

REGULAR COUNCIL MEETING MINUTES
December 29, 2016 AT 5:00 P.M.
LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

The meeting opened at 5:00PM 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. Felmlee, and Mayor Bargo were present. Mr. Rager was out of town.

HEARING OF PERSONS PRESENT

No Hearings of persons were present.

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 & December 12, 2016
2. Finance Committee Minutes-November 17, 2016

Mr. Felmlee had questions on Finance Committee Meeting Minutes from 12/8/2016. These meeting minutes were approved at the last council meeting. He has two different sets, which one was approved? Mr. Berrier reviewed and designated which set was approved.

Roll Call

<i>Larry Searer</i>	<i>Yea</i>
<i>Bill Wilson</i>	<i>Yea</i>
<i>Matt Moore</i>	<i>Yea</i>
<i>Larry Eddinger</i>	<i>Yea</i>
<i>Jim Felmlee</i>	<i>Yea</i>
<i>Frank Berrier</i>	<i>Yea</i>

On a motion by Mr. Searer and seconded by Mr. Moore, Council by unanimous vote approved the Consent Agenda following a roll call vote.

- A. *The 2017 Budget was reviewed noting Derry Township questioned the EDU breakdowns. A meeting has been set with them for January 5 at 4:00.***

Mr. Felmlee had questions on the refuse fees and breakdown. It was explained that there was a minimal increase in refuse.

Roll Call

<i>Larry Searer</i>	<i>Yea</i>
<i>Bill Wilson</i>	<i>Yea</i>
<i>Matt Moore</i>	<i>Nay</i>
<i>Larry Eddinger</i>	<i>Yea</i>
<i>Jim Felmlee</i>	<i>Yea</i>
<i>Frank Berrier</i>	<i>Yea</i>

On a motion by Mr. Searer and seconded by Mr. Wilson, Council by 5-1 (Mr. Moore) vote approved the 2017 Budget following a roll call vote.

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B. Adoption of Wage and Salary Resolution 2016-57

Roll Call

Larry Searer	Yea
Bill Wilson	Yea
Matt Moore	Yea
Larry Eddinger	Yea
Jim Felmlee	Yea
Frank Berrier	Yea

On a motion by Mr. Felmlee and seconded by Mr. Moore, Council by unanimous vote approved the Wage and Salary Resolution 2016-57 following a roll call vote.

C. Adoption of Transfer Resolution 2016-58

Roll Call

Larry Searer	Yea
Bill Wilson	Yea
Matt Moore	Yea
Larry Eddinger	Yea
Jim Felmlee	Yea
Frank Berrier	Yea

On a motion by Mr. Eddinger and seconded by Mr. Felmlee, Council by unanimous vote approved the adoption of Transfer Resolution 2016-58 following a roll call vote.

D. Adoption of Ordinance 2016 Changing Refuse Collection Fees within cost and fee schedule

Mr. Remy noted that this was a way to streamline changes to costs and fees instead of doing an ordinance every time.

Roll Call

Larry Searer	Nay
Bill Wilson	Yea
Matt Moore	Yea
Larry Eddinger	Yea
Jim Felmlee	Yea
Frank Berrier	Yea

On a motion by Mr. Felmlee and seconded by Mr. Moore, Council by 5-1 (Mr. Searer) vote approved the adoption of Ordinance 2016-9 Changing Refuse Collection Fees within cost and fee schedule following a roll call vote.

E. Authorization to advertise Ordinance 2016- to outsource the roll off services

Roll Call

Larry Searer	Nay
Bill Wilson	Nay
Matt Moore	Yea
Larry Eddinger	Yea
Jim Felmlee	Yea
Frank Berrier	Yea

On a motion by Mr. Moore, and seconded by Mr. Felmlee, Council by 4-2 (Mr. Searer, Mr. Wilson) vote approved the advertisement of Ordinance 2016 to outsource the roll of services following a roll call vote.

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F. Adoption of Cost and Fee Schedule Resolution 2016-59

Roll Call

<i>Larry Searer</i>	<i>Nay</i>
<i>Bill Wilson</i>	<i>Nay</i>
<i>Matt Moore</i>	<i>Nay</i>
<i>Larry Eddinger</i>	<i>Nay</i>
<i>Jim Felmlee</i>	<i>Yea</i>
<i>Frank Berrier</i>	<i>Yea</i>

On a motion by Mr. Felmlee and seconded by Mr. Moore, Council by 4-2 (Mr. Searer, Mr. Wilson, Mr. Moore, & Mr. Eddinger) vote did not pass the adoption of Cost and Fee Schedule Resolution 2016-59 following a roll call vote.

Mr. Remy pointed out that the Cost and Fee Schedule has always passed as far back as he can remember. Discussion was held on consequences of not passing the Cost and Fee Schedule and then more discussion ensued on the various aspects that council members were unhappy with, such as community center rentals, the pool fees and the tags for refuse. Council was invited to attend the Rec Board Meeting at 6:00 on Tuesday January 3 if more discussion was needed on those fees. Mr. Moore is opposed to the whole tagging refuse system and has been for a couple of years now. It was mentioned that the bag system is even more expensive than the tag system. Council was invited to the Finance Committee Meeting also on Thursday at 2:00. Mr. Berrier suggested passing the schedule and then amending it.

Roll Call

<i>Larry Searer</i>	<i>Yea</i>
<i>Bill Wilson</i>	<i>Yea</i>
<i>Matt Moore</i>	<i>Yea</i>
<i>Larry Eddinger</i>	<i>Yea</i>
<i>Jim Felmlee</i>	<i>Yea</i>
<i>Frank Berrier</i>	<i>Yea</i>

On a reconsider motion by Mr. Felmlee and seconded by Mr. Moore, Council by unanimous vote approved the adoption of Cost and Fee Schedule Resolution 2016-59 following a roll call vote.

