

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL

2 February 16, 2021

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

Visitors present at this meeting were Corrie Post, Jonathan Cataldi, and Brian Kerstetter.

Motion by: Tod M. Steese
Second by: Richard J. Fry

MOTION: To approve the minutes of the Tuesday, January 19, 2021 regular virtual meeting of Mifflinburg Borough Council.

Approved via unanimous voice vote.

Mrs. Metzger informed Borough Council that they received a COVID-19 update via email prior to tonight's meeting and clarified that Ms. Lewis desired a few minutes at the beginning of tonight's meeting for discussion. The email contained a Tri-County COVID-19 Tracker spreadsheet that was compiled by Ms. Lewis, containing October 2020 - February 2021 data divided into three (3) categories: 1) number of new cases in the Tri-county area; 2) hospitalization data; and 3) deaths associated with COVID-19 to date. The February 2021 data showed a downward trend of the number of new COVID-19 cases, as well as decreased numbers of daily hospitalizations, patients in ICUs and on ventilators, and the number of daily deaths since the previous months.

Motion by: Linda L. Lewis
Second by: Richard J. Fry

MOTION: To approve payment of Bill List # 2021-02 in the amount of 700,229.20.

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

No – None

Ms. Corrie Post, Director of the Herr Memorial Library located at 500 Market Street, introduced herself and announced that she began as the Director of the Herr Memorial Library on Monday, January 4, 2021 after serving as Children's Program Coordinator for the past two (2) years. Ms. Post expressed that she appreciates Borough Council and looks forward to working with them.

(Mrs. Kreisher joined)

67 Mrs. Metzger informed Borough Council that they received a request from the Herr Memorial Library
68 via email prior to tonight's meeting which reads as follows:

69
70 Dear Council Members,

71
72 Like so many other area businesses and non-profit organizations, the Covid-19 pandemic has
73 created many challenges for the Herr Memorial Library. However, we are anticipating creative
74 ways to reach out to our community. One of the exciting opportunities that the library provides is
75 our summer reading program, which is designed for all members of our community - from new
76 readers to avid library patrons - with education, enrichment, development and discovery, all
77 within the safe guidelines and recommendations promoted by both the Centers of Disease
78 Control and Prevention (CDC) and the Pennsylvania Department of Health (PADOH).

79
80 We have regularly hosted a Toddler/Preschool Discover program on Wednesday mornings. We
81 sing songs, read a story and explore a STEM activity. We also do a craft and have structured
82 playtime. We review the alphabet, numbers, and colors as well as play games. However, the
83 library is currently not an ideal location for small children to be seated for storytime. The limited
84 physical space inside the library building prohibits the ability to ensure proper social distancing
85 which is needed to have in-person programming. The option to hold the program outside is not
86 viable due to the local traffic flow and the small yard which surrounds the library.

87
88 On behalf of the library, I am asking the council for permission to utilize the pavilions at the
89 Mifflinburg Community Park one day a week from 10 am until 12 pm from the week of June 7th
90 until the week of August 9th for our Summer Reading Program. As mentioned, we have met on
91 Wednesdays; however, we are flexible and can hold the class on Monday, Tuesday, or Thursday
92 if preferred (the library is closed on Fridays).

93
94 The pavilion would be a relatively safe alternative to host in-person programming for our
95 summer reading. This park is located only two blocks from the library. We anticipate our number
96 of children participating to be 10-15 preschool age children and an accompanying adult each
97 week, so children and their chaperone could easily sit a minimum of six feet apart. We would not
98 serve any food or provide any craft activities. The playground equipment and/or pool could also
99 be utilized before and after we meet.

100
101 The theme of our summer reading program for 2021 is "Tales and Tails". We look forward to a
102 grand adventure with familiar and not-so familiar animals. We would like to periodically invite
103 special guests to our program, which may include some animals. We understand that animals are
104 not allowed on the park grounds, but we are asking that you would be willing to make an
105 exception for our summer programming only. We will remind our patrons that pets must remain
106 home and we have received special permission for our special guests. Furthermore, we will make
107 sure that we will properly pick up behind any animal that is brought onto borough property.

108
109 We understand that the Borough charges a rental fee to use the pavilions in the park. We are
110 requesting a waiver for this fee on our behalf. Due to the pandemic, the library's budget is
111 limited on available funds. We are able and willing to pay a security deposit to ensure coverage
112 for any unexpected damage to park property. We are also willing to provide a certificate of
113 insurance to cover any unexpected occurrences that could happen during programming.

