

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL

2 September 18, 2018

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

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

Visitors present at this meeting were Rueben Brubaker, Andy Keister, Erin Threet, and Brian Kerstetter.

Motion by: Tod M. Steese

Second by: Richard J. Fry

MOTION: To approve the minutes of the Tuesday, August 21, 2018 regular meeting of Mifflinburg Borough Council.

Approved via unanimous voice vote.

Motion by: Linda L. Lewis

Second by: Richard J. Fry

MOTION: To approve payment of Bill List #2018-09 in the amount of \$857,504.26.

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

No – None

Motion by: Tod M. Steese

Second by: Richard J. Fry

MOTION: To approve the Mifflinburg Borough Zoning Report for August 2018 and authorize payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$1,550.00.

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

No – None

Mr. Andy Keister informed Borough Council that he is present at tonight's meeting along with Mr. Rueben Brubaker and Attorney, Brian Kerstetter, Solicitor for Limestone Township, on behalf of Limestone Township Municipal Authority to discuss the correspondence that Limestone Township has received from the Borough regarding water services. Mr. Keister explained that Limestone Township Municipal Authority has received correspondence from the Borough and the Pennsylvania Department of Environmental Protection (DEP) advising them of certain testing and reporting requirements that they're supposed to be completing in accordance with condition 12.A. of the Borough's Water Allocation Permit (WA 60-88C). The Borough has provided notice to the Limestone Township Supervisors and the Limestone Township Municipal Authority via correspondence dated Tuesday, August 28, 2018 that the Borough will discontinue water and sewer services to Limestone Township within 24 months (from the date of the letter) if the Township does not comply with condition 12.A.

66 Mr. Keister inquired as to whether or not the Borough would be interested in completely taking over the
67 Limestone Township Municipal Authority (the water and sewer services only) if the Pennsylvania
68 Public Utility Commission (PUC) would be willing to grant the Borough a waiver from falling under the
69 PUC's jurisdiction. In speaking with Ms. Amy Tull, at DEP; Ms. Tull indicated that the PUC has issued
70 waivers in small amounts in the past for similar types of situations. Mrs. Hackenberg inquired if there
71 was room for future growth. Mr. Keister reported that there are a maximum of 32 lots on the Borough's
72 system that are service by Limestone Township Municipal Authority; all of which the surrounding areas
73 are basically owned by Mennonites, and so there is no growth foreseen anytime in the near future. Mr.
74 Tira clarified that the other portions of Limestone Township were all serviced by private onlot systems
75 or other water systems. Mr. Keister confirmed that the other portions of Limestone Township were all
76 serviced by private onlot systems except for some portions that are serviced by the New Berlin
77 Municipal Authority.

78
79 Attorney, Brian Kerstetter explicated that what really precipitated this whole situation was there was a
80 Boil Water Advisory that the Borough has issued some time ago and the residents of Limestone
81 Township, who are part of the Borough's system, were not notified of the Boil Water Advisory because
82 Limestone Township doesn't have a certified Operator who has the responsibility of notifying those
83 residents; so all of the residents on the system in the Borough received notification, however the
84 residents in Limestone Township didn't which raised a red flag with DEP. As a subsequent system the
85 Townships have certain requirements that are imposed by DEP regulations for water systems that
86 service at least 15 service connections. Attorney Kerstetter informed Borough Council that he has
87 discussed this matter with Ms. Amy Tull, DEP, to determine what options Limestone Township
88 Municipal Authority has and of course they're very limited. The other option Limestone Township
89 Municipal Authority has would be to hire a certified operator to service those properties that are on the
90 Borough's system and incur the costs associated with hiring an operator which is prohibited to their tiny
91 little municipality. Limestone Township Municipal Authority doesn't have the funds to cover the costs
92 associated with hiring a full-time operator, in addition to the costs that would be incurred for all of the
93 required testing. A discussion was held regarding what all would be entailed with the Borough taking
94 over the Limestone Township Municipal Authority and the structural status of the Township's
95 infrastructure. It was the consensus of Borough Council that sewer lateral inspections and smoke testing
96 would need to be completed prior to the Borough taking over to determine the conditions of the
97 Township's infrastructure. Mr. Tira advised Borough Council that the first step is to contact the PUC to
98 see if they would be willing to grant the Borough a waiver from falling under the PUC's jurisdiction.
99 Mr. Zimmerman expressed that he feels the Borough should work with the Limestone Township
100 Municipal Authority regardless given the fact that they're already a part of the Borough's system. Mr.
101 Zimmerman added that in the meantime, if the Borough Maintenance Crew has time they should begin
102 smoke testing and using the Borough's sewer camera to document the conditions of the Townships
103 infrastructure. Worst case scenario, the Borough finds some areas in the Township's infrastructure that
104 have become deteriorated causing extraneous (other than sewer) flows to enter into the Borough's sewer
105 collection system and negatively impact the sewer plant; either way it's a win-win situation for the
106 Borough given the recent connection prohibition that the Mifflinburg Sewer system has been placed
107 under by DEP.

