

REGULAR COUNCIL MEETING
March 9, 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, Mr. B. Wilson, and Ms. Shade were present.

HEARING OF PERSONS PRESENT

Ms. Shade started the meeting by discussing a resolution regarding time limits for public comments. The resolution establishes a practice that the Borough has always had, and it limits who may speak at the meeting. Mr. Remy said that he drafted the ordinance based upon a lawsuit filed against a school board because a gentleman in attendance felt that even though he got his 3 minutes to speak he was still unable to make public comment. The Commonwealth Court reviewed the case and stated that you can have reasonable limits on time and subject matter, but there must be a policy in place to enforce. Mr. Remy stated that since he's been the Solicitor at the Borough there has been an informal policy of 3 minutes with Borough residents, but it has never been put down on paper. He also said as of late there has been issues that have brought larger crowds and a lot of public comment and this is a way to help the Borough enforce its policy, while giving everyone the appropriate amount of time to comment on the issues. Larry Searer questioned if it pertained to certain issues, and if someone is there to go over refinancing the bonds would those individuals only have 3 minutes to explain? Ms. Shade stated no they would have time to explain. Mr. Remy reiterated that this would be for public comments. Mr. DeArment asked if this restricts comments to only Borough residents and if someone could be placed on the agenda that isn't a Borough resident. Ms. Shade stated she could allow anyone to speak. Mr. Remy stated that it isn't as much as the policy that restricts people, but the Sunshine Act that restricts people.

On a motion by Mr. DeArment and seconded by Mr. A. Wilson, Council by a 5-2 Vote (Searer, B. Wilson), approved the public comments policy by Resolution by Roll Call Vote.

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

Mr. Mark Colussy, introduced himself as the new Mifflin County Planning Director. He wanted to let the Borough know that the Borough of Lewistown and the Mifflin County Planning Department have had a long-standing working relationship. He wanted to reassure everyone that he would like to continue working with everyone moving forward with projects. He said his office works with CDBG funds and his office administers on behalf of the Borough. He said he'd like to take a proactive look at how to coordinate different projects with grants and strategize better.

Ms. Shade stated that there was a sign-up sheet for those wanting to discuss both the 2nd Amendment and the Water Authority. She proceeded to call those to speak who signed-up.

Mr. Brian Yocum stated that he wanted to thank the Law and Ordinance Committee for working with the Gun Owners of America on the Ordinance.

Mr. Noah Wise wanted to discuss his view on the Water Authority. He wanted to ask a question, but Ms. Shade stated that they could not answer any now. He stated he is a resident of the Borough of Burnham and they too are a land locked facility like the Borough. He said they have hardships like everyone else. He asked how fair it was for the Borough to do something that would benefit themselves and not the rest of the County. Mr. Wise said apparently that question could not be answered, and Ms. Shade responded by saying she would be making a statement shortly that will hopefully answer questions. Mr. Wise said that Burnham Borough has a budget that they maintain, and they do not make other people pay for it.

Melissa Ramsey questioned how much money that the Borough donated or gave to the Water Authority when it was created. She said from everything that she has read that the Borough has given nothing and wasn't sure why the Borough wants to take over the Authority. Ms. Shade said she will be making a statement on the issue shortly.

Mr. Craig Bubb stated that a meeting was set up with a tentative date of March 19, 2020 to review the issues with the Water Company. He was just questioning if that meeting was still happening. Ms. Shade confirmed that the meeting was still on.

Mr. Matthew Reik stated he echoes the feelings of Mr. Wise, and understands that while it is technically legal to take over the Water Company, why would the Borough not want input from other municipalities. He also said his heart goes out to the employees of the Water Authority. Having their jobs hung above their head is not an easy thing. Mr. Campbell stated that was simply not the case.

Ms. Shade proceeded to issue a statement:

Before we begin the public input portion of the meeting, I would like to make a statement. Council welcomes your comments, but with the number of people and topics demanding attention, we remind you of our rules of order, which our solicitor will describe, that are necessary to conduct a fair and orderly meeting. I will ask the Council to listen only, and refrain from responding to comments, so that more citizens have an opportunity to speak.

