

REGULAR COUNCIL MEETING MINUTES  
December 12, 2016 AT 5:30 P.M.  
LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

The meeting opened at 5:33 PM with Borough Council President Frank Berrier presiding. The Pledge of Allegiance was recited by all present.

**ROLL CALL**

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

**HEARING OF PERSONS PRESENT**

Mr. Wayne Hackett (7 Park Place) questioned why the executive session was held at the end of meeting instead of the beginning of regular meeting. He thinks that a lot of decisions take place during the executive session and for those who attend the meeting, but don't stay until after executive session, have to wait and read the results in the newspaper the next day. Mr. Berrier stated that no actions can be taken at executive session, however, when we come out we reopen our meeting and take action. Executive sessions can take ten minutes or two hours and that most folks do not want to wait around. Mr. Berrier questioned how well it would go over if they had a two hour executive session right at the beginning of the meeting. Mr. Hackett asked if the meeting could be limited to one hour with executive session starting at 5:30 and the regular meeting starting at 6:30. Mr. Berrier acknowledged what Mr. Hackett was asking, but no further action was taken.

**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 Minutes – November 14, 2016
  - 2. Finance Committee Minutes- November 17, December 1, & December 8
- B. Acceptance & Approval of the Treasurer's Report
- C. Acceptance of Tax Collector's Report
- D. Approval of Schedule of Bills:
  - 1. General Borough, Specialty Tax, Refuse, Wastewater Collection, Wastewater Treatment Plant, State Liquid Fuels
  - 2. Wastewater Facilities Account & Requisition 579
  - 3. CVS Escrow Account
- E. Acknowledge Receipt of Parking Lot Collections for Various Lots
- F. Acknowledge Receipt of Parking Authority Minutes from October, 2016
- G. Acknowledge Receipt of Budget Recap for November
- H. Acknowledge Receipt of Parking Ticket Collections for Sweeper and Meter Tickets
- I. Acknowledge Receipt of Street Sweeper Notice

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- J. Acknowledge Receipt of MC Library
- K. Acknowledge Receipt of ComCast Channel Additions
- L. Acknowledge Receipt of Community National Bank Letter
- M. Acknowledge Receipt of DLI Meeting Minutes for September & Executive Meeting Minutes in August
- N. Acknowledge Receipt of MC Parks & Recreation Council Letter for Donation
- O. Acknowledge Receipt of Miffco 2015 Financial Audit & Del Occ/Per Cap Audit for 2013, 2014 & 2015
- P. Acknowledge Receipt of PUC Letter
- Q. Acknowledge Receipt of Comcast Price Change Letter& Program Agreement Notice
- R. Acknowledge Receipt of Updated Organizational Chart
- S. Acknowledge Receipt of Fame Minutes for November & Fame Response Stats for October
- T. Acknowledge Receipt of Sun Home Health Letter for Donation
- U. Acknowledge Receipt of Employment offer for Clerk/Secretarial Position
- V. Acknowledge Receipt of Budget Recap
- W. Acknowledge Receipt of DLI Information regarding submission of various grant applications

***On a motion by Mr. Moore and seconded by Mr. Rager, Council by unanimous vote approved the Consent Agenda omitting the Finance Committee Meeting Minutes from November 17 due to the omission of Frank Berrier's name on the attendance roll. The Regular Council Meeting Minutes from November 14 were also omitted for a correction regarding the tax collector's salary.***

## REGULAR AGENDA

### REPORTS

#### A. Borough Treasurer

1. Ms. Walter stated that the Borough received \$1865.14 for State Police fines on December 1<sup>st</sup>.
2. Ms. Walter reported at the last council meeting they discussed the new agreement with Jet Pay in which the online fees or fees for using credit cards in the Refuse/Sewer office or Codes/Administration office would be passed onto the customer. Mr. Remy reviewed the agreement and there were some changes required. Council wanted Ms. Walter to get a cost to the Borough for the fees of using the credit cards and online payments which is what they are currently doing. The total costs of the fees for the month of October for the use of the credit cards and online payments in which the Borough paid totaled \$499.16. Council ask Ms. Walter to check on comparing other places with other rates. In speaking with Juniata Valley Bank, this is the vendor they use. To compare rates, the Borough currently has Ecommerce for accepting our

