

1 MINUTES OF MIFFLINBURG BOROUGH COUNCIL

2 August 16, 2016

3
4 PRESENT ABSENT

5	Beverly L. Hackenberg, Council President	X
6	Tod M. Steese, Vice President	X
7	Troy A. Berkheiser, Council Member	X
8	Paul E. Bottiger, Council Member	X
9	Richard J. Fry, Council Member	X
10	Duane L. Zimmerman, Council Member	X
11	David M. Cooney, Mayor	X
12	Jeremiah D. Runkle, Solicitor	X
13	Margaret A. Metzger, Borough Manager	X
14	Robert M. Rowe, Borough Project Manager	X
15	Misty L. Ross, Assistant Secretary	X

16
17 The regular meeting of Mifflinburg Borough Council was called to order at 7:00 PM.

18
19 Visitors present at this meeting were Wanda K. Weiand, Linda Lewis, Matt Farrand, Dominick Adamo,
20 Thomas Reimensnyder, and Beth Holmes.

21
22
23 Motion by: Tod M. Steese
24 Second by: Richard J. Fry

25
26 **MOTION: To approve the minutes of the Tuesday, July 19, 2016 regular meeting of Mifflinburg**
27 **Borough Council.**

28
29 Mr. Zimmerman informed Borough Council that he made a correction to line 357 of the minutes; Mr.
30 Zimmerman stated that Mr. Bottiger made the motion to remove the tree owned by Mrs. Ada
31 Sampsell’s, a resident of 89 Shipton Street, which the Borough employees previously trimmed as part of
32 their line maintenance and he seconded the motion.

33
34 Approved via unanimous voice vote.

35
36
37 Motion by: Troy A. Berkheiser
38 Second by: Paul E. Bottiger

39
40 **MOTION: To approve payment of Bill List #2016-08 in the amount of \$627,729.50.**

41
42 Yes – Mr. Berkheiser, Mr. Bottiger, Mr. Fry, Mr. Steese, Mr. Zimmerman, Mrs. Hackenberg

43
44 No – None

45
46
47 Ms. Linda Lewis, a resident of 69 E. Maple Street, attended tonight’s meeting along with Ms. Wanda
48 Weiand, a resident of 505 N. 3rd Street, regarding their plans to open and operate an Adult Daycare
49 Center at her home (69 E. Maple Street). Ms. Lewis inquired if Borough Council had any questions or
50 concerns. A discussion was held; Mayor Cooney clarified that the only concern would be that they
51 contact the Central Keystone Council of Governments (CK-COG) regarding this project.

52
53
54 Motion by: Troy A. Berkheiser
55 Second by: Paul E. Bottiger

56
57 **MOTION: To approve the Mifflinburg Borough Zoning Report for July 2016 and authorize**
58 **payment to the Central Keystone Council of Governments (CK-COG) in the amount of \$1,286.74.**

59
60 Mr. Bottiger inquired if the CK-COG has provided more detail for the Borough Zoning services as
61 requested. Mrs. Metzger reported that the CK-COG has provided a slightly more detailed Zoning
62 Report as a result of their meetings and discussions with them. Borough Council is requested to review
63 the new billing and provide direction for Borough Management with regard to Zoning services.

64
65 Yes – Mr. Bottiger, Mr. Fry, Mr. Steese, Mr. Zimmerman, Mr. Berkheiser, Mrs. Hackenberg

66
67 No – None

68 Mr. Runkle provided Borough Council with an update on the status of the new Zoning fees to address
69 the shortfall in the Borough's fee structure. Mr. Runkle reminded Borough Council that there was a
70 Finance Committee meeting held on Tuesday, July 12, 2016 to discuss the Zoning and Subdivision fees
71 recommended by Mr. David Hines, Zoning Administrator for the Central Keystone Council of
72 Governments (CK-COG). It was determined that the Borough should enact these fees as recommended.
73 The two (2) existing resolutions, one (1) for Zoning fees and one (1) for Subdivision and Land
74 Development fees, have been amended to reflect the new fees. Mr. Runkle distributed copies of
75 Resolution No. 2016-10; Amending the schedule of fees for the Borough of Mifflinburg Zoning
76 Ordinance. Borough Council action is requested to adopt this resolution.

