

SPECIAL COUNCIL MEETING MINUTES
FEBRUARY 29, 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. Berrier, Mr. Searer, Mr. Felmlee, Mr. Rager, Mr. Welham, Mr. Moore, and Mayor Bargo were present.

HEARING OF PERSONS PRESENT

- A. Ron Napikoski, Mifflin County Parks and Recreation, updated Council on what the Mifflin County Parks and Recreation Committee represents. He stated their organization is not looking for funding but wanted to let the Community know information relative to the organization. They are a 501©(3) organization and are always looking for ways to help the community. He stated they plan to employ an intern over the summer who will be willing to do a resource assessment. Mr. Berrier explained that Mr. Napikoski should probably talk to Rec Board and see what they have as far as recommendations. Mr. Napikoski should follow up with Mr. Moore.
- B. Mr. Berrier stated Mr. Bill Gomes, Mifflin County Planning and Development, was on the Agenda to discuss the Rec Tap Revitalization Concept Plan; however Mr. Berrier had spoken to Mr. Gomes and recommended he discuss any information with the Rec Board.
- C. Venus Shade, Chairman of Kid Connection, attended Council Meeting about a month ago. She would like to request Council reconsider waiving the fees for the Kid Connection event. She stated they are still seeking donations and have to pay for their entertainment, port-a-potties, etc. They have minimal funding and stated that she feels since this is a community event, the fee should be waived. Mr. Felmlee addressed Ms. Shade and asked her to get in contact with him directly.
- D. Bill Varner from the Rental Association stated that letters were sent to the property owners letting them know about the Bags without tags. He stated his problem is that when the bags are removed and destroyed, you are removing the evidence if someone puts their bag out in front of someone else's home without the proper tag on it. Mr. Berrier stated that the main issue is that people are not tagging all of their bags. For example, the Refuse personnel are noticing that people put out four (4) bags which are tagged and two (2) bags without tags. The policy of charging the customers will not go into effect until tomorrow, March 1, 2016. Mr. Varner stated however that he felt that the bags be set aside and the proper authorities be notified.
- E. Dave Campbell, 33 E Chestnut Street, asked about privatizing the Refuse/Recycling. Mr. Rager explained that this would not be beneficial because we are required to recycle due to the size and population of the Borough. In addition, the Borough would not be able to regulate the prices and each company could set their own prices. Recycling also reduces the amount of fees we pay to dispose of the Refuse. We do receive monies back for our recycling. Mr. Rager explained that the Borough would not have any jurisdiction over this. If a person does not pay their bill at this time, we are able to shut off the water and/or lien the property. Ms. Walter inserted that the Borough can only shut off the water for non-payment of the sewer bill not the refuse bill; however the Borough can lien the property for non-payment of the sewer bill.

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.

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- A. Approval of Minutes
 - 1. Regular Council Meeting Minutes – February 8, 2016
 - 2. Finance Committee Minutes-February 4, 2016
 - 3. EG Committee Minutes-February 17, 2016
- B. Approval of Schedule of Bills
 - 1. General Borough, Specialty Tax, Refuse, Wastewater Collection, Wastewater Treatment Plant, & State Liquid Fuels
- C. Facility Use Form for Kid Connection
- D.**Resolution 2016-12 Handicap Parking Space-(approved at prior meeting)
- E.**Resolution 2016-13 Appointment of Kevin Kodish for 2 Yr term to EG Channel
- F.**Resolution 2016-14 Appointment of James Tunall for 2 Yr term to EG Channel
- G. Acknowledge Receipt of FAME EMS Minutes
- H. Acknowledge Receipt of Rain Event Info received from WCS/WWT Superintendent
- I. Acknowledge Receipt of Informational Letters of Appointment
- J. Acknowledge Receipt of Strob Environmental Downstream Notification for Fuel Tank
- K. Acknowledge Receipt of Information regarding CAP Plan & Justification Letter for Permanent Meters from Gannett Fleming/Manhole Data Survey/2016 PCMS Annual Inspection Report/Lab Quality Manual Update/CVS EDU Info
- L. Acknowledge Receipt of Annual Recycling Report for 2015 from Refuse Department Superintendent
- M. Acknowledge information relative to allowance for Refuse Department Superintendent to attend PROP Conference
- N. Acknowledge Receipt of Mifflin County Parks and Recreation Council Agenda and Minutes
- O. Acknowledge Right to Know Request Response
- P. Acknowledge Receipt of Lumina Appreciation Letter
- Q. Facility Use Form for Sacred Heart of Jesus Parish
- R. Facility Use Form for Strodes Mills Baseball Team
- S. Authorization for Borough Manager/Secretary to sign contracts for Ehrlich Vegetation Management
- T. Acknowledge Receipt of Phase 5 Streetscape Drawings
- U. Acknowledge Receipt of Rec Park Revitalization Concept Plan

