

BOROUGH OF LEWISTOWN
REORGANIZATIONAL AND REGULAR COUNCIL MEETING
MINUTES
JANUARY 4, 2016 AT 5:30 PM
LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

The meeting opened at 5:30 pm with Mayor Deborah Bargo presiding. The Pledge of Allegiance was recited by all present.

Roll Call:

Mr. Berrier, Mr. Felmlee, Mr. Moore, Mr. Rager, Mr. Searer, and Mr. Welham were present. Mr. Lawson was absent; however, he had called in for the first part of the meeting.

Mr. White, Borough Manager/Secretary explained that all newly elected council members had taken oath of offices and filed such oath with the Borough Secretary.

Nomination and Election of President and Vice President

Mayor Bargo asked for nominations of President of Borough Council. Mr. Felmlee nominated Mr. Berrier for Council President, and Mr. Welham seconded. Roll call was as follows:

Berrier	Yes
Felmlee	Yes
Moore	No
Rager	No
Searer	Yes
Welham	Yes

*Motion carried by 4 to 2 vote.

Mayor Bargo asked for nominations of Vice-President of Borough Council. Mr. Berrier nominated Mr. Searer for Council Vice-President, and Mr. Welham seconded. Roll call was as follows:

Berrier	Yes
Felmlee	Yes
Moore	Yes
Rager	No
Searer	Yes
Welham	Yes

*Motion carried by 5 to 1 vote.

The President of Council, Mr. Berrier then presided over the following topics of the meeting:

Hearing Of Persons Present

1. Neil Purcel stated that he would like to see council move the meeting back to the Community Center due to the number of people attending the meeting. Mr. Searer recommended the Borough see how many people will be in attendance at the next meeting, and then they could decide if they wished to move the meetings.

Motion to allow council members to participate via telecommunications

Mr. Moore recommended to Council to pass a Resolution that would allow Mr. Lawson to vote by telecommunications since he was out of town. This would also allow any future Council members to vote by telecommunications if they were

BOROUGH OF LEWISTOWN
 REORGANIZATIONAL AND REGULAR COUNCIL MEETING
 MINUTES
 JANUARY 4, 2016 AT 5:30 PM
 LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

unavailable to attend the meeting. Mr. Rager seconded the motion and roll call was as follows:

Berrier	No
Felmlee	No
Moore	Yes
Rager	Yes
Searer	No
Welham	No

*Motion rejected by 4 to 2 vote.

At that time, Mr. Lawson exited the meeting.

Motion to discontinue financial contributions for the EG Channel

Discussion was held on recording of meetings by video. Mr. Searer made a motion to do away with any financial contributions to the EG Channel and seconded by Mr. Felmlee. Roll call was as follows:

Berrier	Yes
Felmlee	Yes
Moore	No
Rager	No
Searer	Yes
Welham	Yes

*Motion carried by 4 to 2 vote.

A discussion was held on the copyright laws to the channel and what the amount would be to investigate it. Mr. Searer made a motion to have the Borough Solicitor check into the costs, and Mr. Welham seconded. Roll call was as follows:

Berrier	Yes
Felmlee	No
Moore	No
Rager	No
Searer	Yes
Welham	Yes

*Due to the tie vote, Mayor Bargo broke the tie with a No vote, therefore motion was rejected.

Motion to rescind Resolution 2015-47 Wage and Salary Resolution

Mr. Berrier addressed Council regarding the prior Wage and Salary Resolution 2015-47 that was passed from the prior meeting. The dates were incorrect and Section 2.6A was not included in the email sent to Council for approval. Mr. Berrier made a motion to rescind the Wage and Salary Resolution, and Mr. Welham seconded. Roll call was as follows:

Berrier	Yes
Felmlee	Yes
Moore	No
Rager	Abstain
Searer	Yes
Welham	Yes

BOROUGH OF LEWISTOWN
REORGANIZATIONAL AND REGULAR COUNCIL MEETING
MINUTES
JANUARY 4, 2016 AT 5:30 PM
LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

*Motion carried by 4 to 1 vote with Mr. Rager abstaining.

Motion to freeze all salaries at the 12/31/15 pay rate

Mr. Berrier made a motion to freeze all salaries included in the Wage and Salary Resolution to the pay rate as of December 31, 2015, and Mr. Welham seconded. Roll call was as follows:

Berrier	Yes
Felmlee	Yes
Moore	No
Rager	Abstain
Searer	Yes
Welham	Yes

*Motion carried by 4 to 1 vote with Mr. Rager abstaining.