77

78 Motion by: Troy A. Berkheiser

79 Second by: Paul E. Bottiger

80

81 **MOTION: To adopt Resolution No. 2016-10; Amending the schedule of fees for the Borough of**
82 **Mifflinburg Zoning Ordinance.**

83

84 Mr. Fry inquired when the new Zoning and Subdivision and Land Development fees would go into
85 effect. Mr. Runkle clarified that the fees would go into effect immediately.

86

87 Approved via unanimous voice vote.

88

89

90 Mr. Runkle distributed copies of Resolution No. 2016-11; Amending the schedule of fees for the
91 Borough of Mifflinburg Subdivision and Land Development Ordinance. Mr. Runkle detailed the
92 changes that he made to the resolution and requested Borough Council action to adopt this resolution.
93 Mr. Rowe clarified that these fees are in addition to the fees associated with the Engineer, the Solicitor,
94 and the Consultant.

95

96 Motion by: Paul E. Bottiger

97 Second by: Troy A. Berkheiser

98

99 **MOTION: To adopt Resolution No. 2016-11; Amending the schedule of fees for the Borough of**
100 **Mifflinburg Subdivision and Land Development Ordinance.**

101

102 Approved via unanimous voice vote.

103

104

105 Mr. Thomas Reimensnyder, a volunteer with the Mifflinburg Fire Police, informed Borough Council
106 that he is present at tonight's meeting mainly to hear about the Christkindl Market. Mr. Reimensnyder
107 indicated that he heard that the Christkindl Market of Mifflinburg, Inc. may be possibly relocating the
108 Christkindl Market and he wants to do everything in their power to keep the Christkindl Market in the
109 Borough of Mifflinburg. Mr. Reimensnyder cautioned Borough Council that if the Christkindl Market
110 of Mifflinburg, Inc. have individual flaggers, other than the Mifflinburg Fire Police, they better check
111 their records real carefully because the flaggers must be certified. Mr. Reimensnyder expressed that he
112 is concerned with someone directing traffic during the Christkindl Market that is not certified; he
113 doesn't want to see anybody sued and then put the Christkindl Market of Mifflinburg, Inc. in danger.
114 Mr. Reimensnyder stated that he suggested to the Christkindl Market of Mifflinburg, Inc. about one of
115 the things they could do to help with directing the walking traffic during the Christkindl Market, is to
116 place cones down the center of Market Street with a rope and have the walking traffic go one way the
117 same as vehicle traffic does. This way the pedestrians won't cross back and forth and there will be a
118 nice neat line when they come out to the street. Mr. Reimensnyder offered the assistance of the
119 Mifflinburg Fire Police if Borough Council wants. Mayor Cooney clarified that he has no objections
120 with Mr. Reimensnyder or the Mifflinburg Fire police working the Christkindl Market, but he was under
121 the understanding that the Mifflinburg Fire police do not want to work the Christkindl Market. Mr.
122 Reimensnyder volunteered to personally help Borough Council with whatever they do and expressed
123 that he thinks it's fantastic what they're doing here with the Christkindl Market.

124

125 Mr. Fry reported that all the Christkindl Market of Mifflinburg, Inc. is looking for is a list of exactly
126 what the Public Safety Committee wants with regard to the certifications for the flaggers. Mayor
127 Cooney stated that he wants someone with PennDOT's blessing. A lengthy discussion was held; Mrs.
128 Hackenberg deferred this matter to the Public Safety Committee to be discussed further.

129

130 Mayor Cooney scheduled a Public Safety Committee meeting for Tuesday, August 30, 2016 at 7:00 PM
131 to further discuss and determine what certifications for the flaggers during the Christkindl Market will
132 be required.

133

134

135 Mrs. Metzger clarified that if the Mifflinburg Fire Police volunteer to help with the Christkindl Market,
136 Borough Council action would be required to add the Christkindl Market to the approved 2016 Special
137 Events list for the Mifflinburg Fire Police in order for the Borough to extend Worker's Compensation
138 Insurance.

139
140 Mr. Rowe informed Borough Council that Mr. Dominick T. Adamo, Owner/Director of Dominick T.
141 Adamo Funeral Home, is present at tonight's meeting to request Borough Council action to submit a
142 permit amendment to DEP for one (1) additional EDU for his new Funeral Home at the corner of
143 Walnut and Line Streets. Mr. Rowe clarified that Mr. Adamo has received conditional approval from
144 the Mifflinburg Planning Commission at their meeting that was held earlier tonight.