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parking ticket payments online and the agreement we have with them now is \$1.00 fee plus a 3.9% convenience fee that is passed onto the customer. The new agreement with Jet Pay, if council approves, will charge the customer 2.25% plus .25 cents per transaction. Mr. Berrier noted the savings would be about \$6,000 with the Jet Pay agreement. It was noted this was also discussed at the finance meeting. Mr. Searer mentioned that a notice about the new fees should be placed on the EG Channel and on the bill.

***Roll call was as follows:***

<b><i>Larry Searer</i></b>	<b><i>Nay</i></b>
<b><i>Larry Eddinger</i></b>	<b><i>Yea</i></b>
<b><i>Mr. Moore</i></b>	<b><i>Nay</i></b>
<b><i>Bill Wilson</i></b>	<b><i>Nay</i></b>
<b><i>Russell Rager</i></b>	<b><i>Yea</i></b>
<b><i>Jim Felmlee</i></b>	<b><i>Yea</i></b>
<b><i>Frank Berrier</i></b>	<b><i>Yea</i></b>

***On a motion by Mr. Rager and seconded by Mr. Eddinger, Council by 4 to 3 (Mr. Searer, Mr. Moore, Mr. Wilson) roll call vote approved to pass on the Jet Pay charges to the customer for credit card and online payments.***

**B. Codes Enforcement Officer**

1. Mr. Fink stated that last month there were 28 violations and there are approximately 10 more rental inspections for next week with another 10 more inspections until the end of the year.
2. Mr. Fink reported that the Codes Office issued 24 permits last month totaling \$1,347.49 and had permit fees at \$42,039.37 for the year.

**C. Fire Chief**

1. Chief Barlett reported that for the month of November the fire department had 18 alarms with no significant damage, plus each station ran medical assistance in their areas. Last night there a house fire in Decatur Township. The Brooklyn and United Fire Companies responded and spent about four hours down there.
2. Chief Barlett stated this Wednesday, two aerial trucks will be in for certifications and on Friday the Lewistown Borough bucket truck is scheduled.
3. Chief Barlett stated that a couple of weeks ago a call was placed from a resident of the 200 block of West Market Street that claimed to be sick from odors. They ran meters through the house and EMS responded but no problems were found. During the call it

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noted that there were some wiring problems that didn't seem safe so a call was placed to Rex Fink. Mr. Fink called the landlord and the safety issue was taken care of by the next day.

4. Chief Barlett along with the Police Officer, Steve Knudson responded to a mental health issue from a resident of Marble Street. He thought his neighbor was pumping poisonous fumes into his side of the house to try to poison him. They went through the house with meters and found no gases or hazardous readings.
5. Chief Barlett reported that he received a page from 911 Center about a lady at 31 Logan Street. She said her smoke detectors were going off all weekend and what should she do? They found four detectors with dead batteries so they replaced them. While he was there he noticed that the living conditions were not so good and a fire hazard, so he notified Mr. Fink.

#### **D. Mayor**

1. Mayor Bargo stated there were two successful events in Lewistown Borough. The Ice Festive was held and the theme was honoring the military. The Ice Festive was busy and cold but the ice didn't last long because of the wind conditions. It was well attended and a lot of people came from out of town. Mayor Bargo mentioned the Our Town Film which she hoped everyone had an opportunity to be part of. She commented on how it made her proud to live here.

