

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL  
2 May 19, 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 – Left at 10:00 PM	
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 Visitors present at this meeting were Connor C. Tarr, Jerry W. Murray, Christie Brosius Hunter, Beth  
21 Holmes, John Holmes, Joannah Skucek, Paula Christy, Jim Ranney, and Joseph Lingenfelter.

22  
23 Mrs. Hackenberg clarified that all of the visitors present at tonight’s meeting signed-in on the attendance  
24 sheet.

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26  
27 Motion by: Tod M. Steese

28 Second by: Paul E. Bottiger

29  
30 **MOTION: To approve the minutes of the Tuesday, April 21, 2015 regular meeting of Mifflinburg**  
31 **Borough Council.**

32  
33 Approved via unanimous voice vote.

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36 Motion by: Troy A. Berkheiser

37 Second by: Tod M. Steese

38  
39 **MOTION: To approve payment of Bill List #2015-05 in the amount of \$500,311.84.**

40  
41 Yes – Mr. Berkheiser, Mr. Bottiger, Mr. Rohland, Mr. Steese, Mrs. Hackenberg

42  
43 No – None

44  
45  
46 Ms. Joannah Skucek and Mrs. Paula Christy, Co-Chairs of Christkindl Market of Mifflinburg, Inc.,  
47 attended tonight’s meeting to further discuss the public safety issues concerning the Christkindl Market  
48 and traffic and pedestrian interactions. Mrs. Christy reported that the Board of the Christkindl Market of  
49 Mifflinburg, Inc. is fully in agreement with two (2) of the three (3) stipulations that Borough Council is  
50 “requiring” for the 2015 Market; however, they are unable to reconcile the stipulation that all Market  
51 shuttles will drop-off and pick-up at 6<sup>th</sup> and Market Streets. The Christkindl Market of Mifflinburg, Inc.  
52 feel that having a shuttle stop at 6<sup>th</sup> and Market Streets is hazardous because it’s dark, the street and  
53 sidewalks are on a slope, and combining all the pedestrian traffic from the east and west shuttles would  
54 create chaos. It’s already hard for the west shuttle to turn from Market Street onto 6<sup>th</sup> Street and difficult  
55 to cross traffic from 6<sup>th</sup> Street left onto Chestnut Street; the east-end has two (2) shuttles operating. Mrs.  
56 Christy added that the Christkindl Market of Mifflinburg, Inc., believes it would be a huge problem for  
57 visitors to know which shuttle to return on and that they foresee a traffic jam if all three (3) shuttles and  
58 the additional van they use should be there at the same time. Furthermore, the Christkindl Market of  
59 Mifflinburg, Inc. sees no feasible route to redirect the east-end shuttle to 6<sup>th</sup> Street. The Christkindl  
60 Market of Mifflinburg, Inc. is concerned with the safety of Market visitors and also with their experience  
61 as guests of Mifflinburg. Ms. Skucek informed Borough Council that the Christkindl Market of  
62 Mifflinburg, Inc. has made some changes to alleviate previous problems and requests that Borough  
63 Council allow all shuttle drop-off and pick-up stops to remain as-is this year and then the Public Safety  
64 Committee and the Christkindl Market of Mifflinburg, Inc. can re-evaluate the needs for future plans if  
65 necessary. A lengthy discussion was held; Mayor Cooney stated that based on the information provided  
66 nothing has been shown to Borough Council, from a Public Safety standpoint and Borough Council view,  
67 to make them reconsider their original requirements for the 2015 Market.  
68

69 Mayor Cooney expressed that he believes Borough Council needs to stand behind the original  
70 requirements for the 2015 Market that they had approved based on the Public Safety Committee's  
71 recommendations and then at the end of this year's Market, the Public Safety Committee and the  
72 Christkindl Market of Mifflinburg, Inc. can mutually review the effect of these changes and discuss the  
73 need for future plans if necessary.  
74

75 Mr. Bottiger stated that he believes there will still be a lot of visitors who enter the Christkindl Market at  
76 4<sup>th</sup> and Market Streets even if the Christkindl Market of Mifflinburg, Inc. changes the shuttles drop-off  
77 and pick-up stops to 6<sup>th</sup> and Market Streets.  
78

79  
80 Motion by: Troy A. Berkheiser  
81 Second by: Bryan E. Rohland  
82

83 **MOTION: To approve the Mifflinburg Borough Zoning Report for March 2015 and authorize**  
84 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$122.00.**  
85

86 Yes – Mr. Bottiger, Mr. Rohland, Mr. Steese, Mr. Berkheiser, Mrs. Hackenberg  
87

88 No – None  
89

90  
91 Motion by: Troy A. Berkheiser  
92 Second by: Paul E. Bottiger  
93

94 **MOTION: To approve the Mifflinburg Borough Zoning Report for April 2015 and authorize**  
95 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$122.00.**  
96

