

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL

2 May 19, 2020

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 Jeffrey L. Hackenburg, Chief of Police	X	
13 Allen P. Page IV, 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 virtual meeting of Mifflinburg Borough Council was called to order at 6:35 PM.

19  
20 Visitors present at this meeting were Vickie Pachucki, Fred Reibsome, Travis Deluca, Paul John, Eric  
21 John, Jason Romig, Steve Forcheski, Paul Beckhusen, and William Sandell.

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23  
24 Motion by: Tod M. Steese  
25 Second by: Richard J. Fry

26  
27 **MOTION: To approve the minutes of the Tuesday, April 21, 2020 virtual meeting of Mifflinburg**  
28 **Borough Council.**

29  
30 Approved via unanimous voice vote.

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32  
33 Motion by: Linda L. Lewis  
34 Second by: Paul E. Bottiger

35  
36 **MOTION: To approve payment of Bill List # 2020-05 in the amount of \$531,190.63.**

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

39  
40 No – None

41  
42  
43 Ms. Vickie Pachucki and Mr. Fred Reibsome, residents of the Borough of Mifflinburg, participated in  
44 tonight’s virtual meeting to discuss Borough Council’s plans for opening the Mifflinburg Community  
45 Swimming Pool for the 2020 season. Mr. Reibsome stated that on behalf of the children in the  
46 community, he hopes Borough Council considers opening the pool once Union County moves to the  
47 “green” phase. The children in the community need something to do and there are a lot of kids in town  
48 that look forward to utilizing the pool in the summer. Mr. Reibsome added that it would be a shame not  
49 to have the Mifflinburg Community Swimming Pool open for the 2020 season.

50  
51 Mr. Bottiger indicated that he would open the pool today if Pennsylvania Governor Tom Wolf allowed;  
52 however, due to the continuation of social-distancing practices, he doesn’t see how it’s possible.

53  
54 Mrs. Metzger reported that Governor Wolf has unveiled a reopening plan amid the coronavirus  
55 (COVID-19) pandemic, a three-part plan based on the advice of public health experts to help state and  
56 local officials. In Pennsylvania, public swimming pools cannot open until the “green” phase of  
57 Governor Wolf’s reopening plan and even then, there are guidelines that will have to be followed in  
58 order to stem the spread of COVID-19. Union County is currently under the “yellow” phase. Once  
59 open, according to the “Recreation and Park Facility Reopening Guidelines based on the process to  
60 Reopen Pennsylvania” by the Pennsylvania Recreation & Park Society (PRPS), public swimming pools  
61 will have to abide by physical distancing guidelines of 25 people “in each active zone”, follow  
62 Pennsylvania Department of Health and Centers for Disease Control (CDC) guidelines for water  
63 sanitation and cleaning, and post informative signs. Mrs. Metzger expressed that she would like to see  
64 the pool open for the 2020 season; however, it’s a matter of assessing Governor Wolf’s guidelines  
65 associated with pool openings and whether following those guidelines makes sense from a public safety,  
66 feasibility and economic standpoint.

67

68 A lengthy discussion was held regarding the guidelines for pools, including the difficulties of enforcing  
69 a 6-foot social distancing radius in and out of the pool. Mayor Cooney added that another factor to  
70 consider at this point is staffing. If the pool can't be opened until midsummer, staffing may be a  
71 challenge as many seasonal employees hired to work at the pool likely would seek other summer  
72 employment. Mr. Reibsome interjected that he's sure there are a lot of students who would want to  
73 work at the pool. Mayor Cooney clarified that the Borough can't just hire anyone to work at the pool;  
74 candidates must possess the proper certification and successfully pass a background investigation  
75 including a Criminal Record Check and PA Child Abuse History Clearance, as well as FBI Finger  
76 Printing. Additionally, all students between the ages of 14 and 17 are required by Pennsylvania School  
77 Law to secure an Employment certificate, known as "Working Papers," before they may begin to work.  
78 Ms. Lewis suggested that the Borough could contact the seasonal employees hired to work at the pool  
79 for the 2020 season to see if they would be able to work at the pool this summer

80  
81 Mr. Reibsome reiterated that he just hopes Borough Council is open minded because not opening the  
82 pool for the 2020 season would be a shame for the entire community.

