

**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
April 14, 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, Roy Rupert, Todd Wasson, Robert Decker, Erin Lane and Carl Rote.

Absent: Lauralee Snyder

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

CITIZENS INPUT:

Robert Decker of Nittany Engineering Assoc. discussed with Council the letter received from DEP requiring further information for the 2008 Chapter 94 report. The corrected "Draft" prepared by Eric Lundy to be submitted in response to this letter was discussed. Mr. Decker explained that Mr. Lundy spoke to Rob Everett of DEP about the supposed organic overload. Mr. Everett wants a Corrective Action Plan submitted as an Appendix to the Chapter 94 report. Mr. Decker explained that this issue is a result of the grab samples not an overloading situation. He explained that this could be the result of a rain event in which I&I may have flushed pockets in the collection system or a problem with the sampling being septic and causing the high results. Mr. Decker recommends working with Roy Rupert and John Sengle about a change in the sampling process as the corrective action plan.

FIRE COMPANY REPORT: None

CODE ENFORCEMENT REPORT:

Glenn Ripka was present and discussed with Council the written report he submitted. Council clarified for Mr. Ripka that all of Mr. Kerstetter's salary is budgeted from the General Fund so he shouldn't routinely work at the water and sewer plants.

The downtown sidewalk repair/replacement letters were discussed because of the Fiber Optic line that is supposed to be coming through the Borough. After discussion, the unanimous consensus of Council was to wait until the on-site visit with the Fiber Optic representative to have any sidewalks repaired or replaced. At that point, Council will have a better idea where the line is to go and which sidewalks would be affected. The other issue that Council unanimously agreed upon was to keep the existing sidewalk ordinance as it is instead of requiring the downtown to use stamped concrete.

EMPLOYEE REPORTS:

The written reports submitted by Lester Kerstetter and Roy Rupert were reviewed with no comments.

Todd Wasson presented his report as follows:

- Todd Musser was in to work on the Inflow & Infiltration (I&I) problem. He found two service laterals that were leaking. Mr. Rupert spoke to each of the property owners and the Secretary mailed certified letters to each owner. In accordance with the ordinance, they were given forty-five (45) days to make the necessary repairs, which gives them until Memorial Day. Mr. Wasson explained that Mr. Musser would have time this week to do more video work. The consensus of the group was to have Mr. Musser come in to work on this problem because the I&I problem must be corrected. A problem with excessive grease in portions of the line was also discussed. The existing ordinance includes regulations regarding grease traps for business properties. During Mr. Musser's investigation, the possibility of two sump pumps was discovered. Mr. Ilgen will check on St. John's Lutheran Church to verify that they do not have a sump pump.

HARB REPORT:

A sign application submitted by the Millheim Fire Company was reviewed and discussed. The sign would be a sandwich board with a white background and black letters that would be placed at the Heggenstaller building to advertise special events such as public dinners, etc. A motion was made by Alan Ilgen and seconded by Tom Strebel to accept the HARB recommendation and approve the sign application with the stipulation that it is to be put out no more than 10 (ten) days prior to the advertised event and removed the day following the event. Motion carried.

PLANNING COMMISSION REPORT: None

OLD ACTION:

Alan Ilgen reported on a meeting in March with representatives of the library. At that meeting Glenn Vernon and Claudia Albertin were given information on the proposed upgrade to the gymnasium. They will put together a cost estimate to prepare drawings to move this project forward.

The playground and DCNR grant were discussed. The Secretary explained that Sue Hannigan from Centre County Planning Office is waiting for some items from the Borough to complete the new application.

1. A new Resolution for \$100,000 with a \$50,000 DCNR contribution because the County is offering an additional \$25,000 toward the playground.
2. A list of the hourly billable rate for the Borough employees and Borough equipment to be used for in-kind services provided with this project. The cost used as the hourly billable rate for Borough employees is their regular hourly rate plus 25% for benefits (i.e., social security, etc.) and the current billable rate for the use of the Borough backhoe is \$50.00/hr. plus the operator's rate.

A motion was made Alan Ilgen and seconded by Tom Strelbel to Adopt Resolution #2009-5 for the County Growing Greener II Playground Grant for \$100,000 with a \$50,000 DCNR contribution and to approve the use of the hourly billable rates for Borough employees to be used as in-kind service at their regular hourly rate plus 25% for benefits such as FICA/Medicare, etc. and the hourly billable rate for the Borough backhoe of \$50.00 plus the operator's fee. Motion carried.

