

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL

2 March 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

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 Chris Sheaffer, Erin Threet, and Shauna Klinger.

21
22
23 Motion by: Tod M. Steese

24 Second by: Richard J. Fry

25
26 **MOTION: To approve the minutes of the Tuesday, February 20, 2018 regular meeting of**
27 **Mifflinburg Borough Council.**

28
29 Approved via unanimous voice vote.

30
31
32 Motion by: Paul E. Bottiger

33 Second by: Richard J. Fry

34
35 **MOTION: To approve payment of Bill List #2018-03 in the amount of \$566,552.84.**

36
37 Yes – Mr. Bottiger, Mr. Fry, Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mrs. Hackenberg

38
39 No – None

40
41
42 Mr. Tira provided Borough Council with an update on the status of Mr. Dave Gutelius’s 8th Street
43 Development. Mr. Tira reported that Mr. Gutelius’s Attorney, Mr. E. Lee Stinnett II of Salzmann
44 Hughes, P.C, has provided the Deed of Dedication and the Deed of Easement between Dave W. Gutelius
45 and Cindy L. Gutelius and the Borough of Mifflinburg for the sanitary sewage line, water line,
46 stormwater facilities, electrical facilities, and related facilities (the “Utilities”) within the 8th Street
47 subdivision. The Deed of Dedication and the Deed of Easement have been reviewed and there were a
48 couple of items that needed to be addressed which are as follows:

- 49
50 1. Financial security in the amount of 15% of the Improvement Guarantee of the facilities to
51 secure structural integrity of the facilities for a period of 18 months (24 months in the case
52 of work within PennDOT right-of-way) from the date of acceptance by the Borough as
53 required and in accordance with §23-204.4.A of the Subdivision and Land Development
54 Ordinance. Based on the original Improvement’s Guarantee OPCC, the utility cost for the
55 utilities being proposed for dedication was \$286,850.00; therefore, the financial security is
56 in the amount of \$43,027.50.
- 57 2. The addition of the easement of 7.5 feet on lots 1, 2, 3 and 4 since there are existing
58 utilities in this area.
- 59 3. The extension of the 30 foot easement to the western edge of the property adjacent to lot 1.
- 60 4. Modify or remove the language in the deed of dedication that states the utilities are being
61 provided in an “as is, where is” condition since there is a requirement to post a maintenance
62 bond on the dedicated facilities. The utilities are required to be in compliance with
63 Borough specifications and if they fail to be within the 18 months, the Borough can call on
64 the maintenance bond to correct the issue.

67 Mr. Tira informed Borough Council that he forwarded the changes to Mr. Gutelius's Attorney and he
68 Mr. Gutelius's Attorney has indicated that they were amenable to the conditions. Borough Council
69 action is requested to approve the acceptance of the Deed of Dedication and the Deed of Easement,
70 contingent upon Mr. Gutelius providing the maintenance bond and revising the dedication documents to
71 incorporate the changes as listed above.

72
73 Mr. Chris Sheaffer, of Larson Design Group, announced that he is the Engineer for the 8th Street
74 subdivision and stated that the existing 7.5 foot easement would be extended through lot 4; however in
75 looking at old maps, it was notice that there are two (2) existing lots where there's not a current
76 easement in which the Borough may need to seek. A discussion was held; Mrs. Metzger clarified that
77 the Deed of Dedication and the Deed of Easement between Dave W. Gutelius and Cindy L. Gutelius and
78 the Borough of Mifflinburg were only for the utilities within the 8th Street subdivision, and not the street
79 since the street hasn't yet been completed.

80
81 Motion by: Paul E. Bottiger
82 Second by: Tod M. Steese

83
84 **MOTION: To approve the acceptance of the Deed of Dedication and the Deed of Easement**
85 **between Dave W. Gutelius and Cindy L. Gutelius and the Borough of Mifflinburg for the sanitary**
86 **sewage line, water line, stormwater facilities, electrical facilities, and related facilities within the**
87 **8th Street subdivision; contingent upon the conditions as listed and recommended by Mr. Tira.**

88
89 Approved via unanimous voice vote.

