

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL

2 June 16, 2020

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	
8	Richard J. Fry, Council Member	X	
9	Linda L. Lewis, Council Member	X	
10	Duane L. Zimmerman, Council Member		X - Arrived at 6:40 PM
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 6:30 PM.

19
20 Visitors present at this meeting were Lance Miller, Fred Reibsome, Tina Hook, and Matthew Wells.

21
22
23 Motion by: Tod M. Steese

24 Second by: Richard J. Fry

25
26 **MOTION: To approve the minutes of the Tuesday, May 19, 2020 virtual meeting of Mifflinburg**
27 **Borough Council.**

28
29 Approved via unanimous voice vote.

30
31
32 Motion by: Linda L. Lewis

33 Second by: Richard J. Fry

34
35 **MOTION: To approve payment of Bill List # 2020-06 in the amount of \$265,046.52.**

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

38
39 No – None

40
41
42 Mr. Matt Wells, Director for the 2020 Season at the Mifflinburg Community Park/Pool, participated in
43 tonight’s virtual meeting regarding the proposed rules and guidelines for opening the Mifflinburg
44 Community Pool for the 2020 Season.

45
46 Mrs. Hackenberg informed Borough Council that they received a copy of the Mifflinburg Community
47 Pool Guidelines for the 2020 Season via email prior to tonight’s virtual meeting. The purpose of this
48 document is to describe special rules and guidelines for the Mifflinburg Community Pool patrons and
49 employees to follow during the 2020 Season to minimize the chance of spreading COVID-19. These
50 rules and guidelines follow the requirements and suggestions set by the Pennsylvania Department of
51 Health (DOH) and the Centers for Disease Control (CDC) for aquatic venues, in accordance with the
52 Pennsylvania Governor's phased reopening plan. All patrons and employees are required to abide by
53 these rules and guidelines. These rules and regulations do not fully replace the existing rules, but work
54 to supplement them.

55
56 Mr. Wells announced that he is suggesting that the following General Admission Rates be approved for
57 the 2020 Season:

58	Adult (over 18)	\$3.00 per session
59	Student (school age)	\$2.00 per session
60	Non-School age children	Free with a paying adult

61
62
63 The Mifflinburg Pool will have two (2) time blocks available for patrons to visit. In addition, there will
64 also be High-Risk Population Swimming for any patrons that are considered high risk as well as Lap
65 Swimming times for patrons during the morning hours. The Admission Rates for both the High-Risk
66 Population Swimming and Lap Swimming will be \$1.00.

67

68 Mr. Fred Reibsome, a resident of the Borough of Mifflinburg, inquired if season passes would be
69 available for the 2020 Season at the Mifflinburg Community Pool. Mayor Cooney reported that season
70 passes would not be available for the 2020 Season, since attendance will be limited due to social
71 distancing requirements and the Borough can't guarantee pass holders admittance.

72
73 Mr. Bottiger inquired about the capacity of the fenced area of the pool and how many patrons would be
74 permitted. Mr. Wells stated the capacity of the fenced area of the pool will not exceed 125 persons in
75 the "green" phase. The Park/Pool Staff are not included in this total.

76
77 Mr. Reibsome inquired what the two (2) time blocks were that would be available for patrons to visit.
78 Mr. Wells clarified that the Mifflinburg Community Pool hours will be as follows:

79
80 High Risk Population swim time: 10:15 AM – 11:00 AM
81 Lap swimming: 11:00 AM – 11:45 AM
82 11:45 AM – 12:30 PM
83

84 General Admission – two (2) time blocks available:
85 First time block: 1:00 PM – 4:30 PM
86 Closed for sanitizing: 4:30 PM – 5:00 PM
87 Second time block: 5:00 PM – 8:00 PM
88

89 General Admission Rates will be assessed for each time block and all attendees will be required to leave
90 the pool compound during the sanitizing break.

