

MILLHEIM BOROUGH COUNCIL
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 MILLHEIM, PA 16854
 (CENTRE COUNTY)

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REGULAR MEETING
 September 13, 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: Alan Ilgen, David Sprows, Lauralee Snyder, Leslie Warriner, Sharon Heckman, John R. Miller, III, Mike Lesniak, Glenn Ripka, Rebecca Fetterolf, Larry Koehler, Carl Rote and Mark Stephens.

ABSENT: Patty Beckenbaugh and Ed Bowman

CITIZEN'S INPUT:

Following is the discussion between Rebecca Fetterolf, owner of the property at 130 East Main Street, and Millheim Borough Council because Council denied a building permit for the porch she built:

- Ms. Fetterolf - what does Council want changed because the HARB had approved her request for a building permit for the porch she built.
- President Ilgen explained that Council denied the building permit because they felt she knew the proper procedure was to submit plans and meet with the HARB before making changes to the house and she needed to follow the rules instead of making changes and then asking permission after the changes were made.
- Ms. Fetterolf asked if Council wanted her to rip the porch off.
- Mr. Lesniak explained that the HARB wanted the new porch to replicate the old porch with a roof keeping with the character of the house. The consensus of the HARB was that an eyesore was fixed so they would let the porch go as is. He explained that Mr. Bair, a member of the HARB, said the condition of the house now was much improved but the next owner could restore the porch. However, this couldn't be made a condition of sale. Mr. Lesniak explained that a letter was sent stating the porch wouldn't be permitted so the new owner would have to fix it.
- Mr. Ripka explained that the HARB is only an advisory board and Council makes the final decision.
- Ms. Fetterolf explained she knew that she didn't follow the procedure and she will pay a fine. Again she asked, "To have the proper permit what should I do to fix it?"
- Mr. Sprows explained the porch should have a roof on it instead of being a deck.
- Ms. Fetterolf explained the old roof was completely destroyed and she isn't putting on a roof.
- Mr. Lesniak explained that she could put a notation for a new buyer that the porch doesn't meet code.
- Ms. Fetterolf asked if the Borough was taking her to court over the porch.
- President Ilgen explained that the existing porch isn't approved so she needs to disclose to the new buyer that the porch isn't in compliance.
- The Solicitor explained that the Borough can take this to court to have Ms. Fetterolf put a roof on but that isn't how Council wanted to handle it. He also explained that if she applies for a permit, the Borough won't approve it with no roof.
- Ms. Fetterolf again asked if this is going to court.
- The Solicitor explained that Council is hoping this is brought into compliance.
- Ms. Fetterolf told Council they can put a roof on the porch and then she left the meeting.
- Mr. Ripka explained that the current porch is on the original porch footprint but the HARB would like to see a roof on the porch.
- Ms. Warriner raised the issue that if you wanted to build a porch that didn't meet the requirements plans should be submitted and a variance should be requested which was done by the Hotel. Then a permit should be applied for after attendance at the HARB meeting. Council spent forty-five (45) minutes explaining she needed to submit plans.
- The Solicitor said the property needed brought into compliance.

Mr. Mark Stephens presented Council with the final approved Source Water Management Plan documents and thanked Borough Council, Ms. Warriner and Mr. Rupert for participating in this program. This is a voluntary program that extends from public education to changing ordinances and is more of a protection program. To insure the safety of public water sources this document is excluded from the Right-to-Know Law.

Larry Koehler representing St. John's Lutheran Church explained he is requesting permission to pave a portion of Race Alley, which is a Borough Liquid Fuel street, as part of their parking lot pavement project. He also requested Council share the cost of 50% of 2,400 square feet or \$2,400. He felt Borough wouldn't be paving but would be providing a contribution to the paving. The Secretary explained that Mr. Koehler had already been told that the Borough can't use Liquid Fuel Funds to help the church pave this alley unless the project is put out to competitive bid using PennDot approved specifications. Mr.

Sprowls explained that paving a road to nowhere doesn't do the Borough any good. President Ilgen explained that there are already plans to use our Liquid Fuel funds but Mr. Koehler suggested this could be addressed for the 2017 funds. Mr. Sprowls explained if the Borough grants permission to pave it appears as though the Borough is paving the parking lot. The Secretary explained again that PennDot won't allow Liquid Fuel funds to be used in this manner. President Ilgen explained that he is in favor of permitting the church to pave the portion of the alley but the Borough isn't paying a portion. Ms. Warriner explained that she appreciates what Mr. Koehler is doing but roadways not improved such as this alley are lower on the Borough's priority list. The Solicitor explained that normally the Borough would give specifications and then once the road work is done the road is offered to the Borough for dedication. He also explained that if you want to donate to the Borough when it is done it becomes the Borough's and we care about how well the paving is done. After further discussion, a motion was made by Leslie Warriner and seconded by David Sprowls to approve St. John's Lutheran Church paving a portion of Race Alley, at the church's expense, in conjunction with the St. John's Parking Lot Pavement Project to a commercially acceptable finished product approved by the Millheim Borough upon completion and the contractor must have an adequate level of professional and liability insurance. Motion carried.

CODE ENFORCEMENT:

Mr. Lesniak reviewed his written report with no questions from Council. He had calls about the loss of parking spaces.

