

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL

2 August 20, 2019

3		PRESENT	ABSENT
4			
5	Beverly L. Hackenberg, Council President	X	
6	Tod M. Steese, Vice President	X	
7	Paul E. Bottiger, Council Member		X - Arrived at 7:51 PM
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	Ryan M. Tira, Solicitor		X - Daryl A. Yount was
13	Margaret A. Metzger, Borough Manager	X	present in his place;
14	Robert M. Rowe, Borough Project Manager	X	Mr. Tira arrived at
15	Misty L. Ross, Assistant Secretary	X	6:40 PM

16  
17 The regular meeting of Mifflinburg Borough Council was called to order at 6:30 PM.

18  
19 Visitors present at this meeting were Stacy Richards, Tim Turner, Matt Wagner, Bud Schenck, Carol  
20 Kreisher, Steve Kreisher, Jim Spade, Richard Schrader, and Erin Threet.

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22  
23 Motion by: Tod M. Steese  
24 Second by: Linda L. Lewis

25  
26 **MOTION: To approve the minutes of the Tuesday, July 16, 2019 regular meeting of Mifflinburg**  
27 **Borough Council.**

28  
29 Approved via unanimous voice vote.

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31  
32 Motion by: Linda L. Lewis  
33 Second by: Richard J. Fry

34  
35 **MOTION: To approve payment of Bill List # 2019-08 in the amount of \$1,034,319.20.**

36  
37 Yes – Mr. Fry, Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mrs. Hackenberg  
38  
39 No – None

40  
41  
42 Mrs. Hackenberg clarified that all of the visitors present at tonight’s meeting have signed in on the  
43 Visitor Sign-In Sheet.

44  
45 Ms. Stacy Richards, the founder of SEDA-COG’s Energy Resource Center who now owns and operates  
46 her own consulting business (Stacy Richards and Associates in Lewisburg), introduced herself and  
47 announced that she is seeking the Democratic Party’s nomination in the election for Union County  
48 Commissioner. Ms. Richards provided Borough Council with a brochure with her information.

49  
50 Mr. Matthew Wagner, representing the Mifflinburg Christkindl Committee, attended tonight’s meeting  
51 regarding the proposed expansion of the Christkindl Market. Mr. Wagner reported that he has met with  
52 Mayor Cooney to discuss the proposed expansion of the Christkindl Market. The Christkindl Market of  
53 Mifflinburg, Inc. is proposing that the area of 5<sup>th</sup> Street from Green Street to Quarry Road be closed to  
54 traffic. Mr. Wagner explained that he has been working hard to spearhead a cooperation among the  
55 501(c)(3) Organizations in Mifflinburg to create more cooperation between: Preservation Mifflinburg,  
56 Inc. (PMI), the Gutelius House Museum, Mifflinburg Heritage and Revitalization Association (MHRA),  
57 the Elias Center for the Performing Arts, and the Mifflinburg Buggy Museum; and working with the  
58 Mifflinburg Christkindl Market to develop a better connection within the Market and the layout of the  
59 Market with those entities. The Gutelius House Museum has already been a part of the Market, but the  
60 Mifflinburg Christkindl Committee wants to extend the perception that the Elias Center for the  
61 Performing Arts, and the Mifflinburg Buggy Museum are connected to the Market.

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68 Mr. Wagner informed Borough Council that the Christkindl Market of Mifflinburg, Inc. would also like  
69 to move the stage back to where it used to be, by the Herr Memorial Public Library located at 500  
70 Market Street, only further north closer to the alley, to alleviate congestion. These changes have been  
71 discussed with Mayor Cooney and Mr. Steve Walter, Fire Chief for the Mifflinburg Hose Company No.  
72 1 located at 325 Chestnut Street, and they both indicated that they were on board. Mr. Wagner added  
73 that he and Mr. Walter have also worked out all of the access points to allow firefighter access during  
74 the Market.

75  
76 Mr. Zimmerman expressed that he is opposed to moving the stage back to where it used to be, by the  
77 Herr Memorial Public Library located at 500 Market Street. The whole reason the stage was moved to  
78 begin with was to allow firefighter access during the Market. A discussion was held; Mr. Wagner  
79 reiterated that he already discussed this with Mr. Walter and he is fine with it. There will be additional  
80 access points to allow firefighter access during the Market.