90
91
92 Motion by: Tod M. Steese
93 Second by: Richard J. Fry

94
95 **MOTION: To approve the Mifflinburg Borough Zoning Report for February 2018 and authorize**
96 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$1,209.00.**

97
98 Yes – Mr. Fry, Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mr. Bottiger, Mrs. Hackenberg

99
100 No – None

101
102
103 Mrs. Hackenberg announced that Borough Council consideration is requested for Ordinance No. 2018-
104 01; An ordinance relative to the establishment and maintenance of Borough Employees pension annuity,
105 insurance and benefit fund or funds, to amend certain provisions of the Police Pension Plan or program
106 applicable to the police of said Borough and to restate in its entirety such Police Pension Plan or
107 program. Mrs. Metzger informed Borough Council that this ordinance has been advertised for adoption
108 at tonight's meeting. Mr. Tira and Mrs. Metzger detailed the amendments being made to the Police
109 Pension Plan. Mrs. Metzger added that this amendment is the final piece of the Police Contract
110 Arbitration from 2017. Borough Council action is requested to adopt this Ordinance.

111
112 Motion by: Tod M. Steese
113 Second by: Paul E. Bottiger

114
115 **MOTION: To adopt Ordinance No. 2018-01; An ordinance relative to the establishment and**
116 **maintenance of Borough Police pension annuity, insurance and benefit fund or funds, to amend**
117 **certain provisions of the Pension Plan or program applicable to the police of said Borough and to**
118 **restate in its entirety such Police Pension Plan or program.**

119
120 Approved via unanimous voice vote.

121
122
123 Mrs. Metzger announced that the Borough will be flushing hydrants on Wednesday, April 11, 2018 (rain
124 date Thursday, April 12, 2018). This work will begin around mid-day and will continue until complete,
125 probably early evening. This is routine maintenance conducted to remove settled materials, loose
126 deposits of iron and other depositions from the water mains. This will only be completed if water
127 supplies are adequate at this time.

128
129
130
131

132 Mrs. Metzger reminded Borough Council that Mr. William Bekanich, Certified Fire Protection
133 Specialist (CFPS), attended the Borough Work Session that was held on Tuesday, July 11, 2017 to
134 present a brief update on what the Mifflinburg Hose Company has done to try to help improve the
135 Borough's Insurance Service Organization (ISO) rating and to present a request from Mr. Steve Walter,
136 Fire Chief for the Mifflinburg Hose Company. Mr. Walter requested that the Borough consider marking
137 the Borough owned fire hydrants indicating flow levels in accordance with the National Fire Protection
138 Association (NFPA) and the American Water Works Association (AWWA) standards in order to help
139 with the ISO rating and overall firefighting efforts in the Borough. The last flow studies were completed
140 a very long time ago and many system changes have been made since that study; therefore, the numbers
141 are likely inaccurate and would require an update before this could be considered. Mr. Bekanich
142 suggested that the Mifflinburg Hose Company and the ISO could work with the Borough to re-test these
143 hydrant flows the next time the Borough does hydrant flushing; adding that this work could be
144 completed in stages over a couple of years until completed. Mrs. Metzger informed Borough Council
145 that the Borough has contacted Mr. Bekanich to coordinate the hydrant flow testing work that will be
146 completed in conjunction with the hydrant flushing work.

147
148 Mrs. Metzger provided Borough Council with an update on the status of the 2017 Wastewater Treatment
149 Plant (WWTP) Improvements Project. Mrs. Metzger reported that as of Friday, March 9, 2018, all four
150 (4) of the membrane tanks have been replaced and are on-line. The membrane manufacturer (Evoqua
151 Water Technologies, LLC) provided Borough Employees with training on operation and maintenance
152 the week of March 12, 2018 and the WWTP is operating as it should. A substantial completion
153 walkthrough was held earlier today. Evoqua Water Technologies, LLC is recommending that the
154 Borough perform a rebuild of the air compressors serving the plant in the near future.

155
156 Mrs. Metzger informed Borough Council that HRG, Inc. has received Payment Application No. 3 from
157 JP Environmental, LLC for the work completed to date in the amount of \$29,022.00. A copy of the
158 payment application has been included in the information tonight. HRG, Inc. has reviewed the payment
159 application and is recommending that Borough Council take action to approve this payment application.

160
161 Motion by: Paul E. Bottiger

162 Second by: Linda L. Lewis

163
164 **MOTION: To approve Payment Application No. 3 from JP Environmental, LLC for the 2017**
165 **Wastewater Improvements Project in the amount of \$29,022.00.**

166
167 Yes – Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mr. Bottiger, Mr. Fry, Mrs. Hackenberg

168
169 No – None

170
171
172 Mrs. Metzger provided Borough Council with an update on the status of the Headworks Preventative
173 Maintenance Agreement Contract. Mrs. Metzger reported that Mr. Tira has reviewed the Headworks
174 Preventative Maintenance Agreement Contract and has proposed some edits which were forwarded to
175 Headworks for approval. A revised maintenance agreement has been received; however the
176 maintenance agreement didn't incorporate all of the changes. In addition the fee for the service provided
177 under the maintenance agreement has increased from \$3,000.00/year to \$3,000.00/visit.