G. Authorization to advertise Ordinance No. 2017 – Real Estate Tax Ordinance with No Tax Increase.

Roll Call

<i>Larry Searer</i>	<i>Yea</i>
<i>Bill Wilson</i>	<i>Yea</i>
<i>Matt Moore</i>	<i>Yea</i>
<i>Larry Eddinger</i>	<i>Yea</i>
<i>Jim Felmlee</i>	<i>Yea</i>
<i>Frank Berrier</i>	<i>Yea</i>

On a motion by Mr. Searer and seconded by Mr. Felmlee, Council by unanimous vote approved the authorization to advertise Ordinance No. 2017 Real Estate Tax Ordinance with No Tax Increase following a roll call vote.

H. Adoption of Ordinance No. 2016-Amending all Ordinances allowed by law to reflect costs from Cost and Fee Schedule

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Housekeeping vote that was to be looked at by the Law and Ordinance Committee last week but the meeting was cancelled. This ordinance will be reviewed at that next meeting and then brought to council after that meeting.

I. Adoption and Authorization to advertise 2017 Meeting Schedule

Mr. Moore would like to move the Fire Ad Hoc meetings from 7:00 to 6:00, and discussion was held to move the Borough Council meetings from 5:30 to 5:00.

Roll Call

<i>Larry Searer</i>	<i>Yea</i>
<i>Bill Wilson</i>	<i>Yea</i>
<i>Matt Moore</i>	<i>Yea</i>
<i>Larry Eddinger</i>	<i>Yea</i>
<i>Jim Felmlee</i>	<i>Yea</i>
<i>Frank Berrier</i>	<i>Yea</i>

On a motion by Mr. Felmlee and seconded by Mr. Moore, Council by unanimous vote approved the adoption and authorization of the advertisement of 2017 Meeting Schedule following a roll call vote.

J. Reappointment of Beth Reifsnyder to the Zoning Hearing Board by Resolution 2016-60

Roll Call

<i>Larry Searer</i>	<i>Yea</i>
<i>Bill Wilson</i>	<i>Yea</i>
<i>Matt Moore</i>	<i>Yea</i>
<i>Larry Eddinger</i>	<i>Yea</i>
<i>Jim Felmlee</i>	<i>Yea</i>
<i>Frank Berrier</i>	<i>Yea</i>

On a motion by Mr. Felmlee and seconded by Mr. Moore, Council by unanimous vote approved the reappointment of Beth Reifsnyder to the Zoning Hearing Board by Resolution 2016-60 following a roll call vote.

K. Accept resignation of Pamela Liddle as the delegate for the Lewistown Borough on the Tax Collection Committee

On a motion by Mr. Felmlee and seconded by Mr. Moore, Council by unanimous vote accepted the resignation of Pamela Liddle as the delegate for the Lewistown Borough on the Tax Collection Committee.

L. Accept resignation of Larry Knepp on the Planning Commission

On a motion by Mr. Searer, and seconded by Mr. Felmlee, Council by unanimous vote accepted the resignation of Larry Knepp on the Planning Commission.

M. Appoint Stefan Russell to the Police Advisory Board by Resolution 2016-61

Roll Call

<i>Larry Searer</i>	<i>Yea</i>
<i>Bill Wilson</i>	<i>Yea</i>
<i>Matt Moore</i>	<i>Yea</i>
<i>Larry Eddinger</i>	<i>Yea</i>
<i>Jim Felmlee</i>	<i>Yea</i>
<i>Frank Berrier</i>	<i>Yea</i>

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On a motion by Mr. Searer, and seconded by Mr. Felmlee, Council by unanimous vote decided to accept the appointment of Stefan Russell to the Police Advisory Board by Resolution 2016-61 followed by a roll call vote.

- N. Discussion on reappointments and vacancies will be held more in depth at the next council meeting.
- O. Mr. Searer stated that he felt that since the unused vacation time was paid out to the Borough Manager, he felt that Mr. Lusk should also be paid out for his remaining time since he has put a lot of hours in.

On a motion by Mr. Searer, and seconded by Mr. Felmlee, Council by unanimous vote approved to pay out the remainder of Police Chief Lusk's vacation time remaining for this year only.

Council went into an executive session at 5:35 P.M. due to pending litigation.

Council came out of executive session at 6:15 P.M.

On a motion by Mr. Searer, and seconded by Mr. Felmlee, Council by unanimous vote decided to turn pending litigation over to the insurance company.

Brief discussion was held on appointing someone to the Municipal Authority Board.

Roll Call

Larry Searer	Yea
Bill Wilson	Yea
Matt Moore	Nay
Larry Eddinger	Nay
Jim Felmlee	Yea
Frank Berrier	Nay

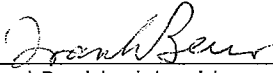
On a motion by Mr. Searer, and seconded by Mr. Felmlee, Council by a 3 to 3 (Mr. Moore, Mr. Eddinger, Mr. Berrier) voted to appoint Bob Reeder to the Municipal Authority Board.

Mayor Bargo was not present after executive session to break the tie vote. Mr. Remy will review proper procedure and then further action will be taken.

PUBLIC COMMENT

None given

On a motion by Mr. Searer and seconded by Mr. Moore, Council unanimously voted to adjourn at 6:28 P.M.



(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:


(Asst) Borough Secretary