81  
82 Mayor Cooney clarified that both Green Street and Quarry Road would remain open to traffic and  
83 barriers would be put in place at 5<sup>th</sup> & Green Street and 5<sup>th</sup> & Quarry Road. Additionally, Mr. Wagner  
84 has assured him and Chief Dyroff that signs would also be placed cautioning pedestrian traffic, walking  
85 both northward and southward, that the road is open to traffic.

86  
87 Mr. Wagner presented Borough Council with a rough sketch of the layout plans for the 2019 Christkindl  
88 Market. Mrs. Hackenberg pointed out that the layout plans being presented indicate that additional huts  
89 are being added to the Market between Church Street and Green Street, where the stage used to be, and  
90 inquired if this would be an issue. Mayor Cooney stated that he thinks adding more vendors to the  
91 Market would be an issue since the main concern over the years and the biggest complaint has been that  
92 the Market is too congested. Ms. Lewis expressed that she personally doesn't see any issues with  
93 additional huts being added to the Market as long as the Fire Chief has blessed this as having been  
94 developed with the thought of safety behind it. A discussion was held; Mr. Tira advised Borough  
95 Council that action would be required to approve the expansion of the Market, with the condition that  
96 there are no additional vendors or huts being added to the Market.

97  
98 Ms. Lewis inquired if Borough Council could table action on the additional huts for the Market until  
99 after being further discussed at the Borough Work Session that is schedule for Tuesday, September 3,  
100 2019. Mr. Tira stated that Borough Council could table action on the additional huts for the Market; the  
101 motion would just be to approve the expansion of the Market, without any authorization to add any  
102 additional vendors or huts at this time.

103  
104 Motion by: Linda L. Lewis  
105 Second by: Richard J. Fry

106  
107 **MOTION: To approve the expansion of the Mifflinburg Christkindl Market, without any**  
108 **authorization to add any additional vendors or huts at this time.**

109  
110 Yes – Ms. Lewis, Mr. Steese, Mr. Fry, Mrs. Hackenberg

111  
112 No – Mr. Zimmerman

113  
114  
115 Mrs. Hackenberg announced that the additional huts for the Christkindl Market would be further  
116 discussed at the Borough Work Session that is scheduled for Tuesday, September 3, 2019.

117  
118 Mr. James F. Spade, attorney with JSDC Law Offices, announced that he is present at tonight's meeting  
119 along with Mr. Richard Schrader, General Manager at Rusty Rail Brewing Company, and Mr. Bud  
120 Schenck, Vice President at Mid-Penn Engineering Corporation, to speak on behalf of the Rusty Rail  
121 Brewing Company located at 5 N. 8<sup>th</sup> Street Suite 1. The Rusty Rail Brewing Company is requesting  
122 clarification on food or non-food dispensing regulations as it relates to EDU requirements for hotel  
123 rooms. Mr. Spade explained that the term "food dispensing" is not defined in the Borough Code of  
124 Ordinances. Based on the definitions in the Borough's Ordinances, the Rusty Rail Brewing Company  
125 does not feel that the hotel rooms located on the third floor of their facility should be considered food  
126 dispensing, and therefore would only require one (1) EDU per two (2) rooms. There were questions  
127 concerning the physical conditions of the hotel rooms; apparently eight (8) of the rooms have  
128 dishwashers installed in them and then two (2) of the rooms at one time had apartment size washer/dryer  
129 combo units installed in them which have been removed. The dishwashers can be removed if that needs  
130 to be a condition of the Occupancy Permit and the Rusty Rail Brewing Company would be willing to  
131 agree to the condition that the apartment size washer/dryer combo units must remain gone if need be.

132  
133

134 Mr. Tira indicated that from the perspective of looking at other common EDU resolutions, when dealing  
135 with the issue of hotel rooms it's really set around that food dispensing is whether or not there is a  
136 kitchen within each room or additional plumbing outside of the bathroom. If the Rusty Rail Brewing  
137 Company is planning on having a dishwasher or a kitchen sink installed in the rooms, then he believes  
138 they're qualifying themselves as food dispensing. They have those elements where there is an increase  
139 use of water in the room and that's the issue; when you're trying to allocate EDUs, you're trying to  
140 measure the potential gallons of water expected per day. A lengthy discussion was held; Mr. Tira  
141 advised that the Rusty Rail Brewing Company could modify their plans to eliminate the additional  
142 plumbing to the kitchen sink within each room and then resubmit the plans to the Central Keystone  
143 Council of Governments (CK-COG) to be reconsidered.  
144

