

REGULAR COUNCIL MEETING
AUGUST 12, 2019 AT 5:30 PM
LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

The public hearing started with Jim Lettierre presenting 2019 CDBG funds. The allocation amount for the Borough is \$133,937. The administration fee is \$20,090, leaving \$113,847 for projects.

The second public hearing is scheduled for October 14, 2019 at 5:00 pm in Council Chambers. Council will need to have a decision made for adoption of resolution. Subsequent to that, the adoptions of cumulative resolution for FFY 2019 projects is scheduled for October 17, 2019 at the Mifflin County Courthouse at 9:00 am. Also, applications are due by November 1, 2019 to PA-DCED.

No comments were received from the public. The public hearing ended at 5:03 pm.

The Council meeting opened at 5:30 pm with Borough Council President Venus Shade presiding. The Pledge of Allegiance was recited by all present.

ROLL CALL

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

One bid was received for the property located at 672-674 Valley Street. Russell Platt made a bid of \$4,000.

On a motion by Mr. Campbell and seconded by Mr. Wilson, Council by unanimous vote accepted the bid of \$4,000 by Russell Platt for the purchase of the property at 672-674 Valley Street.

Roll Call

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

Lucas Parkes of EADS Group updated Council on the Kish Street Project. At this time, half of the curb ramps have been completed and most of the widening of Kish Street is complete. All storm utilities are in and the base pavement is expected to be done this week. By the cemetery, the engineers encountered a problem with the depth of the pavement. In order to fix it, a portion of the roadway will have the pavement milled off, expose the stones, top that with a gravel overlay and then finish with 3" of the base pavement in preparation for the overlay. The additional cost is expected to be between \$56,000-\$57,000 and is still within the \$210,000 budget.

The base pavement is expected to be done prior to school starting next week. The curb ramps will be finished when the kids are in school. The finished overlay on the whole road is expected to be done August 30, 2019. The Change Order issued for the extra material is \$65,000.

On a motion by Mr. Felmlee and seconded by Mr. Campbell, Council by unanimous vote approved the Change Order for \$65,000 to complete the Kish Street project.

HEARING OF PERSONS PRESENT

Teresa Bottorf of 6th Street addressed the overwhelming stray cat population with Council. She feels this is a community problem and would like to see some type of assistance, even with a grant. Mayor Bargo agreed that this has become a real issue in the Borough. She stated that there are all types of grants available for assistance if someone takes the time to do some research on the internet. Ms. Shade suggested she talk to Lisa Stoniger who is a grant writer for the County.

Devita Montinez, a parent of a Lewistown Panthers football player, addressed Council about the fundraisers they now have to do because of the electric bill the team acquired for using the athletic field at Rec Park. As a parent, she doesn't feel it's right to have the additional fees since she already pays to have her son play sports. Some of the parents have even talked about pulling their kids from the sport.

Ms. Walter informed Council that this was discussed at the last Finance Committee meeting. The electricity would be in the Borough's name; however, we would charge \$50 each time the lights were utilized. Also, Ms. Walter talked to the party that has the electric currently in their name and they did not want to change it back to the Borough at this time. She made Council aware that the Tomahawks and the baseball teams also pay for the use of electricity.

Another concern included the porta potty locations as well as the public restrooms being locked. She was advised that the other restrooms are maintained by the baseball team and are locked due to vandalism. After discussion, Ms. Walter was directed to find out more information regarding this and discuss it at the next Finance meeting.

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-July 8, 2019
 - 2. Streets Meeting-July 11, 2019 & August 8, 2019
 - 3. Law & Ordinance Meeting-July 18, 2019
 - 4. Finance Meeting-July 25, 2019
- B. Approval of Treasurer's Report
- C. Approval of Schedule of Bills
 - 1. General Borough/Specialty/Refuse/Wastewater Coll & Treatment/State Liquid Fuels
 - 2. Dollar General Escrow Account
- D. Acknowledge Receipt of Tax Collector's Report & Commissions
- E. Facility Use Forms Approval:
 - 1. Approval of Kiwanis Club of MC for Goose Day Event on September 28, 2019
 - 2. Approval of Juniata Valley Striders for Goose Day 5K Race for September 28, 2019
- F. Acknowledge receipt of Cap Progress Report from Jan 1, 2019 to June 30, 2019
- G. Acknowledge receipt of Sewage Compliance Inspection Report from DEP
- H. Acknowledge receipt of Intermunicipal Meeting Minutes of July 23, 2019
- I. Acknowledge receipt of Fame Meeting Minutes July & Fame Response Stats for June
- J. Acknowledge receipt of MC Rural Broadband Initiative Report
- K. Acknowledge receipt of MC Parks and Recreation Council Minutes of June 25, 2019
- L. Acknowledge receipt of SEDA-COG Joint Rail Authority information for Tree Trimming
- M. Acknowledge receipt of Letter from Nittany Engineering for MC Solid Waste Auth renewal of Solid Waste Permit
- N. Acknowledge receipt of Codes Enforcement Office Monthly Report

