

REGULAR COUNCIL MEETING
MAY 14, 2018 AT 5:00 PM
COMMUNITY CENTER

The meeting opened at 5:00 PM with Borough Council President Larry Searer presiding. The Pledge of Allegiance was recited by all present.

ROLL CALL

Ms. Shade, Mr. Sievers, Mr. Felmlee, Mr. Campbell, Mr. Wilson, and Larry Searer were present. Mr. Berrier was absent.

Two bids were received for the paving projects of West Charles Street, Lombardy Circle and Winding Way. Hawbaker made a bid of \$90,968.80 and Fulkroad made a bid of \$104,297.95.

On a motion by Mr. Felmlee and seconded by Ms. Shade, Council by unanimous vote, approved the paving projects be awarded to Glenn O. Hawbaker, Inc., the lowest bidder, contingent upon all the paperwork being received and completed appropriately.

Bill Gomes updated the Walking Trail project. It was readvertised due to original bids being \$100,000 more than the budget of \$481,000. The rebid did not include an access trail to Riverside Drive, site amenities and landscaping. Four bids were received: Fulkroad \$450,866.76; Hawbaker \$504,310.00; John Claar \$493,655.00; and Mid-State Paving \$499,479.00.

On a motion by Mr. Campbell and seconded by Mr. Sievers, Council by unanimous vote, approved to reject all prior bids.

On a motion by Mr. Felmlee and seconded by Ms. Shade, Council by unanimous vote, approved the walking trail project be awarded to Fulkroad, contingent upon all the paperwork being received and completed appropriately.

Roll Call

Venus Shade	Yea
Mark Sievers	Yea
Jim Felmlee	Yea
Dave Campbell	Yea
Bill Wilson	Yea
Larry Searer	Yea

Mike Tate of GME Communications informed Council again that the Police Department needs a new server. The existing server will no longer be compliant in 2019 and is running out of space to store data. Mr. Tate also explained that he can no longer get parts for the current server. The information is backed up every night in case the system would crash. Other options were reviewed, such as virtual servers; however, it's not cost effective.

No action taken at this time, discussion will continue at the next Police Ad Hoc meeting.

HEARING OF PERSONS PRESENT

- A. Randy Cutshall of South Grand Street thanked Mr. Welham for addressing the overgrown grass on his street.

Mr. Cutshall addressed his concern for several houses on Manor Drive. The street was paved by the School District at the Middle School, but from the intersection at Kish Street to the school grounds is in poor condition. Mr. Cutshall presented Council pictures of the road conditions. Mr. Welham confirmed that Kish Street along with Manor Drive is on the list to be completed.

- B. Angelica Rupert of South Grand Street expressed her concerns for needing permits to improve her house. She feels she's being punished for making her property presentable since she needs a permit for every project; for example, window replacement. She feels more people would be receptive to fixing up their properties if permits would be eliminated. Is anything being done to those that have unattractive properties?

Ms. Rupert asked for confirmation that more people are being enticed to move to Lewistown for a cheaper means of living. Ms. Shade said that part of the reason may be the Mifflin County Commissioners contract with Union, Northumberland, and other counties that have families moving here to be closer to loved ones that may be in the correctional facility. Ms. Rupert feels it's an unhealthy balance of those coming here.

Mr. Fink explained that the building codes that the Borough has in place requires a permit for just about everything as well as the fees charged. It was requested that Council look into some of the Ordinances that govern permits.

Ms. Rupert also addressed her concern for 4-wheeler activity on South Juniata Street. Mr. Felmlee advised her to call the non-emergency phone number to make the police aware. There is also a noise ordinance in the Borough that could be an issue.

