

**MILLHEIM BOROUGH COUNCIL
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(CENTRE COUNTY)**

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**REGULAR MEETING
November 13, 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, Leslie Warriner, John R. Miller, III, Sharon Heckman, Glenn Ripka, Roy Rupert, Dan Guss, Dennis Heggenstaller and Carl Rote.

CITIZEN'S INPUT:

Dennis Heggenstaller, representing the Millheim Fire Company, discussed his concerns because the Borough's insurance company has stated that the Fire Company members will not be covered by the Workers' Compensation insurance if they demolish the house they own on North Street. Mr. Heggenstaller stated that the insurance company is unjustified in saying the Fire Company can't demolish the building because this is outside the scope of fire company functions. He explained that the Fire Company has additional insurance from Provident Insurance and that the firemen demolish buildings at fire scenes. In response to a question raised by Leslie Warriner, Mr. Heggenstaller agreed that a contractor comes in after the fire is put out to do the demolition work. The Solicitor explained that Mr. Heggenstaller is interpreting the Workers' Compensation Law differently than the insurance carrier but he would not advise the Borough to act contrary to the insurance carrier. The Secretary explained that, in her correspondence to the fire company, she included the requirement for a General Liability Certificate in the amount of \$1million naming the Borough as additional insured from any contractor hired to demolish this building because this has always been required. The Secretary explained that Joe Geise of Doty & Hench has said the Fire Company is not to do the demolition on this building that this should be done by a contractor that does this for a living and carries the appropriate insurance. As recommended by Mayor Snyder, Mr. Heggenstaller was told to ask the Fire Company's insurance agent for a Certificate of Liability naming the Borough as additional insured and then to follow up with the Borough Council.

Lauralee Snyder and Casey Gunsallus entered the meeting at 7:05 p.m.

Dan Guss reviewed and discussed his Engineer's Report with Council on the Water Line Replacement Project as follows:

- A new punch list has been given to D.C. Ventre.
- The main at Leslie Warriner's needs to be connected.
- D.C. Ventre will come back in the spring to check on the grass and do the permanent paving on Park Road and Park Street.
- A budget adjustment is required to cover additional PA Dot inspector fees. This inspector's services are no longer necessary.
- This project is approximately 5% under budget.
- An air release should be put on the line connecting to the 4-inch line. A motion was made by Leslie Warriner and seconded by Kay Brown to allow Dan Guss to calculate the cost of an air release as part of the project. Motion carried.
- A motion was made by Leslie Warriner and seconded by Marlene Corl to approve for payment the invoice submitted by Uni-Tec for a total payment of \$21,441.94. Motion carried.
- A motion was made by Ed Bowman and seconded by Kay Brown to approve for payment Contractor's Pay Request #6 from D.C. Ventre in the amount of \$178,070.06. Motion carried.
- A motion was made by Kay Brown and seconded by Marlene Corl to approve for payment five invoices submitted for the Penn Dot inspector for a total payment of \$8,060.84. Motion carried.
- A motion was made by Marlene Corl and seconded by Kay Brown to approve for submission PennVest Pay Request #7 in the amount of \$207,691.33. Motion carried.
- A motion was made by Ed Bowman and seconded by Marlene Corl to approve the transfer of \$30,500 from Contingency #9 with \$22,000 going into #5 Engineering and \$8,500 into #10 Other. Motion carried.

CODE ENFORCEMENT REPORT:

Glenn Ripka reviewed with Council the written report he submitted and discussed the following:

- A list of people willing to help with snow removal was available. President Ilgen recommended that Todd Wasson and Brian Stover not be used and he suggested talking to Tony Foltz about helping.
- President Ilgen contacted Kevin Shawver about serving on the HARB but he declined. Mr. Ripka said there should probably be a meeting in January to reorganize.

HARB REPORT: None

EMPLOYEE REPORTS:

Casey Gunsallus reviewed with Council the written report he submitted. He reported that the water meters were done today at the properties owned by Dana Boob and one will be replaced that the P.V. Meat Market. Mr. Gunsallus will order eight more meters. Glenn Ripka reported that as soon as leaf pickups are finished they will get the spreaders ready for winter. He also explained that the chipper is ready for the spring but they are looking for a new alternator.

Leslie Warriner reported that Linn Auman wants to donate the Christmas tree in Fountain Park this year in memory of his mother. The Borough employees will set the tree up in the park after Mr. Auman delivers it to the park.

