

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL

2 December 20, 2016

3

4	PRESENT	ABSENT
5 Beverly L. Hackenberg, Council President	X	
6 Tod M. Steese, Vice President	X	
7 Troy A. Berkheiser, Council Member	X	
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 Jeremiah D. Runkle, Solicitor	X	
13 Margaret A. Metzger, Borough Manager	X	
14 Robert M. Rowe, Borough Project Manager	X	
15 Misty L. Ross, Assistant Secretary	X	

16

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

18
19 Visitors present at this meeting were Erin Threet, Carolyn Conner, and Tom Reimensnyder.

20
21
22 Motion by: Tod M. Steese

23 Second by: Richard J. Fry

24
25 **MOTION: To approve the minutes of the Tuesday, November 15, 2016 regular meeting of**
26 **Mifflinburg Borough Council.**

27
28 Approved via unanimous voice vote.

29
30
31 Motion by: Tod M. Steese

32 Second by: Richard J. Fry

33
34 **MOTION: To approve the minutes of the Tuesday, November 22, 2016 special meeting of**
35 **Mifflinburg Borough Council.**

36
37 Approved via unanimous voice vote.

38
39
40 Motion by: Troy A. Berkheiser

41 Second by: Paul E. Bottiger

42
43 **MOTION: To approve payment of Bill List #2016-12 in the amount of \$769,084.64.**

44
45 Yes – Mr. Berkheiser, Mr. Bottiger, Mr. Fry, Mr. Steese, Mr. Zimmerman, Mrs. Hackenberg

46
47 No – None

48
49
50 Ms. Carolyn Conner, Union County Republican Committee Chair, announced that she is present at
51 tonight’s meeting to observe. Ms. Conner clarified that she is interested in what the Borough’s concerns
52 are and what issues they are dealing with.

53
54
55 Motion by: Troy A. Berkheiser

56 Second by: Tod M. Steese

57
58 **MOTION: To approve the Mifflinburg Borough Zoning Report for November 2016 and authorize**
59 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$1,098.94.**

60
61 Yes – Mr. Bottiger, Mr. Fry, Mr. Steese, Mr. Zimmerman, Mr. Berkheiser, Mrs. Hackenberg

62
63 No – None

64
65
66

67 Mrs. Metzger recommended that Borough Council take action to adopt the 2017 Final Budget for the
68 Borough of Mifflinburg prior to taking action on tonight's resolutions.
69
70 Motion by: Troy A. Berkheiser
71 Second by: Paul E. Bottiger
72
73 **MOTION: To adopt the 2017 Final Budget for the Borough of Mifflinburg with revenues in the**
74 **amount of \$21,652,060.00; which includes a 3% increase for the water and sewer rates and no rate**
75 **increase for the electric rates.**
76
77 Yes – Mr. Fry, Mr. Steese, Mr. Zimmerman, Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg
78
79 No – None
80
81
82 Motion by: Paul E. Bottiger
83 Second by: Troy A. Berkheiser
84
85 **MOTION: To adopt Resolution No. 2016-12; Amending the established and adopted schedule of**
86 **fees and rates under the Mifflinburg Borough Water System Ordinance.**
87
88 Approved via unanimous voice vote.
89
90
91 Motion by: Paul E. Bottiger
92 Second by: Troy A. Berkheiser
93
94 **MOTION: To adopt Resolution No. 2016-13; Amending the established and adopted schedule of**
95 **fees and rates under the Mifflinburg Borough Sewer System Ordinance.**
96
97 Approved via unanimous voice vote.
98
99
100 Motion by: Troy A. Berkheiser
101 Second by: Paul E. Bottiger
102
103 **MOTION: To reappoint Mr. David C. Holman and Mr. Benjamin M. Dietrich to a four (4) year**
104 **term on the Mifflinburg Planning Commission; Mr. Angel Pina, Mrs. Sue E. Iddings, and Ms.**
105 **Sally Rothermel to a three (3) year term on the Mifflinburg Zoning Hearing Board; Mr. Les**
106 **Lyons and Mr. Dave Hendricks to a three (3) year term on the Mifflinburg Zoning Hearing Board**
107 **as alternates; Mr. Juergen Seefeldt to a five (5) year term on the Mifflinburg Shade Tree**
108 **Commission; All Points Land Surveys, Inc. to a one (1) year term as Sewage Enforcement Officer**
109 **(SEO) for the Borough of Mifflinburg; Mr. Drew Christy to a one (1) year term as the CK-COG**
110 **Representative for the Borough of Mifflinburg.**
111
112 Mr. Runkle informed Borough Council that action is not required to reappoint the Mifflinburg Zoning
113 Hearing Board members or Mr. Drew Christy since they have a resolutions appointing them.
114
115 Motion by: Troy A. Berkheiser
116 Second by: Paul E. Bottiger
117
118 **MOTION: To reappoint Mr. David C. Holman and Mr. Benjamin M. Dietrich to a four (4) year**
119 **term on the Mifflinburg Planning Commission; Mr. Juergen Seefeldt to a five (5) year term on the**
120 **Mifflinburg Shade Tree Commission; All Points Land Surveys, Inc. to a one (1) year term as**
121 **Sewage Enforcement Officer (SEO) for the Borough of Mifflinburg.**
122
123 Approved via unanimous voice vote.
124
125
126 Motion by: Paul E. Bottiger
127 Second by: Duane L. Zimmerman
128
129 **MOTION: To adopt Resolution No. 2016-14; Appointing members & alternate members of the**
130 **Zoning Hearing Board.**
131
132 Approved via unanimous voice vote.

