

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL

2 August 21, 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 There was one (1) visitor present at this meeting which was Luis Montesinos.

21  
22  
23 Motion by: Tod M. Steese

24 Second by: Richard J. Fry

25  
26 **MOTION: To approve the minutes of the Tuesday, July 17, 2018 regular meeting of Mifflinburg**  
27 **Borough Council.**

28  
29 Approved via unanimous voice vote.

30  
31  
32 Motion by: Linda L. Lewis

33 Second by: Paul E. Bottiger

34  
35 **MOTION: To approve payment of Bill List #2018-08 in the amount of \$914,009.34.**

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

38  
39 No – None

40  
41  
42 Mr. Luis Montesinos attended tonight’s meeting regarding the proposed Mifflinburg Dog Park at the  
43 Harry Haney Park on North 8<sup>th</sup> Street. Mr. Montesinos informed Borough Council that he has received  
44 and reviewed the revised Use Agreement between the Borough and the Mifflinburg Dog Park  
45 Association and Borough Council action is requested to approve this agreement in order to continue  
46 with fundraising. Mrs. Metzger reminded Borough Council that Mr. Luis and Mrs. Taylor Montesinos  
47 attended the Tuesday, July 17, 2018 regular Borough Council meeting to address Borough Council  
48 about the draft agreement; Mr. and Mrs. Montesinos didn’t feel that all of the maintenance spelled out in  
49 the agreement should be the Mifflinburg Dog Park Association’s responsibility. Additionally, Mr. and  
50 Mrs. Montesinos also questioned the necessity of the Mifflinburg Dog Park Association having liability  
51 insurance. This matter was referred to the Tuesday, August 7, 2018 Borough Work Session to be  
52 discussed further. After discussion, it was the consensus of Borough Council that the following  
53 revisions could be made to the agreement (changes: ~~deletions~~/additions):

- 54  
55
- 56 • Number 2, Line Item b - added verbiage: A preliminary plan of the dog park is shown as  
57 Exhibit A. The Association shall be responsible for the cost of all improvements necessary  
58 to create the dog park.
  - 59 • Number 2, Line Item f - changed verbiage: The dog park shall be divided into two areas;  
60 ~~one area for large dogs and one area for small dogs~~ as designated by the Association. The  
61 Association shall be responsible for the regulation of the two areas.
  - 62 • Number 3 - added verbiage: **Hours of Operation:** The Mifflinburg Dog Park may be open  
63 during the hours between 6:00 a.m. and 9:00 p.m. between the dates of April 15<sup>th</sup> and  
64 October 15<sup>th</sup> each year. The Association shall be responsible for setting hours within these  
65 limits and ensuring adherence to the limits.
  - 66 • Number 7, Line Item b - changed verbiage: Maintenance shall be performed at minimum,  
~~three (3) times a month~~ weekly.

- 67
- Number 8 - added Line Item: Mowing grass within the gated area.
  - Number 9 - changed verbiage: **Term of Agreement:** This Agreement shall be for a term of one year, effective \_\_\_\_\_. The Agreement ~~shall automatically renew~~ may be renewed by mutual written agreement of the parties for additional one (1) year terms, unless terminated in accordance with the terms herein. The Borough reserves the right to terminate this Agreement, without cause, at any time, upon sixty (60) days' notice to the Association, if the Association does not correct a breach of the terms of this Agreement within fifteen (15) days of notice of a breach of the Agreement. The Association may terminate the Agreement by written notice sent to the Borough thirty (30) days prior to the termination date at the address set forth below.
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78 Mrs. Metzger pointed out that the description for the proposed Mifflinburg Dog Park (Number 2, Line  
79 Item c) is still missing from the agreement, as well as the effective date of the agreement (Number 9),  
80 and the required insurance amount (Number 10, Line Item b). Mr. Tira stated that he would insert the  
81 missing information subsequent to Borough Council approving the agreement.

