COUNCIL MEETING

May 10th, 2021 AT 5:30 P.M.

LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

The Council meeting opened at 5:30 p.m. with Borough Council President Venus Shade presiding.

The Pledge of Allegiance was recited by all present.

**ROLL CALL**

Ms. Shade (President), Mr. Campbell (Vice-President), Ms. Goss (Councilperson), Larry Searer (Councilperson)*,* Mr. Terry (Councilperson) *arrived at 5:35*, and Mr. B Wilson (Councilperson) were present. Mr. A Wilson was absent.

**HEARING OF PERSONS PRESENT**

Mr. Myers states that he is running a non-for profit in order to raise money for the homeless. Mr. Myers states that the code enforcement officer has advised him that an amusement tax must be paid. Mr. Myers is seeking clarification regarding the enforcement of this amusement tax, such as whether bait machines are also subject to tax and where the proceeds would be used to better the community. Larry Searer inquires as to whether all of the proceeds from the amusement machines are appropriated to the homeless. Mr. Myers states that salaries are deducted from the amusement machines, with the remaining funds being re-appropriated to assist the homeless. Ms. Shade and Mr. Campbell state that the amusement tax was in place before the existence of the games of chance/amusement machines that are becoming more popular. Mr. Myers further states that he would like council to take a look at the scope of the amusement tax as he believes that the tax is dampening the ability of not-for-profits to operate.

Mr. Larry Carter begins providing an update regarding the 2020 Fire convention that was cancelled due to Covid. Mr. Carter states that Roaring Spring has decided not to participate in the future convention. Due to this, the Central District has moved the proposed convention from 2024 to 2023. Mr. Carter seeks permission from Council and the Borough Manager to approve the convention for August 10th, 11th, and 12th, 2023.

***On a motion by Mr. Terry and seconded by Ms. Goss, Council agrees to approve the drafting of a confirmation letter to hold the Fire Convention August 10th, 11th, and 12th 2023. Larry Searer dissented.***

**CONSENT AGENDA**

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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.

1. \*\*Approval of Minutes: Council Meeting-April 12, 2021
2. \*\*Approval of Treasurer’s Report
3. \*\*Approval of Schedule of Bills
4. \*\*Facility Use Request:
5. Sacred Heart Home & School Association
6. Hope Collective – Pending Insurance
7. Acknowledge receipt of Fame Meeting Minutes & Stats
8. Acknowledge receipt of Codes Enforcement Office Monthly Report
9. Acknowledge receipt of Tax Collector’s Report
10. Acknowledge receipt of Two Mifflin County Planning & Development Dept Notice of Advertisements – Proposed 100 Year Flood Plain Activity.
11. Acknowledge receipt of letter from Daniel Ritter
12. Acknowledge receipt of letter from Seven Mountains EMS Council

Mr. Terry asks for clarification regarding the 100-year flood plain activity. Mr. Zimmerman and Ms. Miller state that the CDBG construction along and alterations along Water St. had to be advertised, the consent agenda topic is for the advertisement of these plans.

***On a motion by Ms. Goss and seconded by Mr. Campbell, Council agrees to approve the consent agenda.***

**FIRE CHIEF**

Chief Barlett states that there were 20 alarms in the Month of April. There was a building fire, two outside storage fires, 5 medical assists, 1 victim rescued from elevator, 2 natural gas leaks, 1 carbon monoxide incident, 1 power line down, 2 fires involving electrical equipment, 1 vehicle lockout, 1 public service, 1 mechanical malfunction, and 1 automatic alarm. There was an electrical fire on Logan St as a result of outdated wiring that has been updated and is up to code. There was an Elm Street fire that was contained to the 2nd floor, causing water damage to the first floor. There were elderly citizens that were assisted by the red cross for temporary accommodations.

There is a memorial service May 30th for 3 firemen that died June 1st, 1969, in the line of duty. There has been a memorial service every year since, and the public is invited to attend.

**MAYOR BARGO**

A Pennsylvania State Police Trooper from the Office of Community Engagement contacted Mayor Bargo in order to discuss with the Mayor and Police Chief potential benefits that could assist our local police.

Mayor Bargo received an email from a 911 Center Supervisor regarding a concern involving the alley by Grant Avenue. There has been prior discussion regarding the naming of this alley, and there is confusion as a result. Mayor Bargo contacted GIS regarding this issue, and there is interest in altering the name of the alley as South Main Street seems inapplicable. Mayor Bargo states that with Council’s approval, the GIS will begin the processes needed to alter the name of the alley. Larry Searer states that if the name is to be changed, all residents involved should sign documentation stating their approval. Mr. Campbell agrees as there are potential issues to property owners. Mayor Bargo inquires if there are any more potential stipulations. Larry Searer states that further discussion can be had once there is documentation of property owner approval.

Mayor Bargo states that there is a lack of street lighting in the previously discussed are of town. Through contacting PennDot, it was discovered that there is no agreement regarding the replacement of lights in this area. It has been agreed that the Borough will take the action to fix the street lighting, PennDot will reimburse the Borough half the costs and going forward the repair and upkeep of the light fixture will be a responsibility of the Borough. Mr. Zimmerman states that along state roads there is normally a written agreement in which the Borough shoulders responsibility for upkeep, there is currently no such agreement. Ms. Shade asks for clarification regarding street location. Mr. Zimmerman states that we are discussing the 3006 by Green Gables. There is a general misunderstanding regarding the location being discussed. Ms. Shade states we should further clarify the location before further discussion and agreement. Council agrees. Mr. Zimmerman states that discussion can be held during a Streets meeting.