83  
84 Mr. Zimmerman stated that even though the Borough can't open the pool until Union County moves to  
85 the "green" phase, he feels the Borough should move forward as if the pool will open at some point this  
86 summer and take the appropriate steps to get the pool ready; begin preparation with draining and  
87 cleaning the pool since this work needs done regardless of whether or not the pool opens. A lengthy  
88 discussion was held; Mrs. Hackenberg recommended that this matter be deferred to the Tuesday, June 2,  
89 2020 Borough Work Session to be discussed further since no decision can be made at this time on when  
90 or whether the pool will even open for the 2020 season until after receiving additional guidance from the  
91 State and Federal Governments regarding post quarantine operations.

92  
93 Mr. Zimmerman proposed that Borough Council take action to move forward with removing the pool  
94 cover at the pool and begin preparation with draining and cleaning the pool, leaving the pool remain  
95 empty until Union County moves to the "green" phase. Mr. Bottiger stated that he would agree only if  
96 Mr. Zimmerman is absolutely positive that this work actually needs to be done regardless of whether or  
97 not the pool opens. Mr. Zimmerman exclaimed that he performed maintenance on the pool for a lot of  
98 years while employed by the Borough and he knows you have to drain and clean the pool each year;  
99 otherwise you'll have all kinds of bugs and algae growing in the pool which would be detrimental to the  
100 pool. Mrs. Metzger interjected that she doesn't know much about the pool, but she does know that the  
101 pool can't remain empty due to the spring that is located near the pool. Mr. Zimmerman explained that  
102 all the Borough has to do is install the sump pump; the sump pump has a floater which pumps the excess  
103 water out and away from the pool. Mr. Zimmerman apologized for knowing too much.

104  
105 Motion by: Duane L. Zimmerman

106 Second by: Linda L. Lewis

107  
108 **MOTION: To remove the pool cover at the Mifflinburg Community Swimming Pool and begin**  
109 **preparation with draining and cleaning the pool, including installation of the sump pump.**

110  
111 Mrs. Hackenberg inquired if a motion is required since this work has been included in the 2020 Budget.  
112 Mr. Page advised that under normal circumstances a motion would not be required; however, due to the  
113 apparent disagreement over this issue, he feels there should be a motion.

114  
115 Mayor Cooney inquired if the motion on the table could be altered to include addressing any required  
116 repairs of the pool and that the pool be filled  $\frac{3}{4}$  full in order to prevent severe damage to the pumps and  
117 other infrastructure. Mr. Zimmerman stated that addressing any required repairs of the pool would be  
118 part of maintenance; however, he will amend his motion to include this. As far as with filling the pool  
119  $\frac{3}{4}$  full, Borough Council can discuss this further at the Tuesday, June 2, 2020 Borough Work Session.

120  
121 Motion by: Duane L. Zimmerman

122 Second by: Linda L. Lewis

123  
124 **MOTION: To amend the previous motion to include "and to address any required maintenance**  
125 **repairs of the pool if needed".**

126  
127 Yes – Mr. Fry, Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mr. Bottiger, Mrs. Hackenberg

128  
129 No – None

130  
131  
132  
133

134 Mr. Paul Beckhusen, Senior Vice President of Power Supply and Energy Marketing at American  
135 Municipal Power, Inc. (AMP), participated in tonight's virtual meeting along with Mr. William Sandell,  
136 Vice President of Generation Development and Optimization at AMP, to discuss the possibility of the  
137 Borough hosting a site for the AMP R.I.C.E. Project generation facilities and to answer any questions  
138 Borough Council may have. Mr. Beckhusen and Mr. Sandell provided Borough Council with a detailed  
139 overview of the generation facilities. A lengthy discussion was held; generation, transmission, capacity  
140 and distribution of electric power and energy were discussed. Mr. Zimmerman inquired about the  
141 volume of noise these generation units make when they're running. Mr. Sandell explained that the  
142 generation units are designed with sound attenuating enclosures and produce around 78 decibels at 23  
143 feet; the sound equivalent to a washing machine. Mr. Sandell reported that during the site visit, he  
144 spoke with Mrs. Metzger about some concerns he has with the residential houses that are located across  
145 the road, about 200 yards away from the site, and they discussed completing a Noise Level Survey to  
146 screen for noise exposures and to determine if additional monitoring is necessary. Mr. Sandell clarified  
147 that additional sound abatement systems may be required to reduce generator set noise.  
148