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

REGULAR AGENDA

REPORTS

A. Treasurer/Borough Manager/Secretary

Ms. Walter received a sewer exoneration request from 116 West 4th Street. They were billed 46,000 gallons at \$253.86. Their average consumption over the last four quarters is 9,000 gallons. Mr. Fink verified the water did not go down the sewer. The exoneration amount would be \$156.51.

On a motion by Mr. Felmler and seconded by Mr. Campbell, Council by unanimous vote approved the sewer exoneration request at 116 West 4th Street.

Ms. Walter also received a sewer exoneration request from 5 West Wilson Avenue. They had a water leak and Mr. Fink went out August 2, 2019 to verify the water did not go down the sewer. They were billed for 136,000 gallons at \$634.56. Their average consumption over the last four quarters is 12,000 gallons. The exoneration amount would be \$524.52.

On a motion by Mr. Felmler and seconded by Mr. Campbell, Council by unanimous vote approved the sewer exoneration request at 5 West Wilson Avenue.

The Winter Maintenance Agreement from PennDOT is from 2019-2024 in the amount of \$36,378.47. Per council's recommendation at the prior council meeting, Mr. Remy, Borough Solicitor, reviewed the agreement and confirmed there were no changes needed.

On a motion by Mr. Sievers and seconded by Mr. Felmler, Council by unanimous vote approved the Winter Maintenance Agreement with PennDOT for 2019-2024 in the amount of \$36,378.47 by Resolution.

Ms. Walter updated Council on the South Main Street bridge project. PennDOT has been delayed due to an issue with the retaining wall and says it will be at least until the end of November, if not later, until they get it done.

Ms. Walter also informed council that there was a preconstruction meeting held recently for the traffic signal upgrade that is to be done by PennDOT. They are proposing to do 11 intersections and another meeting is scheduled for August 15, 2019 with the utilities company.

On August 21, 2019 at 10:30 am, DCNR will be coming to do a walking tour of Phases I and II at the Juniata River Trail project. Members of Council are invited to attend.

Ms. Walter is seeking Council's approval to apply for County Aid. Annually, the Borough can apply for County Aid. The amount we receive is based upon population and mileage. The amount we can get this year is \$7,106.85. This will help offset the costs of the Kish Street project.

On a motion by Mr. Felmlee and seconded by Mr. Campbell, Council by unanimous vote approved the application for County Aid.

Ms. Walter informed Council that Mr. Fink, Codes officer and Mr. Plank, Street Superintendent recently picked out the stone for the South Main Street bridge project. It will match the Church on South Main Street and Water Street.

Ms. Walter is also seeking Council's approval for disposition of records. Under the records retention manual we can dispose of items after so many years. The resolution shows what items can be disposed of.

On a motion by Mr. Felmlee and seconded by Mr. Campbell, Council by unanimous vote approved the disposition of records by Resolution.

Mr. Sievers wanted to address #13(a), (b) and (c) on the Winter Maintenance Agreement, wanting to make sure Ms. Walter had everything submitted for the ACH.

Mr. Campbell wanted to know if there was a reason the sidewalk project on South Main Street is not complete yet. Ms. Walter will find out and pass the information along to council.

B. Fire Chief

Chief Barlett reported 30 alarms plus medical assists for July: one fire, one building fire, one passenger vehicle fire, six medical assists, six vehicle accidents with injuries, one motor vehicle/pedestrian accident, one water rescue search, one victim removed from stalled elevator, one high angle rescue, two gas leaks, one carbon monoxide incident, one lock-out, one police assist, one public service, one smoke scare, and four alarm system activations with no fire.

In July, another quarterly Fireman's Relief meeting was held. It was approved to buy 15 sets of gear and distribute throughout the fire departments. The Fireman's Relief Association agreed to spend \$1500 in training materials from fire training exercises.

