

**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
December 8, 2009**

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, Tom Strebel, John R. Miller, III, Sharon Heckman, Glenn Ripka, Bob Decker, Fred Gusky and Carl Rote

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

CITIZENS INPUT:

Fred Gusky, representing Jesse Burkholder, explained that Mr. Burkholder is interested in knowing what his monthly rate for EDU's would be if he connected to the Millheim Borough sewer system. The Solicitor explained that the EDU schedule has several categories that cover the different types of businesses included in Mr. Burkholder's store, so the question becomes will he be assessed for each business. It is the Solicitor's opinion that Burkholder's Country Market should be assessed as one establishment being billed for 1 EDU for the first 10 employees and 1/2 EDU for each additional five or fraction thereof. Mr. Burkholder has a total of 67 employees but only 19 are full-time. The Solicitor explained that, unless the ordinance is amended, Mr. Burkholder would be assessed EDU's for 67 employees. If Council wanted to amend the Ordinance they would need to decide what criteria determines a part-time employee. Mr. Gusky expressed concern that this is a high number based on the water usage at the store and that Mr. Burkholder would like Council to consider this. Bob Decker explained that the DEP standard is 250 gallon/EDU. President Auman explained that even if it does seem high that's what the Ordinance is. Mr. Gusky will take this information back to Mr. Burkholder.

Bob Decker of Nittany Engineering Associates, LLC presented a proposal for the preparation of the 2009 Chapter 94 report and a letter expressing interest in continuing as the Borough Engineer for 2010. He explained that there are no changes to the rates or to the cost for preparing the Chapter 94 report. A motion was made by Alan Ilgen and seconded by Tom Strebel to accept the proposal as presented from Bob Decker for the preparation of the 2009 Chapter 94 report at a cost not to exceed \$600 plus reimbursable costs. Motion carried.

FIRE COMPANY REPORT: None

CODE ENFORCEMENT REPORT:

Todd Wasson entered the meeting at 7:17 p.m.

Lauralee Snyder entered the meeting at 7:20 p.m.

Glenn Ripka was present and discussed with Council the written report he submitted. The following items were discussed:

- The sewer lateral between St. John's Lutheran Church and the Outreach Center on Race Alley was repaired. Musser Sewer and Septic Service will be back to grout the Borough's leak at the Fred Johnson property on Penn Street.
- To date an invoice hasn't been sent to George Friend for mowing the weeds at the Old Mill property on Center Street because a rate needs to be established for use of the sickle bar. After some discussion action was taken to establish rates to be used for billing purposes when various pieces of Borough equipment are used:

A motion was made by Kay Brown and seconded by Tom Strebel to establish an hourly rate of \$25.00/hr. for use of the sickle bar. Motion carried.

A motion was made by Kay Brown and seconded by Tom Strebel to establish an hourly rate of \$25.00/hr. for use of the Steiner and any attachments. Motion carried.

A motion was made by Alan Ilgen and seconded by Tom Strebel to establish an hourly rate of \$40.00/hr. for use of the skid steer and any attachments. Motion carried.

A motion was made by Tom Strebel and seconded by Alan Ilgen to establish an hourly rate of \$40.00/hr. for use of the Borough Dump Truck. Motion carried.

A motion was made by Alan Ilgen and seconded by Tom Strebel to establish an hourly rate of \$40.00/hr. for use of the Bucket Truck. Motion carried.

- Lynn McCool has his sidewalk removed but the traffic cones need to be removed to avoid traffic problems. Each end of his sidewalk needs to be ramped because the adjoining walks need to be brought to the correct level when they are replaced.
- Ricky Irwin's certified letter was returned but Mr. Ripka posted a notice on his door.
- Mr. Ripka reported on the Hazardous Chemical Webinar he participated in. An inventory needs to be done of the chemicals used each year and this needs to be posted on the door. This is important in case of fire. He will discuss this with Roy Rupert.

HARB REPORT: None

EMPLOYEE REPORTS:

A written report submitted by Roy Rupert was reviewed. He is to call Musser Sewer & Septic about the Johnson repair. Todd Wasson reported on a sewer camera demonstration done by Exeter. The demo unit could be purchased for \$8,400. This would be a benefit to own this camera so during a rain event he could locate any I&I problems instead of waiting to be scheduled with someone else. Some places charge a flat fee to show private residents where their line is leaking. Mr. Wasson explained that PA Rural Water has two cameras for all of Pennsylvania and their people need to operate them. After further discussion, Mr. Wasson was instructed to get information on the warranty and a firm price on the demo camera for the February 2010 meeting.

PLANNING COMMISSION REPORT: None

OLD ACTION:

Glenn Ripka is to get the information to the Solicitor so he can proceed with the sewer easements for Race Alley.

