

**MILLHEIM BOROUGH COUNCIL
225 EAST MAIN STREET
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MILLHEIM, PA 16854
(CENTRE COUNTY)**

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**REGULAR MEETING
August 13, 2013**

President Alan Ilgen called the regular meeting of the Millheim Borough Council to order at 7:00 p.m. with the following persons in attendance: Ed Bowman, Kay Brown, Marlene Corl, Alan Ilgen, Lauralee Snyder, John R. Miller, III, Sharon Heckman, Glenn Ripka, Roy Rupert, Michele Aukerman, Casey Gunsallus, John Miller, Marty Ilgen, Carl Rote, Douglas and Kristen Kalmbach.

ABSENT: Leslie Warriner

CITIZEN'S INPUT:

John Miller, a member of the Millheim Park & Rec and the Lion's Club, explained that the Millheim Pool received a bill for an excessive amount of water usage. They believe the water meter, which is 43 years old, is inaccurate. He explained that the Borough has never done any maintenance to this meter. Mr. Rupert reported that the quote from L/B Water for a new 2" meter would be \$705. After discussion, the consensus of Council was to budget for a new meter, investigate past agreements, and use past water usage to bill accordingly for the remainder of this season.

Marty Ilgen explained that he owns a property at the corner of High Street and Gramley Avenue. There is currently no public sewer to this property. He explained that a hardship is created because he must go through an existing property to get sewer to his property and that he has been given an estimate of \$15,000 just to run the necessary sewer line. The Solicitor explained that the Borough's Zoning Ordinance requires all new development to connect to public water/sewer. He also stated that per the subdivision document, it looks like this was approved with a private sewer line over the existing Lot 1 for Mr. Ilgen's sewer line to be installed. Per the Solicitor's recommendation, this issue will need to be studied further. Ms. Aukerman explained that the Borough is responsible to provide access to the public sewer and that in this case access is provided it just may not be easy. This item will be continued to the September Council meeting and in the meantime Mr. Ilgen is to explore the cost for an on-lot septic system as it appears that the cost may be the same as connecting to the public sewer system.

Michele Aukerman of Uni-Tec reported that the issue of the retaining wall at the Dana Boob property has been corrected and they have nothing else on the list for D.C. Ventre to complete. Ed Bowman reported that Pat Wolfe spoke with him about her concerns as expressed in the letter presented at the July meeting. After some discussion, the Solicitor explained that the landlord has not been told anything about this and the Borough doesn't respond to tenants.

A motion was made by Ed Bowman and seconded by Marlene Corl to authorize payment of the final invoice for work on the Water Line Replacement Project submitted by Uni-Tec in the amount of \$1,207.77. Motion carried.

A motion was made by Ed Bowman and seconded by Kay Brown to authorize payment to D.C. Ventre for the \$2,900 that was withheld contingent on receipt of final request for payment. Motion carried.

To date no response has been received from DEP to the letter sent by the Solicitor regarding the Consent Order and Agreement.

Mr. Kalmbach explained that he and his wife recently moved into the Borough from Bellefonte. He is a Constable which allows him to serve papers for the district justice and he has experience with related law enforcement issues.

CODE ENFORCEMENT/HARB:

A written report submitted was reviewed with no questions or comments. A letter received and distributed by President Ilgen from Maria Shroyer was discussed. Mr. Ripka explained that two signs were outside the business but he and Mr. Lesniak will provide a letter to Council for next month's meeting addressing the concerns presented in this letter. Mr. Ripka explained that he has spoken to Mr. Shroyer and that is all that was necessary to stop the Cease and Desist Order.

Mr. Ripka reported that a letter will be sent to Rebecca Fetterolf about the work being done to her property as she was aware that the HARB was to be made aware of her plans and this wasn't done. The windows installed in the house are the same configuration as the ones that were replaced.

The Secretary reported that Mr. Lesniak had contacted PennDot about the sidewalk on the Rt. 45 Bridge. He was told this bridge is scheduled on the 2016 Bridge Preservation List but that if funds become available they may get to it earlier. Mr. Ripka reported that there are three sections of the sidewalk that are in really bad condition. The Secretary was instructed to contact PennDot to see if the Borough could replace these sections of the sidewalk as part of the Agility Plan repayment.

EMPLOYEE REPORTS:

Casey Gunsallus reviewed his written report for Council. He explained that the doors on the old chlorinator building and the shop need replaced. President Ilgen instructed him to get prices for both doors for the next meeting. He was also instructed to follow up with Mr. & Mrs. Smith about their sump pump and Mr. & Mrs. Schafft about their plumbing issues.

Mr. Gunsallus explained that Kent Yearick will be having surgery and will be unavailable for work for several weeks. The consensus of Council was that Mr. Kerstetter's boys should be called during this time when additional help is needed because they have helped the Borough in the past. Mr. Gunsallus is not to stop working on meter installations.

Roy Rupert reported that the 15,000-18,000 gallon/day leak on North Street has been repaired. He explained that we need to purchase "Flagger Ahead" signs. Mr. Rupert presented a quote for \$9,700 for work necessary to get the pump station working. We previously had a quote submitted for this work from Advanced Controls, Inc. for over \$10,000. The Secretary reported that there are budgeted funds available for this Capital Improvement. A motion was made by Marlene Corl and seconded by Kay Brown to accept the quotation from Nittany Controls, LLC for work at the pump station in the amount of \$9,700. Motion carried.