All three fire stations participated in National Night Out.

C. Mayor

Mayor Bargo wanted to thank everyone that participated in National Night Out. It's getting larger every year and she was pleased with the turnout.

Mayor Bargo recently attended the PSAB Board of Directors and Board of Trustees meetings. At both meetings, they wanted to make sure that all Boroughs were aware of Act 51 that has been signed into law, effective August 31, 2019. With this law, if the tax rate will remain the same, you no longer need an ordinance, just a resolution, which will save advertisement costs.

D. Police Chief

Chief Clemens reported the statistics for July. The Lewistown Police Department had 494 calls for service, 51 traffic citations and 20 non-traffic citations. There were also 723 parking tickets issued.

National Night Out was held August 6, 2019. Giant Foods supplied 1,008 hot dogs, chips and water to those in attendance. He also wanted to thank everyone that participated and for those that sponsored the event. He hopes it continues to grow every year.

The new police vehicle has been manufactured and is in transit.

Ms. Shade said the CSP Group sponsored the swim that was free for everyone during the National Night Out. There were 352 people that utilized the pool that evening.

E. Recreation Board

No meeting due to National Night Out.

F. Borough Solicitor

Mr. Remy is seeking Council's approval of the Fire Company Recovery Cost Ordinance and also the Borough Manager Ordinance, removing the requirement that the Borough Manager live within six air miles of Monument Square.

On a motion by Mr. Felmler and seconded by Mr. Campbell, Council by a 4-1 (Sievers) vote, approved the Fire Company Recovery Cost Ordinance.

Roll Call

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

On a motion by Mr. Felmlee and seconded by Mr. Campbell, Council by unanimous vote approved the Manager Ordinance.

Roll Call

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

Mr. Remy emailed Council members the proposed LERTA Ordinance for both commercial and residential properties. Council needs to determine which parts of the Borough would be eligible. Mr. Sievers said we need to find areas that need rehabilitation by number of parcels, number occupied, including roof, windows, siding, and number of repairs. Then we need to look at demolitions needed. He says the whole area needs to be looked at and figured out. Mr. Campbell feels LERTA should be available to the entire Borough. Ms. Shade agreed with Mr. Campbell.

Mr. Campbell researched other counties that use LERTA. Through the LERTA program, seven municipalities in Allegheny County utilize the LERTA program and there were 42 parcels that participated in it. The taxes collected in the 2015 tax year were \$867,570. The taxes abated in that year were \$1.2 million. In the end, after the life of LERTA, the taxes collected were \$1.9 million.

Another example was Target in York County. LERTA was a big part in their decision-making process and it created 250 jobs.

After discussion, it was determined to include the entire Borough and present the LERTA to the Planning Commission.

On a motion by Mr. Campbell and seconded by Mr. Sievers, it was agreed to present LERTA to the Planning Commission.

Mr. Remy provided an update on the Mifflin County Housing Authority Agreement with the 2019 police services. Chief Clemens said the Police Department has continued to provide services this year under the old contract with the understanding that anything negotiated would be retroactive back to the beginning of the year. No funds, however, have been received from the Housing Authority. Several members of Council were upset that the contract has not yet been signed. Mr. Remy said it wasn't from a lack of trying. Ms. Shade indicated it will soon be time to look into the 2020 contract. Chief Clemens said the Housing Authority didn't want to extend their contract beyond 2019. Mr. Sievers said to consider stopping our services until the contract is signed.

On a motion by Mr. Felmlee and seconded by Mr. Campbell, Council by unanimous vote approved the Mifflin County Housing Authority 2019 contract with the Police Department, contingent upon payment of services provided for the last seven months.

Mr. Remy will contact Dan Searer, Solicitor for Mifflin County Housing Authority.

UNFINISHED AND NEW BUSINESS

Ms. Walter is seeking Council's approval to modify and reallocate 2016/2017 CDBG funds by Resolution. Discussions were had prior in reallocating these funds. The remaining funds available will be used for ADA ramps at eight locations: four at the intersections of Green Avenue and South Brown Street, two at the intersection of South Brown Street and East Fleming, and another two at the intersection of East Charles and South Brown Street.

On a motion by Mr. Sievers and seconded by Mr. Felmlee, Council by unanimous vote approved to modify and reallocate the 2016/2017 CDBG funds by Resolution.