108
109 Mrs. Metzger announced that the SEDA-Council of Governments (SEDA-COG) has completed the
110 Environmental Review for the Community Development Block Grant (CDBG) funded Curb Cut Project.
111 The Cooperative Agreement between Union County and the Borough of Mifflinburg for this grant has
112 been received and Mr. Tira has reviewed the agreement. Borough Council action is requested to
113 approve this agreement.

114
115 Motion by: Tod M. Steese

116 Second by: Richard J. Fry

117
118 **MOTION: To approve the Cooperative Agreement between Union County and the Borough of**
119 **Mifflinburg for the Community Development Block Grant (CDBG) funded Curb Cut Project.**

120
121 Approved via unanimous voice vote

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128

129 Mrs. Metzger informed Borough Council that she received a request from the Mifflinburg Veterans of
130 Foreign Wars (VFW), Yoder-Zimmerman Post 1964. The Mifflinburg VFW is requesting that the
131 Borough provide water services to the Mifflinburg VFW Carnival Grounds and provide, but not install,
132 two (2) electric bag carts for their Annual Gun Raffle event on September 21-24, 2018. A copy of the
133 request has been included in the information tonight. Borough Council action is requested to approve
134 this request.

135
136 Motion by: Tod M. Steese
137 Second by: Richard J. Fry

138
139 **MOTION: To provide water services to the Mifflinburg VFW Carnival Grounds and to provide**
140 **but not install two (2) electric bag carts for the Mifflinburg Veterans of Foreign Wars (VFW),**
141 **Yoder-Zimmerman Post 1964, on September 21-24, 2018 in order to conduct for their Annual**
142 **Gun Raffle event.**

143
144 Approved via unanimous voice vote.

145
146
147 Mrs. Metzger informed Borough Council that she received a request from Ms. Pam Steele, Fundraising
148 Volunteer with the Herr Memorial Library located at 500 Market Street. Ms. Steele is requesting that
149 the remaining miniature golf course items (golf clubs, golf balls, obstacles, etc.) that were previously
150 used at the miniature golf course in the Mifflinburg Community Park be donated to the Herr Memorial
151 Library for their miniature golf fundraising event. A copy of the request has been included in the
152 information tonight. Borough Council action is requested to approve the donation of these items.

153
154 Motion by: Tod M. Steese
155 Second by: Richard J. Fry

156
157 **MOTION: To approve the donation of the remaining miniature golf course items (golf clubs, golf**
158 **balls, obstacles, etc.) that were previously used at the miniature golf course in the Mifflinburg**
159 **Community Park to the Herr Memorial Library for their miniature golf fundraising event.**

160
161 Approved via unanimous voice vote.

162
163
164 Mrs. Metzger informed Borough Council that she also received a request from Mr. Mike Kuhn, Event
165 Director of the unPAved of the Susquehanna River Valley cycling event, to utilize the Mifflinburg
166 Community Park on Sunday, October 14, 2018 to use as an aid station and checkpoint during this event.
167 UnPAved of the Susquehanna River Valley is a gravel based cycling event starting and finishing at the
168 Miller Center for Recreation and Wellness (the beginning of the Buffalo Valley Rail Trail), located at
169 120 Hardwood Drive, Lewisburg, PA. Featuring 30, 54, 90 and 120-mile courses through the farm
170 country & state forests over crushed stone rail trail, dirt & gravel roads, paths with embedded rock and
171 rough macadam, with start times of 7:00 AM, 8:00 AM, 9:00 AM, and 10:00 AM, respectively. Riders
172 will travel west from Lewisburg on the Buffalo Valley Rail Trail (BVRT) with the first three (3) groups
173 veering north on Skunk Hollow Road to begin their trek through the countryside and Bald Eagle State
174 Forest. The 30-mile version will continue into Mifflinburg on the BVRT to the Mifflinburg Community
175 Park before heading north on 5th Street to Locust Street to 3rd Street to continue north and then west to
176 touch Bald Eagle State Forest. All routes will return to town by way of 4th Street to Locust Street to the
177 Mifflinburg Community Park and then back to Lewisburg on the BVRT. This year's event is expected
178 to have a maximum of 150 riders per wave, a total of 600 participants; in addition to 100-200 spectators
179 and 60-80 volunteers. Q Cycling LLC has already completed and submitted the required pavilion
180 reservation forms and provided a copy of their certificate of insurance. Mrs. Metzger stated that she has
181 discussed this event with Mayor Cooney and Chief Dyroff and there are no concerns with the event.
182 Borough Council action is requested to approve this request, contingent upon submission of the \$250.00
183 security deposit.

