

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL
2 November 21, 2017
3

| 4 | | PRESENT | ABSENT |
|----|--|---------|--------|
| 5 | Beverly L. Hackenberg, Council President | X | |
| 6 | Tod M. Steese, Vice President | X | |
| 7 | Paul E. Bottiger, Council Member | | X |
| 8 | Kathleen Ann Downs, 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 Bronwen Sanders, Gareth Sanders, Tyler Berkheiser, Randy
21 Harvey, Spencer Harvey, Angela Donlin, James Donlin, Nick Reichenbach, William Maxfield, Jon
22 Reeder, Brian Reeder, Erin Threet, and Matthew Wells.

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

27
28 **MOTION: To approve the minutes of the Tuesday, October 17, 2017 regular meeting of**
29 **Mifflinburg Borough Council.**

30
31 Approved via unanimous voice vote.

32
33
34 Motion by: Tod M. Steese
35 Second by: Richard J. Fry

36
37 **MOTION: To approve the minutes of the Tuesday, November 7, 2017 special meeting of**
38 **Mifflinburg Borough Council.**

39
40 Approved via unanimous voice vote.

41
42
43 Motion by: Kathleen A. Downs
44 Second by: Tod M. Steese

45
46 **MOTION: To approve payment of Bill List #2017-11 in the amount of \$548,330.24.**

47
48 Yes – Ms. Downs, Mr. Fry, Mr. Steese, Mr. Zimmerman, Mrs. Hackenberg

49
50 No – None

51
52
53 Motion by: Tod M. Steese
54 Second by: Kathleen A. Downs

55
56 **MOTION: To approve the Mifflinburg Borough Zoning Report for October 2017 and authorize**
57 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$549.00.**

58
59 Yes – Mr. Fry, Mr. Steese, Mr. Zimmerman, Ms. Downs, Mrs. Hackenberg

60
61 No – None

62
63
64
65

66 Mr. Tira reported that as part of the Borough's new workers compensation coverage, the Keystone
67 Municipal Insurance Trust (KMIT) is requesting the Borough to adopt a resolution which states that the
68 Borough will implement a Hepatitis C Pre-Employment Testing Program for all applicable Emergency
69 Services Employees/Volunteers (Mifflinburg Police Department and the Mifflinburg Community
70 Ambulance Association) for the purpose of maintaining workers compensation coverage. A copy of the
71 resolution has been included in the information tonight. Borough Council action is requested to adopt
72 this resolution.

73

74 Motion by: Tod M. Steese

75 Second by: Kathleen A. Downs

76

77 **MOTION: To adopt Resolution No. 2017-09; A resolution to comply with the requirements of the**
78 **Keystone Municipal Insurance Trust (KMIT) to implement a Hepatitis C Pre-Employment**
79 **Testing Program for all applicable Emergency Services Employees/Volunteers for the purpose of**
80 **maintaining workers compensation coverage.**

81

82 Approved via unanimous voice vote.

83

84

85 Mrs. Metzger reminded Borough Council that they took action at the Tuesday, October 17, 2017 regular
86 Borough Council meeting to authorize Mr. Tira to advertise the proposed Fire Insurance Escrow
87 Ordinance and conduct a Public Hearing at the Tuesday, November 21, 2017 regular Borough Council
88 meeting; however, due to miscommunication, the proposed ordinance was not advertised. The proposed
89 Fire Insurance Escrow Ordinance and Public Hearing will be advertised for action at the Tuesday,
90 December 19, 2017 regular Borough Council meeting.

91

92 Mr. Tira provided Borough Council with an update on the status of the Zoning Ordinance and Map
93 amendment. Mr. Tira reported that Mr. Rowe has finished preparing a draft Zoning Map amendment to
94 be utilized with the proposed Zoning Ordinance amendment and a copy of the draft amendment was
95 forwarded to him for review. A meeting was held with the Mifflinburg Planning Commission at their
96 meeting held earlier tonight to discuss and review the areas of uncertainty. Mr. Tira reviewed how the
97 Borough could move forward with the changes resulting from the meeting with the Mifflinburg Planning
98 Commission, as well as the steps necessary to advertise the Zoning Ordinance and Map amendment and
99 conduct a Public Hearing on the changes. Mr. Tira added that the changes would require some posting
100 of properties that are affected in the interim area. It's anticipated that this process will take until the
101 beginning of 2018.

