Corporation should have to pay any and all costs incurred. If the directory
447 sign is going to be a Mifflinburg sign that the Borough is placing on the Borough's right-of-way for
448 Mifflinburg's Industrial Park, then he thinks the Borough should have to pay any and all costs incurred
449 including the costs for the sign. The Borough would then dictate what they want on the sign. Mr. Steese
450 agreed with Mr. Bottiger.

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461 Motion by: Tod M. Steese
462 Second by: Richard J. Fry

463

464 **MOTION: To authorize Mr. Tira to prepare an amendment to the Zoning Ordinance and Map,**
465 **make all required notifications, and advertise to conduct a Public Hearing.**

466

467 Mr. Rowe stated that he thinks if the Borough is going to redo the Zoning Map, there should be a better
468 quality map online; you can barely read the current map.

469

470 Approved via unanimous voice vote.

471

472

473 Mrs. Metzger requested an executive session to discuss contract issues, potential litigation and personnel
474 matters.

475

476 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for
477 May 2017 included in the information tonight.

478

479 Mayor Cooney presented Borough Council with an update for Public Safety. Mayor Cooney informed
480 Borough Council that he participated in the following meetings or events:

481

- 482 • Met with Mr. Matt Wagner, Vice President of the Christkindl Market of Mifflinburg, Inc.,
483 and assisted him with completing the required PennDOT permits for the 2017 Christkindl
484 Market.
- 485 • The Mifflinburg Miracle Mile that was held on Thursday, June 08, 2017 from 5:30 PM to
486 7:30 PM. Everything went very well except for one (1) instance where a vehicle did not
487 come to a complete stop at a “STOP” sign and irritated one (1) of the runners.
- 488 • The Mifflinburg Safety Fair that was held on Wednesday, June 14, 2017 from 5:00 PM to
489 8:00 PM at the Mifflinburg Community Park. They didn’t have all the resources as
490 anticipated, but the event still went very well. Mayor Cooney publically thanked Chief
491 Dyroff for all his hard work with hosting this event.

492

493 Chief Dyroff presented Borough Council with some Monthly Highlights for the Mifflinburg Police
494 Department for April 2017.

495

496 Chief Dyroff announced that the Mifflinburg Police Department held their first DUI Checkpoint in the
497 Borough in ten (10) years on Friday, May 26, 2017. Several Officers from the Mifflinburg Police
498 Department, along with Officers from the Union County Sheriff’s Office, Snyder County Sheriff’s Office,
499 Shamokin Dam Police Department, Buffalo Valley Regional Police Department, and the Pennsylvania
500 Game Commission participated in the detail. There were nine (9) traffic citations issued, eight (8) written
501 warnings, fifteen (15) verbal warning, and two (2) DUI arrests made. There were numerous drug charges
502 made against one (1) of the drivers and one (1) of the passengers of the one (1) DUI vehicle. There was
503 also a warrant for a subject out of Northumberland County; however the Northumberland County Sheriff’s
504 Office didn’t want the subject taken into custody. Chief Dyroff stated that overall the DUI Checkpoint
505 was very successful.

506

507 Chief Dyroff informed Borough Council that the new cameras at the Mifflinburg Police Department have
508 been installed and are working.

509

510 Chief Dyroff reminded Borough Council that they took action at the Tuesday, May 16, 2017 regular
511 Borough Council meeting to accept the \$2,000.00 donation from the Christkindl Market of Mifflinburg,
512 Inc. for a new Police Department bicycle. Chief Dyroff informed Borough Council that the Mifflinburg
513 Police Department took possession of the new Police Department bicycle from Brookside Bikes and that
514 new bike uniforms were purchased for two (2) Officers. Chief Dyroff announced that Officer Fetterman
515 used the bicycle during the Mifflinburg Safety Fair that was held on Wednesday, June 14, 2017 from 5:00
516 PM to 8:00 PM at the Mifflinburg Community Park; afterwards he received several positive compliments
517 from residents during his shift. Chief Dyroff reiterated that the bicycle would only be used during
518 community events and routine patrol when there are two (2) Officers on duty. A “Thank You” letter will
519 be sent to the Christkindl Market of Mifflinburg, Inc. for their generous donation of \$2,000.00 for a new
520 Police Department bicycle.