145 Mrs. Metzger clarified that there is no change in the previous action taken by Borough Council until  
146 such a time as the Rusty Rail Brewing Company present their plans as non-food dispensing, and then  
147 Borough Council action would be required.  
148

149 Mr. Tim Turner, a resident of 832 Chestnut Street, inquired about the deadline for Designer Homes of  
150 PA to utilize four (4) EDUs that were issued to them on November 27, 2018. Mr. Tira reported the  
151 deadline to utilize these EDU's is Monday, August 26, 2019. If these EDU's are not utilized by  
152 Monday, August 26, 2019, they will automatically be forfeited in accordance with the terms of the  
153 Resolution they were granted under.  
154

155  
156 Motion by: Tod M. Steese  
157 Second by: Richard J. Fry  
158

159 **MOTION: To approve the Mifflinburg Borough Zoning Report for July 2019 and authorize**  
160 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$1,955.15.**  
161

162 Yes – Mr. Steese, Mr. Zimmerman, Mr. Fry, Ms. Lewis, Mrs. Hackenberg  
163

164 No – None  
165  
166

167 Mrs. Metzger reported that a typo was found in the Tuesday, June 18, 2019 regular Borough Council  
168 meeting minutes. The minutes indicate that Borough Council took action to hire Mr. Nathan William  
169 Fisher as a part-time Police Officer for the Borough of Mifflinburg at a rate of \$15.00/hr., contingent  
170 upon successful completion of the required pre-employment testing and criminal and child abuse  
171 clearances; however Mr. Fisher's rate of pay should have been \$25.00/hr. Borough Council action is  
172 requested to correct this error.  
173

174 Motion by: Tod M. Steese  
175 Second by: Linda L. Lewis  
176

177 **MOTION: To correct the minutes of the Tuesday, June 18, 2019 regular meeting of Mifflinburg**  
178 **Borough Council to change Mr. Nathan William Fisher rate of pay to \$25.00/hr.**  
179

180 Approved via unanimous voice vote.  
181  
182

183 Mrs. Metzger informed Borough Council that she has received a request from the Mifflinburg Veterans  
184 of Foreign Wars (VFW), Yoder-Zimmerman Post 1964. The Mifflinburg VFW is requesting that the  
185 Borough donate water to the Mifflinburg VFW Carnival Grounds and provide, but not install, two (2)  
186 electric bag carts for their Annual Gun Raffle event on September 20-23, 2019. A copy of the request  
187 has been included in the information tonight. Borough Council action is requested to approve this  
188 request.  
189

190 Motion by: Tod M. Steese  
191 Second by: Linda L. Lewis  
192

193 **MOTION: To donate water to the Mifflinburg VFW Carnival Grounds for the Mifflinburg**  
194 **Veterans of Foreign Wars (VFW), Yoder-Zimmerman Post 1964, on September 20-23, 2019 in**  
195 **order to conduct for their Annual Gun Raffle event.**  
196

197 Mrs. Hackenberg pointed out that the Mifflinburg VFW is also requesting that the Borough provide, but  
198 not install, two (2) electric bag carts and clarified that this should be included in the motion.  
199  
200

201 Motion by: Tod M. Steese  
202 Second by: Linda L. Lewis

203  
204 **MOTION: To amend the previous motion to add “and to provide, but not install, two (2) electric**  
205 **bag carts”.**

206  
207 Approved via unanimous voice vote.

208  
209  
210 Mrs. Metzger informed Borough Council that she has also received a request from Mr. Johnny Blake,  
211 Pastor for the Mifflinburg Assembly of God Church located at 1001 Market Street, to utilize the  
212 Mifflinburg Community Park on Friday, June 5, 2020 from 4:00 PM to 8:00 PM to conduct their annual  
213 Community Christian Carnival. A copy of the request has been included in the information tonight.  
214 The Mifflinburg Assembly of God Church has already completed and submitted the required pavilion  
215 reservation forms and paid the \$250.00 security deposit. Borough Council action is requested to  
216 approve this request, contingent upon submission of the required certificate of insurance.

217  
218 Motion by: Duane L. Zimmerman  
219 Second by: Tod M. Steese

220  
221 **MOTION: To approve the Mifflinburg Assembly of God Church’s request to utilize the**  
222 **Mifflinburg Community Park on Friday, June 5, 2020 from 4:00 PM to 8:00 PM to conduct their**  
223 **annual Community Christian Carnival, contingent upon submission of the required certificate of**  
224 **insurance.**

225  
226 Approved via unanimous voice vote.

