

REGULAR COUNCIL MEETING
AUGUST 13, 2018 AT 5:00 PM
COMMUNITY CENTER

The meeting opened at 5:09 pm with Borough Council President Larry Searer presiding. The Pledge of Allegiance was recited by all present.

ROLL CALL

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

HEARING OF PERSONS PRESENT

- A. Bob Snook, 18 Sunset Road, had a concern with prowlers and recent burglaries in his neighborhood, as well as cigarette butts and trash being tossed onto his property near the alley. He stated that the police were notified, but their lack of response is a concern. Mayor Bargo received additional information and advised that she will look into it.

- B. Justin Ross from Livic, an Engineer for Dollar General, provided land development plans to Mr. Fink. Per Lucas Parkes from the EADS Group, after reviewing the plans, all issues have been addressed and all requirements have been made. After reviewing the plans, it is Lucas's recommendation for approval of the plans by Council.

Mr. Remy advised Council that he is still working on the Developers Agreement, which is currently under review by Dollar General. He is also working on the Storm Water Maintenance and Monitoring Agreement. An agreement needs to be made yet making the landowner responsible for the storm water pipe that is in the Penn DOT right-of-way. Mr. Remy is waiting to hear from Council on what they want to do for financial security for the pipe. Despite these three agreements being completed, Mr. Remy feels that all issues he was aware of have been resolved.

On a motion by Ms. Shade and seconded by Mr. Sievers, Council by a 3-2 vote, approved the conditional Dollar General land development plan.

Roll Call

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

In regards to the financial security for the pipe, it was agreed that it would be discussed at the next Finance Committee meeting.

- C. Mrs. Butterworth from 9 Rosemont Avenue addressed Council regarding lack of lighting on her street. There currently are three street lights on Rosemont Avenue, but there is a large separation between the light at the intersection of Rosemont Avenue and Spring Street and the next light up the street. Mr. Welham is already looking into the situation to see how much it will cost to move a light and add a new one.

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 9,2018
 - 2. Streets Committee Meeting-July 19, 2018 & August 9, 2018
 - 3. Law & Ordinance Meeting- July 26, 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. Dollar General
- D. Acknowledge Receipt of Tax Collector Report & Commissions-July
- E. Approval of Facility Use Forms-Rec Board (no meeting in August):
 - 1. Pavilion Request for 7/14/18 for Geisinger-Retroactive approval
 - 2. Pavilion Request for 8/4/18 for Nathan Mitchell-Retroactive approvalFacility Use Forms-Streets
 - 3. Goodall Pools Request 543 Lindbergh Way Street Closure for 8/20/18
 - 4. Juniata Valley Striders Goose Day Event Street Closure for First Block of S Main St 9/29/2018
 - 5. FAME EMS Halloween Parade for 10/31/18
 - 6. MGM Mechanical, LLC for N Plaza Dr Street Closure on 8/21/18
 - 7. Frank Parker-MIFF Co. Let's Stand Together Against Addiction Event on 9/8/18
- F. Acknowledge Receipt of FAME Meeting Minutes July & FAME Response Stats for June
- G. Acknowledge Receipt of Firemen's Relief Association Audit for 1/1/15 to 12/31/17
- H. Acknowledge Receipt of DLI Info
- I. Acknowledge Receipt of CAP progress 1/1/18 to 6/30/18

- J. Acknowledge Receipt of FAME Financials as of 2016/2017
- K. Acknowledge Receipt of Certificate of Destruction for shredded documents at Boro Hall
- L. Acknowledge Receipt of PUC letter
- M. Acknowledge Receipt of PennDot letter regarding the traffic impact assessment for the Dollar General Store
- N. Acknowledge Receipt of Quarterly Meeting Minutes for Intermunicipal Meeting

On a motion by Ms. Shade and seconded by Mr. Wilson, Council by unanimous vote, approved the Consent Agenda.

REGULAR AGENDA

REPORTS

A. Treasurer

Ms. Walter informed Council that electronic withdrawal is now being offered for refuse/sewage bills. Payments can now be electronically withdrawn from your checking account on the 20th of the month that your statement is due. If interested, you can stop by the Refuse/Sewer Department and complete a form.

Sewer exoneration was received from Autumn Hoffman at 128 Shaw Avenue; however, Mr. Fink was unable to confirm that the water did not go down into the sewer at this time. He is waiting for the owner of the property to get back to him.

Tax exoneration was received from the Mifflin County Board of Assessment Appeals for JAVA Incorporated for the amount of \$2,568.57.

On a motion by Ms. Shade and seconded by Mr. Sievers, Council by unanimous vote, approved the tax exoneration request for JAVA Incorporated in the amount of \$2,568.57.

B. Code Enforcement Officer

Mr. Fink reported there were 62 violations in July. 32 of those violations were issued for high grass and/or weeds, 9 for bushes/trees. There were 29 zoning permits issued, totaling \$3,855.45. There was \$345.00 collected in sidewalk permits. Improvements totaled \$85,081 in July, with a year-to-date of \$6,669,560. The inspection fees for July were \$720; totaling \$2,825 for the year. There were no LOMA letters received.