178
179 Mrs. Metzger announced that the Borough has received correspondence (dated Friday, February 23,
180 2018) from the Pennsylvania Department of Environmental Protection (DEP) on Friday, March 2, 2018,
181 notifying them that they have issued a sewer connection ban for the area served by the Mifflinburg
182 sewer system. This ban was the result of several sanitary sewer overflow violations which occurred and
183 were reported to DEP by the Borough over the past year. Borough Management immediately notified
184 the Central Keystone Council of Governments (CK-COG) of this connection ban for any new permits,
185 and followed-up with DEP for the one (1) building that already had the building permit in place. DEP is
186 requiring that the Borough prepare and submit a Corrective Action Plan (CAP) to address the existing
187 sanitary sewer overload conditions associated with infiltration/inflow. This CAP must be submitted to
188 DEP prior to Thursday, May 31, 2018 (90 days following receipt of DEP correspondence). Once the
189 CAP is approved and the Borough is able to show reductions in these extraneous flows, then DEP will
190 decide if they will permit any new connections to the system. A meeting has been scheduled with DEP
191 on Tuesday, March 27, 2018 to discuss the proposed work to be completed under the CAP.

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195
196

197 Mrs. Metzger reported that Borough Management has been working to summarize the information that
198 Mrs. Erin Threet, HRG, Inc., outlined at the Borough Work Session that was held on Tuesday, March 6,
199 2018 on what HRG, Inc. thought would be necessary for the CAP. This information includes sewer
200 system work completed over the past 10-15 years, review of existing and proposed changes to
201 ordinances/resolutions, summarization of areas scheduled for work-both testing and construction, and
202 notifying the public of the connection ban and what it means. As requested by Borough Staff since
203 receipt of the letter from DEP, HRG, Inc., has been providing preliminary assistance related to this task
204 (flow metering, coordination with DEP, etc.). HRG, Inc. has prepared a proposal to formalize
205 authorization for work already performed and to continue to provide professional engineering assistance
206 to Borough Staff as discussed during the Borough Work Session. HRG, Inc. anticipates providing the
207 following scope of services in support of the compliance and reporting requirements identified in 25 Pa.
208 Code § 94.21:

- 209
- 210 1. Prepare for and attend one (1) initial meeting with DEP to discuss proposed corrective
211 actions prior to completing the written CAP. Negotiation for potential release of EDU's for
212 connection to the system will also be discussed during the meeting.
- 213 2. Review system mapping and photo documentation provided by Borough Staff to provide
214 recommendations regarding the installation of existing Borough flow metering equipment.
- 215 3. Prepare and provide written recommendations for the maintenance of the flow metering
216 equipment and associated data collection.
- 217 4. Provide the Borough with guidance and assistance for preparation of the written CAP for
218 submission to DEP prior to Thursday, May 31, 2018 (90 days following receipt of DEP
219 correspondence). For the purposes of this proposal, we have assumed that HRG will
220 provide examples, a written outline of proposed corrective actions, and review of Borough-
221 prepared CAP. We have also assumed that all sanitary sewer system mapping will be
222 prepared by the Borough.
- 223 5. Provide the Borough with guidance and assistance for development of a Private Property I/I
224 Program.
- 225 6. Compile and analyze Borough-provided sanitary sewer flow and rainfall data. For the
226 purposes of this proposal, we have assumed that HRG will perform bi-weekly data
227 compilations/reviews over the course of one (1) year of metering, or a total of 26 times.
- 228 7. Prepare opinions of probable cost for recommended for corrective actions involving
229 rehabilitation or replacement of sanitary sewer facilities. For the purposes of this proposal,
230 we have assumed that the Borough will provide project scopes based on previously
231 analyzed system data for our use. Preparation of three (3) cost opinions was assumed.
- 232 8. Provide the Borough with guidance and assistance for preparation of up to two (2) Semi-
233 Annual CAP Update Reports by the established deadlines by DEP. These Update Reports
234 are assumed to include the following:
 - 235 a. A summary of continuous operations and system improvements completed as well
236 as a summary of wet weather events during the past six (6) months for each
237 submission to DEP.
 - 238 b. A summary of any proposed or completed connections to the sanitary sewer system.

239

240 For the purposes of this proposal, we have assumed that HRG will provide examples,
241 analysis of system flow data as described in number 6 (above), a written outline of
242 completed and proposed corrective actions, and review of the Borough-prepared Update
243 Reports.

- 244 9. Assist the Borough in negotiating the release of EDU's for connection to the system and
245 tracking those EDU's connected for submission to DEP.

