

**MILLHEIM BOROUGH COUNCIL
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(CENTRE COUNTY)**

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**REGULAR MEETING
September 13, 2011**

Vice-President Alan Ilgen called the regular meeting of the Millheim Borough Council to order at 7:05 p.m. with the following persons in attendance: Marlene Corl, Alan Ilgen, Lauralee Snyder, Tom Strebel, John R. Miller, III, Sharon Heckman, Glenn Ripka, Todd Smith, Donald Heggenstaller, Shawn Myers, Brian Niewinski and Carl Rote

Absent: Linn Auman and Kay Brown

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

CITIZENS INPUT:

1. Todd Smith of the ELA Group reviewed the bids received for the Playground Project. The following bid tabulation was presented:

John Claar Excavating	\$26,450/00
Ameron Construction	\$51,694.00
Mid-State Paving	\$42,743.75
Terry Allen Excavating	Plans were picked up but no bid was submitted.
Stone Valley Construction	Plans were picked up but no bid was submitted.

Mr. Smith, after reviewing the bids, recommended that Council award the contract to John Claar and that the project is started as soon as possible. Mr. Smith was asked why the ball field project wasn't bid at the same time the playground project was bid. He explained that the playground project must be completed by the end of 2011 so it had to be bid as soon as possible and the bid specifications for the ball field project required more time to prepare. Dr. McNitt, an expert in turf grass management, is making suggestions to help Mr. Smith prepare the ball field specifications. A motion was made by Tom Strebel and seconded by Marlene Corl to accept the proposal submitted by John Claar for the playground project in the amount of \$26,450. Motion carried.

A planting plan prepared by Leslie Warriner for around the gravel parking was discussed. This plan uses the following plants available from the Rockview Correctional Institution Nursery: Red Sunset Maple, Forest Pansy Redbud, Eastern Red Cedar, Boxwood, Spirea, Viburnum and Day Lily. The proposed cost of this planting plan would be \$2,500-\$3,000 and is based on either the Rockview Work Crew or the Borough Employees doing the planting. This planting is to be completed before winter to stabilize the new parking lot from erosion. A motion was made by Tom Strebel and seconded by Marlene Corl to approve the planting plan as presented. Motion carried.

2. Donald Heggenstaller, Jr. and Shawn Myers, representing the Millheim Fire Company #1, were present to discuss the 2010 Fire Tax Allocation. Mr. Heggenstaller explained that the Fire Company is required to make monthly payments on the Truck Loan and it was their understanding that the Fire Tax Allocation could be applied toward these payments. Vice-President Ilgen explained that the Borough must have a clear audit trail for this Tax money. Mr. Myers explained that he will be the new Fire Company representative on the Fire Tax Committee. He suggested the Fire Company could open an account that would only be used for the Fire Tax Allocations. The Secretary explained that if the Borough received a copy of this check register once a year that would give the Borough the audit trail they require. The Secretary explained that the 2009 Fire Tax money wasn't paid because the Fire Company hadn't requested it. The Solicitor said there was no problem paying this 2009 allocation if the Fire Company made a request.

HARB REPORT:

Lynn and Clara Rimmey are requesting permission to replace his father's single-wide trailer with a modular ranch style residence at 108 Race Street. This will be an improvement to the property and they have met all requirements. The HARB recommends Council approval for this request. A motion was made by Marlene Corl and seconded by Tom Strebel to approve this request as recommended by the HARB. Motion carried.

CODE ENFORCEMENT REPORT:

A written report submitted by Glenn Ripka was reviewed. Mr. Ripka suggested that Council purchase a "Borough Council Room" sign to be hung at the eastern entrance to the building so visitors know where to go for meetings. A motion was made by Tom Strebel and seconded by Marlene Corl to approve the purchase of the entrance sign from Vinyl Concepts using the same design and colors as the signs in the upstairs hallway. Motion carried.

Mr. Ripka reported that the trees being cut on Walnut Street are in the Borough right-of-way and are the Borough's responsibility. The right-of-way on Walnut Street is 30 ft., which would be 15 feet on either side of the center of Walnut Street and the center of the trees was at 14 feet.

EMPLOYEE REPORTS:

A written report submitted by Roy Rupert was reviewed. Mr. Rupert sent a letter to DEP on September 12 reporting a bypass event at the Sewer Plant due to the excessive amount of rain and the loss of a Phase Loss Monitor during the storm on September 5 that caused a power interruption limiting discharge ability. This Monitor needs replaced and a quote has been requested. We took advantage of an early bird registration and registered Mr. Rupert for a second class to meet his certification requirements for "Process Instrumentation Verification for Water & Wastewater to be held November 2, 2011 in State College at a cost of \$145.