102

103 Mr. Rowe provided Borough Council with an update on the status of the Woodland Estates Water Main
104 Replacement Project. Mr. Rowe reported that the contractor, Fairchild Brothers, Inc., has completed
105 construction. Substantial completion was issued via correspondence dated Thursday, September 14,
106 2017. A final completion walk-through was held on Friday, October 27, 2017. The punchlist items with
107 the exception of the provision of closeout documentation have been completed. Fairchild Brothers, Inc.
108 has reported that they intend to provide this documentation shortly with the goal of closing out their
109 contract at the Tuesday, December 19, 2017 regular Borough Council meeting. HRG, Inc. has prepared
110 Change Order No. 2 in the amount of \$829.00. This change order reconciles final unit price quantities
111 for the contract. Borough Council action is requested to approve this change order.

112

113 Motion by: Tod M. Steese

114 Second by: Richard J. Fry

115

116 **MOTION: To approve Change Order No. 2 from Fairchild Brothers, Inc. for the Woodland**
117 **Estates Water Main Replacement Project in the amount of \$829.00.**

118

119 Yes – Mr. Steese, Mr. Zimmerman, Ms. Downs, Mr. Fry, Mrs. Hackenberg

120

121 No – None

122

123

124 Mr. Rowe stated that in addition, HRG, Inc. has received Payment Application No. 2 from Fairchild
125 Brothers, Inc. for the Woodland Estates Water Main Replacement Project in the amount of \$15,962.05
126 and is recommending that Borough Council take action to approve this payment application, contingent
127 upon receipt of satisfactory payroll certifications.

128

129

130

131 Motion by: Tod M. Steese
132 Second by: Richard J. Fry

133
134 **MOTION: To approve Payment Application No. 2 from Fairchild Brothers, Inc. for the Woodland**
135 **Estates Water Main Replacement Project in the amount of \$15,962.05, contingent upon receipt of**
136 **satisfactory payroll certifications.**

137
138 Yes – Mr. Zimmerman, Ms. Downs, Mr. Fry, Mr. Steese, Mrs. Hackenberg

139
140 No – None

141
142
143 Mr. Rowe provided Borough Council with an update on the status of the Mulberry Street Reconstruction
144 Project. Mr. Rowe reported that the substantial completion walk-through occurred on Wednesday,
145 November 8, 2017 and as a result, HRG, Inc. has issued substantial completion via correspondence
146 dated Monday, November 20, 2017. A minor punchlist was developed and issued to Fairchild Brothers,
147 Inc. Final completion will not occur until spring of 2018. HRG, Inc. has prepared Change Order No. 1
148 in the amount of \$8,564.90. This Change Order reconciles final unit price quantities for the contract.
149 Borough Council action is requested to approve this change order.

150
151 Motion by: Kathleen A. Downs
152 Second by: Tod M. Steese

153
154 **MOTION: To approve Change Order No. 1 from Fairchild Brothers, Inc. for the Mulberry Street**
155 **Reconstruction Project in the amount of \$8,564.90.**

156
157 Yes – Ms. Downs, Mr. Fry, Mr. Steese, Mr. Zimmerman, Mrs. Hackenberg

158
159 No – None

160
161
162 Mr. Rowe stated that in addition HRG, Inc. has received Payment Applications No. 1 from Fairchild
163 Brothers, Inc. for the Mulberry Street Reconstruction Project in the amount of \$288,577.90 and is
164 recommending that Borough Council take action to approve this payment application, contingent upon
165 receipt of satisfactory payroll certifications.

166
167 Motion by: Kathleen A. Downs
168 Second by: Tod M. Steese

169
170 **MOTION: To approve Payment Application No. 1 from Fairchild Brothers, Inc. for the Mulberry**
171 **Street Reconstruction Project in the amount of \$288,577.90, contingent upon receipt of**
172 **satisfactory payroll certifications.**