On a motion by Mr. Sievers and seconded by Mr. Campbell, Council by unanimous vote approved to release the 2016/2017 CDBG funds to the County Commissioners for 2nd quarter salary reimbursement for \$3,851.42 and \$62.75.

A letter was received from Brooklyn Fire Company, requesting their 2nd quarter allocation. They relied on their accountant to provide the Borough with their 990; however, it was never received until June and the deadline was May 15. Mr. Sievers said it wasn't the accountant's responsibility to provide us with their paperwork. After discussion, it was determined to deny Brooklyn's request for the 2nd quarter allocation since they failed to meet the deadline.

Ms. Shade stated that the Borough received a resignation from Matt Moore for Rec Board. He was unable to attend the meetings due to his schedule.

On a motion by Mr. Felmlee and seconded by Mr. Sievers, Council by unanimous vote approved the appointment of Allen Aumiller II to Rec Board by Resolution.

Ms. Walter called Mr. Welham to see if he wanted to continue serving on the Tax Collection Committee and he had no desire to do so. She, then, contacted Robert Long to see if he was interested in the position and he accepted.

On a motion by Mr. Felmlee and seconded by Mr. Sievers, Council by unanimous vote approved the appointment of Robert Long to the Tax Collection Committee by Resolution.

On a motion by Mr. Felmlee and seconded by Mr. Sievers, Council by unanimous vote approved to reappoint Eugene Hughes to the Parking Authority by Resolution.

On a motion by Mr. Campbell and seconded by Mr. Sievers, Council by unanimous vote approved the Tire Recycle Challenge to be held at the Lewistown Borough Refuse yard on September 21, 2019.

STREETS

Mr. Wilson is seeking Council's approval to place a "No Outlet" sign at the entrance to the alley behind the Bowling Alley. The alley has been blocked off for years. The property owner at 1132 West 6th Street talked to Mr. Fink about the alley ending near his property because someone entered his driveway from the alley, hit his deck with their vehicle and damaged some of the boards on the deck.

On a motion by Mr. Campbell and seconded by Mr. Sievers, Council by unanimous vote approved the placement of a "No Outlet" sign at the entrance to the alley behind the Bowling Alley.

Ms. Walter presented Council about the ongoing situation of the street sinking near 500 South Juniata Street as discussed previously. Jim Bender, the owner, doesn't feel it's his responsibility to fix. The cost for the Borough to repair the street is \$2,657.76. Mr. Dippery confirmed, with the camera, that there was no leak detected.

Mr. Bender informed Council he contacted a contractor for an estimate on what needed to be done. The contractor said he would not do it because something is causing the street to sink and will continue to do so. After discussion, it was agreed to have Mr. Plank look at it again to do a temporary fix for winter, directing the water to the storm drain.

Mr. Wilson would like to repaint the yellow curb at 115 Chestnut Street and have “No Parking” signs placed between the curbs to prevent patrons of the 717 Club from parking there.

On a motion by Mr. Sievers and seconded by Mr. Felmlee, Council by unanimous vote approved to repaint the yellow curb at 115 Chestnut Street and the placement of “No Parking” signs between the curbs.

The Bratton Avenue side of 195 West 4th Street needs the yellow paint updated and “Loading/Unloading Only” signs up for the existing business there to help with unwanted parking.

On a motion by Mr. Sievers and seconded by Mr. Campbell, Council by unanimous vote approved to repaint the curb yellow and place “Loading/Unloading Only” signs on the Bratton Avenue side of 195 West 4th Street.

On a motion by Mr. Campbell and seconded by Mr. Felmlee, Council by unanimous vote approved the placement of a “No Parking Here to Corner” sign at 1035 West 4th Street in front of Dealer’s Choice and to repaint the yellow curb in front of Victory Auto.

A handicap parking space request was received from 117 North Walnut Street. Mr. Wilson said the resident does not drive anymore but would like a space out front of the house for when she is picked up and dropped off.

On a motion by Mr. Sievers and seconded by Mr. Campbell, Council by unanimous vote approved the handicap parking space request for 117 North Walnut Street.

Regarding the alley behind the Bowling Alley, Ms. Shade wants to know if Council wants Mr. Remy to do any research or just go with the sign. Council agreed to just utilize the sign.

Mayor Bargo informed Council she asked about having a Pedestrian Crossing” sign placed from Valley Street onto Third Street. She was informed that is PennDOT’s responsibility. She understood it was their street; however, it is the Borough’s responsibility to protect the pedestrians. Ms. Shade said someone would look into it.

