

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL
2 March 17, 2015
3

4		PRESENT	ABSENT
5	Michael E. Snook, Council President	X	
6	Beverly L. Hackenberg, Vice President	X	
7	Troy A. Berkheiser, Council Member	X	
8	Paul E. Bottiger, Council Member	X	
9	Bryan E. Rohland, Council Member		X
10	Tod M. Steese, Council Member	X	
11	David M. Cooney, Mayor	X	
12	Jeremiah D. Runkle, Solicitor	X	
13	Douglas R. Bickhart, 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 There were no visitors present at this meeting.

21
22
23 Motion by: Beverly L. Hackenberg
24 Second by: Tod M. Steese

25
26 **MOTION: To approve the minutes of the Tuesday, February 24, 2015 rescheduled meeting of**
27 **Mifflinburg Borough Council.**

28
29 Approved via unanimous voice vote.

30
31
32 Motion by: Troy A. Berkheiser
33 Second by: Paul E. Bottiger

34
35 **MOTION: To approve payment of Bill List #2015-03 in the amount of \$631,887.38.**

36
37 Yes – Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg, Mr. Steese, Mr. Snook

38
39 No – None

40
41
42 Motion by: Beverly L. Hackenberg
43 Second by: Troy A. Berkheiser

44
45 **MOTION: To approve the Mifflinburg Borough Zoning Report for February 2015 and authorize**
46 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$61.96.**

47
48 Yes – Mr. Bottiger, Mrs. Hackenberg, Mr. Steese, Mr. Berkheiser, Mr. Snook

49
50 No – None

51
52
53 Mrs. Metzger provided Borough Council with an update on the status of the resurfacing and video
54 detection installation on State Route (SR) 45 west of SR 104. Mrs. Metzger reported that the PennDOT
55 contractor completed the resurfacing and video detection installation on State Route (SR) 45 west of SR
56 104. The traffic signal continues to default to the side streets and this has been reported to PennDOT and
57 numerous changes have been made. The Borough met with PennDOT on Wednesday, March 4, 2015 on
58 site to discuss the traffic signal issues. After review the contractor determined that he should make some
59 additional adjustments to the detection system. The next thirty (30) day trial started on Thursday, March
60 5, 2015. The Mifflinburg Police Department and Borough Employees have been asked to monitor the
61 traffic signal to see if the operational issues continue or if they have finally been resolved. The Borough
62 will continue to work with PennDOT to resolve these issues.
63
64
65
66
67

68 Mrs. Metzger provided Borough Council with an update on the status of the Borough wide Advanced
69 Metering Infrastructure (AMI) System. Mrs. Metzger reported that the Borough Electric Department,
70 working in conjunction with Nexgrid, has installed the Econet communication network for the Borough's
71 AMI System and approximately one hundred and twenty (120) new meters have been installed. Due to
72 some issues with transferring the information from the Nexgrid system to the Logics Billing system, the
73 project has been temporarily delayed while this is worked out. Logics wrote programming to assist with
74 this issue but it's still not working properly. The Borough has also been experiencing some issues with
75 the Nexgrid Econets and have been advised to install the units on brackets rather than in place of the dusk
76 to dawn sensor. The Borough has been slowly working at meter replacement as the billing clerk finds
77 time to manually enter changes.

78
79 Mrs. Metzger informed Borough Council that that there was a letter to the editor in *The Daily Item*
80 concerning the change out of electric meters. Mrs. Metzger clarified that the Borough will do better at
81 notifying residents in advance prior to changing out their electric meter.

82
83 Mrs. Metzger informed Borough Council she and Mr. Jason W. Mitchell, Public Works Supervisor,
84 became aware of an issue with the water meter sizes specified in the Nexgrid bid. After careful review,
85 the order was corrected and a change order is required to amend the order. Borough Council action is
86 requested to approve the Change Order (SOW SMIF060514) with Nexgrid for a price increase of
87 \$1,173.00.