149 Mr. Paul John, co-owner and President/CEO at Ritz-Craft Corporation, participated in tonight's virtual  
150 meeting along with Mr. Eric John, co-owner and Vice President at Ritz-Craft Corporation, Mr. Jason  
151 Romig, General Manager at Legacy Building Products, and Mr. Steve Forcheski, General Manager at  
152 Ritz-Craft Corporation, concerning the manufactured home display models that are placed in the parking  
153 area adjacent to the Rusty Rail Brewing Company (located at 5 N 8th Street). Mrs. Metzger recapped  
154 that in the fall, the Central Keystone Council of Governments (CK-COG) issued a temporary use permit  
155 to allow Ritz-Craft Corporation to place three (3) manufactured home display models in the parking area  
156 adjacent to the Rusty Rail Brewing Company (located at 5 N 8th Street). The temporary use permit  
157 extended through January 31, 2020. The CK-COG sent correspondence to Ritz-Craft Corporation  
158 reminding them that their temporary use permit had expired and that the model homes needed to be  
159 moved; however, this hasn't been done and enforcement has begun. Ms. Mackenzie Stover, Zoning  
160 Officer with the CK-COG, contacted Mr. P. John earlier today about moving the model homes.  
161 Subsequently, Mr. P. John contacted her to discuss some type of extension for them to be able to move  
162 the model homes, given everything that has happened with the coronavirus (COVID-19) pandemic.  
163 Mrs. Metzger indicated that she suggested that Borough Council may be willing to entertain a four (4)  
164 week extension for them to be able to move the model homes without further enforcement action due to  
165 the COVID- 19 pandemic.  
166

167 Mr. P. John expressed that this is kind of an emotional topic for him which is why he asked to speak  
168 with Borough Council. While he certainly understands Borough Council's position and that what they  
169 do isn't easy; he wanted to ensure that Borough Council understood and appreciates what Ritz-Craft  
170 Corporation has been going through during these unusual times. Ritz-Craft Corporation has been in  
171 business for 52 years in September, and today they represent more than 8 different companies and over  
172 700 employees. Mr. P. John conveyed that he has never been more scared in his life that they're not  
173 going to make it; the COVID-19 pandemic has been financially devastating and they're in business now  
174 by a very thin thread. Mr. P. John explained that Ritz-Craft Corporation launched a new product line in  
175 2019 which was introduced late. Ritz-Craft Corporation placed the model homes in the parking area  
176 adjacent to the Rusty Rail Brewing Company in October and had their 1<sup>st</sup> show in November which  
177 resulted in a very poor turnout due to inclement weather conditions. Out of the 200 guests that were  
178 invited, less than 30 people attended. With Borough Council permission, Ritz-Craft Corporation would  
179 like to host another showing. Mr. P. John informed Borough Council that Ritz-Craft Corporation  
180 attempted to move one (1) of the model homes; however, the model home was placed within the wet  
181 lands, creating huge ruts throughout the preserve. Ritz-Craft Corporation made the decision at that time  
182 to wait until the ground froze or unfroze more to move the model homes. Ritz-Craft Corporation  
183 thought that they had the model homes sold; however, the sale fell through shortly after the COVID-19  
184 pandemic began causing them to lose millions of dollars.  
185

