

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL

2 January 16, 2018

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	PRESENT	ABSENT
Beverly L. Hackenberg, Council President	X	
Tod M. Steese, Vice President	X	
Paul E. Bottiger, Council Member	X	
Richard J. Fry, Council Member	X	
Linda L. Lewis, Council Member	X	
Duane L. Zimmerman, Council Member	X	
David M. Cooney, Mayor	X	
Frederick C. Dyroff III, Chief of Police	X	
Ryan M. Tira, Solicitor		X
Margaret A. Metzger, Borough Manager	X	
Robert M. Rowe, Borough Project Manager	X	
Misty L. Ross, Assistant Secretary	X	

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

Visitors present at this meeting were Erin Threet, Eli Erickson, John Holmes, and Gail Erickson.

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

MOTION: To approve the minutes of the Tuesday, December 19, 2017 regular meeting of Mifflinburg Borough Council.

Approved via unanimous voice vote.

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

MOTION: To approve the minutes of the Tuesday, January 2, 2018 reorganizational meeting of Mifflinburg Borough Council.

Approved via unanimous voice vote.

Motion by: Linda L. Lewis
Second by: Paul E. Bottiger

MOTION: To approve payment of Bill List #2018-01 in the amount of \$212,898.00.

Yes – Mr. Bottiger, Mr. Fry, Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mrs. Hackenberg

No – None

Mr. John Holmes announced that he is present at tonight’s meeting with regard to pending legislation for Pennsylvania municipal electric systems, House Bill 1405 (HB1405), that is pending in the Pennsylvania House Local Government Committee. Mr. Holmes informed Borough Council that he read the article published in *The Daily Item* and was wondering if Borough Council had plans for Representatives to attend the Public Hearing on HB1405 that is schedule for Tuesday, February 13, 2018 from 10:00 AM - 12:00 PM.

66 Mrs. Metzger stated that the pending legislation, HB1405, has been in the works for a few months. The
67 bill was introduced by State Representative Aaron Bernstine, R-10, Lawrence County. Mrs. Metzger
68 explained that the Borough is a member of the Pennsylvania Municipal Electric Association (PMEA), as
69 well as the Pennsylvania Association of Boroughs (PSAB). When the pending legislation was first
70 introduced, the PMEA which consists of the thirty-five (35) municipalities in the Commonwealth that are
71 in the public power business, notified all member municipalities of the proposed legislation and
72 recommended that they adopt a resolution opposing this legislation and contact their local representatives
73 to make them aware of how detrimental that this would be to their municipality. Borough Council took
74 action at their Tuesday April 18, 2017 regular meeting to adopt Resolution No. 2017-02; A resolution in
75 defense of Borough municipal electric systems in the Commonwealth of Pennsylvania. Subsequent to the
76 meeting an invitation was sent to State Representative Fred Keller to join the PMEA at their Fourth
77 Annual Legislators Reception from 5:00-6:30 PM on Tuesday, May 9, 2017 at the Harrisburg Hilton to
78 hear more information on the issues confronting public power municipalities today and to understand the
79 value we provide every day to our residential, commercial, and industrial customers. Mrs. Metzger
80 clarified that they thought it would be better to have an organized presentation rather than just individuals
81 attend the Public Hearing.

82
83 Boy Scout, Eli Erickson, introduced himself and informed Borough Council that he is present at
84 tonight's meeting to observe the meeting in order to achieve his merit badges.

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86
87 Motion by: Paul E. Bottiger

88 Second by: Tod M. Steese

89
90 **MOTION: To approve the Mifflinburg Borough Zoning Report for December 2017 and authorize**
91 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$809.23.**

92
93 Yes – Mr. Fry, Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mr. Bottiger, Mrs. Hackenberg