We realize that some of you are here regarding our dispute with the Water Authority. We have, like you, read letters from other municipalities, and we are not going to debate all of the statements made in those letters. However, we do find it ridiculous for some to claim that the Borough had no meaningful role in the creation and success of the water system. Whether the original water well and lines were owned by a company, or the taxpayers of the Borough, it was the foresight of our Borough's leaders to create the Municipal Authority of the Borough of Lewistown, to expand and improve that small system, and compel its citizens to connect to it. It was the abandonment of private wells, and required use by the citizens of this Borough, that made the system viable. Revenues from Borough citizens, over several decades, enabled the water system to expand and serve its neighbors, at their request. Without the solid base of customers here in the Borough, the water lines could never have been extended out into the rural townships. Otherwise, Lewistown Borough citizens would be connected to an Armagh Township Water Authority system.

This Council, like any other governing body of a municipality, has a duty to examine every potential source of income, whether they be grants or other aid from the state, or aid from a municipal authority. We are doing what we feel is our sworn duty to our citizens, nothing more or less.

The Borough met with Authority representatives twice in late 2019 to discuss options, and the Authority employees and board were informed that the Borough's intention was not to seek privatization. Until December 18, 2019, Council believed discussions were proceeding reasonably well, and we were awaiting the completion of a study of the Authority's operations. That is when the Authority authorized a new \$30 million bond issue. One purpose, according to the manager, was to freeze the Authority's debt so that it could not be repaid for at least 10 years. The Council interpreted this action as a strategy to eliminate the Borough's rights, and the Authority's desire to end productive discussions. The Borough then responded with a resolution to simply freeze things as they were, until negotiations could resume. That is when the Authority's manager began attacking the Borough in a campaign of misinformation.

All that being said, Council is prepared to restart negotiations with the Water Authority and consider other alternatives and ideas. We will not press the Authority on the sale or lease of its assets so long as constructive discussions take place.

However, this Council will not allow three unelected members of the Water Authority Board, and its vocal employee, to make Council's decision for it. We will resist any attempts by the Authority to make changes to its documents that would prohibit the Borough from exercising its rights, in whatever form they ultimately take.

****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-February 10, 2020
 - 2. Law & Ordinance Meeting-February 20, 2020
 - 3. Finance Meeting-February 20, 2020
 - 4. Personnel Meeting-February 20, 2020
- B. ****Approval of Treasurer's Report**
- C. ****Approval of Schedule of Bills**
 - 1. General Borough/Specialty/Refuse/Wastewater Coll & Treatment/State Liquid Fuels
 - 2. Wastewater Facilities Construction and Cap Purchase Fund w/Requisitions
- D. **Acknowledge Receipt of Tax Collector's Commissions**
- E. ****Facility Use Forms Approval:**
 - 1. Calvary Church on April 11 from 9am to 11am for Easter Egg Hunt at Rec Park
 - 2. National Night Out at Rec Park on August 4 with fees to be waived
 - 3. Lewistown Girls Little League Softball at Green Acres from April 1 to Dec 31-contingent upon receiving their Certificate of Liability Insurance naming the Borough of Lewistown as an additional insured
 - 4. Mifflin County Tomahawks from March 14 to July 11 use of football field- contingent upon receiving their Certificate of Liability Insurance being updated naming the Borough of Lewistown as an additional insured
- F. **Acknowledge receipt of United Fire and Rescue Roster & Allocation Expenses Sheet & List of Officers with request for 1st quarter allocation**
- G. **Acknowledge receipt of United Fire and Rescue 990**
- H. **Acknowledge receipt of Brooklyn's Roster and Allocation Expense Sheet**
- I. **Acknowledge receipt of City Hook and Ladder Roster & Allocation Expense Sheet**
- J. **Acknowledge receipt of Fame Meeting Minutes February & Stats January**
- K. **Acknowledge receipt of Codes Enforcement Office Monthly Report**
- L. **Acknowledge receipt of Derry Township, Burnham Borough, Brown Township, & Armagh Township Letter regarding MABL**
- M. **Acknowledge receipt of MC Parks and Recreation Minutes from January**
- N. **Acknowledge receipt of GIS Municipal Letter regarding fees**
- O. **Acknowledge receipt of PennDOT Open House Invite for Valley Street Project**
- P. **Acknowledge receipt of Safety Committee Meeting Minutes**
- Q. **Acknowledge receipt of PennDOT Letter regarding signage for No Pedestrian Crossing**