184
185 Mayor Cooney clarified that unlike with 5K events, traffic control is not required for cycle events;
186 bicycles are considered vehicles under Pennsylvania Laws and must obey all the rules of the road which
187 apply to vehicles.

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196 Motion by: Tod M. Steese
197 Second by: Linda L. Lewis

198
199 **MOTION: To approve Q Cycling LLC's request to utilize the Mifflinburg Community Park on**
200 **Sunday, October 14, 2018 to use as an aid station and checkpoint during the unPAved of the**
201 **Susquehanna River Valley cycling event, contingent upon submission of the \$250.00 security**
202 **deposit.**

203
204 Approved via unanimous voice vote.

205
206
207 Mrs. Metzger reminded Borough Council that Staff Members of the Central Keystone Council of
208 Governments (CK-COG) presented a proposed new Property Maintenance Ordinance for Borough
209 Council's consideration at the Borough Work Session that was held on Tuesday, August 7, 2018. Mrs.
210 Metzger reported that the Staff Members have been invited back to the Borough Work Session that is
211 scheduled for Tuesday, October 2, 2018 at 8:00 PM to further discuss the proposed ordinance.

212
213 Mrs. Metzger reported that as discussed at the Tuesday, August 7, 2018 Borough Work Session, Mr.
214 Jason W. Mitchell, the Borough Public Works Supervisor, has obtained a quote from Boyer Swimming
215 Pools, Inc. in the amount of \$5,490.00 for assistance with pinpointing of leaks in the Mifflinburg
216 Community Swimming Pool lines. Mrs. Metzger explained that the Mifflinburg Community Swimming
217 Pool is leaking about 2,000,000 gallons of water per season. The Borough Maintenance Employees
218 have performed leak detection and have been unable to locate the leak. This means that the leak may be
219 in a location that may require significant repairs, beyond the Borough's capabilities. Boyer Swimming
220 Pools, Inc. is proposing that the Borough perform a pressurization of the lines, coupled with the use of
221 an underground sonic locator to pinpoint the break(s) or deficiency(s) in the lines. Mrs. Metzger
222 clarified that having Boyer Swimming Pools, Inc. complete this work will allow the Borough to
223 understand what requires repair, which will allow them to better budget for a larger ticket repair if
224 necessary. A copy of the proposal has been included in the information tonight. Borough Council
225 action is request to approve this proposal.

226
227 Motion by: Tod M. Steese
228 Second by: Richard J. Fry

229
230 **MOTION: To approve the proposal from Boyer Swimming Pools, Inc. for assistance with**
231 **pinpointing of leaks in the Mifflinburg Community Swimming Pool lines in the amount of**
232 **\$5,490.00.**

233
234 Mr. Zimmerman suggested that the Borough Maintenance Employees also check the water meters at the
235 Mifflinburg Community Swimming Pool to ensure that they are working properly.

236
237 Yes – Mr. Steese, Mr. Zimmerman, Mr. Fry, Ms. Lewis, Mrs. Hackenberg

238
239 No – None

240
241
242 Mr. Rowe reported that Legacy Building Products, Inc. has submitted a request for release of their Letter
243 of Credit for some of the initial Land Development Work for the Rusty Rail Brew Haus. HRG, Inc. has
244 performed a site inspection on Wednesday, August 1, 2018 to determine the extent of completion of
245 items for the Rusty Rail Brew Haus. Based on HRG, Inc.'s visit to the site and subsequent follow-up
246 coordination, they are recommending the outstanding balance of \$10,793.02 be released as the items
247 listed in their October 15, 2015 Improvement Guarantee Reduction #2 letter have been adequately
248 addressed. The outstanding items included handicap signage, concrete curb stops, and slope stabilization
249 around the basin. The original Improvement Guarantee total amount was \$332,343.55. A copy of the
250 Letter of Credit has been included in the information tonight. Borough Council action is requested on
251 this matter.