A motion was made by Alan Ilgen and seconded by Tom Strelbel to adopt the Official Map Ordinance #238 and map as presented. Motion carried.

Council continues to look for a representative from Millheim Borough to serve on the Ambulance Board.

The Solicitor reported that when George Friend filed the bankruptcy proceedings that withheld his properties from the Judicial Sale there were documents missing. Mr. Friend has received notice about these missing documents so Mr. Miller explained that there is a possibility that the bankruptcy court could order it dismissed. He will keep us apprised of this situation.

The Secretary explained that Omar King left a telephone message that he would prefer a one-year lease agreement for the rental of the fields at the sewer plant rather than the five-year lease agreement originally mailed to him. The consensus of Council was for the Solicitor to change the lease agreement to one-year at \$55/acre for the four acres. A letter is to be mailed with this new agreement explaining to Mr. King that next year the price will probably increase.

NEW ACTION:

The removal of two trees on the Mill Race bank by Jim Frees was discussed. Council members discussed that Mr. Frees came to the Borough when the bank had a breach and needed to be repaired but when he wanted to cut trees on Borough property he didn't ask for permission. After discussion, the unanimous consensus of the Council was for the Solicitor to notify Mr. Frees that he must replace the two trees.

Council discussed necessary easements for the storm pipe and inlet to be installed on Mill Street for the private drive known as Stoner Lane crossing. The Solicitor will review the access agreement for this road and prepare the necessary easements.

An Executive Session will be held on Wednesday, April 29, 2009 beginning at 6:00 to discuss matters of employment. All employees are to be present.

The Secretary distributed documents received from Tammy Myers, Borough Tax Collector. These documents are from the Centre County Tax Collector's Association ... "about the recent move by Bald Eagle Area School District to abolish their tax collectors." Mrs. Myers wanted Council to be aware of the problem in Bald Eagle even though this issue currently doesn't affect Millheim or any Penns Valley School District collectors because the tax collector rates have already been established for four years.

COMMITTEE/MAYOR REPORTS:

Kay Brown expressed concerns about the parking problem at the Post Office. The possibility of making two parking spaces "15-minute parking only" was discussed. President Auman forwarded this to the Planning Commission for their review and discussion. The Planning Commission can then prepare a recommendation to Council on this subject.

Mrs. Brown then raised a question about the dedication of the sewer plant. Council had previously decided to hold this the Saturday of the Firemen's Carnival, which will be June 20, 2009. To date nothing further has been done to prepare for this event. She also reported that the annual request has been received and approved to close the following alleys for the carnival: Poplar St. from North St. to Maple St.; Second St. from North St. to Park St.; and Sugar Alley from Main St. to Poplar St.

No one has made any contact about closing any streets for the Trout Festival this year.

President Auman reported that he received a letter from Jane Markle. Her son, Christopher, has earned his Eagle Scout ranking and the ceremony will be held Sunday, May 17, 2009 at the New Hope Lutheran Church in Spring Mills beginning at 4:00 p.m. The Secretary will prepare a certificate and Mr. Auman will present it at the ceremony, if his schedule permits.

President Auman explained the following correction to be made to the March 10, 2009 minutes on Page 11; Paragraph 2 – Item #3. This sentence should be changed from "...one brick needs raised..." to "...one row of bricks needs raised...". A motion was made by Tom Strebel and seconded by Marlene Corl to approve the March 10, 2009 minutes with the correction noted above. Motion carried.

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

SECRETARY'S REPORT:

A written report submitted by the Secretary was reviewed and the following was decided:

1. Alan Ilgen and the Secretary will compile actual costs from the daycare rental of the rooms in the Borough building and bring recommendations on a rental fee for the two vacant rooms.
2. Consensus of Council was not to participate in the ClearWater Conservancy Watershed Cleanup Day.
3. Consensus of Council was not to participate in the SEDA-Cog on-line payment program for utility billing.
4. No one is interested in attending the Intergovernmental Technology Conference at the Farm Show Complex in Harrisburg on May 20 and 21, 2009.

The Secretary reported that Leo Evans called the office because his hot water heater needs flushed again because of accumulation on the coils. The water samples taken from today's flushing of his line at the blow-off were available at the meeting. The consensus of Council was that the Borough is doing what needs done and recommends that Mr. Evans talk to the hot water manufacturer about the problem to see if they have a solution to the problem.

A motion was made by Alan Ilgen and seconded by Tom Strebel to adjourn the meeting at 9:15 p.m. Motion carried.

Sharon A. Heckman, Secretary-Treasurer