94
95 No – None

96
97
98 Mrs. Hackenberg announced that Borough Council consideration is requested for Resolution No. 2018-
99 02; Authorizing and directing the Borough Council President, Beverly L. Hackenberg, to sign the
100 attached Reimbursement Agreement and the Secretary, Margaret A. Metzger to attest and seal the same.
101 Mrs. Metzger informed Borough Council that the Reimbursement Agreement between PennDOT and
102 the Borough of Mifflinburg is for the 2018 Milling and Resurfacing Project which sets forth the
103 Borough's share of the curb and sidewalk costs. Mrs. Metzger reminded Borough Council that when
104 they were preparing 2018 Budget, PennDOT provided them with an estimate of about \$113,000.00 as
105 contribution towards the project for the ADA Curbs in the project area which is State Route 104, State
106 Route 304, 8th Street and Maple Street/Furnace Road. Upon receiving the Reimbursement Agreement,
107 the Borough realized that PennDOT had forgotten intersections on 8th Street and asked them about it
108 back in July. PennDOT sent the Reimbursement Agreement and indicated that it should probably be a
109 wash to add the ones on 8th Street because there's ones on 4th Street that are on there that shouldn't be;
110 however the estimate is now \$133,000.00. Mr. Adam Kinley, PennDOT, has indicated that the
111 \$133,000.00 is the worst case scenario and that if some of the intersections did not need ADA changes,
112 then we wouldn't complete the intersections and the cost would be less. The Borough will only be
113 charged for the Borough's share. Borough Council action is requested to adopt this resolution.

114
115 Motion by: Tod M. Steese

116 Second by: Richard J. Fry

117
118 **MOTION: To adopt Resolution No. 2018-02; Authorizing and directing the Borough Council**
119 **President, Beverly L. Hackenberg, to sign the attached Reimbursement Agreement and the**
120 **Secretary, Margaret A. Metzger to attest and seal the same.**

121
122 Approved via unanimous voice vote.

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131 Motion by: Paul E. Bottiger
132 Second by: Duane L. Zimmerman

133
134 **MOTION: To adopt Resolution No. 2018-03; Recognizing formally and publicly the contributions**
135 **of Ms. Kathleen A. Downs and wish her well as she leaves office.**

136
137 Approved via unanimous voice vote.

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140 Motion by: Paul E. Bottiger
141 Second by: Richard J. Fry

142
143 **MOTION: To adopt Resolution No. 2018-04; Setting the salary for the Borough Manager.**

144
145 Approved via unanimous voice vote.

146
147
148 Mrs. Metzger reminded Borough Council that they took action at the Tuesday, January 2, 2018
149 Reorganizational meeting to adopt Resolution No. 2018-01; Appointing the County of Union to collect
150 county and borough taxes; however Borough Council previously acted on this resolution at the Tuesday,
151 December 19, 2017 regular Borough Council meeting. Borough Council action is requested to rescind
152 Resolution No. 2018-01.

153
154 Motion by: Paul E. Bottiger
155 Second by: Richard J. Fry

156
157 **MOTION: To rescind Resolution No. 2018-01; Appointing the County of Union to collect county**
158 **and borough taxes.**

159
160 Approved via unanimous voice vote.

161
162
163 Mrs. Erin Threet, HRG, Inc., informed Borough Council that they received a copy of the Engineer's
164 Report for January 2018 included in the information tonight.

165
166 Mrs. Erin Threet, HRG, Inc., provided Borough Council with an update on the status of the 2017
167 Wastewater Treatment Plant Improvements Project. Mrs. Threet reported that the Preconstruction
168 Conference was held on Wednesday, December 20, 2017. The Contractor (JP Environmental, LLC)
169 mobilized and began work the week of Monday, December 25, 2017. As of Thursday, January 4, 2018,
170 all four (4) weir plates were installed and membrane replacement for one (1) of the Membrane Operating
171 System (MOS) tanks was completed. The membrane manufacturer (Evoqua Water Technologies, LLC)
172 was also on site during this work and expressed concern that they were seeing a substantial amount of
173 debris getting through the headworks screens, into the biological process, and then eventually into the
174 membrane tank. Mrs. Threet explained that the whole reason for this screening process set-up is to
175 protect the membranes downstream. The membrane manufacturer is recommending that we do not
176 bring the new membranes online due to the conditions of the fine screens to avoid the risk of damage to
177 the new membranes. Unfortunately, due to field observations made by the membrane manufacturer,
178 HRG, Inc. issued a Suspension of Work Notice to the Contractor on Friday, January 5, 2018. This
179 suspension will be in place and this work cannot be resumed until Headworks Inc. has completed the
180 previously-authorized maintenance repairs to the fine screens located in the Head Works Facility. The
181 Contractor has acknowledged this suspension and has indicated that they are willing to work with the
182 Borough to accommodate the delay. It's anticipated that the maintenance repairs to the fine screens will
183 be completed and work will resume by early February. A discussion was held; Mrs. Threet informed
184 Borough Council that HRG, Inc. has received Payment Application No. 1 from JP Environmental, LLC
185 for the work completed to date in the amount of \$28,597.50. HRG, Inc. has reviewed the payment
186 application and is recommending that Borough Council take action to approve this payment application.