82

83 Motion by: Paul E. Bottiger

84 Second by: Tod M. Steese

85

86 **MOTION: To approve the Off-Lease Dog Park Maintenance Agreement between the Borough of**  
87 **Mifflinburg and the Mifflinburg Dog Park Association for the proposed Mifflinburg Dog Park at**  
88 **the Harry Haney Park on North 8<sup>th</sup> Street with the revisions as described.**

89

90 Approved via unanimous voice vote.

91  
92

93 Mr. Tira informed Borough Council that he would insert the missing information and then email the  
94 revised agreement to Mrs. Metzger to obtain signature. Mr. Tira clarified that the next step would be to  
95 amend §3-7 "Dogs Prohibited in Mifflinburg Borough Park" of the Borough Code of Ordinances to  
96 permit dogs in the Harry Haney Park on North 8<sup>th</sup> Street.

97  
98

99 Motion by: Tod M. Steese

100 Second by: Paul E. Bottiger

101

102 **MOTION: To approve the Mifflinburg Borough Zoning Report for July 2018 and authorize**  
103 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$1,534.50.**

104

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

106

107 No – None

108  
109

110 Mr. Tira provided Borough Council with an update on the status of the Utility Dedication information  
111 for Mr. Dave Gutelius's 8<sup>th</sup> Street Development. Mr. Tira reported that Mr. Gutelius's Attorney, Mr. E.  
112 Lee Stinnett II of Salzmann Hughes, P.C, has provided the revised Deed of Dedication and the Deed of  
113 Easement between Dave W. Gutelius and Cindy L. Gutelius and the Borough of Mifflinburg for the  
114 sanitary sewage line, water line, stormwater facilities, electrical facilities, and related facilities (the  
115 "Utilities") within the 8<sup>th</sup> Street subdivision. The revised Deed of Dedication and the Deed of Easement  
116 have been reviewed and Borough Council action is requested to approve these documents.

117

118 Motion by: Paul E. Bottiger

119 Second by: Duane L. Zimmerman

120

121 **MOTION: To approve the Deed of Dedication and the Deed of Easement between Dave W.**  
122 **Gutelius and Cindy L. Gutelius and the Borough of Mifflinburg for the sanitary sewage line,**  
123 **water line, stormwater facilities, electrical facilities, and related facilities (the "Utilities") within**  
124 **the 8<sup>th</sup> Street subdivision.**

125

126 Approved via unanimous voice vote.

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132 Mrs. Metzger informed Borough Council that she received a request from Ms. Angela Troup, with the  
133 Union County Public Library System, to utilize the Mifflinburg Community Park on Sunday, September  
134 9, 2018 from 2:00 PM to 6:00 PM, to hold an Outdoor Movie Showing (The Incredibles) for Library  
135 Card Sign-Up month, as well as some other family friendly fun. The Union County Public Library  
136 System has already completed and submitted the required pavilion reservation forms, along with the  
137 security deposit in the amount of \$250.00 and a certificate of insurance. Borough Council action is  
138 requested to approve this event at the park.

139  
140 Motion by: Tod M. Steese  
141 Second by: Linda L. Lewis

142  
143 **MOTION: To approve the Union County Public Library System's request to utilize the**  
144 **Mifflinburg Community Park on Sunday, September 9, 2018 from 2:00 PM to 6:00 PM, to hold an**  
145 **Outdoor Movie Showing (The Incredibles) for Library Card Sign-Up month, as well as some other**  
146 **family friendly fun.**

147  
148 Approved via unanimous voice vote.

149  
150  
151 Mrs. Metzger informed Borough Council that she also received a request from the United Pentecostal  
152 Church (UPC) of Lewisburg to utilize the Gazebo at the Mifflinburg Community Park on Saturday,  
153 August 18, 2018 to conduct a Backpack Giveaway for school age children, as well as some other family  
154 friendly fun. The UPC completed and submitted the required pavilion reservation forms, along with the  
155 security deposit in the amount of \$250.00 and a certificate of insurance. Mrs. Metzger clarified that this  
156 event has already occurred; however Borough Council action is still required to approve this event.

