

**MILLHEIM BOROUGH COUNCIL
225 EAST MAIN STREET
P.O. BOX 421
MILLHEIM, PA 16854
(CENTRE COUNTY)**

FAX (814) 349-5733

PHONE (814) 349-5350

**REGULAR MEETING
May 10, 2011**

President Linn Auman called the regular meeting of the Millheim Borough Council to order at 7:00 p.m. with the following persons in attendance: Linn Auman, Kay Brown, Marlene Corl, Alan Ilgen, Lauralee Snyder, John R. Miller, III, Sharon Heckman, Glenn Ripka, Jason Grottini, Josh McCracken, Carl Rote, and Jamie Schlessinger.

Absent: Tom Strebel

Everyone present joined in the Pledge of Allegiance to the Flag.

CITIZENS INPUT:

Jason Grottini of Envinity updated Council on the status of the geothermal project. He explained that he has approved final payment for Spotts Brothers and that on Friday they will complete the final punch list items. The letter received from Mr. Spotts with his explanation for the delay in completion of the project was discussed. During the project, there were approximately thirty (30) days with no contact and no one on site working on the project. The Borough also gave extra time because of the weather conditions but the project still went far beyond the completion date and no letter was ever received from Mr. Spotts requesting an extension. It was also discussed that if Mr. Spotts wasn't happy with the time table for this project he shouldn't have submitted the proposal and taken on the project. After discussion, a motion was made by Alan Ilgen and seconded by Kay Brown to pay Spotts Brothers the final balance due of \$15,690.71 and send a letter of explanation stating that the Borough is going to continue to withhold the \$10,000 delayed damages as previously determined. Motion carried.

An invoice submitted by Envinity in the amount of \$8,025 for additional work performed was discussed. A motion was made by Alan Ilgen and seconded by Marlene Corl to pay the invoice if \$8,025 to Envinity contingent on final payment from DEP for this additional work. Motion carried.

Jamie Schlessinger of Concord Public Finance discussed with Council a Loan Modification for the sewer loan with Jersey Shore State Bank. He explained that Jersey Shore Bank is willing to renegotiate the current loan option. With this loan modification, the Borough could receive 2.5% savings over the course of the sewer loan. The fees associated with this modification would need to be paid from the sewer fund and would be approximately \$10,200. The Solicitor explained that he has spoken with Jens Damgaard, reviewed the documents that need to be approved and everything is in order. A motion was made by Alan Ilgen and seconded by Marlene Corl to adopt Resolution #2011-3 authorizing the Borough to enter into a Loan Modification Agreement for the General Obligation Note, Series A of 2007 with Jersey Shore State Bank. Motion carried.

HARB REPORT:

Josh McCracken and Erin Condo have purchased Brownie's Tavern and have requested permission to make changes to improve the front of the building. The plan is to use the building for catered events. They are proposing to split each of the front windows into three panels of glass and the HARB has approved this idea. The existing green door would be replaced with a glass door. Mr. McCracken explained that they are looking to maximize light in the building. He also explained that the current sections of brown above the windows would also be glass and that currently inside the building this area is divided into three sections. Mr. McCracken explained that there is an architectural precedent locally for this change. A motion was made by Marlene Corl and seconded by Alan Ilgen to approve the renovations as presented and recommended by the HARB. Motion carried.

CODE ENFORCEMENT REPORT:

A written report submitted by Glenn Ripka was reviewed. Questions were raised about the ATM machine at the front of Bierly's Meat Market. Mr. Ripka will look into this.

The two proposals to install hand railing at the steps outside the Council Room door were discussed as follows:

Josh Cunningham - \$250 to modify existing pipe railing at east entrance of Borough building.

Poorman's Welding - \$383 to furnish, fabricate, deliver and install railing per field measurements.

- Metal railing is easier to hold onto than wood.
- The railing must stay in line with the ramp so it doesn't interfere with vehicle traffic.
- It should be a hand guide from the porch to the amesite.

After discussion, a motion was made by Alan Ilgen and seconded by Kay Brown to accept the proposal submitted by Josh Cunningham of \$250. Motion carried.