Mr. Berrier than vacated the chair and Mr. Searer presided over the meeting.

Motion to reopen the Budget

Mr. Berrier made a motion to reopen the budget, and Mr. Felmlee seconded. Roll call was as follows:

Berrier	Yes
Felmlee	Yes
Moore	Yes
Rager	No
Searer	Yes
Welham	Yes

*Motion carried by 5 to 1 vote.

Motion to retain service of Dave Frey for budget purposes

Mr. Berrier made a motion to retain professional services at the cost of \$50/hour for David Frey to assist with the budget, and Mr. Welham seconded. Roll call was as follows:

Berrier	Yes
Felmlee	Yes
Moore	No
Rager	No
Searer	Yes
Welham	Yes

*Motion carried by 4 to 2 vote.

Motion to retain services of Michael Dippery for budget purposes

Mr. Berrier made a motion to retain professional services for Michael Dippery to assist with the budget, and Mr. Felmlee seconded. Roll call was as follows:

Berrier	Yes
Felmlee	Yes
Moore	No
Rager	No
Searer	Yes
Welham	Yes

*Motion carried by 4 to 2 vote.

BOROUGH OF LEWISTOWN
REORGANIZATIONAL AND REGULAR COUNCIL MEETING
MINUTES
JANUARY 4, 2016 AT 5:30 PM
LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

Motion to suspend Enforcement of the Residential Rental Unit Regulation and Registration Ordinance 2015-3

Mr. Berrier made a motion to suspend enforcement of the Rental Registration Ordinance. Mr. Rager questioned if there was a conflict of interest due to Mr. Berrier owning properties inside the Borough. Mr. Remy, Borough Solicitor stated he did not feel that this would be a conflict. Mr. Moore seconded the motion, and roll call was as follows:

Berrier	Yes
Felmlee	Yes
Moore	Yes
Rager	No
Searer	Yes
Welham	Yes

*Motion carried on 5 to 1 vote.

Motion to eliminate the position of Codes Department Codes Inspector L-1 (Rental Property Inspector)

Mr. Berrier made a motion to eliminate the Codes Enforcement inspector for the rental ordinance, and Mr. Welham seconded. Roll call was as follows:

Berrier	Yes
Felmlee	Yes
Moore	No
Rager	No
Searer	Yes
Welham	Yes

*Motion carried by 4 to 2 vote.

Motion to eliminate the position of Administrative Assistant of Codes, Sewer and Refuse

Mr. Berrier made a motion to eliminate the Administrative Assistant position for Codes, Refuse and Sewer, and Mr. Felmlee seconded. Roll call was as follows:

Berrier	Yes
Felmlee	Yes
Moore	No
Rager	No
Searer	Yes
Welham	Yes

*Motion carried by 4 to 2 vote.

Motion to eliminate the position of Codes Department Office Assistant

Mr. Berrier made a motion to eliminate the Codes Department Office Assistant position, and Mr. Welham seconded. Roll call was as follows:

Berrier	Yes
Felmlee	Yes
Moore	No
Rager	No
Searer	Yes
Welham	Yes

*Motion carried by 4 to 2 vote.

BOROUGH OF LEWISTOWN
REORGANIZATIONAL AND REGULAR COUNCIL MEETING
MINUTES
JANUARY 4, 2016 AT 5:30 PM
LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

Mr. Moore made a motion to go into executive session, and Mr. Rager seconded.
Roll call was as follows:

Berrier	No
Felmlee	No
Moore	Yes
Rager	Yes
Searer	No
Welham	No

*Motion rejected by 4 to 2 vote.

Motion to eliminate the position of Assistant Superintendent of Wastewater Operations

Mr. Berrier made a motion to eliminate the position of Assistant Superintendent of Wastewater Operations with the work responsibilities transferred to the Superintendent and Mr. Welham seconded. Roll call was as follows:

Berrier	Yes
Felmlee	Yes
Moore	No
Rager	No
Searer	Yes
Welham	Yes

*Motion carried by 4 to 2 vote.

Motion to eliminate the position of Administrative Assistant of Borough Operations

Mr. Berrier made a motion to eliminate the position of Administrative Assistant of Borough operations, and Mr. Felmlee seconded. Roll call was as follows:

Berrier	Yes
Felmlee	Yes
Moore	No
Rager	No
Searer	Yes
Welham	Yes

*Motion carried by 4 to 2 vote.