97 Yes – Mr. Rohland, Mr. Steese, Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg  
98

99 No – None  
100

101  
102 Mr. Runkle reported that the Borough received a letter and a hazard mitigation plan from Mr. Dave  
103 Wagner, Mitigation Officer of Union County. Enclosed with the letter and hazard mitigation plan was a  
104 proposed resolution for Borough Council adoption if they agree with the County. Mr. Runkle detailed  
105 that the Disaster Mitigation Act of 2000 (Public Law 106-390) requires for State and local governments to  
106 develop and submit for approval to the President, a mitigation plan that outlines processes for identifying  
107 there respected natural hazards, risks, and vulnerabilities. Mr. Rowe explained that the term "hazard  
108 mitigation" describes actions that can help reduce or eliminate long-term risks caused by natural hazards,  
109 or disaster, such as floods, hurricanes, wildfires, landslides, tornadoes, earthquakes, dam failures, or  
110 terrorism. A Hazard mitigation plan outlines goals, objectives, and specific actions that can help  
111 governments and citizens find ways to reduce hazard risks and disaster-related costs to communities.  
112

113 Mr. Steese inquired if the Borough doesn't have an approved local hazard mitigation plan, would that hurt  
114 them with being awarded grants. Mr. Rowe stated that he didn't believe it would hurt the Borough with  
115 regard to grants if they don't have an approved local hazard mitigation plan; however it would affect the  
116 people who have insurance with their rates.  
117

118 Mrs. Metzger expressed that she believes when there are natural hazards/disasters that occur and the  
119 Federal Emergency Management Agency (FEMA) and Pennsylvania Emergency Management Agency's  
120 (PEMA) get involved, having an approved local hazard mitigation plan helps you to receive funding.  
121

122 Mr. Runkle informed Borough Council that Resolution No. 2015-04; Adopting a Hazard Mitigation Plan  
123 has been prepared and a copy of the resolution has been included in the information tonight. Mr. Runkle  
124 clarified that this resolution is pretty basic and may be changed at any time. Borough Council action is  
125 requested to adopt Resolution No. 2015-04.  
126

127 Motion by: Tod M. Steese  
128 Second by: Paul E. Bottiger  
129

130 **MOTION: To adopt Resolution No. 2015-04; Adopting a Hazard Mitigation Plan.**  
131

132 Approved via unanimous voice vote.  
133  
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135

136 Mrs. Metzger reminded Borough Council that Mr. Jim Havrilla, Utility Engineers, PC, met with Borough  
137 Council about six (6) to eight (8) months ago to discuss the contract renewal options for the Borough's  
138 Electric Supply Contract. Mrs. Metzger reported that Mr. Havrilla has provided a summary of the  
139 renewal options which was previously emailed to Borough Council prior to tonight's meeting; however a  
140 copy has been included in the information tonight. Utility Engineers, PC is recommending that the  
141 Borough accept the proposal of NextEra (same supplier as before) for a power contract extension for a  
142 term of January 1, 2018 through December 31, 2022. Additionally, Utility Engineers, PC is  
143 recommending that the contract extension pricing be contractually blended with the existing contract  
144 pricing to provide a discounted rate at this time. It's anticipated that the Borough will save  
145 \$352,886.00/year with this contract based on their current consumption; \$2.7 million over the term of the  
146 contract. A lengthy discussion was held with regard to customer owned generation. Mrs. Metzger  
147 informed Borough Council that Resolution No. 2015-05; Authorizing the execution of the first  
148 amendment to the 2013-2017 Non-Pool Power Sales Schedule with American Municipal Power (AMP)  
149 has been prepared and a copy of the resolution has been included in the information tonight. Borough  
150 Council action is requested to adopt Resolution No. 2015-05.

151  
152 Motion by: Troy A. Berkheiser  
153 Second by: Paul E. Bottiger  
154

155 **MOTION: To adopt Resolution No. 2015-05; Authorizing the execution of the first amendment to**  
156 **the 2013-2017 Non-Pool Power Sales Schedule with AMP.**

157  
158 Yes – Mr. Steese, Mr. Berkheiser, Mr. Bottiger, Mr. Rohland, Mrs. Hackenberg  
159

160 No – None  
161  
162

163 Mrs. Metzger reported that the Borough continues to receive additional complaints about the drainage on  
164 Chestnut Street during rainfall events. Mrs. Metzger reminded Borough Council that she contacted  
165 PennDOT Representatives; PennDOT indicated that they recently surveyed the job and would be  
166 comparing the actual construction data against the design and would then formulate a plan. Mrs. Metzger  
167 informed Borough Council that PennDOT Representatives have contacted the Borough and indicated that  
168 the survey showed that the project was built in accordance with the design. A formal response from  
169 PennDOT should be received in the near future. Mrs. Metzger added that she and Mr. Jason W. Mitchell,  
170 Public Works Supervisor, met onsite with PennDOT and the contractor regarding the sidewalk and other  
171 warranty issues. The contractor will be removing the joint compound that has become loose, replacing  
172 one (1) of the areas of sidewalk and repairing the pavement in the 700 block. The trees aren't covered  
173 under warranty, so they won't be replaced.  
174