186 Mr. Bottiger inquired why Ritz-Craft Corporation didn't request an extension from the CK-COG in  
187 January when the temporary use permit expired, which was six (6) weeks prior to the COVID-19  
188 pandemic. Mr. Romig reported that Ritz-Craft Corporation did request an extension from the CK-COG;  
189 however, the request was never even granted consideration. Mr. Bottiger then asked if the model homes  
190 could be relocated to Ritz-Craft Corporation's manufacturing facilities. Mr. P. John stated that if push  
191 comes to shove, the model homes could be moved to their manufacturing facilities; however, the model  
192 homes were placed in the parking area adjacent to the Rusty Rail Brewing Company for a reason. Mr.  
193 P. John added that he realizes there's an issue with regard to one (1) of the model homes being  
194 supposedly on a setback for the Buffalo Valley Rail Trail, but its 7 feet from the require setback.  
195

196 Mayor Cooney requested clarification as to whether or not one (1) of these model homes is located on  
197 the Buffalo Valley Rail Trail property. Mr. Rowe confirmed that one (1) of the model homes is located  
198 on the Buffalo Valley Rail Trail property. According to an email from Union County, the right-of-way  
199 is 46 ½ feet; 23.25 feet from the centerline. A lengthy discussion was held regarding the right-of-way  
200 and setback requirements for the Buffalo Valley Rail Trail property.

201 Mr. Page advised Borough Council that the issue here is that there is a zoning violation of a temporary  
202 use permit. Under the declaration of emergency that Borough Council declared, Borough Council has  
203 the power to grant leniency, to relax the timeframe and grant an extension at their discretion  
204

205 Motion by: Duane L. Zimmerman

206  
207 **MOTION: To grant an extension of the temporary use permit until September 1, 2020 for Ritz-**  
208 **Craft Corporation to be able to move the manufactured home display models without further**  
209 **enforcement action.**

210  
211 The motion failed due to lack of a second.

212  
213  
214 Mr. Bottiger expressed that he feels the timeline for the extension is too long. Mr. Bottiger explained  
215 that he would feel differently if the temporary use permit wouldn't have expired six (6) weeks prior to  
216 COVID-19 pandemic and stated that he be willing to entertain a week or two (2) extension for Ritz-  
217 Craft Corporation to be able to move the model homes without further enforcement action.

218  
219 Mrs. Lewis indicated that she doesn't know that Borough Council has the authority to grant any kind of  
220 extension when one (1) of the model homes is located on the Buffalo Valley Rail Trail property. A  
221 lengthy discussion was held; Mr. Page advised Borough Council that the property owner, or in this case  
222 the Buffalo Valley Rail Trail, would be responsible for bringing any action of ejection; however, the  
223 issue here is that there is a zoning violation of a temporary use permit.

224  
225 Motion by: Duane L. Zimmerman

226 Second by: Richard J. Fry

227  
228 **MOTION: To extend the enforcement action and permitted use until September 1, 2020 due to the**  
229 **COVID-19 pandemic interruption; this motion does not include the encroachment issue, that is for**  
230 **Ritz-Craft Corporation to work out with the owners of the Buffalo Valley Rail Trail.**

231  
232 Mayor Cooney stated that he doesn't think "due to the COVID-19 pandemic" is appropriate given that  
233 the temporary use permit expired prior to COVID-19 pandemic. This is a self-imposed hardship; Ritz-  
234 Craft Corporation should have moved the manufactured home display models by the original deadline,  
235 before the pandemic.

236  
237 A lengthy discussion was held; Mrs. Metzger interjection that Borough Council is concerned about their  
238 utility customers being terminated for non-payment when the customer knew they had a bill that needed  
239 to be paid and they knew it was from a previous time period, maybe not within the COVID-19  
240 pandemic, but still within the termination period, and they're making exceptions for them to extend  
241 payment arrangement. Mrs. Metzger clarified that she knows this is not the same, but it's similar as far  
242 as timelines go.