145
146 Motion by: Troy A. Berkheiser

147 Second by: Paul E. Bottiger

148
149 **MOTION: To submit a permit amendment to DEP for one (1) additional EDU for Mr. Dominick**
150 **T. Adamo's, Owner/Director of Dominick T. Adamo Funeral Home, new Funeral Home at the**
151 **corner of Walnut and Line Streets.**

152
153 Approved via unanimous voice vote.

154
155
156 Mrs. Metzger reminded Borough Council that at the Tuesday, July 19, 2016 regular Borough Council
157 meeting they directed her to obtain prices from other companies for zoning services. Mrs. Metzger
158 reported that she has obtained prices from another company and requested that a Finance Committee
159 meeting be scheduled to further discuss these prices.

160
161 Mr. Berkheiser scheduled a Finance Committee meeting for Tuesday, August 30, 2016 at 8:30 PM to
162 discuss the prices obtained for zoning services.

163
164 Mr. Rowe provided Borough Council with an update on the status of the improvements at the
165 Mifflinburg Hose Company Building located at 325 Chestnut Street. Mr. Rowe reported that the bid
166 opening for the concrete work at the Mifflinburg Hose Company Building was held on Monday, August
167 8, 2016. There was one (1) bid received and is as follows:

<u>Engineering Firm</u>	<u>Base Bid</u>	<u>Alternate 1</u>
Zartman Construction, Inc.	\$22,521.00	\$4,606.00

171
172 A copy of the bid tabulation has been included in the information tonight for Borough Council review.
173 The alternate bid was estimated to cost \$6,000.00 and the base bid was estimated to cost \$18,000.00.
174 Mr. Rowe clarified that this work is well within the budgeted amount. Borough Council direction is
175 requested on whether they want to award this work or wait to see if they get more competition. If
176 awarded, this work would be completed in the spring due to the twenty-eight (28) day curing time on the
177 floor to replace the concrete slabs.

178
179 Motion by: Paul E. Bottiger

180 Second by: Tod M. Steese

181
182 **MOTION: To award the concrete work at the Mifflinburg Hose Company Building located at 325**
183 **Chestnut Street to Zartman Construction, Inc. for a base bid amount of \$22,521.00.**

184
185 Yes – Mr. Fry, Mr. Steese, Mr. Zimmerman, Mr. Berkheiser, Mr. Bottiger, Mrs. Hackenberg

186
187 No – None

188
189
190 Mrs. Metzger reported that she received the renewal information for the Employee Assistance Plan for
191 2017. The cost per agreement year in 2016 was \$2,870.00, but has increased to \$3,000.00 for 2017; this
192 represents a \$130.00 increase. Borough Council action is requested to approve the renewal of this
193 program.

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200

201 Motion by: Paul E. Bottiger
202 Second by: Richard J. Fry

203

204 **MOTION: To enter into the Employee Assistance Program Agreement between the Borough of**
205 **Mifflinburg and the ESI Employee Assistance Group at the Premium Benefit Level for the period**
206 **of Saturday, October 1, 2016 through Saturday, September 30, 2017 to provide professional**
207 **employee assistance to Borough employees at the cost of \$3,000.00 per agreement year.**

208

209 Yes – Mr. Steese, Mr. Zimmerman, Mr. Berkheiser, Mr. Bottiger, Mr. Fry, Mrs. Hackenberg

210

211 No – None

212

213

214 Mrs. Metzger announced that the Borough has been notified by the Department of Labor and Industry
215 that the Borough’s Safety Committee is required to undergo an audit. This audit is scheduled for
216 Wednesday, August 31, 2016. The Committee has not been audited previously, an update will be
217 provided when available.

