

**MILLHEIM BOROUGH COUNCIL
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(CENTRE COUNTY)**

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**REGULAR MEETING
March 11, 2014**

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, Alan Ilgen, Lauralee Snyder, Leslie Warriner, John R. Miller, III, Sharon Heckman, Roy Rupert, Michele Aukerman, David Grazier, Susan Haney and Carl Rote.

Marlene Corl entered the meeting at 7:50 p.m.

ABSENT: Kay Brown

CITIZEN'S INPUT:

Susan Haney distributed a letter and pictures of her sidewalk showing that the top layer of the walk is deteriorating. Ms. Haney wondered whether the contractor would come back but Michele Aukerman of Uni-Tec explained that the guarantee was one year from final completion and we would be beyond that. Ms. Haney explained that the bituminous curb installed by PennDot is only half the original size from the plowing this winter. President Ilgen explained that when winter is over the employees will look at the other sidewalks to see if there are other problems to determine if this problem could be an issue with the concrete used.

Michele Aukerman discussed with Council the reports required by DEP's Consent Order that have been prepared by Uni-Tec. The Corrective Action Plan was submitted to DEP on February 12, 2014. DEP responded with a letter requesting more information. Uni-Tec has prepared a response letter to DEP even though this same information will be included in the Engineering Evaluation Report that must be submitted by March 27, 2014. Based on our current permit the sewer plant is organically overloaded but the plant is capable of handling what it receives. During the sampling process they were able to locate the problem area but in looking at the only business in that area the problem couldn't be determined. Ms. Aukerman explained that when the plant was permitted DEP would have looked at historical rates but it is higher now than it was. She explained that some causes for an organic overload could be garbage disposals, food scraps, milk, etc. being put down drains. The response letter to DEP will be finalized in the next week or so and a request for DEP to rerate the plant will be made in the engineering evaluation report.

Ms. Aukerman reported that the Chapter 94 report is being prepared for the March 31, 2014 submission. The report will state that the sewer plant is not currently hydraulically overloaded and will not be in the next five years. It will also state that the plant is currently organically overloaded and will be in the next five years unless it is rerated. A motion was made by Ed Bowman and seconded by Leslie Warriner to approve the Chapter 94 report for submission based on Roy Rupert's review. Motion carried.

A motion was made by Ed Bowman and seconded by Leslie Warriner to approve payment of the invoice submitted by Uni-Tec in the amount of \$1,775.67. Motion carried.

A letter received from Connie Rishel explaining her dissatisfaction with the sidewalk in front of her property was discussed. The letter and pictures describe the icing problem on the walk. Benefits of a higher curb were discussed but this section of sidewalks never had a curb and some of the property owners didn't want PennDot to put a higher bituminous curb in to control the storm water. The fact that this winter was extreme was also discussed. A meeting with PennDot is being planned for some time in May. President Ilgen will speak with Mrs. Rishel.

CODE ENFORCEMENT/HARB:

A written report submitted by Mr. Lesniak was reviewed with no questions. Leslie Warriner explained that the OIP sign issue has worked itself out. President Ilgen explained that there had been a question about the audit requirements for the Code Enforcement Agency. An amendment was written up to amend the Organizational Agreement so a CPA wasn't required to perform the audit but permitted an audit be done by an internal audit team or a qualified accountant. A motion was made by Leslie Warriner and seconded by Ed Bowman to approve this amendment to the Organization Agreement as presented by the Solicitor. Motion carried. The Solicitor took the original document signed by Millheim Borough so the other municipalities can also approve and sign this Amendment.

Marlene Corl entered the meeting at 7:50 p.m.

Rick Bair entered the meeting at 7:52 p.m.

EMPLOYEE REPORTS: None

PLANNING COMMISSION:

Leslie Warriner reviewed with Council the written report submitted. She explained the issue with the Warntz property and that a request for a variance has been made regarding connection to the public sewer system. The Solicitor deferred giving his opinion until he could respond to the request made by the Planning Commission.

