

**MILLHEIM BOROUGH COUNCIL
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(CENTRE COUNTY)**

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**REGULAR MEETING
September 9, 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, Marlene Corl, Alan Ilgen, Tom Strebel, Lauralee Snyder, John R. Miller, III, Sharon Heckman, Glenn Ripka, Roy Rupert, Todd Wasson, Mark Engle, Betsy Forsythe, Monte Shreckengast, Karen Weiss, and other interested citizens.

Absent: Kay Brown

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

CITIZENS INPUT:

Monte Shreckengast requested clarification on outdoor wood burning furnaces. The information he presented on the furnace he purchased states that it is manufactured as an inside furnace even though his plan is to put it away from the house. He explained there would only be smoke when the furnace ignites for ten minutes to one-half hour with a brief puff of smoke when it reignites. Mr. Shreckengast intends to use this furnace from late October or November until April. He also plans to put it in a small detached out-building for the convenience of keeping the wood there. Glenn Ripka explained that his interpretation of the existing ordinance is that if a furnace is sitting in a separate unit away from the house it is an outside furnace. He explained that Mr. Shreckengast could attach a small room to the house for this furnace. Mr. Shreckengast explained that he prefers not to carry wood to the basement but would like the detached building to be forty to fifty feet (40-50') from the house so he could keep the wood there. The initial ban was due to smoke and smoldering all the time whether there was a demand for heat or not. This unit because of construction burns high enough that smoke doesn't come out the chimney all the time. The Solicitor raised a concern about setting a precedent for future requests to place other types of wood burning furnaces in outside structures. President Auman explained Council would like time to consider this request and review the information before making a decision at the October meeting.

Mark Engle invited any Council member and the Mayor to a Boy Scout meeting on duties and citizenship, Sunday, September 14, 2008 from 7:00-8:30 p.m. at the St. John's Lutheran Church in Millheim.

FIRE COMPANY REPORT:

Betsy Forsythe explained that in 2009 the Millheim Fire Co. celebrates its 100th Anniversary with the Carnival. One of the extra activities planned is a Bucket Brigade to be held on Saturday, June 20, 2009. Ms. Forsythe has applied to the Guinness Book of World Records for this event. She would like to have a line of 5,280 people in a line extending for three miles. This line could start at the Fire Company, wind back to the pool area, possibly down Hillcrest and then ending back at the Fire Company. The plan includes invitations to representatives from all 3,400 fire companies in Pennsylvania; media coverage; asking the Centre Daily Times to sponsor the event and perhaps have Froggy in the line, and they would like a representative from the Guinness Book of World Records to also be present. This event is expected to take approximately one hour and Gramley Avenue may need to be closed. Flea marketers and food vendors would also be asked to participate. This could also be an opportunity for the other Penns Valley Fire Companies to set up food stands.

CODE ENFORCEMENT REPORT:

A written report submitted by Glenn Ripka was reviewed. The sidewalk replacement at the Byron Gentzel property on North Street was discussed. The Secretary was instructed to do a letter to Mr. Gentzel providing agency contacts that may be able to provide some assistance with this project.

Mr. Ripka was instructed to treat the two signs acknowledging the Hull brothers like election signs, if they are temporary, or complete a permit if they are permanent.

Mr. Ripka explained that Mr. Good, the owner of the old Rearick property on Penn Street, is requesting a time-extension for his sidewalk replacement so the equipment being used to repair the front porch isn't driving over the slate he plans to use. The consensus of Council was to approve a time-extension until the painting of the front porch area is completed.

HARB REPORT:

The following action was taken after discussion of the HARB recommendations:

1. A motion was made by Tom Strebel and seconded by Alan Ilgen to accept the HARB recommendation to allow the Elk Creek Café to use Plexiglas to create a three-panel window on the North Street side of the building and allow the white wood to be painted black to create the idea of looking into a darkened room because of extensive improvements on the interior area of this room. The result of vote was 3 votes yes with Linn Auman voting no. Motion carried by majority.
2. A motion was made by Alan Ilgen and seconded by Tom Strebel to approve the HARB recommendation giving permission to S. Curtis Bierly, Jr. for the signs placed in the front windows of his business on West Main Street. Motion carried.
3. A motion was made by Tom Strebel and seconded by Marlene Corl to approve the HARB recommendation as presented for the work to be done by Randall Good at his property on Penn Street. Motion carried.
4. After much discussion on the HARB's recommendation on the Joseph Zook request to use vertical tongue and groove wood siding on the house under the front porch roof. All Council members agreed that this is a personal preference. A motion was made by Marlene Corl and seconded by Tom Strebel to allow vertical wood tongue and groove on the wrap around banister and on the house under the porch roof, with vinyl siding to be used on the second story above the roof. If the gable end is structurally unfit allow it to be replaced with vertical vinyl siding. Motion carried.
5. A motion was made by Alan Ilgen and seconded by Tom Strebel to approve the HARB recommendation to have Mr. Ripka file citations against Matt Leitzell, owner of Brownie's Tavern, after his time to appeal the Magistrate's ruling on the replacement of the large front window at his business. The HARB decided on this recommendation because Mr. Leitzell did not attend the HARB meeting to discuss this issue. Motion carried.