157  
158 Motion by: Paul E. Bottiger  
159 Second by: Linda L. Lewis

160  
161 **MOTION: To approve the United Pentecostal Church of Lewisburg's (UPCL) request to utilize**  
162 **the Gazebo at the Mifflinburg Community Park on Saturday, August 18, 2018 to conduct the their**  
163 **Backpack Giveaway event.**

164  
165 Approved via unanimous voice vote.

166  
167  
168 Mrs. Metzger announced that she has submitted the Community Development Block Grant (CDBG)  
169 Application through the Pennsylvania Department of Community and Economic Development (DCED)  
170 for the sewer main repair portion of the Hickory Street Sewer Replacement Project (between 3<sup>rd</sup> and 4<sup>th</sup>  
171 Streets) as approved at the Tuesday, July 17, 2018 regular Borough Council meeting. The estimated  
172 cost of the Hickory Street Sewer Replacement Project was \$260,000.00, and the grant amount applied  
173 for was \$100,000.00. The required income survey was completed of the residents who directly benefit  
174 from this project, with 100% responses received. Unfortunately, the Borough did not meet the income  
175 requirements for this grant; the grant required 51% low to moderate income and the Boroughs worked  
176 out to 46.88%, and therefore this project does not qualify for CDBG funding.

177  
178 Mrs. Metzger reported that she sent correspondence to the Central Susquehanna Regional 9-1-1 Center  
179 and Union County Commissioners voicing Borough Council's concerns with regard to the recent 9-1-1  
180 service outages as directed by Borough Council at the Tuesday, July 17, 2018 regular Borough Council  
181 meeting. A response was received from both Union County and the Regional 911 Center detailing the  
182 outages and resolutions. A copy of both responses were sent email to Borough Council members via  
183 email upon receipt.

184  
185 Mrs. Metzger provided Borough Council with an update on the status of the 2018 Annual Street and  
186 Alley Paving Project. Mrs. Metzger reported that the Borough has issued notice to proceed for the  
187 paving and double bituminous seal coat proposals for the 2018 Annual Street and Alley Paving Project  
188 and are awaiting scheduling information from the contractors. The double bituminous seal coat work is  
189 tentatively scheduled to be completed on Thursday, August 23, 2018 and Friday, August 24, 2018,  
190 providing that the weather cooperates.

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197

198 Mr. Rowe provided Borough Council with an update on the status of the S. 7<sup>th</sup> Street Reconstruction  
199 Project. Mr. Rowe reported that Dave Gutelius Excavating, Inc., the contractor for the 7<sup>th</sup> Street  
200 Reconstruction Project, has begun work associated with this project. They have run into a few minor  
201 problems with regard to the width of the concrete area adjacent to the curb, and one with regard to the  
202 placement of an inlet in the project area. Change Order No. 1 has been prepared in the amount of  
203 \$12,321.34 to incorporate this additional work to the contract. LIVIC Civil, LLC has reviewed the  
204 change order and is recommending that Borough Council take action to approve this change order. Mr.  
205 Rowe clarified that the original contract amount was for the lump sum amount of \$137,000.00; however,  
206 the new contract amount including this change order will be \$149,321.34.

207  
208 Motion by: Paul E. Bottiger

209 Second by: Linda L. Lewis

210  
211 **MOTION: To approve Change Order No. 1 from Dave Gutelius Excavating, Inc. for the S. 7<sup>th</sup>**  
212 **Street Reconstruction Project in the amount of \$12,321.34.**

213  
214 Mrs. Hackenberg inquired if Dave Gutelius Excavating, Inc. was aware that the Mifflinburg Area  
215 School District (MASD) begins classes on Wednesday, August 22, 2018, and as to weather or not they  
216 were going to wait to begin paving until after school begins due to the buses traveling through there.

217  
218 Mrs. Metzger stated that she emailed Mr. Eldon Hoy, Athletic Director & Mathematics Teacher at the  
219 MASD, to inform him of the paving schedule and to see if it was a possibility for the school buses to  
220 plan around the paving.