175 Mrs. Metzger informed Borough Council that the final walk-through for the Cherry Alley Project was  
176 held on Monday, May 18, 2015. It's anticipated that the final payment application will be submitted for  
177 Borough Council action at the Tuesday, June 16, 2015 regular Borough Council meeting.  
178

179 Mrs. Metzger provided Borough Council with an update on the status of the turning restrictions at the  
180 State Route (SR) 45 and 4<sup>th</sup> Street intersection. Mrs. Metzger reported that the Borough, with PennDOT's  
181 approval, erected signs which prohibit west bound trucks on SR 45 from turning right onto 4<sup>th</sup> Street, and  
182 north bound trucks on SR 304 from turning right onto SR 45 due to an increased number of incidents  
183 damaging adjacent properties. Following the enactment of this change, one (1) of the property owners  
184 complained that their property was still being threatened by west bound trucks on SR 45 that are turning  
185 left on SR 304. Mrs. Metzger informed Borough Council that she contacted PennDOT about this and  
186 after reviewing the turning radius PennDOT recommended that these turns should also be prohibited.  
187 PennDOT has communicated the changes via letter and the Borough is working to enact these changes.  
188

189 Mrs. Metzger provided Borough Council with an update on the status of the improvements at the  
190 Mifflinburg Hose Company Building located at 325 Chestnut Street. Mrs. Metzger reported that Mr. Ted  
191 Strosser, Strosser Architecture & Conservation, Inc., has provided the Borough with preliminary  
192 specifications for the masonry repairs/painting. Mr. Rowe and Mr. Jason W. Mitchell, Public Works  
193 Supervisor, have reviewed the preliminary specifications and requested some clarifications and changes.  
194 Once these clarifications/changes have been addressed, the project should be put out for bid.  
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202 Motion by: Troy A. Berkheiser  
203 Second by: Paul E. Bottiger

204  
205 **MOTION: To solicit bids for the masonry repairs/painting at the Mifflinburg Hose Company**  
206 **Building located at 325 Chestnut Street.**

207  
208 Approved via unanimous voice vote.

209  
210  
211 Mr. Steese cautioned Mrs. Metzger that the concrete at the one bay at the Mifflinburg Hose Company  
212 Building located at 325 Chestnut Street is really getting bad; once the bids for the masonry  
213 repairs/painting are received this matter needs to be addressed quickly.

214  
215 Mrs. Metzger provided Borough Council with an update on the status of New Communities Program Elm  
216 Street Project – Phase III. Mrs. Metzger reported that McBryan Contracting, the contractor for the Elm  
217 Street Project – Phase III., has completed the majority of the work; there are some driveways and  
218 sidewalks from the 1<sup>st</sup> block that require replacement, this work is under way. McBryan Contracting has  
219 submitted Payment Application No. 1 in the amount of \$94,104.00. A copy of the payment application  
220 has been included in the information tonight. The payment application has been reviewed by Larson  
221 Design Group and Borough Management and is recommended for payment.

222  
223 Motion by: Tod M. Steese  
224 Second by: Paul E. Bottiger

225  
226 **MOTION: To approve Payment Application No. 1 to McBryan Contracting for the New**  
227 **Communities Program Elm Street Project – Phase III in the amount of \$94,104.00.**

228  
229 Yes – Mr. Berkheiser, Mr. Bottiger, Mr. Rohland, Mr. Steese, Mrs. Hackenberg

230  
231 No – None

232  
233  
234 Mrs. Metzger informed Borough Council that she received a request from Ms. Bronwen Anderson-  
235 Sanders, Executive Director for the Mifflinburg Buggy Museum located at 298 Green Street, which reads  
236 as follows:

237  
238 The Mifflinburg Buggy Museum will be bringing back our annual event, Buggy Day. We have  
239 tentatively scheduled the event for Saturday, July 18<sup>th</sup> from 10:00 AM to 5:00 PM. The event  
240 will focus on three (3) centuries of history, allowing us to have a wider variety of demonstrators.  
241 The Museum buildings will be open for tours and we will be offering buggy rides.