173
174 Yes – Mr. Fry, Mr. Steese, Mr. Zimmerman, Ms. Downs, Mrs. Hackenberg

175
176 No – None

177
178
179 Mrs. Metzger provided Borough Council with an update on the status of the Well PW-2 Susquehanna
180 River Basin Commission (SRBC) Compliance Assistance. Mrs. Metzger reported that Mrs. Erin Threet,
181 HRG, Inc., has submitted the final SRBC Docket Modification Request on the Borough's behalf via
182 correspondence dated Wednesday, October 18, 2017. HRG, Inc. has continued to provide minor
183 coordination assistance with the Borough and SRBC Staff as necessary since that submission. The
184 revision has been placed on the agenda for action by the SRBC Commission at their next Board meeting
185 which is scheduled for Friday, December 8, 2017 at the SRBC Offices in Annapolis. A conference call
186 was held earlier this morning with Mrs. Threet and a Representative from the Susquehanna River Basin
187 Commission (SRBC) to review the draft document that the Borough would be receiving for Well PW-2,
188 which was received following the conference call. During the conference call, the SRBC Representative
189 indicated that there would be some additional annual fees: an Annual Compliance and Monitoring fee
190 went into effect recently which the SRBC is imposing with all Docket Modification Requests. The
191 annual fee will be in the amount of \$588.00. The SRBC Representative also indicated that Well PW-1 is
192 up for renewal in 2023. The Borough will need to figure out how to obtain readings for Well PW-1
193 since there are not transducers in Well PW-1 like there are in Well PW-2. Also of concern is the
194 Borough's unaccounted for water loss. The SRBC will be requiring that over a five (5) period the
195 unaccounted for water loss be below 20%.

196 Mrs. Metzger provided Borough Council with an update on the status of the 2017 Water Allocation
197 Permit Renewal Application. Mrs. Metzger reported that Mrs. Erin Threet, HRG, Inc., has submitted the
198 Borough's Water Allocation Permit Renewal Application to PA DEP via correspondence dated Tuesday,
199 November 14, 2017. The required Susquehanna River Basin Commission (SRBC) coordination
200 correspondence was submitted the same day. This permit is a 25 year permit and the renewal
201 application must be submitted 180 days in advance of the current permit's expiration date, which is May
202 18, 2018. We have also requested that a joint review of the permit be conducted by the SRBC as
203 recommended.
204

205 Mrs. Metzger provided Borough Council with an update on the status of the 2017 Wastewater Treatment
206 Plant Improvements (WWTP) Project. Mrs. Metzger reminded Borough Council that they took action at
207 the Tuesday, November 7, 2017 special Borough Council meeting to proceed with the Headworks Inc.
208 Maintenance Proposal as presented to complete the necessary maintenance repairs to the fine screens
209 located in the Head Works Facility at the Wastewater Treatment Plant (WWTP) in the amount of
210 \$147,386.79. Mrs. Metzger reported that the purchase order has been issued to Headworks Inc.
211 authorizing them to begin the maintenance work. Headworks Inc. has scheduled an onsite visit for
212 Monday, November 20, 2017 to finalize all material orders and confirm the schedule. Headworks Inc.
213 has been informed of the schedule for the Membrane Replacement Project and the Borough's desire to
214 have this work completed in advance of that work. Mrs. Metzger reported that Headworks Inc. is
215 suggesting that the Borough enter into a Preventative Maintenance Agreement with them. The cost of
216 the agreement will be \$3,000.00 for the 1st year and then \$6,000.00/year after that. The agreement has
217 been forwarded to Mr. Tira for review and he is working to address some of the language within the
218 agreement. It's anticipated that Borough Council action will be requested on the agreement at the
219 Tuesday, December 19, 2017 regular Borough Council meeting.
220

221 Mrs. Metzger announced that the two (2) 15 HP wet well pumps ordered from OPSCO have arrived.
222 Fairchild Brother, Inc. installed one (1) of the pumps on Tuesday, November 14, 2017 and have begun
223 installation of the 2nd pump which is expected to be completed by Wednesday, November 22, 2017.
224 During the installation there were some complications that required some additional work by an outside
225 contractor. Mrs. Metzger clarified that the 2nd pump was the pump impacted by the backing up of the
226 Wastewater Treatment Plant (WWTP) that the Borough has an insurance claim on.
227

228 Mrs. Metzger reported that Dave Gutelius Excavating, Inc. has completed the Water Main Replacement
229 Project at the Oak Avenue crossing on Monday, November 20, 2017. This work impacted water service
230 to a few residents north of this area. The residents were notified of the work and that a Boil Water
231 Advisory was issued for this area during the time of the work until the Borough receive two (2)
232 acceptable lab tests confirming that there is no contamination of the water. The Borough hand delivered
233 the notices since it was a small number of customers and used the Swiftreach notification system just to
234 ensure that the system works. Once the Borough receives two (2) acceptable lab tests confirming that
235 there is no contamination of the water, the residents will be notified that the Boil Water Advisory has
236 been lifted.
237