REGULAR MEETING

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. Council Meeting-April 9, 2018
 - 2. Law & Ordinance Meeting- April 26, 2018
 - 3. Finance Meeting-April 26, 2018
 - 4. Fire Committee Meeting-May 7, 2018
 - 5. Street Committee Meeting-May 10, 2018
- B. Approval of Treasurer's Report
- C. Approval of Schedule of Bills
 - 1. General Borough/Specialty Tax/Refuse/Wastewater Collection & Treatment/State Liquid Fuels
 - 2. Wastewater Collection Capital w/Requisition
- D. Acknowledge Receipt of Tax Collector Report & Commissions-March & April
- E. Approval of Facility Use Forms-Rec Board:
 - 1. Goose Day Fun Fest on September 29, 2018 from South Hills
 - 2. Ratify staffs action for pavilion rental on April 28, 2018 from Beth Gwilym for Birthday Party
 - 3. Pavilion Rental on August 11, 2018 for Phyllis Aurand
 - 4. Community Center Rental Agreement for Courtney Weader and Tanner Fike Wedding Reception on October 13, 2018
- F. Additional Facility Use Forms:
 - 1. Lumina Center (Slip and Slide for Rainbow Summer) on June 20, 2018 (Note: Form was received after Rec Board Meeting) at Rec Park
 - 2. Summer Lunchbox Concert Series for June 21, July 19, and August 16, 2018 with the Fees Being Waived at the Library
 - 3. Tri-Valley Farmer's Market from May to October on Thursdays and Saturdays (Contingent upon receiving updated Certificate of Liability Insurance after June 2018) at the Mall/Plaza Areas
 - 4. Lady Patriots Girls Softball on May 19/20, June 9/10, August 4/5 & September 8/9 for Green Acres Softball Field
 - 5. Sheri Shoemaker – 50th Anniversary Commemoration for firefighters lost in 1968 on June 1 and June 2 contingent upon receipt of their Certificate of Liability Insurance naming the Borough of Lewistown as additional insured
 - 6. Friends of the Embassy Theatre, Inc on June 29 and June 30 with a rain date of July 1st Let Freedom Ring Concert and Liberty fest contingent upon receipt of their application fee

- G. Acknowledge Receipt of Parking Authority Minutes March, 2018
- H. Acknowledge Receipt of Flow Data for April
- I. Acknowledge Receipt of FAME Meeting Minutes April 11, 2018 & FAME Response Stats for March 2018
- J. Acknowledge Receipt of Certificate of Destruction for documents at Borough Hall
- K. Acknowledge Receipt of the Business Development Committee Meeting Minutes for March 14, 2018 & DLI Work plan Cash flow Report for 2017/2018
- L. Acknowledge Receipt of 2015 & 2017 Free & Clear Judicial Sales Info from Tax Claim Bureau
- M. Acknowledge Receipt of Brooklyn's 990

No motion was made to accept the Consent Agenda. Each item was reviewed individually.

On a motion by Mr. Felmlee and seconded by Mr. Wilson, Council by unanimous vote, approved the minutes for the Council meeting on April 9, 2018; Law & Ordinance meeting on April 26, 2018; Finance meeting on April 26, 2018; Fire Committee meeting on May 7, 2018; Street Committee meeting on May 10, 2018.

On a motion by Mr. Felmlee and seconded by Ms. Shade, Council by unanimous vote, approved the Treasurer's report.

On a motion by Ms. Shade and seconded by Mr. Felmlee, Council by unanimous vote, approved the Schedule of Bills.

On a motion by Mr. Felmlee and seconded by Ms. Shade, Council by unanimous vote, approved the receipt of the Tax Collector report and commission for March 2018 and April 2018.

On a motion by Mr. Felmlee and seconded by Ms. Shade, Council by unanimous vote, approved the Facility Use forms from the Rec Board.

Ms. Shade questioned the request for waiving the fee for the Summer Lunchbox Concert series. Mr. Welham said it was done last year, but it needs to be approved by Council.

On a motion by Ms. Shade and seconded by Mr. Felmlee, Council by unanimous vote, approved the Facility Use form from the Lumina Center.

Mr. Felmlee made a motion to waive the fees and approve the Summer Lunchbox Concert Series; however, the motion died due to lack of second motion.

On a motion by Ms. Shade and seconded by Mr. Campbell, Council by 4-2 vote, approved to accept the Facility Use form for the Summer Lunchbox Concert Series without the \$75 fees being waived and contingent upon receipt of their Certificate of Liability Insurance naming the Borough of Lewistown as additional insured.

Roll Call

Venus Shade	Yea
Mark Sievers	Yea
Jim Felmlee	Nay
Dave Campbell	Yea
Bill Wilson	Yea
Larry Searer	Nay

On a motion by Ms. Shade and seconded by Mr. Sievers, Council by unanimous vote approved the Facility Use form for the Tri-Valley Farmer's Market from May 2018 to October 2018 for Thursday's and Saturday's contingent upon receipt of their Certificate of Liability Insurance naming the Borough of Lewistown as additional insured.

On a motion by Ms. Shade and seconded by Mr. Sievers, Council by unanimous vote approved the Facility Use form for Lady Patriots Girls Softball at the Green Acres Softball Field.