Mayor Bargo states that there is concern regarding automobile speeding along the previously discussed Main St. Alley. Residents would like to erect a sign that makes drivers more aware of children at play along this route. Mr. Zimmerman states that he can look into this as well for future discussion.

**POLICE CHIEF**

Chief Clemens begins presenting statistics for the month of April. There were 443 calls for service: 15 traffic citations, 14 non-traffic citations, 30 written warnings, and 440 parking tickets. Chief states that there is still finalization being done regarding the Body Camera Grant. The new radios are in service with Police communication being encrypted and unable to be picked up by scanners. The security improvements of the Police Station have been completed. There is a Law Enforcement Treatment Initiative Diversionary Program by the Attorney General’s office that diverts low-level drug offenders towards treatment as opposed to criminal charges, further details of the program will follow.

Larry Searer inquires as to whether street sweeper tickets are being put out on a regular basis. Chief Clemens states that the number of street sweeper tickets relates to how busy the officers are during a shift. Chief Clemens states that tickets could be issued more regularly if there was a position dedicated to the enforcement of street sweeping violations, the current Police intern is assisting in the disbursement of these violations. Mayor Bargo inquired as to whether a decision has been made regarding the instatement of a Parking Enforcement Officer. Mr. Zimmerman states that there have been discussions, but we are awaiting a discussion with the Parking Authority.

**REC BOARD**

No Quorum

**BOROUGH SOLICITER**

Mr. Remy states that a lawsuit was filed against the Borough, they are awaiting the Borough to file its own action and ejectment. An extension was given until June 1st. Mr. Remy must talk with the EADS Group surveyor in order to obtain more background regarding the situation. Mr. Remy is seeking Council’s approval and authorization to have the Council President provide a signature for the drafted lawsuit. Mr. Terry inquires what they are seeking. Mr. Remy states that as they are already on site, the Borough must file an action to eject them.

***On a motion by Larry Searer and seconded by Mr. Campbell, Council agrees to approve the Council President’s signing of the presented lawsuit.***

The Borough currently has two pensions, the Police pension, and the non-uniform pension. These pensions are being amended and updated. Mr. Remy seeks authorization to advertise the updated ordinances and pensions for the June Council meeting.

***On a motion by Mr. Terry and seconded by Ms. Goss, Council agrees to approve advertisement of the updated ordinance and pensions.***

The Sewage Vacuum Truck is quoted for ≈ $400,000. Mr. Remy presents a resolution that states the Borough’s intent to purchase the truck with existing funds, with reimbursement to the sewer fund in the future before the issuance of debt.

***On a motion by Mr. Campbell and seconded by Ms. Goss, Council agrees to approve the Sewer Reimbursement resolution for the purchase of the Vacuum Truck.***

Mr. Remy states the purchase of the Street Sweeper will cost ≈ $200,000. Similarly, to the Vacuum Truck, the Street Sweeper will be purchased with existing funds with reimbursement being provided to the general fund in the future.

***On a motion by Mr. Terry and seconded by Ms. Goss, Council agrees to approve the purchase of the Streetsweeper with existing general funds.***

Mr. Remy states that Bond Council request authorization for advertisement of an Ordinance under the Local Government Debt Act before the June meeting.

***On a motion by Mr. Campbell and seconded by Mr. Terry, Council agrees to approve the advertisement of the Ordinance. Larry Searer dissented.***

UNFINISHED AND NEW BUSINESS

**On a motion by Ms. Goss and seconded by Mr. Terry, Council agrees to approve the release of 2018 CDBG funds for the 100 Year Flood Plain.**

**On a motion by Ms. Goss and seconded by Mr. Campbell, Council agrees to approve the serving of alcohol at the Community Center for the McMaster Wedding on June 4, 2021. Larry Searer dissented.**

**PUBLIC COMMENTS**

Ms. Peffer inquires about the lack of action from Streets and Law & Ordinance Committees. Mr. Zimmerman states that there has not yet been a Streets or Law & Ordinance meeting this month. Ms. Peffer inquires about the condemned building at 114 W 4th Street. Mr. Zimmerman states that he is furthering discussion to act against the top 10 buildings currently in the repository. Mr. Zimmerman states that if Ms. Peffer leaves her contact information, he can provide her with more information once the discussion takes place.

***Council entered executive session at 6:19pm. to discuss personnel matters.***

***Council exited executive session at 6:56pm.***

***On a motion by Mr. Terry and seconded by Mr. Campbell, Council agrees to hire 7 returning lifeguards. Larry Searer dissents.***

***On a motion by Mr. Terry and seconded by Ms. Goss, Council agrees to hire a mechanic and street sweeper. Larry Searer dissents.***

***On a motion by Mr. Campbell and seconded by Mr. Terry, Council agrees to alter the pool hours to operate from 1pm-6pm as opposed to the current 12pm-5pm.***

***On a motion by Mr. Terry and seconded by Mr. Campbell, Council agrees to allow the Borough Manager to extend the CBA contract for 1 year. Larry Searer and Mr. B Wilson dissent.***

***On a motion by Larry Searer and seconded by Ms. Shade, Council adjourned at 6:59 pm.***

(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:

(Asst.) Borough Secretary