238 Mr. Rowe provided Borough Council with an update on the status of the Oak Avenue Sanitary Sewer
239 Main Replacement Project. Mr. Rowe reported that work is still in progress the Oak Avenue Sewer
240 Main Replacement Project. Dave Gutelius Excavating, Inc. anticipates completing the work within the
241 next few weeks. HRG, Inc. has prepared Change Order No. 1 for a decrease in the contract price in the
242 amount of \$29,256.64. This Change Order incorporates the scope revisions authorized by Work Change
243 Directive No. 1 to provide unit price line items for the use of suitable backfill in lieu of aggregate
244 backfill in some areas. Borough Council action is requested to approve this change order.
245

246 Motion by: Tod M. Steese
247 Second by: Kathleen A. Downs
248

249 **MOTION: To approve Change Order No. 1 from Dave Gutelius Excavating, Inc. for the Oak**
250 **Avenue Sanitary Sewer Main Replacement Project for a decrease in the contract price in the**
251 **amount of \$29,256.6.**
252

253 Yes – Mr. Steese, Mr. Zimmerman, Ms. Downs, Mr. Fry, Mrs. Hackenberg
254

255 No – None
256
257
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259

260 Mr. Rowe stated that in addition HRG, Inc. has received Payment Application No. 1 from Dave Gutelius
261 Excavating, Inc. for the Oak Avenue Sanitary Sewer Main Replacement Project in the amount of
262 \$54,879.62 and is recommending that Borough Council take action to approve this payment application,
263 contingent upon receipt of satisfactory payroll certifications.
264

265 Motion by: Duane L Zimmerman
266 Second by: Richard J. Fry
267

268 **MOTION: To approve Payment Application No. 1 from Dave Gutelius Excavating, Inc. for the**
269 **Oak Avenue Sanitary Sewer Main Replacement Project in the amount of \$54,879.62, contingent**
270 **upon receipt of satisfactory payroll certifications.**

271
272 Yes – Mr. Zimmerman, Ms. Downs, Mr. Fry, Mr. Steese, Mrs. Hackenberg
273

274 No – None
275
276

277 Mrs. Metzger reported that Apollo Fence Co. has begun the 2017 Little League Backstop Project at the
278 Little League Field, located at the Mifflinburg Community Park on N. 5th Street, on Friday, November
279 10, 2017. It's anticipated that this project will be completed sometime next week.
280

281 Mr. Rowe reported that he has prepared and solicited proposals for Engineering Design and
282 Construction Administration for the South 7th Street Reconstruction Project. The proposals were opened
283 on Monday, November 20, 2017 at 1:00 PM. There were four (4) proposals received and are as follows:
284

| | | |
|-----|---------------------------------|-------------|
| 285 | LIVIC Civil | \$12,800.00 |
| 286 | HRG, Inc. | \$25,500.00 |
| 287 | Stahl Sheaffer Engineering, LLC | \$40,339.00 |
| 288 | McTish, Kunkel & Associates | \$29,700.00 |

289

290 A copy of the tabulation has been included in the information tonight. LIVIC Civil was the low bidder
291 in the amount of \$12,800.00. Mr. Rowe informed Borough Council that LIVIC Civil is a new and
292 recently established business which the Borough has never worked with before. The Request for
293 Proposal (RFP) stated that the firm shall employ a minimum of two (2) Pennsylvania Licensed
294 Professional Engineers as well as one (1) Pennsylvania Licensed Surveyor; however, it is acceptable for
295 the Pennsylvania Licensed Surveyor to be a subcontractor. Firm shall have a minimum of five (5) years
296 professional experience in municipal projects involving street reconstruction which would include the
297 relocation or replacement of such infrastructure as storm water, water, sanitary sewer and electric
298 utilities. Respondents shall have demonstrated successful experience of similar projects both in scope
299 and fees relative to street reconstruction in the past five (5) years. Mrs. Metzger clarified that both Mr.
300 Andrew Barton, (P.E.) and Mr. Justin Ross (P.E., M.S.), have over five (5) years of experience
301 individually just not as a firm. Borough Council action is requested on this matter.
302