On a motion by Ms. Shade and seconded by Mr. Sievers, Council by unanimous vote approved the Facility Use form for Sheri Shoemaker, contingent upon receipt of Certificate of Liability Insurance naming the Borough of Lewistown as additional insured.

On a motion by Ms. Shade and seconded by Mr. Sievers, Council by unanimous vote approved the Facility Use form for Friends of the Embassy Theatre, Inc, contingent upon receipt of their application fee.

On a motion by Mr. Felmlee and seconded by Mr. Wilson, Council by unanimous vote acknowledged receipt of Parking Authority minutes from March 2018.

On a motion by Ms. Shade and seconded by Mr. Felmlee, Council by unanimous vote acknowledged receipt of Flow Data for April.

On a motion by Mr. Felmlee and seconded by Ms. Shade, Council by unanimous vote acknowledged receipt of FAME meeting minutes April 11, 2018 and FAME response stats for March 2018.

On a motion by Mr. Felmlee and seconded by Ms. Shade, Council by unanimous vote acknowledged Receipt of Certificate of Destruction for documents at Borough Hall.

On a motion by Mr. Felmlee and seconded by Ms. Shade, Council by unanimous vote acknowledged Receipt of the Business Development Committee meeting minutes for March 14, 2018 and DLI Work Plan Cash Flow Report for 2017/2018.

On a motion by Mr. Felmler and seconded by Ms. Shade, Council by unanimous vote acknowledged Receipt of 2015 and 2017 Free and Clear Judicial Sales Info from Tax Claim Bureau.

On a motion by Mr. Felmler and seconded by Mr. Wilson, Council by unanimous vote acknowledged receipt of Brooklyn's 990.

REGULAR AGENDA

REPORTS

A. Treasurer

- 1. On a motion by Mr. Felmler and seconded by Ms. Shade, Council by unanimous vote, approved the exoneration sewer request for Frank Pannizzo at 32 Grand Parkway.***
- 2. On a motion by Mr. Felmler and seconded by Mr. Campbell, Council by unanimous vote, approved Resolution 2018-35 for DCED Financial Directive.***
- 3. On a motion by Mr. Felmler and seconded by Ms. Shade, Council by unanimous vote, approved to exonerate Melvin Rodkey's taxes at 133 Shaw Ave due to a fire in April for the amount of \$247.75.***
- 4. On a motion by Ms. Shade and seconded by Mr. Campbell, Council by unanimous vote, accepted a \$300 offer for 434 West Fourth Street from the Tax Claim Bureau.***

Ms. Walter informed Council that their financial audit was received for the year of 2017 for all finances and the Waste Water Treatment financials and is available for council's review.

B. Code Enforcement Officer

- 1. Mr. Fink reported there were 32 violations in April. There were 64 permits issued for \$3,288.18 in zoning fees. There was \$760.00 collected in sidewalk permits. Improvements totaled \$211,289 in April with a year-to-date of \$1,705,842. The inspection fees for April were \$415, totaling \$1,110 for the year. There was also one LOMA letter issued last month.**

2. Mr. Fink presented Council with a proposal from Axis Professional Surveying for the Sellers property by the river. Three different surveyors were notified; however, only one quote was received. Mr. Sievers would like another quote. Mr. Campbell suggested pulling the deed first instead of spending \$6,000 for surveying. Mr. Remy reminded him that doing so will not determine where the lines are to the property. Chief Barlett informed Council that they occasionally have problems with the campfires, so he has to investigate due to reports of smoke. He reminded Council there is an Ordinance of no open flames in the Borough. The problem he runs into the most is that some of the property is Granville Township and another is Derry Township and he's unsure of the property lines. A survey will help resolve this issue.

Mr. Fink will get another survey quote and present it at the next Council meeting.

C. Fire Chief

1. Chief Barlett reported that for the month of April, the fire departments had 22 alarms plus medical assists. No significant damage; however, Mr. Fink did need to assist with fire and safety issues.
2. All three fire companies participated at Kid Connection. Everyone seemed to have a good time.
3. Chief Barlett and a few other members of the fire department put on a fire safety and fire prevention program for Skills that included 37 assisted living residents.
4. The auditor is coming May 24, 2018 to do their annual review of the books for the Fireman's Relief Fund
5. A memorial service is planned on June 2, 2018 in memory of the three Lewistown firefighters killed in a silo explosion on June 1, 1968.