Alan Ilgen reported that the library will hire a professional to help raise funds for the library project.

NEW ACTION:

A motion was made by Tom Strebel and seconded by Alan Ilgen to adopt Ordinance #239 amending certain sections of the Millheim Borough Code of Ordinances. Motion carried.

The Secretary explained that an additional \$8,000 should be added to the General Fund Budget because during preparation of the budget the amount to remove the asbestos wasn't known and the amount to replace the windows wasn't budgeted correctly. This increase would change the beginning cash balance from \$9,721 to \$17,721 increasing total revenue from \$207,570 to \$215,570. It also changes the expenditure line item #1409.01- Borough Building from \$10,000 to \$18,000 increasing the total expenditures to \$215,570. All other budgets are correct as presented. These budgets do not increase taxes or sewer/water rates. A motion was made by Tom Strebel and seconded by Kay Brown to adopt the 2010 budgets as presented with the corrections to the General Fund Budget as explained above. Motion carried.

A motion was made by Tom Strebel and seconded by Alan Ilgen to adopt Ordinance #240 establishing the tax rate for the year 2010 at the rate of 4.00 mills on the value of real property located within the Borough of Millheim and increasing the Per Capita Tax from \$5.00 to \$10.00 per resident per year effective January 1, 2010. Motion carried.

A motion was made by Alan Ilgen and seconded by Tom Strebel to accept the proposed meeting dates as presented keeping the 2010 Council meeting dates as the second Tuesday of each month at 7:00 p.m. except for the reorganizational meeting in January which is required to be held on the first Monday, which is January 4, 2010. Motion carried.

The liability insurance package was discussed. All coverage remains the same. The price is increased by \$820 for 2010 with most of this being caused by the increased Worker's Compensation computation set by the state. A motion was made by Alan Ilgen and seconded by Tom Strebel to accept the insurance proposal for 2010 submitted by Doty & Hench from Selective Insurance in the amount of \$23,055. Motion carried.

The asbestos removal proposal submitted by Penoco was discussed. Mr. Ilgen will get confirmation on what could be found that would require a Change Order. A motion was made by Alan Ilgen and seconded by Tom Strebel to authorize Peneco, as no other entities were available from which to get quotes, to remove asbestos as described in Options 1, 2 and 4 of their proposal at a cost of \$5,847.00 pending their answer regarding no significant change orders. Motion carried.

A motion was made by Tom Strebel and seconded by Alan Ilgen to approve Ronald Rishel, Jr. to remove the boiler and radiator pipes in the gymnasium area at a cost of \$300 after the asbestos has been removed. Motion carried.

A motion was made by Kay Brown and seconded by Tom Strebel to approve the Planning Commission meeting dates for 2010 to continue on the fourth Tuesday of each month at 7:00 p.m. as presented. Motion carried.

A motion was made by Tom Strebel and seconded by Kay Brown to approve the HARB meeting dates for 2010 to continue on the first Tuesday of the month at 7:00 p.m. as presented. Motion carried.

COMMITTEE/MAYOR REPORTS:

Alan Ilgen reported that the building's electrical system may need to be replaced to accommodate the geothermal system. He also explained that the architect for the library has drawings for the room to house the geothermal system but the Borough would need to do the work before they move in but this could be worked out during the lease arrangements. There will also be a minor expense for temporary cover for the steps after the asbestos is removed. Mr. Ilgen will get prices from Hide-A-Floor and Vonada's in Spring Mills.

A motion was made by Tom Strebel and seconded by Alan Ilgen to reappoint Ray Hankinson as the Penns Valley Representative to the CCMPO Technical Committee. Motion carried.

A motion was made by Marlene Corl and seconded by Alan Ilgen to approve the minutes from the November 10, 2009 meeting as presented. Motion carried.

A motion was made by Alan Ilgen and seconded by Tom Strebel to accept the November 2009 budget report as presented. Motion carried.

SECRETARY'S REPORT:

A written report submitted by the Secretary was reviewed. Mrs. Heckman explained about the sample resolution prepared by PSAB requesting our Legislators to support H.R.3007 or the Local Fiscal Assistance Act introduced by U.S. Representative Paul Kanjorski. This legislation would provide direct funding to local governments for essential public services and would help to provide an equitable distribution of federal funds. A motion was made by Tom Strebel and seconded by Marlene Corl to adopt this Resolution. Result of votes – 4 yes; Alan Ilgen - no. Motion carried.

A motion was made by Kay Brown and seconded by Alan Ilgen to adjourn the meeting at 8:26 p.m. Motion carried.

Sharon A. Heckman, Secretary-Treasurer