At that time, the Administrative Assistant exited the meeting.

Motion to furlough employees

Mr. Berrier made a motion to furlough the employees whose positions were eliminated effective the close of business day on Tuesday, January 5, 2016, and Mr. Welham seconded. Roll call was as follows:

Berrier	Yes
Felmlee	Yes
Moore	No
Rager	No
Searer	Yes
Welham	Yes

*Motion carried 4 to 2 vote.

BOROUGH OF LEWISTOWN
REORGANIZATIONAL AND REGULAR COUNCIL MEETING
MINUTES
JANUARY 4, 2016 AT 5:30 PM
LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

At that time, Mr. Searer vacated the chair and Mr. Berrier presided.

Motion to terminate employment of the Borough Manager/Secretary

Mr. Searer made a motion to terminate the Borough Manager/Secretary, and Mr. Felmlee seconded. Roll call was as follows:

Berrier	Yes
Felmlee	Yes
Moore	No
Rager	No
Searer	Yes
Welham	Yes

*Motion carried 4 to 2 vote.

Mr. White thanked Council for allowing him to serve, and stated that the Borough Manager/Secretary served at the pleasure of Council. His removal could be for just cause or no cause. A cause was not stated at that time, and he exited the meeting.

Council went into executive session from 6:24 p.m. to 7:12 p.m.

On a motion by Mr. Moore and seconded by Mr. Welham, Council unanimously approved the Consent Agenda containing the following items:

CONSENT AGENDA

The following are routine, procedural, and informational non-controversial items and do not appear to require discussion or explanation prior to Council's action. These items will be acted upon by one motion, unless any member of Council desires to move an item to the Regular Agenda for further discussion.

- A. Approval of Minutes
 - 1. Regular Council Meeting – December 14, 2015
 - 2. Year-End Council Meeting – December 28, 2015
- B. Acceptance & Approval of the Treasurer's Report – December 2015
- C. Approval of Schedule of Bills
 - 1. General Borough, Refuse, Wastewater Collection, Wastewater Treatment Plant, Specialty Tax Fund, and State Liquid Fuels
- D. Acknowledge receipt of Informational Staff Reports
 - 1. WCS 2015 Yearly Report
 - 2. WWTP 2015 Yearly Report
- E. Acknowledge receipt of general correspondence
 - 1. Fame EMS Meeting Minutes – December 9, 2015

REGULAR AGENDA

BOROUGH OF LEWISTOWN
REORGANIZATIONAL AND REGULAR COUNCIL MEETING
MINUTES
JANUARY 4, 2016 AT 5:30 PM
LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

REPORTS

A. Treasurer

Ms. Walter reviewed with Council the Fixed Asset Policy. In prior years, anything over \$500.00 was depreciated. However, this amount should be changed and increased to \$2,500.00 based upon the auditor's recommendations. On a motion by Mr. Moore and seconded by Mr. Searer, Council unanimously voted to approve Resolution No. 2016-3.

Ms. Walter also addressed Council regarding the Treasurer's bond. Due to the State Liquid Fuels allocation being estimated at \$203,535.00, the Treasurer's Bond needs to be increased to the amount of the Liquid Fuels Allocation. On a motion by Mr. Moore and seconded by Mr. Searer, Council unanimously approved to increase the Treasurer's bond from \$200,000.00 to \$225,000.00.

B. Code Enforcement Officer

Due to the meeting directly after the holiday, Mr. Fink did not have his report available. He will have his report for the next meeting.

C. Mayor

Mayor Bargo presented Council with the Marriage Ceremony Report for 2015.

Mr. Felmlee questioned Ms. Walter on the County Aid allocation. Ms. Walter stated it was submitted late, but since it was submitted, the Borough will receive this money in 2016. The amount of \$8,900.00 is to be used for future expenses.

D. Police Chief

Chief Herkert stated the Department handled 295 calls for the month of December. They participated in many local activities, one of which was the Fill-A-Cruiser event. Chief Herkert had Sgt. Sheaffer give the details on an incident that recently happened.

Sgt. Sheaffer gave an incident report. On December 27, 2015, Officer Miller and Officer Hardin responded to a residence on Montgomery Ave. There was a report of a skunk attacking a pet. When the officers arrived on scene, they found the skunk was attacking a dead possum. These officers then subdued the skunk. The skunk was sent away and did test positive for rabies. The family pet and all members of the family are under treatment. The department has been in contact with the Department of Health as well as the Department of State.