243  
244 Yes – Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mr. Fry

245  
246 No – Mr. Bottiger, Mrs. Hackenberg

247  
248  
249 Motion by: Tod M. Steese

250 Second by: Richard J. Fry

251  
252 **MOTION: To approve the Mifflinburg Borough Zoning Report for April 2020 and authorize**  
253 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$487.50.**

254  
255 Yes – Mr. Steese, Mr. Zimmerman, Mr. Bottiger, Mr. Fry, Ms. Lewis, Mrs. Hackenberg

256  
257 No – None

258  
259  
260 Mrs. Metzger informed Borough Council that she has received a request from Mr. Johnny Blake, Pastor  
261 for the Mifflinburg Assembly of God Church located at 1001 Market Street, to move their annual  
262 Community Christian Carnival at the Mifflinburg Community Park from Friday, June 7, 2019 from 4:00  
263 PM to 8:00 PM to Saturday, September 19, 2020 due to the COVID-19 pandemic. Borough Council  
264 action is requested on this matter.

265  
266

267 Motion by: Paul E. Bottiger  
268 Second by: Richard J. Fry

269

270 **MOTION: To approve the Mifflinburg Assembly of God Church's request to move their annual**  
271 **Community Christian Carnival at the Mifflinburg Community Park from Friday, June 7, 2019**  
272 **from 4:00 PM to 8:00 PM to Saturday, September 19, 2020.**

273

274 Approved via voice vote with Ms. Lewis voting no.

275

276

277 Mrs. Metzger informed Borough Council that she has also received a request from Ms. Heidi Criswell,  
278 Executive Director for the Mifflinburg Heritage & Revitalization Association (MHRA), which reads as  
279 follows:

280

281

Dear Borough:

282

283 Due to the COVID-19 crisis, we are rescheduling our Wine & Brew Festival at the Mifflinburg  
284 VFW Carnival Grounds to Saturday, September 12, 2020. Our Oktoberfest dates are still  
285 Friday, October 2 and Saturday October 3, 2020. We wanted to keep the Borough in the loop  
286 of the changes because of our need of your assistance with two (2) items:

287

288

- Electric bag carts (2 minimum).

289

- Water available at the site.

290

291 We will arrange to have someone hook up the bag carts. Please let me know a day and time  
292 that is convenient so we can be present at the site and have someone there at that time to hook  
293 them up. They can also coordinate directly with Mr. Juergen Seefeldt, Co-Chairman of the  
294 Mifflinburg Oktoberfest Committee.

295

296 Thank you for your help. We appreciate what the Borough does to support us and our events.

297

298

Sincerely,

299

Ms. Heidi Criswell

300

Executive Director

301

302 Mrs. Metzger informed Borough Council that they received a copy of the request via email prior to  
303 tonight's virtual meeting. Borough Council action is requested on this matter.

304

305 Motion by: Paul E. Bottiger

306

Second by: Duane L. Zimmerman

307

308 **MOTION: To donate water services to the Mifflinburg VFW Carnival Grounds and to provide**  
309 **but not install two (2) electric bag carts for the Mifflinburg Heritage & Revitalization Association**  
310 **(MHRA) on Saturday, September 12, 2020 in order to conduct the Wine & Brew Festival.**

311

312 Approved via voice vote with Ms. Lewis voting no.

313

314

315 Mayor Cooney announced that Mr. Eldon Hoy, Athletic Director for the Mifflinburg Area School  
316 District (MASD) has submitted a request via email for an event to be added to the approved 2020  
317 Special Events for the Mifflinburg Fire Police and the Mifflinburg Hose Company. Mayor Cooney  
318 explained that with the ongoing COVID-19 pandemic, the MASD is looking to have a digital formal  
319 ceremony for the Mifflinburg Class of 2020 that will air the day of graduation, Friday June 5, 2020 on  
320 Service Electric Cable, Facebook, Instagram, and other mediums. Following the digital formal  
321 ceremony, there will be a drive-up formal delivery of diplomas (with tickets) preceded by a vehicle  
322 procession along Market Street. At the end of the procession, the procession vehicles will make their  
323 way back to the Mifflinburg Area Intermediate School where seniors will toss their hats in celebration  
324 and view a fireworks display, weather permitting. Each senior will receive a ticket that will allow one  
325 (1) vehicle into the graduation ceremony, procession, and fireworks display. Seniors will be allowed to  
326 have as many people ride along with them in the procession as can legally be in the vehicle and will  
327 need to abide by the laws of the road and have road-legal vehicles. This hybrid graduation will allow  
328 seniors to celebrate with their families, classmates, and members of the community while respecting  
329 current social distance guidelines. Mr. Hoy will be contacting the appropriate individuals to arrange for  
330 Fire Police at each corner along the procession route. Borough Council action is requested to add this  
331 event to the approved 2020 Special Events for the Mifflinburg Fire Police and the Mifflinburg Hose  
332 Company which extends Worker's Compensation Coverage for this event.