#### **E. Police Chief**

1. Chief Jeffrey Lusk stated that in the month of November, the Lewistown Police Department responded to 269 calls for service. Out of those calls, they issued 49 traffic violations which generated \$6009.00 in revenue, tickets, 8 non-traffic tickets, and 10 warnings. The parking lot and street sweeper had 154 tickets issued, the parking meters had 54 tickets, and 2 illegal handicap parking tickets were issued.
2. Chief Lusk reported that the Police Department has upcoming events posted online at their site. One of the events is the Fill-a-Cruiser event at the Lewistown Giant Store. It is on Thursday 9:30 – 4:00. The Giant is allowing them to use the parking lot and helping them fill as many cruisers as possible. Last year they filled 3 or 4 cruisers and this year they are hoping for more. The collected non-perishable foods will be taken to Mother Hubbard's Cupboard and the Lumina Center.
3. Chief Lusk stated that the Granville United Methodist Church will hold a local dinner on Christmas Eve for everyone that is interested and they will supply gifts for the needy in the borough. They will have police officers in uniform and volunteers from the borough helping to deliver Christmas presents and food starting in the afternoon

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and continuing until they are finished which will be somewhere around 6 or 7 that evening.

4. Chief Lusk stated that the police have teamed up with the Key Club and the Salvation Army to collect gifts for needy children and then deliver them to the Salvation Army for redistribution.
5. Chief Lusk offered special thanks to Tim Plank of the highway crew for their help after the parades and the Ice Festival.
6. Chief Lusk reported that they will begin a new training in 2017 on deescalation. He has coordinated the training with some state mental health professions who will not charge the Borough. He has invited the other area police departments and the regional chief has been down and he will be involved with the training. Armagh Township and Granville Township have been invited. He has also met with Venus Shade of South Hills School of Business and Technology this afternoon to discuss January 4<sup>th</sup> training in report writing and affidavit preparation. He stated that they have a lot of young officers that need assistance with report writing. They developed a program at minimal costs to the department and they are going to do them during time frames with overlapping shifts so that overtime costs will be at a minimum. It will increase their capabilities in doing proper reports and affidavits.
7. Chief Lusk stated that they will continue with inventory control reports and they will be ready by January 30, along with office supplies and police equipment that belongs to the Borough.
8. Chief Lusk reported that they are continuing with quarterly evaluations of all the officers by the sergeant. The reports are due by mid-month. Everything should be completed by the end of December. He stated that new work plans for the officers will be ready beginning Jan 1 and every quarter thereafter. Their work on standard operating procedure and general orders continues. He's hoping that even as they are slow in coming that they will be developed and in place in the first six months in 2017.
9. Chief Lusk stated that he is actively looking at colleges and universities about interns in the summer because there are a lot of law enforcement and criminal justice programs out there. He has had a response from two people who would be interested. Part of the jobs the interns will be working with parking tickets and will also ride along with the officers.

#### **F. Board of Recreation**

1. No meeting was held in December so there is nothing to report.

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**G. Borough Solicitor**

1. Mr. Remy stated that he provided everyone with copies that are here for discussion concerning the cost and fee resolution. There are many places in the Borough code that have fees and costs built in and some of them are very low and really don't make a lot of sense in today's world. Therefore what he has attempted to do is create an ordinance that reflects all the other ordinances costs and refers them to the cost and fee schedule. Some things like sewer rates have to be set by the board so they're not included. Then when there's a change, it's just a change to the cost and schedule. Per Mr. Berrier this can be advertised and adopted at the next meeting. Law & Ordinance meets the fourth Thursday of each month. It was mentioned that this fourth Thursday is the regular council meeting so it won't happen until January. It was decided that it should be reviewed and discussed at the next council meeting.

