

REGULAR COUNCIL MEETING
AUGUST 14, 2017 AT 5:00 PM
LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

The meeting opened at 5:01 PM with Borough Council Vice President Larry Searer presiding. The Pledge of Allegiance was recited previously at the CBDG Public Hearing held at 4:45PM.

ROLL CALL

Mr. Wilson, Mr. Eddinger, Mr. Rager, Larry Searer, and Mayor Bargo were present. Mr. Moore, Mr. Felmlee, and Mr. Berrier were absent.

Mr. Welham introduced the new acting Police Chief Dave Clemens. He is from Mount Union. He is retired from the Pennsylvania State Police. He is a graduate of Penn State with a major in Psychology and a minor in Business Management. For 10 years he was based in the Lewistown Police Barracks. For the last 3 years he was in a criminal investigation unit and he specialized in homicide. He brings a lot of experience to the job.

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 10, 2017
 - 2. Finance Committee Meeting-July 7, 2017
 - 3. Law & Ordinance Committee Meeting-July 7, 2017
 - 4. Fire Committee Meeting-August 7, 2017
- B. Approval of Treasurer's Report
- C. Acceptance of Tax Collector's Report
- D. Approval of Schedule of Bills
 - 1. General Borough/Specialty Tax/Refuse/Wastewater Collection & Treatment/State Liquid Fuels
 - 2. CVS Schedule of Bills
- E. Approval of Facility Use Forms:
 - 1. United Fire and Rescue for September 9, 2017 for Mini Kid FestivalAdditional Facility Use Forms reviewed by Rec Board (No Quorum Present)
- F. Acknowledge receipt of K-9 Unit Report for July
- G. Acknowledge receipt of Brooklyn Resolution for fire tax account at Kish Bank
- H. Acknowledge receipt of Fame Financial Statements for 2016 & 2015
- I. Acknowledge receipt of Updated Organizational Chart
- J. Acknowledge receipt of MC Parks & Recreation Council Letter Requesting Donation
- K. Acknowledge receipt of Comcast Price Change Letter
- L. Acknowledge receipt of CDBG Public Hearings Schedule

- M. Acknowledge receipt of Sanitary Sewer Line Cleaning Information Jan to June
- N. Acknowledge receipt of CAP Progress Report Jan to June
- O. Acknowledge receipt of CDBG Audit Letter
- P. Acknowledge receipt of 500 Block of Valley St Dye Test Information
- Q. Acknowledge receipt of Electrical and Building Agreement between Borough and CCIS
- R. Acknowledge receipt of MC High School Speed Internet Survey Results
- S. Acknowledge receipt of PA Dept of Environmental Protection for CVS Final Report
- T. Acknowledge receipt of Parking Authority Minutes for June
- U. Acknowledge receipt of PA Dept of Environmental Protection for O'Hesson Manor
- V. Acknowledge receipt of FAME Meeting Minutes July and June Response Stats
- W. Acknowledge receipt of PMRS Bulletin relating to In-Service Distributions and revision of their policies for retiree return to service
- X. Acknowledge receipt of information from PA Dept of Environmental Protection for Resolved RTK Report
- Y. Acknowledge receipt of MC Tax Claim Bureau Information regarding Free and Clear Tax Sale
- Z. Acknowledge receipt and approval of date change of Keep PA Beautiful River Cleanup

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

REGULAR AGENDA

REPORTS

A. Treasurer

1. Ms. Walter reported that she had another audit, and it was from the Development of Community and Economic Development on the CDBG funding. She was happy to report that all expenditures were eligible and approved.

B. Code Enforcement Office

1. Mr. Fink reported there were 45 Violations in July. He stated that the biggest one was 32 violations for grass/weeds. Mr. Fink stated that the Codes Department issued 68 permits for \$2,126.64 and 33 Sidewalk Permits at \$1,180. He said that for year-to-date he has collected \$16,236.93. Mr. Fink stated that he has checked a lot of sidewalks with all the people getting ready for the paving. He stated year to date there was \$1,180,285.60 worth of improvements done.

Larry Searer said he received a phone call from a gentleman down on Sunset that replaced his sidewalk only to have the Borough contractor cut out a portion of the walk and replace it with an ADA compliant ramp. He said the price of the removed area is \$684. Mr. Welham mentioned that the ADA on this corner was difficult because it sloped down and was on an angle. Until the contractor had the exact engineering specs, he didn't know

exactly where the ramp would need to start. Mr. Welham said that in the future when doing these sidewalks they will have the engineer look at them before any work is done.

On a motion by Mr. Wilson and seconded by Larry Searer, Council by unanimous vote, approved a refund of \$684.00 to Tobin Fisher for the 19'x 4.5' of new sidewalk that was removed to put in an ADA compliant ramp on Sunset Road.

Roll call

Bill Wilson	Yea
Larry Eddinger	Yea
Russell Rager	Yea
Larry Searer	Yea

Larry Searer asked if there was anything for any of the departmental superintendents. There was no response, so Larry Searer excused personnel from the meeting. Mr. Welham stated the guys worked for him and were not to leave because he wants them at the meeting. Mr. Welham stated that Larry Searer came to see him and questioned him on his work ethic as a Manager because he has a problem with the guys sitting out here. Larry Searer commented that Mr. Welham takes comp time so why can't the superintendents. Mr. Welham covered all the extra hours he worked over the course of the year. It was decided this was best covered in executive session.

