

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL

2 February 20, 2018

3
4 PRESENT ABSENT

5 Beverly L. Hackenberg, Council President X
6 Tod M. Steese, Vice President X
7 Paul E. Bottiger, Council Member X
8 Richard J. Fry, Council Member X
9 Linda L. Lewis, Council Member X
10 Duane L. Zimmerman, Council Member X
11 David M. Cooney, Mayor X
12 Frederick C. Dyroff III, Chief of Police X
13 Ryan M. Tira, Solicitor X
14 Margaret A. Metzger, Borough Manager X
15 Robert M. Rowe, Borough Project Manager X
16 Misty L. Ross, Assistant Secretary X

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

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20 Visitors present at this meeting were John Del Vecchio, Keith Johnson, Diane Johnson, Linus Martin,
21 John Martin, Jeremiah Allen, Brian Barto, Vincent Yonai, and Mindy Foresman.

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

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27 **MOTION: To approve the minutes of the Tuesday, January 16, 2018 regular meeting of**
28 **Mifflinburg Borough Council.**

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30 Approved via unanimous voice vote.

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33 Motion by: Linda L. Lewis
34 Second by: Richard J. Fry

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36 **MOTION: To approve payment of Bill List #2018-02 in the amount of \$1,514,783.82.**

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

39
40 No – None

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43 Mr. Keith Johnson, Bridge Project Manager with PennDOT District 3-0, announced that he is present at
44 tonight’s meeting along with Ms. Mindy Foresman, Construction Project Manager with PennDOT District
45 3-0, to discuss their plans to replace the deck of the 8th Street Bridge in conjunction with PennDOT’s
46 2018 Milling and Resurfacing Project. Mr. Johnson provided Borough Council with a presentation which
47 detailed the proposed work. This work will necessitate the closure of the 8th Street Bridge for
48 approximately ten (10) to fifteen (15) days. A detour will be in place directing drivers to use State Route
49 45 (Chestnut Street) and Pleasant Grove Road. Signage will be placed alerting drivers to the closure and
50 detour. In speaking with Mrs. Metzger, construction is expected to begin either after the 4th of July and be
51 completed before the 2018 Annual Mifflinburg Fireman's Carnival begins, or after the 2018 Annual
52 Mifflinburg Fireman's Carnival ends and be completed before the 1st day of school. Mr. Johnson clarified
53 that the roadway/bridge work has not been scheduled yet; PennDOT will be scheduling this work on
54 Thursday, February 22, 2018. All businesses located along 8th Street, as well as both trailer parks and
55 emergency personnel, have been notified of this work and there were no concerns expressed.

56
57 Mayor Cooney reported that the 8th Street Bridge was designed with stepping stones arranged on all four
58 (4) corners of the bridge. Over time, due to the high water level that this area is known for, the bottom
59 two (2) stepping stones on the southwest corner of the bridge have washed away. Mayor Cooney inquired
60 if the stepping stones would be replaced as part of the 8th Street Bridge Project. Ms. Foresman stated that
61 PennDOT would examine the stepping stones to see if there was anything they could do.

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66 Ms. Foresman informed Borough Council that in addition to being the Construction Project Manager for
67 the 2018 Milling and Resurfacing Project, she is also the Design Project Manager. As previously stated,
68 the 8th Street Bridge Project is being done in conjunction with 2018 Milling and Resurfacing Project.
69 The original proposed project area for the 2018 Milling and Resurfacing Project was supposed to
70 involve milling and resurfacing on State Route 104 from State Route 45 (Chestnut Street) to Mensch
71 Road, milling and resurfacing on State Route 2004 (Furnace Road/Maple Street) from State Route 304
72 to Brouse Road, milling and resurfacing on State Route 304 from State Route 45 to Stoney Acres Road,
73 and milling and resurfacing on State Route 3003 (8th Street) from State Route 45 to Grand Valley Road;
74 however, due to some drainage issues on State Route 304 that are above the capability of what her unit
75 is able to design, PennDOT has decided to pull State Route 304 from the project. State Route 304 will
76 now be let next year with another project. Ms. Foresman expressed that by doing it this way, she
77 actually believes State Route 304 will end up being a better project because the contractor will have
78 more information and therefore be able to complete the work more comprehensively. A discussion was
79 held; Ms. Foresman reiterated that this work would be scheduled on Thursday, February 22, 2018 and
80 stated that she would forward a copy of the schedule to Mrs. Metzger.

81
82 Mr. Vincent Yonai, a resident of 629 Chestnut Street, inquired how much it would cost to replace the 8th
83 Street Bridge completely. Mr. Johnson stated that it would probably cost around three-fourths ($\frac{3}{4}$) of a
84 million dollars (\$750,000.00) to one million dollars (\$1,000,000.00) to replace the 8th Street Bridge
85 completely. Mr. Johnson added that the current condition of the 8th Street Bridge doesn't warrant
86 replacement yet; it's not structurally deficient.

87
88 Mr. Linus H. Martin attended tonight's meeting along with his son, Mr. John E. Martin, to discuss the
89 proposed residential home that they plan to build on their property located adjacent to Stoney Acres
90 Road within the Borough's boundaries. Mr. Martin reported that his son would like to build a house on
91 their property located adjacent to Stoney Acres Road; however, there are no existing utilities: water or
92 sewer lines located along Stoney Acres Road. Mr. Martin requested Borough Council consideration to
93 grant him an exemption from the requirements to connect to the Borough's water and sewer lines.