133 Motion by: Paul E. Bottiger
134 Second by: Duane L. Zimmerman

135
136 **MOTION: To adopt Resolution No. 2016-15; Appointing Drew Christy to the Central Keystone**
137 **Council of Governments.**

138
139 Approved via unanimous voice vote.

140
141
142 Mr. Rowe provided Borough Council with an update on the status of the improvements at the
143 Mifflinburg Hose Company Building located at 325 Chestnut Street. Mr. Rowe reported that the
144 construction work at the Mifflinburg Hose Company Building has been completed and he has received
145 the following final change orders and payment for approval.

- 146
- 147 • Change Order No. 1 for a price increase of \$867.03 to supply and install 2” foundation
 - 148 insulation.
 - 149 • Change Order No. 2 for a price increase of \$503.07 to remove cracked concrete and replace
 - 150 approximately 4’X15’.
 - 151 • Payment Application No. 1 (final payment) in the amount of \$28,497.90.
- 152

153 A copy of the change orders and the final payment application has been included in the information
154 tonight. Both the change orders and the final payment application have been reviewed and Borough
155 Council action is requested to approve the change orders and the final payment application.

156
157 Mr. Rowe informed Borough Council that the Mifflinburg Hose Company chose to move their
158 equipment back into the Mifflinburg Hose Company Building without notifying Borough Management
159 in fear of the cold weather that was approaching. In doing so, this voided the Borough’s warranty for
160 this work. Mr. Rowe clarified that he has witness one (1) crack already in the concrete; however there is
161 nothing he can do about the crack in the way of warranty work, since he doesn’t know if the weight of
162 the firetrucks caused the crack or if it was shoddy workmanship.

163
164 Mrs. Hackenberg inquired who would be responsible for the work if the concrete continues to crack and
165 needs to be replaced again. Mr Rowe reported that he met with Mr. Steve Walter, Mifflinburg Hose
166 Company Chief, regarding this matter. Mr. Walter indicated that the Mifflinburg Hose Company was
167 willing to take full responsibility for the work if it faulted. Mr. Rowe expressed that he believes the
168 Mifflinburg Hose Company should have contacted Borough Management prior to moving the firetrucks
169 back into the building. A discussion was held; Mr. Steese explained that the reason the Mifflinburg
170 Hose Company chose to move their equipment back into the Mifflinburg Hose Company Building was
171 due to the freezing weather; the pumps won’t handle freezing weather like that. It’s a lot cheaper to
172 replace a piece of concrete than it is to replace one (1) of the pumps. Mr. Steese stated that he agrees the
173 Mifflinburg Hose Company should have contacted Borough Management ahead of time, but they didn’t,
174 its water under the bridge. The Mifflinburg Hose Company is responsible for the work if the concrete
175 continues to crack and needs to be replaced again.