91
92 Mr. Bottiger inquired if all of the special rules and guidelines for the Mifflinburg Community Pool were
93 legally necessary. Mr. Page advised Borough Council that he understands the rules and guidelines for
94 the 2020 Season are an inconvenience; however, he thinks these rules and guidelines are necessary. A
95 lengthy discussion was held; Mr. Page recommended that Borough Council take action to adopt the
96 Mifflinburg Pool Guidelines for 2020 Season as prepared and presented by Mr. Matt Wells, Park/Pool
97 Director, with an opening date of Saturday, June 20, 2020 at 1:00 PM.

98
99 Motion by: Linda L. Lewis
100 Second by: Tod M. Steese
101

102 **MOTION: To adopt the Mifflinburg Pool Guidelines for 2020 Season as prepared and presented**
103 **by Mr. Matthew Wells, the Park Director, with an opening date of Saturday, June 20, 2020 at 1:00**
104 **PM.**

105
106 Yes – Ms. Lewis, Mr. Steese, Mr. Zimmerman, Mrs. Hackenberg
107

108 No – Mr. Fry, Mr. Bottiger
109
110

111 Mr. Lance Miller introduced himself to Borough Council and announced that he, in addition to his father
112 (Mr. Michael D. Miller) and Mr. Luis R. Montesinos, Jr., will be opening-up Buffalo Valley Wealth
113 Plus, LLC: a Financial Advisory Firm at 110 Chestnut Street, Suite 103. Mr. Miller informed Borough
114 Council that he is participating in tonight's virtual meeting to learn about what's going on in the
115 community and what the priorities are, as well as to learn how this all works.

116
117
118 Motion by: Duane L. Zimmerman
119 Second by: Paul E. Bottiger
120

121 **MOTION: To approve the Mifflinburg Borough Zoning Report for May 2020 and authorize**
122 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of**
123 **\$1,963.10.50.**

124
125 Yes – Ms. Lewis, Mr. Steese, Mr. Bottiger, Mr. Fry, Mrs. Hackenberg
126

127 Borough Council directed that Mr. Zimmerman be skipped due to his lost connection at this time.
128

129 No – None
130
131
132

133 Mrs. Metzger informed Borough Council that Mr. Matthew Wells, the Park Director, is requesting that
134 the following additional employees be hired /rehired for the 2020 Season at the Mifflinburg Community
135 Park/Pool due to some resignations or reduced availability of our rehires:
136

137 Rehire

138 Denise Seebold Cailey Neiswender

140 Hire

141 Natalie Harvey Brad Wohlheiter Evan Pachucki Avery Dewire

142
143 A copy of the list has been forwarded to Borough Council via email prior to tonight's virtual meeting.
144 Borough Council action is requested to hire/rehire the individuals as recommended by Mr. Wells.

145
146 Motion by: Paul E. Bottiger

147 Second by: Linda L. Lewis

148
149 **MOTION: To hire/rehire the additional employees for the 2020 Season at the Mifflinburg**
150 **Community Park/Pool as listed and recommended by Mr. Matthew Wells, the Park Director.**

151
152 Approved via unanimous voice vote.

153
154
155 Mrs. Metzger reported that Borough Council consideration is requested regarding weather or not the
156 2020 Summer Concert Series at the Mifflinburg Community Park should be cancelled. A discussion
157 was held; Ms. Lewis inquired if a disclaimer could be included with the notice that the Borough reserves
158 the right to cancel the 2020 Summer Concert Series if the concerts become problematic.

159
160 Motion by: Duane L. Zimmerman

161 Second by: Linda L. Lewis

162
163 **MOTION: To have the 2020 Summer Concert Series at the Mifflinburg Community Park.**

164
165 A discussion was held regarding including a disclaimer with the notice that the Borough reserves the
166 right to cancel the 2020 Summer Concert Series if they become problematic. Mr. Zimmerman reiterated
167 that his motion is to have the 2020 Summer Concert Series at the Mifflinburg Community Park as
168 planned.