333

334 Motion by: Paul E. Bottiger  
335 Second by: Linda L. Lewis

336  
337 **MOTION: To add the Mifflinburg Area School District (MASD) Class of 2020 Vehicle Procession**  
338 **to the approved 2020 Special Events for the Mifflinburg Fire Police and the Mifflinburg Hose**  
339 **Company.**

340  
341 Approved via unanimous voice vote.

342  
343  
344 Mayor Cooney announced that in speaking with Mr. Will Zimmerman, Mr. Zimmerman indicated that  
345 the Mifflinburg American Legion has decided to cancel the annual Mifflinburg Memorial Day Parade  
346 due to the COVID-19 pandemic. Thus, he decided to cancel the Mifflinburg Memorial Day 5th Street  
347 Festival. Mayor Cooney clarified that the Mifflinburg American Legion will still have the annual  
348 Memorial Day Ceremony in the Mifflinburg Cemetery beginning at 7:00 PM on Monday, May 25, 2020.

349  
350 Mrs. Metzger informed Borough Council that the bid opening for the 2020 Annual Seal Coat proposal  
351 was held on Wednesday, May 13, 2020 at 1:04 PM. A copy of the bid tabulation has been forwarded to  
352 Borough Council via email prior to tonight's virtual meeting which read as follows:

353

<u>Seal Coat Bids</u>		
354	1. Midland Asphalt Materials, Inc.	\$104,345.04
355	2. Hammaker East LTD	\$ 72,356.21

356  
357

358 Borough Council action is requested to award the 2020 Annual Seal Coat Contract to Hammaker East  
359 LTD in the unit price amount of \$72,356.21, contingent upon receipt of the completed Anti-Collusion  
360 affidavit.

361  
362 Motion by: Paul E. Bottiger  
363 Second by: Linda L. Lewis

364  
365 **MOTION: To award the 2020 Annual Seal Coat Contract to Hammaker East LTD in the unit**  
366 **price amount of \$72,356.21, contingent upon receipt of the completed Anti-Collusion affidavit.**

367  
368 Yes – Mr. Bottiger, Mr. Fry, Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mrs. Hackenberg

369  
370 No – None

371  
372  
373 Mrs. Metzger provided Borough Council with an update on the status of the Mifflinburg Dewatering  
374 Upgrade Project. Mrs. Metzger reported that as discussed at the Tuesday, May 5, 2020 Borough Work  
375 Session, HRG, Inc. has completed the scope of services associated with Phase I and Phase II of the  
376 Dewatering Upgrade Project. With the preliminary design complete and permitting under review with  
377 the Pennsylvania Department of Environmental Protection (DEP), the Borough is ready to move forward  
378 with finalizing the design, bidding, and constructing the Project. HRG, Inc. has prepared a proposal to  
379 provide professional engineering services related to Phase III - V: Final Design, Bidding & Construction  
380 Administration of the Dewatering Upgrade Project. HRG, Inc. is proposing to complete these services  
381 as outlined in their proposal dated May 1, 2020 for the following fees:

382

383	Phase III: Final Design	\$38,350.00	Lump Sum Fee
384			<i>(Deduct \$3,040 for removal of final Electrical Design)</i>
385			
386	Phase IV: Bidding	\$ 3,870.00	Lump Sum Fee
387			<i>(Deduct \$470 for removal of final Electrical Design)</i>
388			
389	Phase V: Construction Administration	\$18,480.00	Time & Materials, Est. Fee
390			<i>(Deduct \$2,980 for removal of final Electrical Design)</i>

391  
392  
393  
394

395 A copy of the proposal has been forwarded to Borough Council via email prior to tonight's virtual  
396 meeting. Borough Council action is to approve the proposal from HRG, Inc. to provide professional  
397 engineering services related to Phase III - V: Final Design, Bidding & Construction Administration of  
398 the Dewatering Upgrade Project on a time and materials basis for an estimated fee of \$60,700.00.