521

522

523

524

525

526 Chief Dyroff informed Borough Council that he provided a Supervisor's Notation to Officer Matthew
527 Wenrich and Officer Michele Foose on Friday, June 16, 2017 which read as follows:
528

529 That on Thursday, June 1, 2017 at 1413 hours you were dispatched to an attempted suicide call
530 of a female who allegedly cut her wrists at or near 125 Chestnut Street, Mifflinburg, PA.
531 Although Officer FOOSE was technically off-duty at the time, she assisted Officer WENRICH
532 with the call. Through investigative means you both learned that the female had cut her wrists
533 and was in a second floor bathroom at 125 Chestnut Street. Upon arrival at that location you
534 both encountered a large aggressive dog inside the residence. Verbal commands by you two to a
535 male occupant to secure the dog allowed you to enter the residence and locate the female on the
536 floor in a second floor bathroom, who was verbally abusive towards you both. While Officer
537 FOOSE attempted to speak with the female through locked door, Officer WENRICH made entry
538 into the bathroom via a second bedroom door. Upon entry Officer WENRICH drew his Taser
539 and observed the female sitting on the toilet, and a large amount of blood on the floor and about
540 the bathroom; both wrists had been cut severely. She continued her verbal assault at you both
541 and stated that she wanted to die. The female had a razor blade in her right hand and sliced her
542 left wrist several time causing a large amount of blood to squirt about the bathroom. Without
543 fear of your own physical safety and the potential to exposure of contaminated blood, you both
544 immediately became involved in physical confrontation with the female in order to restrain her
545 from further cuts to herself. You were successful in handcuffing her and using towels in
546 attempts to stop the bleeding upon arrival of EMS.
547

548 Your actions are in the finest traditions of police response and law enforcement and you clearly
549 saved the life of this person. I am honored to have you two as members of the Mifflinburg
550 Police Department. Please continue your diligent duty to the citizens of the Borough of
551 Mifflinburg. Well done!
552

553 Chief Dyroff informed Borough Council that during the physical confrontation with the female, Officer
554 Foose's personal Fitbit was soaked in human blood and discarded. According to Mr. Tira, the Borough is
555 only responsible to replace any part of the uniform that is required to be worn for duty or any medically
556 necessary items damaged during work (i.e. glasses, hearing aids, insulant pump, etc.), but not an
557 accessory (i.e. Fitbit, watch, jewelry, etc.); that is a personal choice. Chief Dyroff expressed that he
558 personally feels the Borough should replace this item. Officer Foose and Officer Wenrich saved this
559 women's life; it's not like Officer Foose slipped and fell and broke her Fitbit in the parking lot, it was
560 during a heroic moment in time. Borough Council action is requested to cover the expense of the Fitbit in
561 the amount of \$150.00.
562

563 Motion by: Paul E. Bottiger

564 Second by: Tod M. Steese
565

566 **MOTION: To cover the expense of Officer Michele Foose's personal Fitbit that was ruined during**
567 **the incident on Thursday, June 1, 2017 in the amount of \$150.00.**
568

569 Yes – Mr. Bottiger, Mr. Fry, Mr. Steese, Mrs. Hackenberg
570

571 No – None
572
573

574 Mayor Cooney presented Borough Council with an update for the Mifflinburg Regional Economic
575 Development (MRED) Alliance. Mayor Cooney provided Borough Council with an update on the
576 following businesses in the Borough:
577

- 578 • Mr. Joseph Prah, owner of N.A.S.H. (National Auction Supply House) located at 304
579 Chestnut Street, has purchased the old NAPA Auto Parts building located at 404 Chestnut
580 Street and will be relocating N.A.S.H. to this location.
- 581 • The apartment building located at 415 and 419 Chestnut Street has sold and is under new
582 ownership.
583

584 Mrs. Metzger informed Borough Council that they received a copy of the Engineer's Report for June
585 2017 included in the information tonight.
586
587
588
589
590

591 Mrs. Metzger provided Borough Council with an update on the status of the 2017 Wastewater Treatment
592 Plant Improvements (WWTP) Project. Mrs. Metzger reported that the bid opening for the equipment
593 supply bids to replace the existing membranes at the WWTP was held on Wednesday, June 7, 2017.
594 There were two (2) bids received; one (1) was from Evoqua Water Technologies (Evoqua) and the other
595 was from General Electric Water & Process Technologies (GE). A technical memorandum summarizing
596 the evaluation of the proposals and associated recommendation has been included in the information
597 tonight for Borough Council review. HRG, Inc. is recommending that the Borough move forward with
598 negotiation and subsequent execution of a purchase agreement with Evoqua on the purchase of
599 membranes and the MemPulse air scour equipment corresponding to Option 2 as presented in their June
600 7, 2017 proposal. Due to the associated cost, HRG, Inc. does not feel that the accelerated delivery option
601 is necessary or prudent at this time. Borough Council action is requested on this matter.
602

603 Motion by: Paul E. Bottiger

604 Second by: Tod M. Steese

605

606 **MOTION: To move forward with negotiation and subsequent execution of a purchase agreement**
607 **with Evoqua on the purchase of membranes and the MemPulse air scour equipment corresponding**
608 **to Option 2 as presented in their June 7, 2017 proposal, contingent upon Mr. Tira's approval of the**
609 **final purchase agreement.**