94
95 Mr. Rowe reported that in accordance with Chapter 28 "Water" (also known as the Mifflinburg Borough
96 Water System Ordinance), Part 1 "Water System", §28-2 "Required Connection to and Use of Water
97 System" of the Mifflinburg Borough Code of Ordinances: every owner of an improved property abutting
98 either a property subject to utility easement owned by the Borough, a public street, an alley, a road or
99 other public highway in which there is a water line, or which has an improved structure situated within
100 150 feet of a water line, shall connect the improved property to the water system in the manner required
101 by the Borough within 45 days after notice from the Borough. Additionally, in accordance with Chapter
102 20 "Sewers and Sewage Disposal", §20-102 "Use of Public Sewer Required" of the Mifflinburg Borough
103 Code of Ordinances: unless otherwise specifically approved and acted upon by the Mifflinburg Borough
104 Council, the owner of any improved property which is located in a sewer service area shall connect such
105 improved property therewith, in such manner as Mifflinburg may require, within the time specified in the
106 notice to such owner from Mifflinburg to make such connection, for the purposes of receiving public
107 sewer service to such improved property, subject to such limitations and restrictions as shall be
108 established by Mifflinburg from time to time. Mr. Rowe informed Borough Council that the closest water
109 line for the proposed residential development is over 1,300 feet away and the closest sewer line is almost
110 1,000 feet away. Borough Council action is requested to grant Mr. Linus Martin a special exemption to
111 waive these requirements and grant him permission to install a private well system and an individual
112 sewage disposal system in compliance with the provisions of Act 537, the Pennsylvania Sewage Facilities
113 Act, as amended and supplemented, and all other State, Federal, and Mifflinburg ordinances and
114 regulations as applicable. Mr. Rowe clarified that this is just a matter of formality; there are other
115 properties located along Stoney Acres Road with the same type of situation.

116
117 Motion by: Duane L. Zimmerman

118 Second by: Paul E. Bottiger

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120 **MOTION: To grant Mr. Linus Martin a special exemption to waive the requirements of the**
121 **Mifflinburg Borough Code of Ordinances that the proposed residence located adjacent to Stoney**
122 **Acres Road within the Borough's Boundaries be connected to the Borough's water and sewer**
123 **system; and grant him permission to install a private well system and an individual sewage disposal**
124 **system in compliance with the provisions of Act 537, the Pennsylvania Sewage Facilities Act, as**
125 **amended and supplemented, and all other State, Federal, and Mifflinburg ordinances and**
126 **regulations as applicable.**

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130 Ms. Lewis inquired about whether or not there were any provisions/regulations for private well systems
131 as far as proximity with other wells. A discussion was held; Mr. Tira reported that the Borough doesn't
132 have any provisions/regulations for private well systems; only sewage disposal systems which is the
133 duty of the Sewage Enforcement Officer to administer and enforce.

134
135 Approved via unanimous voice vote.

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137
138 Mr. Jeremiah Allen, Mifflinburg Cross Country/Track & Field Coach, attended tonight's meeting
139 regarding the 2nd Annual Mifflinburg Miracle Mile event. Mr. Allen informed Borough Council that
140 they received a copy of a request included in the information tonight which reads as follows:

141
142 Dear Mifflinburg Borough Council,

143
144 Last June you allowed myself and Falcon Race Timing to hold the Mifflinburg Miracle Mile.
145 It was a success and we wanted to thank you for that opportunity. We were able to give the
146 Chapman family another donation to help the family. This year we would like to ask for your
147 approval to do this event again on June 7th 2018. We will be supporting Camp Koala. The
148 first heat will start at 6pm and the last one will start at 6:35. I have spoken with Mr. Apple and
149 he has put us on his schedule for the Fire Police. Please let me know if you have any questions
150 or concerns.

151
152 Jeremiah Allen

153
154 Mr. Allen added that the Mifflinburg Mile is a one-mile point-to-point course along Market Street. The
155 starting line is between 3rd & 4th Street and the finish line is in front of the Mifflinburg Middle School.
156 All proceeds from the 2018 event will benefit Camp Koala. Camp Koala hosts camps and support
157 groups for grieving children who have experienced the death of a parent, primary caregiver or sibling.
158 Borough Council permission is requested to use Market Street on Thursday, June 7, 2018 from 5:30 PM
159 to 7:30 PM to conduct this event.

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161 Motion by: Tod M. Steese

162 Second by: Linda L. Lewis

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164 **MOTION: To approve Mr. Jeremiah Allen's request to use Market Street, from 3rd Street, East to**
165 **the Mifflinburg Middle School, on Thursday, June 7, 2018 from 5:30 PM to 7:30 PM to conduct the**
166 **2nd Annual Mifflinburg Miracle Mile event.**

167
168 Approved via unanimous voice vote.

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171 Mr. John Del Vecchio, AICP Community Planner, with the Union County Planning & Economic
172 Development Office at the Union County Government Center, introduced himself and informed Borough
173 Council that he is present at tonight's meeting for three (3) reasons: first, to reach out to Borough Council
174 to offer their assistance with as much as they can; secondly, to announced that the Planning Commissions
175 of Union and Snyder Counties, in partnership with the SEDA-COG Metropolitan Planning Organization
176 (MPO), will be presenting a Transportation Funding Workshop on Thursday, March 29, 2018 from 6:00
177 PM to 8:00 PM at the Union County Government Center to provide information on funding programs that
178 are available for bridges, roads, and bike and pedestrian facilities; and lastly, to distributed brochures for
179 the Union County Affordable Housing Fund (UCAHF). Mr. Del Vecchio explained that the UCAHF was
180 established in 1996 by the Union County Commissioners to support and enhance Union County's local
181 affordable housing efforts. Administered by the Union County Affordable Housing Fund Board, the Fund
182 offers an interest-free second mortgage to first-time homebuyers to assist with the down payment,
183 inspection, and the closing costs associated with purchasing a home. Available Funds are distributed on a
184 first-come first-served basis to any legal resident of the United States who meets the income, use,
185 location, and residency requirements. Second mortgage loans may be made to eligible applicants to assist
186 with the down payment, prepaid expenses at closing, real estate taxes, insurance, interest, escrow for taxes
187 and insurance, improvements required by the lender or to structures necessary for handicapped
188 accessibility, and other expenses including but not limited to closing costs, radon inspections, property
189 inspections, and wood infestation inspections. The maximum loan amount is \$15,000.00 or 10% of the
190 property's purchase price, whichever is less. There is no interest or payments on the loaned capital and
191 repayment is only required if the property is sold or refinanced. Mr. Del Vecchio requested that if
192 Borough Council is aware of any individuals or families in Union County who need just a "little help" to
193 get them into a home of their own, to please refer them to him. Mrs. Hackenberg directed Mrs. Metzger
194 to place an article in the *Mifflinburg News & Views*.

