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279

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REGULAR MEETING
March 8, 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, Leslie Warriner, John R. Miller, III, Sharon Heckman, Roy Rupert, Michele Aukerman, Rick Bair, Tim Bowser and Curt Kosko.

Lauralee Snyder entered the meeting at 7:15 p.m.

CITIZEN'S INPUT:

Curt Kosko, Vice-President of Atlantic Broadband, distributed a handout and gave a brief presentation on his company's services. He explained that they have a system in Altoona and built a fiber interconnect to Mifflinburg. Mr. Kosko explained that on May 3, 2016 Atlantic Broadband will be launching new faster internet speeds in Mifflinburg. He is trying to gauge if there is enough interest to build a line to Millheim. Mr. Kosko would look for a non-exclusive Franchise Agreement with Millheim Borough. The Solicitor asked if this Franchise Agreement would provide free service to the municipal body. Mr. Kosko explained that a typical agreement would provide one free service to the Borough and one to the Fire Hall. Mr. Sprowls asked if this would be new wire and Mr. Kosko said they would run a whole new cable and plant but they will attach to existing poles. He also explained that the fiber optic line running through the Borough doesn't belong to Atlantic Broadband. Ms. Warriner asked about their time frame. Mr. Kosko said they want to survey the community and do a Franchise Agreement but it would be several months down the road. He explained they would like to have half of the houses using two of their programs and they would also like to pick up Aaronsburg and Woodward. Mr. Kosko will send a sample Franchise Agreement for the Solicitor to review.

Rick Bair presented an overview of the 2015 audited financial statements. He explained that page 2 is a clean opinion which is the highest level of assurance he can give and that some extra testing had to be done because of the PennVest loans. Mr. Bair explained that the business accounts on page 9 for the water and sewer funds presents a long term perspective and that these funds are in a strong position. He also explained that the sewer net position is a negative number because the old sewer plant had to be written off and this will continue until all bonds have a zero balance. Mr. Bair reported that there were no significant deficiencies, no material weaknesses and no findings. A motion was made by Leslie Warriner and seconded by Ed Bowman to accept the 2015 Audited Financial Statements as presented. Motion carried.

Michele Aukerman of Uni-Tec Engineering reported that after DEP reviewed the interim update report they released two EDU's but DEP requested additional information on the sampling program and suggested the Borough do split samples with two different labs to ensure the validity of the results. Ms. Aukerman explained she and Mr. Rupert are talking about ways he can improve sampling because DEP wants him to change his sampling procedures. Since Mr. Rupert started sampling weekly instead of bi-weekly in January 2016 there is a lower monthly value but the problem from DEP's regulatory perspective are the occasional spikes.

A motion was made by Ed Bowman and seconded by Leslie Warriner to accept the 2015 Chapter 94 report as presented. Motion carried.

The Secretary reported that she had only one response to the letters sent regarding changes to the Grease and Oil Interceptor portion of the Sewer Ordinance from Bonnie Telegraphis regarding her bed & breakfast. It was determined that she would not need a grease interceptor because there is no difference between what she does and private citizens having company in their homes. Mr. Bowman reported that Barry Kuppel asked if he needed a grease interceptor for his garage because he recycles oil. Ms. Aukerman explained that Mr. Kuppel would need to show that his floor drains do not go to the sewer. President Ilgen explained that the employees wash their hands in the sink and this goes to the sewer. It was determined that if the proposed changes are made to the ordinance Mr. Kuppel would need a grease interceptor. Ms. Aukerman explained that if existing businesses don't have grease traps they are in violation of the current ordinance. Any action on this was postponed until the April meeting.

The Elk Creek Planning Module for New Grist for the Mill, LLC was discussed. Ms. Aukerman offered to help with the cover letter. She explained that this document is complete but that doesn't guarantee that DEP will accept this. A motion was made by David Sprowls and seconded by Leslie Warriner to approve the Sewage Planning Module for New Grist for the Mill, LLC. Motion carried.

A motion was made by Ed Bowman and seconded by David Sprowls to adopt Resolution 2016-2 for Revision of Wastewater Facilities required as part of this Sewage Planning Module. Motion carried.

A motion was made by Ed Bowman and seconded by Leslie Warriner to authorize the Secretary to forward to Hill Engineering the invoice submitted by Uni-Tec Engineering in the amount of \$1,092.50 for services provided for reviewing the Sewage Planning Module prepared by Hill Engineering. Motion carried.