227  
228  
229 Mrs. Metzger announced that the Mifflinburg Hose Company No. 1 located at 325 Chestnut Street will  
230 be holding an Open House for the officials of the political subdivisions that they protect on Thursday,  
231 August 29, 2019 at 6:30 PM. This is an educational session where they will be reviewing their  
232 firefighting capabilities and firefighting equipment. Light refreshment will be offered during the  
233 presentation. All Borough Council members are requested to attend. A copy of the invitation has been  
234 included in the information tonight.

235  
236 Mr. Rowe provided Borough Council with an update on the status of the ‘Three Project’ work that was  
237 awarded to Sikora Brothers Paving Inc. Mr. Rowe reported that Sikora Brothers Paving Inc. has  
238 submitted Payment Application No. 1 in the amount of \$180,212.15. A copy of the payment application  
239 has been included in the information tonight for Borough Council review. Uni-Tec Consulting  
240 Engineers, Inc. has reviewed the payment application and is recommending that Borough Council take  
241 action to approve this payment application.

242  
243 Motion by: Linda L. Lewis  
244 Second by: Richard J. Fry

245  
246 **MOTION: To approve Payment Application No. 1 from Sikora Brothers Paving Inc. for the**  
247 **‘Three Project’ work in the amount of \$180,212.15.**

248  
249 Yes – Mr. Zimmerman, Mr. Fry, Ms. Lewis, Mr. Steese, Mrs. Hackenberg

250  
251 No – None

252  
253  
254 Mr. Rowe informed Borough Council that Sikora Brothers Paving Inc. has reached substantial  
255 completion for the ‘Three Project’ work. Borough Council action is requested to accept the Certificate  
256 of Substantial Completion for this project.

257  
258 Motion by: Linda L. Lewis  
259 Second by: Tod M. Steese

260  
261 **MOTION: To accept the Certificate of Substantial Completion for Sikora Brothers Paving Inc. for**  
262 **the ‘Three Project’ work.**

263  
264 Approved via unanimous voice vote.

265  
266

267 Mr. Rowe provided Borough Council with an update on the status of the Mifflinburg ADA Curb Ramp  
268 Project. Mr. Rowe reported that Dave Gutelius Excavating, Inc., the contractor for the Mifflinburg  
269 ADA Curb Ramp Project, has submitted Payment Application No. 2 in the amount of \$54,970.38. A  
270 copy of the payment application has been included in the information tonight for Borough Council  
271 review. LIVIC Civil, LLC has reviewed the payment application and is recommending that Borough  
272 Council take action to approve this payment application.

273  
274 Motion by: Linda L. Lewis  
275 Second by: Richard J. Fry

276  
277 **MOTION: To approve Payment Application No. 2 from Dave Gutelius Excavating, Inc. for the**  
278 **Mifflinburg ADA Curb Ramp Project in the amount of \$54,970.38.**

279  
280 Yes – Mr. Fry, Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mrs. Hackenberg

281  
282 No – None

283  
284  
285 Mr. Rowe informed Borough Council that Change Order No. 1 has also been received for the  
286 Mifflinburg ADA Curb Ramp Project in the amount of \$360.00. Mr. Rowe explained that Dave  
287 Gutelius Excavating, Inc., the contractor for the Mifflinburg ADA Curb Ramp Project, made a  
288 typographical error on the contract; they transposed two (2) of the numbers on the contract. This change  
289 order is to rectify the discrepancies between the amounts. A copy of the change order has been included  
290 in the information tonight for Borough Council review. LIVIC Civil, LLC has reviewed the change  
291 order and is recommending that Borough Council take action to approve this change order. Mr. Rowe  
292 clarified that the original contract amount was for the lump sum amount of \$107,985.00; however, the  
293 new contract amount including this change order will be \$108,345.00.

294  
295 Motion by: Linda L. Lewis  
296 Second by: Tod M. Steese

297  
298 **MOTION: To approve Change Order No. 1 from Dave Gutelius Excavating, Inc. for the**  
299 **Mifflinburg ADA Curb Ramp Project in the amount of \$360.00.**

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

302  
303 No – None

304  
305  
306 Mr. Rowe informed Borough Council that Dave Gutelius Excavating, Inc. has reached substantial  
307 completion for Mifflinburg ADA Curb Ramp Project. Borough Council action is requested to accept the  
308 Certificate of Substantial Completion for this project.