88
89 Motion by: Beverly L. Hackenberg
90 Second by: Paul E. Bottiger

91
92 **MOTION: To approve the Change Order (SOW SMIF060514) with Nexgrid for a price increase of**
93 **\$1,173.00.**

94
95 Yes – Mrs. Hackenberg, Mr. Steese, Mr. Berkheiser, Mr. Bottiger, Mr. Snook

96
97 No – None

98
99
100 Mrs. Metzger provided Borough Council with an update on the status of the improvements at the
101 Mifflinburg Hose Company Building located at 325 Chestnut Street. Mrs. Metzger reminded Borough
102 Council that the Park/Property Committee met with the Mifflinburg Hose Company on Tuesday, February
103 10, 2015 at 7:00 PM to discuss and determine what the next phase of improvements should be for the
104 Mifflinburg Hose Company Building for 2015. Mrs. Metzger informed Borough Council that subsequent
105 to the meeting a proposal was solicited from Mr. Ted Strosser, Strosser Architecture & Conservation,
106 Inc., for the design, bid, and contract management to complete the following tasks:

- 107
108
 - Masonry Lintel Replacement
 - Re-pointing of deteriorated mortar joints in CMU Block
 - Re-painting of all CMU Block (exterior)

109
110
111
112 Mr. Strosser has prepared an Architectural Services Proposal for a not-to-exceed fee of \$4,180.00. Mrs.
113 Metzger clarified that the anticipated cost for this project is \$25,000.00. Borough Council action is
114 requested to approve this proposal.

115
116 Motion by: Beverly L. Hackenberg
117 Second by: Paul E. Bottiger

118
119 **MOTION: To approve the Architectural Services Proposal with Mr. Ted Strosser, Strosser**
120 **Architecture & Conservation, Inc., to provide the design, bid, and contract management to**
121 **complete the masonry repairs/painting at the Mifflinburg Hose Company Building located at 325**
122 **Chestnut Street for a fee of \$4,180.00.**

123
124 Mrs. Metzger expressed that the Architectural Services Proposal seemed a little high to her and she
125 contacted Mr. Strosser; Mr. Strosser knocked a couple of hour off the proposal which lowered the fee.
126 Mrs. Metzger added that Mr. Strosser clarified that the proposal is for a not-to-exceed fee of \$4,180.00
127 and that the Borough would only be billed for the actual time spent.

128
129 Mr. Snook inquired if the motion to approve the Architectural Services Proposal with Mr. Ted Strosser,
130 Strosser Architecture & Conservation, Inc., to provide the design, bid, and contract management to
131 complete the masonry repairs/painting at the Mifflinburg Hose Company Building located at 325
132 Chestnut Street for a fee of \$4,180.00 should include "not-to-exceed".

133
134

135 Motion by: Beverly L. Hackenberg
136 Second by: Paul E. Bottiger

137
138 **MOTION: To amend the previous motion to approve the Architectural Services Proposal with Mr.**
139 **Ted Strosser, Strosser Architecture & Conservation, Inc., to provide the design, bid, and contract**
140 **management to complete the masonry repairs/painting at the Mifflinburg Hose Company Building**
141 **located at 325 Chestnut Street for a not-to-exceed fee of \$4,180.00.**

142
143 Yes – Mr. Steese, Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg, Mr. Snook

144
145 No – None

146
147
148 Mrs. Metzger informed Borough Council that she has prepared an updated budget vs. actual report for the
149 Elm Street Program and shared it with the Mifflinburg Heritage & Revitalization Association (MHRA).
150 After review, it was determined that an amendment to the grant budget may be necessary to shift some of
151 the less used items to cover the remaining expenditures. Mrs. Metzger reported that she has prepared a
152 letter to the Department of Community and Economic Development (DCED) requesting to amend Grant #
153 C000053731 as follows to reflect the actual spending for this program:

154
155

	<u>Original</u>		<u>Amended</u>
	<u>Budget</u>	<u>Amendment</u>	<u>Budget</u>
157 Salary	\$ 70,000.00	\$ 0.00	\$ 70,000.00
158 Training & Tech Assist.	\$ 3,000.00	(\$3,000.00)	\$ 0.00
159 Supplies	\$ 4,000.00	\$4,800.00	\$ 8,800.00
160 Promo/PR	\$ 16,000.00	\$ 0.00	\$ 16,000.00
161 Office Equipment	\$ 4,000.00	(\$1,000.00)	\$ 3,000.00
162 Travel Costs	\$ 3,000.00	(\$ 800.00)	\$ 2,200.00
163 Audit	\$ 0.00	\$ 0.00	\$ 0.00
164 Roads & Streets	<u>\$250,000.00</u>	<u>\$ 0.00</u>	<u>\$250,000.00</u>
165	\$350,000.00	\$ 0.00	\$350,000.00

166

167 The letter to DCED also included a request to extend the construction contract activity period through
168 June 30, 2016 to ensure that quality work can be completed since this winter has been harsh and has
169 delayed the start of the project. A copy of the letter to DCED is included in the information tonight for
170 Borough Council review. Borough Council action is requested to approve the submission of this
171 amendment.

