

**MILLHEIM BOROUGH COUNCIL  
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(CENTRE COUNTY)**

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**REGULAR MEETING  
May 13, 2008**

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, Lauralee Snyder, Sharon Heckman, John R. Miller, III, Glenn Ripka, Roger Guisewite, Lee Thompson, Karen Weiss, and other interested citizens.

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

**CITIZENS INPUT:**

1. Roger Guisewite explained his desire to subdivide the property he owns at 109-111 Penn Street into a duplex with two separate owners. Currently this is a single-owner lot with a house rented as two apartments. Mr. Guisewite has been told that this would require a two-hour continuous firewall from the basement to the roof separating the two sides or a sprinkler system could be installed. He is requesting a variance on the continuous firewall. The Borough Solicitor explained that this request would need to go to the Centre County Board of Appeal because the continuous firewall is a state rule and the Borough doesn't have the right to grant a variance. Mr. Guisewite will be notified as soon as the Borough receives the information on the application process from Centre County.
2. Karen Weiss reported that the construction process is moving along at the new sewer plant. She presented the following:
  1. Contractor's Pay Application #6 for HRI, Inc. in the amount of \$351,404.45. Their portion of the project is over 50% completed so the retainage is now reduced from 10% to 5%. A motion was made by Tom Strebel and seconded by Alan Ilgen to approve payment of Contractor's Pay Application #6 to HRI, Inc. in the amount of \$351,404.45 as presented. Motion carried.
  2. Contractor's Pay Application #3 for Howard Organization in the amount of \$9,108.00. This application doesn't include all the work they have completed. A motion was made by Tom Strebel and seconded by Alan Ilgen to approve payment of Contractor's Pay Application #3 to Howard Organization in the amount of \$9,108.00 as presented. Motion carried.
  3. Presented for signature, Change Order #3 for HRI, Inc. for the 14-day time extension that was approved at the April meeting.
  4. Change Order #1 for Howard Organization for a decrease of \$3,459.20 for removal of the temporary electrical service. A motion was made by Alan Ilgen and seconded by Tom Strebel to approve the Decrease Change Order #1 for Howard Organization in the amount of \$3,459.20 as presented. Motion carried.
  5. Work Change Directive #3 because a blower had to be added and the building required electrical upgrades in the amount of \$7,987.42. The electrical trough was increased from 175 Amp to 200 Amp service. A motion was made by Tom Strebel and seconded by Alan Ilgen to pay the additional \$7,987.42 for the electrical upgrades as presented. Motion carried.Ms. Weiss explained that Millheim Borough has been awarded a Growing Greener II Innovative Technology Grant in the amount of \$167,065. She also explained the old plant will be demolished and removed as part of the bid package.

**FIRE COMPANY REPORT:**

The annual request from the Fire Company to close certain streets on June 19, 20 and 21, 2008 for the Parade and Carnival was approved. The Secretary explained that the Fire Company is interested in installing two dry fire hydrants. The one on Park Street on the bank of Elk Creek requires a permit from DEP and Mrs. Heckman is completing this application for the fire company. The second dry hydrant they propose would be in the stream bank along the Race in the vicinity of the wooden bridge behind Ronald Fetzer's garage. This hydrant does not require a permit but requires Council approval and would be the responsibility of the Fire Company to put it in. A motion was made by Kay Brown and seconded by Tom Strebel to approve the Fire Company's request to place a dry fire hydrant at the Race. Motion carried.

**CODE ENFORCEMENT REPORT:**

Glenn Ripka reviewed and discussed his written report. He explained that the Rearick property has no closing date yet but he has spoken with Jay Houser about the property. Mr. Ripka reported that Mr. Snook paid \$715 plus costs on the nine citations filed against him.

**HARB REPORT:**

Lee Thompson presented the recommendations of the HARB on the following requests:

1. Buddy and Beth Cowher, owners of the Millheim Hotel, requested permission to continue to use a second neon sign in the same set of windows on the west side of the building facing Main Street where the original permitted sign was placed. The HARB recommended granting approval for this second sign but suggested that people should be required to make proper

application before signs are placed. Consensus of Council was that the ordinance has been in place long enough so citation should be issued for non-compliance in the future. A motion was made by Tom Strebel and seconded by Kay Brown to accept the recommendation of the HARB and approve the request for placement of the second neon sign as presented.