221  
222 Mr. Rowe added that he also discussed this with the Project Foreman for Dave Gutelius Excavating,  
223 Inc., and he is well aware that the first day of school is Wednesday, August 22, 2018 with a three (3)  
224 hour delay and that there would be two (2) rotations of buses traveling through there.

225  
226 Yes – Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mr. Bottiger, Mr. Fry, Mrs. Hackenberg

227  
228 No – None

229  
230  
231 Mr. Rowe informed Borough Council that Payment Application No. 1 has also been received for the S.  
232 7<sup>th</sup> Street Reconstruction Project in the amount of \$86,806.57. LIVIC Civil, LLC has reviewed the  
233 payment application and is recommending that Borough Council take action to approve this payment  
234 application.

235  
236 Motion by: Duane L. Zimmerman

237 Second by: Linda L. Lewis

238  
239 **MOTION: To approve Payment Application No. 1 from Dave Gutelius Excavating, Inc. for the S.**  
240 **7<sup>th</sup> Street Reconstruction Project in the amount of \$86,806.57.**

241  
242 Yes – Mr. Steese, Mr. Zimmerman, Mr. Bottiger, Mr. Fry, Ms. Lewis, Mrs. Hackenberg

243  
244 No – None

245  
246  
247 Mr. Rowe provided Borough Council with an update on the status of the N. 8th Street Sewer  
248 Repair/Replacement Project. Mr. Rowe reported that Fairchild Brothers, Inc., the contractor for the N.  
249 8th Street Sewer Repair/Replacement Project, has completed all work associated with their contract.  
250 There were three (3) issues that occurred during this project that required change orders; the first issue  
251 that occurred during this project was the moving of a section of the force main at Meadow Lane and N.  
252 8<sup>th</sup> Street to accommodate a new manhole. Change Order No. 2 has been prepared in the amount of  
253 \$4,209.00 to incorporate this additional work to the contract. HRG, Inc. has reviewed the change order  
254 and is recommending that Borough Council take action to approve this change order.

255  
256 Motion by: Linda L. Lewis

257 Second by: Paul E. Bottiger

258  
259 **MOTION: To approve the Change Order No. 2 from Fairchild Brothers, Inc. for the N. 8th Street**  
260 **Sewer Repair/Replacement Project in the amount of \$4,209.00.**

261  
262 Yes – Mr. Zimmerman, Mr. Bottiger, Mr. Fry, Ms. Lewis, Mr. Steese, Mrs. Hackenberg

263  
264 No – None

265 Mr. Rowe continued that the second issue that occurred during the N. 8th Street Sewer  
266 Repair/Replacement Project that required a change order was for work on the water system to insert a  
267 new valve, replace a leaking valve, and abandon and relocate a fire hydrant. Change Order No. 3 has  
268 been prepared in the amount of \$29,359.00 to incorporate this additional work to the contract. HRG,  
269 Inc. has reviewed the change order and is recommending that Borough Council take action to approve  
270 this change order.

271  
272 Motion by: Paul E. Bottiger  
273 Second by: Richard J. Fry  
274

275 **MOTION: To approve the Change Order No. 3 from Fairchild Brothers, Inc. for the N. 8th Street**  
276 **Sewer Repair/Replacement Project in the amount of \$29,359.00.**

277  
278 Yes – Mr. Bottiger, Mr. Fry, Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mrs. Hackenberg  
279

280 No – None  
281

282  
283 Mr. Rowe stated that the last issue that occurred during the N. 8th Street Sewer Repair/Replacement  
284 Project that required a change order was for work that PennDOT required when a small ‘indentation’  
285 occurred in the roadway in front of one (1) of the residences south of Park Road to determine a cause  
286 before pavement work began. Change Order No. 4 has been prepared in the amount of \$4,191.64 to  
287 incorporate this additional work to the contract. HRG, Inc. has reviewed the change order and is  
288 recommending that Borough Council take action to approve this change order. Mr. Rowe clarified that  
289 the contract amount was for the lump sum amount of \$192,892.20; however, the new contract amount  
290 including these change orders will be \$230,651.84.

