

REGULAR COUNCIL MEETING
NOVEMBER 13, 2017 AT 5:00 PM
LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

The meeting opened at 5:01 PM with Borough Council President Frank Berrier presiding.
The Pledge of Allegiance was recited by all present.

ROLL CALL

Mr. Wilson, Mr. Moore, Mr. Eddinger, Mr. Rager, Mr. Felmlee, Larry Searer, Mr. Berrier, and Mayor Bargo were present.

Mr. Berrier offered congratulations on winning the election to Larry Searer, Mr. Wilson, and Mayor Bargo.

Note of Record: The MCTV report for August 2017 to October 2017 was distributed at this time.

HEARING OF PERSONS PRESENT

Jean Geist 78 Logan Street stated that she had applied for handicapped parking twice and was denied. There is a spot two doors where the user passed away and now the daughter just parks there without a handicap placard, she was wondering if they could move that spot down. It will be looked into.

REGULAR MEETING

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. Law & Ordinance Meeting-October 5, 2017
 - 2. Council Meeting-October 9, 2017
 - 3. Finance Meeting-October 12, 19, 26, & November 2, 2017
 - 4. Bid opening for 216 E 3rd St Demo-November 13, 2017
- B. Approval of Treasurer's Report
- C. Acceptance of Tax Collector's Report
- D. Approval of Schedule of Bills
 - 1. General Borough/Specialty Tax/Refuse/Wastewater Collection & Treatment/State Liquid Fuels
 - 2. K-9 Account
 - 3. Wastewater Facilities Construction Account w/Requisitions
 - 4. Wastewater Capital Account w/Requisitions
- E. Approval of Facility Use Forms:
 - 1. Kramer's Tree Service on 11/15/17 to close 311 N Grand Street for removal of a tree

- F. Additional Facility Use Forms-Rec Board:
None
- G. Acknowledge receipt of Downtown Lewistown Inc. September 27, 2017 Minutes
- H. Acknowledge receipt of FAME Meeting Minutes October and September Response Stats
- I. Acknowledge receipt of letter from Pothole Killers
- J. Acknowledge receipt of Mifflin County School District Report on Tax Collector's Compliance for year ending June 30, 2017
- K. Acknowledge receipt of United Way Request for Contribution
- L. Acknowledge receipt of CDBG 2016 Award Letter
- M. Acknowledge receipt of Mifflin County Tax Collection Committee Report on Miffco for Delinquent Occupation, Delinquent Per Capita, and Local Services for year ending December 31, 2016
- N. Acknowledge receipt of Mifflin County Tax Collection Committee Report on Tax Officer – Miffco- Financials for year ending December 31, 2016
- O. Acknowledge receipt of Summary of Annual Afscme Report for 2016
- P. Acknowledge receipt of letter for Cross Connection Control Backflow Prevention from PA Water Specialties Company
- Q. Acknowledge receipt of Parking Authority Minutes from September

On a motion by Mr. Felmlee and seconded by Mr. Moore, Council by unanimous vote approved the Consent Agenda.

REGULAR AGENDA

REPORTS

A. Treasurer

1. Ms. Walter stated she received the Delta Dental Renewal contract with no rate increases and Vision Benefits Renewal contract with no rate increases for two years.

On a motion by Larry Searer and seconded by Mr. Moore, Council by unanimous vote, approved the contracts for Delta Dental Renewal and Vision Benefits Renewal.

2. Ms. Walter received from Miffco the Per Capita/Occupation Exonerations for 1983 to 2016 and she is looking for approval for the exonerations.

On a motion by Larry Searer and seconded by Mr. Moore, Council by unanimous vote, approved the Miffco Per Capita/Occupation Exonerations.

3. Ms. Walter has the approval to release 2015 CDBG Funds for County's Administration of the program and she would like Council's approval to release it and to put it on the Consent Agenda going forward since it was previously approved.

On a motion by Mr. Moore and seconded by Larry Searer, Council by unanimous vote, approved releasing the 2015 CDBG Funds for County's Administration of the program.

4. Ms. Walter has a review on the tax exempt requests for 21 Depot St, 11 Depot St, and 217 E 3rd St that were received from the Mifflin County Board of Assessment Appeals. Mr. Remy stated that no action is necessary unless the Borough wants to appeal. Discussion to follow in Executive Session.