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197 Mr. Vincent Yonai, a resident of 629 Chestnut Street, attended tonight's meeting concerning traffic
198 speeding on Chestnut Street between 6th, 7th, and 8th Streets. Mr. Yonai reported that there needs to be
199 policing in this area before someone gets seriously injured or killed; it's getting out of control. Mr. Yonai
200 reminded Borough Council that he previously attended a Borough Council meeting concerning this matter
201 and subsequently the Chief of Police for the Mifflinburg Police Department made a mockery of him. Mr.
202 Yonai expressed that both he and his neighbors are tired of the traffic speeding on Chestnut Street; this
203 has been going on for eight (8) years and if something isn't done soon, he will be involving the media.
204 Chief Dyroff interjected that the Mifflinburg Police Department have performed speed enforcement in
205 this area and they continue to perform speed enforcement; he has the statistics to prove it. Chief Dyroff
206 pointed out that local law enforcement in Pennsylvania aren't allowed to use radar to enforce speed limits.
207 The Mifflinburg Police Department use VASCAR (Visual Average Speed Computer And Recorder) or
208 ENRADD (Electronic Non Radar Device) for speed enforcement which are less accurate and aren't as
209 easy or versatile as radar. These devices require a longer sight distance than radar, and limit the areas
210 where Police Officers can use them. A lengthy discussion was held; Mr. Yonai clarified that he's not
211 present at tonight's meeting to step on anyone's toes and that he understands that the police can't be there
212 all the time. All he's asking for is a little more effort from the Mifflinburg Police Department by running
213 speed enforcement in this area daily, a ½ hour in the morning and a ½ hour in the evening, during the
214 busy times (previously provided to the Mifflinburg Police Department) of the day. Just the knowledge
215 that the police could be there at any time makes drivers think twice before speeding. Mr. Bottiger
216 expressed that he doesn't think a police presence in this area will solve the problem; as soon as the police
217 leaves, people will start speeding again. Mr. Yonai agreed with Mr. Bottiger that this won't solve the
218 problem, but it will at least help to slow drivers down.

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221 Motion by: Paul E. Bottiger

222 Second by: Tod M. Steese

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224 **MOTION: To approve the Mifflinburg Borough Zoning Report for January 2018 and authorize**
225 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$1,474.98.**

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227 Mr. Zimmerman inquired what the "GIS Map Review" included on the zoning invoice from the CK-
228 COG was for. Mr. Rowe stated that he believes the CK-COG has their own GIS System for viewing
229 and analyzing data on the zoning map. Mrs. Metzger added that she's assuming the CK-COG was
230 reviewing the Zoning Map changes which involves several different various and their follow-up on that;
231 in addition anytime they issue a permit, they use their GIS System as well. Mr. Zimmerman expressed
232 that he would like absolute confirmation on this.

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

235

236 No – None

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238

239 Mrs. Hackenberg announced that Borough Council consideration is requested for Resolution No. 2018-
240 05; Amending the updated Mifflinburg Borough Police Department Policy and Procedure Manual for
241 Article XII, Section 1208 "Standing Order for Naloxone Prescription for Overdose Prevention". Chief
242 Dyroff informed Borough Council that the Mifflinburg Police Department has a Policy and Procedure
243 Manual for Naloxone Prescription For Overdose Prevention which allows first responders to administer
244 Naloxone to a patient in the event of respiratory depression, unresponsiveness, or respiratory or cardiac
245 arrest when an overdose from opioid is suspected. This resolution would amend Article XII, Section
246 1208 "Standing Order for Naloxone Prescription for Overdose Prevention", to add the following (bold) to
247 Part IV "Appropriate Use And Directions":

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249 IV. APPROPRIATE USE AND DIRECTIONS:

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251 First Responders should be aware of the following information when dealing with a person who
252 they suspect is experiencing an opioid overdose event:

253

- 254 1. Call 911 for EMS to be dispatched.
- 255 2. In cardiac arrest or pulseless patients: Call 911 for EMS and start CPR if able and trained
256 to do so. In cardiac arrest, CPR is the most important treatment, and any attempt to
257 administer Naloxone should not interrupt chest compressions and rescue breathing.
- 258 3. Naloxone should only be given to someone suspected of opioid overdose as noted in the
259 signs and symptoms listed in section V above.
- 260 4. In respiratory arrest or a non-breathing patient: If able to do rescue breathing, rescue
261 breathing takes priority over Naloxone administration. Administer Naloxone if possible
262 while doing rescue breathing.

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5. **Prior to the administration of Naloxone, officers shall, for precautionary measures for the safety of the person, persons in the immediate area, and for the safety of the officer, handcuff behind the back, if possible, the person that will be administered Naloxone.**
 6. Administration of Naloxone (only give to someone with suspected opioid overdose based on signs and symptoms listed in Section III above).

270 Chief Dyroff explained that individuals coming to after being given Naloxone are often groggy and
271 confused and sometimes they become hostile and violent. For precautionary measures, for the safety of
272 the person, persons in the immediate area, and for the safety of the officer, he is looking to amend the
273 updated Mifflinburg Borough Police Department Policy and Procedure Manual for Article XII, Section
274 1208 “Standing Order for Naloxone Prescription for Overdose Prevention” to incorporate that prior to
275 the administration of Naloxone, officers shall handcuff behind the back, if possible, the person that will
276 be administered Naloxone into Part IV “Appropriate Use And Directions”. Borough Council action is
277 requested to adopt this resolution.

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279 Motion by: Tod M. Steese

280 Second by: Duane L. Zimmerman

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282 **MOTION: To adopt Resolution No. 2018-05; Amending the updated Mifflinburg Borough Police**
283 **Department Policy and Procedure Manual for Article XII, Section 1208 “Standing Order for**
284 **Naloxone Prescription for Overdose Prevention”.**

285
286 Approved via unanimous voice vote.

