

**COUNCIL MEETING**  
**February 8th, 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), Larry Searer (Councilman), Mr. Terry (Councilman), Larry Searer (Councilman), Mr. A Wilson (Councilman), and Mr. B Wilson were present.

**HEARING OF PERSONS PRESENT**

Mr. Musser states that he is representing Mr. Tassa who owns two lots between 5<sup>th</sup> and 6<sup>th</sup> street. Currently there is a house on one lot, and a garage on the second lot. Due to adopted setbacks, both lots are considered non-conformities. Mr. Fink told Mr. Tassa that he would need to perform a consolidation to install a garage that would be centered between the current lots. Mr. Remy states that the subject was taken to the Planning Commission and they recommend approving the lot consolidation.

**On a motion by Larry Searer and seconded by Mr. Terry, Council unanimously agrees to approve the lot consolidation.**

**\*\*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 11, 2021
  - 2. Finance – January 28, 2021
  - 3. Law & Ordinance – January 21, 2021
- B. **\*\*Approval of Treasurer's Report**
- C. Acknowledge Receipt of Tax Coll Report
- D. **\*\*Approval of Schedule of Bills**
  - 1. General Borough/Speciality/Refuse/Wastewater Coll & Treatment/State Liquid Fuels
  - 2. **\*\*Facility Use Forms Approval:**
    - a. Mifflin County Youth Baseball March 1 – October 31, 2021 contingent upon receipt of Certificate of Liability Insurance
- E. Acknowledge receipt of Fame Meeting Minutes & Stats

- F. Acknowledge receipt of Codes Enforcement Office Monthly Report
- G. Acknowledge receipt of MABL Minutes: 11/08, 11/23, & 11/23/2020
- H. Acknowledge receipt of Gannet Fleming Corrective Action Plan Progress Report
- I. Acknowledge receipt of Public Utility Commission Letter

**On a motion by Mr. A Wilson and seconded by Larry Searer, Council unanimously agrees to approve the consent agenda.**

A. Appointment for Vacant Council Opening

Mr. A Wilson nominates Cassandra Goss to fill the vacant council seat.

***Roll call vote was taken: Appointment of Cassandra Goss***

<i>Dave Campbell</i>	<i>Yea</i>
<i>Marc Terry</i>	<i>Yea</i>
<i>Aaron Wilson</i>	<i>Yea</i>
<i>Venus Shade</i>	<i>Yea</i>
<i>Larry Searer</i>	<i>Nay</i>
<i>Bill Wilson</i>	<i>Nay</i>

***By Roll call vote Council agrees to accept the appointment of Cassandra Goss to Borough Council, Mr. B Wilson and Larry Searer dissented.***

Ms. Goss was sworn in by Mayor Bargo and joined the Council at the table.

Mr. B Wilson states that constituents have raised concern regarding Mr. A Wilson's place of residency. Mr. A Wilson states that his mailing address is located within the Borough of Lewistown. Mayor Bargo states that she has documentation that Mr. A Wilson provided when a constituent raised a similar concern. After discussion it was agreed that Mr. A Wilson would bring more documentation confirming he resided in the Borough of Lewistown.

B. Treasurer/Borough Manager/Secretary Report

Ms. Miller states that an agreement must be signed to allow the EADS group to be the engineers during the feasibility study. Ms. Miller states that approval is needed for the WWTP to purchase the enclosure for their crane. The purchase has been budgeted for.

**On a motion by Mr. Terry and seconded by Larry Searer, Council unanimously agrees to approve the purchase of the crane enclosure.**

Ms. Miller is seeking approval for a budgeted purchase of a Ford crew cab using 60% Capital and 40% State Liquid Fuels funds. Larry Searer questions if State Liquid Fuels

funding can be used for the purchase. Ms. Miller states that it can be utilized in limited amounts.

**On a motion by Larry Searer and seconded by Mr. A Wilson, Council unanimously agrees to approve the purchase of the Ford crew cab.**

C. Fire Chief

Chief Barlett states that in the month of January there were 23 calls ran: 1 building fire, 2 cooking fires, 1 boiler malfunction, 1 natural vegetation fire, 7 medical assists, 1 motor vehicle accident with injuries, 1 accident without injuries, 1 extrication from a vehicle, 1 stalled elevator, 1 gas leak, 2 police assist, 2 cover assignments, and 1 unintentional smoke alarm activation. Chief Barlett states that the station held their quarterly fireman's relief meeting during the previous week. All three stations applied for and received funds from COVID-19 grants. Chief Barlett is working on scheduling the training programs at Buck's County Community College as was previously discussed.

D. Mayor

Mayor Bargo states that she has an updated lease for the current Police Department property. As Council was not happy with signing a 10-year lease for the property, a five-year lease is on the table. The property owner previously offered to install a generator at his expense that would be repaid over the course of the 10-year lease. With the updated 5-year lease he is unwilling to install the generator, however he will install LED lights as well as a security door.