218

219 Mrs. Metzger reminded Borough Council that they took action at the Tuesday, July 19, 2016 regular
220 Borough Council meeting to submit a request to PennDOT that a traffic study be completed at the SR 45
221 and 4th Street intersection to help analyze traffic flow, and to help determine what, if any, measures
222 would be recommended to improve this intersection and traffic flows in this area. Mrs. Metzger
223 reported that she has been in contact with PennDOT District 3-0 to discuss the possibility of a traffic
224 study for some potential timing changes for the traffic signal at the SR 45 and 4th Street intersection.
225 PennDOT indicated that the Borough is responsible for operation and maintenance of the traffic signal at
226 4th Street and would therefore be responsible to complete the traffic study by a licensed traffic engineer
227 and then to suggest the proposed signal changes to PennDOT for their consideration and approval.
228 PennDOT also indicated that the Borough will be responsible to complete a traffic study at the SR 45
229 and 3rd Street intersection since these permits are linked. Additionally, any proposed changes would be
230 made at the Borough’s expense. Mrs. Metzger informed Borough Council that she asked Mrs. Erin
231 Threet, HRG, Inc., to provide an estimated cost to perform a traffic study. Mrs. Threet estimates that
232 this work will cost \$5,000.00 for the initial study and an additional \$2,500.00 to prepare and submit the
233 permit modification. Mrs. Metzger clarified that this does not include the bid documents that will be
234 required for the changes to the traffic signal. Borough Council direction is requested as to how Borough
235 Management should proceed. Mrs. Metzger suggested that the Borough could submit another Green
236 Light GO Grant application to PennDOT and then plan to budget towards the rest. A discussion was
237 held; it was the consensus of Borough Council to direct Mrs. Metzger to begin looking into grant
238 opportunities for this work.

239

240 Mrs. Metzger provided Borough Council with an update on the status of the blighted property at 1 Oak
241 Avenue. Mrs. Metzger reported that she has contacted two (2) firms to obtain quotes for the demolition
242 of the property at 1 Oak Avenue. The following quotes have been obtained:

243

244	Schlegel Excavating, Inc.	\$10,324.00
245	Dave Gutelius Excavating, Inc.	\$10,500.00

246

247 A copy of the quote tabulation has been included in the information tonight for Borough Council review.
248 Mrs. Metzger informed Borough Council that she has asked Mr. Runkle to again review where this
249 property stands in terms of the Property Maintenance Ordinance process.

250

251 Mr. Runkle explained that the Borough has taken enforcement action under the Property Maintenance
252 Code, which they do through the Central Keystone Council of Governments (CK-COG), the
253 Enforcement Agent for that ordinance. The challenge with moving forward with any further
254 enforcement action on the property is the fact that the property owner is deceased and has been for some
255 time and there was never an estate opened. Deutsche Bank has a mortgage against the property and
256 initiated foreclosure proceedings about two (2) or three (3) years ago; however they continue to
257 postpone. Deutsche Bank has also paid the taxes for the property. Mr. Runkle indicated that Mrs.
258 Metzger has inquired about what notices are required under the Property Maintenance Code and who the
259 notices need to be provided to since the property owner is deceased and there was never an estate
260 opened. Mr. Runkle clarified that all of the required notices under the Property Maintenance Code have
261 been provided. If Borough Council wants to proceed with an abundance of caution, they could post the
262 property; however it’s not legally required. The next step would be to award the demolition and then
263 lien the property for the costs incurred. The Borough would then execute on the lien.

264

265

266

267 Mr. Runkle informed Borough Council that he contacted the Union County Solicitor to explain the
268 situation to him and clarify what is required to proceed with execution against the property. The Union
269 County Solicitor indicated that the first step to execute against the property is to file a petition for and
270 writ of execution with the court. The Borough would be required to provide adequate notice of the sale
271 as ordered by the Judge and then the Union County Sheriff would conduct the sale.
272

273 Motion by: Duane L. Zimmerman
274 Second by: Paul E. Bottiger
275

276 **MOTION: To award the demolition of the property at 1 Oak Avenue.**
277

278 Mrs. Metzger informed Borough Council that they need to provide for where the \$10,324.00 fee is to be
279 assigned. A discussion was held; Mrs. Metzger recommended that the \$10,324.00 fee be assigned to
280 Building Renovations in the Capital Reserves Fund (030-409-373). Mrs. Metzger added that the motion
281 should also include the contractor and the amount.
282

283 Motion by: Duane L. Zimmerman
284 Second by: Paul E. Bottiger
285

286 **MOTION: To amend the previous motion to include “to Schlegel Excavating, Inc. for a fee of**
287 **\$10,324.00 and assign the \$10,324.00 fee to Building Renovations in the Capital Reserves Fund**
288 **(030-409-373)”.**
289

