

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL

2 January 18, 2022

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	PRESENT	ABSENT
Richard J. Fry, Council President	X	
Matthew C. Wagner, Vice President	X	
Jarred R.W. Fry, Council Member	X	
Beverly L. Hackenberg, Council Member	X	
Ellie K. Kreisher, Council Member	X	
Bradley M. Sauers, Council Member	X	
David M. Cooney, Mayor	X	
Jeffrey L. Hackenburg, Chief of Police	X	
Allen P. Page IV, Solicitor	X	
Margaret A. Metzger, Borough Manager		X
Robert M. Rowe, Borough Project Manager	X	
Misty L. Ross, Assistant Secretary	X	

The regular meeting of Mifflinburg Borough Council was called to order at 6:31 PM.

Visitors present at this meeting were Tim Snyder, Ellen Freeman, Bronwen Sanders, Owen Sanders, Lou Montesinos, Eva Linke, and Lance Miller.

Mr. Fry conducted a Public Hearing for Resolution No. 2022-11; Approving the transfer of Restaurant Liquor License No. R-20095 into the Borough of Mifflinburg from White Deer Township.

Attorney Ellen Freeman, from the Philadelphia law firm of Flaherty and O’Hara, and Mr. Tim Snyder, Architectural Manager at Weis Markets Inc., were presented at tonight’s Public Hearing to speak on behalf of Weis Markets Inc. Attorney Freeman announced that Weis Markets Inc. is requesting that Borough Council adopt a resolution approving the inter-municipal transfer of a Pennsylvania “restaurant” or “R” liquor license that is currently located in White Deer Township, Union County (currently held by Rooney’s Pub at Datesman Station, LLC, located at 8911 River Road, New Columbia, White Deer Township, Union County, PA, 17856-9189). Approval of this resolution would effectively move that liquor license into the Borough to Weis’ grocery store located at 65 Meadow Green Drive, Mifflinburg, PA.

Attorney Freeman informed Borough Council that tonight’s public hearing is held pursuant to the provisions of Section 461(b.3) of the Liquor Code which simply mandates that, prior to adoption of a resolution by the receiving municipality, at least one public hearing be held for the purpose of permitting individuals residing within the municipality to make comments and recommendations regarding applicant’s intent to transfer a liquor license into the receiving municipality. Attorney Freeman stated that Weis Markets, Inc. operates 86 similar cafes in supermarkets across Pennsylvania and clarified that approval of the requested transfer at tonight’s meeting does not approve the liquor license transfer directly to Weis Markets, Inc. Weis Markets Inc. will still have to submit an application to the Pennsylvania Liquor Control Board for approval.

Attorney Freeman distributed copies of the two (2) page layout plans for the proposed beer/café licensed area. The first page showed the new layout for the overall floor plan of the entire grocery with of the proposed beer/café licensed area indicated in the bottom right hand corner, and then the second page was an enlarged portion of the proposed beer/café licensed area. Attorney Freeman explained the new layout of the store, the operational procedures, consumption limit, the training program that employees must complete and the software they will use to help prevent the use of a fake ID.

Mr. Page questioned if the public had any questions or comments.

Mr. Lance Miller inquired if the hours would be the same for selling alcohol as the store hours overall. Attorney Freeman confirmed that the hours would be the same for selling alcohol as the store hours.

There being no further questions or comments from the public, the Public Hearing closed at 6:46 PM.

Mr. Page advised that Borough Council consideration is requested for Resolution No. 2022-11; Approving the transfer of restaurant liquor licenses NO. R-20095 into the Borough of Mifflinburg from White Deer Township. A copy of the resolution has been included in the information tonight.

66 Motion by: Matthew C. Wagner
67 Second by: Bradley M. Sauers

68
69 **MOTION: To adopt Resolution No. 2022-11; Approving the transfer of Restaurant Liquor**
70 **License No. R-20095 into the Borough of Mifflinburg from White Deer Township.**

71
72 Yes – Mr. J. Fry, Mrs. Hackenberg, Mrs. Kreisher, Mr. Sauers, Mr. Wagner, Mr. R. Fry

73
74 No – None

75
76
77 Motion by: Jarred R.W. Fry
78 Second by: Matthew C. Wagner

79
80 **MOTION: To approve payment of Bill List # 2022-01 in the amount of \$513,753.05.**

81
82 Yes – Mrs. Hackenberg, Mrs. Kreisher, Mr. Sauers, Mr. Wagner, Mr. J. Fry, Mr. R. Fry

83
84 No – None

85
86
87 Ms. Eva Linke, representing the Mifflinburg Buggy Museum located at 598 Green Street, attended at
88 tonight's meeting regarding a fundraising event at the Mifflinburg Buggy Museum. Ms. Linke informed
89 Borough Council that the Mifflinburg Buggy Museum is looking to bring back the Buggy Day event.
90 An email was previously sent to Mrs. Metzger and subsequently forwarded to Borough Council which
91 read as follows:

92
93 Good morning Margaret,

94
95 We would like to have a Buggy Day event on Saturday June 4, 2022.

96
97 We would like to request closing Market Street from the Lutheran Church parking lot to the
98 corner of 6th Street; then 5th Street to Green Street; and from the corner of 5th and Green Street
99 to 6th Street.

100
101 We would like to put antique cars on the Green Street block on the side that cars normally park
102 on.

103
104 We would like to have food, arts and crafts and possibly antique vendors on the other proposed
105 closed sections. We will follow the same fire safety set up for the vendors that Christkindl uses.

106
107 We will also provide event insurance.

108
109 This is to be a 1 day event starting with set-up at 6:00 AM and the event will end at 4:00 PM.
110 The vendors will need time to pack up and we will need time to clean up.

111
112 We would like to do buggy rides as that will be the highlight from about 526 Market Street to
113 the boulevard and back. This use to be a good size fundraiser for The Buggy Museum and
114 should be again. We will have 3 or 4 buggies.

115
116 As a potential request we would like to possibly have a small merry go round in the center of the
117 street at Market and 5th or at the corner of 5th and Green. In front of the houses. Not in the
118 right of way.