172
173 Motion by: Beverly L. Hackenberg
174 Second by: Tod M. Steese

175
176 **MOTION: To authorize Mrs. Metzger to submit the grant amendment for the Elm Street Program**
177 **to the Department of Community and Economic Development (DCED).**

178
179 Approved via unanimous voice vote.

180
181
182 Mrs. Metzger provided Borough Council with an update on the status of the New Communities Program
183 Elm Street Project – Phase III. Mrs. Metzger reported that as part of this project, the Borough will be
184 replacing curbing, sidewalks, curb ramps, and street trees along the north and south sides of Green Street
185 from 4th Street to 6th Street. This work includes the removal of several trees to better facilitate the
186 construction of the new sidewalks. Mrs. Metzger informed Borough Council that one (1) of these trees is
187 located outside of the street right-of-way, on the Weirick House Property located at 433 Green Street,
188 which is owned by the Mifflinburg Heritage & Revitalization Association (MHRA). In order to allow the
189 contractor to complete this work, an agreement between the Borough of Mifflinburg and MHRA is
190 required. Mr. Justin Ross, Project Manager at Larson Design Group, has provided the Borough with an
191 Authorization to Enter (Waiver of Claim) Form and Mr. Runkle has reviewed the form. MHRA has
192 signed the Authorization to Enter (Waiver of Claim) Form and now Borough Council approval is
193 required. A copy of the form is included in the information tonight. Borough Council action is requested
194 to approve the Authorization to Enter (Waiver of Claim) Form between the Borough of Mifflinburg and
195 MHRA.

196
197
198
199
200
201
202

203 Motion by: Beverly L. Hackenberg
204 Second by: Paul E. Bottiger

205
206 **MOTION: To approve the Authorization to Enter (Waiver of Claim) Form between the Borough of**
207 **Mifflinburg and the Mifflinburg Heritage & Revitalization Association (MHRA) for the removal of**
208 **the tree on the Weirick House Property located at 433 Green Street to better facilitate the**
209 **construction of the new sidewalks for the New Communities Program Elm Street Project – Phase**
210 **III.**

211
212 Approved via unanimous voice vote.

213
214
215 Mr. Runkle provided Borough Council with an update on the status of the Rusty Rail Brew Haus. Mr.
216 Runkle informed Borough Council that he received a request from Mr. Rich Schrader that a site
217 inspection be completed at the Rusty Rail Brew Haus to reduce the Improvements Guarantee. Mr. Cody
218 Lytle, HRG, Inc., has performed a site inspection at the Rusty Rail Brew Haus on the Borough's behalf
219 and is recommending that Borough Council take action to reduce the Improvements Guarantee required
220 for the Rusty Rail Brew Haus to \$129,368.55. Borough Council action is requested on this matter.

221
222 Motion by: Beverly L. Hackenberg
223 Second by: Tod M. Steese

224
225 **MOTION: To reduce the Improvements Guarantee required for the Rusty Rail Brew Haus to**
226 **\$129,368.55 as recommended by HRG, Inc.**

227
228 Approved via unanimous voice vote.

229
230
231 Mr. Runkle clarified that Mrs. Metzger would notify Mr. Rich Schrader that Borough Council took action
232 to reduce the Improvements Guarantee required for the Rusty Rail Brew Haus to \$129,368.55.

233
234 Mrs. Metzger informed Borough Council she has been working with the Mr. Rob Rowe, the Project
235 Manager and Mrs. Erin Threet, HRG, Inc., to determine the scope for the Walnut Street Project. The
236 RFP's for engineering for the Walnut Street Project were sent out on Friday, March 13, 2015 with a reply
237 deadline of Wednesday, April 15, 2015.

