

**REGULAR COUNCIL MEETING  
FEBRUARY 10, 2020 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**

Mr. Campbell, Larry Searer, Mr. Terry, Mr. A. Wilson, Mr. DeArment, and Ms. Shade were present. Mr. B. Wilson and Mayor Bargo were absent.

**HEARING OF PERSONS PRESENT**

Mr. Matt Boyer suggested that if Council meetings continue to be held in Council Chambers, the table be rearranged so that the people in attendance could hear the Council members better. Ms. Shade stated that they could look at the table to see if that is possible.

**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-January 13, 2020
  - 2. Law & Ordinance Meeting-January 16, 2020
  - 3. Finance Meeting-January 23, 2020
  - 4. Personnel Meeting-January 23, 2020
- 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. MC Pony League use of Green Acres 4/1/20 to 9/1/20 contingent upon receipt of Certificate of Liability Insurance
  - 2. Kid Connection for 4/25/20 contingent upon receipt of Certificate of Liability Insurance and payment
  - 3. Mifflin County Youth Baseball use of Little League Baseball Fields & Practice Fields 3/1/20 to 10/31/20 (recd. fac use form on 2/7/20)
- F. **Acknowledge receipt of Comcast Letters**
- G. **Acknowledge receipt of Fame 2019 Report**

- H. Acknowledge receipt of Codes Enforcement Office Monthly Report
- I. Acknowledge receipt of Intermunicipal Meeting Minutes
- J. Acknowledge receipt of Juniata River Valley Chamber of Commerce Letter
- K. Acknowledge receipt of MC Parks and Rec Council Minutes
- L. Acknowledge receipt of updated Organizational Chart
- M. Acknowledge receipt of letter from MC Conservation District regarding NPDES permits & letter for forest buffering grant
- N. Acknowledge receipt of letter from Storb Environmental Incorporated
- O. Acknowledge receipt of letter from DEP
- P. Acknowledge receipt of Gannett Fleming Bi-Annual Inspection Report Jan-June 2019
- Q. Acknowledge receipt of PA Dept of Trans Letter regarding Mon Sq Phase V
- R. Acknowledge receipt of PSAB Letter regarding Nominations
- S. Acknowledge receipt of Sacred Heart School Benefit Auction and donations request

Larry Searer questioned if the Pony League used the Green Acre Field in 2019. Ms. Shade stated that they did request to use the field last year.

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

## REGULAR AGENDA

### REPORTS

#### A. Treasurer/Borough Manager/Secretary

***On a motion by Larry Searer and seconded by Mr. A. Wilson, Council by unanimous vote, accepted a \$50 offer for 305 South Pine Road Lot 19 from the Tax Claim Bureau.***

Ms. Walter sought council's approval to pay the 2016 CDBG fund for Big Brothers/Big Sisters in the amount of \$224.93. Larry Searer said there was something in the paper about this topic. Ms. Walter stated what was in the paper was about a Resolution which would be discussed next.

***On a motion by Mr. Campbell and seconded by Mr. DeArment, Council by a 5-1 (Searer) vote approved to pay the 2016 CDBG funds for Big Brothers/Big Sisters.***

Ms. Walter sought council's approval to move the remaining funds of \$1,398.59 from the 2016 CDBG funds for Big Brothers/Big Sisters program and move them to increase the 2016 ADA Ramp Project of South Brown Street. Larry Searer questioned if this was the change in the Lewistown Borough budget that the Commissioners stated that they approved. Ms. Shade stated they wouldn't have anything to do with the Borough's budget. Larry Searer read an article written in the Lewistown Sentinel. Lucas Parkes stated that at their recent meeting the Commissioners reallocated the same Big Brothers/Big Sisters money, and since DCED has given all administration capabilities to the county, they do all the final paperwork for Granville

Township, Brown Township, and Lewistown Borough. Larry Searer asked why they are putting money back into Big Brothers/Big Sisters. Mr. Parkes said that Big Brothers/Big Sisters was 3-4 years ago requesting a fair share allocation because they provided services to multiple areas in the Mifflin County. Since they ceased services operating in Mifflin County, they no longer were allocated the money and this paperwork will return the funds to the general CDBG Funds.