303 Motion by: Duane L. Zimmerman
304 Second by: Richard J. Fry
305

306 **MOTION: To award the proposals for the Engineering Design and Construction administration**
307 **for the South 7th Street Reconstruction Project to LIVIC Civil for lump sum amount of**
308 **\$12,800.00; contingent upon receipt of the executed performance and payment bond documents,**
309 **as well as a certificate of liability insurance.**

310
311 Mrs. Hackenberg inquired how Borough Council can take action to award the proposals to LIVIC Civil,
312 if the RFP stated that the firm shall have a minimum of five (5) years professional experience. A
313 discussion was held; Mr. Tira advised Borough Council that he believes they have discretion on that and
314 they can take action to award the proposals to LIVIC Civil.
315

316 Yes –Mr. Fry, Mr. Zimmerman, Mrs. Hackenberg
317

318 No – Ms. Downs, Mr. Steese
319
320
321
322

323 Mrs. Metzger reported that the Borough has solicited bids for the purchase a used Vacuum/Jet Truck.
 324 The bids were opened on Monday, November 20, 2017 at 1:00 PM. There were three (3) bids received
 325 and are as follows:

| | <u>A & H</u> | <u>U.S.</u> | <u>Golden</u> | |
|-----|----------------------|-----------------------|----------------------------|-----------------------|
| | <u>Equipment Co.</u> | <u>Municipal Inc.</u> | <u>Equipment Co., Inc.</u> | |
| 329 | Make | Vactor | Vac-Con | Did Not Make Deadline |
| 330 | Model | 2100 Classic | V390/1000 | |
| 331 | Year | 2,006 | 2,010 | |
| 332 | Mileage | 80,216 | 52500 (Approx.) | |
| 333 | Water Pump Hours | 6,398 | N/A | |
| 334 | Machine Hours | N/A | N/A | |
| 335 | Chassis Warranty | N/A | As-Is | |
| 336 | Water Pump Warranty | 90 Day | As-Is | |
| 337 | Vacuum Pump Warranty | <u>90 Day</u> | <u>As-Is</u> | |
| 338 | Total Vehicle Price | \$98,500.00 | \$133,112.00 | - |

340 A copy of the bid tabulation has been included in the information tonight. Mr. Rowe stated that the
 341 Borough hasn't seen either of the trucks. One (1) of the trucks is in Pittsburgh, PA and the other truck is
 342 in Kansas City, MI. Mr. Zimmerman expressed that he would never personally purchase any vehicle for
 343 this kind of money without evaluating and test driving it first. A discussion was held; Mr. Rowe agreed
 344 with Mr. Zimmerman and stated that he wouldn't recommend purchasing any vehicle without evaluating
 345 and test driving it first; however as far as getting the used Vacuum/Jet Trucks here, he doesn't know if
 346 the Borough can make that happen since it's a unique type of vehicle. Mrs. Metzger suggested that
 347 Borough Council take action to table action on the bids for the purchase a used Vacuum/Jet Truck until
 348 the December 19, 2017 regular Borough Council meeting. Mr. Rowe clarified that the bids good for
 349 forty-five (45) days.

351 Motion by: Tod M. Steese
 352 Second by: Kathleen A. Downs

354 **MOTION: To table action on the bids for the purchase a used Vacuum/Jet Truck until the**
 355 **December 19, 2017 regular Borough Council meeting.**

357 Approved via unanimous voice vote.

360 Mrs. Metzger informed Borough Council that Mr. Adam Kinley of PennDOT will be sending a
 361 Reimbursement Agreement for the 2018 Chestnut Street Mill and Paving Project for Borough Council
 362 approval. This agreement sets forth the Borough's share of the curb and sidewalk costs. Borough
 363 Council action will be requested to approve the agreement as soon as the agreement has been received
 364 and reviewed.

366 Mrs. Metzger reported that Mrs. Cara Brouse, representing the Christkindl Market of Mifflinburg, Inc.,
 367 has requested assistance from the Borough Maintenance Crew to hang the Garden Club baskets with
 368 greens and lights on the Borough's downtown street lights. Borough Council action is requested to
 369 approve this request.