291  
292 Motion by: Linda L. Lewis  
293 Second by: Paul E. Bottiger  
294

295 **MOTION: To approve the Change Order No. 4 from Fairchild Brothers, Inc. for the N. 8th Street**  
296 **Sewer Repair/Replacement Project in the amount of \$4,191.64.**

297  
298 Yes – Mr. Fry, Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mr. Bottiger, Mrs. Hackenberg  
299

300 No – None  
301

302  
303 Mr. Rowe informed Borough Council that Payment Application No. 1 has also been received for the N.  
304 8th Street Sewer Repair/Replacement Project in the amount of \$191,392.07. HRG, Inc. has reviewed  
305 the payment application and is recommending that Borough Council take action to approve this payment  
306 application.

307  
308 Motion by: Paul E. Bottiger  
309 Second by: Linda L. Lewis  
310

311 **MOTION: To approve Payment Application No. 1 from Fairchild Brothers, Inc. for the N. 8th**  
312 **Street Sewer Repair/Replacement Project in the amount of \$191,392.07.**

313  
314 Mr. Rowe clarified that an additional change order, Change Order No. 5 (Final), will be received for a  
315 decrease in the contract price for unused materials; in addition to Payment Application No. 2, the Final  
316 payment application.

317  
318 Yes – Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mr. Bottiger, Mr. Fry, Mrs. Hackenberg  
319

320 No – None  
321

322  
323 Mrs. Metzger provided Borough Council with an update on the status of the Borough’s Water Allocation  
324 Permit Renewal Application. Mrs. Metzger reported that the Pennsylvania Department of Environmental  
325 Protection (DEP) has provided the Borough’s Water Allocation Permit via correspondence dated  
326 Thursday, July 26, 2018. This permit is valid for twenty-five (25) years and contains several conditions  
327 that must be followed. The conditions of greatest concern are regarding our interconnections, especially  
328 with regard to Limestone Township. Mrs. Metzger requested that this matter be discussed further during  
329 executive session.

330

331 Mrs. Metzger provided Borough Council with an update on the status of the Corrective Action Plan  
332 (CAP). Mrs. Metzger reported that both Limestone Township and West Buffalo Township Municipal  
333 Authority have provided their Tributary Municipality Chapter 94 Report Information as requested; these  
334 reports were incorporated in the Borough's supplemental 2017 Annual Wasteload Management (Chapter  
335 94) Report. HRG, Inc. has been working with Borough Staff to help compile the revised CAP. Both the  
336 supplement Chapter 94 Report and the revised CAP were resubmitted to the Pennsylvania Department  
337 of Environmental Protection (DEP) via email with the originals being submitted via regular mail on  
338 Friday, August 3, 2018. A response has been received from DEP via correspondence dated Thursday,  
339 August 16, 2018 which reads as follows:

340  
341 August 16, 2018

342  
343 Mifflinburg Borough  
344 Attn: Margaret Metzger  
345 120 N. 3<sup>rd</sup> Street  
346 Mifflinburg, PA 17844-1134

347  
348 Re: Annual Wasteload Management (Chapter 94) 2018  
349 Corrective Action Plan  
350 Mifflinburg Borough  
351 NPDES Permit No. PA0028461  
352 Mifflinburg Borough, Union County

353  
354 Dear Ms. Metzger:

355  
356 The Department has received you amended Corrective Action Plan (CAP) and your amended  
357 2017 Annual Wasteload Management (Chapter 94) Report on August 6, 2018.

358  
359 Our review of the amended Chapter 94 Report showed it to be complete. You are now up-to-  
360 date with the annual reporting requirements.

361  
362 Our review of your amended CAP has shown that it is largely acceptable. The revised CAP  
363 includes seven tasks to be performed with a schedule that carries through early 2019.  
364 Additional tasks will need to be scheduled as knowledge about the system is increased through  
365 the planned investigations. Given the submission of an acceptable CAP, and considering the  
366 request for connections for 20 Equivalent Dwelling Units (EDUs), the Department has  
367 determined it appropriate to allocate a starting budget of 5 EDUs for approval of the CAP.  
368 Additional EDUs may be released in conjunction with our review of your first semi-annual  
369 CAP update, which you will be submitting with your 2018 Chapter 94 Report (due by March  
370 31, 2019).

