

**MILLHEIM BOROUGH COUNCIL
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(CENTRE COUNTY)**

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**REGULAR MEETING
June 12, 2012**

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, Leslie Warriner, John R. Miller, III, Sharon Heckman, Glenn Ripka, Roy Rupert, Dan Guss, Todd Smith, Dave Grazier, Mitzi Strebel, Brian Niewinski, Carl Rote, Chad Richard and Mike McGee.

President Ilgen reported that an Executive Session was held on June 1, 2012 to discuss matters of employment.

President Ilgen explained that the position of Council Vice-President needs to be filled. A motion was made by Kay Brown and seconded by Marlene Corl to appoint Leslie Warriner to the position of Council Vice-President. Motion carried.

CITIZEN'S INPUT:

Dan Guss of Uni-Tec updated Council on the Waterline replacement project as follows:

- Presented and recommended approval of PennVest Pay Request #2. A motion was made by Leslie Warriner and seconded by Kay Brown to approve PennVest Pay Request #2 in the amount of \$263,090.73. Motion carried.
- Discussed Change Order #1 in the amount of \$2,800 to repair the valve on the west side of the bridge on Rt. 45. This valve needs repaired so in case of an accident during digging less people will be out of water. A motion was made by Leslie Warriner and seconded by Kay Brown to approve Change Order #1 in the amount of \$2,800 and add one day to the contract. Motion carried.
- Discussed the stream crossing which would be on the upstream side of the bridge and would follow the existing waterline in an existing easement. The plan would be for a directional boring. The cost estimate is just under \$200,000 and fits into the existing PennVest budget. A Change Order should be available for the next meeting. The necessary PennDot permit is paid for as part of the contract with Uni-Tec. A motion was made by Leslie and seconded by Ed Bowman to authorize President Ilgen to sign the necessary documents. Motion carried.
- A motion was made by Leslie Warriner and seconded by Marlene Corl to pay two Uni-Tec invoices as presented in the amounts of \$25,000 and \$3,500. Motion carried.
- A motion was made by Ed Bowman and seconded by Leslie Warriner to pay the invoice as submitted for the PennDot Inspector in the amount of \$1,795.80. Motion carried.
- A motion was made by Leslie Warriner and seconded by Ed Bowman to approve the pay request submitted by D.C. Ventre in the amount of \$207,738. Motion carried.
- PennVest will automatically deduct interest due from the Borough's Construction Account.
- The situation at the Dana Boob properties on West Main Street was discussed. Mr. Boob doesn't want to pay for a larger service line. The Solicitor thinks it is good for each of the three properties to have a separate tap and he finds nothing wrong with the layout. The question was raised why the Borough would pay for the additional two meters and curb stops since other property owners pay for this if tapping on to the line. The Solicitor explained that Mr. Boob has a recorded utility easement agreement but it terminates if each line is separated. This agreement was recorded in 2001 and Mr. Ripka explained that the subdivision was recorded in 2002. Discussion followed about requiring Mr. Boob to pay additional tap on fees for two properties. After much discussion the consensus of Council was to offer Mr. Boob a compromise to correct this situation. The Borough would pay approximately \$1,400 to increase the size of the service line under Rt. 45 to eliminate any possible water pressure problems in the future. Mr. Boob would pay the cost for two additional curb stops, 2 additional meters and everything from the property line to his house would be Mr. Boob's responsibility. This would allow each property to have an individual service line metered separately.
- A letter explaining the cost to increase the size of the service line for a fire suppression sprinkler system was sent to Mr. Owen for his property at 108 East Main Street. The increased cost would be his responsibility.
- The Secretary was instructed to deposit the checks received from PennVest in the amount of \$55,009.90 into the Water Construction Account so bills can continue to be paid in a timely manner.

Dave Grazier complimented the group working on the waterline project for the job they are doing.

Carl Rote raised concerns about high weeds. Ms. Warriner explained that the problem with the property at 130 East Main Street is that the Borough has no contact to notify at this time. President Ilgen told Mr. Rote the Borough employees will take care of the Old Mill property on Center Street. Mr. Rote was also concerned about a 20 x 24 ft. building erected not five

feet from the road without a permit. Ms. Warriner explained we are all responsible and President Ilgen explained Council doesn't know where this building is located but Mr. Rote refused to give a property owner's name or address.

