

**MILLHEIM BOROUGH COUNCIL
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(CENTRE COUNTY)**

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**REGULAR MEETING
August 12, 2008**

President Linn Auman called the regular meeting of the Millheim Borough Council to order at 7:03 p.m. with the following persons in attendance: Linn Auman, Alan Ilgen, Tom Strebel, Lauralee Snyder, John R. Miller, III, Sharon Heckman, Roy Rupert, Pat Hubert, Karen Weiss, and other interested citizens.

Absent: Kay Brown and Marlene Corl

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

CITIZENS INPUT:

Pat Hubert, representing the Aaronsburg Water Authority, discussed the possibility of replacing an emergency interconnect that had been in place between Aaronsburg and Millheim for many years. The history of this interconnect was discussed. After some discussion, a motion was made by Tom Strebel and Alan Ilgen to accept the replacement of a two-way emergency only interconnect between Aaronsburg and Millheim, with the understanding that Aaronsburg Water Authority is responsible for all necessary permits and all costs involved. Motion carried.

FIRE COMPANY REPORT: None

CODE ENFORCEMENT REPORT:

A written report submitted by Glenn Ripka was reviewed. A letter from the Penns Valley Code Enforcement Agency requesting \$3,500 to help keep the agency operating for the remainder of 2008 was discussed. The Secretary reported that Marlene Corl asked her to report the following: Mrs. Corl had attended the Agency meeting on July 24, 2008 and they recommend:

1. Each of the municipalities provides \$3,500 to keep the Agency operating through 2008.
2. The Agency Board will meet again in September to see how things are going.
3. Mr. Ripka will drop his hours to twenty (20) hours a week and do partial unemployment.
4. The Agency will continue to rent office space in the Borough building.
5. The Agency Board discussed the possibility of adding Mr. Ripka to the Millheim Borough Health Insurance and Mrs. Heckman is looking into this.

The importance of the Agency was discussed because Mr. Ripka is certified and trained to do building inspections and handle zoning issues. The Solicitor pointed out that Mr. Ripka also enforces the Borough Ordinances. After some discussion, a motion was made by Alan Ilgen and seconded by Tom Strebel to pay the \$3,500 to the Penns Valley Code Enforcement Office as requested. Motion carried.

HARB REPORT:

The following recommendations from the HARB were discussed:

1. A motion was made by Alan Ilgen and seconded by Tom Strebel to accept the HARB recommendation to approve the request as presented from Mr. & Mrs. Owens (Millhouse Properties) at 108 East Main Street to replace the large front windows with safety glass with heavier corner pieces that won't be noticeable from the sidewalk. The height of the replacement windows from the sidewalk would be in keeping with the other buildings and the frosted glass in the top is to be replaced in original style. A new roof has been put on but it can't be seen from the street. Motion carried.
2. The HARB tabled action on the window at 102 West Main Street until more information can be obtained or Mr. Bowser can attend a meeting. Council agreed.
3. A motion was made by Tom Strebel and seconded by Alan Ilgen to accept the HARB recommendation to approve the request made by James Bryant to close up the alley between his property at 107-109 East Main Street and Brownies Tavern with a tasteful iron gate with the back entrance to the alley left open. Motion carried.

EMPLOYEE REPORTS:

Written reports submitted by Lester Kerstetter and Todd Wasson were reviewed. Roy Rupert explained the water plant is running very well and we are using approximately 57,000 gallons per day. He presented two samples from the new sewer plant. The processed sample was very clear. Mr. Rupert thinks the Consent Order and Agreement shouldn't be an issue when the new plant is operational. Karen Weiss explained there are no other plants like this one in Pennsylvania. Ms. Weiss presented the following for Council action:

1. A motion was made by Tom Strebel and seconded by Al Ilgen to pay Contractor Pay Application #9 to HRI, Inc. in the amount of \$34,865, leaving a balance to finish of \$197,173.75. Motion carried.
2. A motion was made by Alan Ilgen and seconded by Tom Strebel to accept substantial completion certificates for HRI, Inc. and Howard Organization dated July 30, 2008. Motion carried. Ms. Weiss explained the walk through was done before any demolition was started. She explained that we are on target with the August 4, 2008 completion date submitted to DEP.
3. A bill for sludge hauling was discussed because HRI, Inc. requested a Change Order for the increased costs. In the contract the amount listed was \$2,500 but to get started as quickly as possible more loads of seed sludge were used. Mrs. Heckman raised a concern about the bill being submitted to HRI, Inc. and having a 5% mark up when the Borough could have paid the bill directly. Mr. Rupert raised concerns because some of the higher costs were caused because Shrack's truck sat at the plant waiting and finally dumped a load of sludge into the old plant because pump calculations were off because of a Nittany Engineering error. President Auman explained the Borough won't pay for mistakes. Ms. Weiss will speak to Mr. Decker and bring a final change order to the September meeting.
4. President Auman had questions about some of the itemized invoices submitted by Nittany Engineering. He raised a concern about Invoice #06080-6-8 because on July 7, 8, 9, and 10, 2008, the same office meeting and telephone call to Roy Rupert is listed for a total of 6 ½ hours for the same work. No action was taken on this invoice.
5. A motion was made by Tom Strebel and seconded by Alan Ilgen to approve Nittany Engineering Invoice #06080-4-10 in the amount of \$5,369.09. Motion carried.
6. A motion was made by Tom Strebel and seconded by Alan Ilgen to approve Nittany Engineering Invoice #06080-4-11 in the amount of \$2,866.06. Motion carried.
7. A motion was made by Tom Strebel and seconded by Alan Ilgen to approve Nittany Engineering Invoice #06080-0-14 in the amount of \$240.00 for work done to prepare for the DEP meeting. Motion carried.
8. A motion was made by Tom Strebel and seconded by Alan Ilgen to approve Nittany Engineering Invoice #06080-6-7 in the amount of \$4,181.64. Motion carried.
9. A motion was made by Tom Strebel and seconded by Alan Ilgen to approve Nittany Engineering Invoice #06080-7-1 in the amount of \$1,542.50. Motion carried.
10. A motion was made by Tom Strebel and seconded by Alan Ilgen to approve Nittany Engineering Invoice #06080-7-2 in the amount of \$1,562.50, which includes payment to Mr. Shotsburger. Motion carried.

PLANNING COMMISSION REPORT: None

NEW ACTION:

The meeting held at the DEP office in Williamsport attended by Linn Auman, Alan Ilgen, Tom Strebel, Sharon Heckman, John R. Miller, III and Robert Decker was discussed. DEP would not lower their proposed civil penalty of \$11,254.00. The new plant should eliminate any more violations. After discussion, a motion was made by Tom Strebel and seconded by Alan Ilgen to approve the amended Consent Order & Agreement as presented and adopt the Resolution prepared by the Solicitor authorizing the execution of the Consent Order & Agreement by the appropriate borough officials and authorizing the payment for settlement of the civil penalty of \$11,254.00. Motion carried.

A motion was made by Alan Ilgen and seconded by Tom Strebel to accept the Pension Plan Minimum Municipal Obligation Budget for 2009 in the amount of \$9,537. Motion carried.

The request from Beth Rider, a parent living at the southern end of Penn Street, for a "Children Crossing" sign was discussed. A motion was made by Alan Ilgen and seconded by Tom Strebel authorizing a letter be written to PennDot requesting permission to place a "Children Crossing" sign at the southern end of Penn Street. Motion carried.

A letter received from Omar King was discussed. Mr. King would like to lease the four acres of land at the sewer plant for three or five years at \$30.00 per acre and he would like permission to plant tobacco in these fields. After some discussion, a motion was made by Alan Ilgen and seconded by Tom Strebel to continue leasing the four acres to Mr. King for a period of five (5) years at a cost of \$55.00 per acre or \$220 per year and no tobacco is to be planted on this acreage. Motion carried.

