

REGULAR COUNCIL MEETING MINUTES
 JANUARY 11, 2016 AT 5:30 P.M.
 LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

The meeting opened at 5:30 PM with Borough Council President Berrier presiding. The Pledge of Allegiance was recited by all present.

ROLL CALL

Mr. Searer, Mr. Felmlee, Mr. Moore, Mr. Rager, Mr. Welham, Mr. Lawson, Mr. Berrier, and Mayor Bargo were present.

HEARING OF PERSONS PRESENT

- A. Penelope Hartman, 65 North Pine Street, reported that there is ice at the top of North Pine Street. She said this ice limits residents' ability to get to their mailboxes, cars, and sidewalks. It appears there is soap located in the water that is coming down the hill. Ms. Hartman spoke to the Postmaster and he stated they would not deliver the mail if the problem continues. She has passed around pictures that she had taken. It was stated that this was an issue on Pine Park Drive many years ago near the Wilburne Property. Mr. Berrier instructed Mr. Rex Fink to look at this and to have crews salt daily until the problem is fixed. Mr. Fink stated he had looked at this issue with previous Street Superintendents. This has been an ongoing issue for quite some time. It appears that the water is missing the drain located in the middle of the road. Mr. Lawson recommended a storm drain be installed at the bottom of the driveway that is the problem. Mr. Fink will periodically check the street until this issue is resolved. Mr. Dippery will test some of the water to see if he can determine where the water is coming from.

CONSENT AGENDA

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

- A. Approval of Minutes
 - 1. Reorganizational Minutes, January 4, 2016.
- B. Accepted and Approved the Treasurer's Report – December 2015
 *Note the Treasurer's report was not submitted to council at the prior meeting since the Bank Statements were not available; however it was not taken off of the agenda.
- C. Approval of Schedule of Bills
 - 1. General Borough, Specialty Tax, Refuse, Wastewater Collection and Wastewater Treatment Plant
- D. Resolution 2016-5 Appointment of Borough Secy/Mgr/RTK Officer, Chief Administrator of Pension Plan

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

****On a motion by Mr. Searer and seconded by Mr. Welham, Council by roll call vote approved Resolution 2016-5, Appointment of Dianna Walter as Borough Secretary, Manager, Right-to-Know Officer, Chief Administrator of Pension Plant.**

****E. Resolution 2016-6 Revise 2014 CDBG funds to reallocate funds from Parking Lot Project to Paving Project**

Searer	Yes
Felmlee	Yes
Moore	Yes
Rager	Yes
Welham	Yes
Lawson	Yes
Berrier	Yes

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****On a motion by Mr. Moore and seconded by Mr. Searer , Council by roll call vote approved Resolution 2016-6, Revise 2014 CDBG funds to reallocate funds from Parking Lot project to paving project.***

- F. Approval for payment to Eastern Industries out of the General Borough Fund for costs relative to 2014 CDBG projects (to be reimbursed after CDBG funds are available)
- G. Acknowledge receipt of general correspondence
 - 1. City Hook & Ladder Representatives for 2016 Fire Committee
- H. Acknowledge receipt of Oksana DeArment resignation to the Planning Commission

REGULAR AGENDA

REPORTS

A. Treasurer

- 1. The Borough Treasurer reported that the Independent Auditors, Boyer & Ritter, were scheduled for the week of January 25, 2016.

B. Code Enforcement Officer

- 1. Mr. Remy stated there was a Subdivision Plan that needed approval. He stated that the Borough Planning Commission as well as the County Planning Commission already approved this plan. Mr. Berrier stated this was two neighbors selling property back and forth. Mr. Remy agreed and stated this property was behind the old Buchanan School. On a motion by Mr. Moore and seconded by Mr. Lawson, Council unanimously approved the Council President to execute the Fisher Subdivision plan on Rosewood Avenue.

C. Fire Chief

- 1. Chief Barlett stated that the Department ran 31 alarms in the month of December. All three companies also ran Medical Assist calls. Chief Barlett stated his report for the year 2015 would be ready for the February Council Meeting. Chief Barlett thanked all the Department Members as well as Council for all they do. He stated all three companies are training together as well as training off each other's equipment. He stated in 2015, he appointed a Training Officer who is in charge on scheduling all the training for the Department. He said he has an outstanding group of dedicated members.

D. Mayor

- 1. Mayor Bargo explained that last year she had started working with Amtrak as well as PennDOT to get Train Station signs put in place. She stated that several people had approached her in regards to not being able to locate the train station. Since Amtrak's signs are illegal in Pennsylvania, she approached PennDOT and there are several signs now.