Larry Searer wanted the Personnel Meeting minutes from February 20, 2020 pulled from the Consent Agenda. Larry Searer stated that he didn't see where they could hear the minutes. Ms. Walter provided Larry Searer with a copy of the minutes. Ms. Shade stated she thought they were on the protected documents. Mr. Campbell stated they were along with everything else needed

Ms. Walter discussed the pool feasibility study. She indicated that she received an email from the EADS Group, and it was briefly discussed at the Finance Meeting. The total project budgeted is \$29,900. That is \$14,500 to apply for the grant and \$14,500 required as a local match. Mr. Lucas Parkes said he met with Borough staff and came up with a list of things that need upgraded at the pool. The Borough has received grants in the past to upgrade the pool and it has been 10 or 12 years since the last improvement project. The concession stand, accessibility, locker room, and restrooms are looking dated. There were other safety improvements, additional improvements for children, and other areas were being looked at. The only grants available for the pool would be through DCNR. They have some good recreation grants and one covers pool improvements. In order to get the grant, they must complete a study and they do provide a 50% matching grant for the study. Mr. Parkes stated that in this study they would hold all public meetings like they did for the parking study. Mr. Parkes said DCNR makes you complete alot upfront that way when you come for a construction grant you know how much it will cost to complete everything. Then when they release the funds everything is good to go. Mr. Parkes stated they are confident they can keep the study under \$29,000. In order to complete the grant and submit the all the paperwork to DCNR it would cost \$750 and the due date is April 22, 2020. Ms. Shade asked if the feasibility study could be used for any other grant applications for in the future that involved that area. Mr. Parkes stated it can be used for the pool and anything around the pool. Mr. Campbell questioned if it could be used for the entire park. Mr. Parkes stated it is not for the entire park. He said that several years ago previous staff had used a landscape architect from York for a Rec study. This only had about a half page about the pool and that does not meet the DCNR requirements. Ms. Shade asked what the chances were of getting the grant for the study. Mr. Parkes stated he felt the odds were good because he spoke to DCNR and they had a lot of money available for not only for the pool improvements but the community, small community, and small community playground improvements. He stated that the have a vested interest in Lewistown. Mr. Campbell said that Ms. Walter, Ms. Shade, staff, and himself have taken a hard look at the pool to see what was needed to bring it up to date and not let it deteriorate.

On a motion by Mr. Terry and seconded by Mr. DeArment, Council by a 6-1 vote (Searer), approved to apply for the DCNR Grant.

Ms. Walter said that last year council approved having Gannett Fleming put a bid package together for the Market Street/Valley Street sanitary manhole installation project. The project consists of constructing 9 new manholes on Valley Street. The bid package is together, and she is requesting Council's approval to bid the project out.

On a motion by Mr. Campbell and seconded by Mr. A. Wilson, Council by a unanimous vote, approved to bid out the Market Street/Valley Street sanitary manhole installation project.

Ms. Walter stated that every year the Borough is required to bid out crushed stone aggregates, bituminous concrete, and stockpile patching material. The reason for bidding it out is to get the best price on it. The Borough is also required by law to bid any purchases or

contracts over \$21,000. Ms. Walter therefore is seeking council's approval to proceed with bidding out the MEG Manual.