The Planning Commission report presenting possible definitions on Micro-Alcohol Production which includes: Brewpub, Microbrewery, Micro distillery and Micro winery for the downtown business district was discussed. Their recommendation to Council is to accept the definitions presented by David Sprowls contingent on the Solicitor's approval and to set the limit at the industry standard of 15,000 barrels and to recommend that Council authorize the Solicitor to add language to the Zoning Ordinance that permits the Borough to set a fee schedule by Resolution.

Mr. Bowser requested that action on this be tabled until the April meeting because there are a couple things that he doesn't understand (i.e., the difference between a brewpub and a microbrewery.) Mr. Bowser is calling into question the 3,000 barrels for a brewpub and Mr. Sprowls explained that the difference is retail versus wholesale. He explained that a brewpub mostly sells retail with food sold in a restaurant while a brewery is mostly sold out the door. The Solicitor questioned what difference it makes if both brewpubs and breweries are permitted uses in the downtown business district. After much discussion, the consensus was to table this and perhaps the definitions can be revised. Mr. Bowser was told to send an email with his concerns to the Secretary to distribute to Council.

Mr. Rupert explained that seven years ago a microscope was purchased but he needs a new one and Ms. Aukerman agreed that this is a tool that he needs to determine what is going on. A motion was made by Ed Bowman and seconded by David Sprowls to approve the purchase of a microscope in the amount of \$1,649.95 from the water fund. Motion carried.

The letter received from DEP regarding the February bypass at the sewer plant was discussed. DEP made an offer to settle for \$3,000 but if the Borough doesn't respond this offer will be off the table and they could fine us for a higher amount. A motion was made by Leslie Warriner and seconded by Ed Bowman to accept the DEP settlement offer of \$3,000. Motion carried.

CODE ENFORCEMENT/HARB:

The written report submitted by Mike Lesniak was reviewed with no questions.

EMPLOYEE REPORTS:

The written report submitted by Justin Kerstetter was reviewed and discussed. President Ilgen explained that the transmission went out in the 1998 truck and that we have \$40,076 in the truck replacement certificate of deposit so perhaps we need to consider buying a new truck.

President Ilgen explained that since Justin Kerstetter is doing work at the sewer plant he should have the series of Hepatitis shots and perhaps Roy Rupert should have a booster shot. The minimum cost for this series of shots is \$652 and the maximum cost is \$887. A motion was made by Leslie Warriner and seconded by Ed Bowman to approve the Borough paying the cost for the Hepatitis series of shots for Mr. Kerstetter and the booster shot if required for Mr. Rupert. Motion carried.

OLD ACTION:

The Energy Independence Project was discussed. President Ilgen reported that a do-it-yourself workshop to learn caulking will be held Saturday, March 19, 2016 at the Millheim Fire Hall from 1:00 to 2:30 p.m. Post cards announcing this event went in today's mail.

Ms. Warriner explained that she met with Mark Stephens to discuss the changes to the Source Water Management Report. She will give a copy to Mr. Sprowls and Ms. Beckenbaugh for their review.

President Ilgen explained that he is making a list of possible projects that may be considered as part of a 3-year budget process.

NEW ACTION:

Council discussed possible additions and deletions to items that should be in the Newsletter that is to be completed this month.

The Secretary reported that a NIMS Workshop will be held March 31, 2016 at 5:00 p.m. behind the Hospital. This course can be taken individually on-line if Council members prefer.

Mayor Snyder explained that Ms. Niewinski would like to take the bulbs out of the old flower bed in front of the Borough building. Since she planted these flowers originally Council agreed.

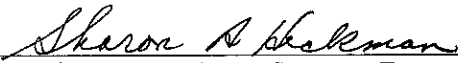
COMMITTEE REPORTS: None

A motion was made by Ed Bowman and seconded by David Sprowls to approve the February 9, 2016 minutes as presented. Motion carried.

A motion was made by Ed Bowman and seconded by Leslie Warriner to approve the February 2016 financial report as presented. Motion carried.

The written report submitted by the Secretary was reviewed. The Secretary reported that a Lot Addition & Replot Proposal for Eric & Shana Tritsch and Glenn & Paige Miller was received from Centre County Planning Office. The Penns Valley Code Enforcement Office sent a response to Mr. Burwell at Centre County stating that this Proposal meets all Borough requirements. She also reported that Mr. Rishel plans to do the chimney work at the borough building in April.

A motion was made by Ed Bowman and seconded by Leslie Warriner to adjourn the meeting at 10:22 p.m. Motion carried.



Sharon A. Heckman, Secretary-Treasurer