371  
372 It is the Borough's responsibility to track the usage of these 5 EDUs. As a reminder, Section 7  
373 of the Sewage Facilities Act, as amended by Act 149, does not provide for planning  
374 exemptions when sewage facilities have an existing hydraulic or organic overload or projected  
375 five-year overload. Therefore, any new land development that will result in sewage being  
376 discharged to the Borough's Sewage Treatment Plant requires an Act 537 plan revision to be  
377 submitted on the Department's Component 3 planning module.

378  
379 Please note that the Department does not believe that foregoing additional analysis of the  
380 sewage treatment plant is prudent given the recent overflows. The Department will not require  
381 this analysis at this time but will be closely monitoring the flows processed through the facility  
382 during future precipitation events.

383  
384 If you have any questions or concerns, please contact me or Amy Gresh.

385  
386 Sincerely,

387  
388 Daniel Thetford  
389 Environmental Group Manager  
390 Clean Water Program

391  
392 Mrs. Metzger informed Borough Council that she would email a copy of the correspondence received  
393 from DEP to them subsequent to tonight's meeting. Borough Council action is required to authorize her  
394 to advertise the availability of five (5) sewer EDUs in accordance with Resolution No. 2018-09; a  
395 resolution establishing and adopting a policy for the distribution of connection permits under state,  
396 federal, or other regulatory limitations.

397 Mrs. Metzger interjected that she also responded to DEP compliance via correspondence dated  
398 Wednesday, July 25, 2018 that the Borough is accepting the CACP from DEP in the amount of  
399 \$67,500.00 as proposed in their correspondence dated June 29, 2018 as an offer of settlement for the  
400 Borough's violation, pending Mr. Tira's review and advice. The Settlement Agreement for this penalty  
401 has been received from DEP for signature at tonight's meeting. Mrs. Metzger pointed out that the civil  
402 penalty amount for the violations remained the same; however the CACP also included the most recent  
403 two (2) overflow events which occurred on June 11-12, 2018, and July 25-26, 2018.  
404

405 Motion by: Paul E. Bottiger

406 Second by: Tod M. Steese

407

408 **MOTION: To authorize Mrs. Metzger to advertise the availability of five (5) sewer EDU's in**  
409 **accordance with Resolution No. 2018-09.**

410

411 Approved via unanimous voice vote.

412

413

414 Mrs. Metzger reported that the mobile home park owners, North Hills MHC, LLC and National Mobile  
415 Home Village, were cooperative and allowed the Borough Crew to provide assistance to them a few  
416 weeks ago by using our sewer camera to assist them in finding areas in their park infrastructure which  
417 have become deteriorated causing extraneous (other than sewer) flows to enter into the Borough's sewer  
418 collection system and negatively impact our sewer plant. These findings were shared with the mobile  
419 home park owners via correspondence dated Tuesday, July 10, 2018. Under the terms of the Borough's  
420 Ordinance, each of these findings constitute a violation which must be repaired. The letter provided the  
421 mobile home park owners with notice that these findings (and any others that were exposed during this  
422 work) must be repaired/corrected within sixty (60) days from the date of this letter. Failure to complete  
423 the repairs within the prescribed time may result in further action by the Borough as stipulated in the  
424 Borough's Ordinances. To date, the Borough has only received the PA One Call for the repairs to the  
425 mobile home park located on the west (North Hills MHC, LLC). Mrs. Metzger clarified that she is  
426 seeking direction from Borough Council and Mr. Tira as to what the next step should be if the mobile  
427 home park owners do not comply within the time prescribed. Mr. Tira advised Borough Council that the  
428 next step would be to proceed with enforcement action if the mobile home park owners do not comply  
429 within the time prescribed. A discussion was held; Borough Council directed Mrs. Metzger to proceed  
430 with enforcement action if the mobile home park owners do not comply within the time prescribed  
431

432

433 Mrs. Metzger reported that she has received the renewal information for the Borough's Employee  
434 Assistance Plan for 2019. The cost per agreement year is \$3,050.00 for 2019. Borough Council action  
435 is requested to approve the renewal of this program.