Council pulled the three Resolutions off the Consent Agenda and voted on them separately.

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

On a motion by Mr. Moore and seconded by Mr. Rager, Council by unanimous vote approved Resolution No. 2016-12 Handicapped Parking Space.

On a motion by Mr. Moore and seconded by Mr. Felmlee, Council by unanimous vote approved Resolution No. 2016-13 Appointment of Kevin Kodish to the EG Channel for a two (2) year term.

On a motion by Mr. Rager and seconded by Mr. Welham, Council by unanimous vote approved Resolution 2016-14 Appointment of James Tunall to the EG Channel for a two (2) year term.

REPORTS

- A. Borough Manager/Secretary
 - 1. Ms. Walter stated that she received information relative a distribution tank leaking from Mr. Dippery, WCS/WWT Superintendent. Mr. Dippery contacted DEP, G.M. McCrossin, and Gannett Fleming in reference to the matter. G.M. McCrossin had their subcontractor in and the tank was repaired. Due to the tank being under warranty, the Borough will not incur any cost for the repairs.
 - 2. Ms. Walter requested authorization for releasing the Quarterly Allocations to the Fire Companies. Ms. Walter stated the proper paperwork was received from the City

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Hook & Ladder as well as United Fire and Rescue. We have received nothing from
the Brooklyn as of today.

On a motion by Mr. Moore and seconded by Mr. Rager, Council by unanimous vote approved releasing the first quarterly allocations for the City Hook & Ladder and United Fire & Rescue Companies.

3. Ms. Walter stated an e-mail was received from Kish Bank in regards to City Hook & Ladder purchasing equipment upgrades for the Rescue Unit. The interest rate would be 3.40 % over 60 months. Mr. Ryan Barlett, Captain of the City Hook & Ladder, stated that the pre-existing "jaws of life" is outdated and a new set is needed. He stated that City Hook & Ladder just needs a letter from the Borough stating that the give the City Hook & Ladder a quarterly allocation. This letter does not hold the Borough liable for any type of repayment. Mr. Searer questioned whether Firemen's Relief would be willing to pay for any of this. Captain Barlett stated no. Captain Barlett stated once they upgrade, it would not be need upgraded for another 20 – 25 years.
Fire Chief Bob Barlett stated that this equipment would be interchangeable with other departments in the area.

On a motion by Mr. Searer and seconded by Mr. Welham, Council by unanimous vote approved giving City Hook & Ladder the proper information and letter needed.

4. Ms. Walter stated a request was received from Mr. James Maguire in regards to 40 Shaw Avenue. Ms. Walter stated that she questioned the Borough Refuse/Sewer Office; and they stated that they do not have any type of documentation on file for him or this property that he has the Power of Attorney or that he is the owner of the property. The property owner is listed as Autumn Colton, not Mr. Maguire. Ms. Walter verified with the Borough Solicitor that she should respond stating that we would need a copy of the Power of Attorney documentation for him before any other information can be released.