246

247 HRG, Inc. is proposing to complete the above references scope of services on a time and materials basis
248 for a fee not-to-exceed \$23,550.00 without prior authorization. A copy of the proposal has been
249 included in the information tonight. Borough Council action is requested to consider this proposal.

250

251 Motion by: Paul E. Bottiger

252 Second by: Linda L. Lewis

253

254 **MOTION: To enter into an engineering services agreement with HRG, Inc. to provide**
255 **professional engineering assistance related to the required Corrective Action Plan (CAP)**
256 **submission and associated coordination with the Pennsylvania Department of Environmental**
257 **Protection (DEP) on a time and materials basis for a fee not-to-exceed \$23,550.00.**

258

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

260

261 No – None

262

263

264 Mrs. Metzger pointed out that she has distributed (via email) copies of Resolution No. 2013-03; A
265 resolution establishing and adopting a policy for the distribution of connection permits under state,
266 federal, or other regulatory limitations. Mrs. Metzger clarified that this resolution specifies how EDUs
267 are to be distributed during a connection ban and requested that Mr. Tira and Borough Council review
268 the existing resolution and consider updating the document.
269

270 Mrs. Metzger reminded Borough Council that they took action at the Tuesday, February 20, 2018
271 regular Borough Council meeting to approve the dates for the Annual Spring Drop-Off event for April
272 25-27, 2018 (12:00-8:00 PM) and April 28, 2018 (8:00 AM-12:00 PM). Mrs. Metzger reported that
273 Borough Management has solicited quotes for hauling fees for this project. The quote opening was held
274 on Friday, March 16, 2018 at 1:00 PM. There were two (2) quotes received and are as follows:
275

	<u>B&W</u>	<u>Hometown</u>
	<u>Disposal</u>	<u>Disposal</u>
276 Roll-off load hauled	\$ 245.00	\$ 275.00
277 Total price per ton for disposal	\$ 48.05	\$ 48.05
278 Cost for return of unused roll-off	<u>\$ 225.00</u>	<u>\$ 175.00</u>
279 Cost based on 2017 quantities	\$8,126.08	\$8,516.08

282
283 A copy of the quote tabulation has been included in the information tonight. Borough Council action is
284 requested to award the Annual Spring Drop-Off event to the lowest quote received for the unit price
285 amounts as listed on the tabulation.
286

287 Motion by: Paul E. Bottiger

288 Second by: Richard J. Fry

289

290 **MOTION: To award the Annual Spring Drop-Off event to B&W Disposal for the unit price**
291 **amounts of \$245.00 per roll-off load hauled; \$48.05 for total price per ton for disposal; \$225.00 for**
292 **cost for return of unused roll-off.**
293

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

295

296 No – None

297

298

299 Mrs. Metzger informed Borough Council that Mr. Matthew Wells and Miss Maura McLaughlin, Park
300 Co-Directors, are requesting that the following Mifflinburg Park/Pool employees be rehired for the 2018
301 season:

302 Park Co-Directors

303 Matt Wells Maura McLaughlin

304

305 Park Employees

306 Ryli Amabile Tyler Bailey Nolan Beck

307 Mason Bollinger Aiden Bomgardner Gabe DeFacis

308 Olivia Finerghy Molly Kerstetter Aaron Lichtel

309 Thomas Lichtel Madison Machmer Sydney McLaughlin

310 Megan Nogle Rachael Peoples Michael Renard

311 Casey Snook Mashayla Valentine

312

313 A copy of the list has been included in the information tonight. Borough Council action is requested to
314 rehire the Mifflinburg Park/Pool employees as listed and recommended by Mr. Matthew Wells and Miss
315 Maura McLaughlin, Park Co-Directors.
316

317 Motion by: Tod M. Steese

318 Second by: Linda L. Lewis

319

320 **MOTION: To rehire the Mifflinburg Park/Pool employees for the 2018 season as listed and**
321 **recommended by Mr. Matthew Wells and Miss Maura McLaughlin, Park Co-Directors.**
322

323 Approved via unanimous voice vote.
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326
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329

330 Mrs. Metzger reported that she has received a request from Mrs. Tina Hook, President of the
331 Mifflinburg Little League Association, to utilize the Mifflinburg Community Park on Saturday, April
332 28, 2018 to conduct the Mifflinburg Little League's Opening Day Celebration. In accordance with
333 Chapter 18 of the Borough Code of Ordinances the dates during which the recreation area shall be used
334 by the general public shall be April 15th through October 15th of each calendar year; pavilion
335 reservations are accepted May 15th through September 15th of each calendar year. The Mifflinburg
336 Little League Association has already completed and submitted the required pavilion reservation forms.
337 Borough Council action is requested to approve this event, contingent upon submission of the security
338 deposit in the amount of \$250.00 as well as a certificate of insurance.