290 Yes – Mr. Zimmerman, Mr. Berkheiser, Mr. Bottiger, Mr. Fry, Mr. Steese, Mrs. Hackenberg
291

292 No – None
293
294

295 Mr. Rowe provided Borough Council with an update on the status of the Walnut Street Project. Mr.
296 Rowe reported that the Walnut Street Project was deemed substantially complete and the walk through
297 was held on Thursday, June 30, 2016. The street was open and used for the 4th of July 5K. Mr. Rowe
298 informed Borough Council that Fairchild Brothers, Inc. has submitted Change Order No. 2 for a price
299 increase of \$2,030.23 for the Walnut Street Project. A copy of the change order has been included in the
300 information tonight. The change order has been reviewed by Uni-Tec Consulting Engineers, Inc. and
301 Borough Management and is recommended for payment.
302

303 Motion by: Paul E. Bottiger
304 Second by: Troy A. Berkheiser
305

306 **MOTION: To approve Change Order No. 2 to Fairchild Brothers, Inc. for the Walnut Street**
307 **Project for a price increase of \$2,030.23.**
308

309 Yes – Mr. Berkheiser, Mr. Bottiger, Mr. Fry, Mr. Steese, Mr. Zimmerman, Mrs. Hackenberg
310

311 No – None
312
313

314 Mr. Rowe also informed Borough Council that Fairchild Brothers, Inc. has submitted Payment
315 Application No. 4 (final payment) in the amount of \$23,545.24 for the Walnut Street Project. A copy of
316 the payment application has been included in the information tonight. The payment application has been
317 reviewed by Uni-Tec Consulting Engineers, Inc. and Borough Management and is recommended for
318 payment.
319

320 Motion by: Troy A. Berkheiser
321 Second by: Paul E. Bottiger
322

323 **MOTION: To approve Payment Application No. 4 (final payment) to Fairchild Brothers, Inc. for**
324 **the Walnut Street Project in the amount of \$23,545.24.**
325

326 Yes – Mr. Bottiger, Mr. Fry, Mr. Steese, Mr. Zimmerman, Mr. Berkheiser, Mrs. Hackenberg
327

328 No – None
329
330
331
332
333

334 Mrs. Metzger provided Borough Council with an update on the status of the trees in the Harry Haney
335 Park, located along N. 8th Street. Mrs. Metzger reported that Borough Management has met with both
336 Mr. Gerald Hoy, of the Pennsylvania Department of Conservation and Natural Resources (DCNR), and
337 a few of the adjacent property owners regarding the plans for the tree removal and timber sale at Harry
338 Haney Park. Mr. Hoy has marked the trees that he feels need to be removed; there are 105 trees just in
339 the wooded area. With regard to the trees along the property line, without an updated survey, it might be
340 difficult to determine ownership. Mrs. Metzger indicated that she believes that the Merrill Linn
341 Conservancy is willing to say that if it's on the border and deemed dangerous, then the Borough should
342 just take it down. The Merrill Linn Conservancy plans to document this via a letter. Mr. Rowe has been
343 working on the timber sale document and has sent it to Mr. Runkle for review. Mr. Runkle clarified that
344 he has received and reviewed the timber sale document and made a few minor changes. Borough
345 Council authorization is requested to proceed with the tree removal and timber sale.

346
347 Motion by: Troy A. Berkheiser

348 Second by: Paul E. Bottiger

349

350 **MOTION: To authorize the Borough to proceed with the tree removal and timber sale at the**
351 **Harry Haney Park, located along N. 8th Street.**

352

353 Approved via unanimous voice vote.

354

355

356 Mrs. Metzger provided Borough Council with an update on the status of the sale of the 2004 Chevy
357 Tahoe. Mrs. Metzger reminded Borough Council that they took action at the Tuesday, July 19, 2016
358 regular Borough Council meeting to authorize Mr. Bottiger to take the 2004 Chevy Tahoe to auction for
359 sale with a reserve of \$4,200.00. Mrs. Metzger reported that Mr. Bottiger has taken the 2004 Chevy
360 Tahoe to auction for sale; however it only brought \$3,600.00.

361

362 Mr. Bottiger stated that he anticipates the seller's fee will be waived since the sale didn't meet the
363 reserve amount; the Borough may get more than \$3,600.00. Borough Council may want to defer this
364 matter until next month's meeting. Mr. Bottiger clarified that the auction won't pay the Borough for the
365 2004 Chevy Tahoe until they receive the title.