436

437 Motion by: Linda L. Lewis

438 Second by: Tod M. Steese

439

440 **MOTION: To enter into the Employee Assistance Program Agreement between the Borough of**  
441 **Mifflinburg and the ESI Employee Assistance Group at the Premium Benefit Level for the period**  
442 **of Saturday, October 1, 2018 through Saturday, September 30, 2019 to provide professional**  
443 **employee assistance to Borough employees at the cost of \$3,050.00 for 2019.**

444

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

446

447 No – None

448

449

450 Mrs. Metzger requested an executive session to discuss potential litigation.

451

452 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for  
453 July 2018 included in the information tonight.

454

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463 Mayor Cooney presented Borough Council with an update for Public Safety. Mayor Cooney reported  
464 that he has been working on the following things:  
465

- 466 • Issued a letter to allow use of the Borough Streets for the Mifflinburg Hose Company's 3<sup>rd</sup>  
467 Annual 9/11 Memorial Walk that is scheduled to be held on Saturday, September 8, 2018.
- 468 • The first day of school is tomorrow, Wednesday, August 22, 2018. The Mifflinburg Police  
469 Department will resume with daily school walk-throughs and patrolling school zones.
- 470 • Posted temporary "NO PARKING" signs on part of the 300 block and the 400 block of  
471 Chestnut Street, as suggested by Firefighter Chuck Klose, during the detour that was in  
472 effect after a construction crane lifting a steel girder in place on a bridge over the highway  
473 collapsed near County Line Road in Union Township blocking all lanes and closing a  
474 section of Route 15 south of Winfield area.  
475

476 Chief Dyroff presented Borough Council with some Monthly Highlights for the Mifflinburg Police  
477 Department for July 2018.  
478

479 Chief Dyroff informed Borough Council that he provided a Supervisor's Notation to Officer Jackson  
480 Stroup on Wednesday, August 1, 2018 which read as follows:  
481

482 I commend you on the below referenced incident and how you followed your gut instinct.  
483 Upon arrival of a noise complaint you noticed two males on the front porch, and upon your  
484 approach the one male went inside the residence. You felt something was strange and you  
485 inquired about that male and requested he return outside. Upon checking his identity you  
486 determined he was wanted out of Lancaster County. You and Officer Foose took him into  
487 custody and transported him to the Union County Jail. Your instincts were right on this! Your  
488 actions are a direct reflection on this department. Please keep up the good work! Well done!  
489

490 Chief Dyroff informed Borough Council that he also provided a Supervisor's Notation to Detective  
491 Mark Bailey on Wednesday, August 15, 2018 which read as follows:  
492

493 That on 8/12/18 at 2253 hours you were dispatched to assist Pennsylvania State Police, Troop  
494 F – Milton with a homicide that occurred at Shelly Circle, Zeigler Road, Kelly Township,  
495 Union County. There was one male reportedly shot and killed and the shooter was thought to  
496 be in the immediate area and not in custody. Upon your arrival, along with several municipal  
497 and state police officers at the scene, you assisted in searching the immediate area with  
498 negative results. It was determined the shooter lived at 1101 St. Anthony Street, Lewisburg,  
499 PA; you as well as several other officers responded to that location. Upon arrival there, you  
500 positioned your patrol vehicle in a grassy field to the southwest of the suspect's residence and  
501 provided lighting in the event the suspect should attempt to flee. Upon doing that, you  
502 observed what appeared to be a silhouette of a person lying in the grass just on the left side of a  
503 small pine tree, you directed your head lamps upon same and observed a person wearing  
504 camouflage pants and a dark blue/black shirt. You observed the person facing away from you  
505 and down on their knees, with buttocks in the air and head/upper torso on the ground. You  
506 immediately exited your patrol vehicle and directed your patrol rifle with weapon mount light  
507 activated on the person while shouting commands, "POLICE, DON'T MOVE". You radioed  
508 assisting units, advising them of the suspect location, which was immediately followed by  
509 several officers arriving on foot with weapons drawn on the suspect. You provided cover of  
510 the suspect while an officer pulled an arm out from underneath the subject, who was  
511 determined to be deceased from an apparent self-inflected gunshot to the head. The deceased  
512 was determined to be the shooter.  
513