D. Mayor

1. Mayor Bargo wanted to thank Ms. Shade for all her hard work, making sure Kid Connection was a success.
2. Sheri Shoemaker contacted the Mayor regarding the upcoming memorial at Victory Park for the firefighters. Mayor Bargo is hoping to get assistance in advertising and helping in any way possible to make it a successful event.

E. Police Chief

1. Chief Clemens stated that in the month of April, the Lewistown Police Department had 258 calls to service, 52 citations, 18 non-citations and 7 warrants. Two incidents in April involved attempted homicide. Chief Clemens wanted to thank the citizens of the community for calling in with information. He also thanked the fire company and Chief Barlett for their assistance. There were 658 tickets issued, 562 of those were street sweeper tickets.
2. Chief Clemens mentioned that May 15 is National Peace Officers Memorial Day and a ceremony will be held in Washington. There is a wall there will all the names of officer's that have lost their lives. Over the years, 21,541 officers have lost their lives and, unfortunately, that number continues to grow. As of May 8, 2018, there were 158 fatalities this year, with two of them being from Pennsylvania.

F. Board of Recreation

1. Jackie Fultz from Bloomsburg is requesting approval for pool manager wage to be \$12 per hour instead of \$11 per hour. This is her fourth year at the pool. Last year, Brett Leister, pool manager, made \$12.05 per hour and it was his second year at the pool. Jackie will be rotating as life guard and pool manager. Out of the 12 lifeguards hired, only 8 will be full time. There will also be one person at the front desk, being paid minimum wage.

Ms. Shade made a motion to pay Jackie Fultz \$12 an hour; however, the motion died due to lack of second motion.

2. Ms. Barr would like approval to submit an application for the Marcellus Shale Grant to help defray the costs to repair the roofs on the pavilions.

On a motion by Ms. Shade and seconded by Mr. Felmlee, Council by unanimous vote approved to submit for the Marcellus Shale Grant.

3. Mr. Searer asked Ms. Barr if Matt Moore had been attending Rec Board meetings. Ms. Barr indicated he has not been at the last two meetings.

G. Borough Solicitor

On a motion by Ms. Shade and seconded by Mr. Campbell, Council by a 5-1 (Searer) vote, approved to advertise the change in citation fines.

H. Borough Manager/Secretary

1. Mr. Welham wanted to remind everyone of the Charles Street bridge closing effective June 3, 2018. The new bridge is to be completed by the time schools open in August.
2. Shawn Wilt signed up run the concession stand at the swimming pool.
3. The Fire Department study is in the works. Mr. Welham spoke with DCED on a conference call last month and was assigned to work with John Senft, a retired fire chief from York.
4. Year-to-date financials through April show the General Borough's revenue has increased 5.2%, expenses decreased .5%. Refuse revenue has increased 6.9%, expenses also increased 1%. Waste Water Collection revenue increased 6%, expenses increased 1.7%. Waste Water Treatment revenue decreased 20%, expenses also decreased 5%.
5. Kish Street project has the continued issue of a traffic light at Kish Street and Green Avenue. Mr. Welham is seeking approval of the EADS proposal to do a traffic study of which will not exceed \$8000. The money would come out of the \$700,000 assigned to the project. If a light is needed, funds can be used by applying for a ARLE Grant from PennDot.

On a motion by Mr. Felmlee and seconded by Ms. Shade, Council by a 5-1 vote, approved the traffic study to be done on Kish Street and Green Avenue for a traffic light.

Roll Call

Venus Shade	Yea
Mark Sievers	Yea
Jim Felmlee	Yea
Dave Campbell	Yea
Bill Wilson	Yea
Larry Searer	Nay

Back to the Consent Agenda, on a motion by Mr. Felmlee and seconded by Ms. Shade, Council by a 5-1 (Searer) vote, approved the alcohol policy for the Weader/Fike wedding reception being held at the Community Center October 13, 2018.

UNFINISHED AND NEW BUSINESS

On a motion by Mr. Felmlee and seconded by Ms. Shade, Council by a unanimous vote, approved to release 2015 CDBG funds for salary reimbursement in the amount of \$4,298.77 and 2016 CDBG funds for materials and supplies in the amount of \$85.78.

On a motion by Ms. Shade and seconded by Mr. Felmlee, Council by a unanimous vote, approved the removal of Stefan Russell from the Planning Commission.

