

BOROUGH OF LEWISTOWN  
REGULAR COUNCIL MEETING  
MINUTES  
MAY 11, 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. O'Donnell, Mr. Schell, Mr. Rager, and Mayor Bargo were present. Mr. Searer was absent.

HEARING OF PERSONS PRESENT

No one from the public wished to address Council at this time.

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CONSENT AGENDA

**On a motion by Mr. Moore and seconded by Mr. O'Donnell, Council unanimously approved the Consent Agenda, containing the following items.**

- A. Approved the Meeting Minutes
  - 1. Regular Council Meeting – April 13, 2015
- B. Accepted and approved the Treasurer's Report – April 2015
- C. Approved the Schedule of Bills
  - 1. General Borough, Refuse, Wastewater Collection, Wastewater Treatment Plant, Specialty Tax Fund, and State Liquid Fuels
  - 2. General Borough Capital Purchases Fund
- D. Approved the Facility Use Requests
  - 1. Glick's Shoe Store to close the alley behind their store on April 18, 2015 (ratify)
  - 2. The EADS Group to restrict traffic to one lane on South Dorcas Street while performing bridge inspection on April 22, 2015 (ratify)
  - 3. Sacred Heart School for use of Rec Park for Field Day Activities on May 22, 2015 (rain date – May 29, 2015)
  - 4. Derry Township Fire Police for use of Victory Park for Fishing Tournament from July 17-19, 2015
  - 5. First United Methodist Church for closure of North Dorcas Street from East Third Street to North Plaza Drive for Block Party on July 19, 2015
- E. Acknowledged receipt of general correspondence
  - 1. Municipal Authority of the Borough of Lewistown Meeting Minutes – March 18, 2015
  - 2. Fame EMS Open House & Luncheon – May 19, 2015

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HEARING OF PERSONS PRESENT (Continued)

- A. Ms. Carrie Acosta (312 South Grand Street, Lewistown) addressed Council relative to the letter she received about fixing her curbs and sidewalks. She questions why the residents were only given about 90-days to fix their curbs and sidewalks before fines may be incurred because the contractors she has contacted are already booked. It was explained that this is done in conjunction with the paving projects and ideally the curbs should be done prior to the project. Mr. O'Donnell indicated that he would like to see some additional time given to residents to fix their sidewalks, if they can provide an estimate from a contract prior to July 31, 2015 and the work is complete before the end of the year. It was suggested that she contract Mr. Rex Fink, Code Enforcement Officer to discuss the matter.

## REGULAR AGENDA

REPORTS

## A. Treasurer

1. **On a motion by Mr. O'Donnell and seconded by Mr. Moore, Council unanimously accepted and approved the Tax Collector's Report for April 2015.**

## B. Code Enforcement Officer

1. Mr. Fink reported that 36 violations were issued in April, in where 62% were for rental properties. He also reported that 62 permits were issued in April, in where 37% were for rental properties.
2. Mr. Remy reported that the complaint for the garage on Valley Street (rear of Central Avenue) has been filed with the courts and we are waiting for a court date to be scheduled.
3. Mr. Remy reported that they met with the courts again relative to the conservatorship for 216 East Third Street and presented the Borough's plan, which includes demolishing the building.
4. Mr. Fink reported that he has been meeting with homeowners in relative to sidewalk and curb repairs.
5. Mr. Fink noted that a Zoning Hearing was held on April 29, 2015 in relation to a special exception for a resident to operate a dog grooming business from her home. The Zoning Hearing Board ruled to allow the resident to operate the business from her home and to allow an advertising sign on the property.
6. Mr. Fink noted that we are waiting on an estimated cost from the restoration company for a fire that occurred at 19 Franklin Avenue, to determine if a fire escrow account needs to be established.

## C. Fire Chief

1. Chief Barlett reported that the Fire Department responded to 24 calls in April. He noted the only major incident was the fire at 19 Franklin Avenue.
2. Chief Barlett noted that the Department will be conducting numerous trainings in the coming months.
3. Chief Barlett indicated that he will be taking the Borough's ISO (insurance organization) representative around to the three companies and they will evaluate our services. They will then be able to provide a plan on what the Department should look like, as far as facilities and equipment.

## D. Mayor

1. Mayor Bargo reported that May 10-16, 2015 is National Police Week and the Police Department will be hosting a Memorial Service on Wednesday, May 13, 2015. She invited everyone to attend and the Service will honor two local officers who died in the line of duty.

## E. Police Chief

1. Chief Herkert reported that the Police Department responded to 373 calls for service in April. He noted that the Department has been focusing on traffic safety.
2. Chief Herkert reported that he met with residents at Kish Apartments about safety in crossing at the South Main Street/Hale Street Intersection. He noted that safety vests have been issued to a couple residents.
3. Chief Herkert noted that approximately 400 tickets have been issued for overnight parking regulations in relation to street sweeping and general maintenance.
4. Chief Herkert noted that the purchase of parking permits has increased and Council may want to consider how this is structured in the future. He added that more South Hills students will be attending the Lewistown Campus, in the near future and maybe Council would want to consider a student permit.

