

BOROUGH OF LEWISTOWN  
REGULAR COUNCIL MEETING MINUTES  
NOVEMBER 9, 2015 AT 5:30 PM  
LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

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

ROLL CALL

Mr. Adams, Mr. Lawson, Mr. Moore, Mr. Searer, Mr. Welham, Mr. Rager, Mayor Bargo, Jr. Council members Abigail Roman-White, Jennifer Tuyen were present. Mr. O'Donnell Absent

HEARING OF PERSONS PRESENT

1. Linda Mohler from the Mifflin County Library, addressed Council to thank them for the newly paved parking lot.
2. Bruce Hockersmith presented Mayor Bargo with the Mayor of the Year Award.
3. Tom Wert-Borough Resident read a statement requesting Council to suspend the Rental Ordinance until new Council in January.
4. Mel Smith 19 Valley Road addressed Council questioning the Market Street Expansion Project. Mr. Rager referred Ms. Smith to Bill Gomes and the County Planning and Development Department.

**CONSENT AGENDA**

**In a motion by Mr. Moore and seconded by Mr. Welham, Council by a majority vote (6-0) approved the Consent Agenda, containing the following items.**

- A. Approved the Meeting Minutes
  1. Regular Council Meeting October 12, 2015
- B. Accepted and approved the Treasurer's Report – October 2015
- C. Accepted and approved the Tax Collector's Report – October 2015
- D. Approved the Schedule of Bills
  1. General Borough, Refuse, Wastewater Collection, Wastewater Treatment Plant, Specialty Tax Fund, and State Liquid Fuels
  2. Escrow Account – Mann Edge II
  3. Escrow Account – CVS
  4. Escrow Account - Lakes
- E. Approval of Sewer Exoneration Request
  1. Rec Park Swimming Pool
  2. Joe Elliott – 21 Central Ave.
- F. Acknowledged receipt of general correspondence
  1. Fame EMS Meeting Minutes – October 14, 2015

**Mr. Adams made a motion seconded by Mr. Welham, Council unanimously approved to rescind from the minutes made at the October 12, 2015 Council meeting regarding permanent residents with in the Fire Stations.**

**Mr. Moore made a motion seconded by Mr. Adams, Council unanimously approved the Facility Use Permit for Stephen Dalton with the contingency that contractor has vacated the South Main Street location. Council will offer the parking lot located on Montgomery/Dorcas Street which overlooks Rec Park as an alternative to Mr. Dalton.**

**Mr. Moore made a motion, seconded by Mr. Lawson, Council unanimously approved the Facility Use Permits for the Festival of Ice-December 3-4, 2015 and the Kiwanis Christmas Parade-December 5, 2015.**

Mr. Lawson made a motion, seconded by Mr. Adams to approve incentive time pay  
 Out. Mr. Moore called for a Roll Call Vote; Mr. Rager signed a conflict of interest disclosure.

Adams	Yea
Lawson	Yea
Moore	Nay
O'Donnell	
Searer	Nay
Welham	Yea
Rager	

---

## REGULAR AGENDA

### REPORTS

#### A. Treasurer

- Ms. Walter proposed to Council to approve the appointment of Boyer and Ritter as Independent Auditors for 2015. Resolution 2015-39. **Motion was made by Mr. Adams, seconded by Mr. Lawson, By Roll Call Vote Resolution 2015-39 was approved**

Adams	Yea
Lawson	Yea
Moore	Yea
O'Donnell	
Searer	Yea
Welham	Yea
Rager	Yea

- Ms. Walter proposed to Council to approve the signature of Mr. Rager so to execute the PennVest modification and debt obligation and other funding documents. All funds awarded have not been used and the final amortization has been complied which will reduce our payment. **Motion was made by Mr. Moore, seconded by Mr. Adams, Council unanimously approved the signature by Mr. Rager.**

#### B. Code Enforcement Officer and Inspector

- Mr. Fink, Codes Enforcement Officer reported that there were 44 violations issued in October 2015 due to garbage, high grass/weeds, working without permits.