252
253 Motion by: Duane L. Zimmerman
254 Second by: Linda L. Lewis

255
256 **MOTION: To release \$10,793.02 of Legacy Building Products, Inc.'s Letter of Credit for some of**
257 **the initial Land Development Work for the Rusty Rail Brew Haus.**

258
259 Yes – Mr. Zimmerman, Mr. Fry, Ms. Lewis, Mr. Steese, Mrs. Hackenberg

260
261 No – None

262 Mr. Rowe reported that Legacy Building Products, Inc. has also submitted a request for release of their
263 Letter of Credit for Phase 1 of their Parking Lot. HRG, Inc. has performed a site inspection on
264 Wednesday, August 1, 2018 to determine the extent of completion of items for Phase 1 of Legacy's
265 Parking Lot. During the site visit, it was noted that the basin bottom and embankments are not yet fully
266 vegetated and the basin bottom appeared to contain residual sediment from construction. In addition, the
267 basin contained standing water, but appeared to be draining slowly. Phase 2 of the parking lot will
268 expand the basin and it may be beneficial for the applicant to look at installing an underdrain during that
269 phase of construction if it appears the basin will retain standing water. Based on HRG, Inc.'s visit to the
270 site, they are recommending a reduction of \$117,300.00 from the original amount of \$132,000.00,
271 leaving a remaining balance of \$14,700.00. A copy of the Letter of Credit has been included in the
272 information tonight. Borough Council action is requested on this matter.

273

274 Motion by: Tod M. Steese

275 Second by: Richard J. Fry

276

277 **MOTION: To release \$117,300.00 of Legacy Building Products, Inc.'s Letter of Credit for Phase 1**
278 **of their Parking Lot.**

279

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

281

282 No – None

283

284

285 Mrs. Metzger provided Borough Council with an update on the status of the 2018 Annual Street and
286 Alley Paving Project. Mrs. Metzger reported that the Borough has issued notice to proceed for the
287 paving and double bituminous seal coat proposals for the 2018 Annual Street and Alley Paving Project.
288 Hammaker East LTD, the contractor awarded the double bituminous seal coat proposal, has completed
289 all work associated with their contract and they have submitted the invoice for payment in the amount of
290 \$38,899.92. A copy of the invoice has been included in the information tonight. Borough Council
291 action is requested to authorize payment of this invoice. Mrs. Metzger stated that the Borough is still
292 awaiting scheduling information from the paving contractor, Dave Gutelius Excavating, Inc.

293

294 Motion by: Tod M. Steese

295 Second by: Richard J. Fry

296

297 **MOTION: To authorize payment to Hammaker East LTD in the amount of \$38,899.92 for the**
298 **double bituminous seal coat proposal.**

299

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

301

302 No – None

303

304

305 Mr. Rowe provided Borough Council with an update on the status of PennDOT's 2018 Milling and
306 Resurfacing Project. Mr. Rowe reported that the concrete contractor has completed the majority of the
307 ADA Curb work in the project area which is State Route 104, State Route 2004 (Furnace Road/Maple
308 Street), and State Route 3003 (8th Street). Invoice No. 1 has been received from PennDOT in the
309 amount of \$33,919.80 which represent the Borough's share of the curb costs as set forth by the
310 Reimbursement Agreement. Mr. Rowe stated that he has reviewed the invoice and inspected these
311 intersections to assure completion and Borough Management has some concerns with regard to how the
312 invoice is broken down. Mr. Rowe explained that the invoice doesn't match the original spreadsheet
313 that PennDOT provided to the Borough; the invoice is broken down by funds and coded which means
314 nothing to the Borough. Borough Council action is requested to approve this invoice pending final
315 inspection by Borough Management. Mr. Rowe clarified that there is still a lot more work to be
316 completed for this project.

317

318 Motion by: Tod M. Steese

319 Second by: Richard J. Fry

320

321 **MOTION: To approve Invoice No. 1 from PennDOT in the amount of \$33,919.80 which represents**
322 **the Borough's share of the ADA Curb costs for the 2018 Milling and Resurfacing Project, pending**
323 **final inspection by Borough Management.**

324

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

326

327 No – None

328

329 Mr. Rowe provided Borough Council with an update on the status of the S. 7th Street Reconstruction
330 Project. Mr. Rowe reported that Dave Gutelius Excavating, Inc., the contractor for the 7th Street
331 Reconstruction Project, has completed all work associated with this project. Dave Gutelius Excavating,
332 Inc. has prepared Change Order No. 2, the final change order, in the amount of \$3,051.25 to incorporate
333 the following additional work to the contract:

334
335 Description:

- 336
- 337 • Supply and place scratch course for irregularities in pavement found during construction
338 (+\$3,120.00).
- 339 • Additional 1.25 SY of cement concrete sidewalk replaced during construction to
340 accommodate transition with the adjacent steps (+\$173.75).
- 341 • Additional 20 LF of cement concrete curb to improve tie-ins at the north end of 7th Street
342 and the southeast corner of Market and 7th Streets (+\$1,175.00).
- 343 • Reduction in quantity of 30 LF for 4" schedule 40 Downspout Pipe Connection that was
344 not replaced in the field (-\$1,417.50).
- 345

346 LIVIC Civil, LLC has reviewed the change order and is recommending that Borough Council take
347 action to approve this change order. Mr. Rowe clarified that the contract amount was for the lump sum
348 amount of \$149,321.34; however, the new contract amount including this change order will be
349 \$152,372.59.