EMPLOYEE REPORTS:

A written report submitted by Lester Kerstetter was reviewed. Roy Rupert was present to update Council on the new sewer plant. He explained that during the storm event there was no problem with Inflow & Infiltration (I&I). DEP has been in for a tour and another township is also requesting a tour. Mr. Rupert discussed with Council an invoice received from Advanced Controls. He explained that when the upgrade was made to DSL because the Dial-up Internet was too slow, Advanced Controls loaded drivers that conflicted with the DSL operation. After much discussion, the Secretary was instructed to send a letter to Advanced Controls requesting a line item breakdown of the costs comprising the \$1,865 portion of the invoice. Todd Wasson gave a report on his pending projects: sidewalks on North Street and moving the concrete blocks from the Penns Valley School District.

PLANNING COMMISSION REPORT: None

NEW ACTION:

Mark Engle explained he would like a representative from the Boy Scout Group to discuss with Council what is needed for an insurance policy for liability insurance coverage. This insurance would be to cover Boy Scout outings to an area of the water company grounds that could be set aside for Scout use. The land would still be public land but the Scouts could use it as a campsite. The Solicitor explained that the Borough would need to know that the insurance is in effect at all times. A Scout representative should come to the October meeting to discuss this.

Karen Weiss explained that the sewer plant is substantially complete and the companies are working on the punch list items. She presented the following for Council action:

1. Change Order #5 for HRI and a time-extension for forty-six (46) days for substantial completion and thirty (30) days for final completion. This change order includes sludge hauling, pump use, and 50% of costs for miscellaneous fittings/adapters to hook-up the pump to truck to discharge the sludge for a total of \$2,407 over the contract price allowed. This Change Order also includes reductions for clean-fill allowance and the city water allowance bringing this overall Change Order Cost to a decrease of \$1,093. After some discussion, a motion was made by Tom Strebel and seconded by Marlene Corl to approve Change Order #5 in a decrease amount of \$1,093 and the time extension as requested. Motion carried.
2. HRI, Inc. Pay Application #10 in the amount of \$180,158.07, which leaves a balance to finish with retention of \$16,959.19. Retainage being held is 1% plus \$1,000. The \$1,000 is being held because of one major item left to complete. The pipe insulation is being changed from an aluminum jacket, which is no longer made, to a PVC jacket to make it look as clean and good as possible. A motion was made by Tom Strebel and seconded by Alan Ilgen to approve HRI, Inc. Pay Application #10 in the amount of \$180,158.07. Motion carried.

Ms. Weiss reported that a meeting is being scheduled with Howard Organization to go over their punch list and change order for the upgrade to the electrical room. This was already approved as a Work Directive. She brought the log inspections that had been requested.

Ms. Weiss discussed with Council the problem outlined in the letter from Robert Decker dated August 20, 2008 explaining that there is not three feet between the Main Control Panel and the permeate pumps because the frames for the pumps were larger than ordered by four inches. Mr. Rupert explained that this really doesn't make that much difference because there is still enough room to do any work required. Council was assured that there would be no penalties involved because Mr. Ripka and Mr. Burd have done their inspections. A motion was made by Alan Ilgen and seconded by Tom Strebel that Council acknowledges the four-inch difference and is aware that these are not what were specified and the Council accepts that. Motion carried.

Ms. Weiss explained that the invoice that was questioned at the August meeting had a clerical error. The daily log of activities she brought tonight shows the hours are correct. A motion was made by Alan Ilgen and seconded by Tom Strebel to approve the Nittany Engineering Invoice #06080-6-8 if documentation is verified. Motion carried.

A motion was made by Tom Strebel and seconded by Alan Ilgen to pay the invoice from the Millheim Fire Company #1 in the amount of \$535.50 for hauling the water needed at the sewer plant. Motion carried.