On a motion by Mr. DeArment and seconded by Mr. Campbell, Council by a unanimous vote, approved to bid out the MEG manual.

Ms. Walter is seeking Council's approval to advertise for lifeguards, a ticket taker, and a pool manager for the upcoming summer season.

On a motion by Mr. Terry and seconded by Mr. Campbell, Council by a 6-1 (Searer) vote approved to advertise for lifeguards, a ticket taker, and a pool manager at Rec Park.

B. Fire Chief

Chief Barlett was not present at the meeting.

C. Mayor

Mayor Bargo stated she had a gentleman come to her office with some suggestions to help with parking in front of the post office. Mayor Bargo said that there are individuals that abuse the meters and stay longer than they should. His suggestion to her was to remove three of the meters and put a sign up saying "Post Office Business Only 5 – 10 Mins". Ms. Shade said that the subject could be taken to the Streets Committee to look over.

Mayor Bargo said that she has been in contact with Phil Lucas regarding the Coronavirus. Should an issue arise there are policies in place, and they will let everyone know what is happening.

Mayor Bargo indicated that the Dr. Parcels board recently met, and Mr. Remy presented a petition that will go to the Court of Common Pleas of Mifflin County. The petition will allow funds to be transferred to aid needy people which were Dr. Parcel's wishes.

Mayor Bargo stated that the County Boroughs Association will be having an annual meeting and dinner in April. Mayor Bargo thought it would be nice to have representation from Council.

Mayor Bargo informed Council that the PSAB Association contacted Ms. Walter about the Borough of Lewistown's 225th Anniversary. Mayor Bargo stated they would like to present a plaque to the Borough and questioned when the celebration would be held. Mayor Bargo said she had reached out to the Chamber and Visitors Center and they were excited to be on board to assist. The celebration will be held on April 1, 2020 from 6 – 8 p.m. Mayor Bargo would like to have the Borough Hall, McCoy House, and the Historic Court house open with individuals dressed up in character talking about some history of the Borough. Mayor Bargo stated that the Juniata Chamber and Visitors Center will be purchasing 2 banners to be put outside the Courthouse to celebrate the anniversary. Mayor Bargo spoke to Ms. Walter and

they felt it would be nice to put a banner out at the Municipal Building. Printworks has agreed to make a 53 x 20 banner for \$45.00. She was requesting approval to purchase the banner for outside the Municipal Building. Mr. Campbell stated it would ultimately fall under the Borough Manager's discretionary spending level. Ms. Shade and Mr. Terry stated it was a wonderful idea.

D. Police Chief

Chief Clemens reported the statistics for February. The Lewistown Police Department had 525 calls for service, 48 traffic citations, 19 non-traffic citations and 65 written warnings.

Chief Clemens updated Council on the portable radios. The officers are using them, but they are under the old radio system with Mifflin County until issues are worked out with the State.

Chief Clemens stated that Civil Service testing will take place in late April. The Civil Service Commission Meeting will be held on March 10, 2020 to finalize details.

Chief Clemens indicated that there has been a lot of thefts in vehicles in the past week. Over the weekend officers made an arrest thanks to a good description from a citizen. Chief Clemens stressed that residents should keep their eyes open and doors locked to hopefully slow the thefts down.

E. Recreation Board

No action needed.

F. Borough Solicitor

Mr. Remy discussed the extensions of the Riverwalk trail from the Juniata Concrete Property and Fire School. He stated he felt the easements were to come from the Commonwealth of Pennsylvania at the State Fire Academy, and the Juniata Concrete to Mifflin County. Then Mifflin County will sign them over to the Borough. Mr. Remy asked Mr. Colussy to touch base where that stood. Mr. Colussy stated they are recommending official approval from the Borough. He stated in order to move forward, the easement will need to be in place. Mr. Colussy stated that Mr. Gomes had tried to go for a grant to complete the project, but it didn't go through because of not having the easement. They can apply this year, but they will just need the easement. Mr. Remy stated that the Borough has already approved this. The documents just need to be to be executed. Mr. Colussy stated that the documents are done, and they will need to be signed by the state and county. He proceeded to say there is an additional sheet highlighting that the document will need to be executed by Ms. Shade.