114
115 We would like to assure the council that we intend to follow all safety protocols in accordance
116 with the CDC and PA DOH. We will provide hand sanitizer for all participants. All surfaces and
117 used items will be appropriately sanitized and/or quarantined.

118
119 Thank you for your consideration of this matter. We look forward to hearing from you soon. We
120 appreciate your support as we continue to serve our wonderful community.

121
122 Sincerely,

123
124 Corrie Post
125 Library Director, Herr Memorial Library

126
127 Borough Council action is requested to approve this request contingent upon submission and completion
128 of the required paperwork, a security deposit in the amount of \$250.00, and a certificate of insurance.

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134 Motion by: Linda L. Lewis
135 Second by: Ellie K. Kreisher

136
137 **MOTION: To approved the Herr Memorial Library’s request to utilize the pavilions at the**
138 **Mifflinburg Community Park one day a week from 10:00 AM until 12:00 PM from the week of**
139 **June 7th until the week of August 9th at no cost for their Summer Reading Program, “Tales and**
140 **Tails”, contingent upon submission and completion of the required paperwork, a security deposit**
141 **in the amount of \$250.00, and a certificate of insurance; and to make exception to allow animals**
142 **on the park grounds for their summer programming.**

143
144 Approved via unanimous voice vote.

145
146
147 Mr. Jonathan Cataldi, a representative for the Haney Park Association, participated in tonight’s virtual
148 meeting to inquire about the use of the Fields for the 2021 Season.

149
150 Mrs. Metzger reported that she was hoping to receive more updated guidelines to see what new guidance
151 may be issued, if any; however, Mr. Cataldi is seeking Borough Council guidance as to what they wish
152 to do so that he can better plan for the 2021 Season. In accordance with Chapter 18 of the Borough
153 Code of Ordinances the dates during which the recreation area shall be used by the general public shall
154 be April 15th through October 15th of each calendar year. Mrs. Metzger informed Borough Council that
155 in previous years, the Borough entered into Use Agreements with the Mifflinburg Little League
156 Association, the Haney Park Association, and the Mifflinburg Swim Team for facility use. Additionally,
157 both the Mifflinburg Little League Association and the Haney Park Association entered into Field
158 Lighting Agreements for use of the big field lights and the Borough billed them at a discounted (off
159 peak) rate for the use of the field lights for the year/season. In 2020, the Mifflinburg Swim Team and
160 the Haney Park Association chose not to enter into the Use Agreements or hold a season due to the
161 COVID-19 restrictions required by the Pennsylvania Department of Health (PA DOH) and the Centers
162 for Disease Control and Prevention (CDC) and the late opening during the Green Phase of reopening
163 during the COVID-19 pandemic. The Mifflinburg Little League Association choose to have a modified
164 season, under the terms of a revised Use Agreement, without the use of the field lights. The revised Use
165 Agreement incorporated language that the Mifflinburg Little League Association shall be responsible for
166 following all health, safety, and sanitary guidelines regarding COVID-19, including such guidelines
167 issued by the PA DOH, CDC, and the Pennsylvania Recreation and Park Society. Additionally, in
168 furtherance of Paragraph No. 4 of this Agreement, the Mifflinburg Little League Association agrees to
169 indemnify and hold harmless the Borough of Mifflinburg, it’s officials, employees, agents and staff,
170 including but not limited to the Parks and Recreation Department, its personnel and instructors from any
171 and all liability in connection with exposure, infection, and/or spread of COVID-19.

172
173 Mrs. Metzger indicated that at this point, she would think that for 2021 the Borough could offer the
174 same type of Use Agreement as in 2020, incorporating whatever COVID-19 restrictions may be in place
175 at that time. The most recent PA DOH guidance was updated in December 2020 and still includes
176 COVID-19 restrictions (mask wearing, social distancing, limitations in numbers, etc.). A discussion was
177 held; Ms. Lewis stated that she has no issue with the Borough using the same type of Use Agreement as
178 they used in 2020 for the Mifflinburg Little League Association, with whatever updated COVID-19
179 restriction may be in place for 2021. The revised Use Agreement is basically the same type of
180 agreement as the Borough uses each year with the insertion of the COVID-19 restriction.