339

340

341 Motion by: Tod M. Steese

342 Second by: Linda L. Lewis

343

344 **MOTION: To approve the Mifflinburg Little League Association's request to utilize the**
345 **Mifflinburg Community Park on Saturday, April 28, 2018, to conduct the their Opening Day**
346 **Celebration, contingent upon submission of the security deposit in the amount of \$250.00 as well**
347 **as a certificate of insurance.**

348

349 Mayor Cooney interjected that the Mifflinburg Little League Association has contacted Mr. Allen
350 Apple, the commander of the Mifflinburg Fire Police, to request that the Mifflinburg Fire Police be
351 present at this event to do traffic control. Subsequently, Mr. Apple contacted him to request that this
352 event be added to their approved events. Borough Council action is requested to approve this addition.

353

354 Motion by: Tod M. Steese

355 Second by: Linda L. Lewis

356

357 **MOTION: To amend the previous motion to include "and to approve the addition of the**
358 **Mifflinburg Little League Association's Opening Day Celebration on Saturday, April 28, 2018 to**
359 **the 2018 Special Events for the Mifflinburg Fire Police as requested".**

360

361 Approved via unanimous voice vote.

362

363

364

365 Mrs. Metzger announced that State Representative Aaron Bernstine, R-10, Lawrence County, introduced
366 House Bill (HB2030) on Thursday, February 8 2018 which amends Title 8 (Boroughs and Incorporated
367 Towns) of the Pennsylvania Consolidated Statutes, in manufacture and supply of electricity, further
368 providing for specific powers and providing for security deposits, for payment agreements and for
369 restrictions on termination; and making an editorial change. This legislation is basically the same as the
370 previously introduced HB1405; the legislation is making minor changes which include an update to
371 technical language as well as language that would make this legislation only applicable to a limited class
372 of municipalities. The proposed legislation has passed legislature and was reported as committed by the
373 Pennsylvania House State Government Committee and referred to State Government on Tuesday, March
374 13, 2018. Mrs. Metzger added that the Pennsylvania Municipal Electric Association (PMEA), as well as
375 the Pennsylvania Association of Boroughs (PSAB), are both opposing this legislation. Mrs. Metzger
376 clarified that she already contacted State Representative Fred Keller and spoke with his Staff.

377

378 Mrs. Metzger informed Borough Council that included in the information they received a copy of a letter
379 from State Representative Fred Keller inviting them to a Municipal Leaders Meeting which is scheduled
380 to be held on Thursday, May 17, 2018 at 6:00 PM on the 2nd floor of the Mifflinburg Government Center
381 located at 343 Chestnut Street, Suite 1.

382

383 Mrs. Metzger reported that it was brought to Borough Management's attention that during the 3rd Street
384 Bridge Replacement Project, that manholes that were installed as part of the project, were not properly
385 sealed. Borough Management has notified Union County and PennDOT who contacted HRI, the
386 contractor for the 3rd Street Bridge Replacement Project. Mr. Rowe explained that in accord with the
387 Borough Code of Ordinances, all manholes located in the floodplains are required to be watertight in
388 order to prevent excess rainwater runoff from entering into the Borough's sanitary sewer system. Upon
389 inspection of the manholes, it was determined that there are three (3) manholes located in the floodplains
390 that don't have watertight lids or watertight manhole inserts. Mr. Rowe clarified that since this work
391 was missed by the PennDOT inspector during the project inspection, HRI is responsible to fix the
392 manholes at no cost to the Borough.

393

394

395 Mrs. Metzger reported that Mr. Jason Mitchell, the Borough Public Works Supervisor, has solicited
396 quotes for the Annual Mowing Project. The quote opening was held on Friday, March 16, 2018 at 1:00
397 PM. These quotes were received on a unit price/area per mowing for two (2) years. There was one (1)
398 quote received from Lighthouse Lawscapes Inc. for the unit price amount totaling \$342.00 per
399 mowing. Borough Management is recommending that Borough Council take action to award the
400 contract to Lighthouse Lawscapes Inc. for the unit price amount totaling \$342.00 per mowing.
401