169
170 Yes – Mr. Steese, Mr. Zimmerman, Mr. Bottiger, Mr. Fry, Ms. Lewis, Mrs. Hackenberg

171
172 No – None

173
174
175 Mayor Cooney provided Borough Council with an update on the Central Pennsylvania Food Bank
176 Summer Food Service Program. Mayor Cooney reported that the Central Pennsylvania Food Bank
177 Summer Food Service Program will be offering a Free Summer Lunch Program throughout the summer
178 for children up to age 18. This program will start on Wednesday, June 17, 2020 and run every
179 Wednesday throughout the summer. Lunches will be picked up at the Mifflinburg Community Park
180 Pavilion from 11:00 AM to 12:00 PM. This is a drive-thru service but all students do not need to be in
181 the car to receive food. Parents/Guardians/Students will enter the park using the entrance by the
182 basketball courts. Each student will receive six (6) lunches and six (6) breakfasts. The Mifflinburg
183 Area Backpack Program will also be handing out backpack snack items during the lunch distribution.

184
185 Mrs. Hackenberg thanked Mr. Matthew Wells, the Park Director, for all of his assistance with
186 developing the Mifflinburg Pool Guidelines for 2020 Season.

187
188 Mrs. Metzger announced that Mrs. Tina Hook, with the Mifflinburg Little League Association, is
189 participating in tonight's virtual meeting regarding the Field Use Agreement between the Borough of
190 Mifflinburg and the Mifflinburg Little League Association. Mrs. Metzger reported that Mrs. Hook has
191 contacted her to discuss the Field Use Agreement and she indicated that the Field Lighting Agreement
192 would not be required and that there will be no concession stand this year. The Field Use Agreement
193 has been amended to reflect these changes. Subsequently, she forwarded the Field Use Agreement to
194 Mr. Page via email for his review. Borough Council consideration is requested to approve the revised
195 Field Use Agreement between the Borough of Mifflinburg and the Mifflinburg Little League
196 Association.

197
198

199 Ms. Lewis inquired if a sentence could be added at the end of paragraph 10 of the Field Use Agreement
200 that says something to the effect of: If the Mifflinburg Little League Association is found to be in
201 violation of COVID-19 guidelines set forth by the Pennsylvania Department of Health (DOH) and the
202 Centers for Disease Control (CDC) that Borough Council reserves the right to make this agreement null
203 and void. Mr. Bottiger disagreed with Ms. Lewis and expressed that he doesn't think the Mifflinburg
204 Little League Association should be punished for what one (1) or two (2) people choose to do. A
205 lengthy discussion was held; Mr. Zimmerman stated that he doesn't think the government should control
206 everything in this world as we're trying to do. Really to him, this is no different than having the thirty
207 (30) some kids they had playing on the playground at the Mifflinburg Community Park today and
208 sliding down the slides.

209
210 Motion by: Duane L. Zimmerman

211 Second by: Paul E. Bottiger

212

213 **MOTION: To approve the revised Field Use Agreement between the Borough of Mifflinburg and**
214 **the Mifflinburg Little League Association, excluding Ms. Lewis's changes.**

215

216 Yes – Mr. Zimmerman, Mr. Bottiger, Mr. Fry, Mr. Steese, Mrs. Hackenberg

217

218 No – Ms. Lewis

219

220

221 Mrs. Metzger informed Borough Council that action is requested to approve the Credit Card Processing
222 Agreement with Bankcard Associates for utility payments.

223

224 Motion by: Linda L. Lewis

225 Second by: Paul E. Bottiger

226

227 **MOTION: To approve the Credit Card Processing Agreement with Bankcard Associates for**
228 **utility payments.**

229

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

231

232 No – None

233

234

235 Mrs. Metzger reminded Borough Council that they previously took action to waive utility termination
236 and late penalties through the end of May 2020. Mrs. Metzger reported that Borough Council
237 consideration is requested on whether or not they want to waive utility termination and late penalties for
238 June 2020. Additionally, Borough Council consideration is requested on whether or not they want to
239 continue to offer extended payment arrangements for past due balances through August 2020.