Roy Rupert explained that he has been looking into prices for a new flow meter. The quote received this year from Advanced Controls for a flow meter is \$3,700 but he explained that he found one for \$700, if he can verify that it is the same product number. Mr. Rupert explained that he and Casey installed the last flow meter. The consensus of the group was that if the charges are that different on a flow meter it may be time to look into other consulting options. Mr. Rupert was instructed to get pricing for a 1-year, 3-year and a 5-year commitment for a new company.

PLANNING COMMISSION REPORT: None

OLD ACTION:

Continue to table discussion on Updates to the Web Page and Parking.

President Ilgen reported that he talked to all the landowners about the timbering of the water company lands. No one had a problem they just needed more information. He will set up a meeting in January.

President Ilgen reported on the walk through of the ball field. He explained that there are a few minor issues that Mr. Claar needs to complete (i.e., where the infield soil mix goes into grass may settle and ruts may need filled in). Mayor Snyder recommended doing a letter to Mr. Claar explaining that if he commits to correcting these minor issues prior to the start of the 2013 baseball season payment in full will be made now. A motion was made by Ed Bowman and seconded by Marlene Corl to send a letter to John Claar stating that the final invoice submitted in the amount of \$16,382 will be paid with the understanding that by May 1, 2013 the minor corrections are made per the attached report prepared by Todd Smith of the ELA Group. Motion carried. Action was tabled on payment of the invoice submitted by the ELA Group until December bills are received.

A motion was made by Leslie Warriner and seconded by Kay Brown to appoint Glenn Ripka to fill the vacant Planning Commission position. Motion carried.

NEW ACTION:

The payment information for the ball field project presented by the Secretary was reviewed and discussed. A motion was made by Marlene Corl and seconded by Kay Brown to authorize the Secretary to pay John Claar by using the General Fund CD in the amount of \$7,737.65 and by borrowing \$8,644.35 from the Water Fund CD to be paid back with General Fund money as available. Motion carried.

The proposed 2013 budgets were discussed. The General Fund and Fire Tax budgets reflect the following changes from 2012: the current 1 mill Fire Tax will change in 2013 to one-half mill going to the General Fund and one-half mill going to the Fire Tax Fund. The Sewer Fund Budget reflects an increase of \$1.50/EDU which changes the current EDU rate of \$65/EDU to \$66.50/EDU. The percentage of salaries for Casey Gunsallus and Sharon Heckman were changed to 1/3 from the General Fund and 2/3 from the Water Fund. A motion was made by Ed Bowman and seconded by Marlene Corl to approve the 2013 tentative budgets as presented. Motion carried.

A motion was made by Kay Brown and seconded by Marlene Corl to approve the meeting dates for 2013 as presented keeping the dates as the second Tuesday of each month beginning at 7:00 p.m. Motion carried.

President Ilgen explained that it is time to do the second newsletter for 2012. A list of items to be included were reviewed and discussed and the following list was agreed to:

- Kay Brown will do a paragraph about volunteers/donations to the Park and for flowers.
- Each Chairperson will do a paragraph about their committee
- President Ilgen will talk to Roy about a paragraph for the water and sewer plants and to Casey about his duties.
- Ed Bowman and Marlene Corl will do items they think may be important.

All items should be to President Ilgen in two weeks so this newsletter can go out early December.

The Secretary reported that Craig Shroyer is requesting permission to set up a table/canopy for an information desk in Fountain Park and a porta-potty in the parking space where the bricks are currently stacked for the Merry Millheim event. It was discussed that the Borough doesn't schedule events or usage of Fountain Park because of insurance implications. Leslie Warriner said she would explain this to Mr. Shroyer.

The Secretary reported that Jason Grottini is submitting the application for the West Penn Power audit rebate. Mr. Grottini would also like the Borough to consider Envinity as the mechanical service provider once the warranty term with Spotts expires. President Ilgen would accept a proposal from Envinity but at least for now service would be provided on an as-needed basis.

COMMITTEE REPORTS: None

A motion was made by Ed Bowman and seconded by Leslie Warriner to approve the minutes from the October 9, 12, and 22, 2012 meetings and the October budget report as presented. Motion carried.

SECRETARY'S REPORT:

A written report submitted was reviewed. The Secretary reported that the flashing signal light on West Main Street was hit by a truck and that the State Police are investigating.

The next Council meeting will be on December 11, 2012 at 7:00 p.m.

A motion was made by Leslie Warriner and seconded by Ed Bowman to adjourn the meeting at 8:55 p.m. Motion carried.

Sharon A. Heckman

Sharon A. Heckman, Secretary-Treasurer