242  
243 As the event is being planned, the committee is seeking vendors and would like to have these  
244 vendors along Green Street on the north side. The Buggy Museum and Buggy Day Committee  
245 would like to request that Green Street between 5<sup>th</sup> and 6<sup>th</sup> Streets be closed for vendors. We  
246 would also like to request that Quarry Road between 5<sup>th</sup> and 6<sup>th</sup> be closed to traffic for buggy  
247 rides. We would like the roads closed between 9:00 AM and 6:00 PM.

248  
249 Please forward this request to the appropriate Borough committee. If you need additional  
250 information, please do not hesitate to call the Museum. Thank you in advance for your support.

251  
252 Sincerely,

253  
254 Bronwen Anderson-Sanders  
255 Executive Director

256  
257 Mrs. Metzger reported that a copy of the request has been included in the information tonight. Borough  
258 Council action is requested to approve the street closures for Buggy Day.

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270 Motion by: Troy A. Berkheiser  
271 Second by: Paul E. Bottiger

272  
273 **MOTION: To approve the Mifflinburg Buggy Museum's request for the closure of Green Street**  
274 **between 5<sup>th</sup> and 6<sup>th</sup> Streets and Quarry Road between 5<sup>th</sup> and 6<sup>th</sup> Streets on Saturday, July 18, 2015**  
275 **from 9:00 AM to 6:00 PM to conduct their annual Buggy Day Event.**

276  
277 Mayor Cooney noted that the important thing is that the closure of Green Street will be between 5<sup>th</sup> and 6<sup>th</sup>  
278 Street, so north/south 5<sup>th</sup> Street and north/south 6<sup>th</sup> Street will not be closed.

279  
280 Mrs. Hackenberg inquired if Chief Bickhart was okay with the closure of Green Street between 5<sup>th</sup> and 6<sup>th</sup>  
281 Streets and Quarry Road between 5<sup>th</sup> and 6<sup>th</sup> Streets. Mrs. Metzger reported that the footprint for the  
282 Buggy Day Event is the same as it was last year. A discussion was held; Chief Bickhart stated that the  
283 street closures look fine to him.

284  
285 Approved via unanimous voice vote.

286  
287  
288 Mrs. Metzger informed Borough Council that she also received a 2<sup>nd</sup> request from Ms. Bronwen  
289 Anderson-Sanders, Executive Director for the Mifflinburg Buggy Museum located at 298 Green Street,  
290 which reads as follows:

291  
292 Each year the Mifflinburg Buggy Museum hosts an annual Garden Tour as a fundraiser. The  
293 event raises funds for our general operating budget. While the majority of gardens are private,  
294 we include two (2) public gardens each year. In the past, we have included the cutting gardens  
295 at the Weirick House, the butterfly gardens at the Elementary School and the garden at the  
296 Gutelius House. We would like to include the gardens at the Market Street Log House.

297  
298 We understand that Mifflinburg Heritage and Revitalization Association (MHRA) is no longer  
299 caring for the building or grounds. We have asked the Master Gardener Program through Penn  
300 State Extension to present a discussion on herb gardening during the Garden Tour. We would  
301 like to ask the Borough if the Master Gardener Program could plant an herb garden at the Market  
302 Street Log House. This would give them a small garden space to use during the summer for  
303 teaching purposes and give us a second public garden for this year's Garden Tour.

304  
305 To summarize, we are asking that the Borough of Mifflinburg give permission to the Master  
306 Gardener Program to plant and maintain an herb garden in the raised bed on the log house  
307 property from May to September, 2015 and to give permission to the Buggy Museum to use that  
308 garden for our event on Sunday, June 28, 2015. We would not require any borough personnel to  
309 be on site during the event.

310  
311 Thank you in advance for your consideration. Please contact me if you have questions or  
312 concerns.

313  
314 Sincerely,

315  
316 Bronwen Anderson-Sanders  
317 Executive Director

318  
319 Mrs. Metzger reported that a copy of the request has been included in the information tonight.

320  
321 Motion by: Tod M. Steese  
322 Second by: Paul E. Bottiger

323  
324 **MOTION: To approve the Mifflinburg Buggy Museum's request to allow the Penn State Extension**  
325 **office's Master Gardener Program to plant and maintain an herb garden on the Little Log House**  
326 **property located at 308 Market Street from May to September of 2015.**

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336 Mrs. Metzger informed Borough Council that she received a letter from Ms. Karen Fritz, Preservation  
337 Mifflinburg Incorporated (PMI) Board President, concerning their interest in the Little Log House  
338 property located at 308 Market Street which reads as follows:  
339

340 Preservation Mifflinburg Incorporated is committed not only to preserving the Gutelius House  
341 and telling the story of the Gutelius family but also to preserving the Historic District of  
342 Mifflinburg and the story of “Buggy Town”.  
343

344 We understand that the Little Log House is no longer under the care of the Mifflinburg Heritage  
345 and Revitalization Association (MHRA), and it is under your care.  
346

