

REGULAR COUNCIL MEETING
OCTOBER 9, 2017 AT 5:00 PM
LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

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

ROLL CALL

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

HEARING OF PERSONS PRESENT

Phyllis Furry and Deana Long want to start Knockerball. They are looking for an area to play once they get the equipment. They found a grassy area at Rec Park they would like to use. They have a Facility Use Form filled out and they have the required insurance. They would play there until the weather turns cold.

On a motion by Mr. Rager and seconded by Mr. Moore, Council by unanimous vote, approved the Facility Use for Knockerball at Rec Park contingent on the Insurance being in order and the appropriate amount being paid.

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-August 14, 2017
 - 2. Council Meeting- September 11, 2017
 - 3. Public Hearing for CDBG-September 11, 2017
 - 4. Finance Committee Meeting-September 7, 2017
 - 5. Finance Committee Meeting-October 5, 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 Escrow Account
- E. Approval of Facility Use Forms:
 - 1. Street Closure for Veteran's Day Parade from MC Commissioner's on 11/9/17 from prior meeting
 - 2. Street Closure for Ice Festival on 11/30/17 & 12/1/17 from Jun Valley Visitors Bureau

3. Street Closure for Kiwanis Parade on 12/2/17 with rain date of 12/3/17
 4. Street Closure/Rec Park usage for Juniata Valley Striders Chillin 4K Road Race on 12/1/17 (Note: Facility Use Form recd. on 10/4/17)
 5. Street Closure for DS Building Products for erecting new sign on 10/12/17 & 10/20/2017
- F. Additional Facility Use Forms-Rec Board:
6. Pavilion Use at Rec Park for Staci Chamber retroactive for 10/7/17 birthday party
 7. Pavilion Use at Rec Park for Special Olympics of PA for 11/12/17
- G. Acknowledge receipt of two Borough of Lewistown Organizational Charts
- H. Acknowledge receipt of Downtown Lewistown Inc. September Work plan Highlights
- I. Acknowledge receipt of Downtown Lewistown Inc. August Meeting Minutes
- J. Acknowledge receipt of Business Development Committee Meeting Minutes
- K. Acknowledge receipt of DEP Letter for Shy Bear Brewery
- L. Acknowledge receipt of FAME Meeting Minutes September and August Response Stats
- M. Acknowledge receipt of Lewistown Borough K-9 Unit for September
- N. Acknowledge receipt of MetLife change to Servicing Relationship Letter
- O. Acknowledge receipt of Xfinity Service Letter

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

REGULAR AGENDA

REPORTS

A. Treasurer

1. Ms. Walter stated she is looking for Council's approval to apply for County Aid, and they received the Liquid Fuels tax distribution from the County in the amount of \$7,135.72. She is seeking approval to fill out the application for County Aid and the amount will go towards the streets paving project.

On a motion by Mr. Moore and seconded by Mr. Rager, Council by unanimous vote, approved the application to be filled out for County Aid.

2. Ms. Walter received the Public Utility Real Estate Transfer Tax for \$2,451.17 for the year of 2016.
3. Ms. Walter stated they received \$75,354.30 of state aid for the MMO (Minimum Municipal Obligation) for Police Pension Plan and \$84,822 for Non Uniform Pension Plan. This covers 100% of expenses for the pension plan for this year.
4. Ms. Walter received the Estimated State Liquid Fuel allocation for 2018, in a letter from PA Department of Transportation and that amount is estimated at \$224,399.13. This amount is \$6,600 more than what was received for 2017.

5. Ms. Walter went over the letter from the Tax Claim Bureau stating they received an offer of \$300 for 305 S. Pine Road. It's a trailer in a trailer Park. Mr. Remy explained these are properties that have gone through the Upset Sale and the Clear and Free Sale with no buyers so it is just sitting in this Repository until someone makes an offer. It then goes to a new owner and goes back on the tax rolls. Mr. Remy stated the trailer is taxed as a separate entity from the ground it sits on.

On a motion by Mr. Rager and seconded by Mr. Moore, Council by unanimous vote, approved the offer of \$300 for the trailer on 305 S. Pine Road.

B. Code Enforcement Officer

1. Mr. Fink reported there were 75 Violations in September. He stated that 27 were for sidewalks and 20 were for high grass and weeds. There were 54 permits issued for \$1,966.09 in zoning fees and for the year that brings the department to \$29,594.88. There was one LOMA letter issued last month.
2. Mr. Fink said they had the CRS FEMA Audit last week. There were some housekeeping items that need to be done and sent to them.

Mr. Fink stated there is a building on Valley Street that will be condemned on October 25. He will go up and make sure everyone one is out and then he will condemn it until the owner makes it safe.