**H. Borough Manager/Secretary**

1. Mr. Welham stated that this must be Tim Plank's day because he wished to thank Mr. Plank for the good job done on the streets with the snow that fell over the weekend. There were no accidents in the borough with the inclement weather.
2. Mr. Welham reported that the Borough has hired a new clerk/secretary. Today is her first day and her name is Cynthia Swarey. She had worked for 20 years at Philips Healthcare in various positions including a supervisory position and a systems administrator in electronic records. She also worked for Mellon Bank back in the day. Stop by and introduce yourself to Cindy.
3. Mr. Welham stated that one of the things the board asked him to look into was how many pool attendees there were this past summer. He said that the annual total was 3,840 pool attendees. One of the items for discussion was the current fee schedule with the \$3.00 vs the \$4.00 rate. The current cost and fee schedule states the rate is \$4.00 but that hasn't been approved by the board but we can change that before tomorrow before it gets advertised. It was decided to hold until the discussion on the cost and fee schedule.
4. Mr. Welham received a letter from Bob Lepley at Lepley Electric asking for an extension on his street light upgrade for the three street lights and the turning signal on Charles St that needs to be upgraded. He wants to push it out until January 20, 2017. A question was raised about the reason for the push out and it's because the parts are not in yet.

***On a motion by Mr. Moore and seconded by Mr. Rager, Council by unanimous vote approved the extension for the three street lights and the turning signal on Charles St.***

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5. Mr. Welham stated that they need a Planning Commission member. Joe Knepp just resigned so if you know of anyone please let them know. The Planning Commission met twice this year.
6. Mr. Welham stated that a couple of them are going to see Mr. Trump on Thursday night at 7:00 in Hershey. He went on to mention he has two extra tickets available if anyone is interested.

**UNFINISHED BUSINESS**

1. Mr. Berrier mentioned they had an approval of Memorandum of Understanding that they would be going into executive session to discuss. He stated that they may very well be taking action after executive session to act on the matter.

**NEW BUSINESS**

- A. Ms. Walter stated she had a listing of council meetings to be advertised in 2017. The EG needs to be moved to 4:00 on the 3<sup>rd</sup> Thursday of the month.

***On a motion by Mr. Moore and seconded by Mr. Rager, Council by unanimous vote approved changing the EG channel meeting to 4:00pm.***

- B. Mr. Berrier has an approval to reappoint Barry Bargo to the Municipal Authority Board. Mr. Felmlee would like to see the position advertised. Decision was made to vote.

***Roll call was as follows:***

<b><i>Larry Searer</i></b>	<b><i>Nay</i></b>
<b><i>Larry Eddinger</i></b>	<b><i>Yea</i></b>
<b><i>Mr. Moore</i></b>	<b><i>Yea</i></b>
<b><i>Bill Wilson</i></b>	<b><i>Nay</i></b>
<b><i>Russell Rager</i></b>	<b><i>Yea</i></b>
<b><i>Jim Felmlee</i></b>	<b><i>Nay</i></b>
<b><i>Frank Berrier</i></b>	<b><i>Nay</i></b>

***On a motion by Mr. Moore and seconded by Mr. Rager, Council denied Resolution 2016-53 by 4 to 3 to appoint Mr. Bargo to the Municipal Authority Board.*** The position is to be advertised.

- C. Mr. Berrier has an approval to appoint Ben Rager to the Library Board by resolution to take the place of Mrs. Mohler's position.

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***Roll call was as follows:***

<b><i>Larry Searer</i></b>	<b><i>Yea</i></b>
<b><i>Larry Eddinger</i></b>	<b><i>Yea</i></b>
<b><i>Mr. Moore</i></b>	<b><i>Yea</i></b>
<b><i>Bill Wilson</i></b>	<b><i>Yea</i></b>
<b><i>Russell Rager</i></b>	<b><i>Abstain (his son)</i></b>
<b><i>Jim Felmlee</i></b>	<b><i>Yea</i></b>
<b><i>Frank Berrier</i></b>	<b><i>Yea</i></b>

***On a motion by Mr. Moore and seconded by Mr. Felmlee, Council by unanimous vote (with Russell Rager abstaining) approved Resolution 2016-54 appointing Ben Rager to the Library Board.***

- D. Mr. Berrier stated the Approval of ECommerce Rate Changes will not be discussed tonight.
- E. A facility use form was submitted by Armstrong Drilling to use the parking lot across from Kish Bank today until January 6<sup>th</sup>. Per Mr. Welham what it is for is to replace the South Main Street Bridge, over Kish Creek. The bridge is going to be difficult to replace because the walls on the uphill side are holding up some of the buildings. Armstrong Drilling is taking core samples to find out how to tear it down and replace it.