181
182 Mr. Cataldi added that he also wanted to address Borough Council with regard to the maintenance
183 repairs required at the Haney Park. Mr. Cataldi elucidated that there are numerous maintenance repairs
184 required at the Haney Park and there are hardly any funds in the account to complete these repairs.
185 Mifflinburg Lumber & Building Supply, located at 8200 Old Turnpike Road, has indicated that they are
186 willing to donate the lumber needed to repair the bleachers at the Haney Park, as well as the paint to
187 paint the areas that are chipping with the park and the dugouts which were spray painted a few years ago
188 when one of the players passed away.

189
190 Mrs. Metzger reported that she would prepare the Use Agreements for Borough Council consideration at
191 the Tuesday, March 16, 2021 regular virtual Borough Council meeting and forward a copy of the draft
192 agreement to Mr. Cataldi via email for his review. Mrs. Metzger clarified that as far as the maintenance
193 of the fields goes, the Borough appreciates all of the work that the Haney Park Association does, but
194 ultimately, the Haney Park is Borough owned and insured property. Mrs. Metzger asked that Mr.
195 Cataldi remember to notify the Borough in advance of any repairs being completed and the Borough will
196 do their best to support what they can.

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200 Mrs. Metzger stated that Mr. Cataldi also inquired about the concession stand at the Haney Park. Mrs.
201 Metzger informed Borough Council that she sat in on a recent Parks and Recreation Society meeting and
202 it was consensus of those participating in the meeting that it's unclear on what to do with regard to
203 concession stands. There are some concession stands that are selling prepackaged food and there are
204 some concession stands that aren't opening all. Mrs. Metzger indicated that as long as the Haney Park
205 Association is following whatever guidelines are in place, it would be the same.
206

207 Mr. Cataldi stated that with having a contracting business, he is hoping to gain sponsors to help with the
208 maintenance repairs at the Haney Park and would like place some banners along the fence at the Haney
209 Park. Mrs. Metzger informed Mr. Cataldi that in previous years, banners were permitted to be placed in
210 the infield, but not the outfield.
211

212 Mr. Steese expressed that he is glad Mr. Cataldi is spearheading the maintenance repairs at the Haney
213 Park and that it will be good to see things going on again.
214

215 Mr. Brian Kerstetter, Lewisburg Attorney and Snyder County Assistant District Attorney, introduced
216 himself and announced that he is seeking a candidacy for Judge of the Court of Common Pleas of the
217 17th Judicial District, which includes Union and Snyder Counties.
218
219

220 Motion by: Tod M. Steese

221 Second by: Richard J. Fry
222

223 **MOTION: To approve the Mifflinburg Borough Zoning Report for January 2020 and authorize**
224 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$1,964.70.**
225

226 Yes – Ms. Lewis, Mr. Steese, Mr. Fry, Mrs. Kreisher, Mrs. Hackenberg
227

228 No – None
229
230

231 Mrs. Hackenberg announced that Borough Council consideration is requested for Resolution No. 2021-
232 04; Amending the Civil Service Rules and Regulations for the Borough of Mifflinburg as it relates to the
233 fees. A copy of the resolution has been distributed to Borough Council members via email prior to
234 tonight's meeting. Borough Council action is requested to adopt this resolution.
235

236 Motion by: Richard J. Fry

237 Second by: Tod M. Steese
238

239 **MOTION: To adopt Resolution No. 2021-04; Amending the Civil Service Rules and Regulations**
240 **for the Borough of Mifflinburg as it relates to the fees.**
241

242 Yes – Mr. Steese, Mr. Fry, Mrs. Kreisher, Ms. Lewis, Mrs. Hackenberg
243

244 No – None
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246

247 Mrs. Hackenberg informed Borough Council that they received a copy of Mr. Duane L. Zimmerman's
248 letter of resignation via email prior to tonight's meeting. Borough Council action to accept Mr.
249 Zimmerman's letter of resignation and authorize advertisement for letters of interest for the position of
250 Council Member for the West Ward.
251

252 Motion by: Richard J. Fry

253 Second by: Tod M. Steese
254

255 **MOTION: To accept the resignation of Mr. Duane L. Zimmerman as a member of Mifflinburg**
256 **Borough Council effective Tuesday, February 16, 2021.**
257

258 Mrs. Metzger clarified that in the past, Borough Council took action to accept the resignation and then
259 authorized her to advertise for letters of interest for that particular ward.
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266 Motion by: Richard J. Fry
267 Second by: Tod M. Steese

268
269 **MOTION: To amend the previous motion to include “and authorize Mrs. Metzger to advertise for**
270 **letters of interest for the position of Council Member for the West Ward”.**

271
272 Approved via unanimous voice vote.