119
120 We will also use the concrete barricades at both ends.

121
122 We will also have a number of demonstrations through the event and at the museum.

123
124 Thank you very much for your consideration.

125
126 Eva Linke
127 Mifflinburg Buggy Museum

128
129
130

131 Mayor Cooney reported that he has spoken with Chief Hackenburg prior to tonight's meeting and
132 detailed the safety recommendations that were discussed for the Mifflinburg Buggy Museum's
133 fundraising event.

134
135 Mayor Cooney expressed that he is unsure if he would rather have the Mifflinburg Buggy Museum doing
136 buggy rides at the corner of 5th and Market Street or on the other side of 6th Street outside of the
137 Christkindl Market area in order to alleviate traveling across 6th Street with a horse and carriage.

138
139 Mr. Wagner disagreed with Mayor Cooney, stating the he really doesn't see a problem with the buggies
140 rides crossing 6th Street. People in this area are familiar with horse and buggies and the Borough has
141 more horse and buggies on their streets on a Sunday morning than they will during the event.
142 Additionally, he thinks the horse and buggy drivers are aware of how to handle the horse and buggy and
143 can handle crossing 6th Street with the appropriate concerns for safety.

144
145 Chief Hackenburg expressed that his biggest concern is the fact that we've taken the same footprint as
146 the Christkindl Market and actually expanding it down 5th Street. Part of the reason that the Christkindl
147 Market functions the way it does, is because you still have traffic traveling east and west on Green Street
148 and Chestnut Street. Chief Hackenburg clarified that he is just a little concerned with all the foot traffic
149 traveling on 6th Street with the closure of Green Street from 5th to 6th Streets.

150
151 Mr. Wagner reiterated that the whole purpose of the Buggy Day event is to get the people up to the
152 Mifflinburg Buggy Museum and he really doesn't see a problem with closing Green Street from 5th to 6th
153 Streets and thinks that traffic could be manage around it.

154
155 A lengthy discussion was held; Mr. J. Fry inquired if the Mifflinburg Buggy Museum is trying to draw
156 people to the buggy museum, would it possibly be more advantageous to look at utilizing the area
157 around the buggy museum and close Green Street from 5th to 6th Streets and Quarry Road, utilizing the
158 Elias Church and the Stamm House, and leaving Market Street open. This way you're forcing people
159 onto the footprint that you want them.

160
161 Ms. Linke stated that that's great idea which she thought about; however, Quarry Road is kind of
162 narrow. There is more room to place vendors on Market Street. Additionally, there is no slope on
163 Market Street and minimal slope on 5th Street.

164
165 Mayor Cooney indicated that from a public safety standpoint, the part he doesn't like with closing
166 Market Street and Green Street from 5th to 6th Streets, is you're closing two (2) east and west streets at
167 the same time. Mayor Cooney agreed that he thinks the closure of Green Street from 5th to 6th Streets
168 and Quarry Road would be much more feasible.

169
170 Chief Hackenburg noted that what he likes about closing Green Street from 5th to 6th Streets and Quarry
171 Road and leaving Market Street remain completely open, is it moves the event outside of the Christkindl
172 Market area and it doesn't impede on the same residents directly affected by the Christkindl Market.
173 Additionally, it would center the event in and around the Mifflinburg Buggy Museum.

174
175 Ms. Linke clarified that she is looking for Borough Council approval at tonight's meeting and will
176 ensure that all public safety requirements are followed.

177
178 Motion by: Ellie K. Kreisher
179 Second by: Matthew C. Wagner

180
181 **MOTION: To approve the Mifflinburg Buggy Museum's Buggy Day event on Saturday, June 4,**
182 **2022, with layout details to be worked out with the Public Safety Committee.**

183
184 Mayor Cooney requested clarification as to whether or not the Mifflinburg Buggy Museum is requesting
185 any assistance from the Borough.

186
187 Ms. Linke asked if the Borough Maintenance Employees could assist with moving the cement barriers
188 on the street both before and after the event.

189
190 Mr. Rowe clarified that Borough Council understood that this event is being held on a Saturday, so the
191 Borough would be required to pay at least two (2) Borough Maintenance Employees overtime.

192
193 Mayor Cooney inquired if this was feasible.

194

195 Mr. Rowe stated that the Borough already has two (2) Maintenance Employees scheduled to work on the
196 weekends in the morning, but they would have to come back in again in the afternoon which would be a
197 separate callout and is two (2) hours minimum additional overtime regardless of whether they're here 15
198 minutes or the full two (2) hours.

199
200 Ms. Linke inquired about the possibility of asking the Borough Maintenance Employees if they would be
201 willing to volunteer their time since this is a nonprofit event.

202
203 Chief Hackenburg pointed out that you're asking the Borough Maintenance employees to do something
204 on their own time and if they get hurt then the Borough won't to cover them.

205
206 Mayor Cooney added that the Borough Maintenance employees would also be required to use the
207 Borough's equipment to move the barriers.

208
209 Mr. Wagner indicated there may be a possibility of getting someone else to assist with moving the
210 barriers and asked if Ms. Linke was willing to investigate that option.

211
212 Ms. Linke stated that she can investigate the possibility of getting someone else to assist with moving
213 the barriers, but it would be easier if the Borough would do it.

214
215 Mr. Wagner recommended that the motion include paying overtime for the necessary Borough
216 Maintenance Employees to place the barriers in the morning and remove them in the evening.

217
218 Mr. Page advised Borough Council that there is currently a motion on table that would need to be
219 rescinded or amended to include this. Mr. Page stated that he can't speak for Borough Council, but it
220 sounds to him like there are a lot more questions than answers and Borough Council may want to defer
221 action on this matter.

222
223 Mrs. Kreisher and Mr. Wagner both agreed that there are a lot of logistics that need ironed out; however,
224 they both want this event to happen.

225
226 Mrs. Hackenberg suggested that Borough Council amend the previous motion to just approve the
227 Mifflinburg Buggy Museum's Buggy Day event on Saturday, June 4, 2022 and then have Ms. Linke
228 come back to Council when she has everything ironed out.