***On a motion by Mr. Moore and seconded by Mr. Rager, Council by unanimous vote approved the facility use form for Armstrong Drilling.***

**Russ Rager, Finance Chairman**

1. Mr. Rager received the Cost and Fee Schedule for next year that was handed out at last meeting. Finance and staff worked on it. There are changes which clarify the way things are broken down. We need approval so it's in place by January 1, 2017.
2. Mr. Welham went over the fees to the refuse. Mr. Remy pointed out that the refuse fees were set by an ordinance. Mr. Berrier questioned if changing the ordinance to a fee schedule would take care of this issue? Mr. Remy went over the options to post the fees for refuse. Mr. Berrier pointed out that it also needed to be advertised and needs the board's approval, and could it be ready for December 29<sup>th</sup>. It was decided that the cost and fee schedule would be approved at the next meeting and Mr. Remy will have the ordinance for refuse to go with it.
3. Mr. Welham mentioned a change in the cost and fee schedule is the community center will have a time limit of 11:00pm. Before there was no time limits established. The



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conference center rental fee went from \$350 to \$500 for the full sized community room and from \$175 to \$250 for half sized room. A study was done of local centers available for rental and the conference center was way undervalued. With the new pricing structure we are now either equal or a bit under in comparison to the other centers. We were losing about \$30,000 a year so we are trying to recapture some of that debt.

4. Mr. Rager stated that the next item of business is the 2017 budget. He went over a budget recap. He reported that the General Fund Budget for 2017 had no tax increase. He mentioned that with all the rising costs including healthcare, vision, the 3% raises, the staff did an excellent job of keeping the budget in line. Mr. Berrier stated that the budget needed to be advertised and it would include the fact that there is no tax increase.
5. Mr. Searer would like to see every salaried employee get a 3% cost of living raise on January 1<sup>st</sup>. Mr. Rager felt that the pool manager and lifeguards should also receive a flat 3% increase to make it consistent with the other employees' wages. Mr. Searer felt that all the wage and salary employees should still receive a 3% increase, and that the pool employees wage should stay increased by .50 cents.

***Roll call was as follows:***

<b><i>Larry Searer</i></b>	<b><i>Yea</i></b>
<b><i>Larry Eddinger</i></b>	<b><i>Yea</i></b>
<b><i>Mr. Moore</i></b>	<b><i>Yea</i></b>
<b><i>Bill Wilson</i></b>	<b><i>Yea</i></b>
<b><i>Russell Rager</i></b>	<b><i>Yea</i></b>
<b><i>Jim Felmlee</i></b>	<b><i>Yea</i></b>
<b><i>Frank Berrier</i></b>	<b><i>Yea</i></b>

***On a motion by Mr. Searer and seconded by Mr. Moore, Council by unanimous vote approved the 3%cost of living raise for all salaried employees.***

6. Mr. Felmlee inquired as to the allocations for the Brooklyn being put aside in a bank account for them until they get their affairs in order. Mr. Felmlee questioned if the money could be designated as firefighting or fire truck usage only until they get their 990 paperwork straightened out. Mr. Felmlee made a motion to pay the Brooklyn their allocations if they produce a resolution stating that the allocations they received from the Borough would go directly to the fire companies. Mr. Searer seconded the motion. Mr. Berrier then stated that the Brooklyn had until June 2016 to show that everything was in the order and they didn't do that. The other fire companies came through with all their paperwork but the Brooklyn didn't. The fire companies need to show that their small games of chance provide 60% of the funds to be spent on the Fire Company. The Brooklyn wasn't able to show that. Mr. Berrier suggested they contact their certified