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275 Mrs. Metzger pointed out that Mr. Zimmerman’s term expires December 31, 2023 however, the
276 successful candidate appointed to fill the vacancy would only hold the office until January 3, 2022; and
277 then there would be an open seat on the ballot for remaining two (2) years of the term.

278
279 Mrs. Metzger reported that Borough Council consideration is requested regarding weather or not the
280 2021 Summer Concert Series at the Mifflinburg Community Park should be cancelled. A discussion
281 was held; it was the consensus of Borough Council to direct Mrs. Metzger to move forward with
282 scheduling the 2021 Summer Concert Series at the Mifflinburg Community Park.

283
284 Mayor Cooney informed Borough Council that he spoke with Mr. Jeff mensch, 4th of July Committee
285 Chairman, regarding the Annual 4th of July festivities at the Mifflinburg Community Park and he
286 indicated that the 4th of July Committee are planning on having the festivities even if the festivities have
287 to be modified based on whatever current COVID-19 restrictions on gathering size, social distancing
288 guidelines and mask mandates, may be in place at that time. The Annual 4th of July festivities are
289 scheduled for Saturday, July 3, 2021.

290
291 Mrs. Metzger reported the Mifflinburg 5K Committee are required to apply for a Special Use Permit
292 through PennDOT for the Mifflinburg 4th of July 5K Race. In response to COVID-19, PennDOT has
293 implemented a variety of operational changes and has revised the language for the Special Event Permit
294 guidelines to include the following COVID safety measures:

295
296 Due to the COVID-19 pandemic

- 297
- 298 • Due to the ongoing COVID-19 pandemic, the following condition statement must be
299 included in each application for a Special Event Permits:
300
 - 301 ○ The event will comply with all current and applicable Pennsylvania Orders regarding
302 COVID-19 and all applicable COVID-19 safety mitigation guidance including, but not
303 limited to, guidance from the Pennsylvania Department of Health and the Centers for
304 Disease Control.
305
 - 306 • As per orders of the Governor and the Secretary of Health effective March 1, 2021,
307 maximum occupancy limits for outdoor events now allow for 20% of maximum total
308 occupancy, regardless of venue size. For the purposes of a Special Event Permit, this is
309 calculated as 67 people per 1000 square feet for the permitted closure area (maximum total
310 occupancy) times 20%.
311
 - 312 • While these orders remain in effect, applicants must provide the estimated length and width
313 of the permitted closure area, along with the total number of expected participants (including
314 all persons, regardless of status as participant, spectator, driver, etc.). This information will
315 be used to determine if the estimated number of participants reported on the application
316 complies with the current order.
317

318 To assist municipal recovery during the COVID-19 Pandemic, PennDOT may now permit the
319 temporary use of sidewalks or travel lanes in PennDOT right-of-way to accommodate additional
320 public space for tables and seats and/or retail activities. These requests must be submitted
321 through the Special Event permit application process and will require approval from the Federal
322 Highway Administration if located on the federal aid network (both state and local roadways).
323 Please contact your local Engineering District office for details.
324

325 Mayor Cooney clarified that he would have Mrs. Tina DeFord draft the letter approving the Mifflinburg
326 4th of July 5K Race.
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333 Mrs. Metzger requested Borough Council action to approve the dates for the Annual Spring Drop-Off
334 event for April 21-23, 2021 (12:00-8:00 PM) and April 24, 2021 (8:00 AM-12:00 PM). Borough
335 Council action is requested to approve these dates and authorize Mr. Jason Mitchell, the Borough Public
336 Works Supervisor, to obtain quotes for the hauling of this refuse.