176
177 Motion by: Paul E. Bottiger
178 Second by: Richard J. Fry

179
180 **MOTION: To approve Change Order No. 1 to Zartman Construction, Inc. for the improvements**
181 **at the Mifflinburg Hose Company Building located at 325 Chestnut Street for a price increase of**
182 **\$867.03.**

183
184 Yes – Mr. Steese, Mr. Zimmerman, Mr. Berkheiser, Mr. Bottiger, Mr. Fry, Mrs. Hackenberg

185
186 No – None

187
188
189 Motion by: Paul E. Bottiger
190 Second by: Richard J. Fry

191
192 **MOTION: To approve Change Order No. 2 to Zartman Construction, Inc. for the improvements**
193 **at the Mifflinburg Hose Company Building located at 325 Chestnut Street for a price increase of**
194 **\$503.07.**

195
196 Yes – Mr. Zimmerman, Mr. Berkheiser, Mr. Bottiger, Mr. Fry, Mr. Steese, Mrs. Hackenberg

197
198 No – None

199

200 Motion by: Paul E. Bottiger
201 Second by: Richard J. Fry

202

203 **MOTION: To approve Payment Application No. 1 (final payment) to Zartman Construction, Inc.**
204 **for the improvements at the Mifflinburg Hose Company Building located at 325 Chestnut Street**
205 **in the amount of \$28,497.90.**

206

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

208

209 No – None

210

211

212 Mrs. Metzger reported that Lycoming County Resource Management Services has contacted her
213 regarding the Waste Disposal Agreement contract for the disposal of municipal sewage sludge. The
214 current contract expires on Wednesday, December 31, 2016. Lycoming County Resource Management
215 Services is proposing to renew this agreement for two (2) years with all rates to remain the same. A
216 copy of the agreement has been included in the information tonight. Mr. Runkle has reviewed the
217 contract and Borough Council action is requested to approve the Fourth Amendment to the Waste
218 Disposal Agreement contract.

219

220 Motion by: Paul E. Bottiger
221 Second by: Duane L. Zimmerman

222

223 **MOTION: To approve the Fourth Amendment to the Waste Disposal Agreement contract with**
224 **Lycoming County Resource Management for the disposal of municipal sewage sludge for two (2)**
225 **years with all rates to remain the same.**

226

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

228

229 No – None

230

231

232 Mrs. Metzger reported that the Lycoming County Landfill has notified the County that they were no
233 longer going to be willing to pull the recycle roll-off containers and dump them at the landfill at no cost.
234 Mrs. Metzger informed Borough Council that she met with Mr. Bob Huntington, Union County
235 Recycling Coordinator for the Borough, to discuss what the projected costs for hauling will be. It's
236 anticipated that the projected costs for hauling will be around \$1,500.00/yr. Mrs. Metzger stated that she
237 received notification today that the Union County Commissioners have approved that they would pay
238 for all of the hauling fees for 2017 since the Borough really didn't have a chance to budget for it. Mrs.
239 Metzger clarified that the Borough will have to budget for the hauling fees for 2018.

240

241 Mrs. Metzger informed Borough Council that she has received correspondence from the Department of
242 Environmental Protection (DEP) that they have reviewed the Borough's Professional Engineering
243 Services Program application for assistance with leak detection. DEP has provided a document which
244 notes that they are not requiring any immediate action to correct any deficiencies in our water system;
245 however they did recommend that the Borough consider optimizing their water system by addressing a
246 few items which are as follows:

247

- 248 • An Asset Management Plan.
- 249 • A Water Audit of the Borough's Water System.
- 250 • Look in to utilizing some of the Operation Assistance Providers to help with difficult
251 operational or maintenance issues.