Ms. Warriner explained that the business people are working on other parts of the sign ordinance.

OLD ACTION:

A second invoice received from Gregg Township requesting payment for the Borough's share of the Penns Valley EMS Workers' Compensation for volunteer ambulance personnel was discussed. President Ilgen explained that the Borough's representative to this group, Gary Stine, attended the meeting last month but this issue wasn't discussed. The unanimous consensus of Council was that another letter is to be sent to both Gregg Township Supervisors and the Penns Valley EMS explaining, as in our previous letter, that based on the Solicitor's opinion we are not responsible for this expense because there is no agreement between the Borough and the Penns Valley EMS, the Borough has requested but never received a roster of the volunteers and a copy of the Penns Valley EMS revenues/expenditures. Since this information wasn't received in time for budget discussions there was no money budgeted for this expense because the EMS has paid their own workers' compensation since they incorporated.

The Newsletter item on brush collection was discussed. The employee hours spent on this collection last summer were significant so the consensus of Council is that a reasonable policy needs to be done and must be strictly adhered to. The original intent of this service was to assist residents by collecting tree limbs after storm events or if a few limbs needed to be trimmed but it has evolved into an almost daily event of collecting grass clippings, briar bushes, flowers, etc. The issue of collection for businesses was discussed. Most municipalities limit recycling collections to individual residents not businesses. After much discussion, the consensus of the group was to do a spring leaf collection the week of May 5, 2014 and a brush collection the week of May 12, 2014. This item will be revisited next month.

A motion was made by Leslie Warriner and seconded by Ed Bowman to establish equipment rates as set forth by Council in May 2010 with the addition of a rate of \$25/hr. for the Borough chipper. Motion carried.

NEW ACTION:

Rick Bair presented a report on the 2013 Audited Financial Statements. He reviewed in detail certain pages and explained that the net position of \$1,710,977 for long-term assets and debts is a good position for the Borough to be in. He also applauded Council because this is the first time in the last ten years that the sewer fund has had a positive balance. Mr. Bair explained that there were no deficiencies or material weaknesses found and no compliance issues to disclose. He pointed out that there is pending action coming with regard to pension disclosures that will drive liability onto municipalities but this shouldn't have any effect on the Borough's financial statements. The Borough's pension plan is a defined contribution plan and is totally funded. A motion was made by Leslie Warriner and seconded by Marlene Corl to accept the 2013 Audit as presented by Rick Bair. Motion carried.

President Ilgen reported that the Audit of the Borough's Pension Fund performed by the Attorney General's Office was completed with no findings and no comments.

A motion was made by Ed Bowman and seconded by Marlene Corl to adopt Resolution 2014-1 appointing the Secretary as the Chief Administrative Officer (CAO) for the Borough's Pension Fund. Motion carried.

COMMITTEE REPORTS: None

A motion was made by Ed Bowman and seconded by Marlene Corl to approve the February 11, 2014 minutes with the correction to add Lauralee Snyder as attending this meeting. Motion carried.

A motion was made by Ed Bowman and seconded by Marlene Corl to approve the February budget report as presented. Motion carried.

The written report submitted by the Secretary was reviewed with the following discussion and action taken:

- President Ilgen requested everyone bring items to the April meeting they think should be included in the Centre County Economic Development Plan update.
- The Secretary explained that the State Borough Code is specific about donations that can be made and we are not permitted to make donations to private groups like Penns Valley Youth Football, Swim teams, etc.

A motion was made by Ed Bowman and seconded by Marlene Corl to accept the Secretary's report as presented. Motion carried.

A motion was made by Ed Bowman and seconded by Leslie Warriner to adjourn the meeting at 9:13 p.m. Motion carried.

An Executive Session was held immediately following adjournment to discuss matters of employment.

Sharon A. Heckman
Sharon A. Heckman, Secretary-Treasurer