337
338 Motion by: Richard J. Fry
339 Second by: Linda L. Lewis

340
341 **MOTION: To approve the dates for the Annual Spring Drop-Off event for April 21-23, 2021**
342 **(12:00-8:00 PM) and April 24, 2021 (8:00 AM-12:00 PM) and authorize Mr. Jason Mitchell, the**
343 **Borough Public Works Supervisor, to obtain quotes for the hauling of this refuse.**

344
345 Yes – Mr. Fry, Mrs. Kreisher, Ms. Lewis, Mrs. Hackenberg

346
347 No – Mr. Steese

348
349
350 Mr. Rowe provided Borough Council with an update on the status of the 2019 Community Development
351 Block Grant (CDBG) funded Curb Cuts (Phase 2) Project. Mr. Rowe recapped that Borough
352 Management was made aware of the availability of remaining CDBG funds for the 2019 Program Year.
353 As previously discussed, he has submitted an application through the Pennsylvania Department of
354 Community and Economic Development (DCED) for additional Americans with Disabilities Act (ADA)
355 curb and sidewalk work. The grant amount received was \$132,062.10. Borough Council took action at
356 the Tuesday, January 19, 2021 regular virtual Borough Council meeting to authorize Borough
357 Management to move forward with advertisement of bids for the 2019 CDBG funded Curb Cut (Phase
358 2) Project. Mr. Rowe reported that Livic Civil has solicited bids for the 2019 CDBG funded Curb Cut
359 (Phase 2) Project. The bid opening was held on Friday, February 12, 2021. There were five (5) bids
360 received and are as follows:

	<u>Base Bid</u>	<u>Alternate</u>	<u>Base/Alternate</u>
	<u>Subtotal</u>	<u>Subtotal</u>	<u>Bids Total</u>
364 Bowman Excavating, Paving & Concrete	\$ 90,630.50	\$27,942.60	\$118,573.10
365 M & B Service LLC	\$110,990.50	\$38,780.50	\$149,771.00
366 HRI, Inc.	\$146,200.00	\$61,200.00	\$207,400.00
367 Mid-State Paving & Excavating	\$151,915.00	\$64,300.00	\$216,215.00
368 R.C. Bowman Inc.	\$173,600.00	\$59,200.00	\$232,800.00

369
370 A copy of the bid tabulation has been distributed to Borough Council members via email prior to
371 tonight's meeting. After reviewing the required documents and lump sum prices submitted by each
372 contractor, the lowest Base Bid and Alternative Bids for this project were submitted by Bowman
373 Excavating, Paving & Concrete with a Base Bid of \$90,630.50 and a combined total of Base
374 Bid/Alternate Bids of \$118,573.10. Livic Civil is recommending that Borough Council proceed with
375 award to Bowman Excavating, Paving & Concrete based on available project funding. Borough Council
376 action is requested to award the Base Bid/Alternate Bids for this project to Bowman Excavating, Paving
377 & Concrete for a combined total of \$118,573.10, contingent upon SEDA-Council of Governments
378 (SEDA-COG)'s approval.

379
380 Motion by: Linda L. Lewis
381 Second by: Richard J. Fry

382
383 **MOTION: To award the Base Bid/Alternate Bids for the 2019 Community Development Block**
384 **Grant (CDBG) funded Curb Cuts (Phase 2) Project to Bowman Excavating, Paving & Concrete**
385 **for a combined total of \$118,573.10 as recommended by Livic Civil, contingent upon SEDA-**
386 **Council of Governments (SEDA-COG)'s approval.**

387
388 Yes – Mrs. Kreisher, Ms. Lewis, Mr. Steese, Mr. Fry, Mrs. Hackenberg

389
390 No – None

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400 Mr. Rowe provided Borough Council with an update on the status of the Mifflinburg Community Park
 401 Stormwater Project. Mr. Rowe informed Borough Council that prior to tonight's meeting they received
 402 via email, an Aerial Map which illustrated Phase I, II, and III of the Mifflinburg Community Park
 403 Stormwater Project, as well as a project spreadsheet which reads as follows:

<u>Task</u>	<u>Phase I</u>	<u>Phase II</u>	<u>Phase III</u>
Engineering Design	\$ 10,250.00	Included as CO w/PH I	TBD
<u>Construction</u>	<u>\$ 65,548.30</u>	<u>\$33,164.00</u>	<u>TBD</u>
Total Phase Cost	\$ 75,798.30	\$33,164.00	TBD
<u>Total Budgeted Amount</u>	<u>\$130,000.00</u>	<u>\$ 0.00</u>	<u>\$0.00</u>
Balance	\$ 54,201.70	(\$33,164.00)	TBD
Apply Phase I Balance	\$ 54,201.70		
<u>Phase II Cost via Change Order</u>	<u>(\$ 33,164.00)</u>		
Total Project Balance	\$ 21,037.70		

* - Phase II cost estimated by Fairchild Brothers, Inc. who were awarded Phase I contract.