***On a motion by Mr. Terry and seconded by Mr. A. Wilson, Council by unanimous vote approved to move the remaining funds of \$1,398.59 from the 2016 CDBG funds for Big Brothers/Big Sisters program and move them to increase the 2016 ADA Ramp Project of South Brown Street.***

Ms. Walter spoke to PennDOT and they would like to request to waive the fees for use of the half of the Community Room. They will be using the room for an open house for the Valley Street Reconstruction Project. No motion was made.

**B. Fire Chief**

Chief Barlett was not present at the meeting.

**C. Mayor**

Mayor Bargo was not present at the meeting.

**D. Police Chief**

Chief Clemens reported the statistics for January. The Lewistown Police Department had 419 calls for service, 22 traffic citations, 17 non-traffic citations and 50 written warnings.

**E. Recreation Board**

No action needed.

**F. Borough Solicitor**

Mr. Remy presented the Street Sweeping Ordinance for adoption. This ordinance will add Harding Avenue to the Ordinance. Mr. Campbell informed incoming council members that Harding Avenue had always been swept, it was just never put in the Ordinance.

***On a motion by Mr. Campbell and seconded by Mr. A. Wilson, Council unanimously approved the Street Sweeping Ordinance.***

## Roll Call

Dave Campbell	Yea
Steven DeArment	Yea
Larry Searer	Yea
Venus Shade	Yea
Marc Terry	Yea
Aaron Wilson	Yea

## UNFINISHED AND NEW BUSINESS

***On a motion by Mr. Campbell and seconded by Mr. Terry, Council by unanimous vote approved Rebecca Scott to the Police Advisory Board.***

## FINANCE

Mr. Terry is seeking council's approval to renew the McClure Company Boiler Maintenance Contract. Larry Searer questioned if they received any other prices. Mr. Terry stated that Mr. Dippery had checked around for other pricing. He also stated that they have familiarity with McClure Company, and it will be hard to beat their contract price.

***On a motion by Mr. Campbell and seconded by Mr. A. Wilson, Council by unanimous vote approved the McClure Company Boiler Maintenance Contract.***

Mr. Terry is looking for approval to continue with purchase of the following budgeted items: UV Roof over Crane, Gas Compressor Roofs, WCS Van, WWTP/WCS Laptops, Security Camera Upgrade, Phone System Upgrades, LED Lighting at WWTP, Camera Cradle, 2 T-Tags, Refuse Packer, Borough Hall Computer Upgrades, and filter pad covers for the pool. Larry Searer questioned why they needed approval if it had already been accepted. Ms. Shade stated they wanted to make everyone aware of what they were going to purchase. Mr. Campbell conferred with Mr. Remy to whether they needed to go to the council to be voted on again about things that have already been approved in the budget. Mr. Remy stated that if it requires a new contract then they should come back to the council but if it's something that's already budgeted it is not necessary. Mr. Campbell questioned if that would apply to a vehicle if it was budgeted. Mr. Remy stated no because they would need a signature with the vendor and then you would need the authorization to have the contract signed. Ms. Shade asked council whether they wanted to approve everything again or since it was already in the budget, does council just want to be informed. Larry Searer stated if it was approved in the budget it was approved.

Mr. Terry is seeking a wage increase approval for Zeke Phillips, Assistant Superintendent of Wastewater Treatment Plant to amend his salary from \$45,021 to \$47,709. Mr. Phillips received the 3% contractual increase every year but never received the promotional increase for the position.

***On a motion by Mr. DeArment and seconded by Mr. A. Wilson, Council by unanimous vote approved the wage amendment for Zeke Phillips, Assistant Superintendent Wastewater Treatment Plant from \$45,021 to \$47,709.***

***On a motion by Mr. Campbell and seconded by Mr. A. Wilson, Council by unanimous vote approved to purchase a push camera from A&H.***

Mr. Terry is seeking approval to allow vendors to sell alcohol at the Springfest at the Lewistown Community Center on March 28, 2020. Ms. Shade stated that it is not alcohol to drink there but to sell. Larry Searer asked what will happen if someone opens the alcohol at the Community Center. Mr. Campbell stated they could post signs up on the premise. Ms. Shade stated it was a state law that you cannot have an open container, so then they can call the police.

