

**MILLHEIM BOROUGH COUNCIL  
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(CENTRE COUNTY)**

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**REGULAR MEETING**

**July 12, 2016**

President Alan Ilgen called the regular meeting of the Millheim Borough Council to order at 7:03 p.m. with the following persons in attendance: Patty Beckenbaugh, Ed Bowman, Alan Ilgen, David Sprowls, Leslie Warriner, Sharon Heckman, Roy Rupert, Michele Aukerman, Tim Bowser and Carl Rote.

**ABSENT:** John R. Miller, III,

**CITIZEN'S INPUT:**

Michele Aukerman reported that the final Corrective Action Plan Evaluation Report has been sent to DEP. This report makes the case that the plant isn't organically overloaded and that the Borough will show this through weekly influent testing. Release of two additional EDU's and lifting of the connection ban was requested as part of this report. Ms. Aukerman explained that there is a lot of work involved with submitting for a plant rerate so if Council is serious about this she will get costs.

Mayor Snyder entered the meeting at 7:20 p.m.

Ms. Aukerman explained that adding more membranes to the sewer plant wouldn't change the discharge permit so the current permit would continue to be grandfathered. The possibility of filing an appeal with the Pennsylvania Environmental Hearing Board was discussed. An appeal could be based on DEP not lifting the connection ban. If the hearing board wouldn't find in the Borough's favor, something would have to be done to correct the problem (i.e., a small plant expansion upgrade by adding more membranes). An appeal would have to be filed within thirty (30) days after receiving correspondence denying request. The consensus was to consult with the Solicitor to determine if there is any reason not to file an appeal and if an appeal is filed and it fails then talk about a possible rerate of the plant.

Roy Rupert explained that the line at the Millheim Fire hall is between two rocks and the main water line is on the other side of Rt. 445 so the line must be dug. Mr. Gutelius wants to do as time and material. He wants to bring the Vac truck and then do the other seven valves that need to be taken care of. Mr. Rupert will coordinate scheduling this work with Stanley C. Bierly's and Dave Gutelius.

**CODE ENFORCEMENT/HARB:**

A letter received from DEP explaining that a burning complaint submitted falls under local jurisdiction was discussed. A copy of the letter done by Mr. Lesniak explaining that for him to act on a complaint that he has no personal knowledge of requires a signed complaint.

**EMPLOYEE REPORTS:**

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

**OLD ACTION:**

President Ilgen reported that the Secretary was able to personally deliver the letter to Congressman Thompson declining acceptance of the STAG Grant. The Congressman understood the reasons and felt Council made a good decision for the Borough. A letter has been received from the United States Environmental Protection Agency informing the Borough that in accordance with the Borough's decision the unspent funds are no longer available for award.

The Borough met the in-kind match commitment for the Energy Independence Project.

The town clock was discussed. David Sprowls reported on his conversation with Mr. Gyekis. Mr. Gyekis would bring the clock down if the Borough sent someone up to take the clock apart. Even though the clock and bell are now connected, it is possible the bell was part of the church prior to the donation of the clock. Mr. Sprowls will speak with Mr. Gyekis again about possible damage to the building as part of the clock removal.

The Secretary reported that the leased streetlight LED conversion is completed on Penn and North Streets. Information will be submitted for the remaining lights to be converted at 90 watts. This conversion will probably not occur until the summer of 2017.

President Ilgen reported that Mr. Lowenstein decided not to look at the road used for timbering. He also reported that Mr. Moore felt if the Borough could come to an agreement with the landowners to pay for stone to repair the road Kuhns Brothers would be willing to help with the cost. President Ilgen explained that Mr. Kuppel would be satisfied with some additional stone and he will get an estimate. The landowners would like to use the fire wood left from the timbering on the Borough property and in exchange for this Mr. Kuppel would level the roads.

The truck specifications were discussed. The proposed payment for this truck, assuming a cost of \$60,000, would be to use \$40,000 from the Truck Fund CD; \$10,000 from the General Fund CD and \$10,000 from the Water Fund CD. A motion was made by Ed Bowman and seconded by David Sprowls to advertise for bids for a new truck. Motion carried.

**NEW ACTION:**

A motion was made by Leslie Warriner and seconded by Ed Bowman to adopt Ordinance #259 Amending Chapter 27, Millheim Borough Zoning Ordinance, Part 2, Section 201, by adding the definitions of a Microbrewery, Microdistillery and Microwinery, Amending Part 3, Section 308(3) by adding a Microbrewery, Microdistillery and Microwinery as permitted uses in the Central Business District and Part 3, by adding Section 320 to establish fee schedules for zoning related matters and proceedings by Resolution. Vote as follows: Beckenbaugh, yes; Bowman, yes; Ilgen, yes; Sprowls, no; Warriner, yes. Result of vote: 4 votes yes, 1 vote no. Motion carried.

A letter received from PennDot notifying Millheim Borough that parking must be eliminated on the South side of Rt. 45 was discussed. The Secretary was instructed to ask for a copy of their study and to look into our options.

The Pitney Bowes contract on our postage meter will end in December 2016. A quote proposal indicates that there will be a cost increase of \$76.20/year to enter into a new 5-year contract. The total yearly cost of a new contract would be \$460.20. The consensus was to look into other options.

Information received from APPI Energy was discussed. The consensus was to wait until we receive a billing that reflects the LED street light conversion before making a decision to change energy providers.

A request from Buddy Cowher to temporarily tie-up the alley beside the Millheim Hotel for a Benefit Motorcycle Run on July 16, 2016 and to request the Fire Police to aid with traffic control was discussed. The consensus was to approve the request for the Fire Police but to deny the request to block the alley. There were concerns that in case of an emergency, vehicles couldn't get through. There were also concerns about access to the other business properties.

**COMMITTEE REPORTS:** None


A motion was made by Ed Bowman and seconded by David Sprowls to accept the June 14, 2016 minutes with the following correction: Correct the spelling from Davie Sprowls to David Sprowls in paragraph 1 under New Action on page 290. Motion carried.

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

The Secretary's report was discussed. The consensus was to submit the following two proposals for consideration of CDBG funding: pave the alley from Penn Street around Fountain Park and purchase membranes for the sewer plant.

Patty Beckenbaugh reported that a 4 x 4 Amish shed to keep tools in at Fountain Park would cost \$495. She will talk to Mr. Ripka about a permit.

A motion was made by Ed Bowman and seconded by David Sprowls to adjourn the meeting at 11:00 p.m. Motion carried.

  
Sharon A. Heckman, Secretary-Treasurer