Todd Smith of the ELA Group updated Council on the Ball Field Improvement Project as follows:

- Reported that three bids were received:

R.C. Bowman, Inc.	\$134,800 base bid	\$3,600 Alt. Bid 1
BNC Construction	\$105,414 base bid	\$2,270 Alt. Bid 1
John Claar	\$103,495 base bid	\$1,500 Alt. Bid 1
- John Claar is the low bidder with a Base Bid of \$103,495 and an Alternate Bid 1 for the Tree Removal of \$1,500. Mr. Smith recommends the Borough allocate the additional funds necessary to award this Ball Field Project to John Claar for the total amount of \$104,995, which includes his base bid and the alternate for tree removal.
- He discussed the project schedule which is: July 2 Field would be available for work to begin; October 15 would be substantial completion; and October 29 would be the total finish and closeout of the project.
- During the original discussions for the ball field upgrades, the Little League had agreed to contribute some funds toward the required match for this project. Brian Niewinski will check with the treasurer to determine if funds are available to help with the additional funding needed.
- The in-kind work to be done by the Little League is: demolish the dugouts, remove the fencing, move the concession stand and build the new dugouts.
- Glenn Ripka raised a concern about the cost of the tree removal being so much less than other estimates. He wanted to be sure Mr. Claar realizes that the trees cannot be pushed over into the field behind the tree row because this is not Borough property. If Mr. Claar has permission from Mr. Gettig to push the trees over into his field, the Borough needs a copy of the letter of approval for Borough files.

A motion was made by Leslie Warriner and seconded by Kay Brown to accept the bid received from John Claar contingent on written permission from Mr. Gettig or that Mr. Claar has another way to bring down the trees. Motion carried.

A motion was made by Leslie Warriner and seconded by Marlene Corl to approve payment of the ELA Group invoice in the amount of \$308.11, which is for all reimbursable costs. Motion carried.

CODE ENFORCEMENT REPORT:

A written report submitted by Glenn Ripka was reviewed. Mr. Ripka explained that Jim Frees has four trees he wants to remove that are sitting on the Race Bank. He explained that these trees are on property owned by Mr. Frees and that he is not planning to remove the stumps because they stabilize the bank. After discussion, the consensus was to thank Mr. Frees for checking with the Borough but they are his trees.

Mike and Gwen Slack entered the meeting at 8:22 p.m.

HARB MEETING: None

EMPLOYEE REPORTS:

Roy Rupert explained that the Borough may be eligible to land apply the sludge from the Sewer Plant but an application for a permit would be necessary. The first step would be to do metal testing. This metal testing would also be necessary if the Borough ever wanted to transport sludge to the UAJA Plant. If the Borough was approved for this land application process, the sludge hauling costs could be cut by approximately 90% but there would be start-up costs involved. After discussion, the consensus of Council was for Mr. Rupert to do the necessary metal testing.

Mr. Rupert reported that the grinder pump should be repaired soon. He also reported that the contractor discovered today that the water line is on the west side of Penn Street not the east side as the Borough thought.

OLD ACTION:

Council discussed selling the old mill property at the corner of Centre and Water Streets. The Solicitor explained that the Borough Code requires this property be advertised at least one time in a paper like the Centre Daily Times but in addition it could be advertised on-line. After discussion, Council decided to have the Solicitor prepare an advertisement. A motion was made by Leslie Warriner and seconded by Ed Bowman to advertise the sale of the old mill property by sealed bids to be opened in July. Motion carried.

The possibility of setting a reserve bid for the mill property was then discussed. After discussion, a motion was made by Ed Bowman and seconded by Leslie Warriner to set a reserve bid of \$39,990. Motion carried.

Council will revisit the issues of the web site and parking fines in the fall.

President Ilgen reported on a written update from Jamie Schlessinger of Concord Financial Services with possible scenarios if the water and sewer loans currently held by RUS were refinanced at today's lower interest rates. The Secretary was instructed to invite Mr. Schlessinger to the July meeting for further discussion.