371 Motion by: Duane L. Zimmerman
 372 Second by: Richard J. Fry

374 **MOTION: To approve the Christkindl Market of Mifflinburg, Inc., request for assistance from**
 375 **Borough Maintenance Crew to hang the Garden Club baskets with greens and lights on the**
 376 **Borough's downtown street lights.**

378 Approved via unanimous voice vote.

381 Mrs. Metzger announced that the Borough Christmas decoration have been hung. Mr. Craig Lewis, the
 382 Borough Electrical Foreman, has informed her that the decorations are a little worn and should soon be
 383 replaced.

384
 385
 386

387 Mrs. Metzger reported that the 2018 tentative budget for the Borough of Mifflinburg has been prepared
388 and is ready for adoption. Borough Council action is requested to adopt the 2018 tentative budget for
389 the Borough of Mifflinburg with revenues in the amount of \$22,931,720.00 and to authorize her to
390 advertise the availability of the budget for public inspection in accord with the Borough Code prior to
391 final budget adoption at the Tuesday, December 19, 2017 regular Borough Council meeting.

392
393 Motion by: Tod M. Steese

394 Second by: Kathleen A. Downs

395
396 **MOTION: To adopt the 2018 tentative budget for the Borough of Mifflinburg with revenues in the**
397 **amount of \$22,931,720.00 and to authorize Mrs. Metzger to advertise the availability of the budget**
398 **for public inspection in accord with the Borough Code prior to final budget adoption at the**
399 **Tuesday, December 19, 2017 regular Borough Council meeting.**

400
401 Yes – Mr. Fry, Mr. Steese, Mr. Zimmerman, Ms. Downs, Mrs. Hackenberg

402
403 No – None

404
405
406 Mrs. Metzger requested an executive session to discuss personnel matters and potential litigation.

407
408 Mr. Matt Wells, Co-Director for the 2017 season at the Park/Pool, presented Borough Council with the
409 2017 Director's Park/Pool Report. Mr. Wells indicated that both he and Miss Maura McGlaughlin
410 would like to continue as Co-Directors for the 2018 season at the Park/Pool.

411
412 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for
413 October 2017 included in the information tonight.

414
415 Mayor Cooney presented Borough Council with an update for Public Safety. Mayor Cooney reported
416 the following:

- 417
- 418 • Attended a private presentation by a Senior Analyst from The Drug Enforcement
419 Administration (DEA) regarding the 2017 National Drug Threat Assessment (NDTA)
420 which is a comprehensive strategic assessment of the threat posed to the United States by
421 domestic and international drug trafficking and the abuse of illicit drugs.
 - 422 • Trick or Treat night that was held on Tuesday, October 31, 2017 from 6:00 PM - 9:00 PM.
423 Mayor Cooney stated that everything turned out very well and there were no issues.
 - 424 • Working with Mr. Matt Wagner, Vice President of the Christkindl Market of Mifflinburg,
425 Inc., on the 2017 Christkindl Market. Mayor Cooney expressed that the Christkindl Market
426 of Mifflinburg, Inc. are on track for a successful 2017 Market.
- 427

428 Chief Dyroff presented Borough Council with some Monthly Highlights for the Mifflinburg Police
429 Department for October 2017.

430
431 Chief Dyroff informed Borough Council that he sent a letter to Ms. Joanna Skucek, President of the
432 Christkindl Market of Mifflinburg, Inc., regarding his concerns for the safety of the visitors during the
433 Christkindl Market specifically that there are no barriers to prevent someone from driving their vehicle
434 through the Market. The letter was well received by Ms. Skucek and he is in discussion with Mr. Steve
435 Walter, Fire Chief for the Mifflinburg Hose Company No. 1 located at 325 Chestnut Street and Dave
436 Gutelius Excavating, Inc. Dave Gutelius Excavating, Inc. has indicated that they have several Jersey
437 Barriers that could be used during the Christkindl Market. Mr. Dyroff stated that the concern is in the
438 event of a fire or medical emergency on Market Street, we need to be able to quickly move the barriers
439 to allow the fire trucks and ambulance entry.

440
441 Chief Dyroff reported that he and Detective Mark E. Bailey have recently completed the inventory inspection
442 of the evidence room at the Mifflinburg Police Department. The inventory inspection took several months to
443 sort through all of the evidence. Needless to say, a lot of old evidence has been destroyed and disposed of.
444 The new shelving has been built, painted, and installed for better storage of short and long term evidence.

