

**MILLHEIM BOROUGH COUNCIL  
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MILLHEIM, PA 16854  
(CENTRE COUNTY)**

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**REGULAR MEETING  
December 9, 2008**

Vice-President Kay Brown called the regular meeting of the Millheim Borough Council to order at 7:00 p.m. with the following persons in attendance: Kay Brown, Marlene Corl, Alan Ilgen, Tom Strebel, Lauralee Snyder, Sharon Heckman, and other interested citizens.

Members Absent: Linn Auman

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

**CITIZENS INPUT:** None

**FIRE COMPANY REPORT:** None

**CODE ENFORCEMENT REPORT:**

A written report submitted by Glenn Ripka was reviewed with no questions.

**HARB REPORT:**

Ammon and Mattie King requested approval to make the following renovations to the property they recently purchased at 156 Penn Street: install white vinyl, double hung replacement windows throughout the house; cover the existing siding with gray, four-inch double lap vinyl siding; remove the brick chimney close to the Southwest corner of the house that is no longer used; replace the existing sliding garage door with an overhead door; and replace the porch and garage roof shingles with gray three tab or architectural shingles. A motion was made by Alan Ilgen and seconded by Tom Streble to approve the HARB recommendation to allow Mr. and Mrs. King to make the renovations as requested. Motion carried.

**EMPLOYEE REPORTS:**

Written reports submitted by Lester Kerstetter and Roy Rupert was reviewed. When the guide rails were replaced in the Millheim Narrows there was a communication problem with regard to the PA One Call and a water line was broken. This leak was repaired. Roy Rupert has another tour scheduled for the sewer plant.

**PLANNING COMMISSION REPORT:** None

**NEW ACTION:**

The Secretary explained that the actual cost for the Selective Insurance renewal is \$2,000 more than budgeted. No change needs to be made to the budget because the additional cost will be reimbursed from Haines and Penn Townships as their share of the Worker's Compensation for the Fire Company. A motion was made by Tom Strebel and seconded by Marlene Corl to adopt the 2009 budget as presented in a total amount \$749,211.80 and the Downtown Beautification Budget of \$655. These budgets do not require any increase to taxes, water or sewer usage rates. The only change is to increase the late fee for delinquent water/sewer bills to \$20/month effective January 1, 2009. Motion carried.

A motion was made by Alan Ilgen and seconded by Tom Strebel to adopt Ordinance #236, as prepared by the Solicitor, establishing the tax rate for 2009 at the rate of 4.00 mills on the value of real property located within the Borough of Millheim. Motion carried.

A motion was made by Alan Ilgen and seconded by Tom Strebel to approve the meeting dates for 2009 as presented for the Borough Council and the Planning Commission. Motion carried. These dates would continue the meetings for the second Tuesday of each month for the Borough Council and the fourth Tuesday for the Planning Commission, should they need to meet. The Borough Council meeting for January 2009 will remain the second Tuesday because this is not a year to reorganize.

The 2009 Liability/Worker's Compensation Insurance Package from Selective Insurance was reviewed. The possibility of increasing the deductibles was discussed. The Secretary explained that Joe Geise annually reviews these deductibles and he explained that raising the deductible wouldn't be that much of a benefit this year. This information should be presented next year for Council's review. The Secretary explained that she had the following changes made to the package:

1. Hardware/Media page for Location #3-Building #3 from \$50,000 for Equipment to \$75,000 and Location #3-Building #4 from \$50,000 for Equipment to \$25,000 because of the way the items are configured in these two buildings. There is no Building #2 listed on this page because it is just a storage shed that is covered elsewhere in the policy.
2. Equipment Floater page - Employees Tools from \$2,500 to \$1,000 and Miscellaneous Tools & Equipment from \$2,625 to \$4,000. This change was made because most of the tools used by the employees are now the property of the Borough.

The Secretary explained that the State increased the rate used to figure Fire Company Workers Compensation because of frivolous claims filed throughout Pennsylvania but Millheim Borough was given credit for Experience Modification and Scheduled Mod because our Workers Compensation usage has been very good. A motion was made by Alan Ilgen and seconded by Tom Strebel to accept the insurance package as presented with the changes noted above. Motion carried.

Todd Wasson entered the meeting at 7:15 p.m. and gave his employee report. He reported that the large tree that fell across the Reservoir Road has been removed.

John R. Miller, III entered the meeting at 7:25 p.m.

The following tabulation of quotes received for a new snowblade was reviewed.

Valley Truck & Trailer Sales & Service, Inc.	\$4,400.00
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The proposal is for \$4,400 for the equipment installed but they would not take the used 9' RT2 V Blade.

Maxwell's Trucking	\$3,100.00
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The proposal is for \$4,100 for the equipment installed less \$1,000 trade for the complete used 9' RT2 V Blade.

A motion was made by Alan Ilgen and seconded by Tom Strebel to approve the purchase from Maxwell's Trucking in the amount of \$3,100. Motion carried.

The Solicitor explained that the new Municipal Records Act sets standards for municipalities providing information to citizens and this law requires that a Right-to-Know Policy must be adopted by January 1, 2009 and an Open-Records Officer must be designated. This Policy explains who can request information; how the requests should be made; how the Borough will respond to requests; and how an appeal of the Borough's determination is to be made. This proposed policy identifies Sharon Heckman as the Open-Records Officer. The Secretary explained that she has downloaded Sample forms and the fee schedule from the newly established Office of Open Records. A motion was made by Tom Strebel and seconded by Marlene Corl to adopt Resolution 2008-8 Declaring the Borough's intention to comply with the Municipal Records Act with Respect to the Retention and Disposition of Public Records by Adopting the Millheim Borough Right-To-Know Policy for Public Records. Motion carried.