238
239 Mrs. Metzger reported that the bid opening for refuse hauling and disposal for the Annual Spring Drop-
240 Off Event scheduled for April 22-25, 2015 was held on Friday, March 13, 2015 at 1:00 PM. There were
241 two (2) bids received and are as follows:

	<u>B&W</u>	<u>Hometown</u>
	<u>Disposal</u>	<u>Disposal</u>
244 Roll-off load hauled	\$ 250.00	\$ 275.00
245 Total price per ton for disposal	\$ 48.05	\$ 48.05
246 Cost for return of unused roll-off	<u>\$ 230.00</u>	<u>\$ 200.00</u>
247 Estimated cost based on 2014 quantities	\$6,837.49	\$7,262.49

248
249 A copy of the bid tabulation is included in the information tonight. Mrs. Metzger reminded Borough
250 Council that the Borough is no longer eligible for the grant they received in previous years; the Borough
251 will no longer be allowed to take advantage of the absence of tipping fees at the landfill; the costs
252 incurred for hauling will all be out of pocket. Borough Council action is requested to award the Annual
253 Spring Drop-Off Event to B&W Disposal for the unit price amounts as listed on the bid tabulation.

254
255 Motion by: Beverly L. Hackenberg
256 Second by: Paul E. Bottiger

257
258 **MOTION: To award the Annual Spring Drop-Off Event to B&W Disposal for the unit price**
259 **amounts of \$250.00 per Roll-off load hauled; \$48.05 for total price per ton for disposal; \$230.00 for**
260 **cost for return of unused roll-off.**

261
262 Mr. Berkheiser inquired if it was determined whether or not a coupon/voucher would be distributed to
263 Borough residents for the Annual Spring Drop-off event. Mrs. Metzger reminded Borough Council that
264 they previously discussed this matter and it was determined that Borough Council would wait until after
265 the Borough upgraded their Financial and Billing Software to a full page bill.

266
267 Yes – Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg, Mr. Snook

268
269 No – Mr. Steese,

270

271 Mrs. Metzger provided Borough Council with an update on the status of the removal of approximately
272 twenty (20) dead trees at the Mifflinburg Community Park. Mrs. Metzger reminded Borough Council that
273 they took action at the Tuesday, February 24, 2015 rescheduled Borough Council meeting to award the
274 contract for the removal of approximately twenty (20) dead trees at the Mifflinburg Community Park to
275 Custom Cut Tree Service, Inc. for the not-to-exceed amount of \$8,425.00 and to authorize her to contact
276 Custom Cut Tree Service, Inc. to try to get the not-to-exceed amount reduced. Mrs. Metzger informed
277 Borough Council that she has contacted Mr. Richard Heintzelman, owner of Custom Cut Tree Service,
278 Inc., and he has agreed to reduce the not-to-exceed amount to \$5,000.00. Mr. Heintzelman has signed and
279 returned the final agreement; however he left the bid amount blank. Mr. Jason W. Mitchell, Public
280 Works Supervisor, spoke to Mr. Heintzelman regarding this matter; Mr. Heintzelman indicated that he left
281 the bid amount blank because he couldn't remember what the not-to-exceed amount was that he agreed to.
282 Mrs. Metzger expressed that she is uneasy about it, but she is planning to move forward with the not-to-
283 exceed amount of \$5,000.00.

284
285 Mrs. Metzger requested an executive session to discuss some personnel matters and potential litigation.
286

287 Mrs. Metzger invited Borough Council members to attend the Electro-Sensing Demo that is scheduled for
288 Tuesday, April 7, 2015 at 10:00 AM.

289
290 Mrs. Metzger informed Borough Council that she received an email from M&T Bank regarding the Police
291 Pension Plan; M&T Bank has scheduled the annual performance meeting with the Police Pension
292 Committee for Tuesday, April 14, 2015 at 7:00 PM.

293
294 Chief Bickhart inquired if the annual performance meeting scheduled for Tuesday, April 14, 2015 at 7:00
295 PM is for Borough Council Members only. Mrs. Metzger informed Chief Bickhart that he is welcome to
296 attend the meeting and that she will invite the Mifflinburg Police Officers as well. Chief Bickhart
297 clarified that attendance for this meeting is not mandatory.