PLANNING COMMISSION: None

OLD ACTION:

The Solicitor has filed a lien for \$1,620 for the unpaid portion of the connection costs for the water/sewer to the North Street church/Joshua McCracken property. The letter/invoice received from the SEO, Pam Winter, was discussed. Council agreed that option 1 which would allow them to fill in the pit under the privy, remove the seat(s) and replace with solid wood and use the privy as a storage shed was acceptable. The Secretary explained that the invoice received from Ms. Winter for the inspection of this property in the amount of \$107.91 has been paid and should be forwarded to the church/Mr. McCracken for reimbursement to the Borough. A motion was made by Ed Bowman and seconded by Kay Brown to authorize the Secretary to do a letter to the church's representative Shane Royer/Joshua McCracken permitting them to change the privy to a shed as described in Ms. Winter's letter and to include the invoice of \$107.91 for reimbursement to the Borough. Motion carried.

President Ilgen distributed information he received from Mr. Lowenstein on the water land timbering. All property owners have signed the agreement and Mr. Lowenstein is now talking with a company that would do the actual timbering. The Solicitor will review the timbering agreement provided by Mr. Lowenstein.

The Secretary reported that Robert Jacobs was going to provide a copy of the technical correction for the STAG grant to Congressman Glenn Thompson's office and will set up a meeting to discuss this issue. The Solicitor reported that Mr. Jacobs sent an email to HAMA stating that if HAMA did the labor to install the water line on the Haines Twp. side the County would try to provide the materials. HAMA is asking for clarification on this email. The Borough has until August 23 to respond to the letter received from the EPA on the status of this grant.

The Secretary reported that there have been numerous complaints about the unsightly appearance at the Borough sign at the western part of town. This area was part of an Eagle Scout project to be done by Adam Wintermute. President Ilgen will look into the status of this project.

NEW ACTION:

The Little League is requesting permission to run a water line from the outside water faucet to their concession stand. The Solicitor will work on a maintenance agreement between the Borough and the Little League. A motion was made by Marlene Corl and seconded by Kay Brown to allow the Little League to extend the water line to the concession stand and to begin sending the water bill to them. Motion carried.

The increase in the Borough electric bills was discussed. President Ilgen, Glenn Ripka, and the Secretary have looked into rates from companies other than West Penn Power and haven't found anything better. This situation will continue to be monitored.

The letter received from the Centre County Library terminating the current lease which expires on August 31, 2013 was discussed. The rent on this space has been paid until the end of the year by the Friends Group. Centre County Library is asking for a month to month lease. A motion was made by Kay Brown and seconded by Ed Bowman to authorize the Solicitor to prepare an addendum for a month-to-month lease. Motion carried.

A request from the Millheim Fire Company to close the same streets as used for the Firemen's Carnival for an Octoberfest event to be held on Saturday, September 28, 2013 from 10:00 a.m. to 8:00 p.m. was discussed. Mr. Ripka brought to Council's attention that the Borough has an open container ordinance. The Solicitor explained that under the ordinance this event wouldn't be permitted unless they get a license from the Liquor Control Board. The Mayor explained that if this event were confined to their private property it would be allowed. There was much discussion on how this would be confined, how drinking age would be controlled and who would enforce this. Mr. Rote stated that he thinks the Borough should stay out of the drinking business. After much discussion, the Secretary was instructed to find out about Liquor Control Board licensing, additional liability coverage naming the Borough as

additional insured, and to let them know about the open container ordinance and that they need to provide port-a-potties. They must provide this information for the September Council meeting.

The Secretary reported that she had a complaint from a business person about his dumpster being completely filled by garbage resulting from the Bike Fresh Event. His cost to have the dumpster emptied was \$100. There was also a complaint about the frustrating conditions resulting from being delayed by having so many bicycles in the Millheim Narrows and crossing the Madisonburg Mountain because people couldn't get around them.

The Secretary reported that Stacy Richards of SEDA-Cog expects the Borough should receive the \$4,000 reimbursement and the Energy Audit report in October or November. Ms. Richards will attend the September Council meeting to update Council on the Renewing Millheim's Energy Independence grant.

The Secretary was instructed to advertise the following Employee/Budget meetings: Friday, August 30, 2013 Executive Session at 8:30 a.m. for matters of employment with Budget discussions immediately following; Budget Meeting, Friday, September 27, 2013 at 8:30 a.m.; Budget Meeting, Monday, October 14, 2013 at 7:00 p.m. and Budget Meeting, Monday, October 28, 2013 at 7:00 p.m.

The Secretary presented the Financial Requirement and Minimum Municipal Obligation Budget for 2014 for the Borough's Pension Plan. A motion was made by Kay Brown and seconded by Marlene Corl to accept this Financial Requirement and Minimum Municipal Obligation Budget for 2014 as presented. Motion carried.

COMMITTEE REPORTS: None

A motion was made by Ed Bowman and seconded by Kay Brown to accept the July 9, 2013 meeting minutes as presented. Motion carried.

A motion was made by Marlene Corl and seconded by Ed Bowman to approve the Budget report as submitted with the addition of two checks: General Fund written to The Bierly Group in the amount of \$380.62 and Downtown Beautification Fund written to Patchwork Farms in the amount of \$264.44. Motion carried.

The written report submitted by the Secretary was reviewed. The Secretary explained that because of the Cancer Presumption Act there will only be two companies that will provide Workers' Compensation Insurance for Volunteer Fire Companies after January 1, 2014.

A motion was made by Ed Bowman and seconded by Kay Brown to adjourn the meeting at 9:30 p.m. Motion carried.

Sharon A. Heckman, Secretary-Treasurer