UNFINISHED BUSINESS

- A. Mr. Berrier reviewed the list of the names of applicants received for the new Borough Council Member. Mr. Berrier asked whom Council would like to appoint. Mr. Felmlee nominated Mr. Larry Eddinger and Mr. Moore nominated Mr. John Adams. Mr. Berrier asked for a roll call vote to see whom each member would vote for.

Mr Searer	Larry Eddinger
Mr. Felmlee	Larry Eddinger
Mr. Moore	John Adams
Mr. Rager	John Adams
Mr. Welham	Larry Eddinger
Mr. Berrier	Larry Eddinger

- B. Mr. Berrier stated Mr. Larry Eddinger had the most votes. Mr. Berrier asked for a roll call vote to approve Resolution 2016-16, appointment of Larry Eddinger to Borough Council.

Mr. Searer	Yes
Mr. Felmlee	Yes
Mr. Moore	Yes
Mr. Rager	Yes
Mr. Welham	Yes
Mr. Berrier	Yes

On a motion by Mr. Welham, and seconded by Mr. Rager, Council by roll call vote approved Resolution 2016-16, Appointment of Larry Eddinger to Borough Council.

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- C. Mr. Berrier reviewed the Transfer Liquor License request. He stated that in order to approve the transfer of the Liquor License, a Resolution must be approved. Mr. Berrier asked for a roll call vote for the approval of Resolution 2016-15, Transfer of Liquor License for Michele Dalton and Robert Baker.

Mr. Searer	No
Mr. Felmler	No
Mr. Moore	Yes
Mr. Rager	No
Mr. Welham	Yes
Mr. Berrier	No
Mr. Eddinger	No

On a motion by Mr. Moore and seconded by Mr. Welham, Council by roll call vote denied Resolution 2016-15, the Transfer of the Liquor License.

- D. Mr. Herto provided Council with an updated list of all Student Interns and MCTV staff. He also provided Council with a list of things that the EG Channel has done since the new Council has taken over on January 1, 2016. Mr. Felmler asked Mr. Herto if the EG Channel does a broadcast for a private organization if there is a charge? Mr. Herto stated that at this time there is no charge but they have the ability to charge based upon their status. Mr. Herto explained they aired the Mifflin County Commissioners meeting this month as well as two of the Mifflin County Wrestlers signing for college with full scholarships. He then explained that they have no way of knowing who is watching the channel. So far since the website went live, there has been over 1,500 people on the site. On average, there was over 8,600 minutes viewed. Many people come to the site looking for one thing in particular. They fast-forward to what they are looking for. It is a 58 % male to 42 % female audience. He stated that the website domain was provided free from a local resident. Under the sunshine act, the government tapings cannot be edited.

On a motion by Mr. Felmler and seconded by Mr. Moore, Council unanimously voted to approve the student listing for the EG Channel.

- E. There was discussion relative to the Facebook page. Mr. Berrier stated that he felt it was causing some negativity towards Council. Mr. Moore explained that the Facebook page was more like a search engine directing residents to our Website.

On a motion by Mr. Searer and seconded by Mr. Rager, Council by majority vote (6-1(Moore) approved removing the Borough of Lewistown Facebook page.

- F. Sergeant Sheaffer stated that the Police Department was approached about starting up an Escrow account relative to the K9 unit. He stated the Borough would be in charge on maintaining this account and when reimburse was needed or an invoice needed paid, it could be paid out of this account as long as it was relative to the K9 unit. Mr. Berrier verified with Solicitor Mark Remy that this would be allowable. Solicitor Remy stated he felt this would be allowable.

On a motion by Mr. Moore and seconded by Mr. Welham, Council unanimously voted to approve setting up the K9 escrow account.

- G. There was some discussion relative to the bags without tags. Mr. Berrier explained that the Refuse Personnel are keeping track of all residents who pay online and/or mail their payment in but do not send the additional \$2.00 to have their tags mailed back. Mr. Berrier felt that staff should mail them the tags and add the charge to their bills. Mr.