514 I want to commend you for your call to duty. Your experience and training proved invaluable  
515 during this incident. Your actions are in the finest traditions of police response and law  
516 enforcement. I am honored to have you as a member of the Mifflinburg Police Department.  
517 Please continue your diligent duty to the citizens of the Borough of Mifflinburg. Well done!  
518

519 Mayor Cooney presented Borough Council with an update for the Mifflinburg Regional Economic  
520 Development (MRED) Alliance. Mayor Cooney updated Borough Council on the following businesses  
521 in the Borough:  
522

- 523 • The Stamm House located at 345 Chestnut Street will be reopening this Saturday, August  
524 25, 2018 at 10:00 AM.
- 525 • Landis Originals - Custom Laser Engraving has joined with Mr. Mike Snook's business  
526 Out Shine Promotions at the old N.A.S.H. (National Auction Supply House) building  
527 located at 304 Chestnut Street.  
528



529 Mrs. Hackenberg informed Borough Council that they received a copy of the Engineer's Report for  
530 August 2018 included in the information tonight. Mrs. Metzger pointed out that as requested by  
531 Borough Staff, HRG, Inc. has provided a proposal to complete the design tasks required for the  
532 Community Development Block Grant (CDBG) funded Curb Cut Project. It's anticipated that Borough  
533 Council consideration will be requested on the proposal at the Tuesday, September 18, 2018 regular  
534 Borough Council meeting.

535  
536 Mayor Cooney informed Borough Council that he participated in or will be participating in the  
537 following events:  
538

- 539 • The Annual Fireman's Carnival that was held from Tuesday, July 24 through Saturday,  
540 July 28, 2018 at the VFW grounds.
- 541 • The Mifflinburg Fireman's Parade that was held on Saturday, July 28, 2018 at 4:00 PM.
- 542 • Met with the United Pentecostal Church (UPC) of Lewisburg regarding their Backpack  
543 Giveaway for school age children that was held at the Gazebo in the Mifflinburg  
544 Community Park on Saturday, August 18, 2018. The UPC gave away seventy (70) free  
545 backpacks full of school supplies.
- 546 • Attended an Eagle Court of Honor Ceremony to congratulate Eagle Scout, Tyler Sauers on  
547 attaining the rank of Eagle Scout.
- 548 • The Annual Halloween Parade is scheduled for Thursday, October 25, 2018. The parade  
549 will form at the Mifflinburg Middle School parking lot at 5:30 PM and travel west on  
550 Market Street at 6:00 PM to the west entrance of the High School Gym where the judging  
551 will take place.
- 552 • The Community Christmas Tree Lighting that is scheduled for Sunday, November 25, 2018  
553 from 7:00 PM – 8:00 PM.
- 554 • Trick or Treat night which is scheduled for Wednesday, October 31, 2018 from 6:00 PM -  
555 9:00 PM.
- 556 • The Annual Jack-O-Lantern Contest that is scheduled for Wednesday, October 24, 2018  
557 from 7:00 PM – 8:00 PM at the Herr Memorial Library located at 500 Market Street.

558  
559  
560 Mrs. Hackenberg requested an executive session to discuss negotiations.  
561

562  
563 Mrs. Hackenberg called an executive session to discuss personnel and potential litigation. An executive  
564 session was held from 7:54 PM to 8:49 PM.  
565

566  
567 Motion by: Paul E. Bottiger  
568

569 **MOTION: To adjourn the Mifflinburg Borough Council meeting.**  
570

571 Approved via unanimous voice vote.  
572

573  
574 Meeting adjourned at 8:50 PM.  
575

576 Respectfully Submitted,  
577

578  
579 Misty L. Ross  
580 Assistant Borough Secretary