350
351 Motion by: Linda L. Lewis
352 Second by: Tod M. Steese

353
354 **MOTION: To approve Change Order No. 2 – Final from Dave Gutelius Excavating, Inc. for the S.
355 7th Street Reconstruction Project in the amount of \$3,051.25.**

356
357 Yes – Mr. Zimmerman, Mr. Fry, Ms. Lewis, Mr. Steese, Mrs. Hackenberg

358
359 No – None

360
361
362 Mr. Rowe informed Borough Council that Payment Application No. 2, the final payment application,
363 has also been received for the S. 7th Street Reconstruction Project in the amount of \$65,566.01. LIVIC
364 Civil, LLC has reviewed the payment application and is recommending that Borough Council take
365 action to approve this payment application.

366
367 Motion by: Tod M. Steese
368 Second by: Richard J. Fry

369
370 **MOTION: To approve Payment Application No. 2 – Final from Dave Gutelius Excavating, Inc. for
371 the S. 7th Street Reconstruction Project in the amount of \$65,566.01.**

372
373 Yes – Mr. Fry, Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mrs. Hackenberg

374
375 No – None

376
377
378 Mr. Rowe provided Borough Council with an update on the status of the N. 8th Street Sewer
379 Repair/Replacement Project. Mr. Rowe reported that Fairchild Brothers, Inc., the contractor for the N.
380 8th Street Sewer Repair/Replacement Project, has completed all work associated with their contract.
381 Change Order No. 5, the final change order, has been received for a decrease in the contract price in the
382 amount of \$29,186.50 for all unused materials. This change order reconciles the difference between the
383 estimate bid quantities and the final quantities as determined by the Engineer per the General
384 Conditions. HRG, Inc. has reviewed the change order and is recommending that Borough Council take
385 action to approve this change order.

386
387 Motion by: Linda L. Lewis
388 Second by: Richard J. Fry

389
390 **MOTION: To approve the Change Order No. 5 – Final from Fairchild Brothers, Inc. for the N.
391 8th Street Sewer Repair/Replacement Project for a decrease in the contract price in the amount of
392 \$29,186.50.**

393
394 Approved via unanimous voice vote.

395

396 Mr. Rowe informed Borough Council that Payment Application No. 2, the final payment application,
397 has also been received for the N. 8th Street Sewer Repair/Replacement Project in the amount of
398 \$10,073.27. HRG, Inc. has reviewed the payment application and is recommending that Borough
399 Council take action to approve this payment application.

400
401 Motion by: Tod M. Steese

402 Second by: Richard J. Fry

403

404 **MOTION: To approve Payment Application No. 2 from Fairchild Brothers, Inc. for the N. 8th**
405 **Street Sewer Repair/Replacement Project in the amount of \$10,073.27.**

406

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

408

409 No – None

410

411

412 Mrs. Metzger reported that as directed at the Tuesday, June 20, 2018 regular Borough Council meeting,
413 she sent correspondence to Limestone and West Buffalo Townships asking that they verify the accuracy
414 of their water meters by either providing test results or certification paperwork for any new meters as per
415 the agreement, with language included to contact the Borough to obtain the specific meter specifications
416 or to inquire about additional assistance should they wish to upgrade their meters to be the same as the
417 Borough's meters; asking for a response within sixty (60) days. West Buffalo Township has notified the
418 Borough that they have obtained pricing from Nexgrid for new meters and inquired if the Borough
419 would be willing to read the meters each month. This matter was briefly discussed by Borough Council
420 previously. Mrs. Metzger informed Borough Council that Nexgrid provided Borough Staff with a demo
421 at the Borough Office and indicated that there was some new technology (Solar Powered Econet's) that
422 West Buffalo Township could install in their system which would provide this information. Mr.
423 Metzger stated that she contacted Mr. Robert Valentine, the Superintendent at West Buffalo Township,
424 to inform him of this; however no further response has been received. As reported earlier at tonight's
425 meeting, the Borough sent correspondence dated August 28, 2018 to the Limestone Township
426 Supervisors and the Limestone Township Municipal Authority notifying them that the Borough will
427 discontinue water and sewer services to Limestone Township within 24 months (from the date of that
428 letter) if the Township does not comply with condition 12.A. Borough Council direction is requested on
429 whether or not she should proceed with sending additional notification to Limestone Township
430 Municipal Authority. It was the consensus of Borough Council to wait to send additional notification to
431 the Limestone Township Municipal Authority.