The Secretary explained that because of the new sewer plant it would be better to have Nittany Engineering prepare the Chapter 94 Report. This is a required annual report that provides information on sewer operations and projections for the system for a five-year period. A motion was made by Alan Ilgen and seconded by Tom Strebel to accept the proposal submitted from Nittany Engineering & Associates to prepare the 2008 Chapter 94 Report at a not to exceed cost of \$600.00. Motion carried.

The letter and new fee schedule submitted by Pamela Winter, Sewage Enforcement Officer was reviewed even though 2009 isn't a reorganizational year. A motion was made by Tom Strebel and seconded by Marlene Corl to accept the fee changes as submitted by Pamela R. Winter and Charles F. Herr, Jr. and to continue using them as Sewage Enforcement Officers for 2009.

A motion was made by Tom Strebel and seconded by Alan Ilgen to approve the Roy Rupert's request to attend a class on Plant Operator's Using Computers to be held March 4 in Bloomsburg in the amount of \$195.00. Motion carried.

A motion was made by Alan Ilgen and seconded by Tom Strebel to approve the agreement with Parente Randolph to prepare the 2008 audit. Motion carried.

**OLD ACTION:**

The Solicitor reported that not much has changed on the status of the Old Mill Property. It is still in the hands of the County Solicitor. Delinquent taxes on this property are \$4,955 taxes (not including 2008) and the Secretary has confirmed with the County that the building was removed after the demolition was completed so only the property is being taxed. The consensus of Council was to wait a little longer to see what the County does with this property.

The Sidewalk Ordinance Amendment was discussed. The Solicitor is working on this but he is tentative about the wording. If no grant funding is available, concerns were raised about treating these sidewalk repairs/replacements differently because not all the properties in question are businesses. The Secretary reported that one business owner suggested that it would be less expensive if the Borough bid and awarded the job to one contractor and then bill per lineal foot for each property owner's share of the project. However, this wasn't done for any of the other residents required to replace sidewalks. After much discussion, the consensus of the Council was to hold a special meeting with the Business Association to discuss the sidewalk improvements and a town brochure. The Secretary was instructed to do a letter to invite anyone affected by the sidewalks to a meeting on January 27, 2009 at 7:00 p.m. to

discuss the sidewalk project. Mrs. Brown will contact Linn Auman and Glenn Ripka to arrange a date to inspect these sidewalks prior to this meeting. Council set an October 31, 2009 deadline for completion of these repairs at the November meeting.

No information is available yet on a meeting for the Neighborhood Watch program presentation. The consensus of the group was to set this meeting up in February.

A revised invoice submitted by Advanced Controls was discussed. The revised invoice is for \$2,592.50. The Secretary explained that Advanced Controls loaded their software onto the new computer that the Borough purchased but it wasn't compatible with Verizon software for DSL service. After reconfiguring things the DSL line still didn't work so Advanced Controls decided it was less costly to give the Borough a new computer and to reload all the software. Concerns were raised about the Borough being responsible to pay for a situation that wasn't our fault. There was discussion about the many years of good service provided by Advanced Controls and the services that have been provided that were never billed to the Borough. After much discussion, a motion was made by Alan Ilgen and seconded by Tom Strebel to approve and pay the invoice for \$2,592.50 but to do a letter explaining that the Council feels this is an act of good faith for the years of good service but they don't think this is the Borough's mistake. Motion carried.

The Solicitor explained that we have until April to adopt the Floodplain Management Ordinance. He explained that DCED has a copy of our existing Ordinance. To date, their comments on any changes that may be necessary to this document have not been received.

#### **COMMITTEE/MAYOR REPORTS:**

Alan Ilgen reported that Charlotte Musser and two people from the Bellefonte Library looked at the gymnasium on December 1. Mr. Ilgen needs to find out how far under the bleachers the rock ledge extends.

A motion was made by Alan Ilgen and seconded by Tom Strebel to approve the November 11, 2008 minutes as presented. Motion carried.

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

#### **SECRETARY'S REPORT:**

A written report was reviewed. The Secretary explained that names should be brought to the January meeting because the following appointments must be made:

1. Regional Park & Rec Board - two representatives needed. People interested are to contact Bob Jacobs so a meeting can be set up. This Board will act as a subcommittee under the Regional Planning Commission.
2. Ambulance Association Board - one person needed to fill the vacancy created by Dr. Young's death. Mrs. Young is not interested in filling this position.
3. Zoning Hearing Board - three Borough residents are needed. The Solicitor explained that a lawyer would also be needed to represent the Zoning Hearing Board because he would represent the Borough Council. Costs for these fees were not included in the budget. Mr. Miller explained that proposals could be requested from some attorneys. These costs would be hourly rates paid on an as needed basis.

Mrs. Heckman requested a list of dates so a meeting could be arranged with Haines and Penn Township Supervisors to discuss an Authority. The consensus of the group was to wait until spring.

Mrs. Heckman also reported that the Borough was denied for the first round of DCNR Grant Application. A meeting is being set up with Mr. Wes Fahringer to review and modify the application so it can be resubmitted for the April 22, 2009 round of funding.

A motion was made by Tom Strebel and seconded by Alan Ilgen to adjourn the meeting at 8:40 p.m. Motion carried.

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Sharon A. Heckman, Secretary-Treasurer