

MILLHEIM BOROUGH COUNCIL  
225 EAST MAIN STREET  
P.O. BOX 421  
MILLHEIM, PA 16854  
(CENTRE COUNTY)  
PHONE (814) 349-5350 FAX (814) 349-5733  
REGULAR MEETING  
May 14, 2019

President Al Ilgen called the meeting to order with the pledging of allegiance at 7:00 PM. Council members in attendance: Al Ilgen, Patty Beckenbaugh, Robert Zeigler, Stephen Myers, Beth Cowher, Mayor Lauralee Snyder and Secretary/ Assistant Treasurer Denise Immel

Citizens present: Jennifer Cain, Travis Walker, Megan Stitzer, Tammy Woodring, Lilly Woodring, Vince Smith, David Sprowls, John Segursky, Uni-Tec and Sel Edor, BAI Group, LLC

Citizens Input:

Travis Walker, Megan Stitzer and Jennifer Cain expressed concerns on the increased flow of traffic on Confer Alley, and also the condition of the alley. Mr. Walker asked if the alley was the Borough responsibility, as he was previously told, or if the alley was the responsibility of the land owners. Solicitor Miller explained that Confer Alley was ordained as a Borough alley in 1925 and that residents can petition the Borough to vacate the property. Further research will be done to discover if the alley has been vacated.

David Sprowls questioned Solicitor Miller on the proper way to present Planning Commission recommendations to Council since the minutes of the meeting cannot be made public until approved by the Planning Commission. Solicitor Miller recommended that a report be drawn up including not only the decision but also what the decision was based on and have the planning commission sign off on the report prior to presenting to Council.

Code Enforcement/HARB/Planning Commission:

The Code Enforcement Report was reviewed with no questions. No report from HARB.

Employees Reports:

Justin Kerstetter-Maintenance continues to work on general work around the Borough, Mr. Kerstetter is contacting Don Smith to schedule a time for the stop strips to be installed. Mr. Kerstetter is working on having the work performed after midnight to decrease resident impact.

Roy Rupert- Cryptosporidium sampling started last month, due to the turbidity of the last samples from Elk Creek the lab had to use two filters which will increase our costs.

A motion was made by Robert Zeigler seconded by Beth Cowher to proceed with the repairs on the Anoxic tank mixer thru OPSOC in the amount of \$3,498.00. Motion carried.

New Action Items:

Uni-Tec:

John Segursky reported that the final paving of RT 445 was completed on April 25, 2019, and the final punch list has been revised. G&R has submitted Application for payment #4 in the amount of \$139,534.94, leaving \$3,815.77 in retainage for the final punch list. Change order #2 is being presented

to Borough Council for approval, this is a final adjusting change order for the various unit price bid items, and increases the contract price by \$36,826.50. Because of the additional line work of the original project Uni-Tec is requesting as additional \$6,000.00 in fees to cover expenses form the additional work.

Uni-Tec is still receiving comments on the submitted water allocation permit. The monitoring of the pass by flow is still in question. A measuring devise must be in place so the operator can monitor daily pass by flow. Short of running electricity and control wiring to and from the dam the best solution is to install a rectangular weir in the existing dam crest with a manual read gauge. Because this will need to be a manual read process and require travel to the dam on a daily basis, Council has requested Uni-Tec to propose a decrease in frequency reading to DEP. Uni-Tec has agreed and will report DEP's response.

Uni-Tec is working with Mr. Rupert on the NEPDES permit renewal, submission deadline June 30, 2019.

A motion was made by Robert Zeigler seconded by Patty Beckenbaugh to approve G&R's application for payment in the amount of \$139,534.94. Motion carried.

A motion was made by Robert Zeigler seconded by Steve Myers to approve Change order #2 as presented. Motion carried.

A motion was made by Robert Zeigler seconded by Beth Cowher to approve Uni-Tec's request for funds to cover the expenses of the additional work not to exceed \$6000.00. Motion carried.

Mr. Segursky will contact Matt Milliron to discuss the dollars the Borough will need to apply to the cost of the water line replacement, since we came in under budget.

A motion was made by Beth Cowher seconded by Robert Zeigler to approve Uni-Tec invoices for April 2019 in the amount of \$14,339.75. Motion carried.

A motion was made by Robert Zeigler seconded by Patty Beckenbaugh to approve Uni-Tec invoices for March 2019 in the amount of \$1,914.50. Motion carried.