418 Mr. Rowe detailed that Phase I of the Mifflinburg Community Park Stormwater Project was budgeted to
 419 cost \$130,000.00; however, the low bid received by Fairchild Brothers, Inc. was \$65,548.30, leaving a
 420 remaining project balance of \$54,201.70. Since the bid received for Phase I came in under the budgeted
 421 amount, it was decided to expand the project to include Phase II and Phase III. Mr. Rowe informed
 422 Borough Council that he reached out to Fairchild Brothers, Inc., the contractor awarded Phase I of the
 423 Mifflinburg Community Park Stormwater Project, to request a cost estimate for Phase II via Change
 424 Order. Fairchild Brothers, Inc. has provided a cost estimate for Phase II of the project via Change Order
 425 for a cost of \$33,164.00. Borough Council consideration is requested to proceed with Phase II of the
 426 Mifflinburg Community Park Stormwater Project via Change Order for a cost of \$33,164.00.

428 Motion by: Richard J. Fry
 429 Second by: Linda L. Lewis

431 **MOTION: To proceed with Phase II of the Mifflinburg Community Park Stormwater Project via**
 432 **Change Order for a cost of \$33,164.00.**

434 Mrs. Hackenberg inquired about the timeline for the Mifflinburg Community Park Stormwater Project
 435 and as to whether or not this project would affect the pavilion reservations or other events held at the
 436 Mifflinburg Community Park.

438 Mr. Rowe reported that in accordance with the contract, substantial completion must be complete prior
 439 to the Mifflinburg Community Park opening which is Thursday, April 15, 2021.

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

443 No – None

446 Mrs. Metzger reminded Borough Council that they took action at the Tuesday, January 19, 2021 regular
 447 virtual Borough Council meeting to authorize her to advertise the availability of eleven (11) sewer
 448 EDUs in accordance with Resolution No. 2020-15; a resolution establishing and adopting a policy for
 449 the distribution of connection permits under state, federal, or other regulatory limitations for distribution
 450 at tonight's meeting. Mrs. Metzger reported that the availability of the eleven (11) EDUs has been
 451 advertised and the deadline to submit applications was Monday, February 15, 2021 at 1:00 PM. There
 452 were two (2) requests received which are as follows:

<u>Applicant Name</u>	<u># of EDUs Requested</u>	<u>Location for EDU Request</u>
Anthony & Erin Threet	1 EDU	214 N. 2 nd Street
R. Gordon Ziegler	2 EDUs	Ann Street & Thomas Street

460 A spreadsheet has been prepared which illustrates the ranking for the EDU requests and a copy of the
 461 spreadsheet has been distributed to Borough Council members via email prior to tonight's meeting.
 462 Based on the score achieved using the point scale as established per Paragraph III of the allocation
 463 policy resolution, one (1) EDU will go to Anthony and Erin Threet, two (2) EDUs will go to R. Gordan
 464 Ziegler, and eight (8) EDUs will remain undistributed.

466 Mrs. Metzger clarified that in accordance with Paragraphs VI of the EDU allocation policy resolution, if
467 any EDUs remain available after the initial distribution in accordance with Paragraphs B. I – IV above,
468 the remaining EDUs shall be distributed on a first come, first serve basis until all available EDUs are
469 distributed. Borough Council action is request to allocate (1) EDU to Anthony and Erin Threet for 214
470 N. 2nd Street and two (2) EDUs to R. Gordan Ziegler for Ann Street and Thomas Street.

471
472 Motion by: Tod M. Steese
473 Second by: Richard J. Fry
474

475 **MOTION: To award three (3) of the eleven (11) available sewer EDUs as follows: (1) EDU to**
476 **Anthony and Erin Threet for 214 N. 2nd Street and two (2) EDUs to R. Gordan Ziegler for Ann**
477 **Street and Thomas Street.**

478
479 Approved via unanimous voice vote.
480

481
482 Ms. Lewis expressed that when any EDUs remain available after the initial distribution, she doesn't
483 think applicants should have to wait for Borough Council approval; Mrs. Metzger should be allowed to
484 distribute the remaining EDUs on a first come, first serve basis as needed, and then inform Borough
485 Council of the distribution at their next regular Council meeting so that it's in the minutes.
486