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289 Mrs. Hackenberg announced that Borough Council consideration is requested for Resolution No. 2018-
290 06; Authorizing and directing the Borough Council President, Beverly L. Hackenberg, and Borough
291 Secretary/Manager, Margaret A. Metzger, to execute all documents and agreements between the Borough
292 of Mifflinburg and the Commonwealth Financing Authority to facilitate and assist in obtaining a PA
293 Small Water and Sewer Program grant. Mrs. Metzger reminded Borough Council that at the Borough
294 Work Session that was held on Tuesday, February 6, 2018 they discussed a grant application to replace a
295 section of water main located on Industrial Park Road. It was the consensus of Borough Council to
296 submit a grant application for a PA Small Water and Sewer Program grant through the Commonwealth
297 Financing Authority. Mrs. Metzger reported that Mr. Rowe has been working to complete the grant
298 application. This application is very competitive and requires matching funds of not less than 15% of the
299 total eligible project cost. In addition to completing the grant application, the following items must be
300 included with the application:

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302
- A detailed description of the project.
 - A letter stating the project will be owned and maintained by an eligible applicant.
 - A detailed estimate for the total project cost which must be prepared, signed and dated by an engineer or other qualified professional and should be accompanied where appropriate by copies of the signed bid/quotations, contactor estimates, sales agreements or other documentation that verify project cost estimates.
 - Funding commitment letters for the required match, if available from all other project funding sources.
 - A color-coded map detailing the location of the infrastructure or where the project will be conducted.
 - The most recent audited financial statements of the applicant.
 - A letter from the appropriate planning agency certifying that the proposed project is in compliance with the comprehensive land use plans.
 - A resolution duly adopted by the applicant's governing board formally requesting the grant, designating an official to execute all documents, describing briefly the project scope, and identifying the grant amount.
 - A list of all Local, State and Federal planning approvals and permits from the appropriate agencies.
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321 Mrs. Metzger informed Borough Council that the total project cost for the Industrial Park Water Line
322 Replacement Project is \$155,623.00; the grant amount being requested is \$132,259.00 and the Borough’s
323 match would be \$23,364.00. Borough Council action is requested to adopt this resolution.

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

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332 **MOTION: To adopt Resolution No. 2018-06; Authorizing and directing the Borough Council**
333 **President, Beverly L. Hackenberg, and Borough Secretary/Manager, Margaret A. Metzger, to**
334 **execute all documents and agreements between the Borough of Mifflinburg and the**
335 **Commonwealth Financing Authority to facilitate and assist in obtaining a PA Small Water and**
336 **Sewer Program grant.**

337
338 Yes – Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mr. Bottiger, Mr. Fry, Mrs. Hackenberg

339
340 No – None

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343 Mr. Tira provided Borough Council with an update on the status of the Zoning Ordinance and Map
344 amendment. Mr. Tira reminded Borough Council that a meeting was held with the Mifflinburg Planning
345 Commission at their Tuesday, November 21, 2017 meeting to discuss and review the areas of
346 uncertainty. Mr. Tira reported that the Mifflinburg Planning Commission made a motion at their
347 Tuesday, February 20, 2018 meeting to recommend to Borough Council the consideration of the
348 proposed Zoning Ordinance Amendment. Mr. Rowe distributed copies of the draft Zoning Map which
349 detailed the nine (9) areas being changed. Mr. Tira reviewed the proposed changes to the Zoning Map
350 and requested Borough Council action to authorize him to advertise to conduct a Public Hearing for the
351 proposed amendments to the Zoning Ordinance and Map at the Tuesday April 17, 2018 regular Borough
352 Council meeting.

353
354 Motion by: Tod M. Steese
355 Second by: Linda L. Lewis

356
357 **MOTION: To authorize Mr. Tira to advertise to conduct a Public Hearing for the proposed**
358 **amendments to the Zoning Ordinance and Map at the Tuesday April 17, 2018 regular Borough**
359 **Council meeting.**

360
361 Approved via unanimous voice vote.

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364 Mrs. Metzger provided Borough Council with an update on the status of the Pole Attachment Licensing
365 Agreement for Windstream Communications. Mrs. Metzger reported that subsequent to the Tuesday,
366 January 16, 2018 regular Borough Council meeting, she contacted Mr. Runkle to let him know that
367 Borough Council felt the permit application fee needed to be a standardized fee for everyone and that
368 the Pole Attachment Agreement for Windstream Communications should be a Reciprocal Agreement
369 and incorporates the number of Windstream Communication's poles that the Borough is attached to.
370 Mr. Runkle has forwarded this information to Windstream Communications and they have indicated that
371 they would like a separate agreement for the number of their poles that the Borough is attached to;
372 however they have not gotten back to Mr. Runkle. Mr. Runkle is recommending that we propose to
373 Windstream Communication that we simply add language to the Pole Attachment Licensing Agreement
374 that we've been working through which provides for a direct off-set. Windstream Communications has
375 also indicated that the agreement would be retroactive to January 1, 2016. The previous Pole
376 Attachment Licensing Agreement for Windstream Communications expired on December 31, 2013.
377 Mr. Runkle is recommending that we propose to Windstream Communication that if they agree to the
378 \$70.00 per pole charge then we will not insist on the agreement being retroactive to January 1, 2014.
379 Mrs. Metzger clarified that Borough Council was okay with recommendations provided by Mr. Runkle.

380
381 Mrs. Metzger provided Borough Council with an update on the status of the 2017 Wastewater Treatment
382 Plant Improvements Project. Mrs. Metzger reported that Headworks Inc. has completed the previously-
383 authorized maintenance repairs to the fine screens located in the Head Works Facility on Tuesday,
384 February 6, 2018 which allowed the Plant Operators to begin the re-screening measures required by the
385 membrane manufacturer (Evoqua Water Technologies, LLC) before bringing the new membranes
386 online. The re-screening took place from February 5-8, 2018. The membrane manufacturer was onsite
387 to examine the condition of the sludge and authorized the start-up of the first new tank of membranes on
388 Thursday, February 8, 2018. The Contractor (JP Environmental, LLC) has re-mobilized and as of
389 Friday, February 16, 2018, two (2) of the membrane tanks (#2 and #4) have been replaced and are on-
390 line. The remaining tanks are scheduled for completion in the next few weeks, with substantial
391 completion/training currently scheduled for the week of Monday, March 12, 2018.