Motion carried.

2. Mr. Paul Sekula, representing The First National Bank, requested permission to change the existing Omega Bank sign to a First National Bank sign and to change the handicap parking signs at the rear of the building. Mr. Sekula and First National Bank are willing to work with the Borough to present other signs to the HARB that may be more fitting for the Historic Downtown District. A motion was made by Kay Brown and seconded by Tom Strebel to accept the recommendation of the HARB and approve the First National Bank sign to be in place of the Omega Bank sign for ninety days and then review of other signs that may be more fitting for the Historic Downtown District and to approve the handicap parking signs as presented for the rear of the building. Motion carried.
3. Kristen Phillips, representing Mathew Leitzel requested permission to make changes to both front windows of Brownie's Tavern making these windows much smaller. One side has already been altered. During discussion of this Kay Brown asked why the Elk Creek Café was allowed to close their window on the North Street side of the building. Mr. Ripka explained that the glass has been replaced in the door on this side of the building. Lee Thompson said he would clarify with the Café owner what the plans are for this window. A motion was made by Kay Brown and seconded by Tom Strebel to accept the recommendation of the HARB and disallow the installation of the plywood and smaller window and the large glass window must be replaced back to the way it has been for many years. (See Millheim Borough Codified Ordinance Chapter 4-Buildings; Part 3-Historic District; Paragraph 305-E and F-2.) Motion carried.

A written request submitted by John Holt for a one-year time extension on the sidewalk replacement at the property he owns at 166 North Street. After discussion on past practice for similar requests, a motion was made by Alan Ilgen and seconded by Tom Strebel to grant a four-month time extension on this sidewalk replacement. Motion carried.

#### **EMPLOYEE REPORTS:**

Written reports submitted by Lester Kerstetter and Roy Rupert were reviewed and discussed. Mr. Rupert reported that the air compressor broke down on May 4 and that a larger compressor was purchased as an emergency repair to maintain proper operation of the water plant. The Secretary explained that it was her understanding from Roy that Ingersoll-Rand speeded out a larger air compressor and that Nittany Engineering had assisted with the specifications for the air compressor being replaced. The Secretary was instructed to write a letter to Nittany Engineering clarifying how the old compressor was specified. A motion was made by Alan Ilgen and seconded by Tom Strebel to approve payment of \$2,525.00 to Bestline for a larger air compressor for the water plant. Motion carried.

**PLANNING COMMISSION REPORT:** No meeting was held in April.

#### **NEW ACTION:**

Possible interest in windmills for the Borough use was discussed. President Auman expressed concern about electrical costs when electricity is deregulated. He explained that he knows someone from PennWind PennSolar, a German based company, located in Sunbury. After some discussion, the consensus of the group was to look into this further. The Secretary was instructed to contact DEP to determine if they would do a study to determine if the Borough has sustainable wind energy.

Todd Wasson entered the meeting and gave his report. He explained that Musser Sewer & Septic, LLC was in and repaired the three problem areas that were the Borough's responsibility, at the Jim Frees and Fred Johnson properties on Penn Street and the Tom Heckman property on North Street. Two property owners, Kory Rudy on Penn Street and George Ebeling have been notified that they are responsible for repair of the broken pipes on their properties because of vehicles driven over or parked on the pipes. The consensus of Council was that the water samples taken today at the Leo Evans property were better than the samples taken last month. Mr. Wasson then discussed the need to flush the entire system. Fire hydrants should be flushed from Midnight to 5:00 A.M. to disrupt less people. President Auman explained that Mr. Kerstetter is the general maintenance person and that he prefers Mr. Wasson and Mr. Rupert handle the water system and the conveyance system. Hydrants are to be flushed Thursday, May 29 beginning at Midnight. Mr. Wasson then explained that Mill Street is getting very bad but ground water management needs done also. He raised concern because the water line is on one side of the road and the sewer line is on the other side. After some discussion on possible solutions the consensus of the group was for Mr. Wasson to contact Matt Knepp of PennDot to look at this and spec out the project. After some discussion on how to plant the small Hemlock and flowering Dogwood trees, Mr. Wasson said he would plant them in the swale at the sewer plant close to the fence. President Auman explained about the need for the employees to take some training for Flagging. He will make arrangements with Greg Shaffer for this training.