309  
310 Motion by: Linda L. Lewis  
311 Second by: Richard J. Fry

312  
313 **MOTION: To accept the Certificate of Substantial Completion for Dave Gutelius Excavating, Inc.**  
314 **for the Mifflinburg ADA Curb Ramp Project.**

315  
316 Approved via unanimous voice vote.

317  
318  
319 Mrs. Metzger reminded Borough Council that American Municipal Power, Inc. (AMP) has revamped  
320 the AMP R.I.C.E. Peaking Project and is accepting new participants for this project. Mr. Norm Baron,  
321 of Utility Engineers, PC, reviewed the project and presented his opinion to Borough Council via a  
322 written recommendation, and through his presentation to Borough Council prior to Tuesday, July 16,  
323 2019 regular Borough Council meeting. It was the consensus of Borough Council to defer action until  
324 the participation documents have been received and reviewed by Mr. Tira.

325  
326 Mr. Tira provided Borough Council with an update on the status of the proposed AMP Generation  
327 Project. Mr. Tira informed Borough Council that he has reviewed the participation documents, which  
328 included the contract agreements and the back and forth opinions of Attorneys representing some other  
329 Borough, and expressed that he thinks Mr. Baron's summary actively reflected this information.  
330 Borough Council action is requested to consider acceptance of the contract agreement with American  
331 Municipal Power, Inc. (AMP) for participation in the AMP R.I.C.E. Peaking Project as recommended.

332  
333

334 Motion by: Duane L. Zimmerman  
335 Second by: Linda L. Lewis

336  
337 **MOTION: To participate in American Municipal Power, Inc. (AMP)'s AMP R.I.C.E. Peaking**  
338 **Project as recommended by Mr. Norm Baron, of Utility Engineers, PC.**

339  
340 Yes – Mr. Steese, Mr. Zimmerman, Mr. Fry, Ms. Lewis, Mrs. Hackenberg

341  
342 No – None

343  
344  
345 Mrs. Metzger informed Borough Council that she has received the renewal information for the  
346 Borough's Employee Assistance Plan for 2020. The cost per agreement year 2019 was \$3,050.00, but  
347 has increased to \$3,110.00 for 2020; this represents a \$60.00 increase. Borough Council action is  
348 requested to approve the renewal of this program.

349  
350 Motion by: Linda L. Lewis  
351 Second by: Tod M. Steese

352  
353 **MOTION: To enter into the Employee Assistance Program Agreement between the Borough of**  
354 **Mifflinburg and the ESI Employee Assistance Group at the Premium Benefit Level for the period**  
355 **of Tuesday, October 1, 2019 through Wednesday, September 30, 2020 to provide professional**  
356 **employee assistance to Borough employees at the cost of \$3,110.00 for 2020.**

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

359  
360 No – None

361  
362  
363 Mrs. Metzger reported that she and Jason W. Mitchell, the Borough Public Works Supervisor, are  
364 requesting that Borough Council consider extending the employment for Mr. John Erdley, the  
365 Borough's Part-Time Seasonal Groundskeeper, through Thursday, October 31, 2019 since the Borough  
366 has not yet replaced their full-time position on the Maintenance Crew and will still have mowing work  
367 through that time. Mrs. Metzger clarified that Mr. Erdley was originally scheduled to work May  
368 through August on an as-needed basis. Borough Council action is requested to extend Mr. Erdley's  
369 seasonal employment through Thursday, October 31, 2019.

370  
371 Motion by: Tod M. Steese  
372 Second by: Richard J. Fry

373  
374 **MOTION: To extend Mr. Erdley's seasonal employment through Thursday, October 31, 2019.**

375  
376 Mr. Zimmerman commented that he has heard numerous compliments on how much nicer the grass and  
377 Borough Parks look since the Borough Maintenance Employees have been completing the mowing  
378 work. Furthermore, he watched as Mr. Erdley was weed whacking and mowing the grass and he is glad  
379 Mr. Erdley's employment is being extended a little longer. Mr. Erdley is a hard worker and he is doing  
380 a great job; he is leading the troops.