392

393 Mrs. Metzger announced that the Wastewater Treatment Plant has recently experienced two (2)
394 overflows, the first overflow occurred from Friday, January 12 through Monday, January 29, 2018, and
395 the second overflow occurred from Sunday, February 4 through Monday, February 19, 2018. The
396 required five (5) day letter was filed with DEP for both overflows. Mrs. Metzger cautioned Borough
397 Council that these violations will be considered by DEP staff and may result in fines or restrictions. Mr.
398 Zimmerman stated that the Wastewater Treatment Plant will continue to have overflow problems until
399 the Borough locates the inflow and infrastructure problems and repairs them. Ms. Lewis agreed with
400 Mr. Zimmerman and added that she thinks the Borough needs to reach out to other Wastewater
401 Treatment Plants in the area to see what options they have and what the associated costs would be. A
402 discussion was held; Mrs. Hackenberg referred this matter to the Borough Work Session that is
403 scheduled for Tuesday, March 6, 2018 to be discussed further.
404

405 Mr. Bottiger informed Borough Council that Mr. Jim Emery, Code Enforcement Officer at the Central
406 Keystone Council of Governments (CK-COG) has confirmed via text message that the "GIS Map
407 Review" included on the zoning invoice from the CK-COG was for reviewing geographic data on their
408 GIS System, which they obtain a lot of information: lot size, impervious coverage, how close a building
409 may be to a boundary, parcel number, etc.
410

411 Mrs. Metzger provided Borough Council with an update on the status of the Oak Avenue Sanitary Sewer
412 Main Replacement Project. Mrs. Metzger reminded Borough Council that they took action at the
413 Tuesday, January 2, 2018 reorganizational meeting to approve Change Order No. 2 from Dave Gutelius
414 Excavating, Inc. for the Oak Avenue Sanitary Sewer Main Replacement Project in the amount of
415 \$6,000.00. This change order was to remove and replace existing manhole at the intersection of 8th
416 Street and Oak Avenue with new precast manhole. Mrs. Metzger reported that following the meeting,
417 when Borough Management received the original paperwork for the Oak Avenue Change Order No. 2,
418 they noticed that the amount of the change order was different than the \$6,000.00 that was approved by
419 Borough Council. This difference in the amount was due to HRG, Inc. combining another change with
420 the change order for the new manhole. Therefore, in order to have the records reflect the actual
421 amounts, Borough Management is requesting that Borough Council take action to amend the amount
422 approved for Change Order No. 2 for the Oak Avenue Project to be \$3,900.00. This would incorporate
423 the new manhole and a credit for the lamp holes for the sewer laterals.
424

425 Mr. Tira recommend that Borough Council take action to rescind the previous motion to approve
426 Change Order No. 2 from Dave Gutelius Excavating, Inc. for the Oak Avenue Sanitary Sewer Main
427 Replacement Project in the amount of \$6,000.00 and approve the revised Change Order No. 2 from
428 Dave Gutelius Excavating, Inc. for the Oak Avenue Sanitary Sewer Main Replacement Project in the
429 amount of \$3,900.00.
430

431 Motion by: Linda L. Lewis

432 Second by: Richard J. Fry
433

434 **MOTION: To rescind the previous motion to approve Change Order No. 2 from Dave Gutelius**
435 **Excavating, Inc. for the Oak Avenue Sanitary Sewer Main Replacement Project in the amount of**
436 **\$6,000.00 and approve the revised Change Order No. 2 from Dave Gutelius Excavating, Inc. for**
437 **the Oak Avenue Sanitary Sewer Main Replacement Project in the amount of \$3,900.00.**
438

439 Yes – Mr. Steese, Mr. Zimmerman, Mr. Bottiger, Mr. Fry, Ms. Lewis, Mrs. Hackenberg
440

441 No – None
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443

444 Mrs. Metzger reported that HRG, Inc. and Borough Management met with North Hills MHP, LLC, the
445 new owners of the Mobile Home Park that is located on the east side of 8th Street,. North Hills MHP,
446 LLC are hoping to develop this property further and requested a meeting to better understand what
447 would be expected of them to further develop this property. Borough Management shared information
448 with them about the condition of the utilities owned by the Mobile Home Park and the Borough's
449 ordinance requirements for land developments. North Hills MHP, LLC seemed to understand that they
450 would have to improve existing infrastructure both in order to expand and because of the existing
451 conditions. As discussed previously, Borough Management has offered to assist them in locating some
452 of their utilities. North Hills MHP, LLC has indicated that they used HRG, Inc. in the past for land
453 development services and they plan to continue to use them as long as Borough Council doesn't take
454 issue. Mrs. Metzger clarified that there were no objections from Borough Council.
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459 Mrs. Metzger informed Borough Council that HRG, Inc. has received Payment Application No. 2 from
460 JP Environmental, LLC for the work completed to date in the amount of \$14,675.00. HRG, Inc. has
461 reviewed the payment application and recommends that Borough Council take action to approve this
462 payment application.

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

466
467 **MOTION: To approve Payment Application No. 1 from JP Environmental, LLC for the 2017**
468 **Wastewater Improvements Project in the amount of \$14,675.00.**

469
470 Yes – Mr. Zimmerman, Mr. Bottiger, Mr. Fry, Ms. Lewis, Mr. Steese, Mrs. Hackenberg

471
472 No – None

473
474
475 Mrs. Metzger requested Borough Council action to approve the dates for the Annual Spring Drop-Off
476 event for April 25-27, 2018 (12:00-8:00 PM) and April 28, 2018 (8:00 AM-12:00 PM). The Borough
477 will again require that those using this event provide proof of residency. Borough Council action is
478 requested to approve these dates and the event.

479
480 Motion by: Richard J. Fry
481 Second by: Linda L. Lewis

482
483 **MOTION: To approve the dates for the Annual Spring Drop-Off event for April 25-27, 2018**
484 **(12:00-8:00 PM) and April 28, 2018 (8:00 AM-12:00 PM).**

485
486 Approved via voice vote, with Mr. Steese voting no.