298
299 Mrs. Metzger informed Borough Council that she also received a request via email from Ms. Heather
300 Rich-Heckert, Junior Troop 60026 Leader, on behalf of the Girl Scout Community 642 which reads as
301 follows:

302
303 Union County Girl Scout Community 642 will be celebrating the 103rd birthday of Girl Scouting
304 on Saturday, March 21, 2015 at the 4th Annual PJ & Movie Event at the Campus Theatre in
305 Lewisburg. Over 150 girls, ages 5-18, leaders and their families from 26 troops will be
306 gathering in their PJ's to watch a movie, eat popcorn and celebrate our love of scouting.

307
308 Troops also celebrate by conducting a service project at the event. This year troops will be
309 donating items collected by the girls to the local charity, Haven to Home Canine Rescue.
310 Representatives from the organization and a four-legged friend will be there to talk to the girl
311 about the group's mission and thank them for their donations. At past events, girls have
312 collected and donated needed items to the William Cameron Engine Company, Transitions,
313 Haven Ministry and the Lewisburg and Mifflinburg Food Pantries.

314
315 As part of the event every year, a raffle is held for the girls. Troop leaders each enter a ticket to
316 win prizes for their troops, typically consisting of 10 to 12 girls. In the past, the girls have
317 enjoyed donated prizes such as pizza, sweet treat, ice-cream, gift baskets and gift cards or
318 discount cards to local businesses.

319
320 This year, we are one again asking local businesses to consider donating a prize for the troop
321 raffle. This has become a fun tradition for the girls and I can assure you that they are very
322 appreciative of your gift.

323
324 Would you consider donating a gift to this year's PJ & Movie event? If so, I look forward to
325 hearing from you! I would be happy to discuss the event with you in more detail. Thank you
326 for your consideration.

327
328 Sincerely,

329
330 Heather Rich-Heckert
331 Leader, Junior Troop 60026
332 Girl Scout Community 642, Lewisburg, PA

333
334 A copy of the request is included in the information tonight. Mrs. Metzger clarified that the prizes the
335 Union County Girl Scout Community 642 have in mind are free daily admission pool passes to the
336 Mifflinburg Community Pool for a day for a troop.

337
338

339 Motion by: Paul E. Bottiger
340 Second by: Troy A. Berkheiser

341
342 **MOTION: To approve the donation of twelve (12) free 2015 daily admission pool passes to the**
343 **Mifflinburg Community Pool for the fourth annual PJ & Movie Event for the Union County Girl**
344 **Scouts on Saturday, March 21, 2015.**

345
346 Approved via unanimous voice vote.

347
348
349 Mrs. Metzger reminded Borough Council that they took action at the Tuesday, January 20, 2015 regular
350 Borough Council meeting to authorize her to solicit RFP's for engineering for the Walnut Street Project.
351 Mrs. Metzger reported that she has been working with Mr. Robert Rowe, Borough Project Manager, and
352 Mrs. Erin Threet, HRG, Inc., to determine the scope for the Walnut Street Project. The RFP's for
353 engineering for the Walnut Street Project were sent out on Friday, March 13, 2015 with a reply deadline
354 of Wednesday, April 15, 2015.

355
356 Mrs. Metzger informed Borough Council that the Electric Lineman Apprentice/Lineman III has been
357 advertised; applications are being accepted through Monday, March 30, 2015.

358
359 Mrs. Metzger reported that Wagner, Dreese, Elsasser (W.D.E.) & Associates, P.C. has completed the
360 2014 Annual Audit; however the Borough is still awaiting the Audit Report.