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196 Motion by: Linda L. Lewis

197 Second by: Richard J. Fry

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199 **MOTION: To approve Payment Application No. 1 from JP Environmental, LLC for the 2017**
200 **Wastewater Improvements Project in the amount of \$28,597.50.**

201

202 Yes – Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mr. Bottiger, Mr. Fry, Mrs. Hackenberg

203

204 No – None

205

206

207 Mrs. Erin Threet, HRG, Inc., provided Borough Council with an update on the status of the Oak Avenue
208 Sanitary Sewer Main Replacement Project. Mrs. Threet reported that Dave Gutelius Excavating, Inc.
209 has completed the work for the Oak Avenue Sewer Main Replacement Project. HRG, Inc. has issued
210 substantial completion via correspondence dated Thursday, January 11, 2018. A punchlist was
211 developed and remaining items will be addressed by Dave Gutelius Excavating, Inc. in the spring.
212 HRG, Inc. has received Payment Application No. 2 from Dave Gutelius Excavating, Inc. for the Oak
213 Avenue Sanitary Sewer Main Replacement Project in the amount of \$27,143.74. HRG, Inc. has
214 reviewed the payment application and is recommending that Borough Council take action to approve
215 this payment application.

216

217 Motion by: Paul E. Bottiger

218 Second by: Linda L. Lewis

219

220 **MOTION: To approve Payment Application No. 2 from Dave Gutelius Excavating, Inc. for the**
221 **Oak Avenue Sanitary Sewer Main Replacement Project in the amount of \$27,143.74.**

222

223 Yes – Mr. Steese, Mr. Zimmerman, Mr. Bottiger, Mr. Fry, Ms. Lewis, Mrs. Hackenberg

224

225 No – None

226

227

228 Mr. Rowe reported that Dave Gutelius Excavating, Inc. has submitted a request that an inspection be
229 completed of the construction completed to date for his 8th Street Development so that some of the
230 Improvements Guarantee could be released. As requested HRG, Inc. performed a site inspection on
231 Wednesday, January 3, 2018 to determine the extent of completion of items contained within the
232 Opinion of Probable Construction Cost prepared by Larson Design Group, dated August 2, 2016. Based
233 on HRG, Inc.'s visit to the site, they are recommending a reduction of \$531,818.00 from the original
234 amount of \$713,326.00, leaving a remaining balance of \$181,508.00. Borough Council action is
235 requested to approve Improvements Guarantee Reduction #1.

236

237 Motion by: Tod M. Steese

238 Second by: Linda L. Lewis

239

240 **MOTION: To approve Improvements Guarantee Reduction #1 to release \$531,818.00 of Dave**
241 **Gutelius Excavating, Inc.'s Improvements Guarantee for his 8th Street Development.**

242

243 Mr. Bottiger inquired the purpose of an Improvements Guarantee and why developers are required to
244 enter into an Improvements Guarantee Agreement with the Borough.

245

246 Mr. Rowe reported that in accordance with Chapter 23 "Subdivision and Land Development", §23-204
247 "Improvements" of the Borough Code of Ordinances: all subdivision plans proposing streets, sanitary
248 sewers, storm water facilities or other improvements shall be considered as preliminary plans until final
249 detailed design of the improvements is approved and the improvements are installed and inspected and
250 determined to be in a satisfactory state of repair, or a suitable Improvements Guarantee Agreement for
251 installation and maintenance has been executed between the Borough, the developer, and the financial
252 guarantee agent. The cost of required improvements shall be established by a Professional Engineer
253 selected by the applicant and shall be submitted to the Borough Council for approval. The Borough
254 Council may authorize the release of a portion of the Improvements Guarantee to the applicant
255 necessary for payment to a contractor performing the installation of the required improvements. When
256 all necessary improvements have been completed the developer shall notify the Borough Council in
257 writing by certified or registered mail of the completion. Upon approval of the completed improvements
258 the Borough Council shall release to the developer those funds remaining in the Improvements
259 Guarantee including all interest accrued. Prior to the release of such funds, the developer shall
260 guarantee to the Borough in writing the integrity of the improvements for a period of one (1) year.