366

367 Mrs. Metzger explained that she couldn't find the title for the 2004 Chevy Tahoe so she ordered a
368 duplicate title. It turns out, the 2004 Chevy Tahoe has a confidential license plates and the State holds
369 the title confidentially. A letter has been drafted for Mrs. Hackenberg to sign following tonight's
370 meeting that authorizes the State to release the title. A discussion was held; Mr. Runkle advised
371 Borough Council that they could take action at tonight's meeting to ratify the sale of the 2004 Chevy
372 Tahoe for a minimum of \$3,600.00.

373

374 Motion by: Tod M. Steese

375 Second by: Paul E. Bottiger

376

377 **MOTION: To ratify the sale of the 2004 Chevy Tahoe for a minimum of \$3,600.00.**

378

379 Approved via unanimous voice vote.

380

381

382 Mrs. Metzger informed Borough Council that they received a copy of the tentative 2017 Budget
383 Calendar included in the information tonight, as well as the Budgetary Requests Memo that will be
384 mailed out to all Borough Agencies. All Budgetary Requests for 2017 must be submitted by Friday,
385 September 30, 2016

386

387 Mrs. Metzger announced that the Pennsylvania Department of Environmental Protection (DEP) has
388 issued a drought watch for Union County. DEP is asking people to conserve water.

389

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

391

392 Mrs. Metzger reported that Mr. Ross M. Mitchell has notified her that the minutes of the Tuesday, May
393 17, 2016 regular Borough Council meeting are incorrect. The minutes reflect that the motion was made
394 to accept the resignation of Mr. Ross M. Mitchell as a full-time Police Officer for the Borough of
395 Mifflinburg effective Wednesday, June 15, 2016; however the effective date should have been Sunday,
396 Wednesday, June 19, 2016.

397

398

399

400 Mr. Runkle advised Borough Council that action is required to correct the minutes of the Tuesday, May
401 17, 2016 regular Borough Council meeting to change the effective date of Mr. Ross M. Mitchell's
402 resignation as a full-time Police Officer for the Borough of Mifflinburg from Wednesday, June 15, 2016
403 to Sunday, June 19, 2016.

404
405 Motion by: Paul E. Bottiger

406 Second by: Tod M. Steese

407

408 **MOTION: To correct the minutes of the Tuesday, May 17, 2016 regular Borough Council meeting**
409 **to change the effective date of Mr. Ross M. Mitchell's resignation as a full-time Police Officer for**
410 **the Borough of Mifflinburg from Wednesday, June 15, 2016 to Sunday, June 19, 2016.**

411

412 Approved via unanimous voice vote.

413

414

415 Mr. Bottiger inquired about the status of the brush recycling event. Mrs. Metzger reported that the brush
416 recycling occurred on Saturday, August 6, 2016. There were twelve (12) to thirteen (13) loads of brush
417 collected and there were no problems that occurred.

418

419 Mayor Cooney informed Borough Council that they received a copy of the Monthly Police Report for
420 July 2016 included in the information tonight.

421

422 Mayor Cooney informed Borough Council that he spoke with Mrs. Tina DeFord, the Borough Police
423 Clerk, to see how often the two (2) parking ticket boxes along Chestnut Street that aren't labeled are
424 used. According to Mrs. DeFord, the parking ticket boxes are typically not used; combined altogether
425 you may receive one (1) parking ticket in the boxes every other week. Mayor Cooney recommended
426 that Borough Council wait to remove the parking ticket boxes until the Mifflinburg Police Department
427 depletes all of the old parking tickets. Mayor Cooney explained that the parking tickets state "*You may*
428 *pay this by depositing the proper amount in the envelope and placing it in any courtesy box, or by*
429 *bringing payment to the office located at 120 North 3rd Street*". A discussion was held; it was the
430 consensus of Borough Council to wait to remove the two (2) parking ticket boxes along Chestnut Street
431 until the Mifflinburg Police Department depletes all of the old parking tickets.

432

433 Mayor Cooney requested Borough Council action to set Trick or Treat night for Monday, October 31,
434 2016 from 6:00 PM - 9:00 PM.

435

436 Motion by: Tod M. Steese

437 Second by: Troy A. Berkheiser

438

439 **MOTION: To set Trick or Treat night for Monday, October 31, 2016 from 6:00 PM - 9:00 PM.**

440

441 Approved via unanimous voice vote.

442

443

444 Mayor Cooney presented Borough Council with some Monthly Highlights for the Mifflinburg Police
445 Department for July 2016. Mayor Cooney clarified that the Monthly Highlights were prepared by
446 Officer Mark Bailey, one of the OIC's (officer-in-charge) of the Mifflinburg Police Department.