Mr. A. Wilson questioned where the River Trail would end, and if there were plans to continue through Granville Township. Mr. Colussy stated that they will start working on the 2nd phase of the trail that will end at the Fire Academy. This will include a parking lot located

On a motion by Mr. Campbell and seconded by Mr. A. Wilson, Council by a unanimous vote approved to advertise the Second Amendment Ordinance by Roll Call.

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

UNFINISHED AND NEW BUSINESS

On a motion by Mr. Campbell and seconded by Mr. A. Wilson, Council by a 6-1 (B. Wilson) vote approved Frank Berrier as the Tax Collection Committee Alternate Delegate.

Mr. Remy presented a resolution regarding PSAB. Mr. Remy stated that the Municipal Authority of the Borough of Lewistown sued the Borough of Lewistown back in January and this month a group called Pennsylvania Municipal Authorities Association filed a petition to intervene. This petition was granted at a court hearing held on Friday. In attendance at the hearing was the President and solicitor of the PSAB. The PSAB is willing to offer financial and legal assistance to the Borough of Lewistown for the lawsuit. They require a resolution from the Borough asking for assistance. Larry Searer asked for a copy for review. Mr. Remy read the Resolution to the Council and public:

Of the Borough Council of the Borough of Lewistown, Mifflin County, Pennsylvania, requesting assistance from the Pennsylvania State Association of Boroughs.

WHEREAS, the Borough of Lewistown is a long-standing member of the Pennsylvania State Association of Boroughs; and

WHEREAS, The Pennsylvania State Association of Boroughs is a state-wide, non-partisan, non-profit organization established in 1911 which represents the interests of boroughs, helps to shape the laws applicable to boroughs, and generally provides legislative advocacy, research, education and other services. In particular, it's primary objectives are to provide legislative/regulatory representation, promoting constructive and cooperative relationships between governments, to deliver training and technical assistance to borough officials, and to provide cost-effective programs and services; and

WHEREAS, the Municipal Authority of the Borough of Lewistown has sued the Borough of Lewistown over the Borough of Lewistown's efforts to exercise its rights under the Municipal Authorities Act; and

WHEREAS, the Borough of Lewistown wishes to request whatever assistance the Pennsylvania State Association of Boroughs is able to offer with regard to said litigation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF LEWISTOWN, AND IS HEREBY RESOLVED BY THE AUTHORITY OF THE SAME, THAT:

- A. The Borough Council of the Borough of Lewistown hereby requests whatever assistance the Pennsylvania State Association of Boroughs is able to offer with regard to litigation involving the Municipal Authority of the Borough of Lewistown, and any appeals, including financial assistance.
- B. The Borough Council of the Borough of Lewistown hereby invites the Pennsylvania State Association of Boroughs to take whatever action the Association sees fit with regard to participation in said litigation involving the Municipal Authority of the Borough of Lewistown, including intervention, and to act as *amicus curiae* in any appeals.

On a motion by Mr. Campbell and seconded by Mr. A. Wilson, Council by a 6-1 (Searer) vote approved the Resolution.

Ms. Shade stated that the contractor for PennDOT is asking permission to use the upper portion of the Library during the traffic signal upgrade. Ms. Shade said they had discussed in November of 2019 about where they could park their vehicles. The original location discussed will not work because another construction project has not been completed yet. Mr. Campbell questioned if they would be using the entire parking lot because of the people using the public garden needing access. Ms. Shade and Ms. Walter stated they would only be using a quarter of the parking lot. Larry Searer questioned if they would be paying for the use. Ms. Walter said that they had not asked for payment because the upgrade benefited the Borough.

