

MILLHEIM BOROUGH COUNCIL  
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 MILLHEIM, PA 16854  
 (CENTRE COUNTY)

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REGULAR MEETING

August 9, 2016

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: Patty Beckenbaugh, Ed Bowman, Alan Ilgen, David Sprowls, Lauralee Snyder, Leslie Warriner, Sharon Heckman, John R. Miller, III, Michele Aukerman, Mike Bloom, Ben Etherton, Dustin Moore, Tom Zilla, Tim Bowser, Curt Brodson, Erin Hammerstedt, Susan Haney, Tom Heckman, Erin McCracken, Mimi Owen, Carl Rote, John & Catherine Smith, Charles & Carolyn Steffen and Richard Winebold.

**CITIZEN'S INPUT:**

Mimi Owen asked when a tennis court or all-purpose court would be put in at the Borough building. President Ilgen explained that the chances of this being built are far in the future.

Mike Bloom, Senior Transportation Planner for the Centre County Metropolitan Planning Organization, presented the history of the request for the safety study on Rt. 45. As part of this study PennDot suggested that Millheim Borough remove parking on the south side of Rt. 45. Then through their online system PennDot got complaints causing a closer analysis of the parking situation. As part of this, they found inadequacies which triggered the letter to remove the parking. Tom Zilla explained that a major arterial road requires a width of 19 ft. from the center line of the road to the curb. Rt. 322 is a major arterial road because most of the people are traveling longer distances. Rt. 45 is a minor arterial road which requires a width of 18 ft. from the center line of the road to the curb. Here 75-80% of the vehicles are making short trips. President Ilgen explained that one block east and one block west of the traffic signal meets the width requirement for a minor arterial road. All factors in Publication 212 are weighed equally but clarification needs to be provided on the wording in PennDot's Publication which determines how the width of the road is determined. The following questions/suggestions were received from the citizens:

- Was crash history considered? Possibly three reportable accidents in five years and one was caused by a DUI driver.
- Since this a historic district can parking be grandfathered or can an injunction be filed to prevent parking from being removed?
- This decision was made now primarily for safety and liability concerns.
- Removing the parking removes a traffic calming tool.
- Trucks only slow down when cars are parked on the street.
- There are speed enforcement issues in town.
- Add crosswalks and pedestrian crossing signs.
- Concerns raised about safety of Amish vehicles if traffic speed is increased due to removal of parking.
- An extra liability policy probably cannot be purchased to provide additional protection.
- Are there historic downtowns in other areas that have experienced similar issues?
- Understanding the purpose and need is important in developing alternatives to address concerns.
- Main Street has variable widths in different blocks.
- Heading east into town around the curve, vehicles often have to stop to avoid oncoming traffic. Those seven parking spots should be removed.
- Safety issues are being ignored in favor of the convenience of on-street parking.
- There is a shortage of parking on the west side of town.
- It is very frustrating to have this broad-brush action because of one or a few complaints.
- There is no funding available to build a bypass.
- Mr. Bloom will get information from ITMS on the traffic counts.
- There are issues with large trucks traveling on North Street when following GPS, when they shouldn't be there.
- Transport of modular homes through town is an issue.
- Residents must pick up their mail at the post office. Could Millheim get home delivery?
- Is devaluation of property a factor in the decision?
- Safety and well-being of the community should be the primary focus. Have to assume lack of speed enforcement capabilities.

- The laundromat doesn't have alternative parking options. Took away alternatives when bridge was closed.
- Concerns of one business owner: Elderly walking across street to Post Office; some pedestrians need ramps from sidewalk to get into stores; Quarry trucks come through at 9:10-9:20 a.m. every day; town is very busy with shopping and other activities Thursday through Sunday; resident drivers show more courtesy than others just passing through.
- One resident was not opposed to removing some spaces and suggested using signage urging slower speeds; creating compact car spaces; and using special signage for items such as folding in vehicle mirrors.

Mr. Zilla cautioned the Borough that liability is a big driver for PennDot and can't be ignored. He also explained that this is a low-level project that doesn't necessarily rise to the level of environmental review.

Ben Etherton of APPI Energy presented information on savings available if the Borough entered into a contract with an energy supplier rather than continuing with West Penn Power. He explained that APPI is a state trade group with the PA State Association of Borough's. The advantage to being under a contract in addition to the savings is that it creates budget certainty because there is a fixed electricity price for a guaranteed period of time. There are two parts to the electric bill: delivery charge from West Penn Power, which is the same no matter who provides the generation charge, and the generation charge which can be from any supplier. The Solicitor explained that both companies recommended by APPI have early termination fees. Mr. Etherton explained that early termination fees are usually very high because the company purchases energy for the next five years. After further discussion about advantages and disadvantages of a 40-month contract versus a 51-month contract, a motion was made by Leslie Warriner and seconded by Ed Bowman to approve the purchase of energy for 40-months at a price of \$.05455 from NextEra Energy. Motion carried.