381  
382 Ms. Lewis clarified that extending Mr. Erdley's employment would not break any rules or regulation for  
383 Part-Time Seasonal Employees

384  
385 Yes – Mr. Fry, Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mrs. Hackenberg

386  
387 No – None

388  
389  
390 Mrs. Metzger announced that Borough Council action is required regarding disposal of the Borough's  
391 old electric pickup truck, a 2002 Chevrolet 2500-HD 4x4 Utility Truck. Mrs. Metzger recapped that the  
392 pickup truck has failed inspection and is in pretty rough shape. In speaking with Mr. Bottiger, Mr.  
393 Bottiger indicated that the Borough has the following options:

- 394  
395  
396  
397  
398  
399
1. Scrap it (anticipated to cost roughly \$400.00 to \$500.00).
  2. Take it to auction and try selling it (anticipated to cost roughly \$600.00 to \$800.00).
  3. Advertise to solicit bids for the sale of the old electric pickup truck.

400 Mrs. Metzger informed Borough Council that she is proposing Borough Council take action to authorize  
401 Borough Management to advertise to solicit bids for the sale of a 2002 Chevrolet 2500-HD 4×4 Utility  
402 Truck in the Mifflinburg Free Press; the conditions of this sale are as-is, where-is, without warranty. If  
403 no bids are received, then Borough Council action will be requested to scrap it at the Tuesday,  
404 September 17, 2019 regular Borough Council meeting.

405  
406 Mr. Tira clarified that the advertisement to solicit bids for the sale of the Borough's old electric pickup  
407 truck would also be placed on the Borough's website.

408

409 Motion by: Tod M. Steese

410 Second by: Duane L. Zimmerman

411

412 **MOTION: To authorize Borough Management to advertise to solicit bids for the sale of a 2002**  
413 **Chevrolet 2500-HD 4×4 Utility Truck in the Mifflinburg Free Press; the conditions of this sale are**  
414 **as-is, where-is, without warranty.**

415

416 Approved via unanimous voice vote.

417

418

419 Mrs. Metzger provided Borough Council with an update on the status of the Mill Street Reconstruction  
420 Project. Mr. Metzger reminded Borough Council that they took action at the Tuesday, April 16, 2019  
421 regular Borough Council meeting to award the Professional Engineering Services Proposal to Uni-Tec  
422 Consulting Engineers, Inc. to provide professional engineering services for the Mill Street  
423 Reconstruction Project between 4<sup>th</sup> and 5<sup>th</sup> Streets. Mrs. Metzger reported that there is a triangular  
424 island located in the middle of 5<sup>th</sup> and Mill Streets that has a fence around it and a light and fire hydrant  
425 in it. Borough Council direction is requested on whether or not they want to remove this island

426

427 Mr. Rowe distributed copies of two (2) different Aerial View Maps of Mill Street. One (1) of the maps  
428 displayed the existing conditions of Mill Street and the other map illustrated the proposed changes to the  
429 triangular island located in the middle of 5<sup>th</sup> and Mill Streets. Mr. Rowe explained that the triangular  
430 island does not serve a purpose and unless there is some history behind the island, other than the fact  
431 that there are utilities located in this area, the Borough plans on relocating the fire hydrant to the  
432 opposite side of the street and relocating the light post over by the Mifflinburg Community Park since  
433 that's where the light is fed from, and then just getting rid of the triangular island. Mr. Rowe clarified  
434 that the project already includes valve reconstruction and replacement of the fire hydrant, so there would  
435 be no additional cost to relocate the fire hydrant or the light post.

436

437 Mr. Zimmerman expressed that the triangular island located in the middle of 5<sup>th</sup> and Mill Streets has  
438 been a part of the Mifflinburg Community Park ever since the park was built and he would hate to see  
439 the Borough change anything historic. A lengthy discussion was held regarding the proposed changes to  
440 Mill Street. Mr. Rowe stated that the Mill Street Reconstruction Project is currently in the design phase  
441 and any changes to the road would be considered a minor change, the biggest change would be the  
442 utilities. It was the consensus of Borough Council to remove the triangular island and have Uni-Tec  
443 Consulting Engineers, Inc., the Engineer for this project, redesign the intersection with the island  
444 removed. Mr. Tira recommended that a motion be made so there is record of this change.

445

446 Motion by: Tod M. Steese

447 Second by: Linda L. Lewis

448

449 **MOTION: To remove the triangular island located in the middle of 5<sup>th</sup> and Mill Streets and have**  
450 **Uni-Tec Consulting Engineers, Inc. redesign the intersection with the island removed.**

451

452 Mr. Zimmerman clarified that this change would not reduce or change the width of the street.

453

454 Approved via voice vote, with Mr. Zimmerman voting no.

455

456

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

458

459 Mayor Cooney introduced Detective Mark Bailey, Acting Officer In Charge (OIC) of the Mifflinburg  
460 Police Department.