B. Code Enforcement Officer

1. Mr. Fink reported there were 46 Violations in October. He stated that 13 were for high grass and weeds. There were 40 permits issued for \$2,977.16 in zoning fees so for the year that brings the department to \$32,572.04.
2. Mr. Fink said that the Codes Department condemned the building on Valley Street and blocked off the sidewalk. They are going to have no parking signs put up in the parking spaces in front of both the Valley Street and Third Street sides of the building until the situation is rectified.

C. Fire Chief

1. Chief Barlett reported that for the month of October the fire departments had 19 alarms plus medical assists. There was nothing of significant damage, mostly furnace malfunctions, and no vehicle accidents.

D. Mayor

1. Mayor Bargo mentioned the Borough News Magazine had a nice article about the Adopt-A-Planter project in it.
2. Mayor Bargo said the Veteran's Parade and ceremony was cold but very nice. Tim Mateer was the speaker and he did an excellent job.
3. Mayor Bargo wanted to remind everyone that the Ice Festival is coming up November 30, and December 1.

E. Police Chief

1. Chief Clemens stated that in the month of October, the Lewistown Police had 296 calls for service. 52 traffic citations, 14 non-traffic citations, 181 street sweeper tickets and 45 parking meter tickets for around \$2,900 in revenue.
2. Chief Clemens said they provided service for the Veteran's Day Parade and the Halloween Parade along with Trick or Treating. Everything went well with no major incidents.

Some of the Council members would like to see a ticket breakout for the street sweeper ticket writing on a daily basis so they can see what's going on. They would also like to see what incidents are happening.

F. Board of Recreation

1. Ms. Barr stated there is a report from the pool costs for this summer and the minutes.

The question was asked about the pool attendance and whether children 5 and under included in the members of daily passes or are they additional? They are counted.

Mr. Welham stated he has started interviewing for the pool manager for next year.

Some discussion ensued on resident vs non-resident pool rates.

On a motion by Mr. Felmlee and seconded by Mr. Moore, Council by unanimous vote, accepted the minutes of Rec Board.

G. Borough Solicitor

1. Mr. Remy went over the Mifflin County Saving Bank's request to rent 8 spaces beside the bank. It would be a 5 year lease for \$1,000. The Borough would plow the spaces. Since the Borough already leases the spaces from the Parking Authority the Borough will collect the \$1,000 to offset the semi-annual rent that is paid to the Parking Authority. The bank will put up signs stating that the parking is for bank customers only.

On a motion by Mr. Rager and seconded by Mr. Eddinger, Council by 5-1(Moore, 1 Abstain) vote, approved the lease of the 8 parking spaces to Mifflin County Savings Bank.

Roll Call

Bill Wilson	Yea
Mr. Moore	Nay
Mr. Eddinger	Yea
Russ Rager	Yea
Jim Felmlee	Abstain
Larry Searer	Yea
Frank Berrier	Yea

This will be effective January 1, 2018.

2. Mr. Remy reviewed the Rothermel Agreement and his proposal to donate \$43,000 to the Borough to go towards the walking trail which would run from Victory Park to the cement plant. The funds would be used toward the design, engineering and building of the path.

On a motion by Mr. Moore and seconded by Mr. Felmlee, Council by 6-1(Searer) vote, approved the Rothermel Agreement.

Roll Call

Bill Wilson	Yea
Mr. Moore	Yea
Mr. Eddinger	Yea
Russ Rager	Yea
Jim Felmlee	Yea
Larry Searer	Nay
Frank Berrier	Yea

3. Mr. Remy went over the amendment to Ordinance 233 pertaining to vehicles parking on lawns that came out of Law and Ordinance Committee. Parking vehicles on lawns and areas not intended for vehicles has a negative effect on properties.

Some discussion ensued on lawn parking. No action taken.

4. Mr. Remy received notice that there is going to be 10 mini casinos in Pennsylvania as part of a new legislation. Municipalities can opt out by resolution by December 31, 2017 if mini casinos aren't wanted inside the Borough.

On a motion by Mr. Felmlee and seconded by Mr. Rager, Council by 6-1(Searer) vote, approved preparing a Resolution for adoption against mini casinos in the Borough.