487
488
489 Mrs. Metzger reported that the Mifflinburg Hose Company has indicated that they would appreciate it if
490 as a part of the 2018 Mifflinburg Hose Company Project we look at improvements to the drop ceiling in
491 the meeting room at the Mifflinburg Hose Company Building located at 325 Chestnut Street. The
492 Mifflinburg Hose Company is looking to replace the drop ceiling tiles and grid work, as well as
493 modifications to the lighting in the meeting room. Borough Management has begun to obtain pricing for
494 the requested improvements at the Mifflinburg Hose Company Building. The Borough Maintenance
495 employees will remove and dispose of all existing ceiling tiles and grid work, except the wall channel
496 and ceiling ties, and remove the insulation above the tiles; the contractor will install drop ceiling, tiles
497 and new grid work. Mr. Jason Mitchell, the Borough Public Works Supervisor, has obtained two (2)
498 quotes for installation of the drop ceiling, tiles and new grid work which are as follows:

499
500 S&N Contracting \$3,984.00
501 Pro Advantage Construction Inc. \$3,300.00

502
503 Mrs. Metzger added that the Borough Electric employees will handle all of the lighting and electrical
504 upgrades. Mr. Craig Lewis, the Borough Electric Foreman, is looking at installing additional lighting,
505 changing the lenses, and installing LED bulbs. Borough Council action is requested to award the drop
506 ceiling work at the Mifflinburg Hose Company Building to Pro Advantage Construction Inc. for the
507 lump sum fee of \$3,300.00. Mr. Zimmerman expressed that he doesn't think the existing tiles and grids
508 are that bad and the Borough employees should just paint them like they've done in the past.

509
510 Motion by: Paul E. Bottiger
511 Second by: Richard J. Fry

512
513 **MOTION: To award the drop ceiling work at the Mifflinburg Hose Company Building located at**
514 **325 Chestnut Street to Pro Advantage Construction Inc. for the lump sum fee of \$3,300.00.**

515
516 Yes – Mr. Bottiger, Mr. Fry, Ms. Lewis, Mr. Steese, Mrs. Hackenberg

517
518 No – Mr. Zimmerman

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524

525 Mrs. Metzger reported that the Personnel Committee has reviewed the pay rates for the Mifflinburg
526 Community Park/Pool Co-Directors and the other Mifflinburg Park/Pool employees. Mrs. Metzger
527 informed Borough Council that she emailed them the information they requested about the pay rates.
528 Borough Management is recommending that Mr. Matthew Wells and Miss Maura McLaughlin be
529 reappointed as Co-Directors for the 2018 Season at the Mifflinburg Community Park/Pool and that their
530 salary be set at \$5,500.00 each for the season. Borough Management is also recommending a raise of
531 \$0.15/hour for all hourly employees.

532
533 Motion by: Tod M. Steese

534 Second by: Richard J. Fry

535

536 **MOTION: To reappoint Mr. Matt Wells and Miss Maura McGlaughlin as Co-Directors for the**
537 **2018 season at the Mifflinburg Community Park/Pool with a salary of \$5,500.00 each for the**
538 **season.**

539

540 Ms. Lewis expressed that she personally thinks all of the Mifflinburg Park/Pool hourly employees
541 should be paid minimum wage (\$7.25/hour) regardless of their age, job classification, or the number of
542 hours they worked. Ms. Lewis recommended the following payroll rate increases for the Mifflinburg
543 Park/Pool employees:

544

	<u>2017</u>	<u>2018</u>
545 Co-Director Salary	\$5,275.04	\$5,500.00
546 Concession Stand	\$6.70/hour	\$7.25/hour
547 Desk/Playground	\$6.95/hour	\$7.25/hour
548 WSI	\$8.45/hour	\$8.75/hour
549 Head Lifeguard	\$9.35/hour	\$9.50/hour
550 Regular Guard	\$7.70/hour	\$7.80/hour

551

552 Ms. Lewis clarified that the amount budgeted for Lifeguard Wages doesn't provide a breakdown for
553 Head Lifeguard and Regular Guard wages, its one (1) lump sum; she is looking to increase the total
554 amount budgeted from \$37,000.00 to \$37,900.00. The hourly rate for the Head Lifeguard and Regular
555 Guard would depend on the number of lifeguards working and how many hours they work.

556

557 Mr. Bottiger stated that he doesn't think the Concession Stand and Desk/Playground employees should
558 be paid \$0.55 less than a Regular Guard; a Regular Guard has a lot more responsibilities. Mr. Bottiger
559 added that he doesn't think minimum wage will increase significantly in the next couple of years and
560 recommended that Borough Council gradually increase the payroll rates each year. Ms. Lewis
561 suggested that Borough Council could decrease the salary for the Co-Directors' to allow more flexibility
562 to ensure the Concession Stand and Desk/Playground employees at least make minimum wage.

563

564 Mrs. Metzger explained that the difference between a WSI (Water Safety Instructor) and a Regular
565 Guard is a WSI is certified to teach swimming lessons. A WSI is paid \$8.45/hour even when they're
566 performing Regular Guard duties. The Head Lifeguard is responsible for the overall supervision of the
567 lifeguard staff in the absence of the Co-Directors. These duties are performed at the request of one (1)
568 of the Co-Directors and require lifeguarding experience. The Head Lifeguard is supposed to receive
569 \$0.50/hour additional in the highest pay while performing these duties. A discussion was held; Mr.
570 Zimmerman agreed with Ms. Lewis that no hourly employees should be paid under minimum wage.

571

572 Motion by: Tod M. Steese

573 Second by: Richard J. Fry

574

575 **MOTION: To amend the previous motion to include "to approve a \$0.15/hour payroll rate**
576 **increase for the Mifflinburg Park/Pool hourly employees for the 2018 season at the Mifflinburg**
577 **Community Park/Pool".**

578

579 Yes – Mr. Fry, Mr. Steese, Mr. Bottiger, Mrs. Hackenberg

580

581 No – Ms. Lewis, Mr. Zimmerman

582

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591

592 Motion by: Tod M. Steese
593 Second by: Richard J. Fry

594
595 **MOTION: To set the rates for the Mifflinburg Community Pool passes for the 2018 season the**
596 **same as they were for the 2017 season.**

597
598 Yes – Mr. Fry, Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mr. Bottiger, Mrs. Hackenberg

599
600 No – None

601
602
603 Mr. Zimmerman expressed that he believes there should be a time clock or other time tracking system at
604 the Mifflinburg Community Park/Pool to assist in tracking the hours worked by employees instead of
605 the employees writing their hours down. Mr. Zimmerman clarified that all of the other Borough
606 employees are required to clock in and out every day. Mr. Bottiger agreed with Mr. Zimmerman that
607 there should be a time clock or other time tracking system at the Mifflinburg Community Park/Pool.