229
230 Mayor Cooney agreed with Mrs. Hackenberg's idea.

231
232
233 Motion by: Ellie K. Kreisher

234 Second by: Matthew C. Wagner

235
236 **MOTION: To amend the previous motion to just approve the Mifflinburg Buggy Museum's**
237 **Buggy Day event on Saturday, June 4, 2022 and authorize the Borough Maintenance Employees to**
238 **assist with moving the concrete barriers onto the streets at the start of the event and the removal**
239 **of them at the conclusion of the event.**

240
241 Yes – Mrs. Kreisher, Mr. Sauers, Mr. Wagner, Mr. J. Fry, Mrs. Hackenberg, Mr. R. Fry

242
243 No – None

244
245
246 Mr. Luis Montesinos, with the Mifflinburg Dog Park Association, attended tonight's meeting to provide
247 Borough Council with an update on the status of the proposed Mifflinburg Dog Park at the Harry Haney
248 Park on North 8th Street. Mr. Montesinos announced that the Mifflinburg Dog Park Association has
249 received a \$15,000.00 grant from the Degenstein Foundation that was more than enough to cover the
250 costs of the materials and the insurance required for the proposed Mifflinburg Dog Park, and hopefully
251 cover the costs to purchase a shed to store some other materials needed for maintenance.

252
253 Mr. Montesinos introduced Mr. Owen Sanders, with the Mifflinburg Boy Scout Troop 520, and
254 informed Borough Council that he is currently working with the Mifflinburg Dog Park Association on
255 the proposed Mifflinburg Dog Park and will be installing fence as an Eagle Scout Project.

256
257 Mr. Montesinos presented Borough Council with the proof of insurance, as well as a signed Dog Park
258 Maintenance Agreement between the Borough of Mifflinburg and the Mifflinburg Dog Park Association
259 for the proposed Mifflinburg Dog Park.

260 Mr. Rowe reported that Mrs. Metzger was made aware that the Mifflinburg Dog Park Association had
261 placed stakes in the ground to mark the concept where the proposed Mifflinburg Dog Park would be
262 installed. Subsequently, Mrs. Metzger directed him to inspect the stakes location. Mr. Rowe asked that
263 the Mifflinburg Dog Park Association move the entire footprint for the proposed Mifflinburg Dog Park
264 20 feet south from where the stakes are currently placed.
265

266 Mr. Page noted that in accordance with the Off-Leash Dog Park Maintenance Agreement the hours of
267 operation that the Mifflinburg Dog Park may be open is during the hours between 6:00 AM and 9:00 PM
268 between the dates of April 15th and October 15th each year. The Association shall be responsible for
269 setting hours within these limits and ensuring adherence to the limits. Mr. Rowe clarified that the reason
270 for the respective dates in the agreement is the Borough utilizes the parking area at the Harry Haney Park
271 on North 8th Street for snow removal which takes up a large portion of the parking if not all of it.
272

273 A discussion was held; Mrs. Hackenberg inquired who would be overseeing installation of the fence for
274 the proposed Mifflinburg Dog Park to verify proper location. Mr. Rowe stated that he should inspect the
275 final stakeout before any installation begins.
276

277
278 Motion by: Matthew C. Wagner

279 Second by: Beverly L. Hackenberg
280

281 **MOTION: To approve the Mifflinburg Borough Zoning Report for December 2021 and authorize**
282 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$2,376.00.**
283

284 Yes – Mr. Sauers, Mr. Wagner, Mr. J. Fry, Mrs. Hackenberg, Mrs. Kreisher, Mr. R. Fry
285

286 No – None
287
288

289 Mr. Fry announced that Borough Council action is requested to adopt Resolution No. 2022-01;
290 Appointing Drew Christy to the Central Keystone Council of Governments (CK-COG). A copy of the
291 resolution has been included in the information tonight for Borough Council review.
292

293 Motion by: Matthew C. Wagner

294 Second by: Jarred R.W. Fry
295

296 **MOTION: To adopt Resolution No. 2022-01; Appointing Drew Christy to the Central Keystone**
297 **Council of Governments (CK-COG).**
298

299 Approved via unanimous voice vote.
300
301

302 Mr. Fry announced that Borough Council action is requested to adopt Resolution No. 2022-02; Setting
303 the Salary for the Borough Manager. A copy of the resolution has been included in the information
304 tonight for Borough Council review.
305

306 Motion by: Bradley M. Sauers

307 Second by: Matthew C. Wagner
308

309 **MOTION: To adopt Resolution No. 2022-02; Setting the Salary for the Borough Manager.**
310

311 Mr. Rowe noted that it's a requirement that the Borough Manager's salary be set by resolution. Mr.
312 Rowe clarified that this resolution does not change the Borough Manager's salary and that this isn't
313 anything different than what Borough Council has done in the past; it's merely the formality of putting it
314 in written resolution.
315

316 Yes – Mr. Wagner, Mr. J. Fry, Mrs. Hackenberg, Mrs. Kreisher, Mr. Sauers, Mr. R. Fry
317

318 No – None
319
320

321 Mr. Fry announced that Borough Council action is requested to adopt Resolution No. 2022-03;
322 Recognizing formally and publicly the contributions of Ms. Linda L. Lewis. A copy of the resolution
323 has been included in the information tonight for Borough Council review.
324

325 Motion by: Jarred R.W. Fry
326 Second by: Matthew C. Wagner

327
328 **MOTION: To adopt Resolution No. 2022-03; Recognizing formally and publicly the contributions**
329 **of Ms. Linda L. Lewis.**

330
331 Approved via unanimous voice vote.