5. **On a motion by Mr. Moore and seconded by Mr. O'Donnell, Council unanimously authorized the appropriate officers to execute the Contract for the Provision of Supplemental Police Services with the Mifflin County Housing Authority.**

F. Board of Recreation – April 7, 2015

1. Mr. O'Donnell reported that requests were received from Ms. Marie Mulvihill, United Way to use the Community Center on May 28, 2015 for the United Way Community Investment Process and from Mr. Frank Medley, Jr for use of the Community Center on May 22, 2015 for a Lewistown Fire Department "Get Together". He noted that they both requested for the rental fee to be waived. Mr. Medley noted that the Get Together includes current and past firefighters. He added that this is an Annual Event; however, they have outgrown the Social Room at the Brooklyn Hose Company.
2. Mr. O'Donnell noted that the Rec Park Farmers' Market will begin in June and the cooking classes, held at the Community Center, are scheduled to begin July 7, 2015.
3. **On a motion by Mr. Adams and seconded by Mr. O'Donnell, Council unanimously voted to co-sponsor the United Way Community Investment Process on May 28, 2015 and to waive the fee. On a motion by Mr. Adams and seconded by Mr. Schell, Council unanimously voted to co-sponsor the Lewistown Fire Department "Get Together" on May 22, 2015 and to waive the fee.**

G. Smoking Ordinance

1. Mr. Remy presented Council with the proposed Amended Animals Ordinance, in where all animals must be under direct leash control. He noted that the prohibition of dogs at Rec Park has also been removed. **On a motion by Mr. Moore and seconded by Mr. Adams, Council unanimously authorized the Solicitor's Office to advertise the proposed ordinance.**
2. Mr. Remy presented Council with the proposed amended Pool Code Ordinance and explained that a definition for a barrier has been added. Included in the definition for a barrier is a wall for an above-ground swimming pool, as long as the gates are equipped with self-closing and self-latching devices. The section relative to life saving devices was also removed. **On a motion by Mr. Moore and seconded by Mr. Adams, Council unanimously authorized the Solicitor's Office to advertise the proposed ordinance.**

H. Borough Manager/Secretary

1. Mr. White noted that final work is being done at the swimming pool to correct some small items. He added that the swimming pool is scheduled to open Memorial Day Weekend.
2. Mr. White reported that the playground equipment for Rec Park, in relation to the Mifflin County Marcellus Shale Grant, will be purchased this week.
3. Mr. White indicated that approximately 85% of the parking meters have been repaired.

UNFINISHED BUSINESS

A. EG Channel Committee – April 15, 2015

1. Mr. Moore reported that the EG Channel was launched on Monday, April 20, 2015. Currently NPR and WPSU are being used for the audio. To date we have not heard from Zampelli Electronics and Atlanta Broadband relative to carrying the channel.
2. Mr. Moore noted that the Committee will be developing policies and procedures for the Channel.
3. Mr. Moore noted that the first live broadcast was Meet the Candidates Night and another live broadcast will be held on Election Night from the Mifflin County Courthouse.

B. Law & Ordinance Committee – April 23, 2015

1. Mr. Moore noted that the Committee is working on updating the Borough's International Property Maintenance Code & Fire Code Ordinance.

C. Finance Committee – May 7, 2015

1. Mr. O'Donnell explained that a quote was received from A&H Equipment for \$89,225.00 for the lateral launch camera, which is slightly over-budget but there is adequate cash carryover to cover the difference. Mr. White explained that this unit will enable the Borough to determine what needs to be corrected first and this system will best fit the Borough's needs. **On a motion by Mr. Moore and seconded by Mr. O'Donnell, Council unanimously accepted the quote from A&H Equipment, for \$89,225.00, for the lateral launch camera.**
2. **On a motion by Mr. Schell and seconded by Mr. Adams, Council by roll call vote adopted the Amended Cost & Fee Schedule establishing the fees for the Residential Rental Unit Inspections (Resolution No. 2015-11).**

Adams	Yea
Lawson	Yea
Moore	Nay
O'Donnell	Yea
Schell	Yea
Rager	Yea

3. It was explained that the 2011 CDBG Modification adds West Third Street between North Grand Street and Juniata Street to the Street Improvements Project. **On a motion by Mr. Lawson and seconded by Mr. Moore, Council by roll call vote approved the submission of the 2011 CDBG Modification to DCED (Resolution No. 2015-12).**

Adams	Yea
Lawson	Yea
Moore	Yea
O'Donnell	Yea
Schell	Yea
Rager	Yea

4. It was explained that the 2012 CDBG Modification removes the Upper Portion of the Woodlawn Parking Lot Project and reallocates the funding to the Street Improvements Project. **On a motion by Mr. Lawson and seconded by Mr. Adams, Council by roll call vote approved the submission of the 2012 CDBG Modification to DCED (Resolution No. 2015-13).**