Michele Aukerman reported that a response has been received from DEP acknowledging receipt of the Final Evaluation Report on the Organic Loading Corrective Action Plan submitted July 1, 2016. DEP wants the influent sampling done before any treatment processes including grit removal, which will increase the loading numbers. The current loadings are still below 200 lbs./day. The Secretary reported that during a conversation with Mr. Hinerman, he explained that in a letter from the Borough to DEP a suggested recommendation should be made so any response from DEP makes it clear that their response is a final order to create an appealable order. Ms. Aukerman explained that to start a sewer permit upgrade the Borough would need to do an Act 537 Study, which would take a significant amount of time. Ms. Aukerman will do a letter to DEP to get a specific answer on where the influent sampling must be taken.

Ms. Aukerman explained that the DCED Grant applications are due the end of October and are for shovel ready projects, which means the permit process has been started. Possible projects discussed were: Rt. 445 Narrows Waterline Replacement, but it would require time to get the necessary permits, and the raw water screen replacement building. The other portion of the Rt. 445 project at Phillips run was also discussed. Another project suggested was addition of more membranes at the Sewer Plant to help with bypasses. Ms. Aukerman explained the Borough doesn't want to change the hydraulic capacity of the plant. She will look into this further. A resolution will be necessary to apply for a grant.

A motion was made by David Sprowls and seconded by Ed Bowman to approve payment of the invoice submitted by Uni-Tec in the amount of \$891.25. Motion carried.

#### CODE ENFORCEMENT/HARB:

The Code Enforcement report was reviewed with no questions.

The HARB report submitted by Michael Lesniak was reviewed and discussed. Mr. Sprowls raised concerns about the property at 130 East Main Street because this house is in the historic district and the outside of the house was altered by adding siding, windows and a porch all without the HARB approval and a permit. Mr. Bowman explained that the HARB was told by Ms. Fetterolf that she couldn't sell the house without a porch so she built what she could afford. This porch is on the original porch foundation so all the HARB members decided to let her have a permit and hope that the new people will do better. The Solicitor explained that an affidavit must be signed and the Code Enforcement Office should write the property owner a letter explaining the property is in violation of a Borough ordinance. Then if the new buyer goes to get a mortgage that is where the affidavit comes in. The consensus of the group was that she attended a meeting and was aware of her responsibilities and she should have complied with the rules. A motion was made by Ed Bowman and seconded by David Sprowls to not accept the HARB recommendation and not issue a building permit. Code Enforcement is to send a letter advising Ms. Fetterolf that she should comply with the HARB requirements. Motion carried.

#### EMPLOYEE REPORTS:

The written report submitted by Justin Kerstetter was reviewed with no questions.

**OLD ACTION:**

President Ilgen reported that an estimate requested by Barry Kuppel has been received for road repair from the timbering project in the amount of \$13,050. Dustin Moore, the forester, explained that it is his opinion that the road is in far better condition than before the timbering project began. He drove the road last night and couldn't make any dust. Prior to timbering the road was a stoned road that was washed out. Now the road has been fixed, reshaped and the road is solid. Mr. Moore believes all the other land owners will say the road is better than before. He explained that the property owners don't want much of a cut across the road because they drive cars up there. Mr. Moore explained that the only damage to the road is a plugged pipe on the road to Barry Kuppel's property and that there was a verbal agreement between Mr. Kuppel and Kuhn's Brothers that if they gave Mr. Kuppel the pipe he would put it in. Mr. Sprowls explained he had driven the road and it was clean and packed firm. The Solicitor recommended the Borough do nothing because we aren't party to this agreement and Mr. Moore was the Borough's agent and he released the letter of credit. Mr. Bowman explained the road was rustic before and it wasn't like a forestry road. Ms. Warriner suggested a letter be sent to Mr. Kuppel explaining nothing more would be done at this time. The Solicitor recommended talking to Mr. Kuppel rather than sending a letter. President Ilgen will talk to other property owners and Mr. Kuppel.

**NEW ACTION:**

Two truck bids were received as follows:

Bill MacIntyre Chevrolet – 2016 Chevrolet	\$52,020.00
Murray Ford - 2017 Ford F350	\$54,577.41

A motion was made by Leslie Warriner and seconded by Ed Bowman to accept the low bid from Bill MacIntyre Chevrolet of \$52,020.00. Motion carried.

**COMMITTEE REPORTS:** None

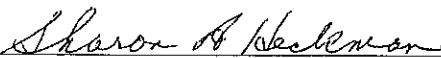
A motion was made by Ed Bowman and seconded by David Sprowls to accept the July 12, 2016 minutes as presented. Motion carried.

A motion was made by David Sprowls and seconded by Ed Bowman to approve the July 2016 financial reports as presented. Motion carried.

The Secretary's report was reviewed with no comments.

President Ilgen will meet with Daryl Schaeffer and Bob Fox about a revised fire tax agreement and will report next month.

A motion was made by Leslie Warriner and seconded by Ed Bowman to adjourn the meeting at 11:20 p.m. Motion carried.

  
 Sharon A. Heckman, Secretary-Treasurer