E. Police Chief

- 1. Chief Herkert reported that the Department issued a press release relative to the investigation of the skunk on Montgomery Avenue.

F. Recreation Board

- 1. On a motion by Mr. Moore and seconded by Mr. Welham, Council unanimously (6-1 (Searer)) approved the Donald Zagurskie alcohol policy for May 21, 2016.
- 2. On a motion by Mr. Moore and seconded by Mr. Welham, Council unanimously (6-1 (Searer)) approved the Timothy and Pamela Tressler alcohol policy for April 16, 2016.
- 3. There was some discussion relative to participation in the Mifflin County Communities That Care program. Ms. Barr would like to offer Pool memberships at a discounted rate of \$10 for a family membership. Mr. Welham stated he cannot see this being feasible with the actual costs being in a deficit in the Pool category. He stated that the budget is not set yet and he does not wish to offer the discount until Council can figure out a way to decrease the deficit.

Searer	No
Felmlee	No
Moore	Yes
Rager	No

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Welham	No
Lawson	Yes
Berrier	No

On a motion by Mr. Moore and seconded by Mr. Lawson, Council by roll call vote denied issuing family memberships at \$10.00 off.

There was some discussion relative to the Borough being the only swimming pool open this summer. Mr. Welham felt that Ms. Barr could take the Borough literature and attend the Mifflin County Communities that Care event. *On a motion by Mr. Rager and seconded by Mr. Rager, Council authorized Ms. Mary Barr to take the Borough literature and participate in the event.*

4. Borough Solicitor

1. Mr. Remy stated the Developer's Agreement for Mann Edge II was underway. He stated that Mike Fisher wishes to hold off on submitting the bond until the date of the project is closer.
2. Mr. Remy stated he has two (2) things for the February meeting. He has to advertise for a Public Hearing for the Transfer of a Liquor License to be held on February 8, 2016 and to advertise the Ordinance to appoint alternate members to the Planning Commission.

5. Borough Manager/Secretary

1. Ms. Walter asked for clarification from Council in regards to the the tax exemption status for the Mifflin County Community Church. She stated that the memo from the Board of Assessments stated that they received the application on February 23, 2015 which did not allow them enough time to process the status. Since the Borough's tax duplicates are not mailed out until March 1, does Council wish to keep the 10 ½ exoneration? Mr. Welham stated that his motion was to exonerate for 10 ½ months because they did not own the property the entire year. Mr. Berrier stated that even though the duplicates were mailed out on March 1, they were for the entire year. Council wishes to keep the exoneration for 10 ½ months.
2. Ms. Walter stated the Borough received the final determination from the District Attorney's office regarding a Right-to-Know request.
3. Ms. Walter stated the Borough received a letter from Knepp & Snook regarding the Final Acquisition for the Fountain Square.
4. Ms. Walter stated the Borough received a Certificate from Houck and Gingrich regarding the 100 North Walnut Street property.
5. There was some discussion relative to the 1995 Chevrolet Grumman Van w/ Aries Camera Tracker System. Ms. Walter stated she had spoken to Mr. Don Dippery as well as M Mike Dippery and they both felt it would be a good idea to accept the bid from Mr. Mike Watson as the parts are outdated on this piece of equipment. On a motion by Mr. Welham and seconded by Mr. Rager, Council unanimously voted to accept the bid proposal from Mr. Mike Watson in the amount of \$5300.
6. Ms. Walter wanted to clarify questions relative to Resolution # 2015-49. On this Resolution it stated Murray Laite was a resident of the Borough of Lewistown, however, he was not. Was it Councils wishes to approve this Resolution contingent upon the changes of Mr. Laite's residence? Council agreed they approved the Resolution contingent upon the change. The Council Members stated this was discussed at the December 28, 2015 meeting, however the minutes did not reflect this.
7. Ms. Walter distributed to Council the information Mr. Bill Gomes dropped off relative to the Streetscape application in regards to the 2016 CDBG Funding.

UNFINISHED BUSINESS

- A. On a motion by Mr. Rager and seconded by Mr. Lawson, Council unanimously voted to appoint Mayor Bargo as the Cog Representative.
- B. On a motion by Mr. Felmler and seconded by Mr. Welham, Council unanimously

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appointed Mr. Moore as the COG Alternate.

C. On a motion by Mr. Moore and seconded by Mr. Lawson, Council unanimously (6-1 Searer) appointed Mayor Bargo to the FAME EMS Board of Directors.