On a motion by Mr. DeArment and seconded by Mr. Campbell, Council by a unanimous vote approved to allow PennDOT to use the upper portion of the Library parking lot during the traffic light upgrade.

FIRE COMMITTEE

Mr. Campbell stated that during the Fire Committee Meeting a discussion was brought up about waiving/postponing 3 specific ordinances during Fire Convention Week. The three ordinances affected would be the noise ordinance, the alcohol ordinance at Rec Park and during the parade route, and the curfew ordinance. Ms. Shade questioned why there was a need to have alcohol at the parade. Mr. Brandon Basom said that every convention that they have been to had alcohol in the camping area, entertainment area, and the parade route. He stated they are willing to work with Council to work something out, but he's not certain it will not affect their attendance. Mr. Basom said that they are looking at 2,500 people coming to Lewistown. He also said that it will bring revenue to the Borough and they could also plug the 225th Anniversary in as well. Larry Searer said that when it was originally discussed, it was said there would be no alcohol. Mr. Basom said that the alcohol was originally to be distributed at the Rec Center and they are trying to keep it contained to Rec Park. He said that all attendees will receive a packet when they sign-up and it will be well known that they cannot step outside of the Rec Park limits with alcohol. Larry Searer stated they want to make Rec Park a giant bar for the weekend and if someone wants to take their child to the park, they will see drunks staggering around.

Ms. Shade reminded Mr. Basom that the parade route is outside of the park. Chief Clemens stated that there is an open container ordinance and they can't allow it because other residents will think it's okay to walk around with alcohol. Ms. Shade questioned if the people will be parking in the grassy area at Rec Park. Mr. Basom said that Wray's Landscaping will be fixing the grassy areas that get damaged due to the parking. Ms. Shade brought up the noise ordinance and the timeframe. Mr. Basom said they set the band schedules and the quiet times in the packet, so if they disobey the quiet time when the cops or committee members patrol there will be consequences. He stated that the alcohol will be contained in the fenced in basketball court and will shut down at quiet time. Mr. Carter stated there will be wristbands for those 21 years of age and over. Ms. Shade questioned if they would have someone at the gates to contain the alcohol in Rec Park. Mr. Basom said that they will have people at all entrances and exits. Larry Searer stated he thought they would need a license to sell alcohol. Mr. Basom said that everything will be done correctly because it is good for the fire companies and the Borough. Mr. Matt Boyer asked how are going to control whether the drivers in the parade are drinking? Mr. Larry Carter said there is a parade committee that is from out of the area that will be checking the drivers. Mr. DeArment questioned how are they going to police people from bringing their own alcohol? Mr. Basom said that they won't be able to but his experience from going to the conventions is that if someone is drinking, they are staying in the area. They know the ramifications of what could happen. Mr. Basom

said the biggest problem he has seen is the locals picking a fight with someone from out of town. Ms. Shade asked if they had provisions to handle that issue. Mr. Boyer felt that should bring in the Pennsylvania State Police because there is no way that local police could handle everything. Mr. Basom and Mr. Carter said that Mr. Boyer would be surprised that smaller towns have held the Convention and handled it well. Mr. Carter stated there will be two vans driving people to and from town. Chief Clemens clarified that the noise ordinance states that quiet time is at 11:00 p.m. Mr. Campbell stated it would be good for Council to have a copy of the packet issued to the attendees.

On a motion by Mr. A. Wilson and seconded by Mr. Campbell, Council by 6-1 (Searer) vote approved to suspend the Alcohol, Noise, and Curfew Ordinance and to allow people to drive on the grass for the 2020 Fireman's Convention for the dates of August 13- 15, 2020.

FINANCE

Mr. Terry is seeking council's approval to renew the Vegetation Management Agreement with Ehrlich at the cost of \$820.

On a motion by Mr. DeArment and seconded by Mr. Campbell, Council by unanimous vote approved the Vegetation Management Agreement with Ehrlich.