Roll Call

Bill Wilson	Yea
Mr. Moore	Yea
Mr. Eddinger	Yea
Russ Rager	Yea
Jim Felmlee	Yea
Larry Searer	Nay
Frank Berrier	Yea

H. Borough Manager/Secretary

1. Mr. Welham brought up discontinuing street sweeping for this year on Saturday, November 18, 2017. It was clarified that it would be stated as suspending the parking restrictions on Borough Streets except for the specified streets.

On a motion by Larry Searer and seconded by Mr. Moore, Council by unanimous vote, approved suspending the parking restrictions on Borough Streets with the exception of a few specific streets, as of November 18, 2017.

2. Mr. Welham stated that a letter was received from DCED that approved the CDBG allocations for 2016. The streets that didn't get paved this year will be paved next year.

3. Mr. Welham stated the tax collection service has been changed from Miffco to Keystone. They will have online capabilities. There will not be an office locally.
4. Mr. Welham stated the contract with S & S will have to be bid out since it is close to the \$19,700 threshold. The new contract will be for five years to avoid this next year.
5. Mr. Welham stated that PennDot has changed their plans for Valley Street. They are going to start the engineering in 2019 to completely tear out the road, the bricks and the tracks to do the road right. In 2019 they are going to pave Loop Road, all of 4th Street to the Charles Street and Dorcas Street intersection. He is working with Seda Cog to fix Chestnut Street.
6. The question was asked about closing the office on the day after Thanksgiving. It was stated that this has been done for many years.

On a motion by Mr. Moore and seconded by Mr. Felmler, Council by unanimous vote, approved closing the office the day after Thanksgiving.

UNFINISHED AND NEW BUSINESS

1. The next order of business was the Facility Use Request for DLI to initiate courtesy parking effective 11/23/2017 to 1/2/2018 and the fees associated with that.

On a motion by Mr. Felmler and seconded by Mr. Moore, Council by unanimous vote, approved DLI courtesy parking for 11/23/2017 to 1/2/2018.

On a motion by Mr. Felmler and seconded by Mr. Moore, Council by unanimous vote, approved waiving the fees for the facility use request for DLI for the courtesy parking.

2. The awarding of the bid for the demolition of 216 East Third Street.

Bids:

J. Fulkroad & Sons	\$34,800
Mike's Landscaping	\$49,732
Ontra Site Work	\$39,400
Earthmovers Unlimited	\$52,742

There was a mandatory prebid meeting that Fulkroad & Sons didn't attend, so Council can waive the requirement, or there are three other options according to Mr. Remy.

1. Can reject all bids and rebid the project
2. Award bid to lowest bidder and waive attendance not depriving anyone
3. Reject low bidders and move to the second lowest bid

Mr. Remy stated that the safest way is to reject all the bids and rebid the project.

On a motion by Mr. Felmler and seconded by Mr. Moore to reject all the bids...

A discussion was held on Fulkroad and their not attending the prebid meeting. It was decided it needs to be discussed further in Executive Session.

The motion by Mr. Felmler and seconded by Mr. Moore to reject the bids was withdrawn.

Bill Wilson – Finance Chairman

Mr. Wilson said they need to make some decisions on the healthcare. Mr. Welham went over the specifics on the current plan vs the new plan for the healthcare. Mr. Welham let Council know that switching to Capital Blue would save the Borough approximately \$175,000.

On a motion by Mr. Felmler and seconded by Mr. Moore, Council by 5-2 (Searer, Wilson) vote, approved going with the Capital Blue Cross for healthcare.

Roll Call

Bill Wilson	Nay
Mr. Moore	Yea
Mr. Eddinger	Yea
Russ Rager	Yea
Jim Felmler	Yea
Larry Searer	Nay
Frank Berrier	Yea

Mr. Wilson said the next item is the PennDot Right Away. PennDot is looking to lease the ground for nine months while they replace the bridge over Kish Creek. It is the gravel lot off of Elizabeth Street. Mr. Remy will look into it further.

Mr. Wilson mentioned the retaining wall at Richmond Court that needs replaced will be done by PennDot, and the Borough will provide the materials to do the work. The estimated cost of the materials is \$15,700 and they are available thru CoStars. The work will be done in the spring.