361
362 Mayor Cooney informed Borough Council that he inadvertently made a mistake at the February 24, 2015
363 rescheduled Borough Council meeting. Mayor Cooney explained that he reported that the race course for
364 the Girls on the Run of the Greater Susquehanna Valley's Spring 5k Event in 2014 remained on the
365 Buffalo Valley Rail Trail (BVRT) the entire time however, that information was incorrect; the race course
366 did not remain on the BVRT the entire time, the participants did run on Walnut Street. Mayor Cooney
367 clarified that the race course for the Spring 2015 5k Event is not the same as it was in 2014, but the part
368 that's different isn't in the Borough. Mayor Cooney stated that neither he nor Chief Bickhart have a
369 problem with the original proposed race course. Borough Council action is requested to approve the Girls
370 on the Run of the Greater Susquehanna Valley's request to utilize the Mifflinburg Community Park on
371 Saturday, May 9, 2015 from 6:00 AM - 12:30 PM to conduct their Spring 2015 5k Event, allowing them
372 to use their original race course as presented by Ms. Partica at the February 24, 2015 rescheduled
373 Borough Council meeting, contingent upon completion and submission of the required paperwork, as well
374 as a security deposit in the amount of \$250.00 and a certificate of liability insurance

375
376 Motion by: Troy A. Berkheiser
377 Second by: Beverly L. Hackenberg

378
379 **MOTION: To approve the Girls on the Run of the Greater Susquehanna Valley's request to utilize**
380 **the Mifflinburg Community Park on Saturday, May 9, 2015 from 6:00 AM - 12:30 PM to conduct**
381 **their Spring 2015 5k Event, allowing them to use their original race course as presented by Ms.**
382 **Partica at the February 24, 2015 rescheduled Borough Council meeting, contingent upon**
383 **completion and submission of the required paperwork, as well as a security deposit in the amount**
384 **of \$250.00 and a certificate of liability insurance.**

385
386 Approved via unanimous voice vote.

387
388
389 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for
390 February 2015 included in the information tonight.

391
392 Chief Bickhart presented Borough Council with some Monthly Highlights for the Mifflinburg Police
393 Department for February 2015.

394
395 Chief Bickhart reminded Borough Council that they took action at the February 24, 2015 rescheduled
396 Borough Council meeting to authorize him to solicit interest in part-time Police Officer candidates for the
397 Mifflinburg Police Department. Chief Bickhart reported that he is currently in the process of beginning
398 background investigations for two (2) candidates. Chief Bickhart expressed that he hopes to have more
399 information to report by the Tuesday, April 21, 2015 regular Borough Council meeting.

400
401 Mr. Steese expressed that as the governing body, he believes Borough Council should authorize Mrs.
402 Metzger to send a letter to the Mifflinburg Community Ambulance, located at 104 Chestnut Street, and
403 the Mifflinburg Hose Company No. 1, located at 325 Chestnut Street, congratulating them on a job well
404 done on administering an hour and 41 minutes of CPR on a 22-month old drowning victim.

405

406 Motion by: Tod M. Steese
407 Second by: Paul E. Bottiger

408
409 **MOTION: To authorize Mrs. Metzger to send a letter to the Mifflinburg Community Ambulance,**
410 **located at 104 Chestnut Street, and the Mifflinburg Hose Company No. 1, located at 325 Chestnut**
411 **Street, congratulating them on a job well done on administering an hour and 41 minutes of CPR on**
412 **a 22-month old drowning victim.**

413
414 Approved via unanimous voice vote.

415
416
417 Mrs. Hackenberg requested an executive session to discuss personnel matters.

418
419 Mr. Berkheiser reminded Borough Council that there was a Finance Committee meeting held on
420 Wednesday, March 11, 2014 at 8:30 AM to review and discuss the Borough's utility collection
421 procedures. Mr. Runkle reported that he was present at the meeting along with Mrs. Metzger and Mrs.
422 Pam Eberhart, the Borough Billing Clerk. There are various regulations that either apply to or the
423 Borough tries to follow. The Pennsylvania Public Utility Commission (PUC) is a state agency that
424 oversees the operation of regulated public utilities; a major responsibility of the PUC is regulating the
425 rates, rules and the termination of services by public utilities. Mr. Runkle clarified that municipally
426 owned utilities are not PUC-regulated; however the Borough tries to follow these regulations. At the
427 meeting, the group discussed at length Resolution No. 99-03; a resolution enacting procedures concerning
428 the changing of accounts and termination of delinquent accounts in connection with all utility accounts, in
429 addition to PUC regulations, Mrs. Eberhart and Mrs. Metzger's frustrations with the Borough's current
430 resolution, the seriousness of some of the delinquencies, and so forth. An agreement was reach amongst
431 the group on what they believe the Borough's utility collection procedures should look like. It's
432 anticipated that a draft resolution to amend Resolution No. 99-03 will be prepared prior to the Tuesday,
433 April 21, 2015 regular Borough Council meeting and circulated for Borough Council review. Mr. Runkle
434 expressed that he believes they made terrific progress at the meeting and stated that this has been a long
435 time coming; he's been working on the Borough's utility collection procedures for about a year, but
436 thanks to the meeting this matter will finally resolved.