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public accountant to look at the operations for 2015 and straighten their report out. Then the council can look at the report and determine how the funds were spent. The 2017 budget was completed, and it includes a carryover balance for turnout gear for the fire companies. It was included in a carryover balance so that the Borough would not have to increase taxes. Mr. Berrier stated that **no motion is needed** for the fire companies to receive their allocations since it is budgeted. They would just need to submit their 990's. Mr. Felmlee and Mr. Searer both rescinded their motions at this time.

7. A roll call vote was taken to advertise the budget.

***Roll call was as follows:***

<b><i>Larry Searer</i></b>	<b><i>Yea</i></b>
<b><i>Larry Eddinger</i></b>	<b><i>Yea</i></b>
<b><i>Mr. Moore</i></b>	<b><i>Yea</i></b>
<b><i>Bill Wilson</i></b>	<b><i>Yea</i></b>
<b><i>Russell Rager</i></b>	<b><i>Yea</i></b>
<b><i>Jim Felmlee</i></b>	<b><i>Nay</i></b>
<b><i>Frank Berrier</i></b>	<b><i>Yea</i></b>

***On a motion by Mr. Rager and seconded by Mr. Eddinger, Council by a 6 -1(Mr. Felmlee) roll call vote authorized advertisement for 2017 budget.***

8. Mr. Rager stated that our janitorial service, NuVision, the cleaning company, has a slight increase for 2017 of 2.96% which is \$524.73 a month. The wastewater treatment plant increase will be 2.5% which is \$120.14 a month. Staff still feels that this is a competitive rate for cleaning our facilities. Mr. Rager recommended we renew the contract for next year.

***On a motion by Mr. Moore and seconded by Mr. Searer, Council by unanimous vote approved the contract for NuVision.***

9. Mr. Rager stated that the Borough Manager has two and half weeks of unused vacation time that he can't take and the practice in the past was that if it wasn't used the Council was able to pay out the time at the end of the year.

***On a motion by Mr. Searer and seconded by Mr. Rager, Council by unanimous vote approved the pay out of the Borough Manager's unused vacation time for this year only.***

10. Mr. Berrier wanted to add an item under the Finance Committee agenda. This is to do with our Borough Tax Collector and setting compensation for 2018. According to the

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statue every four years the Lewistown Borough has to set compensation for the tax collector prior to the election in the subsequent year. Four years ago compensation was set to be the same as what Nancy Held, the prior tax collector, was being paid. In reviewing the compensation of the collector the percentage rates haven't been adjusted for years, however every time taxes were raised, the collector gets a raise as well because the collector collects on a percentage basis. Mr. Berrier pointed out that the previous collector in her last year made approximately \$32,000 to collect taxes, maintain and keep the office open, provide reports to Borough, provide certifications to taxes paid, and prepare duplicate billings. The new collector is now charging for certifications, duplicate bills, and bad checks, so this has increased the pay by \$12,000 a year. The Borough can't change the pay of the current collector until the new collector comes in on January 1, 2018. The additional \$12,000 results in a 37% increase in the collector's net compensation. The Finance Committee has discussed this in a separate meeting. Mr. Berrier presented an Ordinance to amend the tax collector's compensation for the upcoming year.