E. Police Chief

Chief Clemens states that there were 363 calls for service in January. There were 16 traffic citations and 8 non-traffic. Chief Clemens states that they have begun the process to gain their accreditation, this process is expected to take 18-24 months, however there are regulations that may alter this timeframe.

F. Borough Solicitor

Mr. Remy provided council with an excerpt from the Codes book regarding what requires a permit in the Borough. The current wording is too narrow as shingles does not include rubber or metal roof installations. Mr. Remy has updated the code to include roof coverings. The term roof covering is defined by the International Code as a covering applied to the roof deck for weather resistance, fire classification, or appearance. This updated wording includes metal and membrane roofing, but does not include paint or tar, as the initial installation would require a permit, but adding a new layer of tar to the roof would not.

**On a motion by Mr. Terry and seconded by Mr. Campbell, Council unanimously agrees to approve the advertisement of the updated Code.**

Mr. Remy states that an applicant for home occupation must meet with Borough Council. Mr. Remy proposes holding this meeting at 5pm before the next Council Meeting. Council agrees.

#### UNFINISHED & NEW BUSINESS

Ms. Miller seeks approval for the Ehrlich Vegetation Management Service Agreement at Borough Hall and the Wastewater Treatment Plant. Mr. Terry asks what tasks Ehrlich performs. Ms. Miller states that it is general pest control and vegetation treatment.

**On a motion by Larry Searer and seconded by Mr. A Wilson, Council unanimously agrees to approve the Ehrlich Vegetation Management Service Agreement.**

Ms. Miller states that she is seeking approval to the NuVision Agreements for cleaning the municipal building and floors as well as performing quarterly cleanings of the WWTP floors.

**On a motion by Larry Searer and seconded by Mr. Campbell, Council unanimously agrees to approve the NuVision Agreements.**

Ms. Shade states that approval is needed for a bid of \$500 for 45 Valley Street.

**On a motion by Larry Searer and seconded by Mr. Terry, Council unanimously agrees to accept the bid of \$500 for 45 Valley Street.**

Mr. Remy states that there is interest in refinancing the Borough's 2016 bond issue that is associated with the sewer fund. Mr. Campbell inquires as to whether the council is approving the refinance or approving seeking rates to see if refinancing is a logical idea. Mr. Remy states that the vote would be for advertising an ordinance, before refinancing Bond Council would present the rates to Borough Council and they would then vote for the refinance.

**On a motion by Mr. Campbell and seconded by Mr. Terry, Council unanimously agrees to approve the refinance advertisement.**

Larry Searer inquires as to whether there was further discussion at committee regarding changing the ordinance to allow garbage to be placed on-street at 1pm. The current ordinance states that garbage can be placed on-street after 5pm. Larry Searer states that the ordinance was not changed during the prior meeting due to the high cost of advertisement, but as there are other ordinances to be advertised and it would cut costs to move forward with this change now.

**On a motion by Larry Searer and seconded by Ms. Goss, Council unanimously agreed to advertise the change in the garbage ordinance from 5pm to 1pm.**

Larry Searer inquired as to whether there was an update regarding the campground being run without permission. Mr. Remy states that a preliminary plan was created with the EADS group, but a final plan is being waited on. Ms. Miller states that she can contact the EADS group to inquire further.

Chief Barlett states that as these ordinances are being investigated, it may be beneficial to look at altering the open burning ordinance. Currently the ordinance does not allow for any open burning within the Borough, Chief Barlett states that as newer fireplaces are being that are much safer and gaining popularity, it would be worth making exceptions to the ordinance. Ms. Shade asks if the Chief has verbiage in mind that would alter the ordinance to his liking. Chief Barlett states that he can come to a Law & Ordinance meeting to further discuss.

**Council entered executive session at 6:27pm.**

**Council exited executive session at 7:15pm.**

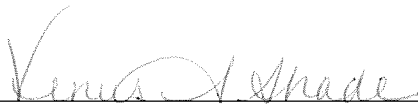
**On a motion by Mr. Terry and seconded by Mr. Campbell, Council unanimously agrees to advertise the two vacant positions in the Borough.**

**On a motion by Mr. Campbell and seconded by Mr. A Wilson, Council unanimously agrees to approve the Police intern program.**

#### **PUBLIC COMMENTS**

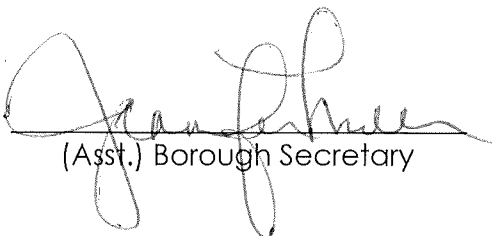
Mr. Reik asked where the Borough stood in relation to MABL and surrounding municipalities; would they be willing to negotiate or are their minds made up? Ms. Shade states that they can have a discussion. Mr. Campbell states that there was an offer for surrounding municipalities to discuss options since the topic was discussed at the Council Meeting in October.

**On a motion by Larry Searer and seconded by Mr. Terry, Council adjourned at 7:22pm.**

  
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(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:

  
(Asst.) Borough Secretary