332
333
334 Chief Hackenburg reported that as briefly discussed previously, the Civil Service Rules and Regulations
335 of the Borough of Mifflinburg requirements for hiring and promotion qualifications needed to be
336 amended. There are two (2) resolutions being presented tonight for Borough Council consideration.
337 Resolution No. 2022-04 amends Section 1-424; Sub-Section 1C to change the age requirement for hiring
338 from 18 years old to 21 years old. Resolution No. 2022-05 amends Section 1-424; Sub-Section 3A to
339 change the wording for Special Qualification Required for Advanced Ranks other than Chief of Police
340 from three (3) to five (5) years. Copies of both these resolutions have been included in the information
341 tonight for Borough Council review. Borough Council action is requested to adopt these resolutions.

342
343 Motion by: Matthew C. Wagner
344 Second by: Beverly L. Hackenberg

345
346 **MOTION: To adopt Resolution No. 2022-04; Amending the Civil Service Rules and Regulations of**
347 **the Borough of Mifflinburg to amend Section 1-424; Sub-Section 1C “Age Requirement” relating**
348 **to qualification for Mifflinburg Police Officers.**

349
350 Approved via unanimous voice vote.

351
352
353 Motion by: Matthew C. Wagner
354 Second by: Bradley M. Sauers

355
356 **MOTION: To adopt Resolution No. 2022-05; Amending the Civil Service Rules and Regulations of**
357 **the Borough of Mifflinburg to amends Section 1-424; Sub-Section 3A “Special Qualification**
358 **Required for Advanced Ranks other than Chief of Police” relating to qualification for Mifflinburg**
359 **Police Officers.**

360
361 Approved via unanimous voice vote.

362
363
364 Mr. Fry announced that Borough Council action is requested to adopt Resolution No. 2022-06;
365 Appointing members and alternate members of the Mifflinburg Zoning Hearing Board. A copy of the
366 resolution has been included in the information tonight for Borough Council review.

367
368 Motion by: Matthew C. Wagner
369 Second by: Beverly L. Hackenberg

370
371 **MOTION: To adopt Resolution No. 2022-06; Appointing members and alternate members of the**
372 **Mifflinburg Zoning Hearing Board.**

373
374 Approved via unanimous voice vote.

375
376
377 Mr. Page provided Borough Council with an update on the status of the Subdivision and Land
378 Development Ordinance (SALDO) revisions. Mr. Page reminded Borough Council that they took at the
379 Tuesday, October 19, 2021 regular Borough Council meeting to authorize him to advertise to conduct a
380 Public Hearing for the proposed amendments to the SALDO at the Tuesday, December 21, 2021 regular
381 Borough Council meeting. Mr. Page reported that the Public Hearing for the proposed amendments to
382 the SALDO is being deferred until the Tuesday, February 15, 2022 regular Borough Council meeting.
383 There were additional revisions made to the SALDO that had to be resent to the County for their
384 comment. Mr. Shawn McLaughlin, AICP Planning and Economic Development Director at Union
385 County Government Center, has indicated that he has no comments on the proposed amendments to
386 the SALDO and Borough Council can move forward with action; however, the Public Hearing for the
387 proposed amendments to the SALDO will need to be re-advertised for at the Tuesday, February 15, 2022
388 regular Borough Council meeting.

389 Mr. Page recapped that the current SALDO that's in effect includes the construction standards for
390 utilities, street, and stormwater; however, the revised SALDO does not. Therefore, all of those separate
391 ordinances for utilities, streets, and stormwater will also have to be amended to include those
392 construction standards and then the SALDO would make a reference to those separate ordinances. Mr.
393 Page clarified that Borough Council action is being requested on the following ordinances/resolutions:
394

395 Ordinances

- 396
- 397 • 2022-01 - Amending Chapter 28 of the Code of Ordinances of Mifflinburg Borough (Water)
- 398 to include a reference to the Borough of Mifflinburg's Construction and Design Standards
- 399 for the Supply of Water.
- 400 • 2022-02 - Amending Chapter 20 of the Code of Ordinances of Mifflinburg Borough (Sewers
- 401 and Sewage Disposal) to include a reference to the Borough of Mifflinburg's Construction
- 402 and Design Standards for Sewage Facilities.
- 403 • 2022-03 - Amending Chapter 22 of the Code of Ordinances of Mifflinburg Borough (Streets
- 404 and Sidewalks) to include a reference to the Borough of Mifflinburg's Construction and
- 405 Design Standards for Streets and Local Roads.
- 406

407 Resolutions

- 408
- 409 • 2022-07 - Establishing the minimum standards for the Construction and Design Standards
- 410 for the Supply of Water.
- 411 • 2022-08 - Establishing the minimum standards for the Construction and Design Standards of
- 412 Sewage Facilities.
- 413 • 2022-09 - Declaring its intent to adopt Construction and Design Standards for Stormwater
- 414 Management Facilities.
- 415 • 2022-10 - Establishing the minimum standards in the Construction and Design Standards for
- 416 Streets and Local Roads.
- 417

418 Mr. Page clarified that these ordinances/resolutions shall not become effective until Tuesday, February
419 15, 2022 given that the proposed amendments to the SALDO Ordinance can't be adopted until then.
420 Copies of the ordinances/resolutions have been included in the information tonight for Borough Council
421 review. Borough Council action is requested to adopt these ordinances/resolutions.
422

423 Mr. Wagner inquired as to whether or not a separate motion was required for each of these
424 ordinances/resolutions. Mr. Page asked that a separate motion be made for the ordinance amendments;
425 however, the resolutions could be the same motion.
426

427 Motion by: Matthew C. Wagner

428 Second by: Bradley M. Sauers

429

430 **MOTION: To adopt Ordinance No. 2022-01; Amending Chapter 28 of the Code of Ordinances of**
431 **Mifflinburg Borough (Water) to include a reference to the Borough of Mifflinburg's Construction**
432 **and Design Standards for the Supply of Water.**

433

434 Approved via unanimous voice vote.

435

436

437 Motion by: Matthew C. Wagner

438 Second by: Jarred R.W. Fry

439

440 **MOTION: To adopt Ordinance No. 2022-02; Amending Chapter 20 of the Code of Ordinances of**
441 **Mifflinburg Borough (Sewers and Sewage Disposal) to include a reference to the Borough of**
442 **Mifflinburg's Construction and Design Standards for Sewage Facilities.**

443

444 Approved via unanimous voice vote.

445

446

447

448

449

450

451

452

453

454 Motion by: Matthew C. Wagner
455 Second by: Bradley M. Sauers

456
457 **MOTION: To adopt Ordinance No. 2022-03; Amending Chapter 22 of the Code of Ordinances of**
458 **Mifflinburg Borough (Streets and Sidewalks) to include a reference to the Borough of**
459 **Mifflinburg’s Construction and Design Standards for Streets and Local Roads.**

460
461 Approved via unanimous voice vote.