347 Please let us know if and when you are going to take some action about the future of the Little  
348 Log House. We feel the Little Log House is a vital part of the history of Mifflinburg and has  
349 economic value in its own right or as a component of local tourism.  
350

351 Our PMI Board Members would like to inspect the house with Frank Stroik, who does the  
352 restoration work at the Gutelius House. There may be a possibility of PMI renting or caring for  
353 the Little Log House. We are open to discussion about all possibilities.  
354

355 Thank you for considering are request.  
356

357 Sincerely,  
358

359 Ms. Karen Fritz  
360 PMI Board President  
361

362 Mrs. Metzger reported that a copy of the letter has been included in the information tonight.  
363

364 Mayor Cooney stated that PMI is very deliberate at what they do and they’re also very good with their  
365 funding; they’re not going to bite off more than they can chew, so when they figure that there’s going to  
366 be possibly utilities and insurance costs, etc. they may not be interested in renting or caring for the Little  
367 Log House building. A discussion was held; Mrs. Metzger clarified that depending on what Borough  
368 Council decides, two (2) different motion are required.  
369

370 Mrs. Hackenberg clarified that the motion on the table is to approve the Mifflinburg Buggy Museum’s  
371 request to allow the Penn State Extension office’s Master Gardener Program to plant and maintain an herb  
372 garden on the Little Log House property located at 308 Market Street from May to September of 2015.  
373

374 Mrs. Metzger informed Borough Council that the motion should also include to use the herb garden on  
375 the Little Log House property as a stop on their annual Garden Tour on June 28, 2015.  
376

377 Mayor Cooney clarified that liability insurance would be provided.  
378

379 Approved via unanimous voice vote.  
380

381  
382 Motion by: Troy A. Berkheiser

383 Second by: Tod E. Steese  
384

385 **MOTION: To allow Preservation Mifflinburg Incorporated (PMI) Board Members and their**  
386 **consultant, Frank Stroik, to inspect the Little Log House building located at 308 Market Street.**  
387

388 Mayor Cooney inquired if a time limit could be included with this motion.  
389

390 Motion by: Troy A. Berkheiser

391 Second by: Tod E. Steese  
392

393 **MOTION: To allow Preservation Mifflinburg Incorporated (PMI) Board Members and their**  
394 **consultant, Frank Stroik, to inspect the Little Log House building located at 308 Market Street**  
395 **within sixty (60) days.**  
396

397 Approved via unanimous voice vote.  
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403 Mrs. Metzger informed Borough Council that she received a request from the Haney Park Association to  
404 have the Borough Electric Department install a new scoreboard. This request wasn't incorporated in their  
405 budget requests, so it's an unexpected request and they don't know what, if any, other materials may be  
406 required to install this scoreboard or how many man-hours it may take to install. A discussion was held;  
407 Mrs. Metzger clarified that this work would only be completed as long as there are no emergencies or  
408 other pre-scheduled Borough work, and weather permitting.

409  
410 Motion by: Tod M. Steese

411 Second by: Bryan E. Rohland

412

413 **MOTION: To provide the man-hours necessary for the Borough Electric Department to install a**  
414 **new score board at the Harry Haney Field, with condition that this installation shall not include any**  
415 **necessary materials (i.e. wire, hardware, bulbs, etc.) nor will the Borough be responsible if the score**  
416 **board breaks or requires future maintenance.**

417

418 Mrs. Hackenberg expressed that her point of view on the Haney Park Association is that they are adults,  
419 they get reduced rates for electric and then they charge the Mennonites to use the fields with the electric.

420

421 Approved via voice vote, with Mrs. Hackenberg voting no.

422

423

424 Mrs. Metzger reported that Mr. Duane Zimmerman, the Borough Electrical Foreman, contacted her today  
425 regarding the annual Memorial Day Ceremony which is scheduled for Monday, May 25, 2015 at 6:30 PM  
426 at the Mifflinburg Cemetery. Mrs. Metzger informed Borough Council that the Borough usually provides  
427 the PA System for the ceremony; Mr. Zimmerman, will set-up and tear-down the PA System.

428

429 Mr. Runkle provided Borough Council with an update on the status of the Borough's Residential Rental  
430 Unit Ordinance (Ordinance No. 2015-02). Mr. Runkle reported that there was a meeting held with the  
431 Central Keystone Council of Governments (CK-COG) to discuss implementation Ordinance No. 2015-02;  
432 as a result there are additional amendments that need to be made to the ordinance. Mr. Runkle informed  
433 Borough Council that he would email them a copy of the ordinance amendment subsequent to the changes  
434 being made. A discussion was held; Mr. Runkle detailed the amendments that need to be made to the  
435 ordinance and requested the Borough Council take action to authorize him to advertise an ordinance to  
436 amend the Borough's Residential Rental Unit Ordinance.