C. Fire Chief

1. Chief Barlett reported that for the month of September the fire departments had 23 alarms plus medical assists.
2. Chief Barlett stated the fire department toured the building at Mann Edge II. They are in the process of putting together the fire department preplan.
3. Chief Barlett said that Council has bought fifteen sets of fire gear, and they have been put into service. He expressed a lot of appreciation for the new gear.

Mr. (Jim) Hill gave a presentation/demonstration on the new turnout gear and how it has evolved since the 1970's. He also expressed appreciation for the new gear and the show of support for the fire departments.

Chief Barlett stated there was an accidental gas rupture on 500 block of Valley Street. There was a contractor working and they accidentally hit a gas line that wasn't and it erupted. The fire department evacuated the block then the gas company showed up.

D. Mayor

1. Mayor Bargo had the third quarter marriage fees report. She said that Burnham, Derry, and Granville have decided to celebrate Trick or Treat night on October 31, 2017 from 6-8PM.

On a motion by Larry Searer and seconded by Mr. Rager, Council by unanimous vote, approved Treat or Treat night on Tuesday, October 31, 2017.

2. Mayor Bargo stated that Wednesday October 25, 2017 will be the Halloween Parade starting at 7. She said that on Friday , October 27, 2017 from 5-7PM will be Safe Night Trick or Treat in downtown. Mr. Welham said a letter was sent from DLI requesting approval from Council to employ the Fire Police to assist on Safe Night.

On a motion by Larry Searer and seconded by Mr. Moore, Council by unanimous vote, approved having the Fire Police downtown during Safe Night.

E. Police Chief

1. Chief Clemens stated that in the month of September, the Lewistown Police had 303 incidents.
2. Chief Clemens presented a comparison of parking enforcement for last year vs this year.

May to Sept	2016	2017
Meter tickets	225	1,536
Street Sweeper	699	1,165
Total Revenue	\$11,710	\$25,255

Comparison for just September 2016 vs September 2017

September	2016	2017
Meter tickets	1	10
Street Sweeper	176	208
Total Revenue	\$2,645	\$3,170

3. Chief Clemens said a decision needs to be conclusive on purchasing a police car. He said that the 2017 car they were looking at is no longer available, but Lake's will sell them a 2018 for basically the same price of \$25,678 which would be \$9,255 a year for a 3 year lease.

On a motion by Mr. Rager and seconded by Mr. Eddinger, Council by 5-2 (Searer, Wilson) vote, approved leasing a 2018 police car from Lake's through CoStars at \$9,255 a year for three years.

Roll call

Bill Wilson	Nay
Mr. Moore	Yea
Mr. Eddinger	Yea
Russ Rager	Yea
Jim Felmlee	Yea

Larry Searer	Nay
Frank Berrier	Yea

On a motion by Mr. Rager and seconded by Mr. Moore, Council by 6-1 (Wilson) vote, approved the bidding out of the two oldest cars.

Roll call

Bill Wilson	Nay
Mr. Moore	Yea
Mr. Eddinger	Yea
Russ Rager	Yea
Jim Felmlee	Yea
Larry Searer	Yea
Frank Berrier	Yea

F. Board of Recreation

1. Ms. Barr stated there wasn't a quorum so there were no decisions made.
2. Ms. Barr stated they didn't produce a cost/fees report for the pool, but Brett Leister is working on it now and it should be ready for the November meeting. She said Brett Leister is not coming back next summer.

G. Borough Solicitor

1. Mr. Remy went over the agreement between MCSB and the Borough with leasing the 8 parking spots beside the bank and the alley. It would be a 5 year agreement at \$1,000 a year. The Borough currently leases this lot from the Parking Authority so it would be a three party agreement.

H. Borough Manager/Secretary

1. Mr. Welham gave an update on the paving schedule. Grand Parkway North, Sunset Road, Grant Street and Center Street will start Oct 24 or Oct 25, 2017. For Ridge Road and Marble Street, Fulkroad didn't return his phone call with a start date. South Wayne Street and Spring Street, which are CDBG funded, will not be paved until next year. The allocation was approved, but has not yet been released.
2. Mr. Welham asked for authorization to bid out the demolition work on the left side of 216 East Third Street. The Borough has conservative ownership of the property.

On a motion by Mr. Moore and seconded by Mr. Rager, Council by unanimous vote, approved the bidding out of the demolition on 216 East Third Street.

3. Mr. Welham stated that last month a citizen expressed concern about the cab of a tractor and trailer that was parking along South Main Street. Mr. (Steve) Knudson of the Police went down and talked to the owner, so and it should no longer be a problem.

On a motion by Mr. Felmlee and seconded by Larry Searer, Council by unanimous vote, approved the renewal of the \$240,000 CD with PLIGIT at a rate of 1.5%.

Larry Searer stated there is a request to acquire a P-Card from PLIGIT instead of the FNB credit card. Ms. Walter explained why they wanted to change the card accounts.