E. Borough Solicitor

Mr. Remy had nothing to report at this time.

OLD BUSINESS

A. Bid on 1995 Chevrolet Grumman Van w/ Aires Camera & Tracker System & Martin

Diesel Generator**

- | | |
|-----------------------|-----------|
| 1. Mike's Landscaping | \$5300.00 |
| 2. John Stewart | \$3501.00 |

BOROUGH OF LEWISTOWN
REORGANIZATIONAL AND REGULAR COUNCIL MEETING
MINUTES
JANUARY 4, 2016 AT 5:30 PM
LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

There was some discussion relative to this piece of equipment. Joseph Sheaffer (Wastewater Collection Employee) thought it would be beneficial to keep this piece of equipment to be used in conjunction with the CAP Program. The problem with this equipment is that it is older and the accessories are becoming increasingly harder to find. Mr. Welham asked whether the new equipment could be used to do this also. Mr. Sheaffer stated that the new equipment is not equipped to do anything larger than a 10-inch line. On a motion by Mr. Searer and seconded by Mr. Moore, Council unanimously tabled the matter until staff could discuss this with Mr. Don Dippery and Mr. Mike Dippery.

NEW BUSINESS

- A. Appointment of COG Representative and Alternate Representative (Resolution No. 2016-1) was tabled until the next meeting.
- B. Appointment of Representative to Fame EMS Board of Directors (Resolution No. 2016-2) was tabled until the next meeting.
- C. Council Committee Assignments was tabled until the next meeting.
- D. Committee Schedules was tabled until the next meeting.

Motion to appoint an Interim Borough Manager

On a motion by Mr. Welham and seconded by Mr. Searer, Council unanimously approved appointing Dianna Walter, Borough Treasurer as the Interim Borough Manager.

Motion to appoint an Interim Borough Secretary

On a motion by Mr. Moore and seconded by Mr. Rager, Council unanimously approved appointing Dianna Walter, Borough Treasurer as the Interim Borough Secretary.

Motion to appoint an Interim Borough Right to Know Officer

On a motion by Mr. Rager and seconded by Mr. Moore, Council unanimously approved appointing Dianna Walter, Borough Treasurer as the Interim Borough Right to Know Officer.

Motion to appoint an Interim Chief Administrator of the Pension Plan

On a motion by Mr. Felmlee and seconded by Mr. Welham, Council unanimously approved appointing Dianna Walter, Borough Treasurer as the Interim Chief Administrator of the Pension Plan.

Motion for President/Vice-President to direct staff

On a motion by Mr. Moore and seconded by Mr. Welham, Council unanimously authorized the Council President and/or Vice President to direct the work of all Borough employees until further notice.

Motion to advertise for a new Borough Manager

On a motion by Mr. Berrier and seconded by Mr. Rager, Council unanimously approved advertising for the position of the new Borough Manager.

Mr. Berrier created and appointed a Transition Committee.
Council members on the committee are Mr. Felmlee, Mr. Welham, and Mr. Searer.

Mr. Berrier appointed Mr. Rager and Mr. Welham to the Finance Committee.
Mr. Frey is available to start reviewing budget on Wednesday, January 6, 2016 at 9 am.

BOROUGH OF LEWISTOWN
REORGANIZATIONAL AND REGULAR COUNCIL MEETING
MINUTES
JANUARY 4, 2016 AT 5:30 PM
LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

Motion to hold a special Council Meeting

On a motion by Mr. Moore and seconded by Mr. Welham, Council unanimously approved holding a special meeting on January 11, 2016 at 5:30 pm. Mr. Remy will advertise this meeting.

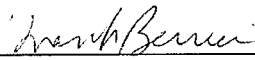
On a motion by Mr. Searer and seconded by Mr. Welham, Council unanimously approved changing the locks.

Neil Purcel recommended on Council inserting a Comment Section in the meeting. He stated some people are new to this and do not understand the procedure.

On a motion by Mr. Moore and seconded by Mr. Rager, Council unanimously approved appointing John Bauman to the Chairman of the Vacancy Board.


ADJOURNMENT

On a motion made by Mr. Moore, and seconded by Mr. Welham Council unanimously voted to adjourn at 7:32pm.



(Vice) President, Lewistown Borough Council

(Seal)
ATTEST:



(Assistant) Borough Secretary