Mr. Fink is seeking Council's approval to make it mandatory to have a PA one-call made prior to issuing sidewalk permits. Ms. Shade felt that this should already be in place. It's not an ordinance, but it would help prevent someone from digging up a gas line.

On a motion by Mr. Campbell and seconded by Ms. Shade, Council by unanimous vote approved no sidewalk permits being issued without having a PA One-Call documented.

C. Fire Chief

Chief Barlett reported 23 alarms and medical assists for July. Due to the increase in the rain, they responded to quite a few calls to help pump water out of basements.

They responded to a call on Fourth Street from a smoke alarm at an unoccupied residence. Some of the firefighters that responded got ill, not realizing that flee bombs were set off the night before. EMS was there to assist.

Another call was received from South Main Street for a collapsed ceiling. Upon arrival, two ladies were trapped from debris. Mr. Fink was called to inspect the rest of the structure, concluding that there was a leak from the roof. With all the rain we have had this season, it was too much and the entire ceiling collapsed not just a few ceiling panels.

Three Borough fire fighters attended the County burn session and completed the course. This now gives 55 certified fire fighters in Lewistown Borough.

D. Mayor

Mayor Bargo received a request to have teal colored ribbons placed around town in September in honor of ovarian cancer awareness month.

On a motion by Mr. Sievers and seconded by Ms. Shade, Council by unanimous vote approved the placement of teal colored ribbons placed around town in September in awareness of ovarian cancer.

E. Police Chief

Mayor Bargo reported on behalf of Chief Clemens. In the month of July, the Lewistown Police Department had 279 calls to service, 54 citations and 27 non-citations. There were 808 tickets issued, totaling \$4,190.

National Night Out was a success again this year. Mayor Bargo wanted to thank everyone that participated this year. Eight hundred eighty-eight hot dogs were handed out as well as over 700 pieces of cake that was donated by the Giant.

The two interns we had this summer did an excellent job. Brandon Cunningham issued 1669 tickets and Natanya Shingler issued 828.

There are a few parts on back order that are needed for the new police server. Once they arrive, the new server should be running within a month.

F. Board of Recreation

None

G. Borough Solicitor

Mr. Remy presented Council with the modified rooming house ordinance from last meeting. He is seeking approval to advertise. Mr. Campbell requested a change in language in Section 4, paragraph (a) stating "A registering resident may be required by the permittee to produce a valid driver's license or other identification". He would like the word "may" to be changed to "shall" in regards to picture ID.

On a motion by Ms. Shade and seconded by Mr. Sievers, Council by a 3-2 vote, approved to advertise the modified rooming house ordinance, contingent upon changing the word "may" to "shall" in Section 4, paragraph (a) regarding picture ID.

Roll Call

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

H. Borough Manager/Secretary

Mr. Welham gave an update on the Charles Street bridge replacement. The completion date is now projected for September 4. The school board has been informed because this will cause an issue with school buses. Mr. Welham will meet with Chief Clemens about having police officers or fire police direct traffic at the intersection of Valley Street and Walnut Street, to help relieve congestion at the red light intersection.

Mr. Welham announced the Chestnut Street and South Pine Road railroad crossing project is expected to start August 20, 2018. The project is expected to take approximately five days.

Mr. Welham announced that the River Walk project is almost ready for paving.

Mr. Welham advised Council that the street sweeper is still not working. A speed sensor was detected faulty and, after been replaced twice, it was determined to be another issue. The street sweeper is scheduled to be delivered to A&H Equipment in Harrisburg on August 14, 2018 to determine the problem and receive an estimate to have it repaired.

The Fireman's Relief Audit was completed. A few concerns need to be addressed. Chief Barlett has not received a copy of the report; however staff will make sure he receives a copy so he can review.

UNFINISHED AND NEW BUSINESS

On a motion by Ms. Shade and seconded by Mr. Campbell, Council by unanimous vote approved to release 2015/2016 CDBG funds in the amount of \$771.86 for Big Brothers/Big Sisters share.

On a motion by Ms. Shade and seconded by Mr. Sievers, Council by unanimous vote approved to release 2015/2016 CDBG funds in the amount of \$1129.58 for Admin of 2016 grant and South Wayne Street delivery and \$31.23 for Administration of 2016 grant.

On a motion by Ms. Shade and seconded by Mr. Campbell, Council by unanimous vote approved to release 2016 CDBG funds in the amount of \$380.26 for advertisement of the Ordinance for Intergovernmental Cooperative Agreement.

STREETS COMMITTEE

On a motion by Mr. Campbell and seconded by Ms. Shade, Council by unanimous vote approved to remove the commercial load/unload parking space sign from 2 South Spruce Street to 13 South Spruce Street by Resolution.