608
609 Mrs. Metzger informed Borough Council that Borough Management has prepared the Field Use
610 Agreements between the Borough of Mifflinburg and the Mifflinburg Little League Association, the
611 Borough of Mifflinburg and the Harry F. Haney Memorial Park Association, and the Borough of
612 Mifflinburg and the Mifflinburg Area School District. There are no fees for these agreements. In
613 addition, Borough Management has also prepared the Athletic Use Agreement between the Borough of
614 Mifflinburg and the Mifflinburg Swim Team. The proposed fees will remain the same as in 2017 (a cost
615 of \$35.00 per team member). Borough Council action is requested to approve these agreements.

616
617 Motion by: Paul E. Bottiger
618 Second by: Linda L. Lewis

619
620 **MOTION: To approve the Field Use Agreements between the Borough of Mifflinburg and the**
621 **Mifflinburg Little League Association, the Borough of Mifflinburg and the Harry F. Haney**
622 **Memorial Park Association, and the Borough of Mifflinburg and the Mifflinburg Area School**
623 **District; and the Athletic Use Agreement between the Borough of Mifflinburg and the Mifflinburg**
624 **Swim Team.**

625
626 Approved via unanimous voice vote.

627
628
629 Mrs. Metzger informed Borough Council that Borough Management has prepared the Field Lighting
630 Agreements between the Borough of Mifflinburg and the Mifflinburg Little League Association and the
631 Borough of Mifflinburg and the Harry F. Haney Memorial Park Association. The proposed lighting fees
632 will remain the same as in 2017 (a fee of \$1,050.00 each, with the Mifflinburg Little League being
633 charged an additional \$150.00 if they choose to again offer a Fall Ball program). Borough Council
634 action is requested to approve these Field Lighting Agreements.

635
636 Motion by: Duane L. Zimmerman
637 Second by: Paul E. Bottiger

638
639 **MOTION: To approve the Field Lighting Agreements between the Borough of Mifflinburg and**
640 **the Mifflinburg Little League Association and the Borough of Mifflinburg and the Harry F.**
641 **Haney Memorial Park Association.**

642
643 Yes – Mr. Steese, Mr. Zimmerman, Mr. Bottiger, Mr. Fry, Ms. Lewis, Mrs. Hackenberg

644
645 No – None

646
647
648 Mrs. Metzger requested an executive session to discuss potential litigation and personnel matters.

649
650 Mrs. Metzger reported that the Borough's CPA (Certified Public Accountant) is scheduled to begin the
651 Audit on Wednesday, February 28, 2018.

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657

658 Mrs. Metzger informed Borough Council that the Auditor General's Office also completed a Liquid
659 Fuels Audit. Although this matter has been resolved, she had to submit a revised Form MS-965 (Actual
660 Use Report of State Funds) which delayed the distribution of the Borough's funds for 2016. As a result,
661 the Auditor is required to report that as a finding. Mrs. Metzger clarified that the Office of the Auditor
662 General only conducts liquid fuels fund audits on a rolling basis about every two (2) years, so this was
663 not caught until the 2nd year. They again noted a finding related to the previous two (2) years findings.
664

665 Mrs. Metzger announced that the Pennsylvania House Local Government Committee held a Public
666 Hearing on House Bill 1405 (HB1405) on Tuesday, February 13, 2018 from 10:00 AM - 12:00 PM. This
667 legislation which would require borough electric providers to adopt more uniform and reasonable rate
668 structures. Mrs. Metzger informed Borough Council that she received copies of the testimony from the
669 Public Hearing which she will be forwarding to them via email subsequent to tonight's meeting. State
670 Representative Aaron Bernstine, R-10, Lawrence County, is now introducing HB2030; An Act amending
671 Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, in manufacture
672 and supply of electricity, further providing for specific powers and providing for security deposits, for
673 payment agreements and for restrictions on termination; and making an editorial change. Mrs. Metzger
674 clarified that this legislation is basically the same as the previously introduced HB1405; the legislation is
675 making minor changes which include an update to technical language as well as language that would
676 make this legislation only applicable to a limited class of municipalities. The Pennsylvania Municipal
677 Electric Association (PMEA), as well as the Pennsylvania Association of Boroughs (PSAB), continues to
678 follow this matter.
679

680 Mr. Zimmerman announced that the Annual Kids Fishing Derby is scheduled for May 19 and May 20,
681 2018. The American Legion, Post 410, is requesting that the Borough be permitted to provide assistance
682 with the moving of the hut and the wiring for the Annual Kids Fishing Derby. Borough Council action
683 is requested to approve this request.
684

685 Motion by: Paul E. Bottiger
686 Second by: Richard J. Fry
687

688 **MOTION: To authorize the Borough of Mifflinburg to provide assistance with the moving of the**
689 **hut and the wiring for the Annual Kids Fishing Derby scheduled for May 19 and May 20, 2018.**
690

691 Approved via unanimous voice vote.
692
693

694 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for
695 January 2018 included in the information tonight.
696

697 Mayor Cooney reported that he will be issuing a letter approving the 2nd Annual Mifflinburg Miracle
698 Mile event and also the letter for the Mifflinburg 4th of July & 5K event.
699

700 Chief Dyroff reminded Borough Council that they took action at the Tuesday, January 16, 2018 regular
701 Borough Council meeting to authorize the Mifflinburg Police Department to trade-in the (3) old AR-15
702 rifles and the optics and lighting, as well as three (3) old shot guns towards the purchase of three (3) new
703 AR-15 rifles and the optics and lighting, with a cost not-to-exceed \$500.00. Chief Dyroff reported that
704 the cost for the purchase of three (3) new AR-15 rifles and the optics and lighting after the trade-in value
705 is \$1,180.00. Borough Council approval is requested to authorize the Mifflinburg Police Department to
706 move forward with the purchase of three (3) new AR-15 rifles and the optics and lighting.
707