437
438 Mayor Cooney presented Borough Council with an update for the Mifflinburg Regional Economic
439 Development (MRED) Alliance. Mayor Cooney provided Borough Council with an update on the
440 following businesses in the Borough:

- 441
442 1. The ribbon cutting for Whispering Willow Primitives and Antiques located at 451 Chestnut
443 Street was held on Saturday, March 7, 2015. Mayor Cooney informed Borough Council that
444 he was not in attendance; however he was told there was a ginormous crowd.

445
446 Mr. Snook informed Borough Council that they received a copy of the Engineer's Report for March 2015
447 included in the information tonight.

448
449 Mr. Runkle requested an executive session to discuss potential litigation.

450
451 Mr. Runkle reported that Chief Bickhart contacted him a couple of months ago to inquire if there was a
452 way for the Borough to budget the seed money required for drug buys (sting operations) in order for the
453 Mifflinburg Police Department to track and monitor their own Drug-Buy Program. Mr. Runkle explained
454 that the Mifflinburg Police Department currently have to work with the Drug Task Force which receives
455 funding from the Office of the Pennsylvania Attorney General; the turnaround time is at least a week (if
456 you're lucky) to obtain approval and actually receive the funds, to then give the funds to the confidential
457 informants (CI) to make the drug buy. Mr. Runkle expressed that it's a bureaucratic mess and the
458 turnaround time is not realistic because typically the CI will change their mind. The Mifflinburg Police
459 Department would like to track and monitor their own Drug-Buy Program in order to utilize the
460 information in the most expedient and efficient manner possible. Mr. Runkle informed Borough Council
461 that he has researched this matter and there's no law either way. Mr. Runkle added that he contacted with
462 the Pennsylvania Association of Boroughs (PSAB) to obtain their input; PSAB indicated that they're not
463 excited about the concept, but that's because they know of a specific Borough in Dauphin County that
464 attempted this and it didn't go well. Chief Bickhart clarified that when the drug dealer is prosecuted, part
465 of their restitution will be they have to pay back the seed money; the money would then be reimbursed
466 back to the Borough. Borough Council direction is requested as to whether or not they believe the
467 Mifflinburg Police Department should pursue their own Drug-Buy Program, and if so then authorize
468 Chief Bickhart to contact the Union County District Attorney, D. Peter Johnson, to attain his approval.

469
470
471
472
473

474 Motion by: Tod M. Steese
475 Second by: Troy A. Berkheiser

476
477 **MOTION: That Borough Council put \$1,000.00 to the Mifflinburg Police Department's Drug**
478 **Enforcement Fund pending the Union County District Attorney, D. Peter Johnson's approval.**

479
480 Mrs. Metzger inquired what fund the \$1,000.00 would be transferred from. A discussion was held; Mr.
481 Runkle suggested that when Chief Bickhart contacts the Union County District Attorney, D. Peter
482 Johnson, he should request the \$1,000.00 seed money from his Drug Forfeiture Fund.

483
484 Mr. Runkle clarified that Borough Council action is only requested at this time to approve the Drug-Buy
485 concept for the Mifflinburg Police Department and authorize Chief Bickhart to contact the Union County
486 District Attorney, D. Peter Johnson, to obtain his approval.

487
488 Motion by: Tod M. Steese
489 Second by: Troy A. Berkheiser

490
491 **MOTION: To approve the Drug-Buy concept for the Mifflinburg Police Department and authorize**
492 **Chief Bickhart to contact the Union County District Attorney, D. Peter Johnson, to obtain his**
493 **approval.**

494
495 Approved via unanimous voice vote.