462
463
464 Motion by: Bradley M. Sauers
465 Second by: Matthew C. Wagner

466
467 **MOTION: To adopt Resolution No. 2022-07; Establishing the minimum standards for the**
468 **Construction and Design Standards for the Supply of Water; Resolution No. 2022-08;**
469 **Establishing the minimum standards for the Construction and Design Standards of Sewage**
470 **Facilities; Resolution No. 2022-09; Declaring its intent to adopt Construction and Design**
471 **Standards for Stormwater Management Facilities; and Resolution No. 2022-10; Establishing the**
472 **minimum standards in the Construction and Design Standards for Streets and Local Roads.**

473
474 Approved via unanimous voice vote.

475
476
477 Mr. Rowe provided Borough Council with an update on the status of the sale of the old Vactor Truck.
478 Mr. Rowe reminded Borough Council that they took action at the Tuesday, December 21, 2021 regular
479 Borough Council meeting to authorize Borough Management to sell the old Vactor Truck through
480 Municibid with a reserve price of \$2,500.00. Mr. Rowe reported that Borough Management has placed
481 the sale of the old Vactor Truck on Municibid. The truck was placed on Municibid for fourteen (14)
482 days. Bidding closed on Tuesday, January 18, 2022. The winning bidder was one Mr. Joseph Coy in the
483 amount of \$9,050.00. Borough Council action is requested to award the bid for the sale of the old
484 Vactor Truck to Mr. Joseph Coy in the amount of \$9,050.00.

485
486 Motion by: Ellie K. Kreisher
487 Second by: Matthew C. Wagner

488
489 **MOTION: To award the sale of the old Vactor Truck to Mr. Joseph Coy in the amount \$9,050.00,**
490 **pending a cash, certified check, or bank check.**

491
492 Mrs. Hackenberg clarified that if Mr. Coy doesn’t come up with the funds, that Borough Council could
493 award the sale to the next highest bidder.

494
495 Mr. Page advised that subject to the cash, certified check, or bank check payment, he would include
496 some sort of timeline on the sale.

497
498 Mr. Rowe stated that a thirty (30) day timeline would be reasonable.

499
500 Yes – Mr. J. Fry, Mrs. Hackenberg, Mrs. Kreisher, Mr. Sauers, Mr. Wagner, Mr. R. Fry

501
502 No – None

503
504
505 Mr. Rowe informed Borough Council that he received an email from Mrs. Metzger prior to tonight’s
506 regarding the Coronavirus Aid, Relief, and Economy Security (CARES) Act Policy for the Borough of
507 Mifflinburg. Mr. Rowe recapped that Borough Council previously approved the CARES Act Policy for
508 the Borough of Mifflinburg to extend paid sick and family leave to employees affected by COVID-19.
509 The CARES Act Policy allowed employees ten (10) days of COVID leave for a one-time absence with
510 proof of a positive test for either the employee or a family member. This leave is in addition to other
511 leave types and was offered as a way to help employees protect their family and coworkers from further
512 exposure. The most recent extension approved by Borough Council extended through December 31,
513 2021. Upon discussion with Mr. R. Fry prior to tonight’s meeting, Borough Management, is suggesting
514 that this COVID leave be extended through March 31, 2022, but be reduced to the most recent CDC
515 guidelines of five (5) days, and again just a one-time absence. This has also been run by Labor Counsel
516 and they do not see a problem with Council authorizing this additional leave time.

517

518 Mrs. Hackenberg expressed that she agrees with extending the COVID leave through March 31, 2022
519 and reducing days to the most recent CDC guidelines of five (5) days; however, she doesn't feel
520 employees should have to use their sick leave in the event that they would get COVID-19 for a second
521 time (different variant). Mrs. Hackenberg clarified that she feels the policy should be worded differently
522 and not be limited to just a one-time absence provided that employees provide proof of a positive test for
523 either the employee or a family member.

524
525 Mr. R. Fry and Mr. J. Fry both agreed with Mrs. Hackenberg the policy should be worded differently and
526 not be limited to just a one-time absence provided that employees provide proof of a positive test for
527 either the employee or a family member.

528
529 Chief Hackenburg inquired about the testing requirements for employees and as to whether or not PCR
530 (polymerase chain reaction) tests would be required for testing.

531
532 Mrs. Hackenberg noted that in accordance with the current CARES Act Policy, COVID leave is
533 available to employees for a one time absence with proof of a positive test for either the employee or a
534 family member. A lengthy discussion was held regarding the testing requirements for employees. It was
535 decided that PCR or at-home tests would be accepted as proof of a positive test.

536
537 Motion by: Beverly L. Hackenberg
538 Second by: Bradley M. Sauers

539
540 **MOTION: To extend employees COVID leave through March 31, 2022, adapting to the latest**
541 **CDC guidance of five (5) days per occurrence, with proof of positive test to be provided in order to**
542 **receive compensation.**

543
544 Approved via unanimous voice vote.

545
546
547 Mr. Rowe provided Borough Council with an update on the status of the Tree Trimming Work for
548 Stoney Acres Road and Old Orchard Lane. Mr. Rowe reported that he has solicited quotes for the Tree
549 Trimming Work for Stoney Acres Road and Old Orchard Lane. There were three (3) quotes received
550 and are as follows:

551

	<u>Old Orchard</u>	<u>Stoney Acres</u>	<u>Total Amount</u>
552 Thunder Ridge Tree Service, LLC	\$ 6,300.00	\$ 5,000.00	\$11,300.00
553 Penn Line Service, Inc.	\$20,600.00	\$19,120.00	\$39,720.00
554 Apache Tree Service	\$ 2,850.00	\$ 5,400.00	\$ 8,250.00

555
556
557

558 A copy of the Quote Tabulation has been included in the information tonight for Borough Council
559 review. Borough Council action is requested to award the Tree Trimming Work for Stoney Acres Road
560 and Old Orchard Lane to Apache Tree Service, the respective low bidder, for a lump sum amount of
561 \$8,250.00.