Sherry Mundy resident approached Council with concerns of an Ordinance being in place for future downtown improvements that facades would be in line with existing buildings. Ms. Mundy was invited to address Law and Ordinance at the November Meeting. Ms. Mundy also had questions regarding Codes for construction of an above ground pool on her personal property. Again she was referred to Law and Ordinance.

#### C. Fire Chief

- Chief Barlett reported that the Fire Department had no major alarms in the month of October, 2015.
- Chief Barlett reported City Hook & Ladder received their signed State Fire Certification and letter for 100% participation.
- Mr. Lawson thanked Chief Barlett for the appearance of the Fire Station improvements.

#### D. Mayor Bargo had no report.

BOROUGH OF LEWISTOWN  
 REGULAR COUNCIL MEETING MINUTES  
 NOVEMBER 9, 2015 AT 5:30 PM  
 LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

E. Police Chief

1. Chief Herkert reported that there were 138 calls for service in October, 2015.
2. Chief Herkert reported that overnight Street Sweeping was now suspended.
3. Chief Herkert inquired to Council about Green Tickets.

F. Board of Recreation November 3, 2015

1. **On a motion by Mr. Moore, seconded by Mr. Welham, Council by majority vote (5-1) Searer) approved the Alcohol Policy Requests for Tara Bush Party November 14, 2015 and Sacred Heart School Gala February 6, 2016.**
2. Mr. Moore explained to Council the disapproval of the Rec board allowing the November 8, 2015 soccer teams having their concession stands on the field when Council denied the request of the football teams in the June 8, 2015 meeting.

G. Borough Solicitor

1. Cooperation agreement between Mifflin County and Borough of Lewistown was tabled until further information is completed for Council to review.
2. **On a motion made by Mr. Welham, seconded by Mr. Moore with a Roll Call Vote, Council approved Advertising the 5 member Rec Board Committee Ordinance.**

Adams	Yea
Lawson	Yea
Moore	Yea
O'Donnell	
Searer	Yea
Welham	Yea
Rager	Yea

3. **On a motion made by Mr. Adams, seconded by Mr. Lawson with a Roll Call Vote, Council by majority vote (4-2) Moore and Searer) approved CDBG Application, Resolution 2015-40.**

Adams	Yea
Lawson	Yea
Moore	Nay
O'Donnell	
Searer	Nay
Welham	Yea
Rager	Yea

Solicitor Remy

1. **On a motion made by Mr. Moore, seconded by Mr. Welham, Council unanimously approved closing out the Lake account. Staff was instructed to release the Escrow account to Mr. Lake.**
2. Mr. Remy informed Council that CVS developer is requesting a portable document release from the development agreement once construction on the building is finished. CVS is not in need of a Maintenance Bond. Inspection will be completed before release.

H. Borough Manager/Secretary

1. Mr. White approached Council to combine the Reorganizational Meeting January 4, 2015 and Council Meeting January 11, 2015. On a motion by Mr. Moore, seconded by Mr. Searer Council approved the two January Council Meetings being combined.

BOROUGH OF LEWISTOWN  
 REGULAR COUNCIL MEETING MINUTES  
 NOVEMBER 9, 2015 AT 5:30 PM  
 LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

2. Mr. White reported to Council of the meeting with SEDA-Cog and two representatives from North Shore Railroad Company November 2, 2015 on the Chestnut Street Rail Repair project. Council requested to have financial information together and report at next meeting.
3. Mr. White informed Council that there is a PASB Boot Camp for Council members and emphasizing that it could be very beneficial for new Council members to attend.
4. Mr. White informed Council that Gannett-Fleming is preparing the end of year report for PA DEP updating the progress being made on the 2014 CAP plan. Report will be filed in early January 2016.
5. Mr. White informed Council the Borough received a Certificate of Appreciation from the Mifflin County Science & Technology Fair for the support and advocacy of their 2015 competition.
6. Mr. White reported on the statistics of the Rental Registration
  - 938 Parcels have been registered accounting for 2,102 units
  - 231 Exclusions requests have been reviewed
  - Registration fee for 76 parcels have been refunded
  - 96 Units have been approved for exemption from licensing
  - 119 Units have been inspected, 107 have failed inspection 90% failure rate
  - 10 properties have been re-inspected, with all 10 passing re-inspection