252

253 DEP is recommending that the Borough contact the OAPP office to obtain more information, and return
254 paperwork which agrees to this. DEP has already put their engineering firm in contact with the Borough
255 to begin the leak detection work on SR 304. Borough Council action is requested to authorize the return
256 of the required paperwork in order to proceed further.

257

258 Motion by: Paul E. Bottiger
259 Second by: Troy A. Berkheiser

260

261 **MOTION: To authorize the return of the required paperwork for participation in the Professional**
262 **Engineering Services Program application in order to proceed further.**

263

264 Approved via unanimous voice vote.

265

266

267 Mrs. Metzger informed Borough Council that she has obtained a quote from a company called
268 Swiftreach for a push public notification system that could be utilized to notify residents of both routine
269 and emergency situations happening in the Borough. This system is endorsed by the Pennsylvania Rural
270 Water Association (PWRA). A copy of the proposal has been included in the information tonight. The
271 annual subscription is \$1,765.00. Borough Council action is requested to approve this proposal.
272

273 Motion by: Paul E. Bottiger
274 Second by: Tod M. Steese
275

276 **MOTION: To approve the proposal from Swiftreach for a push public notification system for an**
277 **annual subscription of \$1,765.00.**
278

279 Mr. Berkheiser inquired if there would be other costs involved in addition to the \$1,765.00 for training.
280

281 Mrs. Metzger informed Borough Council that Swiftreach is not sure how much training will be
282 involved; there is a lot of online training, this additional cost is just for on-site training.
283

284 Mr. Zimmerman inquired about what happens if the Borough doesn't have all of the residents' phone
285 numbers or email addresses. A discussion was held; Mrs. Metzger clarified that there would be a
286 transition period.
287

288 Yes – Mr. Fry, Mr. Steese, Mr. Zimmerman, Mr. Bottiger, Mrs. Hackenberg
289

290 No – Mr. Berkheiser
291
292

293 Mrs. Metzger reminded Borough Council that they took action at the Tuesday, November 15, 2016
294 regular meeting to authorize Mr. Runkle to prepare an ordinance for the abandonment of 12th Street,
295 with the property owner (Mr. Keith Wagner) to bear all costs for the proper legal abandonment of this
296 street. Mrs. Metzger updated Borough Council that she has informed Mr. Wagner via letter that
297 Borough Council would consider the abandonment of 12th Street, if he was willing to pay the costs of
298 the process, like other requestors have. Mr. Wagner has returned the paperwork agreeing to pay the
299 costs of this work. Borough Council action is requested to authorize Mr. Runkle to prepare an ordinance
300 for the abandonment of 12th Street and advertise the ordinance.
301

302 Motion by: Richard J. Fry
303 Second by: Paul E. Bottiger
304

305 **MOTION: To authorize Mr. Runkle to prepare an ordinance for the abandonment of 12th Street**
306 **and advertise the ordinance in accordance with the Borough Code.**
307

308 Approved via unanimous voice vote.
309
310

311 Mrs. Metzger informed Borough Council that she has obtained a quote from HA Thomson for Cyber
312 Liability Insurance. A copy of the proposal has been included in the information tonight. There is a
313 CyberRisk Policy Aggregate Limit of \$1,000,000.00. The cost for this coverage for one (1) year is
314 \$5,300.00. Borough Council action is requested on this proposal. A discussion was held; Mrs. Metzger
315 clarified that if Borough Council would like, she'd be happy to have an agent come and do a
316 presentation. It was the consensus of Borough Council to have an agent come and do a presentation
317

318 Mrs. Metzger requested an executive session to discuss personnel matters and potential litigation.
319

320 Mrs. Metzger requested Borough Council action to authorize a final check run for 2016, Bill List #
321 2016-13.
322

323 Motion by: Troy A. Berkheiser
324 Second by: Paul E. Bottiger
325

326 **MOTION: To authorize a final check run for 2016, Bill List # 2016-13.**
327