461

462 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for  
463 July 2019 included in the information tonight.

464

465

466 Mayor Cooney announced that he authorized a street closure three (3) different times to the rear of 805  
467 Market Street for tree trimming. Each time, the tree trimmer hired to complete the work did not show  
468 up. The resident(s) of 805 Market Street has indicated that a new tree trimmer is being obtained to  
469 complete this work and it's anticipates that another street closure will be required.

470  
471 Officer In Charge (OIC) Bailey thanked Borough Council for their vote of confidence in his ability to  
472 lead the Mifflinburg Police Department and for the opportunity to serve as the Acting OIC.  
473 Additionally, he knows Borough Council received an email that Chief Dyroff sent out expressing his  
474 belief that the Mifflinburg Police Department is in a good place and will continue to be a great place to  
475 work no matter who the next Chief of Police will be. Detective Bailey expressed that Chief Dyroff has  
476 been very helpful in promoting a smooth transition and he has offered his assistance if needed.

477  
478 OIC Bailey presented Borough Council with some Monthly Highlights for the Mifflinburg Police  
479 Department for August 2019.

480  
481 Ms. Lewis reminded Borough Council that a revised quote has been received from Keystone  
482 Communications for \$4,347.14 to install and program a Federal Signal UHF Siren Alert Box with pager  
483 tone activation and manual red push button for local alert, yellow push button for local tornado alert, to  
484 replace the existing manual alert box in order to allow the Central Susquehanna Regional 911 Center to  
485 activate the siren. This work has not been included in the 2019 Budget and therefore, funds would need  
486 to be transferred from another line item. Ms. Lewis inquired whether or not Borough Council action is  
487 required to transfer funds from one line item to another. Mr. Tira clarified that Borough Council action  
488 is required to transfer funds from one line item to another.

489  
490 Mr. Zimmerman indicated that the fire siren is located in the Rusty Rail Brewing Company, located at 5  
491 N. 8th Street Suite 1, which is powered by the electricity charged to the Rusty Rail Brewing Company.  
492 Mr. Zimmerman expressed his concerns regarding the fire siren; stating that to him this is the same  
493 situation as with the town clock that is located in the tower at the First Evangelical Lutheran Church,  
494 located at 404 Market Street. A lengthy discussion was held; Mr. Steese interjected that this matter has  
495 already been discussed at length.

496  
497 Mrs. Metzger informed Borough Council that they have the following options:

- 498  
499 1. Transfer the full amount from the Building Maintenance fund (001-409-373) or from the  
500 Protective Inspection Administration Expense fund (001-413-100).  
501 2. Transfer ½ of the amount from the Protective Inspection Administration Expense fund  
502 (001-413-100) and the ½ from the Communication Equipment Purchase Expense fund  
503 (001-415-329).  
504

505 Motion by: Linda L. Lewis

506 Second by: Richard J. Fry

507

508 **MOTION: To transfer \$2,173.57 from the Protective Inspection Administration Expense fund**  
509 **(001-413-100) and transfer \$2,173.57 from the Communication Equipment Purchase Expense fund**  
510 **(001-415-329) for the purchase of the Federal Signal UHF Siren Alert Box with pager tone**  
511 **activation and manual red push button for local alert, yellow push button for local tornado alert,**  
512 **to replace the existing manual alert box as presented by the Fire Chief.**

513

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

515

516 No – Mr. Zimmerman,

517

518

519 Mrs. Metzger announced that Wagner, Dreese, Elsasser (W.D.E.) & Associates, PC has completed the  
520 draft of the 2018 Audit Report and she has completed the draft the Management's Discussion and  
521 Analysis that is included with the report. The 2018 Audit Report should be ready for delivery and  
522 approval at the Tuesday, September 17, 2019 regular Borough Council meeting. Mrs. Metzger clarified  
523 that she would forward a copy of the report to Borough Council for their review prior to sending it out.