402 Mr. Zimmerman inquired if a new mower was included in the 2018 budget. Mrs. Metzger stated that a
403 new mower was included in the 2018 budget. Mr. Zimmerman then inquired why the Borough isn't
404 doing their own mowing when they have thirteen (13) maintenance employees that they are already
405 paying. Mrs. Metzger reported that this matter was previously discussed during preparation of the 2018
406 budget. At that time, it was decided that the Borough would move forward with the mowing bids. Mrs.
407 Metzger pointed out that the 2018-2019 Bi-Annual Mowing contract is for the unit price amount totaling
408 \$342.00 per mowing; the 2016-2017 Bi-Annual Mowing contract was for the unit price amount totaling
409 \$366.00 per mowing. A discussion was held; Mr. Bottiger and Mrs. Lewis both agreed that they believe
410 contracting out the mowing is the cheaper route to go. Mr. Zimmerman expressed that he believes it's
411 time the Borough starts doing their own mowing work or get rid of some employees.
412

413 Motion by: Paul E. Bottiger

414 Second by: Tod M. Steese

415

416 **MOTION: To award the two (2) year Annual Mowing contract to Lighthouse Landscapes for the**
417 **unit price amount totaling \$342.00 per mowing.**
418

418

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

420

421 No – Mr. Zimmerman

422

423

424 Mrs. Metzger requested an executive session to discuss potential litigation and personnel matters.
425

425

426 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for
427 February 2018 included in the information tonight.
428

428

429 Mayor Cooney reported that in addition to the Mifflinburg Fire Police doing traffic control at the
430 Mifflinburg Little League's Opening Day Celebration at the Mifflinburg Community Park on Saturday,
431 April 28, 2018, the Mifflinburg Little Leaguers will receive a police escort as they parade around.
432

432

433 Mayor Cooney provided Borough Council with an update on the status of the Mifflinburg Christkindl
434 Market. Mayor Cooney reported that Chief Dyroff sent (via mail) the letter to the Christkindl Market of
435 Mifflinburg, Inc. informing them of the safety recommendations that the Public Safety Committee is
436 recommending for the 2018 Christkindl Market. Subsequent to receipt of the letter, he and Chief Dyroff
437 met with Mr. Matt Wagner to discuss the requirements; Mr. Wagner is objecting to two (2) requirements
438 in letter which are as follows:
439

439

440 • The Mifflinburg Police Department reserves the right to contact flagging company prior to
441 and during the Market to ensure they are aware of the following:
442

442

443 1. The Fire Company house siren will sound for all emergency calls the fire
444 company responds to during Market hours.

444

445 2. The dates/times of road closures due to various parade events.
446 3. Ensuring flaggers know they are responsible for turning four FLAGGER AHEAD
447 signs prior to and at the end of each day the Market is open.
448

448

449 • The Mifflinburg Police Department reserves the right to contact the bussing company prior
450 to and during the Market to ensure they are aware of the following:
451

451

452 1. Bussing routes.
453 2. Advise that bus drivers must stop at properly posted stop signs within the
454 Borough. This past year we received complaints of buses running stop signs on
455 multiple days while on East Market Street.
456

456

457 Mayor Cooney announced that the Mifflinburg 4th of July 5k race has been approved and they have
458 received the required PennDOT permits. Mayor Cooney stated that they will also be receiving a police
459 escort at the beginning of the race.
460

460

461 Chief Dyroff announced that the Mifflinburg Police Department hosted an Active Shooter Awareness
462 discussion at the Mifflinburg Area High School Auditorium on Thursday March 1, 2018 from 6:30-8:00
463 PM, as part of the Mifflinburg Police Department's ongoing public outreach program. Chief Dyroff
464 informed Borough Council that he and Officers Tracy A. Fetterman and Mark E. Bailey conducted the
465 event which included a brief history and a general overview of mass shootings and what to expect and
466 how to react should you become involved in an active shooter incident. Following the presentation,
467 questions were taken from the audience. Mayor Cooney and Mr. Daniel Lichtel, the Mifflinburg Area
468 School District Superintendent, were also on hand to answer questions. The event was open to the
469 general public; there were about 100 people who attended this event
470

471 Chief Dyroff presented Borough Council with some Monthly Highlights for the Mifflinburg Police
472 Department for February 2018.
473

474 Chief Dyroff reminded Borough Council that Mr. Vincent Yonai, a resident of 629 Chestnut Street,
475 attended the Tuesday, February 20, 2018 regular Borough Council meeting concerning traffic speeding on
476 Chestnut Street between 6th, 7th, and 8th Streets. At this meeting, Mr. Yonai vocally expressed his
477 displeasure with the enforcement of the speed limit at the 600 block of Chestnut Street by the Mifflinburg
478 Police Department and requested a little more effort from the Mifflinburg Police Department by running
479 speed enforcement in this area daily, a ½ hour in the morning and a ½ hour in the evening, during the
480 busy times (previously provided to the Mifflinburg Police Department) of the day in order to slow drivers
481 down. Chief Dyroff reported that since the February 20, 2018 Council meeting, the Mifflinburg Police
482 Department have performed speed enforcement in this area. A total of 61 speed details were conducted
483 (15-30 minutes each) at various times of the day which resulted in the following:
484