399  
400

401 Motion by: Paul E. Bottiger  
402 Second by: Linda L. Lewis

403  
404 **MOTION: To approve the proposal from HRG, Inc. to provide professional engineering services**  
405 **related to Phase III - V: Final Design, Bidding & Construction Administration of the Dewatering**  
406 **Upgrade Project on a time and materials basis for an estimated fee of \$60,700.00.**

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

409  
410 No – None

411  
412  
413 Mrs. Metzger reminded Borough Council that they took action at the Tuesday, April 21, 2020 virtual  
414 Borough Council meeting to table action on the Engineering Proposals for architectural design and  
415 construction administration for the Borough Equipment Center located at 6 Industrial Parkway and the  
416 Mifflinburg Hose Company Building located at 325 Chestnut Street until the Tuesday, May 19, 2020  
417 virtual Borough Council meeting. Mrs. Metzger recapped that there were two (2) proposals received  
418 and are as follows:

419		
420	Hiller Architectural Group, Ltd	\$19,700.00
421	Anthony H. Visco Jr. Architects	\$12,585.00
422		

423 A copy of the tabulation has been forwarded to Borough Council via email prior to tonight's virtual  
424 meeting. Borough Council action is requested to award the Engineering Proposal for architectural  
425 design and construction administration for the Borough Equipment Center and the Mifflinburg Hose  
426 Company Building to Anthony H. Visco Jr. Architects, the low bidder.

427  
428 Motion by: Paul E. Bottiger  
429 Second by: Linda L. Lewis

430  
431 **MOTION: To award the Engineering Proposal for architectural design and construction**  
432 **administration for the Borough Equipment Center and the Mifflinburg Hose Company Building**  
433 **to Anthony H. Visco Jr. Architects for the lump sum amount of \$12,585.00, contingent upon**  
434 **receipt of the executed performance and payment bond documents.**

435  
436 Mr. Zimmerman expressed that due to the COVID-19 pandemic, he personally feels that Borough  
437 Council should table action on both of these projects until later in the year when the Borough knows  
438 what their financial status will be. Mr. Zimmerman stated that both of the restroom facilities at the  
439 Mifflinburg Hose Company Building and the Borough Equipment Center have worked well for over  
440 twenty (20) years.

441  
442 Yes – Ms. Lewis, Mr. Steese, Mr. Bottiger, Mr. Fry, Mrs. Hackenberg

443  
444 No – Mr. Zimmerman

445  
446  
447 Mrs. Metzger reported that Borough Council consideration is requested on whether or not the 2020  
448 Summer Concert Series that are held at the Mifflinburg Community Park should be cancelled. These  
449 concerts are normally held every Thursday night from 7:00-8:30 PM in June, July, and August. Mrs.  
450 Metzger reminded Borough Council that the Borough was awarded a Pennsylvania Council on the Arts  
451 (PCA) Grant in the amount of \$1,348.00 to help support the 2020 Summer Concert Series that are held  
452 at the Mifflinburg Community Park. This grant is through the Pennsylvania Partners in the Arts (PPA).  
453 A discussion was held; Ms. Lewis expressed that she would like to see all large gatherings be cancelled  
454 for both May and June and then be revisited for July. Mrs. Metzger stated that she could reach out to the  
455 Pennsylvania Partners in the Arts (PPA) to see what options they have with regard to the grant  
456 requirements.