432

433 Mrs. Metzger reminded Borough Council that they took action at the Tuesday, August 21, 2018 regular
434 Borough Council meeting to authorize her to advertise the availability of the five (5) sewer EDUs that
435 the Pennsylvania Department of Environmental Protection (DEP) granted with the acceptance of the
436 Borough's revised Corrective Action Plan (CAP) in accordance with Resolution No. 2018-09; a
437 resolution establishing and adopting a policy for the distribution of connection permits under state,
438 federal, or other regulatory limitations. Mrs. Metzger reported that the availability of the five (5) EDUs
439 has been advertised and the deadline to submit applications is Friday, September 28, 2018.

440

441 Mrs. Metzger provided Borough Council with an update on the status of the repairs for North Hills
442 MHC, LLC and National Mobile Home Village. Mrs. Metzger reminded Borough Council that the
443 mobile home park owners, North Hills MHC, LLC and National Mobile Home Village, were
444 cooperative and allowed the Borough Crew to provide assistance to them a few weeks ago by using our
445 sewer camera to assist them in finding areas in their park infrastructure which have become deteriorated
446 causing extraneous (other than sewer) flows to enter into the Borough's sewer collection system and
447 negatively impact our sewer plant. These findings were shared with the mobile home park owners via
448 correspondence dated Tuesday, July 10, 2018. Under the terms of the Borough's Ordinance, each of
449 these findings constitute a violation which must be repaired. The letter provided the mobile home park
450 owners with notice that these findings (and any others that were exposed during this work) must be
451 repaired/corrected within sixty (60) days from the date of this letter. Failure to complete the repairs
452 within the prescribed time may result in further action by the Borough as stipulated in the Borough's
453 Ordinances. Mrs. Metzger reported that Mr. Irvin H. Peifer, Owner of North Hills MHC, LLC, has
454 begun the required repairs to his mobile home park; however National Mobile Home Village has not yet
455 begun their repairs. The next enforcement letter has been drafted and forwarded to Mr. Tira for review
456 and approval. This matter will be discussed further during executive session.

457

458 Mrs. Metzger announced that the Wastewater Treatment Plant has recently experienced an overflow
459 which occurred from Monday, September 10, 2018 through Wednesday, September 12, 2018. The
460 required five (5) day letter was filed with DEP via correspondence dated Tuesday, September 18, 2018.

461 Mrs. Metzger informed Borough Council that the Borough's Wastewater Treatment Plant (WWTP) has
462 again generated Nutrient Credits for the 2018 compliance year that can be sold. Mrs. Metzger reported
463 that she has been contacted via telephone by two (2) parties interested in purchasing the available
464 Nutrient Credits. Borough Council direction is requested on how to proceed with the valuation and sale
465 of these credits. Mrs. Metzger clarified that the available Phosphorus and Nitrogen Credits generated by
466 the Borough's WWTP for the 2016 and 2017 compliance years were sold to Newport Borough
467 Municipal Authority. A discussion was held; Borough Council directed Mrs. Metzger to reach out to
468 Newport Borough Municipal Authority to see if they are looking to buy available Phosphorus and
469 Nitrogen Credits for the 2018 compliance year and if so; negotiate a favorable deal by obtaining offers
470 from the three (3) interested parties for the sale of the available Phosphorus and Nitrogen Credits.
471

472 Mrs. Metzger announced that she and Mr. Craig Lewis, the Borough Electric Foreman, attended the
473 Annual PA Municipal Electric Association (PMEA) conference that was held on September 13-14,
474 2018. The PMEA Board is discussing restructuring of the PMEA to include additional resources for
475 Municipal Electric Systems to use for assistance, in operational, legislative and legal matters. This
476 restructuring will involve the adoption of a resolution supporting the restructuring which will be
477 presented for Borough Council action at a future meeting. The resolution needs to be adopted before
478 Monday, December 31, 2018. Mrs. Metzger clarified that this plan will involve a significant increase in
479 dues, and has been presented in time for budget consideration.
480

481 Mrs. Metzger reported that Utility Engineers, PC has provided a recommendation letter to the Utility
482 Committee regarding a proposed American Municipal Power, Inc. (AMP) Generation Project. Mrs.
483 Metzger informed Borough Council that she reached out to Utility Engineers, PC to see if they would be
484 available to attend the Borough Work Session that is scheduled for Tuesday, October 9, 2018 to further
485 discuss the Generation Project; Utility Engineers, PC has indicated that they would be available to attend
486 this meeting. Borough Council direction is requested on how they would like to proceed with this
487 matter. Mrs. Hackenberg expressed that she thinks Borough Council should further discuss the
488 proposed AMP Generation Project if Utility Engineers, PC is recommending it. Mrs. Metzger clarified
489 that Utility Engineers, PC would be present at the Tuesday, October 9, 2018 Borough Work Session at
490 8:00 PM following the Police Pension Committee.
491