EMPLOYEE REPORTS:

The written report submitted by Justin Kerstetter was reviewed with no questions.

OLD ACTION:

Ms. Aukerman's Engineer's Report was reviewed. Since there has been no response to date regarding her letter to DEP further discussion was postponed.

A motion was made by David Sprowls and seconded by Leslie Warriner to approve payment of the invoice submitted by Uni-Tec in the amount of \$575. Motion carried.

Mr. Sprowls reported that, to date, he hasn't had an opportunity to speak with Mr. Gyekis about the town clock.

President Ilgen reported that Mr. Kuppel will take care of any repairs to his road but he would like to have permission to go onto the Borough property to level ruts in the road and plant food lots for deer. President Ilgen explained that most property owners agree the road is in the same shape or better but some of the breakers are not working and a culvert pipe is either crushed or clogged. Several Council people inspected road and all agree some additional work should be done. Property owners want permission to go onto Borough property to cut wood. Mayor Snyder explained that the State requires an application be completed for a permit to cut wood on State land. After discussion, the consensus of Council was to get two estimates for work Council thinks needs done and see if Kuhn's Brothers will pay. Further discussion will follow once the estimates are received.

The letter sent to PennDot regarding a more thorough analysis of the downtown parking situation was reviewed.

The proposed Fire Company Agreement was reviewed and discussed. The Solicitor had a question about the need for a unanimous vote. This was done so no one municipality gets pulled into something they can't afford. President Ilgen reported that the Fire Company explained that since the Workers' Compensation is going up they need this paid from the general fund or an increase to the Fire Tax Millage. The consensus of Council was that the Fire Tax Millage is fine and since the Workers' Compensation is an allowable expense from the Fire Tax it will continue to be paid from this tax. Any future increase to the Fire Tax Millage will be discussed during budget meetings. A motion was made by Leslie Warriner and seconded by David Sprowls to approve the revised Fire Company Agreement as presented contingent on approval of Haines and Penn Townships. Motion carried.

NEW ACTION:

The bids received for paving Poplar, Maple, Race and State Streets were opened with the following results:

Ammeron Construction	No Bid Received
Dave Gutelius, Inc.	\$46,972.00
Glenn O. Hawbaker	\$32,670.00
HRI, Inc.	\$28,288.00
M&J Paving Services, LLC	\$34,805.00
M&M Asphalt Corp.	\$43,950.02

Mr. Sprowls voiced several concerns and suggested waiting until streets could be done properly. After discussion, a motion was made by Leslie Warriner and seconded by Alan Ilgen to accept the bid from HRI, Inc. at \$28,288 for the paving project to be completed by October 15, 2016. Roll call vote as follows: Alan Ilgen, yes; Leslie Warriner, yes; David Sprowls, no. Result of vote: 2 votes yes, 1 vote no, 2 members absent. Motion carried.

2016
A motion was made by Leslie Warriner and seconded by David Sprowls to set Trick-or-Treat for Halloween, Monday, October 31, 2016 from 6:00-8:00 p.m. Motion carried.

A motion was made by David Sprowls and seconded by Leslie Warriner to accept the Financial Requirement and Minimum Obligation Budget for 2017 for the Borough's Pension in the amount of \$12,251. Motion carried.

Ms. Warriner explained that a request has been made to change the book bench to a farm animal bench. She is coordinating this change.

President Ilgen explained an employee meeting should be set to discuss the new law effecting comp and overtime hours which will take effect in 2017 and budget meeting dates should be selected. The employee meeting will be Friday, September 23, 2016 at 8:15 a.m. Two budget meeting dates were selected: Monday, October 3 and Monday, October 17, 2016 at 6:30 p.m.

Two quotes were received for creating an employee office in the Borough building. The consensus of Council was to hold discussion on these quotes until the October 3 budget meeting.

Possible items for the October Newsletter were discussed.

The Secretary checked on available postage options and recommended renewing the contract with Pitney Bowes. A motion was made by David Sprowls and seconded by Leslie Warriner to approve the 5-year contract with Pitney Bowes at an annual cost of \$467.16.

The Solicitor explained that since the STAG Grant Interconnection Project will not be done he recommends Millheim Borough and HAMA sign an Agreement to Terminate the Interconnection Agreement currently in place. A motion was made by Leslie Warriner and seconded by David Sprowls to approve the Agreement to Terminate the Interconnection Agreement as prepared and presented by the Solicitor. Motion carried.

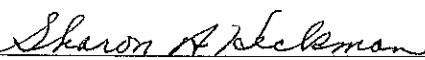
COMMITTEE REPORTS: None

A motion was made by David Sprowls and seconded by Leslie Warriner to approve the August 9, 2016 minutes as presented. Motion carried.

A motion was made by Leslie Warriner and seconded by David Sprowls to approve the August 2016 financial reports as presented. Motion carried.

The Secretary's report was reviewed. A motion was made by Leslie Warriner and seconded by David Sprowls to approve payment of the Secretary's registration to attend the Saturday Session of the PA. State Association of Borough's Conference in Gettysburg, PA on October 15, 2016 at a cost of \$125.00. Motion carried.

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



Sharon A. Heckman, Secretary-Treasurer