457  
458 Mayor Cooney informed Borough Council that he reached out to Ms. Joanne Troutman, President/CEO  
459 for the Greater Susquehanna Valley United Way, regarding alternative uses for the Mifflinburg  
460 Community Park. Subsequently, he spoke with a gentleman who is in charge of the Central  
461 Pennsylvania Food Bank regarding a Summer Food Service Program (SFSP) they have, which allows  
462 the Food Bank to partner with churches, community organizations and public parks to provide free,  
463 nutritious meals and snacks to children during the summer months. All children under the age of 18 are  
464 eligible to receive free meals at approved SFSP sites. A lengthy discussion was held; Mrs. Hackenberg  
465 deferred this matter to the Tuesday, June 2, 2020 Borough Work Session to be discussed further.

466  
467

468 Ms. Lewis announced that she recently became aware of some real estate auctions that are scheduled in  
469 the Borough and inquired if this was something that the Borough needs to interject with, since there will  
470 likely be more than 25 people. Under Yellow Phase the guidance states “Large Gatherings of more than  
471 25 Prohibited”. Mayor Cooney reported that when this first started, he reached out to the Department of  
472 Labor & Industry via email seeking guidance for yard sales and other community gatherings; however,  
473 he never heard back from the Department of Labor & Industry. A discussion was held; Mayor Cooney  
474 clarified that there’s not much the Borough can do since it’s on private property.  
475

476 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for  
477 April 2020 included in the information tonight.  
478

479 Chief Hackenburg presented Borough Council with some Monthly Highlights for the Mifflinburg Police  
480 Department for April 2020.  
481

482 Mr. Zimmerman expressed his concerns with regard to not having a battery back-up installed for the  
483 camera system at the Mifflinburg Community Park. Chief Hackenburg stated that he could contact  
484 Select Security. Mrs. Metzger suggested that Chief Hackenburg contact Mr. Mike Derr.  
485

486 Ms. Lewis inquired about how the Mifflinburg Police Department approaches or deals with individuals  
487 who choose to ignore the guidelines set forth in the Governor’s orders and have gatherings larger than  
488 25 people. Chief Hackenburg stated that it’s fine line on whether or not the Mifflinburg Police  
489 Department has the authority to legally enforce the Governor’s orders that’s not a law. In his mind, as  
490 long as the individuals aren’t violating or breaking any laws, he doesn’t know that the Mifflinburg  
491 Police Department has the authority to legally enforce the Governor’s orders. Mr. Page agreed with  
492 Chief Hackenburg and clarified that this has always been a grey area.  
493

494 Mr. Rowe reported that he just wanted to mention for the record that he pulled Ritz-Craft Corporation’s  
495 Land Development Plan for the accessory parking lot. The Land Development Plan shows the right-of-  
496 way for the Buffalo Valley Rail Trail at 46 ½ feet, which is a setback of 15 feet. Mr. Rowe stated that  
497 he will be contacting Mr. Page tomorrow to received clarification on how the Borough’s setback  
498 requirements aren’t the responsibility of the Borough’s Zoning Officer to enforce. A discussion was  
499 held. Mr. Zimmerman expressed that he feels the Borough should stay out of it and that Mr. Rowe  
500 shouldn’t contact anyone; it’s not in the Borough best interest.  
501

502 Mr. Steese announced that Mifflinburg Fireman’s Parade has been canceled due to the COVID-19  
503 pandemic; the Mifflinburg Fireman’s Carnival is in limbo until next month.  
504

505 Mrs. Metzger announced that the Mifflinburg Borough Recycling Center will have a soft reopening with  
506 a limited schedule and restrictions to protect employees and the public effective Saturday, June 6, 2020.  
507 The Mifflinburg Borough Recycling Center will be open the first and third Saturdays of June from 8:00  
508 AM-11:00 AM. The Mifflinburg Borough Recycling Center will be closed on Saturday, July 4, 2020,  
509 and resume operations on Saturday, July 18, 2020.  
510

511  
512 Motion by: Tod M. Steese  
513

514 **MOTION: To adjourn the Mifflinburg Borough Council meeting.**  
515

516 Approved via unanimous voice vote.  
517

518  
519 Meeting adjourned at 8:58 PM.  
520

521 Respectfully Submitted,  
522

523  
524 Misty L. Ross  
525 Assistant Borough Secretary  
526