610

611 Yes – Mr. Fry, Mr. Steese, Mr. Bottiger, Mrs. Hackenberg

612

613 No – None

614

615

616 Mrs. Metzger informed Borough Council that upon execution of the purchase agreement, the next step of
617 the Project is to review the membrane manufacturer submittals. HRG, Inc. has prepared a proposal to
618 provide professional engineering services related to the next phase of the 2017 Wastewater Treatment
619 Plant Improvements Project, the review of membrane manufacturer submittals. A copy of the proposal
620 has been included in the information tonight. Borough Council action is requested to approve this
621 proposal for a lump sum fee of \$12,650.00.
622

623 Motion by: Paul E. Bottiger

624 Second by: Tod M. Steese

625

626 **MOTION: To approve the proposal from HRG, Inc. for professional engineering services related to**
627 **Phase II: Membrane Submittals Review of the 2017 Wastewater Treatment Plant Improvements**
628 **Project for a lump sum fee of \$12,650.00.**

629

630 Yes – Mr. Steese, Mr. Bottiger, Mr. Fry, Mrs. Hackenberg

631

632 No – None

633

634

635 Mayor Cooney informed Borough Council that he participated in or will be participating in the following
636 meetings or events:
637

- 638 • Represented the Borough at the Annual Memorial Day Parade and service that was held on
639 Monday, May 29, 2017.
- 640 • Took part in the Milton Bicentennial Parade that was held on Saturday, June 17, 2017 at 1:00
641 PM along with Mayors from Union and Northumberland Counties.
- 642 • Working with Ms. Rebecca A. Kilps, Office Assistant at the Central Keystone Council of
643 Governments (CK-COG), to send out the letters notifying all landlords about the Landlord
644 Ordinance and the enforcement flow charts. Mayor Cooney added that they also want to do
645 some sort of Q & A (questions & answers) session for the Landlord Ordinance.
- 646 • The 23rd Annual Union County Veterans 4th of July Parade that is scheduled for Saturday,
647 June 24, 2017 at 10:00 AM.
- 648 • The Freedom Riders departure from Mifflinburg as they head for the final leg of their ride to
649 Lewisburg to lead the Union County Veterans Parade.
650

651 Mr. Tira announced that he won't be present at the Tuesday, July 18, 2017 regular Borough Council
652 meeting; Ms. Robin A. Read will be present in his place.
653
654
655

656 Mrs. Hackenberg called an executive session to discuss potential litigation and personnel matters. An
657 executive session was held from 8:18 PM to 9:13 PM.

658
659

660 Motion by: Tod M. Steese
661 Second by: Paul E. Bottiger

662

663 **MOTION: To authorize Chief Dyroff to receive overtime compensation only when working any**
664 **grant funded enforcement, even though he is an overtime exempt employee.**

665

666 Yes – Mr. Bottiger, Mr. Fry, Mr. Steese, Mrs. Hackenberg

667

668 No – None

669

670

671 Mrs. Metzger reminded Borough Council that the Waste Water Treatment Plant (WWTP) experienced a
672 sanitary sewer overflow from Friday, May 5, 2017 through Wednesday, May 10, 2017. The Pennsylvania
673 Department of Environmental Protection (DEP) was properly notified of the violation both before, during,
674 and following the event. Another violation was discovered during the overflow while preparing flow
675 information for Mr. John Springer, the Borough's local Sanitarian. Mr. Bradley Sauers, the Plant
676 Operator, noted that he was unable to obtain flow information from the SCADA system at the WWTP.
677 Mr. Sauers contacted Process Control Solutions, Inc. (PCS) immediately; PCS determined that the data
678 storage limit for the SCADA system had been exceeded on April 11, 2017. Mr. Sauers informed Mr.
679 Springer of this information and included it as a part of their notice of violation. Mrs. Metzger reported
680 that as expected, the Borough received a Consent Assessment of Civil Penalty (CACP) from DEP in the
681 amount of \$5,000.00 as an offer of settlement for the outstanding violations cited on the Department's
682 Notice of Violation. Borough Council action is requested to accept this CACP.

683

684 Motion by: Tod M. Steese

685 Second by: Richard J. Fry

686

687 **MOTION: To accept the Consent Assessment of Civil Penalty (CACP) from the Pennsylvania**
688 **Department of Environmental Protection (DEP) in the amount of \$5,000.00 as an offer of settlement**
689 **for the outstanding violations cited on the Department's Notice of Violation.**

690

691 Yes – Mr. Fry, Mr. Steese, Mr. Bottiger, Mrs. Hackenberg

692

693 No – None

694

695

696 Motion by: Paul E. Bottiger

697

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

699

700 Approved via unanimous voice vote.

701

702

703 Meeting adjourned at 9:15 PM.

704

705 Respectfully Submitted,

706

707

708 Misty L. Ross

709 Assistant Borough Secretary