PLANNING COMMISSION REPORT: None

OLD ACTION:

1. An invoice submitted by the ELA Group, Inc. was reviewed. This invoice is for the additional work provided to separate the playground bid package from the Baseball Field Project and preparing a bid package specific to the playground and several redesigns/relocation of the playground in the amount of \$7,564.27. After discussion, this item was tabled until the October meeting so the Secretary can provide a copy of the original scope of the engagement letter.
2. Representatives from the Clearwater Conservancy will attend the October meeting to discuss the surveys submitted.
3. Discussion on a Forester for the water company lands was tabled until the October meeting.
4. The Solicitor reported that he found the 1985 court order turning over ownership, control and responsibility of the Union Cemetery to the Millheim Borough. A certificate has been prepared for use when cemetery plots are sold.
5. The Solicitor also reported that he was asked to look at the deed for the Old Mill Property. He confirmed that this property consists of four lots that the Borough could sell individually. In response to a question raised about whether the Borough would be responsible to have the property surveyed and the corners of each lot marked, the Solicitor said the Borough wouldn't have to do anything to sell the lots and he recommended selling as is.

NEW ACTION:

1. President Auman met with representative from Centre County Planning, PennVest and DEP about possible funding for the waterline replacement project in Rt. 45. This funding could be used as the required match for the STAG Grant for the interconnect project between the Borough and Aaronsburg. Proposals for engineering and design necessary for the PennVest application to put in a new line from the eastern to the western boundaries of the Borough and to replace the old plastic line on Hillcrest were received as follows:

Nittany Engineering & Associates, LLC	\$47,900
Uni-Tec Consulting Engineers, Inc.	\$53,250

The Solicitor reported that Robert Jacobs of the Centre County Planning Office asked him to prepare a Cooperative Agreement for the interconnect project with the Haines Aaronsburg Municipal Authority (HAMA). HAMA reviewed the request and decided they weren't interested. He reported that HAMA was willing to assign the right to apply for the money but they didn't want their name on it but the EPA has said that the application must be submitted by HAMA. Mr. Jacobs will try something else at the government level. The Solicitor reported that this was started as an alternate emergency source but HAMA doesn't think this is a need right now.

The Secretary reported that based on HAMA's refusal to enter into a Cooperative Agreement and the fact that there is no guarantee that without this inter-municipality cooperation the Borough may not qualify for a PennVest Grant but only a low interest loan, President Auman is recommending that the project be down-sized to the original plan of replacing the waterline in the downtown area as far as the Borough's savings will allow and then we may not need engineered drawings. After much discussion, the Secretary was instructed to gather information about required engineered drawings and permits if this is a line replacement only project.

2. The Solicitor reported that he hasn't had time to prepare legal agreements with Gary Gyekis for the town clock.
3. A motion was made by Tom Strebel and seconded by Marlene Corl to accept the Financial Requirement and Minimum Municipal Obligation for 2012 as presented. Motion carried.
4. A letter received from the Penns Valley Emergency Medical Services, Inc. requesting funding assistance with the Workers' Compensation for the paid staff and volunteers for 2012 was discussed. The Solicitor explained that there are two provisions in the Borough Code that would allow this type of donation. If the Borough is interested in responding to this request, the Borough could tax at one-half mill or take the money from the General Fund. The Secretary was instructed to get more information for further discussion during budget meetings.

COMMITTEE/MAYOR REPORTS: None

A motion was made by Tom Strebel and seconded by Marlene Corl to approve the minutes of the August 9, 2011 meeting as presented. Motion carried.

A motion was made by Tom Strebel and seconded by Marlene Corl to accept the August budget as presented. Motion carried.

SECRETARY'S REPORT:

A written report submitted by the Secretary was reviewed. Mrs. Heckman explained that the Borough's Association Fall Conference is being held at the Nittany Lion Inn in State College on October 21, 22 & 23, 2011 and she is requesting permission for both she and Mrs. Lease to attend the conference. Mrs. Lease has indicated that she would be available for the Saturday session at a cost of \$120 and Mrs. Heckman is requesting a full registration for \$170. This would be a good opportunity for Mrs. Lease to get acquainted with the people and programs of the Association. A motion was made by Marlene Corl and seconded by Tom Strebel to approve the request for the two registrations in the amount of \$290. Motion carried.

Vice-President Ilgen pointed out that the date of the Neighborhood Crime Watch in September should be corrected from September 22 to September 29, 2011.

Mr. Rote asked what the Borough planned to do about the backhoe and why the employee position wasn't advertised. Vice-President Ilgen explained that the Borough plans to keep the backhoe and the issue of a full-time employee would be discussed at Budget time. Mr. Rote then expressed concerns about people not following regulations (i.e., junk cars, weeds, trees on sidewalks, etc.) and nothing is being done but he wouldn't give property owners names or addresses of the violations. The Solicitor explained that when Mr. Ripka was hired as Code Enforcement Officer he was hired to respond to complaints not to actively look for violations. Mr. Rote told Council they should turn in complaints.

A motion was made by Tom Strebel and seconded by Marlene Corl to adjourn the meeting at 9:02 p.m. Motion carried.

Sharon A. Heckman, Secretary-Treasurer