Mr. Terry is looking for approval of the cleaning agreement with NuVisions for the Municipal Building and WasteWater Treatment Plant. Ms. Shade stated that they are the company that the Borough is currently contracting with. Larry Searer questioned if they had got any other bids. Ms. Walter said yes, and they were the lowest bid. Mr. Terry said that the Municipal Building will cost \$145.06 per month and the Wastewater Treatment plant will cost \$127.94 per quarter.

On a motion by Larry Searer and seconded by Mr. DeArment, Council by unanimous vote approved the Cleaning Agreement with NuVision for the Municipal Building and the Wastewater Treatment Plant.

On a motion by Larry Searer and seconded by Mr. DeArment, Council by unanimous vote approved the Floor Cleaning Agreement with Nuvision.

On a motion by Larry Searer and seconded by Mr. Campbell, Council by unanimous vote approved to bid out the Concession Stand.

Larry Searer questioned the prices on the surveying down by the river. Ms. Walter stated she was not able to get them yet. Larry Searer stated there were people there already. Ms. Shade said to put that at the top of the list to get completed.

PUBLIC COMMENTS

Mr. Basom questioned if the fire company consolidation was brought up at the Finance Committee. Mr. Campbell said it had not been discussed.

Ms. Deb Peffer stated that there has be something done about them not being able to hear the Council members speak. Ms. Shade stated they will try to find someone to help out.

Ms. Beth Herrod, Derry Township, said she had an issue with the part of Ms. Shade's speech regarding the manager of the Municipal Authority of the Borough of Lewistown. She felt it was slanderous. She stated that the Borough needs to realize the manager doesn't only serve the Borough, but he works for every other township or municipality and he has a responsibility to all the rate payers that live in Mifflin County. Ms. Herrod stated that the Borough feels Mr. Bubb is giving out misinformation; however, the Borough made their resolution regarding the Water Authority during executive session in which the public was not a part of. She feels that the Borough is not giving out information. The only information that the rate payers are receiving is from what other people say, and the Borough needs to understand that the rate payers are not going to sit by and let this happen. Ms. Herrod stated that the Borough needs to be honest about their plan.

Lucas Lenze, Lewistown Sentinel, said that he has heard more than once from the Borough that the Water Authorities made it impossible to pay their debt for the next ten years. He said that he had not seen anything that suggested that in all the articles and information that he has read. Mr. Lenze asked if Council could enlighten him on what that meant specifically. Ms. Shade stated that it was about the 30 million bond issue and it wouldn't be able to be paid off. It would had taken 10 years to pay the bond off.

EXECUTIVE SESSION

Council went into executive session at 7:19 p.m. to discuss pending litigation and personnel issues.

Council came out of executive session at 8:05 p.m.

On a motion by Mr. DeArment and seconded by Mr. A. Wilson, Council by a 6-1 (Searer) vote approved the advertisement of the Secretary to the Borough Manager position.

Mr. Campbell questioned if there was as much benefit as there is occurred cost in regards to enrolling in the PA Municipal League. Ms. Shade stated they could get out at any time. Mr. Terry indicated the first year is free. Mr. Campbell said that it was a good thing that they have a vested interest as to what the Borough is going through.

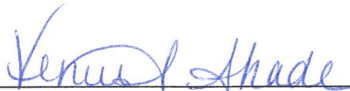
On a motion by Mr. DeArment and seconded by Mr. Terry, Council by a 6-1 (Searer) vote approved to join the Pennsylvania Municipal League.

On a motion by Mr. Terry and seconded by Mr. A. Wilson, Council by unanimous vote approved to hire the applicant for the Community Center Coordinator.

On a motion by Mr. DeArment and seconded by Mr. A. Wilson, Council by unanimous vote approved to pay employee B's health care expenses plus the employees' portion for the month of February.

On a motion by Mr. DeArment and seconded by Mr. Terry, Council by unanimous vote approved to pay the labor attorneys bill and granted permission to use them in the future.

The meeting adjourned at 8:09 p.m.



(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:



(Asst.) Borough Secretary