328 Yes – Mr. Steese, Mr. Zimmerman, Mr. Berkheiser, Mr. Bottiger, Mr. Fry, Mrs. Hackenberg
329

330 No – None
331
332
333

334 Mrs. Metzger informed Borough Council that she is preparing the required advertisement for the 2017
335 meetings and would like to ascertain that the meeting schedule will remain the same as in 2016. Mrs.
336 Hackenberg stated that Borough Council will begin holding work sessions on the first Tuesday night of
337 each month to discuss any action items prior to Council meeting. A discussion was held; Mrs. Metzger
338 clarified that she will still advertise the 2017 meetings the same as in 2016. Mrs. Hackenberg
339 announced that the first work session is scheduled for Tuesday, January 3, 2017 at 7:00 PM.
340

341 Mrs. Metzger reported that she has received a request from Mr. Jeremiah Allen, Mifflinburg Cross
342 Country/Track & Field Coach, with regard to conducting the Mifflinburg Miracle Mile. A copy of the
343 request has been included in the information tonight and reads as follows:
344

345 Dear Mifflinburg Borough Council,
346

347 Last June you allowed myself and Integrity Sports to hold the Mifflinburg Miracle Mile.
348 It was a huge success and we wanted to thank you for that opportunity. We were able to give
349 the Chapman family \$1,600.00. This year we would like to ask for your approval to do this
350 event again on June 8th 2017. The only change is that we will be working with the Falcon Race
351 Timing. Falcon is a new business run by Andy Wahila and Joel Heasley, they previously
352 worked for Integrity Sports. We have spoken to the fire police to check if they are available,
353 which they are, pending your approval. Please let me know if you have any questions or
354 concerns.
355

356 Jeremiah Allen
357

358 Mayor Cooney informed Borough Council that he spoke with Mr. Allen Apple, Mifflinburg Fire Police,
359 regarding the Mifflinburg Miracle Mile and he had no knowledge of this event. Mr. Apple requested
360 that Mr. Allen send him a written request and then he would discuss this matter with the Mifflinburg
361 Fire Police to see if they want to do it and if they have staffing available.
362

363 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for
364 November 2016 included in the information tonight.
365

366 Mayor Cooney provided Borough Council with an update on the status of the Mifflinburg Christkindl
367 Market. Mayor Cooney reported that everything went well during this year's Market and that he will be
368 contacting the Christkindl Market of Mifflinburg, Inc. to schedule a Public Safety Committee to review
369 and discuss the 2016 Christkindl Market to determine 2017 requirements.
370

371 Mr. Fry provided Borough Council with an update on the status of the Chief of Police Position for the
372 Mifflinburg Police Department. Mr. Fry reported that the Mifflinburg Civil Service Commission met
373 this morning and they moved to accept all of the qualifications for the Chief candidate, Mr. Frederick
374 Dyroff III. At this meeting, the Mifflinburg Civil Service Commission also moved to adopt the new
375 Civil Service rules and regulations. In addition the Mifflinburg Civil Service Commission will be re-
376 advertising for a full-time Police Officer for the Borough of Mifflinburg. The deadline to accept
377 applications will be Monday, February 06, 2017.
378

379
380 Motion by: Tod M. Steese
381 Second by: Paul E. Bottiger
382

383 **MOTION: To reappoint Mrs. Margaret A. Metzger as the Borough Manager; Mr. Robert M.**
384 **Rowe as the Project Manager; Mr. Jason W. Mitchell as the Public Works Supervisor; with a 2%**
385 **increase in salary for 2017.**
386

387 Mr. Zimmerman expressed his concerns regarding what Mr. Jason W. Mitchell is doing for the Borough
388 and stated that he thinks Mr. Mitchell should be a working Foreman and there should be some
389 requirements: he should obtain his Commercial Driver's License which he doesn't have and he should
390 be working on obtaining at least his Water or his Sewer Licenses. A lengthy discussion was held; Mrs.
391 Hackenberg referred this matter to be discussed further at the work session that is scheduled for
392 Tuesday, January 3, 2017 at 7:00 PM.
393

394 Yes – Mr. Bottiger, Mr. Steese, Mrs. Hackenberg
395

396 No – Mr. Zimmerman, Mr. Berkheiser, Mr. Fry
397

398 The motion to reappoint Mrs. Margaret A. Metzger as the Borough Manager; Mr. Robert M. Rowe as
399 the Project Manager; Mr. Jason W. Mitchell as the Public Works Supervisor; with a 2% increase in
400 salary for 2017 was tied; Mayor Cooney cast the tie-breaking vote in favor of the motion.
401

