

REGULAR COUNCIL MEETING
DECEMBER 10, 2018 AT 5:00 PM
COMMUNITY CENTER

The meeting opened at 5:00 pm with Borough Council President Venus Shade presiding. The Pledge of Allegiance was recited by all present.

ROLL CALL

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

Roll-off contract bids were opened. The only bid received was from S&S Trash with the fees being \$125 for a 15 yard dumpster, \$150 for a 20 yard dumpster, and \$175 for a 30 yard dumpster.

A motion was made by Mr. Berrier, pending staff review that everything is in order. Mr. Campbell seconded that motion. Council by unanimous vote approved the five year contract with S&S Trash.

HEARING OF PERSONS PRESENT

Randy Mowry of 218 N Walnut Street had a concern about access area at the boat launch. Mr. Mowry felt that the large stones that were placed need to be moved. Ms. Shade informed him that Chief Barlett was there with his boat and Council is aware that the problem needs addressed.

Tim Yohn wanted to thank everyone that participated in the toy drive this year with 7 Mountain Jeeps. He also thanked the community for the 770 toys that were collected. Next year's goal is 1000 toys.

Russell Platt of 670 Valley Street addressed the condemned property next to him at 672-674 Valley Street. After 10 years, he's fed up with the way the Borough has handled the situation and wants something done now. His concerns included the roof caving in, porch roof is caving in, and it is infested rats, mice, bats, snakes, pigeons, etc. He's tired of reporting the high grass to Mr. Fink every year. Ms. Shade informed him the property was up for judicial sale tonight. Mr. Fink said he received quotes to have the building torn down; however, the Finance committee took his demolition fund out of the upcoming budget. Mr. Platt wants to know how long Council feels he should wait for resolution. Ms. Shade did not know.

Mr. Welham asked Mr. Platt what he felt the Borough's responsibility should be in this case. The current owner bought the property at a sheriff's sale, not knowing what she was getting into and has never paid taxes on the property. Mr. Platt feels there should be ordinances in

place that do not allow things like this to go this long. Mr. Remy said the Borough can condemn the property, tear it down, lien the property, or wait for it to go to tax sale in hopes that a new owner brings the property up to code. Mr. Fink advised Council that the owner of 672-674 Valley Street was taken to court, but it was dismissed because the name on the deed was misspelled by the County.

Mr. Platt compared this situation to the apartment building fire on North Walnut Street several years ago. It didn't take 10 years to tear it down. Mr. Welham advised him that the building was torn down with CDBG funds and can only be used for Section 8 housing and no one wants to buy it.

Mr. Platt made the suggestion of tearing it down and making it into a parking lot to relieve the congestion on Valley Street. Ms. Shade assured him she would look into the situation and get back to him as soon as possible on a resolution, good or bad.

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-November 13th, 2018
 - 2. Finance Meeting- November 15th & December 6th, 2018
 - 3. Fire Committee Meeting – November 19th, 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. DCNR
 - 3. Wastewater Facilities Construction & Capital Purchases w/Requisitions
 - 4. Dollar General
- D. Acknowledge Receipt of Tax Collector Report & Commissions
- E. Approval of Facility Use Forms-Recreation:
 - 1. MCYB for 2019 for use of the Pony League Baseball Field
- F. Acknowledge Receipt of FAME Meeting Minutes Nov & FAME Response Stats for Oct
- G. Acknowledge Receipt of Request for funding for Internet Study
- H. Acknowledge Receipt of Street Sweeping Suspension Notice

Ms. Walter informed Council that the December 6, 2018 Finance meeting minutes were removed due to requested changes by committee members and those changes have not been made yet.

On a motion by Mr. Sievers and seconded by Mr. Campbell, Council by unanimous vote, approved the Consent Agenda with the removal of the December 6, 2018 Finance meeting minutes.

REGULAR AGENDA

REPORTS

A. Treasurer

Ms. Walter presented Council with a sewer exoneration request at 109 East Third Street. Mr. Fink confirmed the garden hose was left on. Ms. Walter is requesting 35,000 gallons be exonerated in the amount of \$226.80.

On a motion by Mr. Campbell and seconded by Mr. Berrier, Council by unanimous vote approved the sewer exoneration at 109 East Third Street in the amount of \$226.80.