On a motion by Ms. Shade and seconded by Mr. Felmlee, Council by a unanimous vote, appointed Tobin Fisher to the Police Advisory Board by Resolution 2018-36.

Roll Call

Venus Shade	Yea
Mark Sievers	Yea
Jim Felmlee	Yea
Dave Campbell	Yea
Bill Wilson	Yea
Larry Searer	Yea

FINANCE COMMITTEE

On a motion by Mr. Felmlee and seconded by Mr. Wilson, Council by a unanimous vote, approved the purchase of Time Clock from Accufund.

Mr. Welham informed Council about the proposed WEX program that would allow the Borough to save an estimate of \$2,500 a year on gas purchases. Advantages of the program include allowing gas to be purchased at any gas station, gas to be purchased during work hours only, a personal code would be entered for each employer, and the odometer reading has to be applied.

On a motion by Ms. Shade and seconded by Mr. Sievers, Council by a unanimous vote, approved the WEX gas card program.

Mr. Sievers highly recommends to Council the purchase of cyber security. He reminded Council that the Borough is responsible for all online data (credit cards, social security numbers, drivers licenses) if it is compromised.

On a motion by Mr. Felmlee and seconded by Mr. Campbell, Council by a unanimous vote, approved to purchase Cyber Security from HC Kerstetter.

LAW AND ORDINANCE

Mr. Campbell presented to Council that a \$50 fee be applied to the Cost and Fee Schedule for freeing up an impacted lid in order to gain access to a trap. Mr. Felmlee wanted to know if the Borough is liable for any damage done to a sidewalk. Mr. Remy didn't see it as the Borough's responsibility since the property owner is already in violation of having the vent cemented in.

On a motion by Mr. Felmlee and seconded by Mr. Campbell, Council by a unanimous vote approved to modify the Cost and Fee Schedule to show a \$50 fee for freeing up the impacted lid to gain access to the trap.

On a motion by Ms. Shade and seconded by Mr. Sievers, Council by a 5-1 (Searer) vote, approved to advertise a five year rolling agreement for the 2016 CDBG and subsequent years.

Mr. Campbell addressed the concern of boarding room houses. There are currently eight boarding room houses in the Borough. All but one has a substantial crime rate; burglaries, overdoses, shootings, assaults, narcotic charges, even a death. The police had 120 incidences with these rooming houses, most of them within the last two years. More discussion ensued. The subject will continue at the next Law and Ordinance meeting.

STREETS

On a motion by Ms. Shade and seconded by Mr. Felmlee, Council by a unanimous vote, approved to remove the yellow line and replace the No Parking Signs in front of the Municipal Authority.

On a motion by Ms. Shade and seconded by Mr. Felmlee, Council by a unanimous vote, approved to relocate one handicap parking space from North Wayne Street to Third Street at the Courthouse by Resolution.

POLICE AD-HOC COMMITTEE

Mr. Wilson made Council aware that he and his committee will be meeting with MCRPD on pricing for police protection.

PUBLIC COMMENTS

None

EXECUTIVE SESSION

Council went into an executive session at 7:06 PM for personnel matters.
Council came out of executive session at 8:15 PM.

On a motion by Mr. Felmlee and seconded by Mr. Campbell, Council by unanimous vote, approved to transfer John Workman to the recycling driver at the Refuse Department and to post an opening in the Streets Department. The Personnel Committee will approve the hiring of the replacement.

On a motion by Mr. Felmlee and seconded by Ms. Shade, Council by a unanimous vote, approved two SRO's, contingent upon the school district passing it's budget.

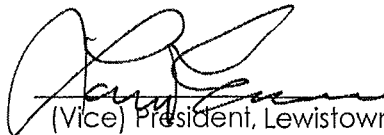
On a motion by Mr. Felmlee and seconded by Ms. Shade, Council by a unanimous vote, approved hiring Brandon Cunningham and Tonya Shingler (interns), starting May 21, 2018.

On a motion by Ms. Shade and seconded by Mr. Felmlee, Council by a 2-4 vote, denied the purchase of a new police server.

Roll Call


Venus Shade	Yea
Mark Sievers	Nay
Jim Felmlee	Nay
Dave Campbell	Nay
Bill Wilson	Nay
Larry Searer	Yea

On a motion by Mr. Campbell and seconded by Mr. Felmlee, Council voted to adjourn at 8:19 PM.



(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:


(Asst.) Borough Secretary