Budget meeting dates were discussed. The first Budget Meeting was scheduled for Wednesday, October 1, 2008 and a representative from the Aaronsburg Library Board should attend to discuss items to be included in a Lease Agreement. The second Budget Meeting was scheduled for Wednesday, October 22, 2008. Both meetings will begin at 6:00 p.m.

Council agreed to set Trick-or-Treat Night as Thursday, October 30, 2008, from 6:00-8:00 p.m. because of a home football game on October 31, 2008.

OLD ACTION:

The Solicitor reported that there is nothing new on the George Friend Mill Property issue.

The Secretary reported that the Rockview work crew will not paint the front office windows or the flag pole due to possible safety issues because of the height.

A "workshop" meeting with the Business Association to promote the Borough was discussed. This should be done now that zoning is completed. A date should be set for sometime in January for this meeting. The Business Association has also had some discussion with the school district about coordinating events on a centralized calendar.

The Solicitor explained that he is also the Solicitor for the Haines Township Water Authority. They reviewed the letter sent from the Borough regarding the proposed replacement of the emergency interconnection between Millheim and Aaronsburg. They wanted to make sure what costs they were responsible for. President Auman explained that the intent has always been that the Borough would be willing to sell the water but all costs for the design, permits and construction of the replacement interconnection would be the responsibility of the Haines Township Water Authority.

The State Police information requested was included as part of the packet. Alan Ilgen explained he had looked it over. The information explains there were 305 incidents in the five-year time period requested with only 136 criminal incidents. The pending proposal requiring municipalities of 10,000 residents or more paying for the State Police Coverage was mentioned. This is being considered because some of the existing funding for the State Police would be transferred to other programs so if large municipalities currently rely on the State Police Coverage they would have to pay for the services. The item of police coverage for Millheim will be discussed at a budget meeting.

A motion was made by Alan Ilgen and seconded by Tom Strebel to authorize the Solicitor to prepare and advertise a Brake Retarder Ordinance for Millheim Borough. Motion carried.

The Secretary reported that a new Agreement was mailed to Omar King for his signature but to date nothing has been received.

COMMITTEE/MAYOR REPORTS:

Maintenance problems with the existing flagpole at the Borough Building were discussed. This pole needs painted, the rope needs restrung and there are difficulties raising or lowering the flag because we don't have equipment that can reach that high. The Secretary was able to get a proposal for a 30-foot galvanized, steel foundation, anodized finish pole that wouldn't need painted with an internal locking lanyard for \$1,900. This price includes shipping and two flags. Mifflinburg Bank has agreed to donate \$1,000 toward the cost. A motion was made by Tom Strebel and seconded by Marlene Corl to authorize the purchase of the 30-foot flagpole for \$1,900. Motion carried.

The Secretary reported that the revised asbestos removal cost for the boiler is \$2,432. This is to be part of the discussion with the Library.

Ron Fetzer reported that the streetscape grant for the downtown sidewalk update is still in the works but there is no update. Mark Engle explained the Business Association is still working on their 501 3C status so they would need to work with the Borough on this grant.

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

Alan Ilgen questioned a check written to Vaughn Company in the Sewer Account. The Secretary explained this was payment reflects the cost for new impellers for the sewer plant and a credit for used impellers returned from the old sewer plant. Mr. Ilgen also questioned a \$200 postage check from each account. The Secretary explained that each account is responsible for a share of the postage put on the postage meter. A motion was made by Alan Ilgen and seconded by Marlene Corl to approve the August 2008 budget report as presented. Motion carried.

SECRETARY'S REPORT:

A written report was discussed. Roger Guisewite requested the Borough consider having the water company lands sprayed for Gypsy Moths. Penn Township wasn't contacted about acting as the collection agency for this project. After discussion, the consensus of the group was not to spray.

The Secretary was instructed to contact the PA Cleanways and give them the Penns Valley Conservation Assoc. contact information to help with information about illegal dump sites. The Borough has none of these sites.

A letter has been received from PennDot permitting the requested "Watch Children" sign for Penn Street. A sign will be ordered and placed per the instructions from PennDot.

The Secretary explained that the current water bill for the Richardson property on Penn Street will be mailed to Christina Bank. The Solicitor advised sending the delinquent portion of this bill to the bank also.

The Secretary reported that she is waiting for Todd Smith of the ELA Group to send the necessary plan to close the first DCNR Grant. She is also waiting for the signed Lease Agreement from the Little League.

The Secretary reported that the current health insurance is going up 4.8%. She is to get other quotes before budget meetings.

A motion was made by Tom Strebel and seconded by Marlene Corl to adjourn the meeting at 9:30 p.m. Motion carried.

Sharon A. Heckman, Secretary-Treasurer