240

241 Mr. Zimmerman inquired what Mrs. Metzger's recommendation was. Mrs. Metzger stated that at the
242 very least, she thinks Borough Council almost has to waive utility termination and offer extended
243 payment arrangements for past due balances through August 2020, since the Governor has prohibited
244 evictions.

245

246 Motion by: Duane L. Zimmerman

247 Second by: Linda L. Lewis

248

249 **MOTION: To waive utility termination and late penalties for June 2020; and to offer extended**
250 **payment arrangements for past due balances through August 2020.**

251

252 Mr. Bottiger expressed that he is okay with taking action to waive utility terminations for June 2020;
253 however, he feels late penalties should be assessed for all utility bills.

254

255

256 Motion by: Duane L. Zimmerman

257 Second by: Linda L. Lewis

258

259 **MOTION: To amend the previous motion to assess late penalties for June 2020 for all utility bills.**

260

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

262

263 No – None

264

265 Mrs. Metzger provided Borough Council with an update on the status of the possibility of the Borough
266 hosting a site for the AMP R.I.C.E. Project generation facilities. Mrs. Metzger recapped that Mr. Paul
267 Beckhusen, Senior Vice President of Power Supply and Energy Marketing at American Municipal
268 Power, Inc. (AMP), participated in the Tuesday, May 19, 2020 virtual meeting of Mifflinburg Borough
269 Council, along with Mr. William Sandell, Vice President of Generation Development and Optimization
270 at AMP, to discuss the possibility of the Borough hosting a site for the AMP R.I.C.E. Project generation
271 facilities and to answer any questions Borough Council had. Mrs. Metzger reported that the AMP
272 R.I.C.E. Agreements for the AMP R.I.C.E. Project generation facilities site in the Mifflinburg have been
273 prepared.

274
275 Motion by: Duane L. Zimmerman

276 Second by: Linda L. Lewis

277
278 **MOTION: To approve the AMP R.I.C.E. Agreements for the AMP R.I.C.E. Project generation**
279 **facilities site in the Mifflinburg.**

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

282
283 No – None

284
285
286 Mr. Rowe reported that Borough Council consideration is requested to authorize him to submit a
287 Community Development Block Grant (CDBG) application through the Pennsylvania Department of
288 Community and Economic Development (DCED) for additional ADA curb ramps. The grant amount
289 being requested is \$125,000.00.

290
291 Motion by: Linda L. Lewis

292 Second by: Tod M. Steese

293
294 **MOTION: To authorize Mr. Rowe to submit a Community Development Block Grant (CDBG)**
295 **application through the Pennsylvania Department of Community and Economic Development**
296 **(DCED) for additional ADA curb ramps in the amount of \$125,000.00.**

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

299
300 No – None

301
302
303 Mr. Rowe reported that Borough Council consideration is also requested to authorize him to resubmit an
304 application for a 2020 Automated Red Light Enforcement (ARLE) Grant to the Pennsylvania
305 Department of Transportation (PennDOT) for improvements to signalization at 3rd and 4th Streets on
306 Chestnut Street. The grant amount being requested is \$600,000.00. Mr. Rowe reminded Borough
307 Council that at the Tuesday, December 18, 2018 regular Borough Council meeting, it was the consensus
308 of Borough Council to move forward with submitting an ARLE Grant to PennDOT for the 3rd and 4th
309 Street Traffic Signals. Originally, the Borough's intentions were to submit a Green Light GO
310 application; however, upon meeting with PennDOT Representatives, they advised the Borough that the
311 guidelines for the Green Light GO Program have changed and were now geared towards larger
312 replacement types of projects rather than upgrades that could be considered maintenance. The amount
313 that was previously submitted was roughly \$115,275.00 just to do the original upgrades; the updated
314 amount with the changes that PennDOT was looking to make increased the project total to about
315 \$555,000.00 which was significantly higher and was not included in the 2019 Budget. With the annual
316 cost escalation, the project total has increased to about \$600,000.00.