261 Mr. Rowe clarified that an Improvements Guarantee Agreement is intended to help ensure that
262 developers properly install all required subdivision improvements in a timely manner, in accordance
263 with approved plats and construction plans.

264

265 Yes – Mr. Zimmerman, Mr. Bottiger, Mr. Fry, Ms. Lewis, Mr. Steese, Mrs. Hackenberg

266

267 No – None

268

269

270 Mrs. Metzger provided Borough Council with an update on the status of the 2017 Little League
271 Backstop Project at the Little League Field, located at the Mifflinburg Community Park on N. 5th Street.
272 Mrs. Metzger reported that Apollo Fence Co. has completed the installation of the new backstop at the
273 Little League Field. Borough Council action is requested to approve payment in the amount of
274 \$12,226.00 to Apollo Fence Co. and authorize her to invoice the Mifflinburg Little League for their
275 share of \$5,000.00.

276

277 Motion by: Paul E. Bottiger

278 Second by: Richard J. Fry

279

280 **MOTION: To approve payment in the amount of \$12,226.00 to Apollo Fence Co. and**
281 **authorize Mrs. Metzger to invoice the Mifflinburg Little League for their share of \$5,000.00.**

282

283 Yes – Mr. Bottiger, Mr. Fry, Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mrs. Hackenberg

284

285 No – None

286

287

288 Mrs. Metzger reported that the Borough is registered to participate in the Federal Surplus Property
289 Program. The program is governed by the General Service Administration. Under the Federal
290 regulations that govern this program, there is an application for Eligibility that must be updated and
291 resubmitted at least once every three (3) years. This update ensures that the General Service
292 Administration has the current information on file. The application has been completed authorizing the
293 following Borough employees as designated representatives:

294

- 295 • Mrs. Margaret A. Metzger, Borough Manager
- 296 • Mr. Robert M. Rowe, Borough Project Manager
- 297 • Mr. Jason W. Mitchell, Public Works Supervisor
- 298 • Mr. Craig Lewis, Electric Foreman
- 299 • Mr. Frederick C. Dyroff III, Chief of Police

300

301 Mrs. Metzger clarified that participating in the Federal Surplus Property Program enables the Borough
302 to acquire federal surplus property to help support their mission while providing the Borough a
303 significant savings over purchasing new. Borough Council action is requested to approve the Federal
304 Surplus Property Program Application for Eligibility.

305

306 Motion by: Tod M. Steese

307 Second by: Richard J. Fry

308

309 **MOTION: To approve the Federal Surplus Property Program Application for Eligibility and**
310 **authorize the Borough Council President, Mrs. Beverly L. Hackenberg, to sign the application.**

311

312 Approved via unanimous voice vote.

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323

324 Mrs. Metzger informed Borough Council that they received a copy of the 2018 Special Events for the
325 Mifflinburg Fire Police included in the information tonight which reads as follows:
326

- 327 • Mifflinburg Memorial Day Parade.
- 328 • New Berlin's Parade/Carnival.
- 329 • Mifflinburg Miracle Mile.
- 330 • Mifflinburg July 4th 5K Run.
- 331 • Fireworks.
- 332 • Mifflinburg Parade/Carnival.
- 333 • Lewisburg 4th of July Parade.
- 334 • Middleburg Parade/Carnival.
- 335 • West End Fair.
- 336 • Buffalo Valley Recreational Authority Sprint Triathlon.
- 337 • Fall Festival.
- 338 • Mifflinburg Homecoming Parade.
- 339 • Mifflinburg Halloween Parade.
- 340 • Northumberland Halloween Parade.
- 341 • Half & Full Marathon Trail Race – R.B. Winter Park.
- 342 • Selinsgrove Fall Festival.
- 343 • Selinsgrove Street Fair.
- 344 • Mifflinburg Christmas Tree Lighting.
- 345 • Funerals as needed.
- 346 • Mifflinburg AP Club 5K Run.
- 347 • Beavertown Parade.
- 348 • Freeburg Parade.

349
350 Borough Council action is requested to approve the 2018 Special Events for the Mifflinburg Fire Police
351 as presented.

352
353 Motion by: Tod M. Steese

354 Second by: Richard J. Fry

355
356 **MOTION: To approve the 2018 Special Events for the Mifflinburg Fire Police as presented.**

357
358 Approved via unanimous voice vote.