437

438 Motion by: Bryan E. Rohland

439 Second by: Paul E. Bottiger

440

441 **MOTION: To authorize Mr. Runkle to advertise an ordinance to amend the Borough's Residential**  
442 **Rental Unit Ordinance.**

443

444 Approved via unanimous voice vote.

445

446

447 Mrs. Metzger clarified that Mr. Runkle would also be advertising to conduct a Public Hearing at the  
448 Tuesday, June 16, 2015 regular Borough Council meeting.

449

450 Mrs. Metzger announced that the Pennsylvania Municipal Electric Association (PMEA) has scheduled a  
451 PMEA Legislators Reception for Tuesday, June 2, 2015. All elected officials in PMEA Member  
452 communities are urged to attend. This is an opportunity to make our legislators aware of the value that  
453 PMEA communities bring to their residents. Mrs. Metzger clarified that reservations must be made in  
454 advance, interested officials should notify if they plan to attend the reception.

455

456 Mrs. Metzger reported that she received information that applications are being accepted for the  
457 Pennsylvania Council on the Arts (PCA) Grant. This grant would be for the 2014-2015 Summer Concert  
458 Series that are held at the Mifflinburg Community Park. Borough Council authorization is requested to  
459 submit an application.

460

461 Motion by: Troy A. Berkheiser

462 Second by: Tod M. Steese

463

464 **MOTION: To authorize Mrs. Metzger to submit an application for the Pennsylvania Council on the**  
465 **Arts (PCA) Grant for the 2014-2015 Summer Concert Series that are held at the Mifflinburg**  
466 **Community Park.**

467

468 Approved via unanimous voice vote.

469

470 Mrs. Metzger informed Borough Council that she spoke with Mr. Neal Lewis, of Lewis, Barlett, and  
471 Klees, on Monday, May 18, 2015. Mr. Lewis had hoped to have the annual audit information in time for  
472 tonight's meeting; however it didn't happen. Mr. Lewis plans to write the report next week in order for  
473 Borough Council to meet in June to review the Audit report. An audit meeting was tentatively scheduled  
474 for Tuesday, June 16, 2015 at 6:00.

475  
476 Mr. Berkheiser inquired if the Finance Committee also had a meeting scheduled for Wednesday, June 17,  
477 2015. Mrs. Hackenberg reported that Non-Uniformed Negotiations are scheduled for Wednesday, June  
478 17, 2015 at 4:30 PM.

479  
480 Mrs. Metzger reported that the Borough Staff has seen a large increase in unaccounted for water losses in  
481 the past month. The Borough Maintenance Employees continue to perform leak detection work to help  
482 determine where the loss is occurring. One (1) potentially large leak has been located; the location was  
483 marked and Gutelius Excavating, Inc. performed the excavation on Thursday, April 23, 2015.  
484 Unfortunately, the leak was not located. Further leak detection will be completed in this area, once some  
485 of our experienced employees are back to work.

486  
487 Mrs. Metzger informed Borough Council that she has been contacted by EnerNOC (which stands  
488 for Energy Network Operations Center), a consultant working for Weis Markets, Inc., located at 65  
489 Meadow Green Drive; they are requesting that Borough Council consider enacting an ordinance for  
490 Demand Response in the Borough. EnerNOC has provided a draft resolution. This matter has been  
491 reviewed by both Utility Engineers, PC and Mr. Runkle.

492  
493 Mr. Runkle reported that Weis Markets, Inc., located at 65 Meadow Green Drive, would like to  
494 participate in load curtailment. In accordance with Order No. 719-A, 128 FERC ¶ 61,059, the Federal  
495 Energy Regulatory Commission (FERC) approved regulatory changes that created a requirement that the  
496 demand response capability of retail customers of small electric utilities cannot be bid into the PJM  
497 wholesale electric markets unless permitted to do so by the Relevant Electric Retail Regulatory Authority  
498 (RERRA) which is an entity that has jurisdiction over and establishes prices and policies for competition  
499 for providers of retail electric service to end-customers, such as the city council for a municipal utility, the  
500 governing board of a cooperative utility, the state public utility commission or any other such entity.  
501 Since the Borough is the electric supplier, they are required to adopt a resolution that permits retail  
502 customers of electricity in the Borough of Mifflinburg to participate in the JPM Interconnection, LLC  
503 Wholesale Market Electric Demand Response Programs if they believe it's beneficial to them. Mr.  
504 Runkle added that he spoke with Mr. Jim Havrilla, Utility Engineers, PC; Mr. Havrilla indicated that  
505 there's no downside to the Borough, there's only potential upside for the Borough's consumers that would  
506 participate in the program.