445
446 Chief Dyroff informed Borough Council that a uniforms vendor was present at the Mifflinburg Police
447 Department a few weeks ago. The new police uniforms for the Mifflinburg Police Department were
448 selected and the Police Officers were fitted. It's anticipated that the new police uniforms will arrive
449 sometime in mid-January 2018.

450
451

452 Mr. Steese requested an executive session to discuss personnel matters.

453

454

455 Motion by: Tod M. Steese

456 Second by: Kathleen A. Downs

457

458 **MOTION: To authorize a one-time merit raise of \$0.75/hr. for all Borough Clerical Staff effective**
459 **immediately.**

460

461 Yes – Mr. Steese, Mr. Zimmerman, Ms. Downs, Mr. Fry, Mrs. Hackenberg

462

463 No – None

464

465

466 Mr. Steese announced that the annual review meetings with Borough Management are being scheduled
467 for Tuesday, November 28, 2017.

468

469 Mayor Cooney presented Borough Council with an update for the Mifflinburg Regional Economic
470 Development (MRED) Alliance. Mayor Cooney updated Borough Council on the following businesses
471 in the Borough:

472

- 473 • Ms. Cherie Ross, Executive Director for the Mifflinburg Heritage and Revitalization
474 Association (MHRA), will be conducting the Business Open House from 4:00 PM – 8:00
475 PM again during this year’s Community Christmas Tree Lighting. In addition there will be
476 a business window decorating contest during the event as well
- 477 • He came up with an idea to get shoppers and businesses involved in a raffle called “What’s
478 in Santa’s Bag?” Mayor Cooney explain that fifty-eight (58) local businesses donated
479 items for the raffle that are on display in the front window of his photography studio on
480 Chestnut Street. Anyone ages nine (9) and up can vote one (1) time at each of eleven (11)
481 businesses to guess the total value of all of the items. Whoever comes closest to the actual
482 total without going over that amount wins the merchandise. The contest ends on December
483 17, 2017 at which time the winner will be announced.

484

485

486 Mrs. Erin Threet, HRG, Inc., informed Borough Council that they received a copy of the Engineer’s
487 Report for November 2017 included in the information tonight.

488

489 Mrs. Threet provided Borough Council with an update on the status of the 2017 Wastewater Treatment
490 Plant Improvements (WWTP) Project. Mrs. Threet reported that as previously reported, the membranes
491 have been released for delivery and are scheduled to be on-site in mid-December. The bid opening for
492 Contract 2017-04: 2017 WWTP Improvements Project was held on Tuesday, November 21, 2017 at
493 11:00 AM. There were three (3) proposals received and are as follows:

494

| | | |
|-----|-----------------------------|-------------|
| 495 | Jay Fulkroad & Sons, Inc. | \$57,000.00 |
| 496 | Jp Environmental, LLC | \$77,000.00 |
| 497 | PSI Pimping Solutions, Inc. | \$77,336.00 |

498

499 A copy of the tabulation has been attached to the Engineer’s Report. Mrs. Threet informed Borough
500 Council that there is some correspondence regarding the bids received and recommended that Borough
501 Council wait to take action until after executive session.

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516 Mr. Tira informed Borough Council that included in the information tonight they received a copy of a
517 copy of a letter that was provided to the Borough concerning House Bill 271 Expansion of Gambling
518 Opportunities Under the Pennsylvania Race Horse Development & Gaming Act. Mr. Tira explained
519 that on October 30, 2017, Governor Wolf signed into law House Bill 271 which amends the
520 Pennsylvania Race Horse Development and Gaming Act (“Act”), 4 Pa.C.S. §§1101 et seq., and
521 authorizes a number of gambling expansion opportunities throughout the Commonwealth. One (1) such
522 opportunity is found in the creation of up to ten (10) Category 4 slot machine licenses which would
523 likely, but not necessarily, be owned and operated by existing Pennsylvania licensed casino operators
524 which already have other gaming properties in the Commonwealth. Under the expansion language, each
525 Category 4 casino, or commonly referred to as “Mini Casinos”, could operate between 300 and 750 slot
526 machines and eventually up to 40 table games. No Category 4 location could be located within 25 linear
527 miles of an existing Category 1, 2 or 3 casino facility. Section 1305.1 (A.1) of the Act is entitled
528 “Municipal Option” and provides municipalities the option to prohibit, or opt-out of, the siting of a
529 Category 4 facility within that municipality. As referenced, Title 4, Section 1103 defines a
530 “Municipality” as “a city, borough, incorporated town or township.” If a municipality wishes to
531 exercise this option and prohibit a Category 4 casino from being placed in the municipality, the
532 governing body of the municipality must deliver a resolution exercising this power to the Board no later
533 than December 31, 2017. A discussion was held; Borough Council deferred this matter to the Borough
534 Work Session that is scheduled for Tuesday, December 4, 2017 to be discussed further.
535