UNFINISHED BUSINESS

- A. Finance Committee – November 3, 2015
  1. **Motion made by Mr. Searer, seconded by Mr. Moore, Council unanimously tabled Mifflin County Community Church Tax Exemption until the tax figures for the parcels listed are researched.**
  2. **Motion made by Mr. Adams, seconded by Mr. Welham, by Roll Call Vote for approval of Surveyors Fee on Market Street Expansion Project.**

Adams	Yea
Lawson	Yea
Moore	Yea
O'Donnell	
Searer	Yea
Welham	Yea
Rager	Yea

- B. Streets Committee – October 8, 2015
  1. After discussion the following has been referred to the Streets Committee:
    - VFW requested meters removed at 12 Chestnut Street
    - Logan and Spruce Street – Stop Sign
    - Walnut Street and Logan Street intersection, work order in place
    - Pannebaker and South Pine Street – 3 way stop
    - Intersection at 3<sup>rd</sup> and 4<sup>th</sup> Street – Sheetz. No Turn on Red
  2. Mr. Tom Wert expressed concern about a missing stop sign on Grand Parkway and Grand Parkway North. Council referred the issue to the Streets Committee.
  3. Mr. Adams reported that there is a two way stop sign on Pannebaker Avenue and South Pine Street. He recommended pursuing the process of having that area become a three way stop sign. There have been several accidents there. It was suggested that it also become a three way stop sign area at Pannebaker Avenue and South Spruce Street
- C. Personnel Committee-November 18, 2015
  1. **Motion made by Mr. Moore, seconded by Mr. Lawson, Council unanimously**

BOROUGH OF LEWISTOWN  
REGULAR COUNCIL MEETING MINUTES  
NOVEMBER 9, 2015 AT 5:30 PM  
LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

C. Personnel Committee-November 18, 2015

1. **Motion made by Mr. Moore, seconded by Mr. Lawson, Council unanimously approved Administration Offices be closed November 27, 2015. Staff will use vacation or personal time.**

NEW BUSINESS

1. **On a motion by Mr. Searer and seconded by Mr. Adams, by Roll Call Vote approved the Disposition of Public Records (Resolution No. 2015-38) Mr. Searer requested that any Fire correspondence be pulled for Mr. Medley to review.**

Adams	Yea
Lawson	Yea
Moore	Yea
O'Donnell	
Searer	Yea
Welham	Yea
Rager	Yea

2. **Jim Zubler approached Council to approve Courtesy Parking and Green Tickets starting Thanksgiving Day November 26, 2015 thru January 1, 2016. Motion made by Mr. Adams, Seconded by Mr. Welham, Council unanimously approved Mr. Zubler's request for courtesy parking in downtown Lewistown.**
3. **Mr. Moore made a motion, seconded by Mr. Adams, Council unanimously approved consent for the Fire committee to proceed with arrangements for the 2020 Fire Convention.**
4. **Motion made by Mr. Searer, seconded by Mr. Welham to suspend the Rental Ordinance by Roll Call Vote**

Adams	Nay
Lawson	Nay
Moore	Yea
O'Donnell	
Searer	Yea
Welham	Yea
Rager	Nay

Mayor Bargo was called upon for the tie breaking vote. Mayor Bargo voted Nay.


At 7:06PM Council went into Executive Session

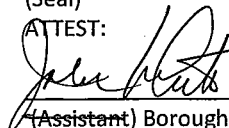
At 7:30 PM Council returned from Executive Session.

- A. **Motion by Mr. Lawson, seconded by Mr. Moore, Council unanimously approved Nathan Eckert to be promoted to a Full Time Police Officer position from Part time.**

ADJOURNMENT

**On a motion by Mr. Moore and seconded by Mr. Adams, Council unanimously adjourned the meeting at 7:35 PM.**

  
\_\_\_\_\_  
(Vice) President, Lewistown Borough Council

(Seal)  
ATTEST:  
  
\_\_\_\_\_  
(Assistant) Borough Secretary