402 Mr. Zimmerman informed Borough Council that he and Mr. Fry met with Mrs. Metzger to discuss the
403 Borough's utility billing rates. Mr. Zimmerman recommended that this matter be discussed further at
404 the work session that is scheduled for Tuesday, January 3, 2017 at 7:00 PM.
405

406 Mr. Fry expressed his concerns with regard to snow plowing and icy roads.
407

408 Mr. Steese expressed his dislike with the 'tar and chip' work. Mr. Steese expressed that he thought
409 Hammaker East LTD, the contractor for the Borough's Annual Seal Coat work, was a little sloppy.
410

411 Mayor Cooney presented Borough Council with an update for the Mifflinburg Regional Economic
412 Development (MRED) Alliance. Mayor Cooney provided Borough Council with the following updates:
413

- 414 • Island Park Jewelers has closed up shop at 373 Chestnut Street.
- 415 • Top Notch Salon will be relocating from 1008 Chestnut Street to 373 Chestnut Street.
416

417 Mrs. Erin Threet, HRG, Inc., informed Borough Council that they received a copy of the Engineer's
418 Report for December 2016 included in the information tonight. Attached to the Engineer's Report is a
419 copy of the proposal to provide professional engineering services related to Oak Avenue Sanitary Sewer
420 Main Replacement Project for Borough Council review. It's recommended that this matter be discussed
421 further during executive session.
422

423 Mayor Cooney informed Borough Council that he participated in or will be participating in the
424 following meetings or events:
425

- 426 • The Community Christmas Tree Lighting that was held on Sunday, November 27, 2016
427 from 7:00 PM – 8:00 PM.
- 428 • The ribbon cutting for Gable House Bakery located at 441 Chestnut Street that was held on
429 Thursday, December 1, 2016 at 11:00 AM.
- 430 • The ribbon cutting for Rishel's Meats located at 60 E. Chestnut Street that was held on
431 Thursday, December 15, 2016 at 11:00 AM.
- 432 • He will be officiating a wedding on New Year's Eve, Saturday, December 31, 2016.
433

434
435 Mrs. Hackenberg called an executive session to discuss potential litigation and personnel matters. An
436 executive session was held from 8:25 PM to 9:57 PM.
437
438

439 Motion by: Tod M. Steese

440 Second by: Richard J. Fry
441

442 **MOTION: To offer employment to Mr. David Gessner at the starting wage of \$16.00/hour under**
443 **the terms of the AFSCME employment agreement, as a Water/Wastewater III Technician**
444 **Apprentice, contingent upon successful completion of the required pre-employment testing and**
445 **criminal and child abuse clearances and require the attainment of Class B CDL licenses within 6-**
446 **months of active employment, Sewer Operator licenses within one (1) year and Water Operator**
447 **licenses within two (2) years.**
448

449 Yes – Mr. Berkheiser, Mr. Bottiger, Mr. Fry, Mr. Steese, Mr. Zimmerman, Mrs. Hackenberg
450

451 No – None
452
453

454 Motion by: Duane L. Zimmerman

455 Second by: Paul E. Bottiger
456

457 **MOTION: To enter into the Professional Engineering Services Proposal with HRG, Inc. to**
458 **provide professional engineering services for the Oak Avenue Sanitary Sewer Main Replacement**
459 **Project for a lump sum fee of \$14,290.00 as presented.**
460

461 Yes – Mr. Bottiger, Mr. Fry, Mr. Steese, Mr. Zimmerman, Mr. Berkheiser, Mrs. Hackenberg
462

463 No – None

464 Motion by: Troy A. Berkheiser

465

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

467

468 Approved via unanimous voice vote.

469

470

471 Meeting adjourned at 9:59 PM.

472

473 Respectfully Submitted,

474

475

476 Misty L. Ross

477 Assistant Borough Secretary