562
563 Motion by: Jarred R.W. Fry
564 Second by: Ellie K. Kreisher

565
566 **MOTION: To award the Tree Trimming Work for Stoney Acres Road and Old Orchard Lane to**
567 **Apache Tree Service for a lump sum amount of \$8,250.00, pending the proper insurance.**

568
569 Yes – Mrs. Hackenberg, Mrs. Kreisher, Mr. Sauers, Mr. Wagner, Mr. J. Fry, Mr. R. Fry

570
571 No – None

572
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581

582 Mr. Rowe provided Borough Council with an update on the status of the Mifflinburg Community Park
583 Phase III Stormwater Project. Mr. Rowe reported that Livic Civil has provided a Proposal for
584 Engineering and Construction Administration for the Mifflinburg Community Park Phase III Stormwater
585 Project. This work would include complete the replacement of the existing stormwater pipe within the
586 park, the upstream portions have previously been upgraded and this project will complete the upgrades
587 for the remainder of the system. The scope of work generally includes design and analysis of the final
588 options, preparations of contract documents, bidding and construction oversight. Based on Livic Civil's
589 review, design and construction inspection on similar projects in the region, they're proposing to
590 complete this work for the following project fees:

591		
592	Survey (via subconsultant)	\$ 2,125.00
593	Engineering	\$ 5,560.00
594	Bidding & Construction Administration	\$ 7,030.00
595	Expenses	<u>\$ 300.00</u>
596	Project Total (Lump Sum Fee)	\$15,015.00
597		

598 A copy of the proposal has been included in the information tonight. Mr. Rowe clarified that he didn't
599 seek other proposals because Livic Civil completed the design work on Phase I & II of the Mifflinburg
600 Community Park Stormwater Project. Borough Council action is requested to award the Engineering
601 and Construction Administration for the Mifflinburg Community Park Phase III Stormwater Project to
602 Livic Civil for a Lump Sum Fee of \$15,015.00.

603
604 Motion by: Matthew C. Wagner
605 Second by: Bradley M. Sauers

606
607 **MOTION: To award Engineering and Construction Administration for the Mifflinburg**
608 **Community Park Phase III Stormwater Project to Livic Civil for a Lump Sum Fee of \$15,015.00.**

609
610 Yes – Mrs. Kreisher, Mr. Sauers, Mr. Wagner, Mr. J. Fry, Mrs. Hackenberg, Mr. R. Fry

611
612 No – None

613
614
615 Mr. Rowe informed Borough Council that prior to tonight's meeting, they received an email from Mrs.
616 Metzger regarding the Borough's Cyber Liability Insurance. Mr. Rowe recapped that Mrs. Metzger
617 received a letter from the Borough's Cyber Liability Insurance carrier indicating that they won't be
618 renewing the Borough's policy. Mrs. Metzger has been searching for another carrier to provide this
619 insurance and has had some difficulty in finding cyber liability coverage for 2022. The Borough's Agent
620 for the Pennsylvania Intergovernmental Risk Management Association (PIRMA), has suggested the
621 Cowbell Cyber Liability Policy coverage as an alternative to what the Borough had in 2021, since that
622 carrier would no longer carry the Borough. A Cowbell Cyber Liability Policy quote was attached to the
623 email for Borough Council review. As indicated in the email Mr. Mike Derr, from Leading Electronics,
624 has reviewed the quote and suggested that it's probably a necessary evil. Borough Management is
625 requesting that Borough Council take action to approve the Cyber Liability Insurance Quote in the
626 amount of \$5,573.00.

627
628 Motion by: Matthew C. Wagner
629 Second by: Bradley M. Sauers

630
631 **MOTION: To approve the Cowbell Cyber Liability Policy Quote in the amount of \$5,573.00.**

632
633 Yes – Mr. Sauers, Mr. Wagner, Mr. J. Fry, Mrs. Hackenberg, Mrs. Kreisher, Mr. R. Fry

634
635 No – None

636
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645

646 Mr. Rowe informed Borough Council that included in the information tonight they received a list of the
647 2022 Committee Appointments which are as follows:

648
649 2022 Committee Appointments

650
651 Personnel * Mr. Wagner
652 Mr. J. Fry
653 Mrs. Kreisher
654
655 Finance * Mr. J. Fr
656 Mr. Wagner
657 Mrs. Hackenberg
658
659 Park & Recreation * Mrs. Kreisher
660 Mrs. Hackenberg
661 Mr. Sauers
662
663 Utilities * Mr. Sauers
664 Mr. J. Fry
665 Mr. Wagner
666
667 Streets & Property * Mrs. Hackenberg
668 Mr. Sauers
669 Mrs. Kreisher
670
671 Police Pension Mr. R. Fry
672 Mr. Wagner
673 Mrs. Hackenberg

674
675 (*) Committee Chairperson
676

677 Borough Council action is requested to approval the 2022 Committee Appointments as presented.

678
679 Motion by: Matthew C. Wagner
680 Second by: Jarred R.W. Fry

681
682 **MOTION: To approve the 2022 Committee Appointments as presented.**

683
684 Mayor informed Borough Council that he asked Mr. J. Fry to serve on the Public Safety Committee and
685 Mr. J. Fry has accepted.