A motion was made by Steve Myers seconded by Robert Zeigler to approve PennDot inspection fees for 03/25/19-03/28/19 in the amount of \$1,749.55, 04/01/19-04/04/19 in the amount of 2,465.38 and 04/08/19-04/11/19 in the amount of \$1,774.95. Motion carried.

#### G&R Paving Project:

Roy Rupert report indicates that the Borough did not receive all of the millings from the SR 0445 water line project, these millings were to be used to pave the lane to the filtration plant as well as the parking lot at the plant. Approximately 900 feet, for which G&R quoted \$3,050.00. The Borough did receive enough of the milling for G&R to pave part of the lane to the filtration plant approximately 470 feet. Council will await invoice from G&R.

#### Smith Variance Request:

President Ilgen reported on the Planning Commission Recommendation to allow Mr. Smith to continue to pasture large animals on his property, to the existing fence lines, along Park Road and Gramley Avenue as well as to his back and side property lines, because this area has been continuously used as pasture for 50+ years and became a nonconforming use when the Ordinance #151 was adopted on November 12, 1984. It is recommended the Mr. Smith can continue the existing nonconforming use and, therefore a variance is not necessary. In the future, if Mr. Smith constructs a dwelling on the property, he will need to comply with any applicable building setback requirement in accordance with all Millheim Borough ordinances and zoning regulation in effect at that time.

A motion was made by Steve Myers seconded by Robert Zeigler to accept the recommendations of the Planning Commission. Motion carried with Councilperson Beth Cowher abstaining.

Mr. Smith questioned the status to Gramley Avenue as an ordained or ordained and unopened road. Solicitor Miller to review.

#### Street Paving:

Council received two bids on the Locust, Walnut and South Street paving project. HRI, Inc. \$34,712.00 and Glenn O Hawbaker \$33,518.40. A motion was made by Robert Zeigler seconded by Patty Beckenbaugh to award the bid to Glenn O. Hawbaker subject to Solicitor Miller's review. Motion carried.

#### Spikes Community Day:

The State College Spikes will host a Penns Valley Community night on August 9, 2019, game time 7:05PM. Council member have been asked to participate and be recognized on the field before the game.

#### Resolution Restore PA:

Council has received information from Ted Martin, Deputy Director of PA Department of Community & Economic Development to adopt a resolution supporting Gov. Wolf's initiative to Restore PA. As many questions were brought up it was decided to ask Mr. Martin or a representative to attend the next council meeting before any action would be taken.

#### Klunk Easement Release:

Tabled to next meeting, pending further clarification and information.

#### Solar:

Sel Edor of BAI Group LLC, presented on the inquiry into the benefits of Millheim Borough installing solar panels to help offset the electricity cost to the Borough. Further investigation is required regarding flood plain issues and grant availability.

#### Old Action Items:

##### Checking Account Transfers:

Council reviewed proposals from both FNB and Mifflinburg Bank. It is the intention of Council to receive a better rate of return on Borough funds, but to retain the liquidity.

A motion was made by Robert Zeigler seconded by Steve Myers to maintain balances of \$50,000.00 in the General account, the Water account and the Sewer account, excess funds to be transferred when available to the Mifflinburg 12 month variable rate CD waiving all penalties for any early withdrawals and allowing multiple deposits throughout the 12 month time period at a rate of 2.25%. Motion carried.

Three Year Panning Considerations:  
Penn Street is on the list.

Radar Speed Control Signs:  
No report

EMS Reports:  
EMS reports and financials were reviewed by council.

Committee Reports:  
Beth Cowher reported that Mr. Monast Hostetler will be repairing the first two steps leading into the Borough building by the end of May.

A motion was made by patty Beckenbaugh seconded by Beth Cowher to approve the April 19, 2019 minutes. Motion carried.

A motion was made by Beth Cowher seconded by Steve Myers to approve the April financial reports. Motion carried.

Secretary's Report:  
R. H. Marcon completed the semi-annual roof inspection on 04/19/2019 with no findings. On May 09, 2109 Marcon was called back to repair a leak in the roof. Leak was noticed by library volunteers as the ceiling tile was soaked, no water damage to books or furniture was noted.

A motion was made by Patty Beckenbaugh seconded by Beth Cowher to approve the progress billing on 2018 audit from Baker Tilly Virchow Krause, LLP in the amount of \$2,500.00. Motion carried.

A motion was made by Robert Zeigler seconded by Beth Cowher to adjourn. Motion carried. Meeting adjourned at 10:10 PM

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Denise Immel Assistant Secretary/Treasurer