536 Mrs. Metzger informed Borough Council that the reorganizational meeting has been scheduled for
537 Tuesday, January 2, 2018. Mr. Tira announced that he would not be present at the Tuesday, January 2,
538 2018 reorganizational meeting; another associate will be available in his place.
539

540 Mayor Cooney informed Borough Council that he participated in or will be participating in the
541 following meetings or events:
542

- 543 • As part of the Snyder-Union Opioid Coalition, he made a presentation with Ms. Joanne
544 Troutman, United Way Executive Director, at the Division 12S Interclub that was held at
545 the Country Cupboard Restaurant to speak with the regional Kiwanis on the opioid crisis.
- 546 • The Annual Jack-O-Lantern Contest that was held on Thursday, October 26, 2017 from
547 7:00 PM – 8:00 PM at the Herr Memorial Library located at 500 Market Street.
- 548 • The ribbon cutting for Trutt's Pharmacy located at 55 Walnut Street that was held on
549 scheduled for Saturday, October 28, 2017 at 3:00 PM.
- 550 • Attended a meeting with Mr. Ben Ranck, who works in Keller’s office. Mr. Ranck is
551 working on his Master’s Thesis; part of his project is exploring how a successful business
552 like the Rusty Rail can be an economic catalyst for the whole town. Mr. Rich Schrader,
553 General Manager of the Rusty Rail Brewing Co., Mr. Andrew Miller, Executive Director
554 for the Susquehanna River Valley Visitor’s Bureau, and Ms. Cherie Ross, Executive
555 Director for the Mifflinburg Heritage and Revitalization Association (MHRA) were also
556 present at this meeting.
- 557 • The Veteran’s Day Service at the Mifflinburg Community Park that was held on Saturday,
558 November 4, 2017 at 11:00 AM.
- 559 • Attended the Cub Scout Raingutter Regatta which is a racing event for Cub Scouts in the
560 Boy Scouts of America that is the sailboat equivalent of the pinewood derby. The boats are
561 raced in a standard rain gutter that is ten feet long, placed on a table or saw horses, and
562 filled to the top with water. The boats are propelled by blowing on the sail, either directly
563 or through a drinking straw; the boat cannot be touched with hands or the straw. The first
564 boat to reach the end of the gutter is the winner. The overall winner is determined by an
565 elimination system. Mayor Cooney stated that he is 0-2; last year he lost to Cub Scout Eli
566 Erickson and this year he lost to a 7 year old Tiger Cub Scout.
567

568 Mr. Steese complimented the scouts present at tonight’s meeting from Cub Scout Pack 3520 - Arrow of
569 Light, on their excellent behavior.
570

571 Mr. Zimmerman stated that his son started as a Cub Scout and worked his way to become an Eagle
572 Scout, and is a Structural Engineer with an engineering degree from Penn State University; one (1)
573 of the reason his son got into Penn State University is because he was an Eagle Scout. Mr. Zimmerman
574 expressed that scouting is a very, very good adventure for them.
575

576
577 Mrs. Hackenberg called an executive session to discuss potential litigation and personnel matters. An
578 executive session was held from 8:19 PM to 9:22 PM.
579
580

581 Motion by: Tod M. Steese

582 Second by: Richard J. Fry

583

584 **MOTION: To table action on the bids for Contract 2017-04: 2017 Wastewater Treatment Plant**
585 **Improvements Project until the Monday, December 4, 2017 special Borough Council meeting for**
586 **the purpose of ensuring that the bids are responsive and the bidders are responsible.**

587

588 Approved via unanimous voice vote.

589

590

591 Motion by: Kathleen A. Downs

592

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

594

595 Approved via unanimous voice vote.

596

597

598 Meeting adjourned at 9:23 PM.

599

600 Respectfully Submitted,

601

602

603 Misty L. Ross

604 Assistant Borough Secretary