507  
508 Mrs. Metzger explained that EnerNOC is a leading provider of energy intelligence software (EIS).  
509 EnerNOC's EIS solutions for utilities provides underlying technology to help manage their demand  
510 response programs, and ensure resilience cost-effectively. Borough Council consideration is required to  
511 adopt Resolution No. 2015-06; Permitting retail customers of electricity in the Borough of Mifflinburg to  
512 participate in the JPM Interconnection, LLC Wholesale Market Electric Demand Response Programs. A  
513 copy of the resolution has been included in the information tonight.

514  
515 Motion by: Bryan E. Rohland  
516 Second by: Paul E. Bottiger

517  
518 **MOTION: To adopt Resolution No. 2015-06; Permitting retail customers of electricity in the**  
519 **Borough of Mifflinburg to participate in the JPM Interconnection, LLC Wholesale Market Electric**  
520 **Demand Response Programs.**

521  
522 Approved via unanimous voice vote.

523  
524  
525 Mrs. Metzger requested an executive session to discuss personnel matters and potential litigation.

526  
527 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for  
528 April 2015 included in the information tonight.

529  
530 Mayor Cooney mentioned that the Borough is still seeing individuals turning and going the wrong way on  
531 3<sup>rd</sup> Street. Mayor Cooney expressed that he believes part of the problem is that when you're traveling  
532 west, the "No Left Turn" sign is hidden behind a tree. As fortune would have it, the tree is dead. Mayor  
533 Cooney informed Borough Council that he spoke with Mr. Jason W. Mitchell, Public Works Supervisor,  
534 and requested that the tree be removed.

535  
536



537 Chief Bickhart presented Borough Council with some Monthly Highlights for the Mifflinburg Police  
538 Department for April 2015.

539  
540 Chief Bickhart provided Borough Council with an update on the status of the new police car for the  
541 Mifflinburg Police Department. Chief Bickhart reported that the 2015 Dodge Charger is currently in  
542 service. Borough Council action is requested to advertise for sealed bids for the sale of the 2010 Dodge  
543 Charger for the Mifflinburg Police Department.

544  
545 Motion by: Bryan E. Rohland  
546 Second by: Paul E. Bottiger

547  
548 **MOTION: To advertise for sealed bids for the sale of the 2010 Dodge Charger for the Mifflinburg**  
549 **Police Department.**

550  
551 Approved via unanimous voice vote.

552  
553  
554 Chief Bickhart requested Borough Council action to approve the Memorandum of Understanding (MOU)  
555 between the Mifflinburg Police Department and the Mifflinburg Area School District (MASD). A copy of  
556 the MOU was provided to Mr. Runkle for his review. Chief Bickhart explained that the MOU is basically  
557 an agreement that the Mifflinburg Police Department will handle all calls at the MASD buildings that are  
558 located in their jurisdiction, which are as follows:

- 559
- 560 • The Mifflinburg Area High School located at 75 Market Street.
  - 561 • The Mifflinburg Area Middle School located at 100 Mabel Street.
  - 562 • The Mifflinburg Area Elementary School located at 115 Shipton Street.
  - 563 • The Mifflinburg Area Administrative Building located at 178 Maple Street.
- 564

565 Chief Bickhart clarified that the Mifflinburg Area Intermediate School located at 250 Mabel Street is not  
566 located in the Borough's jurisdiction; the MASD has a separate MOU with the Pennsylvania State Police.  
567 The MASD has already adopted the MOU at their regular scheduled board meeting held on Tuesday, May  
568 5, 2015 at 7:30 PM. Mr. Runkle informed Borough Council that he received a copy of the MOU at the  
569 beginning of tonight's meeting and recommended that Borough Council take action to approve MOU  
570 contingent upon his review.

571  
572 Motion by: Bryan E. Rohland  
573 Second by: Troy A. Berkheiser

574  
575 **MOTION: To approve the Memorandum of Understanding (MOU) between the Mifflinburg Police**  
576 **Department and the Mifflinburg Area School District (MASD), contingent upon Mr. Runkle's review.**

577  
578 Approved via unanimous voice vote.

579  
580  
581 Chief Bickhart requested an executive session to discuss personnel matters.

582  
583 Mrs. Hackenberg reminded Borough Council that there is a Non-uniformed Negotiations meeting  
584 scheduled for Thursday, June 17, 2015 at 4:30 PM.

585  
586 Mayor Cooney presented Borough Council with an update for the Mifflinburg Regional Economic  
587 Development (MRED) Alliance. Mayor Cooney provided Borough Council with an update on the  
588 following businesses in the Borough:

- 589
- 590 1. The former Mifflinburg Sub Shop building located at 456 Chestnut Street has sold.
  - 591 2. Tom Sweet's property located at 313-315 Chestnut Street has sold.
  - 592 3. The former Barb's Bouquet & Gift Basket building located at 416 Chestnut Street has sold.
- 593

594 Mrs. Hackenberg informed Borough Council that they received a copy of the Engineer's Report for May  
595 2015 included in the information tonight.