686
687 Approved via unanimous voice vote.
688

689
690 Mr. Rowe provided Borough Council with an update on the status of the revisions to Chapter 3
691 “Animals” of the Borough Code of Ordinances. Mr. Rowe reported that prior to tonight’s meeting Mr.
692 R. Fry reached out to him in Mrs. Metzger’s absence to ask that copies of the current ordinance, as well
693 as the proposed amendment created by the Animal Nuisance Committee (Mr. Wagner and Ms. Lewis),
694 be provided to Borough Council. Copies of both the current ordinance as well as the proposed
695 amendments to Chapter 3 “Animals” of the Borough Code of Ordinances have been forwarded via email
696 for Borough Council review.
697

698 Mr. R. Fry clarified that he asked Mrs. Metzger to provide this information since it seems that more and
699 more people in the community are asking or have heard that there might be an amendment to Animal
700 Nuisance Ordinance to include cats. In light of this, Mr. R. Fry feels this a good time to review the
701 proposed amendments to Chapter 3 “Animals” of the Borough Code of Ordinance that was created by
702 the Animal Nuisance Committee. Mr. R. Fry pointed out that the draft amendment to Chapter 3
703 “Animals” of the Borough Code of Ordinances that the Animal Nuisance Committee created included
704 revisions to the dog ordinance as well as a proposed cat ordinance. A lengthy discussion was held; Mr.
705 R. Fry directed Borough Council to review the current ordinance as well as the proposed amendments to
706 Chapter 3 “Animals” of the Borough Code of Ordinances and bring any suggestions they have to the
707 next Borough Work Session to be further discussed.
708
709
710

711 Mr. Rowe announced that each year, usually in December, early January, Mrs. Metzger sends letters to
712 the Mifflinburg Park/Pool employees that were previously hired to work at the pool to see whether or not
713 they plan to return to work at the Mifflinburg Community Park for the upcoming season and then
714 depending on the number of returning Park/Pool employees, advertises for additional Park/Pool
715 employees if necessary. Mrs. Metzger is seeking Borough Council direction on whether or not she
716 should proceed with sending the letters to the Mifflinburg Park/Pool employees previously hired to work
717 at the pool and then advertising for additional Park/Pool employees if necessary.

718
719 Mr. Rowe updated Borough Council on the discussion at the Borough Work Session about all the costly
720 repairs required at the Mifflinburg Community Pool. Mr. Rowe reported that as previously discussed at
721 the Borough Work Session, Borough Management has sought out possible funding as far as grants. Mr.
722 Rowe informed Borough Council that he met with a Department of Conservation and Natural Resources
723 (DCNR) Representative to discuss possible funding and see what funding might be available; and
724 subsequently attended a webinar on their grant program. Based on the DCNR Representative's
725 assessment and analysis of the pool, he suggested the Borough's best option would be to apply for a
726 grant to request funding for a feasibility study to perform a study of the pool facility to help determine
727 the future of the swimming pool. The purpose of this study is to determine what improvements need to
728 be made to the swimming pool and whether or not it is feasible to continue operating the pool. This
729 grant program is very intensive and competitive with a huge application process. The grant application
730 would be done in house and would lay the groundwork for future developments and grants. The
731 feasibility study is expected to cost between \$25,000 to \$40,000, and would require a 50/50 match. The
732 grant application deadline April 6th and there are no guarantees with this grant. Mr. Rowe clarified that a
733 pool feasibility study would be required prior to receiving any DCNR grants and that in addition to the
734 pool repairs, it's likely that the existing swimming pool building will need to be renovated to meet
735 current design standards, guidelines, and regulatory codes, including the Pennsylvania Bathing Code and
736 the Americans with Disabilities Act. Mr. Rowe stated that the one thing that DCNR stressed was that
737 the public input process is a key component of this grant and community input into the study is vitally
738 important. DCNR encourages that a committee be comprised from people in the community in addition
739 to Borough Council Members.

740
741 A lengthy discussion was held regarding whether or not the pool should open for the 2022 Season. Mr.
742 Rowe pointed out that regardless of whether or not the pool opens for the 2022 Season, the Borough
743 Maintenance Employees will still need to move forward as if the pool will open and take the appropriate
744 steps to get the pool ready; begin preparation with removing the pool cover at the pool, draining and
745 cleaning the pool; otherwise you'll have all kinds of additional problems down the road with the
746 plumbing and the pumps at the pool which would be detrimental to the pool. Borough Council direction
747 is requested on how they want to proceed.

748
749
750 Motion by: Ellie K. Kreisher
751 Second by: Beverly L. Hackenberg

752
753 **MOTION: To authorize Mrs. Metzger to proceed with sending letters to the Mifflinburg**
754 **Park/Pool employees previously hired to work at the pool and advertising for additional Park/Pool**
755 **employees for the 2022 Season as normal.**

756
757 Approved via unanimous voice vote.

758
759
760 Another lengthy discussion was held regarding the next steps for the pool. Mr. Lance Miller suggested
761 that the first stop should be for Borough Council to form a committee to get public involvement and
762 community input.

763
764 Mr. Fry clarified that Borough Council action is requested on whether or not they want to create a
765 committee that would include people from the public in addition to council, and if so what the
766 committee would be called

767
768 Mr. Wagner suggested that the committee be called "Exploring the Future of the Mifflinburg
769 Community Pool" and stated that he would be willing to work with Mrs. Kreisher and compose some
770 possible letters for her to review.

771
772 Mr. Page advised that Borough Council action would be required to create the "Exploring the Future of
773 the Pool" Committee.