C. Fire Chief

1. Chief Barlett reported that for the month of July the fire departments had 22 alarms plus medical assists. There were two major fires in July. There was a fire on Pannebaker Ave and the fire departments did a great job knocking it down and limiting exposure to the house next door. The next one was on Shaw Ave and the crews did a really good job there. It had fire in the front of the building and fire in the rear of the building, so there were really two fires to fight that night. It was turned over to the State Police Fire Marshall and he hasn't received the results back yet.
2. Chief Barlett said that before his arrival at the Shaw Ave fire he went in the back to the alley and found fire shooting out the second floor window. There was a lady in a second floor window and two men on the roof of a garage next door trying to help her out. She fell out the window and bounced off the awning on the first floor and then landed on the sidewalk. She sustained hip injuries and a laceration to her head in the fall. He said that the Lewistown Police showed up at that time. Sergeant Sheaffer and Officer Hartley grabbed and tore out the wire fence that surrounded the area where the lady fell, picked up the lady, and got her out of there because the fire was now shooting out the first floor window next to her. He attributes their quick action to preventing any further injuries to the lady. He wanted to thank the officers for their assistance at the fire.

3. Chief Barlett reported that the two water rescue teams in the Borough have been very busy. They ran about 8 calls in the last couple of months. Most of them have been up in the McVeytown area. They had two rescues where they pulled people out of the water and a couple of rescues where people were boozed up and fell in the river or took off. They did have 2 body recoveries in the past 2 weeks, one in Newton Hamilton and one in McVeytown. The City and Brooklyn water teams were on both calls. He stated these can be very emotional for the people on the call. They offered Crisis Management to both rescue teams, but everyone thought they would be ok without it.
4. Chief Barlett stated that the turnout gear has been ordered and hopefully it will be here shortly after September 1st.
5. Chief Barlett reported they had a successful National Night Out and all three fire departments participated in it. He said he thinks they enjoyed it as much as the kids did and they are always happy to participate in it.

D. Mayor

1. Mayor Bargo said she too wanted to mention National Night Out. She thanked everyone involved since it was a wonderful night and the attendance was bigger than last year. She thought the officers really stepped up to the plate. She especially wanted to thank everyone that came down and dunked her in the dunking booth.

Larry Searer stated that he got an email saying that the police officers can't ticket vehicles and protect the public at the same time. He questioned the Mayor as to why the officers can't write tickets. She said it's not just about revenue, and that the officers go on a lot of calls because the people are their first priority. She said that he hasn't seen a report on the number of calls that the officers take. She isn't going to micromanage the police when they have a very capable Chief.

E. Police Chief

1. New Police Chief Clemens stated that he wanted to thank the Mayor and Council for making him the Chief. He said he wasn't expecting to start working again so soon after retirement, but he will do his best to run the department as efficiently as he can.
2. Chief Clemens stated that National Night out was a big success this year. He wanted to thank Steve Knudson, the Community Service Officer, for putting the whole event together. He thanked everyone that participated in the event including all the organizations and the people that were there. He thanked Giant Food for the donation of the food they gave out. He said they measure the success of the event by the number of hot dogs given out, so last year the number was 650 and this year it was 720. He hopes it keeps growing every year.
3. Chief Clemens said they had an intern program this summer through the Parking Authority and they did a lot of parking enforcement. Daylon Breon started on May 8th and worked

thru to the end of July. He gave out 1180 tickets for total revenue of \$5,915. Ryan Wagner worked July 10th thru August 11th and he gave out 321 tickets for total revenue of \$1,905. The interns had the opportunity to ride along with officers and they were very excited to participate. In all Chief Clemens stated that the intern program worked out well this summer.

4. Chief Clemens stated that with the issues they are having on West Fourth Street they have initiated a Foot Patrol Action where officers are asked to go out on foot patrols at least once every shift. So far they had done 11 foot patrols in the last two weeks. He is hoping that having a presence in the neighborhood will help to make a difference. He is stressing to the officers to get out and meet people and be more proactive in the area.
5. Chief Clemens reported that one of the officers brought it up that there is a handicap spot on 136 West Third Street. The officer was called there, and he found a motorcycle parked in that spot. He made contact with the occupants and they said the landlord told them that the spot was no longer a handicap spot. The blue markings are on the pavement but there was no signage. The Chief was wondering if we could eliminate the blue markings so it's not confusing. He had them move the vehicle, and he told them Council would address it.
6. Chief Clemens stated in the month of July, the Lewistown Police had 306 calls for service, and they gave out 58 traffic tickets and 4 warnings. The interns gave out 162 street sweeper tickets and 482 meter tickets. For a total of \$4,840 for the month of July.