359
360
361 Mrs. Metzger informed Borough Council that she has received a request from Mrs. Cherie Ross,
362 Executive Director for the Mifflinburg Heritage & Revitalization Association (MHRA), which reads as
363 follows:

364
365 MHRA will be hosting its Wine Festival at the Mifflinburg VFW Carnival Grounds on
366 Saturday, May 19, 2018. Our Oktoberfest dates will be Friday, October 5 and Saturday
367 October 6, 2018. We are respectfully requesting your assistance with two (2) items:

- 368 - Electric bag carts (2 minimum).
- 370 - Water available at the site.

371
372 We will arrange to have someone hook up the bag carts. Please let me know a day and time
373 that is convenient so we can be present at the site and have someone there at that time to hook
374 them up. They can also coordinate directly with Mr. Juergen Seefeldt, Co-Chairman of the
375 Mifflinburg Oktoberfest Committee.

376
377 Thank you for your help. We appreciate what the Borough does to support us and our events.

378
379 Sincerely,

380 Mrs. Cherie Ross

381 Executive Director

382
383 A copy of the request has been included in the information tonight. Borough Council action is requested
384 on this matter.

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388 Motion by: Paul E. Bottiger
389 Second by: Linda L. Lewis

390
391 **MOTION: To provide water services to the Mifflinburg VFW Carnival Grounds and to provide**
392 **but not install two (2) electric bag carts for the Mifflinburg Heritage & Revitalization Association**
393 **(MHRA) on Saturday, May 19, 2018 in order to conduct the Wine Festival; to provide water**
394 **services to the Mifflinburg VFW Carnival Grounds, assistance in transporting picnic tables, both**
395 **from the VFW Grounds and the Weirick House, and to provide but not install three (3) electric**
396 **bag carts for the Mifflinburg Oktoberfest Committee on Friday, October 5 and Saturday October**
397 **6, 2018 in order to conduct Oktoberfest 2018.**

398
399 Approved via unanimous voice vote.

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401
402 Mrs. Metzger informed Borough Council that as part of the Reimbursement Agreement for the 2018
403 Milling and Resurfacing Project, the Department must have on file an approved Utility Relocation
404 Questionnaire and Permit Application (Form D-4181) and the Department's highway plans showing the
405 utility's existing and proposed facilities which have been approved by the Department, along with a
406 signed and dated Utility Relocation Clearance (Form D-4181-UC) by the utility to accomplish these
407 relocations. The questionnaire, properly completed and signed, provides the Department with pertinent
408 information outlining the proposed relocation, occupancy permits, time required for relocation and other
409 data required for the preparation of a permit or agreement. The questionnaire must be completed by the
410 utility and the required copies forwarded to the District Utility Relocation Unit with the estimate/permit
411 package. Mrs. Metzger requested Borough Council action to authorize her to complete and sign the
412 Utility Relocation Questionnaire and Permit Application (Form D-4181).

413
414 Motion by: Duane L. Zimmerman
415 Second by: Paul E. Bottiger

416
417 **MOTION: To authorize Mrs. Metzger to complete and sign the Utility Relocation Questionnaire**
418 **and Permit Application (Form D-4181).**

419
420 Approved via unanimous voice vote.

421
422
423 Mrs. Metzger requested an executive session to discuss potential litigation and personnel matters.

424
425 Mrs. Metzger provided Borough Council with an update on the status of the Pole Attachment Agreement
426 for Windstream Communications. Mrs. Metzger reminded Borough Council that she has provided an
427 updated Pole Attachment Licensing Agreement to Windstream Communications at the Solicitor's
428 recommendation since their agreement is expired and outdated. Mrs. Metzger explained that the
429 Borough owns the electric utility poles and they have negotiated Pole Attachment Licensing Agreements
430 with several entities: Atlantic Broadband, Zito Media, Service Electric Cablevision, Inc. and the
431 Mifflinburg Area School District that have their lines attached to the Borough's poles. In accordance
432 with the terms and conditions specified in this Agreement, the Licensee shall pay to the Borough
433 fees and charges as specified in Appendix A, which reads as follows:

434
435 **Pole Attachment Fees and Charges**

436 Effective Date _____

437
438 **1. Annual Pole Attachment Fee:**

439 The fee shall be determined based upon the total number of Borough Poles on which
440 Licensee has attachments as of December 1st prior to the date of billing and according to
441 the following schedule:

442

<u>Number of Poles</u>	<u>Annual Fee per Pole</u>
1-99	\$17.00
100-249	\$16.00
250-399	\$14.50
400-549	\$12.50
550-699	\$10.00
700+	\$ 9.00

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451 The Annual Attachment Fees shall increase annually by two percent (2%)

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453 **2. Non-Recurring Fees:**

454	One-time License Agreement Fee	\$250.00
455	Permit Application Fee	\$ 70.00 per pole
456		
457	Make Ready Work Charges	See Article 3 of Agreement
458	Miscellaneous Charges	See Article 3 of Agreement
459	Inspection Fee	See Article 3 of Agreement

460
461 **3. Unauthorized Attachment Penalty Fee:**

462 5 x annual attachment fee, per occurrence.

463
464 **4. Failure To Timely Transfer, Abandon, or Remove Facilities Penalty:**

465 1/5 annual attachment fee per day, per pole, first 30 days; after the initial 30 days the
466 penalty shall be equal to the annual attachment fee per day, per pole.

467
468 Mrs. Metzger reported that Mr. Runkle has been working with Windstream Legal and has received a
469 draft Pole Attachment Licensing Agreement. The draft Agreement is almost the same as the other Pole
470 Attachment Licensing Agreements with the exception of Atlantic Broadband; Atlantic Broadband has a
471 Pole Attachment and Cable Franchise Agreement. The last remaining issue with the Pole Attachment
472 Licensing Agreement for Windstream Communications is the permit application fee; Windstream
473 Communications has indicated that they are opposed to the \$70.00 per pole charge. Mrs. Metzger
474 clarified that the previous Agreement for Windstream Communications was a Pole Attachment and
475 Cable Franchise Agreement; however Windstream Communications has stated that they no longer
476 require a Cable Franchise Agreement because they no longer provide cable TV. Mr. Runkle is
477 recommending that the Pole Attachment Licensing Agreement be retroactive to December 31, 2013
478 when the previous agreement expired. Mrs. Metzger pointed out that the Borough is attached to some of
479 Windstream Communication's poles. A discussion was held; Mr. Bottiger stated that he thinks the Pole
480 Attachment Licensing Agreement for Windstream Communications needs to incorporate the number of
481 Windstream Communication's poles that the Borough is attached to. Mr. Bottiger simplified that the
482 Borough would subtract the number of Windstream Communication poles that the Borough is attached
483 to, from the total number of Borough poles that Windstream Communication is attached to, and then bill
484 Windstream Communications for the difference. Ms. Lewis & Mr. Bottiger both agreed that the pole
485 attachment fees have to be a standardized fee for everyone. It was the consensus of Borough Council
486 that the Pole Attachment Licensing Agreement for Windstream Communication should be a Reciprocal
487 Agreement. Mrs. Metzger informed Borough Council that she would contact Mr. Runkle to let him
488 know what Borough Council has decided.

489
490 Mrs. Metzger reported that she was contacted via telephone call by an individual regarding scheduling a
491 concert at the Mifflinburg Community Park for the 2018 season. Borough Council has not taken action
492 yet to hire the Director(s) for the 2018 season at the Park/Pool. Mr. Matt Wells, Co-Director for the
493 2017 season at the Park/Pool, has indicated that both he and Miss Maura McGlaughlin would like to
494 continue as Co-Directors for the 2018 season at the Park/Pool. Borough Council direction is requested
495 on whether they want to take action at tonight's meeting to re-appoint Mr. Wells and Miss McGlaughlin
496 as Co-Directors for the 2018 season at the Park/Pool or wait until the Tuesday, February 20, 2018
497 regular Borough Council meeting to take action in order to further discuss this matter at the Borough
498 Work Session that is scheduled for Tuesday, February 6, 2018. Mr. Zimmerman stated that he thinks
499 Borough Council should wait to take action to re-appoint Mr. Wells and Miss McGlaughlin as Co-
500 Directors for the 2018 season at the Park/Pool.

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502 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for
503 December 2017 included in the information tonight.