An estimate received from the PennDot Municipal Services Specialist, Matt Knepp, for a proposed paving project on Mill Street was reviewed and discussed. This project was not part of the 2008 budget and the cost is higher than expected. After discussion, the consensus of the group was to wait until February 2009 to bid this project and the Secretary is to use this project to apply for Centre County Liquid Fuel Funds.

A request from Elody Gyekis to close a small portion of Rt. 445 or Rt. 45 on September 7, 2008 for the unveiling of the mural on the Elk Creek Café building was discussed. These are PennDot streets so no street closing will be permitted.

OLD ACTION:

The Solicitor reported that Joyce McKinley of the Centre County Tax Office has forwarded information to the County Solicitor for review on the George Friend Mill Property issue.

The Secretary suggested that the work crew from Rockview could help move from the high school to the Borough property the large amount of concrete blocks donated by the School District to help with the ball field/playground upgrade. She also suggested requesting them to paint the office windows on the front of the building and the flag pole. This painting would require renting a cherry picker because the Borough's equipment wouldn't reach high enough. A motion was made by Alan Ilgen and seconded by Tom Strebel to approve the rental of a cherry picker for use if the Rockview crew would paint the windows/flag pole. Motion carried.

The Secretary was instructed to ask the Downtown Business Association to send a representative to the September Council Meeting to discuss a "workshop" meeting and the downtown sidewalks.

A seminar on underground digging exploration at Penn State on August 21 was discussed. A motion was made by Tom Strebel and seconded by Alan Ilgen to pay the \$25.00 fee for Mr. Ilgen to attend the seminar on August 21. Motion carried.

The Secretary reported that to date she has not received the information requested from the State Police.

COMMITTEE/MAYOR REPORTS:

Alan Ilgen, Building Chairperson, reported on his conversation with John Dubosky of the Aaronsburg Library. The following issues need to be discussed and decided upon:

1. A lease agreement for the library, the Solicitor recommended a 20, 25, or 30 year lease instead of a 99 year lease.
2. Costs the library would incur, such as electricity. It was suggested that this should be metered separately.
3. The heating system needs to be discussed.
4. The library needs to develop plans.
5. The issue of rent was discussed. A suggestion was made to charge a discounted rental because of their investment and capital improvements to the building.

The Secretary was instructed to get an updated cost for asbestos removal for the boiler.

The Secretary was instructed to mail a second sidewalk replacement notice to Mr. & Mrs. Gentzel on North Street.

A complaint was heard about shrubs hanging over the sidewalks in town. Mr. Ripka is to make a trip around the Borough and send notices on ordinance violations.

A motion was made by Tom Strebel and seconded by Alan Ilgen to approve the July 8 and July 15, 2008 minutes as presented. Motion carried.

A motion was made by Tom Strebel and seconded by Alan Ilgen to approve the July 2008 budget report as presented. Motion carried.

SECRETARY'S REPORT:

A written report submitted by the Secretary was reviewed. The following items were reported:

1. Exterior Doors has been contacted to repair the double door on the east side of the building again. This time the weather stripping is coming off.
2. Reports were received from the DEP Dam Inspections at the reservoir and Rt. 45 Bridge. A recommendation has been made to remove the debris/tree limbs at the Bridge. Consensus of Council was that this debris/tree limbs must be removed completely from Elk Creek.
3. The Secretary was instructed to find a Brake Retainer Ordinance since PennDot has approved Council's request to place Brake Retarder Prohibition Signs. The signs will be ordered after the Ordinance is prepared.

A motion was made by Al Ilgen and seconded by Tom Strebel to adjourn the meeting at 8:50 p.m. Motion carried.

Sharon A. Heckman, Secretary-Treasurer