F. Board of Recreation

1. Ms. Walter stated there was no meeting of the Rec Board because of National Night Out.

G. Borough Solicitor

1. Mr. Remy stated that at the last meeting there was discussion about sewer connections and whether the vacant properties that weren't connected could cap the pipe and then pay a tap on fee to reconnect later. The Borough has a mandatory connection ordinance that says the sewer system in a house must be connected to the borough sanitation sewer system. That every line that receives or discharges sewage must be connected. It would be a violation of the mandatory connection ordinance to cut and cap their systems. No further action has been taken.

H. Borough Manager/Secretary

1. Mr. Welham stated that he got a letter from PA One Call with a credit of \$99.32 that will be applied to the account.
2. Mr. Welham said the bid was released for Ridge Road and Marble Street. They will be due back by the 24th so Grand Parkway North, Sunset Road, Grant Avenue and Center Street

along with Ridge Road and Marble Street will all commence on September 18th. Mr. Eddinger asked about Klondyke. Mr. Welham stated it will be done internally.

3. Mr. Welham reported that a year ago a letter was sent to Keystone letting them know their services would no longer be needed as of August 19, 2017. The contract was set up that a year was needed prior to termination of the contract. On August 20, Mr. (Tim) Plank will do the residential inspections and Commonwealth Code Inspection Service will do the commercial and residential electrical inspections. Mr. Welham went over the new pricing. He is seeking approval to ratify the cost and fee schedule and to approve the contract with Commonwealth Code Inspection Service.

On a motion by Mr. Rager and seconded by Mr. Wilson, Council by unanimous vote, approved the contract with Commonwealth Code Inspection Services and to ratify the cost and fee schedule with the new inspection fees with Resolution 2017-27.

Roll call

Bill Wilson	Yea
Larry Eddinger	Yea
Russell Rager	Yea
Larry Searer	Yea

UNFINISHED AND NEW BUSINESS

On a motion by Mr. Rager and seconded by Mr. Eddinger, Council by unanimous vote, approved releasing the 2015 and 2016 CDBG Funds to County for Administering the Grant with the Schedule of Bills.

Russ Rager – Finance Chairman

Mr. Rager went over the proposals presented at the Finance Meeting from Chief Clemens for replacing two worn out police cars with a new Interceptor. They would also like to put out to bid 2 old Crown Vic's that were bought used from the City of DuBois about 5 or 6 years ago that are well used. To buy the Interceptor outright would be \$32,763 and to lease would be \$11,282 a year for three years.

Larry Searer stated that he would like to put this on hold until the next meeting when the majority of Council is present at the meeting. He felt it was too big of an expense to vote on with only half the Council.

Larry Sear – Streets Chairman

Larry Searer stated they have a request to remove a handicap space at 210 Logan Street. Mr. Hernandez passed away and his wife moved away.

On a motion by Mr. Rager and seconded by Mr. Wilson, Council by unanimous vote, approved the removal of the Handicap Parking Space at 210 Logan Street with Resolution 2017-28.

Roll call

Bill Wilson	Yea
Larry Eddinger	Yea
Russell Rager	Yea
Larry Searer	Yea

Larry Searer stated they have a request for a Handicap Parking Space at 506 South Grand Street. The lady there really needs it.

On a motion by Mr. Rager and seconded by Mr. Wilson, Council by unanimous vote, approved a Handicap Parking Space at 506 South Grand Street with Resolution 2017-29.

Roll call

Bill Wilson	Yea
Larry Eddinger	Yea
Russell Rager	Yea
Larry Searer	Yea

Larry Searer stated they have a request to remove a vacated handicap space at 136 West Third Street.

On a motion by Mr. Rager and seconded by Mr. Eddinger, Council by unanimous vote, approved the removal of the Handicap Parking Space at 136 West Third Street with Resolution 2017-30.

Roll call

Bill Wilson	Yea
Larry Eddinger	Yea
Russell Rager	Yea
Larry Searer	Yea

Larry Searer stated they have two requests for handicap spaces that are repeat requests which he checked out and are denied again. They are at 205 S. Main St and 443 S. Brown St.

On a motion by Mr. Rager and seconded by Mr. Eddinger, Council by unanimous vote, denied Handicap Parking Spaces at 205 South Main Street and 443 South Brown Street.

Roll call

Bill Wilson	Yea
Larry Eddinger	Yea
Russell Rager	Yea
Larry Searer	Yea

PUBLIC COMMENTS

There were none.

EXECUTIVE SESSION

Council went into an executive session at 5:46 P.M. for personnel matters.

Council came out of executive session at 6:42 P.M.

On a motion by Mr. Rager and seconded by Mr. Eddinger, Council by unanimous vote, approved the hiring of two part time executive officers with Resolution 2017- 26.

Roll call

Bill Wilson	Yea
Larry Eddinger	Yea
Russell Rager	Yea
Larry Searer	Yea

On a motion by Mr. Rager and seconded by Mr. Eddinger, Council by 3-1 (Searer) vote approved the hiring of a Clerk/Secretary.

Roll call

Bill Wilson	Yea
Larry Eddinger	Yea
Russell Rager	Yea
Larry Searer	Nay

On a motion by Mr. Rager and seconded by Larry Searer, Council unanimously voted to adjourn at 6:46 P.M.

(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:

(Asst) Borough Secretary