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Searer felt that we should not mail them but instead only allow residents to pick them up for a certain period of time. If the tags are not picked up in 90 days, they are removed from the spreadsheet and the customer does not receive them.

On a motion by Mr. Searer and seconded by Mr. Welham, Council unanimously voted to approve only holding Refuse tags for 90 days.

NEW BUSINESS

- A. Ms. Walter stated the Costars salt contract is due in March but the period is from August 2016 until July 2017. She stated if we did not approve the contract, we would have to go through the bidding process.

On a motion by Mr. Searer and seconded by Mr. Moore, Council unanimously approved the Salt Contract Participation Agreement with Costars.

- B. Mr. Berrier stated that Mike Dippery is available when needed and we could consult with him on an as needed basis. Solicitor Remy will draft an agreement for Council and Mr. Dippery to execute.

On a motion by Mr. Searer and seconded by Mr. Felmlee, Council unanimously voted to approve the hiring of Mike Dippery for consulting purposes.

- C. Mr. Berrier stated Refuse Personnel are currently entering minutes on a daily basis for commercial accounts. For every minute the Personnel are out is a \$3.00 charge. Mr. Berrier stated it would be more efficient if we could do an average for the past year and that would be the charge we bill. If the business felt they were being over charged, they could come to Council and it would be reevaluated.

On a motion by Mr. Searer and seconded by Mr. Welham, Council unanimously voted to average the Refuse minutes for billing purposes.

- D. Mr. Berrier stated he met with the Mifflin County School District last week in regards to the contract with Wage Tax Collection Committee. The School District is now doing RFP's and he felt it would be wise for the Borough to do that as well.

On a motion by Mr. Felmlee and seconded by Mr. Searer, Council unanimously approved the Borough Representative, Bob Long, to let the Committee know the Borough is wishing to do RFP's.

- E. There was some discussion relative to accepting Credit Card Payments in the Refuse office. Mr. Berrier stated that for every time a resident pays with a credit card, the Borough absorbs the charge rather than having the customer pay it. Mr. Berrier stated that the charge varies based upon what credit card is used, however it may average to approximately 2.50%. Ms. Walter stated she checked with the Juniata Valley Bank and there is a governmental software program that allows the Borough to pass the charge off to the customer.

On a motion by Mr. Rager and seconded by Mr. Welham, Council by majority vote (5-2(Searer; Moore)) approved staff contact Juniata Valley Bank to set up the program.

- F. Ms. Walter stated she had received a letter from Mr. Ken Schuct relative to the Underground Fiber Optics. Council sent this to the Public Works/ Utilities/ Cable TV Committee.
- G. Ms. Walter stated we had received a Transient Business License from NRG Home. Mr. Berrier asked for questions or comments.

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On a motion by Mr. Welham and seconded by Mr. Moore, Council unanimously denied the Transient Business License for NRG Home.

Council went into Executive Session at 6:53 p.m. to discuss Legal and Personnel Matters. Council came out of Executive Session at 7:27 p.m.

On a motion by Mr. Felmler and seconded by Mr. Welham, council approved by unanimous vote to hire the Wastewater Treatment Plant Assistant effective 3-14-16.

On a motion by Mr. Welham and seconded by Mr. Moore, council unanimously approved bidding out the Wastewater Treatment Plant Operator and advertise if no bids are received.

On a motion by Mr. Searer and seconded by Mr. Rager, council unanimously approved changing the Codes Officer position recently hired to be the Streets Superintendent and hiring him at the pay rate of \$44,000.00.

On a motion by Mr. Moore and seconded by Mr. Rager, council unanimously approved hiring of two Full-time officers. Mr. Mann will be hired effective 3-12-16, and Mr. Marsh will be hired effective 3-1-16. These officers are to be hired due to 2 of our existing officers leaving.

On a motion by Mr. Felmler and seconded by Mr. Moore, council unanimously voted to adjourn at 7:30 p.m.


~~Vice~~ President, Lewistown Borough Council

(Seal)

ATTEST:

(Asst) Borough Secretary