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511 Mayor Cooney provided Borough Council with an update on the status of the Mifflinburg Christkindl
512 Market. Mayor Cooney reported that a Public Safety Committee meeting was held on Tuesday, January
513 2, 2018 at 6:00 PM to review and discuss the 2017 Christkindl Market. The following safety measures
514 are being recommended for the 2018 Christkindl Market:
515

- 516 • The 2018 Market will maintain the same footprint and hours of operation as in previous
517 years.
- 518 • The same street closures as approved for the previous years' Market
- 519 • All shuttle buses to drop off and pick up the same as the 2017 Market (6th & Market
520 Streets).
- 521 • All Christkindl Market entrances to have a 20 foot buffer, free of decorations and vendor
522 equipment, from the corner of any street, Green Street intersection to be slightly less as
523 requested (each intersection shall be marked with paint by the Borough prior to Market
524 setup).
- 525 • Four (4) Flaggers to be working at the intersection of 4th & Market Streets at all times that
526 the Market is open in accordance with PennDOT recommendation with required flagger
527 ahead signage per PennDOT requirements.
- 528 • Firefighter access gaps are to be clearly marked, and spaced at regular intervals throughout
529 the Market setup as recommended by the Mifflinburg Hose Company during the layout
530 planning meeting and actual Market setup.
- 531 • All required paperwork (Preliminary Market layout, shuttle bus company contact
532 information & shuttle bus routes, certificates of insurance, and a signed contract with
533 flagging company) to be provided to the Borough by Friday, September 14, 2018.
- 534 • Intersection of Chestnut & 5th Streets to be marked with PennDOT YTPCD signs.
- 535 • Obtain PennDOT permit for the Christkindl Market.
- 536 • Obtain PennDOT permit for Entrance procession route.
- 537 • Obtain PennDOT permit for Lantern Parade.
- 538 • Obtain PennDOT permit for closing procession route.
- 539 • No other parades or processions on, or crossing, SR304 without PennDOT permits.

540
541 New requirements for the 2018 Christkindl Market are as follows:
542

- 543 • A point-of-contact for someone from the Christkindl Market that is able to take a phone
544 call and immediately address situations as they arise at a given notice. Mr. Wagner was
545 that person in 2017 and responded when he could be reached; however there were times he
546 was unavailable due to conflicts with his other duties with the Market, including
547 orchestrating, performing, and other live events. This person should have a cell phone and
548 be immediately available within the Market to handle any issue as it relates to the Market.
- 549 • Barriers of some type are required to be put in place at 4th & Market Street, 6th & Market
550 Street, and 5th & High Street. The barrier should be capable of stopping or greatly slowing
551 down a vehicle from plowing pedestrians down in the Market.
- 552 • The Mifflinburg Police Department reserves the right to contact flagging company prior to
553 and during the Market to ensure they are aware of the following:
554
 - 555 1. The Fire Company house siren will sound for all emergency calls the fire
556 company responds to during Market hours.
 - 557 2. The dates/times of road closures due to various parade events.
 - 558 3. Ensuring flaggers know they are responsible for turning four FLAGGER AHEAD
559 signs prior to and at the end of each day the Market is open.
- 560
561 • The Mifflinburg Police Department reserves the right to contact the bussing company prior
562 to and during the Market to ensure they are aware of the following:
563
 - 564 1. Bussing routes.
 - 565 2. Advise that bus drivers must stop at properly posted stop signs within the
566 Borough. This past year we received complaints of buses running stop signs on
567 multiple days while on East Market Street.
- 568
569 • No carriage rides will be conducted as part of the Christkindl Market.
570

571 Mayor Cooney clarified that he and Chief Dyroff would send a letter to the Christkindl Market of
572 Mifflinburg, Inc. informing them of the safety recommendations that the Public Safety Committee is
573 recommending for the 2018 Christkindl Market.
574

575 Chief Dyroff presented Borough Council with some Monthly Highlights for the Mifflinburg Police
576 Department for December 2017.