NEW ACTION:

President Ilgen reported on the Fire Tax Committee meeting he attended on May 23, 2012 with Haines and Penn Townships and the Fire Company. He reported that the Rescue Truck loan was paid off on April 19, 2012 with monies collected from the municipalities. At this meeting, the municipal representatives were told the Fire Company has purchased a new leftover Rescue Truck at a cost of \$78,194 without getting permission to use Fire Tax money. The Fire Company's long-term financial plan includes a new tanker to be replaced in 2015 at a cost of approximately \$650,000 and then nine years later another truck would be replaced. Discussion was tabled until next month with the stipulation that a coordination meeting would need to be held between the Valley Fire Companies to determine if each company needs the same trucks. During discussion, the following questions were raised:

- Does the Fire Company need two Rescue Trucks?
- Does Council want to release Fire Tax Funds for this truck or hold for the next truck planned to be replaced?
- Could someone from the Fire Company attend the next Council meeting to explain why they need this truck?
- When the radio system changes, who pays for that?

After discussion, the consensus of Council was to request a Fire Company representative come to the July Council meeting. The Fire Company should have a date set to meet with the other Fire Companies and if the other Fire Companies won't meet with Millheim they need to report on that. This could be a topic for the September meeting of the Regional Planning Commission.

President Ilgen reported that there have been complaints about the number of feral cats in the Borough. It has been reported that at least one property owner is feeding multiple cats that then create problems for the neighboring properties. The State Animal Control Person says there is nothing they can do. The sample copies of Cat Ordinances found on the internet will be forwarded to the Planning Commission so they can discuss this problem and make a recommendation.

Leslie Warriner delivered a letter/petition she received from Hillcrest Avenue residents that live near the property at 209 Hillcrest Avenue where the water project contractors were depositing fill. Mike Slack was at the meeting speaking for Vera Manley who lives next door to this property. He explained that the road wasn't kept clean and they are worried about run off. The Solicitor explained that the Borough has no ordinances in place that would control this situation. Mr. Slack explained that it was a complete mess and that the contractor swept the road one day but didn't follow through. There is no erosion control on this property. Dan Guss of Uni-Tec will talk to the contractor about this tomorrow. The Solicitor said to make the County Conservation Office aware of this situation. Mrs. Manley is concerned with this property taking away from her property value.

The Secretary reported that Josh Fuller of the unemployment center is interested in Millheim Borough helping with a Summer Youth Program. There are three 16-18 year old kids from the Penns Valley area. They would be employed for 30 hours a week and paid minimum wage by the program sponsor. They do not send a supervisor so the Borough employees would have to be in charge while trying to complete our own work. Consensus of Council was that they are not interested in participating this year.

COMMITTEE REPORTS:

Leslie Warriner reported that she went to the Tax Meeting but there is nothing to report. Responsibility for the maintenance of Fountain Park was discussed. The Borough owns the park but it was to be maintained by volunteers. President Ilgen explained that two full-time volunteers took care of the maintenance in the past but now more volunteers are needed. Ms. Warriner explained that now there are five people and they are doing a lot of work. She also reported that the roof needs done on the Gazebo. President Ilgen suggested that they put out a call for additional volunteers. Kay Brown suggested that something be put in the bulletin board, the newsletter and post something in Fountain Park to let Ms. Warriner know if they have ideas on volunteers.

A motion was made by Kay Brown and seconded by Marlene Corl to approve the minutes of the May 8, 2012 meeting. Motion carried.

A motion was made by Kay Brown and seconded by Marlene Corl to approve the May budget report. Motion carried.

A motion was made by Leslie Warriner and seconded by Ed Bowman to approve the following requests for Millheim Fire Police:

- From Miles Township Supervisors for Fire Police assistance for traffic control during the Miles Township Parade on Thursday, July 19, 2012.
- From Haines Township Supervisors for Fire Police assistance for traffic control for the Dutch Fall Festival on October 13 and 14, 2012.

Motion carried.

A motion was made by Leslie Warriner and seconded by Kay Brown to authorize the Secretary to sign and submit the 2010 Municipality Approved Budget Report to comply with Act 13. Motion carried. This Act allows all municipalities located in Centre County to receive funding regardless of whether any unconventional wells are located in the municipality

A report of delinquent water/sewer accounts was reviewed and discussed. Several of these accounts are business properties. The consensus of Council was that business owners with delinquent accounts are not to be treated differently than private residents and they are to get the same delinquent notices.

President Ilgen announced that an Executive Session to discuss matters of employment will be held immediately after adjournment of tonight's meeting.

A motion was made by Ed Bowman and seconded by Leslie Warriner to adjourn the meeting at 9:41 p.m. Motion carried.

Sharon A. Heckman

Sharon A. Heckman, Secretary-Treasurer