774
775

776 Motion by: Ellie K. Kreisher
777 Second by: Matthew C. Wagner

778

779 **MOTION: To create the “Exploring the Future of the Mifflinburg Community Pool” Committee**
780 **and appoint Mrs. Kreisher and Mr. Wagner to serve on this committee, with advertising in the**
781 **Mifflinburg News & Views and the Mifflinburg Free Press looking for input from interested**
782 **community members and organizations and letters sent to Limestone Township and West buffalo**
783 **Township supervisors looking for representatives to serve on this committee.**

784

785 Approved via unanimous voice vote.

786

787

788 Mr. R. Fry inquired if there should be a timeline on this. Mr. Rowe reiterated that the grant application
789 deadline is April 6, 2022 and clarified that he would needs thirty (30) to sixty (60) days to complete the
790 application process. An “Exploring the Future of the Mifflinburg Community Pool” Committee meeting
791 was scheduled for Monday, February 7, 2022 at 7:00 PM

792

793 Mr. Rowe requested an executive session to discuss personnel matters.

794

795 Mr. Rowe informed Borough Council that the Borough has received a request via email from Ms.
796 Valerie Hulme and Mr. Herb Vankirk to utilize the Gazebo at the Mifflinburg Community Park which
797 reads as follows:

798

799 Hi, I was planning a May Wedding but because of me needing surgery I had to push up my date
800 to Valentine's Day weekend. I am desperately trying to plan everything. Of course no one
801 knows what the weather will be but the only place I can think of that will be available is the
802 Gazebo. So far I have no plan B. We probably won't be able to have a reception but the most
803 important thing is to be married to my Best friend of 8 years before I go in for surgery. He and I
804 decided we are making this commitment and then this health crisis happened. I don't know what
805 my prognosis is yet but we are not wasting anymore time. Life has just possibly gotten a whole
806 lot shorter for me. We want and need to get married as soon as possible. It seems the Gazebo
807 may not be able to be rented during the winter months. Can an exception be made? Who do I
808 contact to rent Gazebo for a Wedding Ceremony, A First Husband and Wife dance and throwing
809 the bouquet, and a small group of people eating wedding cake and a few pictures?

810

811 Thank You,

812

813 Valerie Hulme and Herb Vankirk

814

815 A copy of the email has been forwarded to Borough Council prior to tonight's meeting. Mr. Rowe noted
816 that in accordance with the Mifflinburg Community Park rules and regulation, the park is open between
817 the dates of April 15th and October 15th each year. The Borough does not perform any winter
818 maintenance at the park facilities, nor is the restrooms available during this time. Mr. Rowe clarified
819 that this request has not been included on tonight's Council Agenda. A lengthy discussion was held;

820

821 Mr. Page advised Borough Council that in accordance with Act 65 of 2021, Borough Council action
822 would be required to approve the amendment of tonight's Council Agenda to include approval of this.

823

824 A lengthy discussion was held regarding the request. Mr. Wagner made a motion to approve the
825 amendment of the Tuesday, January 18, 2022 Borough Council Agenda to include consideration of the
826 Gazebo Request submitted by Ms. Valerie Hulme and Mr. Herb Vankirk.

827

828 Mr. R. Fry asked if there was a second to the motion. There was no second to the motion. The motion
829 died due to lack of a second.

830

831 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for
832 December 2021 included in the information tonight.

833

834 Mayor Cooney provided Borough Council with an update on the status of the safety requirements for the
835 2022 Christkindl Market. Mayor Cooney reported that a meeting held with Mr. Matthew C. Wagner,
836 Christkindl Market of Mifflinburg, Inc. President, to review and discuss the 2021 Christkindl Market to
837 determine 2022 requirements. Mayor Cooney detailed the changes that were discussed at the meeting
838 for the 2022 Christkindl Market.

839

840 Mayor Cooney informed Borough Council that he will be attending the Evangelical Regional Mobile
841 Medical Services (ERMMS) Board meeting that is scheduled for Wednesday, January 19, 2022 at 11:00
842 AM. Mayor Cooney asked that Borough Council notify him of any questions or concerns they have in
843 terms of ambulance prior to the meeting.

844
845 Chief Hackenburg presented Borough Council with some Monthly Highlights for the Mifflinburg Police
846 Department for December 2021.

847
848 Chief Hackenburg reported that the Mifflinburg Police Department have begun the process of purchasing
849 a new police vehicle to replace the department cruiser that was totaled during the high-speed vehicle
850 pursuit on Monday, December 13, 2021. The Borough's insurance carrier, Integrated risk management
851 (IRM), will be reimbursing the Borough (less the deductible) \$37,572.00 for just the vehicle. There will
852 be a separate claim processed by them to cover the emergency equipment (electronics, interior/exterior
853 car lighting, police car equipment, police car consoles, gun racks, radar, sirens, police car graphics, etc.).
854 Chief Hackenburg clarified that he is seeking Borough Council permission to proceed with the purchase
855 of a new Police vehicle. The new police vehicle would be purchased through COSTARS for a purchase
856 price of \$39,395.00.

857
858 Motion by: Ellie K. Kreisher

859 Second by: Jarred R.W. Fry

860

861 **MOTION: To authorize Chief Hackenburg to proceed with the purchase of a new Police vehicle**
862 **for the Mifflinburg Police Department through COSTARS for a purchase price of \$39,395.00.**

863

864 Yes – Mr. Wagner, Mr. J. Fry, Mrs. Hackenberg, Mrs. Kreisher, Mr. Sauers, Mr. R. Fry

865

866 No – None

867

868

869 Chief Hackenburg requested an executive session to discuss personnel matters and pending litigation.

870

871 Mayor Cooney informed Borough Council that he participated in or will be participating in the following
872 meetings or events:

873

874 • The Ribbon Cutting Ceremony for Rooted Relational Therapy that was held on Wednesday,
875 December 22, 2021, to celebrate the opening of an additional location, Rooted Downtown
876 located at 420 Chestnut Street.

877 • Working with Brookside Bikes, located 170 East Walnut Street, Suite A, to schedule a
878 Ribbon Cutting Ceremony to celebrate the opening of their new bridge once it's been
879 completed.

880

881

882 Motion by: Matthew C. Wagner

883 Second by: Jarred R.W. Fry

884

885 **MOTION: To enter into executive session at 9:42 PM.**

886

887 Approved via unanimous voice vote.

888

889

890 Motion by: Matthew C. Wagner

891 Second by: Ellie K. Kreisher

892

893 **MOTION: To reconvene the meeting at 9:48 PM.**

894

895 Approved via unanimous voice vote.

896

897

898 Motion by: Matthew C. Wagner

899

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

901

902 Approved via unanimous voice vote.

903

904

905 Meeting adjourned at 9:49 PM

906

907 Respectfully Submitted,

908

909

910 Misty L. Ross

911 Assistant Borough Secretary