447

448 Mayor Cooney reminded Borough Council that there is a Public Safety Committee meeting scheduled
449 for Tuesday, August 30, 2016 at 7:00 PM.

450

451 Mr. Berkheiser reminded Borough Council that there is a Finance Committee meeting scheduled for
452 Tuesday, August 30, 2016 at 8:30 PM.

453

454 Mr. Bottiger announced that there is a Park & Recreation Committee meeting scheduled for Tuesday,
455 September 06, 2016 at 7:00 PM to review member requests

456

457 Mr. Fry provided Borough Council with an update on the status of the applications for the full-time
458 Police Officer position for the Mifflinburg Police Department. Mr. Fry reported that the Written Tests
459 were conducted on August 1, 2016 and the Oral and Physical Agility Tests were conducted on Monday,
460 August 15, 2016. The Mifflinburg Civil Service Commission will meet on Tuesday, August 23, 2016 at
461 9:00 AM to review the tests.

462

463 Mr. Fry provided Borough Council with an update on the status of the applications for the Chief of
464 Police position for the Mifflinburg Police Department. Mr. Fry reported that the Chief of Police position
465 has been advertised; the deadline for accepting applications is Wednesday, August 31, 2016 at 1:00 PM

466

467 Mayor Cooney provided Borough Council with an update on the status of the applications for the part-
468 time Police Officer position for the Mifflinburg Police Department. Mayor Cooney reported that the
469 Mifflinburg Police Department is still seeking applications for the part-time Police Officer position.
470

471 Mayor Cooney presented Borough Council with an update for the Mifflinburg Regional Economic
472 Development (MRED) Alliance. Mayor Cooney reported that the Mifflinburg Heritage & Revitalization
473 Association (MHRA) "Made in Mifflinburg" Campaign is coming to a close at the end of the week.
474

475 Mrs. Hackenberg informed Borough Council that they received a copy of the Engineer's Report for
476 August 2016 included in the information tonight.
477

478 Mrs. Metzger provided Borough Council with an update on the status of the Woodland Estate Water
479 Main Project. Mrs. Metzger reported that HRG, Inc. has completed and sent preliminary design for the
480 Woodland Estate Water Main Project for Borough Management review. Borough Management is still
481 awaiting final direction on how to proceed from SEDS-COG.
482

483 Mayor Cooney informed Borough Council that he participated in or will be participating in the
484 following meetings or events:
485

- 486 • The Mifflinburg Fireman's Parade that was held on Saturday, July 30, 2016 at 4:00 PM.
- 487 • The ribbon cutting for Inspire Yoga and Massage Studio located at 347 Chestnut Street that
488 was held on Friday, August 5, 2016 at 11:00 AM.
489

490 Mayor Cooney reported that he received an email from Ms. Dorothy Foust, owner of Whispering
491 Willow Primitives and Antiques located at 451 Chestnut Street. Ms. Foust indicated that she is now in
492 partnership with Ms. Karen Yoder, who previously owned and operated Karen's Korner located at 500
493 Chestnut Street, and wanted to know if it would be possible to relocate the bench and garbage can from
494 500 Chestnut Street to in front of 451 Chestnut Street or possibly 5th Street. Mayor Cooney informed
495 Borough Council that he spoke with Mrs. Metzger regarding this matter and she explained that the
496 bench and garbage can were placed at this location as part of the plan for the Chestnut Street
497 Reconstruction Project which included underground powerlines and so forth. Mayor Cooney clarified
498 that the bench and garbage can are actually bolted and mounted into the sidewalk. Mr. Zimmerman
499 agreed with Mrs. Metzger and added that you have to be very careful. A discussion was held; Mayor
500 Cooney stated that he would contact Ms. Foust and notify her that the bench and garbage can will not be
501 relocated.
502

503 Mr. Rowe requested an executive session to discuss personnel matters.
504

505 Mr. Zimmerman announced that he received a complaint from a Borough resident regarding rubbish at
506 the Sunbury Meats property located at 390 Mulberry Street. Mr. Zimmerman stated that he thinks the
507 Central Keystone Council of Governments (CK-COG) needs to be notified of this.
508