492 Mrs. Metzger announced that Wagner, Dreese, Elsasser (W.D.E.) & Associates, PC has completed all
493 work for the 2017 Annual Audit. Mr. Michael Fuller, auditor with W.D.E. & Associates, PC, attended
494 the Borough Work Session that was held on Tuesday, September 4, 2018 and presented the Annual
495 Audit to the Finance Committee. Borough Council action is requested to accept this report.
496

497 Motion by: Linda L. Lewis

498 Second by: Richard J. Fry

499

500 **MOTION: To accept the 2017 Audit Report as presented.**

501

502 Approved via unanimous voice vote.

503

504

505 Mrs. Metzger reported that Mockenhaupt Benefits Group (Actuary for the Borough), has prepared the
506 2019 Minimum Municipal Obligations (MMOs) for both the Police and Non-Uniformed Pension Plans
507 as well as the Non-Uniformed Money Purchase Plan which are as follows:
508

509	Police Pension Plan	\$136,376.00
510	Non-Uniformed Pension Plan	\$ 86,579.00
511	Non-Uniformed Money Purchase Plan	\$ 17,310.00

512

513 The law requires that these MMOs be adopted/approved for the 2019 budget by September 30th of the
514 preceding year. Copies of the three (3) MMOs have been included in the information tonight. Borough
515 Council action is requested to adopt these MMOs as prepared by Mockenhaupt Benefits Group.
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527 Motion by: Tod M. Steese
528 Second by: Richard J. Fry

529
530 **MOTION: To adopt the Police Pension Plan Minimum Municipal Obligation in the amount of**
531 **\$136,376.00; the Non-Uniformed Plan Minimum Municipal Obligation in the amount of**
532 **\$86,579.00; and the Non-Uniformed Money Purchase Plan Minimum Municipal Obligation in the**
533 **amount of \$17,310.00 for the 2019 budget.**

534
535 Yes – Mr. Steese, Mr. Zimmerman, Mr. Fry, Ms. Lewis, Mrs. Hackenberg

536
537 No – None

538
539
540 Mrs. Metzger announced that all Budgetary Requests for 2019 must be submitted by Monday, October
541 1, 2018. The first Budget meeting is scheduled for Tuesday, October 2, 2018 at 7:00 PM to review the
542 preliminary requests. All Borough Council Members are urged to attend this meeting.

543
544 Mrs. Metzger reminded Borough Council that Staff Members of the Central Keystone Council of
545 Governments (CK-COG) will be attending the Borough Work Session that is scheduled for Tuesday,
546 October 2, 2018 at 8:00 PM to further discuss the proposed new Property Maintenance Ordinance.

547
548 Mrs. Metzger announced that the Annual Police Pension Committee meeting is scheduled for Tuesday,
549 October 9, 2018 at 7:00 PM.

550
551 Mrs. Metzger requested an executive session to discuss potential litigation and personnel matters.

552
553 Mrs. Metzger requested Borough Council action to authorize the Borough to purchase the Lanier Digital
554 Multifunction copier from TOPP Business Solutions for the State Contract price of \$6,713.17. Mrs.
555 Metzger clarified that the Borough has budgeted \$10,000.00 for the purchase of a new copier.

556
557 Motion by: Tod M. Steese
558 Second by: Linda L. Lewis

559
560 **MOTION: To authorize the Borough to purchase the Lanier Digital Multifunction copier from**
561 **TOPP Business Solutions for the State Contract of \$6,713.17.**

562
563 Yes – Mr. Zimmerman, Mr. Fry, Ms. Lewis, Mr. Steese, Mrs. Hackenberg

564
565 No - None

566
567
568 Mr Cooney informed Borough Council that they received a copy of the Monthly Police Report for
569 August 2018 included in the information tonight.

570
571 Mayor Cooney provided Borough Council with an update on the status of the 2018 Christkindl Market.
572 Mayor Cooney reported that the deadline to submit all required paperwork for the 2018 Christkindl
573 Market was Friday, September 14, 2018. To date, the Borough has received the preliminary market
574 layout plan, certificate of insurance, shuttle bus company contact information and shuttle bus routes;
575 however they're still awaiting a copy of the signed contract with flagging company.