596  
597 Mr. Runkle provided Borough Council with an update on the status of the Cable TV and Franchise  
598 Agreements with Atlantic Broadband and Windstream.

599  
600 Mr. Runkle requested an executive session to discuss potential litigation.

601  
602  
603

604 Mr. Runkle provided Borough Council with an update on the status of Mr. Nelson Kim Jones's property  
605 located at 218 Chestnut Street. Mr. Runkle reported that the vacant lot is scheduled for Tax Claim Bureau  
606 Sale. What this means is the Borough's lien on the property will be extinguished by this sale regardless  
607 of whether or not the Borough receives payment unless they bid to protect their lien. Mr. Runkle clarified  
608 that if there are more liens than there is money, the priority of the liens is as follows:

- 609 1. The costs and expenses of conducting the tax sale.
- 610 2. Unpaid Taxes.
- 611 3. Borough.

612  
613  
614 Mr. Runkle inquired if Borough Council wants him to attend the tax sale to bid on the vacant lot to protect  
615 the Borough's lien. Mr. Runkle stated that he's not advocating that the Borough bid on the vacant lot in  
616 this situation, but he wouldn't be doing his job if he didn't give them the opportunity. A discussion was  
617 held; it was the consensus of Borough Council that Mr. Runkle not attend the tax sale.

618  
619 Mr. Runkle provided Borough Council with an update on the status of the ordinance amendment for  
620 Klinger/Klingler Street. Mr. Runkle reported that the ordinance changing the Street name Klinger to  
621 Klingler within any and all Borough Codes, Ordinances, Resolutions, or other regulations has been  
622 drafted. Borough Council action will be requested to adopt this ordinance at the Tuesday, June 16, 2015  
623 regular Borough Council meeting.

624  
625 Mr. Runkle provided Borough Council with an update on the status of the Borough's Collection Policy.  
626 Mr. Runkle reported that he prepared a summary of the process for review by Mrs. Metzger and Mrs. Pam  
627 Eberhart, the Borough Billing Clerk, and presented it to Mrs. Metzger following the Tuesday, April 21,  
628 2015 regular Borough Council meeting. Mr. Runkle informed Borough Council that he anticipates the  
629 draft resolution will ready for Borough Council action at the Tuesday, June 16, 2015 regular Borough  
630 Council meeting.

631  
632 Mr. Rohland reminded Borough Council that he would like the Utility Committee to schedule a meeting  
633 to discuss re-evaluating the Intermunicipal Agreement between the West Buffalo Township and  
634 Municipal Authority and the Borough of Mifflinburg, as far as the discounted rates they receive. A  
635 discussion was held; Mr. Rohland expressed that he believes Borough Council should take action to end  
636 the discount.

637  
638 Motion by: Bryan E. Rohland

639  
640 **MOTION: To end the discounted rates West Buffalo Township and Municipal Authority receives.**

641  
642 Mr. Runkle stated that prior to taking action to terminate the Intermunicipal Agreement, he believes  
643 Borough Council should consider what the discount means in actual dollars and cents per year and  
644 whether West Buffalo Township completes any work that the Borough won't then have to do because if  
645 so, then there may be some argument to be made that they're saving the Borough the costs of that work.  
646 A discussion was held; Mrs. Metzger informed Borough Council that she would pull the resolution and  
647 the Intermunicipal Agreement between the West Buffalo Township and Municipal Authority and the  
648 Borough of Mifflinburg and email them both to the Utility Committee for review.

649  
650  
651 Mr. Snook called an executive session to discuss potential litigation and personnel matters. An executive  
652 session was held from 9:36 PM to 10:23 PM.

653  
654  
655 Motion by: Troy A. Berkheiser

656 Second by: Paul E. Bottiger

657  
658 **MOTION: To accept the resignation of Mr. Ronald M. Bennick as a part-time Police Officer for the**  
659 **Borough of Mifflinburg effective Monday, May 18, 2015.**

660  
661 Approved via unanimous voice vote.

662  
663  
664 Motion by: Troy A. Berkheiser

665 Second by: Paul E. Bottiger

666  
667 **MOTION: To offer employment to Mr. Levi Watson as an Electric Lineman III for the Borough of**  
668 **Mifflinburg at a rate of \$15.00/hr., contingent upon successful completion of the required pre-**  
669 **employment testing and criminal and child abuse clearances.**

670  
671 Approved via unanimous voice vote.

672 Motion by: Troy A. Berkheiser

673

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

675

676 Approved via unanimous voice vote.

677

678

679 Meeting adjourned at 10:24 PM.

680

681 Respectfully Submitted,

682

683

684 Misty L. Ross

685 Assistant Borough Secretary