Adams	Yea
Lawson	Yea
Moore	Yea
O'Donnell	Yea
Schell	Yea
Rager	Yea

5. It was explained that the 2013 CDBG Modification removes the Virginia Avenue Street Improvements Project and reallocates funding to another Street Improvements Projects. It was also explained that the scope of work on Rosemont Avenue is being changed from a Street Improvements Project to a Storm Water Project at the Center Street Intersection. **On a motion by Mr. Moore and seconded by Mr. Schell, Council by roll call vote approved the submission of the 2013 CDBG Modification to DCED (Resolution No. 2015-14).**

Adams	Yea
Lawson	Yea
Moore	Yea
O'Donnell	Yea
Schell	Yea
Rager	Yea

6. **On a motion by Mr. Adams and seconded by Mr. Moore, Council unanimously authorized the advertisement of the CDBG Street Improvements Project and Storm Water Project upon completion of the required paperwork.**

- 7. **On a motion by Mr. Moore and seconded by Mr. Adams, Council by roll call vote approved the sale of vehicles and equipment (Resolution No. 2015-15).**

Adams	Yea
Lawson	Yea
Moore	Yea
O'Donnell	Yea
Schell	Yea
Rager	Yea

- 8. It was discussed that a request was received from Mr. Michael Cramer (510 West Fifth Street, Lewistown) requesting reimbursement for cleaning of his sanitary sewer line that had backed up from a residence in the alley into his line. It was noted that the Borough's system did not cause the backup. **On a motion by Mr. Schell and seconded by Mr. Lawson, Council unanimously denied the request based on past practice.**
- 9. Mr. O'Donnell reported that a 2013 Ford Interceptor was acquired to replace the 2011 Ford Explorer that was totaled and there were adequate insurance funds to cover the purchase. **On a motion Mr. O'Donnell and seconded by Mr. Lawson, Council unanimously ratified the purchase of the 2013 Ford Interceptor.**

D. Streets Committee

- 1. **On a motion by Mr. Adams and seconded by Mr. Lawson, Council unanimously acknowledged the expiration of the 90-day trial period for the placement of a 1-hour parking sign in front of 308 South Wayne Street (Big Daddy's Korner Grab-N-Go) and to change the current 15-minute parking sign on West Charles Street to a 1-hour parking sign and to make the changes permanent.**
- 2. **On a motion by Mr. Lawson and seconded by Mr. O'Donnell, Council approved the removal of the handicap parking space at 538 West Fifth Street (Resolution No. 2015-16).**

Adams	Yea
Lawson	Yea
Moore	Yea
O'Donnell	Yea
Schell	Yea
Rager	Yea

**On a motion by Mr. Adams and seconded by Mr. Lawson, Council approved the installation of a handicap parking space at 534 West Fifth Street (Resolution No. 2015-17).**

Adams	Yea
Lawson	Yea
Moore	Yea
O'Donnell	Yea
Schell	Yea
Rager	Yea

- 3. Mr. Adams indicated that he would still like to have the "No Outlet" Sign installed at the entrance to the alley running parallel to Chestnut Street Extended. Mr. White explained that a Work Order has been issued to clean the area at the end of the alley up. Chief Herkert noted that the Police Department supports the recommendation to install the "No Outlet" Sign. **On a motion by Mr. Adams and seconded by Mr. Lawson, Council approved the installation of the "No Outlet" Sign.**
- 4. Mr. Moore indicated that there is a site distance problem from the alley, between Shaw Avenue and Pannebaker Avenue, onto East Walnut Street because of a trailer being parked there. He noted that this was discussed last year. **On a motion by Mr. Moore and seconded by Mr. Lawson, Council unanimously approved to paint an additional length of curb for "No Parking" to help with site distance.**

NEW BUSINESS

There was no New Business to be discussed at this time.

Borough Council went into Executive Session at 6:30 PM to discuss personnel matters. The Meeting resumed at 6:45 PM.

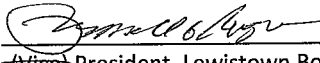
**On a motion by Mr. Moore and seconded by Mr. Lawson, Council by majority vote (5-0-1 (Rager-abstain)) approved Mr. Ben Rager's, Refuse Department Superintendent/Interim Streets Department Superintendent Incentive Time for April.**

**On a motion by Mr. Lawson and seconded by Mr. Moore, Council unanimously approved the hiring of Ms. Tamara Matthews as the Pool Manager.**

**On a motion by Mr. Lawson and seconded by Mr. Adams, Council by majority vote (5-0-1 (O'Donnell-abstain)) approved the hiring of Mr. Jeremy Penepacker as the Parks & Recreation Seasonal Supervisor.**

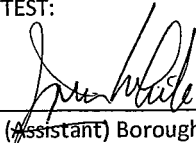
ADJOURNMENT

**On a motion by Mr. Moore and seconded by Mr. Adams, Council unanimously adjourned the meeting at 6:47 PM.**

  
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(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:

  
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(Assistant) Borough Secretary