D. Mr. Berrier has not completed reviewing all of the Council Committee assignments. Mr. Berrier did make the following appointments:

Personnel:	Finance:
Mr. Searer, Chairman	Mr. Rager
Mr. Felmlee	Mr. Lawson
Mr. Welham	Mr. Welham

Streets:
Mr. Searer, Chairman
Mr. Welham
Mr. Lawson

Mr. Moore will remain on the same Committees as he has in the past. Mr. Welham has expressed desire to serve on the Banking Committee.

E. President Berrier asked how the Committee schedules worked. Mr. Moore stated they typically met on Thursdays each month. Each Committee met on the same Thursday ever month. Mr. Moore stated Recreation Board meets on the First Tuesday of the month. Mr. Moore made motion that the EG Channel meeting is in two (2) weeks and he needs another member of Council to serve on this Committee. Mr. Berrier appointed Mr. Lawson to serve with Mr. Moore.

F. President Berrier read part of the Franchise Agreement between Comcast and the Borough of Lewistown. He stated that part of the agreement is the Borough will be in charge of all content relative to the EG Channel and Comcast will provide one live feed as well as one channel to be used for Educational and Governmental purposes. President Berrier asked Mr. Moore how much money the County and the School District has spent relative to this channel. Mr. Moore stated that there is no agreement with the County and/or the School District. He is unsure how much the School District has spent since they are doing all the upkeep of the equipment. The County has spent \$14,000.00. Also, the County has the live feed since Comcast said that's where they would put it. The County plans to broadcast their meetings live each month. Since the Emergency Services are in the basement of the County building, it was a good idea to install the live feed there in case an emergency would arise, they can put the information out right away. Mr. Moore stated he received an e-mail that stated Mifflin County Communities that Care is willing to donate \$5,000.00 towards the Committee obtaining the non-profit status. Mr. Remy said it was adopted in the Code of Ordinances, Section 15-23 that two representatives from Council, one from the School District, one from the County as well as one from the Public would make up the EG Committee. Mr. Searer questioned how a non-profit has the money to donate with that status.

Mr. Moore stated that Mr. Herto stated by the end of Quarter 1, Reedsville and Milroy would be on the channel as well. Mr. Remy asked how the Council wished to proceed. Should they continue working towards obtaining the nonprofit status? Mr. Welham asked how much has been spent on legal fees regarding the Channel? Mr. Remy stated he would have to refer that question to Ms. Walter as he is unsure. Ms. Walter stated that since there is no individual line item in the budget regarding the EG Channel fees, the amount is all together on the Solicitors invoice. Mr. Moore invited the new Council members to sit down and see how the operation is run before they decide the fate of the channel.

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NEW BUSINESS

- A. Discussion was held on approving the transient business license for Planet Energy. Chief Herkert stated he would like to look further into the complaint he received before proceeding with this license. He stated the Department received a complaint about Planet Energy approaching some children who were getting off a school bus. He said this organization did obtain a license from another municipality, but not ours. On a motion by Mr. Searer and seconded by Mr. Moore, Council unanimously approved tabling the approval of the Transient Business License for Planet Energy until Chief Herkert follows up regarding the complaint.

**Mr. Searer made a motion to move the Council Meetings to the Community Center, however, that motion failed for a lack of second.

PUBLIC COMMENT

Mr. Wayne Hackett made mention to the Fire Chief about the occupancy of the building. He stated that the building should have a limit on occupancy. In addition, if the hallway is full, that allows the side entrance as the only other exit point, and with that many people, it would be a hazard.

On a motion by Mr. Rager and seconded by Mr. Moore, Council unanimously approved to schedule a meeting for January 25, 2016 at 5:30 p.m. for Budget purposes as well as any other business that may come forward.

Mr. Barlett stated he would like to meet with the new Finance Members to explain his budget. Mr. Berrier stated they were meeting on Wednesday Morning to go over some things, so they would schedule a time for Mr. Barlett and would let him know.

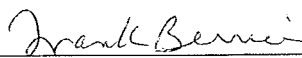
Council went into Executive Session at 6:46 p.m to discuss legal matters and personnel matters.

Council came out of executive Session at 8:00 p.m.

On a motion by Mr. Moore and seconded by Mr. Rager, Council unanimously approved to offer employment to Aaron Wagner as a part time police officer contingent upon receiving his background checks.

On a motion by Mr. Rager and seconded by Mr. Moore, Council unanimously approved eliminating the negative amount on the prior Rental Inspector's Vacation time.

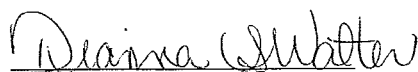
On a motion by Mr. Moore and seconded by Mr. Rager, Council adjourned at 8:02p.m.



(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:



(Asst) Borough Secretary