On a motion by Mr. Felmlee and seconded by Mr. Rager, Council by unanimous vote, approved the renewal of the \$240,000 CD with PLIGIT by Resolution.

Roll call

Bill Wilson	Yea
Mr. Moore	Yea
Mr. Eddinger	Yea
Russ Rager	Yea
Jim Felmlee	Yea
Larry Searer	Yea
Frank Berrier	Yea

Mr. Berrier brought up the compensation for the tax collector where the School District and the County pay her \$5,000 and the Borough pays her \$20,000 a year. He wants to know why the Borough pays her \$15,000 more a year and in addition then allows her to charge an additional fee for tax duplications, tax certifications, and returned checks. Larry Searer stated that the prior administrations had voted for it. Mr. Berrier wants Finance Committee to review it again.

On a motion by Mr. Moore and seconded by Mr. Rager, Council by 4-3 (Wilson, Felmlee, Searer) vote, approved having the Finance Committee review the Tax Collector compensation and determine why there is a disparity in what she is paid.

Roll call

Bill Wilson	Nay
Mr. Moore	Yea
Mr. Eddinger	Yea
Russ Rager	Yea
Jim Felmlee	Nay
Larry Searer	Nay
Frank Berrier	Yea

Larry Searer – Streets Chairman

Larry Searer said they have a resident that lives at 200 West Market Street that requested a handicap spot on S. Grand Street. He lives at the corner of the two streets. They talked

about putting one in front of the barber shop at 200 West Market Street, but he doesn't want it there. No action was taken.

Larry Searer said there was a request for speed bumps to be put in the same alley that was discussed previously with the street lights. They told him that if they put in speed bumps it can't be plowed in the winter time and he didn't want that. Mr. Welham stated that maybe the answer is to make the alley one way. He will call the resident and talk to him.

Russ Rager – Law and Ordinance

Mr. Rager stated they are looking for approval to hire a twenty hour a week Parking Enforcement Officer. He stated there was an intern this summer that really helped improve the meter revenue and the fine revenue. If they would hire a part-time person they wouldn't have to pay benefits or the regular hourly wages. Mr. Felmler suggested they not start this until after the first of the year since parking is normally exempt during the holiday season. Mr. Eddinger suggested that with the work load diminishing in the winter time could Mr. Fink do the meters. It was decided to review this further in Law and Ordinance in November.

Mr. Rager stated that a letter was received a letter from PennDOT about Seda Cog upgrading two crossings at Depot Street and Chestnut Street with the installation of flashing lights. It won't cost the Borough anything and it's an improvement since there is only a whistle when the train comes thru now.

On a motion by Mr. Moore and seconded by Mr. Rager, Council by unanimous vote, approved Seda Cog installing the flashing lights and reducing the tracks from two to one track at Depot Street with a Resolution.

Roll call

Bill Wilson	Yea
Mr. Moore	Yea
Larry Eddinger	Yea
Russ Rager	Yea
Jim Felmler	Yea
Larry Searer	Yea
Frank Berrier	Yea

On a motion by Mr. Moore and seconded by Mr. Felmler, Council by unanimous vote, approved Seda Cog installing the flashing lights at Chestnut Street with a Resolution.

Roll call

Bill Wilson	Yea
Mr. Moore	Yea
Russ Rager	Yea
Larry Eddinger	Yea
Jim Felmler	Yea

Larry Searer Yea
Frank Berrier Yea

Mr. Rager said they have an annual contract with S&S to do the roll offs. They would like to amend the contract with S&S from an annual contract to a self-perpetuating contract with 60 day written notice outs by either party. He said that it is working out really well.

On a motion by Mr. Felmler and seconded by Mr. Rager, Council by unanimous vote, approved amending the contract with S&S from an annual contract to a self-perpetuating contract with a 60 day written notice from either party.

PUBLIC COMMENTS

None

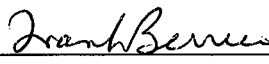
EXECUTIVE SESSION

Council went into an executive session at 6:50 P.M. for legal and personnel matters.
Council came out of executive session at 7:35 P.M.

On a motion by Mr. Moore and seconded by Mr. Rager, Council by unanimous vote, approved the resignation of Brian Clemens as the Executive Officer of the Lewistown Police Department with regrets effective October 8, 2017.

On a motion by Larry Searer and seconded by Mr. Moore, Council by unanimous vote, approved the hiring of a replacement for the Executive Officer of the Lewistown Police.

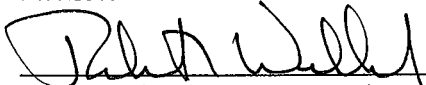
On a motion by Mr. Moore and seconded by Mr. Felmler, Council unanimously voted to adjourn at 7:38 P.M.



(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:



(Asst.) Borough Secretary