- 485 • 5 traffic citations: 3 of which were speeding, with the highest speed of 48.3 mph.
- 486 • 12 written warnings: with only 1 for speeding, the other warnings were for equipment and
487 other violations.
- 488 • A non-reportable crash occurred on March 20, 2018 at 8th and Chestnut Streets; however it
489 was not speed related, a car pulled into the path of a westbound car, causing the westbound
490 car to go up over the curb.
491

492 Chief Dyroff expressed that he understands Mr. Yonai's concerns, however the Mifflinburg Police
493 Department has looked into this not only this past month, but on previous occasions with similar results.
494 Chief Dyroff added that he agrees, you will have occasional vehicles speeding through at high speeds, as
495 you do on every road, but the vast majority of people are driving between 30 and 35 mph which is below
496 the enforceable limit. Chief Dyroff clarified that the Mifflinburg Police Department will continue to
497 perform speed enforcement in this general area, but not at the frequency of this past month. Mrs.
498 Hackenberg directed Chief Dyroff to send a letter to Mr. Yonai informing him of this.
499

500 Chief Dyroff requested an executive session to discuss personnel matters.
501

502 Mr. Zimmerman expressed that in lite of the connection ban and the recent sanitary sewer overflow
503 violations at the Wastewater Treatment Plant (WWTP), he thinks the Borough really needs to see what
504 options they have and maybe look at a better avenue with regard to upgrading or improving the WWTP.
505 Mr. Zimmerman suggested that the Borough may want to consider the possibility of changing the
506 technology of the WWTP to get rid of the membranes in the future. Mrs. Erin Threet, HRG, Inc., stated
507 that changing the technology of the WWTP could be looked at in the future; however there would be a
508 lot of hurdles and it would be difficult at this point. Mrs. Threet detailed the hurdles and difficulties that
509 would be involved with changing the technology of the WWTP. Mr. Tira informed Borough Council
510 that there may also be potential issues with funding; he's seen in the past where the Pennsylvania
511 Infrastructure Investment Authority (PENNVEST), or the funding agency, denied applications for
512 funding due to the cost-effectiveness of the proposed project in the sense of capital expenditures. Mrs.
513 Metzger added that in addition, any changes to the technology of the WWTP would require approval
514 from the Pennsylvania Department of Environmental Protection (DEP). Mrs. Threet clarified that you
515 very rarely see a regulatory agency approve a change to a treatment process that will provide a lesser
516 quality effluent which the Borough's effluent has been consistently beautiful, near drinking water
517 quality, through all of this process. A lengthy discussion was held; Ms. Lewis expressed that she
518 believes the detection work will help the Borough locate the inflow and infrastructure problems and
519 correct any deficiencies in the Borough's sewer system.
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526 Mayor Cooney presented Borough Council with an update for the Mifflinburg Regional Economic
527 Development (MRED) Alliance. Mayor Cooney updated Borough Council on the following businesses
528 in the Borough:
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- 530 • Whispering Willow Primitives and Antiques located at 451 Chestnut Street is branching
531 out; they will now be selling pet supplies.
- 532 • Spoke to the new owners of the old Tastecraft Market located at 315 Chestnut Street;
533 they're plans are to renovate the building and opening up an antique shop and possible a
534 small café downstairs, and then eventually live upstairs.
535

536 Mrs. Erin Threet, HRG, Inc., informed Borough Council that they received a copy of the Engineer's
537 Report for March 2018 included in the information tonight.
538

539 Mrs. Erin Threet, HRG, Inc., reported that HRG, Inc. continues to provide miscellaneous engineering
540 services as requested by the Borough. Since last month's meeting, HRG, Inc. has provided assistance
541 related to preparation of the required 5-day notice of violation for the February and March Wastewater
542 Treatment Plant (WWTP) overflow and associated coordination with DEP.
543

544 Mrs. Erin Threet, HRG, Inc., provided Borough Council with an update on the status of the annual
545 Chapter 94 Wasteload Management Report. Mrs. Threet reported that HRG, Inc. has been working on
546 the annual Chapter 94 Wasteload Management Report. HRG, Inc. is reviewing the report with Borough
547 Staff and will submit the report prior to the Saturday, March 31, 2018 deadline.
548