FINANCE

Ms. Walter went to a grant seminar and found two grants to apply for in regard to the security of the Municipal Building. One is from Wal-Mart Foundations for up to \$5,000 and the other is from the USDA. Mr. Sievers said there are no fees involved and is seeking Council's approval to have staff apply for the grants.

On a motion by Mr. Felmler and seconded by Mr. Campbell, Council by unanimous vote approved staff to apply for grants in regard to the security of the Municipal Building.

For the Valley Street project, \$150,000 was budgeted out of the Wastewater Facilities Capital Purchase Fund to do the manhole project. PennDOT is expected to resurface Valley Street in 2023. The anticipated cost for placing nine new manholes is \$9,000 per manhole. Gannett Fleming gave an engineering quote of \$18,000. Mr. Sievers is looking for Council's approval to have Gannett Fleming create a bid package for the Valley Street project.

On a motion by Mr. Campbell and seconded by Mr. Felmler, Council by unanimous vote approved Gannett Fleming to create a bid package for the Valley Street Project.

Mr. Sievers is seeking Council's approval to replace two computers at the WWTP from GME. The existing computers are seven years old and still using Office 96 on Windows 7. The cost for replacement is \$2,915.90.

On a motion by Mr. Campbell and seconded by Mr. Felmler, Council by unanimous vote approved the purchase of two computers for \$2,915.90 from GME to be used at the WWTP.

The WWTP needs new UV lamps and fuses. There are 144 lamps that are replaced every two years, alternating 72 lamps per year. Mr. Sievers is looking for approval from Council to purchase these products from Suez for \$9,228.50 that includes a 12,000-hour warranty.

On a motion by Mr. Felmler and seconded by Mr. Campbell, Council by unanimous vote approved the purchase of UV lamps and fuses from Suez in the amount of \$9,228.50 for the WWTP.

A quote was received from EADS Group in the amount of \$14,897 for the parking study. The Parking Authority is willing to pay 40% of that cost, leaving the Borough's portion being

\$8,938.20. After reviewing the contract, Mr. Sievers will approve the parking study with the exception that modifications be done in the contract. Mr. Sievers has a list and will forward the information to the rest of Council.

On a motion by Mr. Campbell and seconded by Mr. Felmlee, Council agreed by unanimous vote to approve the EADS Group to do the parking study contingent upon the appropriate changes as requested by the Finance Committee Chairman.

Mr. Campbell clarified that, at the end of this study, we are going to have a map of downtown Lewistown with suggestions to modernize our parking structure, meters, meter timeframes, where meters are needed and not needed, and/or if we need meters at all. Ms. Walter is going to see what the timeframe is for the study. She would like to have it complete by October, at the latest.

LAW AND ORDINANCE

Mr. Campbell is seeking Council's approval to do in-house fleet inspections of all of our vehicles. Mr. Wilson gave Ms. Walter a list of equipment of items we have and what we need for fleet inspections. We would also have to send somebody to a schooling course. Ms. Walter stated that the employee would also need a five-day notice per the Union contract due to a change in their schedule because the training is in the evening between 6:00 pm to 9:00 pm at the Mifflin County Academy of Science & Technology and is a 12 hour program. The next class is scheduled for September 2019. Mr. Campbell also stated that this allows us to have a better grasp on our maintenance schedule for the vehicles.

Mr. Felmlee and Mr. Wilson are concerned about having someone just putting a sticker on a vehicle and not doing a proper inspection. Ms. Shade stated that our maintenance schedule will only be as good as what our supervisor is enforcing. After discussion, it was determined to send back to Law and Ordinance.

PUBLIC COMMENTS

Chief Barlett wanted to know, since the Brooklyn will not be receiving their 2nd quarter allocation, will that money still be in the Fire Department budget. He was invited to attend the next Finance Committee meeting, scheduled August 22, 2019, to discuss.

EXECUTIVE SESSION

Council went into executive session at 7:20 pm for personnel reasons.
Council came out of executive session at 7:58 pm.

On a motion by Mr. Campbell and seconded by Mr. Felmler, Council by unanimous vote approved to advertise the two Workmen positions, pending a review of the job description from the Personnel Committee, that is advertised externally.

The meeting adjourned at 8:04 pm.

Venus Akade

(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:

Diana Watter

(Asst.) Borough Secretary