708 Motion by: Linda L. Lewis
709 Second by: Richard J. Fry
710

711 **MOTION: To authorize the Mifflinburg Police Department to move forward with the**
712 **purchase of three (3) new AR-15 rifles and the optics and lighting for a cost not-to-exceed**
713 **\$1,180.00.**
714

715 Yes – Mr. Zimmerman, Mr. Bottiger, Mr. Fry, Ms. Lewis, Mr. Steese, Mrs. Hackenberg
716

717 No – None
718
719
720
721
722

723 Chief Dyroff reported that during the budget process, funds were allocated for the purchase a new police
724 vehicle for the Mifflinburg Police Department. The total budgeted amount included in the 2018 budget
725 was \$40,000.00. The Mifflinburg Police Department have begun the process of purchasing a new police
726 vehicle. The new police vehicle would be purchased through Co-Stars for a purchase price of
727 \$33,589.42. After purchase and insulation of emergency equipment (electronics, interior/exterior car
728 lighting, police car equipment, police car consoles, gun racks, radar, sirens, police car graphics, etc.), the
729 price would be \$43,108.39; however the borough would receive \$6,500.00 for the trade-in of the 2013
730 Dodge Charger, reducing the price to \$36,608.39. Chief Dyroff clarified that the \$36,608.39 does not
731 include the expense for new decals and insulation which would cost approximately \$1,000.00.
732

733 Chief Dyroff informed Borough Council that the Mifflinburg Police Department contacted Mr. Bottiger
734 to inquire if the \$6,500.00 was the fair market value of the 2013 Dodge Charger; Mr. Bottiger indicated
735 that he believed the \$6,500.00 was the fair market value of the 2013 Dodge Charger. Borough Council
736 action is requested to authorize him to move forward with the purchase of a 2018 Ford Explorer SUV
737 and trade-in the 2013 Dodge Charger.
738

739 Motion by: Tod M. Steese

740 Second by: Linda L. Lewis

741

742 **MOTION: To authorize Chief Dyroff to move forward with the purchase of a 2018 Ford Explorer**
743 **SUV for the Mifflinburg Police Department and trade-in the 2013 Dodge Charger not-to-exceed**
744 **the 2018 budgeted allotment of \$40,000.00.**

745

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

747

748 No – None

749

750

751 Chief Dyroff announced that the Mifflinburg Police Department will be hosting an Active Shooter
752 Awareness discussion at the Mifflinburg Area High School Auditorium on Thursday March 1, 2018
753 from 6:30-8:00 PM. This event is being hosted as part of the Mifflinburg Police Department's ongoing
754 preparation in case of an active-shooter incident. The Mifflinburg Police Department will cover a brief
755 history and a general overview of mass shootings and what to expect should you become involved in an
756 active shooter incident. Chief Dyroff clarified that this is NOT a training session and would be open to
757 the general public. This event has been posted on the Mifflinburg Police Department's *Facebook* page.
758

759 Chief Dyroff presented Borough Council with some Monthly Highlights for the Mifflinburg Police
760 Department for January 2018.
761

762 Mayor Cooney presented Borough Council with an update for the Mifflinburg Regional Economic
763 Development (MRED) Alliance. Mayor Cooney updated Borough Council on the following businesses
764 in the Borough:
765

766

- The Tastecraft Market has sold and the new owner will be opening up a new business.

767

768 Mrs. Hackenberg informed Borough Council that they received a copy of the Engineer's Report for
769 January 2018 included in the information tonight.
770

771 Mayor Cooney informed Borough Council that he participated in or will be participating in the
772 following meetings or events:
773

774

- Officiated a wedding at the Rusty Rail Brewing Company located at 5 N 8th Street on Saturday, February 17, 2018.
- Working with the Snyder-Union Opioid Coalition. The next train the trainer session is scheduled for next week.

777

778

779 Mayor Cooney announced that the Mifflinburg Safety Fair is scheduled for Wednesday, June 13, 2018
780 from 5:00 PM to 8:00 PM at the Mifflinburg Community Park. In accordance with the Borough of
781 Mifflinburg Pavilion Reservation Terms and Conditions of Agreement all special events held at the
782 Mifflinburg Community Park/Pool must be pre-approved by Borough Council or the Borough Manager
783 and will require a security deposit in the amount of \$250.00. Borough Council action is requested to
784 approve this event and waive the \$250.00 security deposit.
785

786

787

788 Motion by: Linda L. Lewis
789 Second by: Paul A. Bottiger

790
791 **MOTION: To approve Mayor Cooney's request to utilize the Mifflinburg Community Park on**
792 **Wednesday, June 13, 2018 from 5:00 PM to 8:00 PM to conduct the Mifflinburg Safety Fair and**
793 **to waive the \$250.00 security deposit.**

794
795 Approved via unanimous voice vote.

796
797
798 Mayor Cooney informed Borough Council that he attended the Mifflinburg Little League Association's
799 meeting. The Mifflinburg Little League Association is planning to hold a natural Opening Ceremony at
800 the Mifflinburg Community Park on Saturday, April 28, 2018. Mayor Cooney clarified that he would
801 provide Borough Council with more details as they become available.

802
803
804 Mrs. Hackenberg called an executive session to discuss potential litigation and personnel matters. An
805 executive session was held from 9:14 PM to 9:36 PM.

806
807
808 Motion by: Paul E. Bottiger
809 Second by: Tod M. Steese

810
811 **MOTION: To give the Chief of Police, Mr. Frederick C. Dyroff III a one-time lump sum**
812 **bonus of \$5,000.00 for opting out of the Police Pension Plan which is not required for this**
813 **bonus.**

814
815 Yes – Mr. Fry, Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mr. Bottiger, Mrs. Hackenberg

816
817 No – None

818
819
820 Motion by: Tod M. Steese

821
822 **MOTION: To adjourn the Mifflinburg Borough Council meeting.**

823
824 Approved via unanimous voice vote.

825
826
827 Meeting adjourned at 9:37 PM.

828
829 Respectfully Submitted,

830
831
832 Misty L. Ross
833 Assistant Borough Secretary