The following Library requests were discussed:

- The Library had signs along Rt. 45 in Aaronsburg that they would like to relocate to the Borough. These signs are 2 ft. wide by 4 ft. tall. Concerns were raised about these signs blocking the existing signs in front of the Borough building. After discussion, the Secretary was instructed to contact PennDot about placing these signs back-to-back on the other side of Rt. 45 in the right-of-way at the tree row between the Wayne Long and Wayne Highbaugh properties.
- The Friend's Group would like to move the flowers from Aaronsburg to the front of the Borough building and put the statue of the girl reading a book in this flower bed. The consensus of Council was that they can create a flower bed by the flag pole and place the statue there but someone from the library group must take care of this area.
- The Friend's Group would like to relocate a storage shed from the property at Aaronsburg to the Borough building property. The consensus of Council was that they can use the room downstairs for storage but the storage shed can't be relocated onto Borough property.
- The Friend's Group would like to install a 3' wide bike rack. The consensus of Council was to put this bike rack in the corner on the east side of the building. It was recommended that it be anchored to a 4'x4' concrete pad. If the library agrees, the Borough employees can do the pad and the Borough will invoice the Library for this work.

EMPLOYEE REPORTS:

A written report submitted by Roy Rupert was reviewed and discussed. The Borough will delay bidding the timbering project at the water company land until DEP can be contacted to help because they have a program to assist with timbering of watersheds. Musser's Septic Service is scheduled for I&I work on Monday or Tuesday.

PLANNING COMMISSION REPORT:

A written report was reviewed and discussed. At their meeting, the group discussed Sue Haney's request to change the Burning Ordinance. The group decided unanimously not to change the existing ordinance for so few complaints. President Auman explained that Mrs. Haney asked him for permission to take a petition around town to see if people wanted the ordinance changed. This petition must include only signatures of Borough residents. Mr. Ilgen will include this topic in the newsletter.

OLD ACTION:

Proposals submitted by John Claar and Donn Fetterolf to do the work on the gravel parking lot that was to be Borough match for the DCNR Playground Grant were reviewed.

John Claar - \$8,400.00

Donn G. Fetterolf Excavating, LLC - \$3,500

A motion was made by Alan Ilgen and seconded by Marlene Corl to award the Parking Lot project to Donn Fetterolf in the amount of \$3,500. Motion carried. We are still waiting for DCNR approval to put the project out to bid for the Playground and Ball field improvements.

A motion was made by Alan Ilgen and seconded by Marlene Corl to approve submission of the invoice received from Nittany Engineering & Associates in the amount of \$2,677 to the Centre County Planning Office for payment. Motion carried.

As soon as an inventory is done, auctioneers will be contacted about a date for the auction of the Old Mill Property on Center Street.

NEW ACTION:

A motion was made by Alan Ilgen and seconded by Kay Brown to adopt Resolution #2011-2 authorizing the expenditure of \$10,620.64 from the 2010 funds collected from the Fire Tax to the Millheim Fire Company No. 1. Motion carried.

COMMITTEE/MAYOR REPORTS:

Alan Ilgen reported that he is gathering information for the newsletter. A "Draft" should be available within the next two weeks for Council to review.

A motion was made by Marlene Corl and seconded by Kay Brown to approve the minutes of the April 12, 2011 meeting with the change to Page 86; HARB Report; Paragraph 5 as corrected by President Auman changing "Race wall" to "Race bank". Motion carried.

A motion was made by Marlene Corl and seconded by Alan Ilgen to approve the April budget report as presented. Motion carried.

SECRETARY'S REPORT:

A written report submitted by the Secretary was reviewed. The rates submitted by Donn Fetterolf and Dave Gutelius for twenty-four hour emergency water line repair work was discussed. Mr. Gutelius submitted various rates that depend on equipment and number of people sent. Mr. Fetterolf submitted a rate of \$115/hr. for a backhoe and one operator. After discussion, a motion was made by Alan Ilgen and seconded by Kay Brown to approve Donn Fetterolf for emergency backhoe work. Motion carried.

The following requests for Millheim Fire Police were discussed:

- Permission for the Fire Police to park cars at the second annual Taste of Penns Valley event to be held at Soldiers & Sailors Park by the Penns Valley HOPE Fund on May 28, 2011 from 4:00-7:00 p.m.

- Permission for the Fire Police to control the traffic light at the intersection of Rt. 45/Rt. 445 for the Millheim Sprint Triathlon to be held June 24, 2011 from 7:30 a.m. to Noon.
- Council to request, on behalf of the Millheim Fire Police, assistance from the Centre Hall Fire Police for traffic control during the Millheim Firemen's Parade.

A motion was made by Alan Ilgen and seconded by Marlene Corl to approve the Millheim Fire Police requests as presented. Motion carried.

Carl Rote requested permission to address Council. President Auman refused, stating that Mr. Rote should have made his comments at the beginning of the meeting during the Public Comment period. After an exchange of angry words, Mr. Rote left the meeting.

A motion was made by Alan Ilgen and seconded by Marlene Corl to adjourn the meeting at 8:20 p.m. Motion carried.

Sharon A. Heckman, Secretary-Treasurer