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530



531 Mayor Cooney presented Borough Council with an update for the Mifflinburg Regional Economic  
532 Development (MRED) Alliance. Mayor Cooney updated Borough Council on the following businesses  
533 in the Borough:  
534

- 535 • Ms. Kathy Kron, the new owner of the former Mifflinburg Moose building located at 437  
536 Chestnut Street, will be opening up the Blue Moose. With the help of the Milton  
537 Experience (T.I.M.E.), the Heiter Center in Lewisburg, the Greater Susquehanna Valley  
538 United Way, the Mifflinburg YMCA and the Herr Memorial Library, she is turning the old  
539 Moose into a place for the young and the rest of the community.
- 540 • Nicole Bingaman will be opening up Inspire Yoga at the Contrast Communications  
541 Building located at 418 Chestnut Street.

542  
543 Mrs. Erin Threet, HRG, Inc., informed Borough Council that she doesn't have an official Engineer's  
544 Report for August 2019. Mrs. Threet provided Borough Council with a brief summary of the  
545 miscellaneous engineering services that HRG, Inc. has provided since last month's meeting.  
546

547 Mr. Tira requested an executive session to discuss potential litigation.  
548

549 Mayor Cooney informed Borough Council that he participated in or will be participating in the  
550 following meetings or events:  
551

- 552 • The Mifflinburg Fireman's Parade that was held on Saturday, July 26, 2019 at 4:00 PM.
- 553 • Working with the Herr Memorial Library to organize a fun community event for October.
- 554 • Working on Ribbon Cuttings for two (2) new business: Inspire Yoga located at 418  
555 Chestnut Street and Modern Heritage Inc. located at 321 E. Chestnut Street.

556  
557 Ms. Lewis inquired about the status of West Buffalo Township (WBT) with regard to the replacement of  
558 their water meters. Mrs. Metzger reported that WBT is still working to complete the replacement of  
559 their water meters with the same system as the Borough's. Mrs. Metzger informed Borough Council  
560 that she is unsure how to proceed with this matter. WBT has been having some trouble getting answers  
561 from Nexgrid and are behind schedule in completing this work. The Borough granted a previous  
562 extension through February 28, 2019 and this work has still not been started. She has been in contact  
563 with Mr. Valentine, and provided WBT with assistance in corresponding with Nexgrid as well as  
564 mapping information for use in determining possible placement of the communications units; however  
565 there is still no clear or scheduled date for this work to begin. A discussion was held; Mrs. Metzger  
566 stated that she would review the Intermunicipal Agreement to see what it allows and provide an update  
567 at the Tuesday, September 17, 2019 regular Borough Council meeting.  
568

569 Ms. Lewis inquired if the advertisement for the Chief of Police position has been placed on the  
570 Pennsylvania Chiefs of Police Association website. Mayor Cooney stated that advertisement for the  
571 Chief of Police position was not placed on the Pennsylvania Chiefs of Police Association website; it was  
572 agreed that the advertisement would stay within a thirty (30) mile radius. Mrs. Metzger clarified that the  
573 advertisement for the Chief of Police position has been placed on the Borough's website, posted in the  
574 Mifflinburg Police Department, and sent to the Daily Item for advertisement.  
575

576  
577 Mrs. Hackenberg called an executive session to discuss potential litigation and personnel matters. An  
578 executive session was held from 8:13 PM to 9:22 PM.  
579

580  
581 Mayor Cooney thanked Mr. Adam Wolfgang, the Store Manager for Russell Cellular, Inc., an exclusive  
582 Verizon Authorized Retailer located at 8 E. Chestnut Street, for providing a loaner phone to Vickie  
583 Shipton, of 507 Market Street, whose mobile phone was destroyed due to a house fire.  
584

585  
586 Motion by: Linda L. Lewis

587 Second by: Paul E. Bottiger  
588

589 **MOTION: To authorize Borough Management to advertise for any available sewer EDU**  
590 **connections to the Mifflinburg sanitary sewer system that may come available in the future.**  
591

592 Approved via unanimous voice vote.  
593  
594  
595  
596

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

599  
600 MOTION: **To authorize Mrs. Metzger to advertise for a special meeting of Mifflinburg Borough**  
601 **Council on Tuesday, October 01, 2019 at 6:30 PM for the distribution of any EDUs that may come**  
602 **available.**

603  
604 Approved via unanimous voice vote.

605  
606  
607 Motion by: Paul E. Bottiger

608  
609 MOTION: **To adjourn the Mifflinburg Borough Council meeting.**

610  
611 Approved via unanimous voice vote.

612  
613  
614 Meeting adjourned at 9:26 PM.

615  
616 Respectfully Submitted,

617  
618  
619 Misty L. Ross  
620 Assistant Borough Secretary  
621