576
577 Mayor Cooney presented Borough Council with the following update for Public Safety. Mayor Cooney
578 reported the following:

- 579
- 580 • The Annual Turkey Trot 5K and Kids' ½ mile Fun Run to benefit the Mifflinburg Lacrosse
581 Club is scheduled for Thanksgiving morning, Thursday, November 22, 2018, at the
582 Mifflinburg Community Park. Mayor Cooney reminded Borough Council that there were
583 some issues during last year's race: they didn't follow the rules of the pedestrians, they had
584 an entire travel lane blocked, they didn't have adequate flagging and the flaggers were not
585 adequately trained. Ms. Michael Kelly, Race Committee/Permit Director, on behalf of the
586 Turkey Trot Race Committee and Fit for Funds, LLC, has ensured him that these
587 requirements will be met. In addition, the route for this year's race has been changed to
588 alleviate congestion on 8th Street.
 - 589 • The Annual Homecoming Parade is scheduled for Friday, October 5, 2018.
 - 590 • Will be emceeding the Annual Halloween Parade that is scheduled for Thursday, October
591 25, 2018 at 6:00 PM. The parade will form at the Mifflinburg Middle School parking lot at
592 5:30 PM and travel west on Market Street at 6:00 PM to the west entrance of the High
593 School Gym where the judging will take place.

594 Chief Dyroff provided Borough Council with an update on the status of the camera system at the
595 Mifflinburg Community Park. It's anticipated that the camera system will be set-up and running in the
596 next few weeks.
597

598 Chief Dyroff presented Borough Council with some Monthly Highlights for the Mifflinburg Police
599 Department for August 2018.
600

601 Mayor Cooney requested Borough Council action to set Trick or Treat night for Wednesday, October
602 31, 2018 from 6:00 PM - 9:00 PM.
603

604 Motion by: Linda L. Lewis

605 Second by: Duane L. Zimmerman
606

607 **MOTION: To set Trick or Treat night for Wednesday, October 31, 2018 from 6:00 PM - 9:00 PM.**
608

609 Approved via unanimous voice vote.
610
611

612 Mayor Cooney presented Borough Council with an update for the Mifflinburg Regional Economic
613 Development (MRED) Alliance. Mayor Cooney reported that the Mifflinburg Heritage and
614 Revitalization Association (MHRA) is seeking a new Executive Director to replace Mrs. Cherie Ross;
615 Mrs. Ross has announced that she will be stepping down as Executive Director as soon as a new
616 Director has been hired.
617

618 Mrs. Erin Threet, HRG, Inc., informed Borough Council that they received a copy of the Engineer's
619 Report for September 2018 included in the information tonight. Mrs. Threet reported that HRG, Inc.
620 continues to provide miscellaneous engineering services as requested by the Borough. A brief summary
621 of these activities since last month's meeting is as follows:
622

- 623 • Assistance in provision of information for the Borough's use in budget preparation.
- 624 • Assistance in the preparation and submission of the required 5-day notice of violation for
625 the overflow event that occurred from Wednesday, July 25, 2018 through Saturday, July
626 28, 2018.
- 627 • Assistance in revising the 2017 Chapter 94 Report and associated Wastewater Treatment
628 Plant (WWTP) capacity analysis as requested by DEP.
629
630

631 Mayor Cooney informed Borough Council that he participated in or will be participating in the
632 following events:
633

- 634 • The grand opening and tour of the Ritz-Craft Modular Homes Plant 2 that they're bringing
635 back on line.
- 636 • A public awareness campaign on addiction and recovery with a presentation by former
637 NBA player Chris Herren, founder of the Herren Project, a nonprofit organization aimed at
638 providing treatment for addictions and educational and mentoring programs as part of
639 Snyder-Union Opioid Coalition. The presentation was held at the Mifflinburg Area High
640 School and paid for by Greater Susquehanna Valley (GSV) United Way.
- 641 • Attended the Mifflinburg Hose Company's 3rd Annual 9/11 Memorial Walk that was held
642 on Saturday, September 8, 2018.
- 643 • The Annual Jack-O-Lantern Contest that is scheduled for Monday, October 22, 2018 at
644 6:30 PM at the Herr Memorial Library located at 500 Market Street.
- 645 • The Annual Oktoberfest Festival that is scheduled for Friday, October 05, 2018 from 1:00
646 PM - 11:00 PM and Saturday, October 6, 2018 from 11:00 AM - 10:00 PM at the VFW
647 Carnival Grounds. Mayor Cooney announced that he will be performing the traditional cry
648 of "O' zapft is!" ("It's tapped!") on Friday, October 5, 2018 at 1:00 PM to officially mark
649 the beginning of the festival.
650
651

652 Mrs. Hackenberg called an executive session to discuss potential litigation and personnel matters. An
653 executive session was held from 8:36 PM to 9:55 PM.
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660 Motion by: Duane L. Zimmerman

661

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

663

664 Approved via unanimous voice vote.

665

666

667 Meeting adjourned at 9:55 PM.

668

669 Respectfully Submitted,

670

671

672 Misty L. Ross

673 Assistant Borough Secretary