On a motion by Mr. Rager, and seconded by Mr. Moore, Council by unanimous vote, approved spending up to \$15,700 for the materials to replace the retaining wall at Richmond Court.

Mr. Remy went over the PennDot agreement for the lot beside Kish Creek.

On a motion by Mr. Felmler and seconded by Larry Searer, Council by unanimous vote, approved the PennDot Agreement for the lot by Kish Creek for the bridge replacement.

Mr. Wilson said his last item will be held for Executive Session.

Mr. Berrier mentioned the tax collector but it was put on hold until the next Finance Meeting.

Larry Searer – Streets Chairman

Larry Searer said they have a request for a handicap parking space at 144 Pannebaker Avenue with Resolution 2017-39.

On a motion by Mr. Moore and seconded by Mr. Felmlee, Council by unanimous vote, approved the Handicap Parking Space at 144 Pannebaker Avenue with Resolution 2017-39.

Roll Call

Bill Wilson	Yea
Mr. Moore	Yea
Mr. Eddinger	Yea
Russ Rager	Yea
Jim Felmlee	Yea
Larry Searer	Yea
Frank Berrier	Yea

Larry Searer said they have a request for a handicap parking space at the corner of S Grand Street where it intersects with West Market Street. This will be approved with Resolution 2017-40.

On a motion by Mr. Felmlee and seconded by Mr. Moore, Council by unanimous vote, approved the Handicap Parking Space at S Grand Street and W Market Street with Resolution 2017-40.

Roll Call

Bill Wilson	Yea
Mr. Moore	Yea
Mr. Eddinger	Yea
Russ Rager	Yea
Jim Felmlee	Yea
Larry Searer	Yea
Frank Berrier	Yea

Larry Searer said they have a request for a handicap parking space at 39 Spanogle Avenue with Resolution 2017-41.

On a motion by Mr. Moore and seconded by Mr. Felmlee, Council by unanimous vote, approved the Handicap Parking Space at 39 Spanogle Avenue with Resolution 2017-41.

Roll Call

Bill Wilson	Yea
Mr. Moore	Yea

Mr. Eddinger	Yea
Russ Rager	Yea
Jim Felmlee	Yea
Larry Searer	Yea
Frank Berrier	Yea

Russ Rager – Law and Ordinance

Mr. Rager stated they are looking for approval to hire a twenty hour a week Parking Enforcement Officer. A discussion ensued on full-time vs part-time and when they should start. It was decided to send back to Finance Committee.

On a motion by Larry Searer and seconded by Mr. Moore, Council by unanimous vote, agreed to send it to Finance Committee for more consideration.

PUBLIC COMMENTS

None

EXECUTIVE SESSION

Council went into an executive session at 6:44 P.M. for legal and personnel matters. Council came out of executive session at 7:40 P.M.

On a motion by Mr. Moore and seconded by Mr. Felmlee, Council by unanimous vote, decided to reject all bids and rebid the demolition on 216 E 3rd St.

On a motion by Mr. Moore and seconded by Mr. Eddinger, Council by unanimous vote, approved paying prior Police Chief four personal Leave days.

On a motion by Mr. Felmlee and seconded by Mr. Rager, Council by unanimous vote, approved making Cody Wilt full-time on the police force at the end of this pay period.

On a motion by Mr. Moore and seconded by Mr. Eddinger, Council by unanimous vote, accepted the resignation of Luke Cellini.

On a motion by Mr. Moore and seconded by Mr. Felmlee, Council by unanimous vote, accepted the resignation of Travis Shaeffer.

On a motion by Mr. Moore and seconded by Mr. Rager, Council by unanimous vote, accepted the resignation of Ethan Hommel.

On a motion by Mr. Moore and seconded by Mr. Eddinger, Council by unanimous vote, decided to approve the side letter of agreement with the Teamsters.

On a motion by Larry Searer and seconded by Mr. Eddinger, Council unanimously voted to adjourn at 7:42 P.M.

Frank Searer

~~(Vice)~~ President, Lewistown Borough Council

(Seal)

ATTEST:

[Signature]
(Asst.) Borough Secretary