487 Mr. Page informed Borough Council that at the Mifflinburg Planning Commission meeting that was
488 held earlier tonight, a discussion was held regarding Mr. Vincent J. Romanini's Personal Care Home
489 facility along N. 8th Street. Even with the ninety (90) day extension, Mr. Romanini's project will on a
490 tight timeline. Mr. Page advised Borough Council that they may want to consider adding a "catch-all"
491 provision to the EDU allocation policy resolution to allow for an additional exception at Borough
492 Council discretion on a case-by-case basis.
493

494 A lengthy discussion was held regarding the distribution of any remaining EDUs available after the
495 initial distribution. It was the consensus of Borough Council that when any EDUs remain available after
496 the initial distribution, Mrs. Metzger be allowed to distribute the remaining EDUs on a first come, first
497 serve basis as needed, without prior Borough Council approval.
498

499 Mrs. Metzger reminded Borough Council that at the Tuesday, February 2, 2021 Borough Work Session
500 they reviewed sample food truck ordinances and discussed developing a food truck ordinance for the
501 Borough of Mifflinburg. Mrs. Metzger reported that originally, it was decided that the food truck
502 regulations would be incorporated under the Transient Retail Business Ordinance; however, at the
503 Borough Work Session there was some discussion that in lieu of the food truck regulations being
504 incorporated under the Transient Retail Business Ordinance, that maybe there would be a standalone food
505 truck ordinance. Borough Council direction is requested on how to proceed for the food truck ordinance
506 development. Mrs. Metzger stated that in her mind, the food truck regulations would all be incorporated
507 under the Transient Retail Business Ordinance with a separate section for food trucks; and then the
508 Transient Retail Business Ordinance would be amended and updated, but it would all still be under one
509 (1) ordinance. Mayor Cooney indicated that it's fine for it to be all under one (1) ordinance.
510

511 Mrs. Metzger clarified that all further discussion pertaining to the Food Truck Ordinance Development
512 is being deferred to the Tuesday, March 2, 2021 Borough Work Session.
513

514 Mr. Rowe provided Borough Council with an update on the status of the following projects:
515

- 516 • The Apple Alley Sanitary Sewer Repairs Project.
- 517 • The Mifflinburg Community Park Stormwater Project.
- 518 • The Industrial Park Road and Thompson Street Waterline Project.
- 519 • The Community Development Block Grant (CDBG) funded Curb Cut Project.
- 520 • The Automatic gate at the Wastewater Treatment Plant.
- 521 • The CFA Grant funded Sanitary Sewer Main Replacement Project for High Alley and
522 Hickory Street.
- 523 • The CFA Grant funded Master Meter Installation Project.
524

525 Mr. Rowe requested Borough Council action to authorize Borough Management to solicit bids for the
526 Industrial Park Road and Thompson Street Waterline Project.
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531

532 Motion by: Ellie K. Kreisher
533 Second by: Linda L. Lewis

534

535 **MOTION: To solicit bids for the Industrial Park Road and Thompson Street Waterline Project.**

536

537 Yes – Mr. Steese, Mr. Fry, Mrs. Kreisher, Ms. Lewis, Mrs. Hackenberg

538

539 No – None

540

541

542 Mrs. Metzger provided Borough Council with an update on the status of the 2019 Annual Audit for the
543 Borough of Mifflinburg. Mrs. Metzger reported that Wagner, Dreese, Elsasser (W.D.E.) & Associates,
544 PC has finally begun preparing the draft 2019 Audit Report. Once W.D.E. & Associates, PC completes
545 the draft 2019 Audit Report, she will begin preparing the Management’s Discussion and Analysis that is
546 included with the report. Mrs. Metzger stated that the 2019 Annual Audit has been challenging and has
547 taken a lot more time to complete due to COVID-19 pandemic. Mrs. Metzger clarified that she would
548 forward a copy of the draft report to the Finance Committee via email for their review subsequent to
549 receiving the report.

550

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

552

553 Mrs. Metzger reminded Borough Council that they took action at the Tuesday, January 19, 2021 regular
554 virtual Borough Council meeting to authorize the Borough Manager to advertise for all positions at the
555 Mifflinburg Community Park and Pool for the 2021 season. Mrs. Metzger reported that to date, the
556 Borough has only received about ten (10) lifeguard applications for at the Mifflinburg Community Park
557 and Pool. Additional lifeguards are still needed, in addition to a Park Director and an Assistant Park
558 Director.