317
318 Motion by: Paul E. Bottiger

319 Second by: Tod M. Steese

320
321 **MOTION: To authorize Mr. Rowe to resubmit an application for a 2020 Automated Red Light**
322 **Enforcement (ARLE) Grant to the Pennsylvania Department of Transportation (PennDOT) for**
323 **improvements to signalization at 3rd and 4th Streets on Chestnut Street.**

324
325 Mr. Zimmerman inquired what the Borough's match would be. Mr. Rowe stated that the Borough's
326 match would be about \$27,500.00.

327
328 Yes – Mr. Zimmerman, Mr. Bottiger, Mr. Fry, Ms. Lewis, Mr. Steese, Mrs. Hackenberg

329
330 No – None

331

332 Mrs. Metzger provided Borough Council with an update on the status of the Mill Street Reconstruction
333 and Chestnut Street Water Main Replacement Projects. Mrs. Metzger reminded Borough Council that
334 they took action at the Tuesday, April 21, 2020 virtual Council meeting to award the bids for the Mill
335 Street Reconstruction and Chestnut Street Water Main Replacement Projects Dave Gutelius Excavating,
336 Inc., for the combined amount of \$354,420.25 for both projects, contingent upon receipt of the executed
337 performance and payment bond documents. Mrs. Metzger reported that Borough Council consideration
338 is requested to authorize the Borough Project Manager to approve Work Change Orders up to \$5,000.00
339 for the Mill Street Reconstruction and Chestnut Street Water Main Replacement Projects.
340

341 Motion by: Linda L. Lewis

342 Second by: Paul E. Bottiger

343

344 **MOTION: To authorize the Borough Project Manager to approve Work Change Orders up to**
345 **\$5,000.00 for the Mill Street Reconstruction and Chestnut Street Water Main Replacement**
346 **Projects.**

347

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

349

350 No – None

351

352

353 Mrs. Metzger reminded Borough Council that the Annual Spring Drop-Off event was supposed to be
354 held on April 22-24, 2020 (12:00-8:00 PM) and April 25, 2020 (8:00 AM-12:00 PM); however, due to
355 the Governor’s stay-at-home order and the COVID-19 pandemic this event had to be postponed until
356 further notice. Borough Council direction is requested on whether they want to reschedule or cancel the
357 Annual Spring Drop-Off event. Mrs. Metzger suggested that Borough Council take action to reschedule
358 the dates for the Annual Spring Drop-Off event for September 23-25, 2020 (12:00-8:00 PM) and
359 September 26, 2020 (8:00 AM-12:00 PM). Mrs. Metzger clarified that she still has to confirm these
360 dates with the hauler. Mrs. Metzger pointed out that Borough Council may even want to consider
361 calling the rescheduled Annual Spring Drop-Off event something else. Mrs. Hackenberg suggested that
362 the rescheduled Annual Spring Drop-Off event be called the Fall Drop-Off event.
363

364 Motion by: Duane L. Zimmerman

365 Second by: Linda L. Lewis

366

367 **MOTION: To rename the 2020 Spring Drop-Off, the Fall Drop-Off event, and to reschedule the**
368 **dates for the Fall Drop-Off event for September 23-25, 2020 (12:00-8:00 PM) and September 26,**
369 **2020 (8:00 AM-12:00 PM).**

370

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

372

373 No – Mr. Steese

374

375

376 Mrs. Metzger requested an executive session to discuss potential litigation and personnel matters. Mr.
377 Page advised Borough Council that action items discussed during executive session be deferred to the
378 Tuesday, July 21, 2020 Borough Council meeting.
379

