

REGULAR COUNCIL MEETING
DECEMBER 9, 2019 AT 5:30 PM
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

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

Mr. Berrier arrived at 5:36 p.m.

HEARING OF PERSONS PRESENT

Mr. Craig Bubb, Director of the Municipal Authority of the Borough of Lewistown, read aloud a letter he wished to present to Ms. Walter, Borough Manager/Secretary/Treasurer regarding the reappointment of Melvin Parker on the Water Authority Board for another 5-year term. Mr. Bubb's letter gave a description of the service that Mr. Parker had provided through the water authority and throughout Mifflin County. He also gave a brief background of renovations, projects and awards that have been facilitated and received at the Water Company.

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 12, 2019
 - 2. Law & Ordinance Meeting-November 21, 2019
 - 3. Finance Meeting-November 7, November 14, & December 5, 2019
- B. ****Approval of Treasurer's Report**
- C. ****Approval of Schedule of Bills**
 - 1. General Borough/Specialty/Refuse/Wastewater Coll & Treatment/State Liquid Fuels
- D. **Acknowledge Receipt of Tax Collector's Report & Commissions**
- E. ****Facility Use Forms Approval:**
 - 1. Eco Day for May 21, 2020 with a rain date of May 26, 2020 at Rec Park contingent upon receipt of Certificate of Liability Insurance

- F. Acknowledge receipt of Fame Meeting Minutes Nov & Fame Response Stats for Oct
- G. Acknowledge receipt of Codes Enforcement Office Monthly Report
- H. Acknowledge receipt of Comcast Letter
- I. Acknowledge receipt of Letter regarding Refugees from Dawn Carter
- J. Acknowledge receipt of MC Board of Assessment Appeals regarding Tax Coll Software
- K. Acknowledge receipt of email from Jolene Reid regarding Refugees
- L. Acknowledge receipt of MC Tax Coll Committee Financial Report for Del Occ/PC & LST ending 12/31/18
- M. Acknowledge receipt of MAB Holdings LLC for ownership transfer of N Dorcas St leased premises
- N. Acknowledge receipt of Emergency Action Plan from Mun Auth of the Borough of Lewistown

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

REGULAR AGENDA

REPORTS

A. Treasurer/Borough Manager/Secretary

Ms. Walter reported that the Borough received funds from Geisinger Lewistown-Hospital of \$150,000 for the Kish Street Project; and wished to thank them for their contribution for the project.

Ms. Walter stated that she needed approval to send a letter stating that council approves the lease of the police vehicle that was approved at the November 12, 2019, Council Meeting. The leasing will be financed through FNB Commercial leasing for 3 years. Mr. Campbell said that cost came back cheaper than originally anticipated. Ms. Walter stated the cost was \$30,635, with a \$3,000 trade in. Mr. Berrier questioned the difference compared to buying out right? Chief Clemens stated it would be around \$2,000. Larry Searer stated he felt that it was talked about before. Mr. Berrier stated that if there is money in the capital account to purchase the vehicle, why wouldn't they consider saving the \$2,000. He said it was up to Council, but it would be \$2,000 better. Ms. Shade asked if they could still get the vehicle if they purchased instead of lease. Chief Clemens stated it would be the same vehicle.

A motion was made by Mr. Berrier to amend the previous approval to lease the police vehicle to purchase the vehicle. Mr. Campbell questioned what the conversation was talked in last year's Finance Meeting why it was agreed upon to lease as to purchase. Mr. Berrier stated he wasn't involved in that conversation, but he raised the same issue last year when it was discussed. Mr. Sievers said that everyone agreed to lease the vehicle and not purchase it; and that's what was voted on.

The motion failed for lack of a second.

On a motion by Mr. Campbell and seconded by Mr. Felmlee, Council by a 4-3 vote approved to lease the new police vehicle.

Roll Call

Frank Berrier	Nay
Dave Campbell	Yea
Jim Felmlee	Yea
Larry Searer	Nay
Mark Sievers	Yea
Venus Shade	Yea
Bill Wison	Nay

B. Fire Chief

Chief Barlett reported 30 alarms plus for November: 2 building fires, 1 vehicle fire, 1 brush fire, outside garbage, 7 medical assists, 7 vehicle accidents with injuries, two extrication of victim from vehicle, 4 gas leak, 2 carbon monoxide incidents, 1 structure deemed unsafe due to roof falling off, 2 public service calls, 2 automatic alarms.

Chief Barlett wanted to wish all the residents a Merry Christmas and Happy New Year on behalf of the fire departments. He wanted to remind residents not to overload their electrical outlets and to water their tree.

C. Mayor

Mayor Bargo wanted to congratulate the Juniata Visitor Center for a wonderful Ice Festival. The weather was perfect and there was large crowd. She also said that the parade turned out great and she wanted to thank everyone involved.