Roll Call

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

Mr. Welham reviewed the 2019 paving projects:

- South Brown Street, from Charles Street to Fleming Ave
- 500 and 600 blocks of South Grand Street
- West Wilson Avenue from S. Main St. to the softball field
- Susquehanna Avenue, from South Main Street to South Grand Street
- 500 block of South Juniata Street
- 600 block of South Wayne Street

Mr. Campbell wanted to know if anyone actually went out to look at these streets. Mr. Sievers also questioned how it was determined which streets get paved. Mr. Welham said that the refuse drivers drive the streets weekly and inform Mr. Rager and Mr. Plank which are in most need of repair. Mr. Plank also makes proposals by which streets get cold patched the most and from where he receives the most complaints. Mr. Sievers feels there needs to be a better way for determination of what streets get paved by the Streets Committee, and that the Streets Committee should not rely on Mr. Rager and Mr. Plank to determine what gets paved. Mr. Sievers feels the Streets Committee needs to look at each of the proposed streets for paving with the Streets Committee members each splitting up and someone looking at the Northside, Southside, Central area, and West end of the Borough and then make their recommendations to council. No motion was made.

On a motion by Ms. Shade and seconded by Mr. Sievers, Council by unanimous vote approved the removal of a handicap parking space and sign at 141 South Pine Road, Apt A5 by Resolution.

Roll Call

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

On a motion by Ms. Shade and seconded by Mr. Sievers, Council by unanimous vote approved the removal of a handicap parking space and sign at 50 Logan Street by Resolution.

Roll Call

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

A handicap parking space application was received at 530 Valley Street; however, PennDOT needs to be called since it is a state street, not a Borough Street.

On a motion by Ms. Shade and seconded by Mr. Campbell, Council by unanimous vote approved the allotment of four parking spaces to Mother Hubbard's Cupboard, contingent upon them buying their own signs.

On a motion by Ms. Shade and seconded by Mr. Campbell, Council by unanimous vote approved the elimination of two-way traffic at the Bratton Avenue end of West Fourth Street and making it one-way from Bratton Avenue to North Grand Street.

On a motion by Ms. Shade and seconded by Mr. Wilson, Council by unanimous vote approved the removal of a handicap parking space at 356 South Wayne Street, by Resolution.

Roll Call

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

On a motion by Ms. Shade and seconded by Mr. Wilson, Council by unanimous vote approved the removal of the "No Parking Between Signs" sign located on the North side of East Walnut Street just past the Spring Street intersection.

On a motion by Ms. Shade and seconded by Mr. Campbell, Council by unanimous vote approved the handicap space at 114 North Grand Street, by Resolution.

Roll Call

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

LAW AND ORDINANCE

Mr. Campbell presented to Council a new location for the July 4th fireworks as they are not allowed to use MCIDC area anymore. Rec Park meets the requirements needed to set off the fireworks. Mr. Welham contacted PennDOT and they have no law in place relating to fireworks. Chief Clemens has already agreed to place police cars and cones along the highway to keep people from parking there. Mr. Sievers pointed out that the Borough of Lewistown is to be named as additional insured.

On a motion by Ms. Shade and seconded by Mr. Campbell, Council by a 3-2 vote approved the Rec Park parking lot for the July 4th fireworks, contingent upon Borough of Lewistown being named as additional insured on Certificate of Liability.

Roll Call

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

On a motion by Mr. Campbell and seconded by Ms. Shade, Council by unanimous vote approved moving the signs in front of the Water Authority to the stated distance in the Ordinance of 20 feet between the signs.

Roll Call

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

Mifflin County Regional Police Department offered to provide the SRO for Mifflin County Middle School and the Lewistown Intermediate School. The Lewistown Police Department would have to enter into a Cooperative Agreement; however, the Teamsters Union will not agree.

PUBLIC COMMENTS

Upon approval for a Facility Use Request, direction is needed on how to get electricity at an event near the old courthouse. Mr. Welham advised that there are outlets at the courthouse that can be used.

EXECUTIVE SESSION

Council went into executive session at 6:31 pm for issues regarding personnel matters. Council came out of executive session at 6:46 pm.

On a motion by Ms. Shade and seconded by Mr. Campbell, Council by a 3-2 vote, approved

to have the part-time Parking Enforcement Officer housed at the Lewistown Police Department.

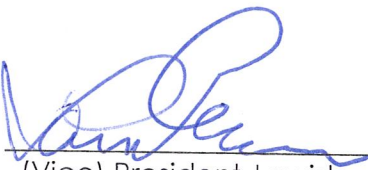
Roll Call

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

Ms. Shade would like the Streets Committee to check all the streets that are proposed for paving.

Mr. Campbell made a motion to postpone the Public Works interviews to another date and time when both he and Mr. Plank would be available; however, Mr. Searer adjourned the meeting before allowing any action on the motion.

Meeting ended at 6:50 pm.



(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:



(Asst.) Borough Secretary