509 Mr. Zimmerman informed Borough Council that he also received the following safety concerns:
510

- 511 • The bicycle bridge by the Harry Haney Park, located along N. 8th Street being closed. Mr.
512 Zimmerman stated that he agrees this is a safety concern and that the bicycle bridge needs
513 to be reopened as soon as possible.
- 514 • The hazardous trees located adjacent to the park on the other side of the creek. Mrs.
515 Metzger reported that a meeting was held with the property owners that are located
516 adjacent to the park to review the condition of the trees at or surrounding the park, they
517 also received letters which stated the dangers and the Borough actions, so that they are
518 aware of the problem and can take action with regard to their property. The Borough does
519 not have the authority to post warning signs on private property.
520

521 Mr. Bottiger reported that the back property line of his property located at 195 N. 3rd Street is located
522 within the right-of-way of the Buffalo Valley Rail Trail. There is a line of hazardous trees and an old
523 fence of his that is located on the property line and then veers off about 6 inches. Mr. Bottiger informed
524 Borough Council that he contacted the Buffalo Valley Recreation Authority (BVRA) to request
525 permission to remove the hazardous trees and install a new fence that isn't crooked at his expense. The
526 BVRA indicated that they were not interested because of removing the trees. As of right now, there are
527 two (2) trees that have fallen, one of which is laying parallel to the rail trail. Mr. Bottiger inquired if the
528 Borough could contact the BVRA about the trees.
529

530
531
532

533 Mr. Runkle expressed that he believes this is a safety concern for the Borough since Borough residents
534 use the Buffalo Valley Rail Trail and that he thinks the Borough should reach out to the BVRA. Mrs.
535 Metzger clarified that the Borough could certainly contact the BVRA about the hazardous trees;
536 however the Borough has no say in whether or not they allow the fence. A discussion was held;
537 Borough Council directed the Borough to contact the BVRA regarding the hazardous trees.
538

539 Mr. Fry demonstrated with an illustration on the white board about the importance of communications.
540 Mr. Fry expressed that he believes Mifflinburg often has a big division where people don't want to
541 communicate with each other; the biggest one being Borough Council and the Christkindl Market of
542 Mifflinburg, Inc. Mr. Fry proposed that a working committee be created between Borough Council and
543 the Christkindl Market of Mifflinburg, Inc. to bring them closer together.
544

545 Motion by: Richard J. Fry

546 Second by: Duane L. Zimmerman

547

548 **MOTION: To create a working committee between Borough Council and the Christkindl Market**
549 **of Mifflinburg, Inc.**

550

551 Mr. Thomas Reimensnyder stated that he doesn't think there needs to be another committee; you just
552 have to ensure that everybody knows they're welcome in both directions. The Christkindl Market of
553 Mifflinburg, Inc. have to attend Borough Council meetings and Borough Council has to attend their
554 meetings. Mr. Reimensnyder expressed that he is impressed with what he saw at tonight's meeting and
555 that he is proud to be a part of this.
556

557 A lengthy discussion was held; Mayor Cooney specified that the motion should probably be to appoint
558 Mr. Richard J. Fry to be the liaison between Borough Council and the Mifflinburg Christkindl
559 Committee.
560

561 Motion by: Richard J. Fry

562 Second by: Duane L. Zimmerman

563

564 **MOTION: To withdraw the previous motion and appoint Mr. Richard J. Fry to be the liaison**
565 **between Borough Council and the Christkindl Market of Mifflinburg, Inc.**

566

567 Approved via unanimous voice vote.
568
569

570 Mrs. Hackenberg called an executive session to discuss potential litigation and personnel matters. An
571 executive session was held from 9:36 PM to 10:20 PM.
572
573

574 Motion by: Paul E. Bottiger

575 Second by: Troy A. Berkheiser

576

577 **MOTION: To extend Mr. Rob Rowe's deadline to obtain his Water and Sewer Operator licenses**
578 **for one (1) year until February 8, 2018.**

579

580 Yes – Mr. Bottiger, Mr. Fry, Mr. Steese, Mr. Zimmerman, Mr. Berkheiser, Mrs. Hackenberg
581

582 No – None
583
584

585 Motion by: Troy A. Berkheiser
586

587 **MOTION: To adjourn the Mifflinburg Borough Council meeting.**
588

589 Approved via unanimous voice vote.
590
591

592 Meeting adjourned at 10:21 PM.
593

594 Respectfully Submitted,
595
596

597 Misty L. Ross

598 Assistant Borough Secretary