D. Police Chief

Chief Clemens reported the statistics for November. The Lewistown Police Department had 466 calls for service, 32 traffic citations, 26 non-traffic citations and 37 written warnings.

Chief Clemens stated that the new police vehicle will be delivered on Thursday, December 12. He said that there is some equipment to be installed but hopes to have it on the road in the next few weeks. The new radio equipment is in and they are waiting for software issues to be worked out before they can be operational. "Fill-A-Cruiser" will be held December 13 at the local Giant Food Store from 9:00 a.m. – 4:00 p.m. All proceeds benefit Mother Hubbard's Cupboard and the Lumina Center.

E. Recreation Board

No action needed.

F. Borough Solicitor

Mr. Remy discussed the Blight and Reclamation and Revitalization Ordinance that had been sent back to Law and Ordinance to discuss the addition of a couple items that Mr. Sievers had mentioned. Law and Ordinance did recommend the addition of the two provisions. Those additions involved out of state owners and duty of trust with corporation. This also deals with those with serious code violations, allows the Borough to attach assets of property owners and the denial of certain municipal permits. He stated that if council desires it could be advertised for consideration at the December or the January meeting. Mr. Berrier stated he felt that this allows the Borough to lien and take action. He also questioned if the criminal offense section 110:50 mirrored the state statute. Mr. Remy stated that it does mirror the state.

On a motion by Mr. Felmler and seconded by Mr. Campbell, Council by a 6-1 vote (Searer) approved to advertise the Blight and Reclamation and Revitalization Ordinance.

Mr. Remy stated that the Street Sweeping Ordinance is ready to be advertised after adding Harding Avenue. Mr. Remy said that if Council wants to wait till they see if there will be any additional changes to the parking part of the codes of ordinances. They could do a resolution April, May, June for a trial resolution until street sweeping is being enforced. Mr. Campbell stated that Harding Avenue is already being swept. The street just needed added to the Ordinance.

On a motion by Mr. Felmler and seconded by Mr. Campbell, Council by unanimous vote agreed to advertise the Street Sweeping Ordinance adding Harding Avenue.

UNFINISHED AND NEW BUSINESS

On a motion by Larry Searer and seconded by Mr. Felmler, Council by unanimous vote approved to reappoint Deborah Bargo to the Fame EMS Board of Directors.

Ms. Shade stated they were looking at the boards and vacancies that were about to come up. Everyone's term on the Police Advisory Board will expire on January 1, 2020. She was looking at possibly advertising to see if anyone would be interested in serving on the board. Mr. Campbell questioned if they serve at the pleasure of Council, so they will essentially remain if that is the case. Ms. Shade said they were looking to how the rules were written. That most boards are the same. Mayor Bargo asked if they could be contacted to see if they would like to remain on the board. Ms. Shade said that no one is showing up to the meeting. Why should the people that are on the board allowed to remain if they chose to not show up and

it wouldn't hurt to have a fresh perspective? Mayor Bargo would like to reach out to the members. Ms. Shade it would be ok to do so but eventually it will have to be advertised. There are currently no vacancies. Mr. Remy said that there are 7 members that do 2-year terms or until they are replaced and can be removed by council. Ms. Shade suggested advertising who would be interested in serving but it was up to all 7 members of Council. Mr. Campbell suggested to save money that the current members should be contacted, and the issue should be brought back in January to discuss. Larry Searer questioned why Mr. Campbell was concerned with saving money when he just spent an extra \$2,000 on a truck lease. Mr. Campbell stated that the lease was discussed during another meeting.

STREETS

On a motion by Larry Searer and seconded by Mr. Berrier, Council by unanimous vote approved the handicapped parking place at 508 South Main Street by Resolution.

On a motion by Mr. Felmlee and seconded by Mr. Berrier, Council by unanimous vote approved to install an alley sign for Fulton Alley.

Mr. Wilson stated that the Borough received another call from Mr. Alan Aumiller on Reservoir Lane, Lewistown. Mr. Aumiller said that the drivers are still failing to stop at the stop sign. Mr. Wilson discussed possibly doing a speed bump, but it was discussed that it was not legal. Mr. Remy said that per PennDot speed bumps may be permissible as traffic control devices although there is no provision addressing them therefore, they would fall under the general police power authorizing under traffic control devices. They are not specifically authorized and may cause a liability on the Borough if they are not properly installed. Mr. Felmlee stated that to have a cop placed there periodically. Ms. Walter asked if council would be open to at least consider a watch children sign because this is the second time the issue has been addressed and she would hate to see a child injured. Ms. Shade stated a sign would not hurt. Ms. Shade stated they would address the issue again.