B. Code Enforcement Officer

Mr. Fink reported there were 39 violations in November. There were 26 zoning permits issued, totaling \$2,469.95. There were 4 sidewalk permits issued, totaling \$120. Improvements totaled \$119,879 in November, with a year-to-date of \$8,070,914. The inspection fees for November were \$350. There were no LOMA letters received.

C. Fire Chief

Chief Barlett reported 14 alarms and medical assists for November, involving a stove fire, several furnace malfunctions and traffic accidents.

The Borough fire companies responded to a major fire in Derry Township on Thanksgiving Day.

This past week, both ladder trucks were out for aerial certifications. A written report will be provided later.

Chief Barlett informed Council that new officers were elected.

Ms. Shade addressed the requested Resolution from Kish Bank regarding the purchase of a new engine. Mr. Berrier questioned the need for a Resolution. Kish Bank stated it was to

ensure Council was on board with the purchase of the engine. Ms. Walter said she spoke directly with a member at Kish Bank and they requested the following information be placed on the Resolution: Borough Council acknowledges City Hook and Ladder's purchase; Borough Council may, but is not obligated to, allocate \$22,500 annually to City Hook and Ladder; and Borough Council is not and will not be held financially responsible for the payment of said loan.

Mr. Wilson asked for an update on the status of the consolidation report expected from the consultant. Mr. Welham is expecting it in January 2019. Mr. Campbell also advised Council that the consultant said it was in the Borough's best interest to purchase the new engine.

On a motion by Mr. Sievers and seconded by Mr. Campbell, Council by a 3-2 vote, approved Resolution 2018-55, which stated that the Borough Council acknowledges City Hook and Ladder's purchase of the 2019 Rescue EONE, the Borough Council may, but is not obligated to, allocate \$22,500 of funding annually to the City Hook and Ladder, and the Borough Council is not and will not be held financially responsible for the payment of such loan.

Roll Call

Frank Berrier	Nay
Dave Campbell	Yea
Mark Sievers	Yea
Bill Wilson	Nay
Venus Shade	Yea

D. Mayor

Mayor Bargo wanted to thank the participants in the recent events in Lewistown, including the bus shelter, River Walking Trail, the Ice Festival and the Christmas Parade. She was very pleased with the turnout at these events this year.

E. Police Chief

Chief Clemens reported November statistics. The Lewistown Police Department had 211 calls to service, 35 traffic citations, 29 non-traffic citations and 180 parking tickets.

The police department was involved with the Ice Festival, Christmas parade and the toy drive this past month. Chief Clemens wanted to remind the community that the annual "Fill-A-Cruiser" will be held December 14 at the local Giant Food Store. All proceeds benefit Mother Hubbard's Cupboard and the Lumina Center.

The Police Advisory Board is still accepting applications for two vacancies. A decision will be made at the next meeting scheduled December 20, 2018.

F. Recreation Board

No meeting.

G. Borough Solicitor

Mr. Remy presented Council with the Sidewalk Ordinance. He is seeking Council's approval to adopt and advertise.

On a motion by Mr. Campbell and seconded by Mr. Sievers, Council by unanimous vote approved to adopt the Sidewalk Ordinance.

Roll Call

Frank Berrier	Yea
Dave Campbell	Yea
Mark Sievers	Yea
Bill Wilson	Yea
Venus Shade	Yea

Mr. Remy is also seeking Council's approval to advertise the Sewer Rate Ordinance. Effective, January 1, 2019 the new rates will be \$71.97 for 0-3,000 gallons and \$4.23 for each additional 1,000 gallons used.

On a motion by Mr. Berrier and seconded by Mr. Campbell, Council by unanimous vote approved to advertise the Sewer Rate Ordinance.

H. Borough Manager/Secretary

Mr. Welham presented a letter he received from Bill Gomes about broadband service. Mr. Gomes is seeking contributions from municipalities to help with the fees for the study. Mr. Welham is seeking Council's approval to donate \$250. Mr. Berrier feels this is a County effort which we already pay for with our County taxes. For the County to ask for additional funding out of the Borough's tax dollars, he is not in favor of it at all. He feels that the study should be done, but it's a County function and should not be at the taxpayers' expense. Mr. Campbell agreed with Mr. Berrier's points; however, he feels that it is a substantial benefit to local businesses.

On a motion by Mr. Sievers and seconded by Mr. Campbell, Council by a 3-2 (Berrier and Wilson) vote, approved the \$250 contribution towards the internet study.