***On a motion by Mr. Rager and seconded by Mr. Eddinger, Council by a 4-3 (Mr. Eddinger, Mr. Searer, Mr. Moore, Mr. Felmlee) vote denied to advertise the ordinance for tax collector compensation for next term.***

***Roll call was as follows:***

<b><i>Larry Searer</i></b>	<b><i>Nay</i></b>
<b><i>Larry Eddinger</i></b>	<b><i>Yea</i></b>
<b><i>Mr. Moore</i></b>	<b><i>Nay</i></b>
<b><i>Bill Wilson</i></b>	<b><i>Nay</i></b>
<b><i>Russell Rager</i></b>	<b><i>Yea</i></b>
<b><i>Jim Felmlee</i></b>	<b><i>Nay</i></b>
<b><i>Frank Berrier</i></b>	<b><i>Yea</i></b>

11. Mr. Berrier stated that the tax collectors current lease is up December 31. The tax collector has been given notice that a new lease needs to be executed. Finance has recommended extending the current lease until end of January 2018 and to tie any changes in the current lease with any changes in compensation with the next collector. We need to do a lease for Jan 1, 2017 for this tax collector. Her current lease is \$125 and includes everything. Mr. Searer made a motion to increase her rent to \$200.

***Roll call was as follows:***

<b><i>Larry Searer</i></b>	<b><i>Yea</i></b>
<b><i>Larry Eddinger</i></b>	<b><i>Nay</i></b>
<b><i>Mr. Moore</i></b>	<b><i>Yea</i></b>
<b><i>Bill Wilson</i></b>	<b><i>Yea</i></b>
<b><i>Russell Rager</i></b>	<b><i>Yea</i></b>

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*Jim Felmlee*                      *Yea*  
*Frank Berrier*                    *Nay*

***On a motion by Mr. Searer and seconded by Mr. Moore, Council by a 5-2 (Mr. Eddinger & Mr. Berrier) roll-call vote approved to change the rate from \$125 to \$200 for the tax collector effective January 1, 2017.***

**Larry Searer, Personnel Chairman**

1. Mr. Searer would like to make a motion that Council's has the approval to hire and fire personnel. Mr. Remy stated that there is an ordinance in place that already states this. Mr. Berrier also mentioned that the staff can't go out tomorrow and hire or fire anyone.
2. Mr. Searer stated upon speaking to the supervisor of WWT, Personnel Committee recommends Zeke Phillips to fill the position as the assistant, and with a salary of \$40,000.

***Roll call was as follows:***

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

***On a motion by Mr. Searer and seconded by Mr. Felmlee, Council by unanimous vote approved Zeke Phillips as the Assistant Wastewater Treatment Plant Supervisor with Resolution 2016-52.***

**A. Larry Searer, Streets Chairman**

1. Mr. Searer stated that Saint John's Lutheran's Church has asked permission for the placement of two parking meter bags. They would like to place them on two parking meters on Sunday morning at 8:00 and they will take down after church. They would like to do this to assist the handicap people of the church.

***Roll call was as follows:***

*Larry Searer*                      *Yea*  
*Larry Eddinger*                    *Yea*  
*Mr. Moore*                        *Yea*  
*Bill Wilson*                        *Yea*

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*Russell Rager*            *Yea*  
*James Felmlee*        *Yea*  
*Frank Berrier*         *Yea*

***On a motion by Mr. Searer and seconded by Mr. Felmlee, Council by unanimous vote approved to allow St. John's to put two parking meter bags on two meters during Sunday morning services.***

2. Mr. Searer stated that he received a request for handicapped parking space at 36 Pennebaker Avenue in which he checked out and it seems legitimate.

***Roll call was as follows:***

*Larry Searer*            *Yea*  
*Larry Eddinger*        *Yea*  
*Mr. Moore*             *Yea*  
*Bill Wilson*            *Yea*  
*Russell Rager*         *Yea*  
*James Felmlee*        *Yea*  
*Frank Berrier*         *Yea*

***On a motion by Mr. Searer and seconded by Mr. Felmlee, Council by unanimous vote approved a Handicap Parking Space at 36 Pennebaker Ave with Resolution 2016-55.***

3. Mr. Searer stated that at the Lewistown Post Office, the handicap parking space is on Wayne Street. In order to get into the Post Office, the individual has to go clear up to the other end. The request is to put the space right in front of where the ramp begins on Market Street.