FINANCE

On a motion by Mr. Campbell and seconded by Mr. Felmlee, Council by unanimous vote approved to payout the remainder of vacation time to Dianna Walter.

On a motion by Mr. Felmlee and seconded by Mr. Campbell, Council by unanimous vote approved to execute the agreement with CGI.

Mr. Sievers presented Council a description of the 2020 Budget process. He stated there is minimal variance percentage wise from 2019 and that they had to overcome challenges but persevered by fighting to cut expenses and maximizing efficiency, throughout all departments, to absorb the increased spending that was required but without a tax increase. He also said we've vested in technology, partnered with the county to address the challenges of the blighted properties, we've realized a 12% increase in the health insurance with 2 years left on the contract and could still see potential savings, along with implementing changes to

plan design, built and maintained a comprehensive paving process, a current parking study to address meter issues, restructured the Community Center Fees with our competition, refinanced municipal bonds for Water Treatment saving over \$560,000 and he was happy to report that there will be no property tax increase for 2020. Ms. Shade thanked Mr. Sievers for all his time and dedication.

Mr. Berrier questioned when the lease was up for the police headquarters. Ms. Shade stated that it would expire in the next year. Mr. Berrier asked if there was any plan for the next year and is the Finance Committee considering purchasing the building? Mr. Sievers stated there was not enough money in the budget to pay \$500,000 without having a tax increase. Mr. Berrier said he understood but the Borough is paying \$50,000 a year rent. Mr. Felmlee stated that Council has the right to reopen the budget. Ms. Shade stated that it is on the radar to address.

On a motion by Mr. Felmlee and seconded by Mr. Campbell, Council by unanimous vote approved to advertise the 2020 Budget.

Mr. Remy stated that because of a change in the law the Taxes can be done by Resolution not Ordinance due to no tax increase. The Sewer Ordinance will need to be advertised so he will need a direction on what to advertise. It will need to be advertised before the December 26, 2019 meeting. Mr. Berrier stated that the rates will need to be fine-tuned and feels that he could get the rates ready for the end of the year meeting. He would just like to look over all the rates. The Borough is going into phase 3 of the 3-phase plan. The Ordinance will be voted to advertise at the December 26, 2019 meeting.

Mr. Campbell personally thanked Mr. Berrier, Mr. Felmlee, and Mr. Sievers on behalf of the Borough of Lewistown for their service to the community and local government. He stated the job requires a special person with passion and conviction. It is a tough job that takes time from their families to represent families that often they have never met. He stated it was an honor to serve with them.

PUBLIC COMMENTS

Mr. Clint Chambers wanted to find out Council's opinion on the refugee resettlement issue and they were to come back to the Borough to discuss it further. Ms. Shade stated that they never showed up to discuss the matter. Mayor Bargo stated that she talked to Catholic Charities and they have not had the opportunity to talk to Granville Township or the Juniata Terrace and they also need to reach out to the school district. Ms. Shade stated she has more questions than answers at this point and is hopeful they could answer those questions. Mayor Bargo has reached out to other boroughs and they say the refugees are nothing but an asset. Mr. Chambers said he received an email from the school board about the shortfalls they are experiencing and would like the Borough to take that in affect when they are considering their decision. He wanted to know how the refugees are going to affect the children. Ms. Shade stated she felt it was a community question and not one just for the Borough Council. Ms. Shade said there was an article in the paper about the refugees and

Mr. Berrier stated it didn't seem favorable to the having the refugees. Mr. Campbell stated that before the executive order made by President Trump was signed the Boroughs had no say in refugees coming into communities. Mr. Jim Smith, Granville Township Supervisor, suggested everyone do their research. There are communities with success but has read numerous articles that it did not turn out well. If the refugees become unemployed, they are immediately available for every welfare program at the cost of the community. Mr. Russell Platt asked why it wasn't left up to the voters to decide? Mark Remy stated that Pennsylvania does not work that way. Mr. Matt Boyer stated that he has family in Lancaster that has refugees and their crime has tripled and feels that allowing refugees in will push our community back.

EXECUTIVE SESSION


Council went into executive session at 6:27 p.m. for personnel reasons.
Council came out of executive session at 7:21 p.m.

On a motion by Mr. Felmler and seconded by Mr. Berrier, Council by unanimous vote approved to post the upcoming position internally and then advertise externally if it is not bid on internally.

On a motion by Mr. Campbell and seconded by Mr. Berrier, Council by unanimous vote approved to authorize Chief Clemens to follow through with the suggested and discussed disciplinary procedure for the officer discussed.

On a motion by Mr. Berrier and seconded by Mr. Sievers, Council by unanimous vote approved to go with PFM and Gannett Fleming for the Sewer and Water Study.

The meeting adjourned at 7:40 p.m.



(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:



(Asst.) Borough Secretary