Mr. Russell Platt questioned if there was anything in place for carding at the location. Mr. Remy stated they are required to card. Mr. Terry questioned if they will be primary local vendors and Mr. DeArment asked if this was just a special event? Ms. Shade said yes.

***On a motion by Mr. Terry and seconded by Mr. DeArment, Council by a 5-1 (Searer) vote approved allowing vendors to sell alcohol at the Community Center for Springfest.***

Larry Searer questioned who constructed the signs and put the gates up along the river going towards Red's Diner. Ms. Shade stated she thought they were Doug Sellers. Larry Searer stated he thought someone was running a campground down in that area and if so, there needs to be a tax on the property. Ms. Shade said the previous discussion about the topic of the area was that the property needed to be surveyed. Larry Searer said it was discussed but no one wanted to have the property surveyed. He also said that Mr. Fink feels that it is the Borough's property. Mr. Terry stated that a lot of residents used to walk along the river that way before it was posted. Larry Searer asked what will happen if someone drowns while they are camping at the campground and it comes back on the Borough? Also, if it is his property there should be regulations and fees.

***Larry Searer made a motion to have the property surveyed.***

After a discussion Council decided to direct staff to get proposals for surveying the property along the river headed towards Red's Diner.

***Larry Searer rescinded his motion.***

## **PUBLIC COMMENTS**

Mr. Craig Bubb, MABL, wanted to thank Ms. Walter for working with him to try and get a meeting scheduled. He noticed that Council was going to take up a Resolution about the Water Authority and he wanted to let Council know that the Water Authority is actively trying to work with the Borough on the issue. Mr. Bubb stated he had talked at other township meetings about potential things that could be coming down the road for the Water Authority. He wanted to let the Council know that they are willing to sit down with Council and negotiate. Ms. Shade said Council is as well and it was just a matter of getting schedules to line up.

## **EXECUTIVE SESSION**

Council went into executive session at 6:05 p.m. to discuss pending litigation and personnel matters.

Council came out of executive session at 7:00 p.m.

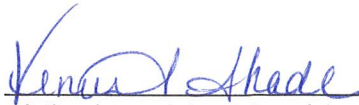
Mr. Bubb questioned what was in the resolution. Mr. Remy highlighted some of the points of the resolution by saying it repeals Resolution 2019-57. It also states that the Borough signifies its intention and desire to acquire the assets of the authority, and it will respect any outstanding obligations related to those assets. It will issue general obligation bonds on its own, and it will assume and guarantee obligations under existing PennVest loans. It will lease water facilities to the authority to enable the water facilities to be operated by the authority, and the proper officers of the Borough are authorized to sign whatever documents are needed for this. It directs the Authority to immediately execute all documents as directed; and provides that the Authority shall undertake no project or no money and refrain from taking any other actions contrary to intentions of this resolution. However, it is not intended to prohibit routine additions, contracts, routine services, or cause any interruptions in the Authorities normal operations. President or Vice-President of Council are authorized to execute any necessary agreements.

***On a motion by Mr. A. Wilson and seconded by Mr. Campbell, Council by a 5-1 (Searer) vote approved Resolution 2020-10.***

***On a motion by Mr. Campbell and seconded by Mr. DeArment, Council by a 5-1 (Searer) vote approved the Lewistown Borough Press Release.***

***On a motion by Mr. Terry and seconded by Mr. A. Wilson, Council by a 5-1 (Searer) vote approved to hire the applicant who was interviewed and recommended for the Secretary to the Borough Manager at \$40,664.***

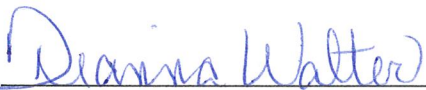
***The meeting adjourned at 7:06 p.m.***



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(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:



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(Asst.) Borough Secretary