577
578 Chief Dyroff reported that the Mifflinburg Police Department currently has three (3) AR-15 rifles that
579 they purchased in either 1999 or 2000. An average of 20,000 rounds have been fired from each of the
580 rifles over the past seventeen (17) years. The technology for the optics and lighting for the AR-15 rifles
581 is technology from 1999. The Mifflinburg Police Department is looking to trade-in the three (3) AR-15
582 rifles and the optics and lighting, as well as three (3) old shotguns towards the purchase of three (3) new
583 AR-15 rifles and new optics and lighting. Chief Dyroff stated that he is currently working with PS
584 Arms (located in Allentown, PA), the company that the Mifflinburg Police Department used previously.
585 A total trade-in value of approximately \$4,000.00 would be received for the current rifles, optics and
586 lighting, and shotguns towards the purchase of three (3) new AR-15 rifles and new optics and lighting.
587 Detective Mark Bailey has indicated that he believes this should pretty much be a wash give or take a
588 \$100.00 either way. Borough Council approval is requested on this matter. A discussion was held; Mr.
589 Bottiger clarified that the Mifflinburg Police Department would just be trading-in the three (3) old
590 shotguns that they're not be purchasing any new shotguns.

591
592 Motion by: Paul E. Bottiger

593 Second by: Tod M. Steese

594

595 **MOTION: To authorize the Mifflinburg Police Department to trade-in the (3) old AR-15**
596 **rifles and the optics and lighting, as well as three (3) old shot guns towards the purchase of**
597 **three (3) new AR-15 rifles and the optics and lighting, with a cost not-to-exceed \$500.00.**

598

599 Yes – Mr. Fry, Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mr. Bottiger, Mrs. Hackenberg

600

601 No – None

602

603

604 Chief Dyroff informed Borough Council that the Mifflinburg Police Department received a complaint
605 concerning dump trucks speeding through town, especially around the 100 block of Chestnut Street,
606 between the hours of 5:00-6:00 AM. The Mifflinburg Police Department performed speed enforcement
607 in this area over a period of about two (2) weeks; however the fastest dump truck that came through was
608 traveling 38 MPH. Chief Dyroff clarified that the Mifflinburg Police Department would continue to
609 perform speed enforcement in this area to at least try to slow the dump trucks down.

610

611 Mr. Fry expressed that since winter has started, he as well as a lot of other individuals in the community,
612 doesn't think that the Borough has shown their best side as far as winter maintenance of the Borough
613 streets (aka snow). Mr. Fry stated that he understands the Borough has had freezing temperatures so the
614 only thing he has to say is tonight's the night to make the Borough shine in the public's eyes with the
615 snow storm. A discussion was held; Mrs. Metzger clarified that so far this year the Borough has used
616 110 tons of materials, between cinders and salt.

617

618 Mr. Steese expressed that he believes the Borough is doing a wonderful job with winter maintenance;
619 however he received a text message during tonight's meeting, requesting that the Borough remove the
620 snow on the front ramp of the Mifflinburg Hose Company, located at 325 Chestnut Street, a little faster
621 or more frequently.

622

623 Mayor Cooney informed Borough Council that he participated in or will be participating in the
624 following meetings or events:

625

- 626 • A meeting with Mr. Travis Zimmerman to discuss the growing opioid crisis and compare
627 notes.
- 628 • The Snyder-Union Opioid Coalition will be starting back-up in December. A train the
629 trainer session will be held sometime in February 2018.

630

631 Mrs. Hackenberg requested an executive session to discuss personnel matters.

632

633 Mr. Steese announced that the Borough would be receiving correspondence from the Mifflinburg Hose
634 Company, located at 325 Chestnut Street, notifying them of the new rank structure and contacts for the
635 Hose Company.

636

637

638

639 Mrs. Hackenberg called an executive session to discuss potential litigation and personnel matters. An
640 executive session was held from 8:16 PM to 8:53 PM.

641

642

643 Motion by: Paul E. Bottiger

644 Second by: Duane L. Zimmerman

645

646 **MOTION: To extend the Chief of Police, Mr. Frederick C. Dyroff III's, vacation days from**
647 **fifteen (15) days to twenty (20) days.**

648

649 Yes – Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mr. Bottiger, Mr. Fry, Mrs. Hackenberg

650

651 No – None

652

653

654 Mrs. Hackenberg was directed to respond to Mr. Dave Gutelius regarding his question about the
655 applicable section of the Subdivision and Land Development Ordinance, §23-204.4.A, that must be
656 completed for his 8th Street Development.

657

658

659 Motion by: Paul E. Bottiger

660

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

662

663 Approved via unanimous voice vote.

664

665

666 Meeting adjourned at 8:55 PM.

667

668 Respectfully Submitted,

669

670

671 Misty L. Ross

672 Assistant Borough Secretary