Bids for timbering the water company grounds were discussed. This needs to be competitively bid but the Solicitor needs dollar amounts for the bid package. President Auman is to get the information for the bid specifications to the Solicitor by next week if the bids are to be opened on June 10. A motion was made by Tom Strebel and seconded by Marlene Corl to advertise timbering of the Water Company land. Motion carried.

A letter submitted by Edward Shaffer, Power of Attorney for Glendale Glunt, was discussed. This letter requests the Borough to grant road access across the Water Treatment Facility property to land owned by Glendale Glunt on the east side of Elk Creek along Rt. 445. The consensus of the group was that the request is too vague so the issue was tabled and the Secretary was instructed to invite him to a meeting to discuss his intentions.

A motion was made by Tom Strebel and seconded by Marlene Corl to approve the request from the Business Association to close a portion of Race Alley for the Trout Festival on Saturday, June 7, 2008 from 11:00 a.m. until 5:00 p.m. Motion carried.

A motion was made by Tom Strebel and seconded by Alan Ilgen to approve the Nittany Engineering & Associates, LLC invoices in a total amount of \$12,879.03 as submitted. Motion carried.

A motion was made by Tom Strebel and seconded by Alan Ilgen to approve the purchase of a new chemical pump (LMI AA951-398SI) in the amount of \$865.00 and a rebuild kit at a cost of \$80-\$100 from Pyrz Water Supply as requested by Roy Rupert for use at the Sewer Plant. Motion carried.

A motion was made by Alan Ilgen and seconded by Tom Strebel to accept Resolution #2008-4 as prepared by the Solicitor establishing the water usage rate for the sale of water to non-residents of the Borough of Millheim at a rate equal to 115% of the current monthly water usage rate charged to residents of the Borough of Millheim and authorizing a fee for issuance of certified mail notice to delinquent non-resident purchasers. Motion carried.

**OLD ACTION:**

Re-couping the costs for the Old Mill property were discussed. The Solicitor will contact Joyce McKinley at the Centre County Tax Office before the June meeting for a status report.

The Secretary reported that Curt Bierly told her he has the drawing done that shows proposed placement of the ArtCrete sidewalks in the Downtown Business District. He also plans to meet with Sue Hannigan of Centre County Planning Office.

The Secretary was instructed to report to the Business Association that if they want a separate meeting to discuss a Town Brochure that would be fine.

**COMMITTEE/MAYOR REPORTS:**

**Building Committee:**

Alan Ilgen reported that he has two proposals to repair/replace the bricks at the front steps of the Borough building as follows:

Arlen Kauffman, Aaronsburg, PA - \$2,500.00. Mr. Kauffman is able to match the existing bricks.

Floyd Eppers, Woodward, PA - \$3,579.86.

Mr. Ilgen recommends accepting the proposal submitted by Mr. Kauffman. A motion was made by Kay Brown and seconded by Tom Strebel to accept the proposal submitted by Arlen Kauffman in the amount of \$2,500.00.

Mr. Ilgen reported that two proposals have been submitted to replace the small door at the east side of the Borough building but he will follow-up on these proposals for the June meeting.

Mr. Ilgen reported meetings with the library would be arranged.

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

The Secretary explained that, on recommendation of the Solicitor, a new checking account has been established for the Fire Tax. A motion was made by Tom Strebel and seconded by Alan Ilgen to approve the April 2008 budget report as presented. Motion carried.

**SECRETARY'S REPORT:**

A written report submitted by the Secretary was reviewed. The consensus of the group was to approve the proposed changes to the Borough's Association Constitution. They also agreed to allow SEDA-Cog to use empty rooms in the Borough Building occasionally for LTap Classes for PennDot as long as they could cover the costs of heating the room and electricity.

A motion was made by Tom Strebel and seconded by Kay Brown to adjourn the meeting at 9:50 p.m. Motion carried.