379

380 Ms. Lewis informed Borough Council that a copy of a Noise Issue Summary Packet has been forwarded
381 to them via email prior to tonight’s virtual meeting which included copies of a letter from Mr. Doug
382 Richard, MAMFT, Owner and Clinical Director of Rooted Relational Therapy located at 400 Market
383 Street, in addition to a letter on behalf of seventeen (17) Borough residents regarding continued noise
384 disturbance in the vicinity of 4th Street, but also elsewhere in the Borough. Ms. Lewis recommended
385 that Borough Council should take action be taken:
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398

1. Assess noise problem (data collection) and develop recommendations.
2. Invest in equipment as necessary (sound level meters, sound level recorders, cameras, etc.).
3. Develop an Anti-Noise Program and use fines from noise enforcement to generate revenues to fund program: Example: Elkhart, Indiana, <https://noisefree.org/wp-content/uploads/2017/12/Elkhart-Boom-Car-Paper.pdf>; Mr. Ted Rueter, Noise Free America’s director, stated that “Elkhart’s Anti-Noise Program is a model for the nation. No taxpayer money is involved. The noisemakers themselves fund the program. If every community took noise enforcement seriously, crime would be reduced significantly.”
4. Adopt the Anti-Noise Program and update the Mifflinburg Borough Code of Ordinance Book as necessary, advertise public notices, and install street signage.
5. Enforce program and assess penalties.

399 Chief Hackenberg informed Borough Council that he doesn't see how the Mifflinburg Police
400 Department would be able to regulate and enforce an ordinance against transient traffic. Every street in
401 the Borough would have to be posted in order to inform transient traffic. Chief Hackenberg conveyed
402 that he would gladly complete as much of a traffic study as possible within the vicinity of 4th Street and
403 the other areas in the Borough, at various times throughout the day, to listen to see what they hear.
404 However, a decibel meter would be required and he's not sure that Borough Council wants to invest
405 money on a tool that will likely only be used to complete the traffic study. Chief Hackenberg
406 recommended that the Mifflinburg Police Department patrol the vicinity of 4th Street and the other areas
407 for thirty (30) days to listen to see what they hear. A lengthy discussion was held regarding developing
408 a Vehicular Noise Prevention Ordinance for the Borough of Mifflinburg. Mr. Bottiger and Mr.
409 Zimmerman both agreed that they were not interested in pursuing this matter. Mrs. Hackenberg directed
410 Chief Hackenberg to complete a traffic study within the vicinity of 4th Street and the other areas in the
411 Borough and provide an update at the Borough Work Session scheduled for Tuesday, July 7, 2020.
412

413 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for
414 May 2020 included in the information tonight.
415

416 Mayor Cooney announced that the Mifflinburg Area School District (MASD) Class of 2020 Vehicle
417 Procession was held on Friday, June 5, 2020 at 8:00 PM. There were no issues or problems during the
418 Vehicle Procession and everything went very smooth.
419

420 Chief Hackenberg presented Borough Council with some Monthly Highlights for the Mifflinburg Police
421 Department for May 2020.
422

423

424 Motion by: Paul E. Bottiger
425 Second by: Linda L. Lewis
426

427 **MOTION: To enter into executive session at 8:04 PM.**
428

429 Approved via unanimous voice vote.
430

431

432 Motion by: Paul E. Bottiger
433 Second by: Tod M. Steese
434

435 **MOTION: To reconvene the meeting at 8:36 PM.**
436

437 Approved via unanimous voice vote.
438

439

440 Motion by: Paul E. Bottiger
441

442 **MOTION: To adjourn the Mifflinburg Borough Council meeting.**
443

444 Approved via unanimous voice vote.
445

446

447 Meeting adjourned at 8:37 PM.
448

449

449 Respectfully Submitted,
450

451

452 Misty L. Ross
453 Assistant Borough Secretary
454