559

560 Mrs. Metzger informed Borough Council that Mrs. Erin Threet, HRG, Inc., has provided her with an
561 updated Retainer Agreement between the Borough of Mifflinburg and HRG, Inc. for engineering and
562 related services associated with planning, construction, maintenance and repair of public improvements;
563 preparation of plans, specification, budgets, and schedules for public work; and reviews, inspections,
564 and report preparation. The Retainer Agreement has been forwarded to Mr. Page via email for his
565 review. Borough Council action is requested to approve the updated Retainer Agreement between the
566 Borough of Mifflinburg and HRG, Inc. or to defer action until the Tuesday, March 16, 2021 regular
567 virtual Borough Council meeting.

568

569 Motion by: Tod M. Steese

570 Second by: Linda L. Lewis

571

572 **MOTION: To approve the updated Retainer Agreement between the Borough of Mifflinburg and**
573 **HRG, Inc.**

574

575 Yes – Mr. Fry, Mrs. Kreisher, Ms. Lewis, Mr. Steese, Mrs. Hackenberg

576

577 No – None

578

579

580 Mr. Steese expressed that he thought the Borough Maintenance Crew and the Mifflinburg Police
581 Department did a wonderful job during the two (2) recent snow storms events; kudos to everyone
582 involved.

583

584 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for
585 January 2021 via email prior to tonight’s meeting.

586

587 Chief Hackenburg presented Borough Council with some Monthly Highlights for the Mifflinburg Police
588 Department for January 2021.

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597 Chief Hackenburg reported that he spoke with Mr. Page regarding amending the Civil Service physical
598 fitness standards. Mr. Page has indicated that in accordance with the Borough Code, the Mifflinburg
599 Civil Service Commission is required to make rules and regulations which shall prescribe the minimum
600 qualifications of all applicants to be examined and the passing grades. These rules and regulations are to
601 be approved by Borough Council. If the rules and regulations have been approved by Borough Council,
602 they shall not be annulled, amended, or added to without the approval of Borough Council. Thus, if the
603 proposed resolution of the Mifflinburg Civil Service Commission enlarges and/or amends the previously
604 approved rules and regulations, same will need to be approved by Borough Council prior to the new
605 rules taking effect. This can be accomplished by Resolution, which attaches the rules and regulations as
606 an exhibit. Chief Hackenburg reiterated that the Mifflinburg Civil Service Commission will need to
607 adopt a resolution laying out the physical fitness standards at their next meeting which is scheduled for
608 Tuesday, March 16, 2021 at 8:00 AM. Subsequently, Borough Council will then need to adopt a
609 resolution approving the Mifflinburg Civil Service Commission resolution. It's anticipated that
610 Borough Council action will be requested to adopt this resolution at the Tuesday, March 16, 2021
611 regular virtual Council meeting.
612

613 Chief Hackenburg informed Borough Council that a citizen raised the question as to why the United
614 States flag, that is located in front of the Municipal Building, is not flying at half-staff in honor of
615 former Pennsylvania Governor Dick Thornburgh, who passed away on Thursday, December 31, 2020.
616 Chief Hackenburg explained that only the president of the United States or the governor of the state may
617 order the flag to be at half-staff to honor the death of a national or state figure. Typically, when the
618 president or the governor orders the flag to be at half-staff, the flag will fly at half-staff until the date of
619 interment. The problem is nobody knows if or when Governor Thornburgh was interred. Chief
620 Hackenburg stated that he emailed the governor's office earlier this week asking that some sort of
621 notification be released and clarified that he would respond to the citizen and indicate that the United
622 States flag, that is located in front of the Municipal Building, is flying at full-staff because the Borough
623 honestly can't confirm that Governor Thornburgh hasn't been interred.
624
625

626 Motion by: Linda L. Lewis
627 Second by: Tod M. Steese
628

629 **MOTION: To enter into executive session at 8:10 PM.**

630 Approved via unanimous voice vote.
631
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633

634 Motion by: Richard J. Fry
635 Second by: Linda L. Lewis
636

637 **MOTION: To reconvene the meeting at 8:48 PM.**

638 Approved via unanimous voice vote.
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642 Motion by: Tod M. Steese
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644 **MOTION: To adjourn the Mifflinburg Borough Council meeting.**

645 Approved via unanimous voice vote.
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649 Meeting adjourned at 8:49 PM.
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651 Respectfully Submitted,
652
653

654 Misty L. Ross
655 Assistant Borough Secretary
656