UNFINISHED AND NEW BUSINESS

Ms. Shade presented advertising for the review of Boards, Commissions and Authorities that are set to expire. To help reduce costs, council agreed to advertise on the Lewistown Borough website and Facebook.

Discussion was held on the 2019 meeting schedule. Ms. Shade wanted to know if we wanted to continue having the Council meetings at the Community Center or move it back to Borough Hall. Mr. Welham asked Matt Moore about having the meetings go live. Borough Hall is equipped to do so and Mr. Moore said it could be done within 60 days of approval. Both Mr. Campbell and Mr. Berrier are concerned about the seating capacity at Borough Hall, which will hold 30 people. In order to help, Ms. Shade suggested having the superintendents rotate attendance for the meetings. Mr. Welham reminded them that there is the possibility that we will not be allowed to have meetings at the Community Center since it was built with CDBG funds. We are still waiting to hear from Jim Letierre and DCED on that matter. Ms. Shade also suggested moving the Council meeting time to 5:30 pm to help those that work until 5:00.

On a motion by Mr. Campbell and seconded by Mr. Sievers, Council by unanimous vote approved changing the Council meeting time to 5:30.

Other meetings times were discussed as well. Finance meeting will be the fourth Thursday at 5:00; Law and Ordinance will be changed to the third Thursday of the month at 4:30.

Ms. Shade is seeking Council's approval for the Teamsters contract. Mr. Campbell wanted to know if all the cars are currently equipped with cages. Chief Clemens said the new car is not, but a cage can be removed from an old one and installed in the new one. Mr. Campbell also wanted to know if the amount of ammo for training purposes has been reduced. Chief Clemens confirmed it has been reduced.

On a motion by Mr. Sievers and seconded by Mr. Campbell, Council by unanimous vote approved the Teamsters contract.

Roll Call

Frank Berrier	Yea
Dave Campbell	Yea
Mark Sievers	Yea
Bill Wilson	Yea
Venus Shade	Yea

FINANCE

Mr. Sievers presented Council with the 2019 budget with a 6% decrease from 2018 and a one mill tax decrease. He is seeking approval to advertise the budget and the Tax Ordinance.

Mr. Berrier questioned recent changes made to the budget since the last Finance meeting. Real estate taxes were not discussed at the meeting, yet they were reduced without discussion from 14.059 to 13.059. He objects to figures being changed without approval of the Finance committee. Discussion ensued about the Capital account and real estate taxes. He's also concerned about long range planning for the police department and the fire departments consolidation.

On a motion by Mr. Sievers and seconded by Mr. Campbell, with a 3-2 vote, Council approved to advertise the 2019 budget and Tax Ordinance.

Roll Call

Frank Berrier	Nay
Dave Campbell	Yea
Mark Sievers	Yea
Bill Wilson	Nay
Venus Shade	Yea

STREETS

Mr. Wilson informed Council that he and Mr. Fink drove to Dealer's Choice Auto located on West 4th Street, and is requesting Council's approval to extend the yellow line to the front of the property to approximately 40' to the right side of the curb cut because you cannot see very well when pulling out of the property.

On a motion by Mr. Campbell and seconded by Mr. Berrier, Council by unanimous vote approved to extend the yellow curb to the left of Dealer's Choice Auto approximately 40' to the right side of the auto dealers curb cut.

On a motion by Mr. Campbell and seconded by Mr. Sievers, Council by unanimous vote approved the handicap parking space at 121 North Grand Street by Resolution.

PUBLIC COMMENTS

Lynn Taylor at 445 South Wayne Street was thankful for the new LED bulb placed in the street light on Fleming Avenue near her home.

Jim Smith asked if anything was going to be done with the sign at the Kish Creek Bridge on South Main Street. He was informed it will be going to the Historical Society.

EXECUTIVE SESSION

Council went into an executive session at 6:35 pm for personnel matters.

Council came out of executive session at 6:54 pm.

On a motion by Mr. Berrier and seconded by Mr. Campbell, Council by a 4-1 vote, approved the hiring of Laura Hendricks to fill the Lewistown Community Center Coordinator position.

Roll Call

Frank Berrier	Yea
Dave Campbell	Yea
Mark Sievers	Nay
Bill Wilson	Yea
Venus Shade	Yea

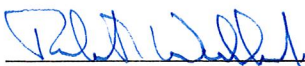
The meeting was adjourned at 6:56 pm.



(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:



(Asst.) Borough Secretary