

**MILLHEIM BOROUGH COUNCIL  
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**SPECIAL MEETING  
August 22, 2012**

President Alan Ilgen called the special meeting of the Millheim Borough Council to order at 8:01 a.m. with the following persons in attendance: Ed Bowman, Kay Brown, Marlene Corl, Alan Ilgen, Leslie Warriner, Sharon Heckman, Glenn Ripka, Roy Rupert, Casey Gunsallus, Carl Rote and Pat Wolfe.

Absent: John R. Miller, III and Lauralee Snyder

President Ilgen dispensed with the formalities.

A motion was made by Kay Brown and seconded by Marlene Corl to approve payment of the invoice received from John Claar in the amount of \$2,600 for the installation of the water line for the ball field. Motion carried.

President Ilgen explained that the Borough currently has a Resolution in place, since 2008, that authorizes the sale of water to non-residents at 115% of the current residential water rate so this can be used to sell water to PennDot as part of the Agility Plan. A motion was made by Kay Brown and seconded by Marlene Corl to authorize Council President to sign the agility work plan with PennDot when received if there are no changes. Motion carried.

Dan Guss entered the meeting at 8:10 a.m. and presented an update on the Elk Creek Stream Crossing situation. He explained that he did homework on alternatives to go straight across the back instead of following the existing easement. Mr. Guss talked to an archeologist and the cost for an archeological study is \$2,400. Ms. Shroder, of DEP, would need to approve any change to the permit and she would need an archeological study completed to put the water line anywhere other than the existing easement. This study would take several months and would delay the project. The work could be completed by Thanksgiving but there is no guarantee. Mr. Guss spoke to the driller about drilling in the existing easement. Since he would already be mobilized because of drilling under the stream, he would drill in the existing easement under the trees from Park Road to back of the barn for the same cost as if the line were dug. Mr. Guss explained the alternate plan would cost an additional \$18,750 and add four months extra time putting the project at risk but staying within the existing easement and drilling instead of trenching can avoid the trees at no extra cost to the Borough and no delays to the project. He explained that the \$173,362.44 Change Order includes air release valves to eliminate trapped air bubbles. Mr. Guss recommends following the existing easement drilling under the trees. He explained there would be some trenching in back behind the barn and tree line and vehicles will be driven over the property but this would have to be done anyway. There would be no joints in the pipe but the heavy duty plastic pipe would have a metal tracer on it to help locate in the future. Leslie Warner asked if the life span of the line is 40 years and Roy Rupert said the original line has been here 60 years. Ms. Warriner asked how the old line will be crossed and Mr. Guss explained that the old line would be capped so it doesn't matter if it is drilled through. Mr. Rupert explained that there is easy access if a problem occurs in the future because the Borough would have accurate records. Ms. Warriner asked how much vibration would be involved and Mr. Guss didn't know. Mr. Rupert stated that he didn't remember a problem with the drilling for the pipe line. Mr. Guss explained that it is solid rock under the creek so settling shouldn't occur. Ms. Warriner asked if the Borough can request the contractor work Friday's and add additional work force to get the project finished on time. Mr. Guss explained that the Borough can't dictate means and methods. A progress meeting will be held on Tuesday, August 28, 2012 at 9:00 a.m. A motion was made by Leslie Warriner and seconded by Ed Bowman to accept the original price to bore across the property instead of trenching and accept the proposal as presented. Motion carried.

A motion was made by Leslie Warriner and seconded by Marlene Corl to approve Change Order #3 in the amount of \$173,362.44. Motion carried.

President Ilgen explained that Casey Gunsallus took vacation while he was still on probation. This probation ended August 17, 2012, which was when he returned from vacation. The question raised is if Council wanted to consider paying his vacation days because he had the time accumulated. Marlene Corl asked Mr. Gunsallus what he would prefer and he said paying for two days would be fine that would leave him with three days to use another time. A motion was made by Marlene Corl and seconded by Kay Brown to pay Mr. Gunsallus for two days vacation and allow the other three days to be saved for use at another time. Motion carried.

Mr. Gunsallus provided a monthly report for July. President Ilgen explained that there are still some concerns but Council will work with him. There will be ongoing performance reviews and he was asked to attend monthly meetings. The Secretary reported that the email problem seems to have been fixed.

President Ilgen reminded Council that a Planning Commission member is needed. Consensus of Council was to wait until a person is appointed to have a meeting.

Pat Wolfe stated that she will let Jayne Miller know the decision reached on the stream crossing and thinks she will be pleased. President Ilgen explained that any money that is returned to PennVest reduces the Borough's loan amount proportionately. Council is to send Ms. Miller a letter explaining Council's decision.

Carl Rote raised a question about the status of the Hotel project. President Ilgen explained that Council had previously approved this project and that Mr. Cowher was to put it back like it was. The current ordinance needs to be changed so there is a time period in place for these types of repairs and Ms. Warriner thinks there should be a provision in the ordinance to allow for an extension. Mr. Gunsallus stated that no roof is being put back on.

A motion was made by Ed Bowman and seconded by Kay Brown to adjourn the meeting at 8:40 a.m. Motion carried.

*Sharon A. Heckman*

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Sharon A. Heckman, Secretary-Treasurer