***Roll call was as follows:***

*Larry Searer*            *Yea*  
*Larry Eddinger*        *Yea*  
*Mr. Moore*             *Yea*  
*Bill Wilson*            *Yea*  
*Russell Rager*         *Yea*  
*James Felmlee*        *Yea*  
*Frank Berrier*         *Yea*

***On a motion by Mr. Searer and seconded by Mr. Rager, Council by an unanimous roll call vote agreed to add a the handicap parking spot in front of where the ramp begins at the Lewistown Post Office with Resolution 2016-56.***

Council went into an executive session at 7:28 P.M.

## REGULAR COUNCIL MEETING MINUTES

December 12, 2016 AT 5:30 P.M.

### LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

Ms. Cvejkus wanted to emphasize that the hours worked this year were different from the previous two years due to the birth of Ms. Anewalt's twins. Mr. Berrier commented that many complaints were received with the abbreviated hours worked this year by Ms. Anewalt. Mr. Berrier also commented that collections were down by 1%. Ms. Cvejkus injected that she was told collections were increased for the year. Some discussion ensued about tax increases, which there was none, and about some changes in assessments. Ms. Cvejkus took the discussion back to the rate change calculations and inquired about the out of pocket expenditure of over \$3,000 a year. She said that Mr. Berrier mentioned a \$50,000 dollar windfall since Ms. Anewalt has been in office. Ms. Cvejkus inserted that this number is exaggerated and that the figure was actually \$30,000 over two and a half years with another \$12,000 to be paid in 2017. She also pointed out that increase in funding was paid by the requestors of certification and had no impact on the budget each year. Ms. Cvejkus stated that the Borough of Lewistown's tax collector Ms. Anewalt has the lowest commission rate in the county. Ms. Cvejkus then provided some information about the different rates other municipalities are paying their tax collectors. Mr. Berrier commented that, taking the posted hours and dividing out the annualized salary, the tax collector was making more than the borough manager per hours worked. Mr. Berrier was making the point that the tax collector is overly compensated with the \$12,000 fee that she is collecting for certifications from the customers and that is also paid for by the Borough. A question was raised about allowing changes only during an election year and Mr. Berrier commented that the rule is that borough council sets compensation every four years. The compensation was set when she won the election and took office. And then Ms. Anewalt came to the council and asked to charge for the certifications and the prior council allowed it not knowing the amount of money that was going to be collected. It was noted that the changes would take effect when the new election was held.

Mr. Jim Knepp of 2 Pine Park Drive approached the council with a water run off problem that has caused a hole that is a foot wide and a foot deep. Mr. Berrier asked Mr. Plank to look into the problem. Mr. Knepp mentioned that the alley also needs to be paved.

Ms. Ruth Varner wanted to comment that she thinks it's outrageous to make \$26 an hour for an elected position part-time.

Mr. Dave Campbell commented on the tax collector issue and asked if the borough council could just rescind the ordinance in 2014 to allow the tax collector to collect the certification fees? Mr. Berrier commented that now that the general public is used to paying the fee why shouldn't the Borough benefit from the fee? The proposed fee structure, offered by the council members after much consideration, allows the collector to keep 20% of the \$12,000 and the Borough reduces the payment to the tax collector by \$9,500, which would result in an 8% increase over what the last tax collector received when she ran for the position. Mr. Berrier mentioned that the proposed fee structure would become effective when the next elected tax collector took office. Ms. Cvejkus did mention that the \$12,000 was not a guaranteed rate but an estimate based on requests for certifications.

REGULAR COUNCIL MEETING MINUTES

December 12, 2016 AT 5:30 P.M.

LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

***On a motion by Mr. Searer and seconded by Mr. Rager, Council unanimously voted to adjourn at 8:33 P.M.***

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

(Seal)

ATTEST   
\_\_\_\_\_  
(Asst) Borough Secretary