496
497
498 Mayor Cooney informed Borough Council that he participated in or will be participating in the following
499 meetings or events:

- 500
- 501 • Took part in the Union County Greenway Focus Group with Mr. Shawn McLaughlin, Union
502 County Planning Commission Director, Mr. John Uehling, Mr. Ryan Sabo, and Mr. Donald
503 Bowman, Chairman for the Mifflinburg Borough Planning Commission. Mayor Cooney
504 explained that the Union County Greenway Focus Group is kind of an initiative to save
505 green space and connect those green spaces in Union County.
 - 506 • The Annual Easter Egg Hunt that is scheduled for Saturday, March 28, 2015 at 12:00 PM
507 (noon) at the VFW Carnival Grounds. Mayor Cooney informed Borough Council that the
508 Annual Easter Egg Hunt will be co-sponsored by the Mifflinburg American Legion Post 410
509 and the Mifflinburg Moose.
 - 510 • Was contacted by Ms. Beth Lowe, Pastor Assistant for the Harvest Bible Chapel (formerly
511 known as the Freedom Fellowship Church) located at 115 Freedom Road; they are looking
512 for some service projects to do in the Borough. Mayor Cooney directed Borough Council to
513 let him know if they have any ideas.
 - 514 • A meeting will be held with the Central Keystone Council of Governments (CK-COG) to
515 discuss implementation of the Borough's Residential Rental Unit Ordinance (Ordinance No.
516 2015-02).

517
518 Mayor Cooney reported that his mother, Ms. Edna Cooney, applied for financial assistance with home
519 repairs to her residence located at 506 Walnut Street through a HUD regulated program (Investment
520 Partnership Program). Mayor Cooney explained that since he has irrevocable trust of his mother's estate
521 and is an elected official of the participating jurisdiction, he is required to comply with the Conflict of
522 Interest provisions found at 24 CFR 92.356 which includes the following:

- 523
- 524 1. Disclosure at public meeting.
 - 525 2. Opinion letter from the Borough Solicitor.
- 526

527 Mr. Runkle informed Borough Council that Mayor Cooney has made him aware of this matter prior to
528 tonight's meeting and provided that Borough Council directs him to do so at tonight's meeting; he is
529 prepared to put the following on letterhead and sign and send it to Mayor Cooney:

530
531 Dear Mayor Cooney:

532
533 As Solicitor for the Borough of Mifflinburg, I have been made aware that your
534 mother, Ms. Edna Cooney, has applied for financial assistance with home repairs through a
535 HUD regulated program which must comply with 24 CFR 92.356. Based on my review of
536 the aforementioned regulation and the public disclosures regarding the matter which you
537 made at a public meeting of Mifflinburg Borough Council on March 17, 2015, I believe that
538 the grant of an exception under subsection (d) of 24 CFR 92.356 would not violate State or
539 local law.

540
541 Borough Council action is requested to direct him to sign and send the opinion letter to Mayor Cooney.

542 Motion by: Paul E. Bottiger
543 Second by: Beverly L. Hackenberg

544
545 **MOTION: To direct Mr. Runkle to sign and send the opinion letter to Mayor Cooney.**

546
547 Mayor Cooney informed Borough Council that his mother is unaware of this matter and asked that
548 Borough Council not mention it to her if they see her.

549
550 Approved via unanimous voice vote.

551
552
553 Mr. Snook called an executive session to discuss potential litigation and personnel matters. An executive
554 session was held from 8:09 PM to 8:52 PM.

555
556
557 Motion by: Beverly L. Hackenberg
558 Second by: Troy A. Berkheiser

559
560 **MOTION: To enter into the Pole Attachment Licensing Agreement between the Borough of**
561 **Mifflinburg and Service Electric Cablevision, Inc.**

562
563 Approved via unanimous voice vote.

564
565
566 Mr. Runkle inquired if Mrs. Metzger received a letter with a CD from Union County with regard to the
567 Hazard Mitigation Plan. Mrs. Metzger stated that she believes she received a letter from Union County
568 with regard to the Hazard Mitigation Plan, but there wasn't a CD included with the letter.

569
570
571 Motion by: Troy A. Berkheiser

572
573 **MOTION: To adjourn the Mifflinburg Borough Council meeting.**

574
575 Approved via unanimous voice vote.

576
577
578 Meeting adjourned at 8:55 PM.

579
580 Respectfully Submitted,

581
582
583 Misty L. Ross
584 Assistant Borough Secretary