549 Mrs. Erin Threet, HRG, Inc., provided Borough Council with an update on the status of the 2017
550 Wastewater Treatment Plant (WWTP) Improvements Project. Mrs. Threet reported that the Contractor
551 (JP Environmental, LLC) mobilized and began work the week of Monday, December 25, 2017. As of
552 Friday, March 9, 2018, all four (4) of the membrane tanks have been replaced and are on-line. A
553 substantial completion walkthrough was held earlier today and a minor punchlist was developed. It's
554 anticipated that the final payment application and closeout documentation will be received by the
555 Tuesday, April 17, 2018 regular Borough Council meeting. Mr. Rowe pointed out that for the record,
556 the Contractor (JP Environmental, LLC) did an excellent job and were great to work with. Mrs. Threet
557 agreed with Mr. Rowe and stated that the Contract was especially great to work with during the
558 Suspension of Work Notice. JP Environmental, LLC was willing to work with the Borough to
559 accommodate the delay caused by the suspension; a lot of contractor would have claimed additional
560 money and damages as a result of the suspension. Mrs. Metzger added that the other thing the
561 Treatment Plant Operators made mention of, was that the Contactor would show them how work could
562 be done more easily if they were struggling.
563

564 Mrs. Erin Threet, HRG, Inc., noted that she prepared the proposal to formalize authorization for work
565 already performed and to continue to assist the Borough as discussed during the Borough Work Session
566 that was held on Tuesday, March 6, 2018. Mrs. Threet explained that she prepared the proposal by
567 outlining the scope of services (as discussed during the Borough Work Session) on what HRG, Inc.
568 thought would be necessary for the Corrective Action Plan (CAP) submission, and then budgeted hours
569 associated with it; and that is how she determined the fee for the proposal. The bulk of this effort is
570 actually in compiling and analyzing Borough-provided sanitary sewer flow and rainfall data. It's
571 imperative that HRG, Inc. performs the bi-weekly data compilations/reviews and stay on top of things.
572 Mrs. Threet clarified that the proposal is on a time and materials basis for a fee not-to-exceed
573 \$23,550.00 without prior authorization. HRG, Inc. will do their best to minimize time and expense and
574 not come back to Borough Council unless something above and beyond the scope of services occurs.
575

576 Mr. Zimmerman expressed that he hopes the Borough Crew continues to move forward with
577 investigating the system by either smoke testing, sewer camera, video tapping or placing flow meters in
578 manholes; he thought it was admirable. Mr. Rowe detailed the investigation work completed to date and
579 the work planned over the coming months. A discussion was held; Mrs. Metzger informed Borough
580 Council that an article has been placed in the *Mifflinburg News & Views* and on the Borough's website
581 informing the public of the sewer connection ban and what it means and asking for their help with
582 checking out their own property to ensure that they don't have any 'illegal' connections. Mrs.
583 Hackenberg suggested that Mrs. Metzger should include pictures showing what 'illegal' connections
584 looks like.
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592 Mayor Cooney informed Borough Council that he participated in or will be participating in the
593 following meetings or events:

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- 595 • Officiated a wedding at the La Primavera restaurant located at 2593 Old Turnpike Road,
596 Lewisburg on March 10, 2018.
- 597 • Attended the Miller Center for Recreation and Wellness's, located at 120 Hardwood Drive,
598 Lewisburg, VIP grand opening reception on Friday, March 2, 2018.
- 599 • A tour of the new Union County YMCA building located in the former Walmart building
600 along Route 15 in Lewisburg.
- 601 • Read to the Kelly Elementary School (located at 325 Hospital Drive, Lewisburg) students
602 for National Read Across America Day on Friday, March 2, 2018.
- 603 • The Annual Mifflinburg Community Easter Egg Hunt that is scheduled for Saturday,
604 March 31, 2018 at 10:00 AM at the VFW Carnival Grounds. Mayor Cooney stated that the
605 Mifflinburg Community Easter Egg Hunt is now hosted solely by the Mifflinburg VFW.

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607

608 Mrs. Hackenberg called an executive session to discuss potential litigation and personnel matters. An
609 executive session was held from 8:11 PM to 8:23 PM.

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611

612 Motion by: Duane L. Zimmerman

613 Second by: Paul E. Bottiger

614

615 **MOTION: To make Mr. Jackson Stroup a permanent Full-Time Police Officer for the**
616 **Mifflinburg Police Department under the current Uniformed Employment Contract effective**
617 **Tuesday, April 10, 2018.**

618

619

620 Approved via unanimous voice vote.

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622

623 Motion by: Tod M. Steese

624

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

626

627 Approved via unanimous voice vote.

628

629

630 Meeting adjourned at 9:37 PM.

631

632 Respectfully Submitted,

633

634

635 Misty L. Ross

636 Assistant Borough Secretary