

REGULAR COUNCIL MEETING
APRIL 8, 2019 AT 5:30 PM
LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

The Council meeting opened at 5:30 pm with Borough Council President Venus Shade presiding. The Pledge of Allegiance was recited by all present.

ROLL CALL

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

Mayor Bargo presented Ron Aurand and Adam Stout, two Lewistown Borough employees, with a proclamation for saving a woman from drowning in the Juniata River on March 29, 2019. Mr. Aurand jumped into the cold water as Mr. Stout promptly called 911.

HEARING OF PERSONS PRESENT

One bid was received for the MEG Manual and opened by Scott Welham. Hawbaker made bids on the following to be picked up at the plant: 2RC at \$7.80 per ton, 1B at \$12.60 per ton, 2B at \$11.00 per ton, Anti-skid at \$11.50 per ton, Gabion at \$11.00 per ton, and 2A stone at \$8.10 per ton. The 25mm base is \$69 per 100 ton, the 9.5mm wearing course is \$65 per 500 ton, the 19mm wearing course is \$55 per 100 ton, and the UPM Premium cold patch is \$130 per 50 ton. Delivered prices were: 2RC at \$12.52 per ton, 1B at \$17.32 per ton, 2B at \$15.72 per ton, Anti-skid at \$16.22 per ton, Gabion at \$15.72 per ton, and 2A stone at \$12.82 per ton. The UPM Premium cold patch delivered pricing is \$134.72 for 100 ton delivered.

On a motion by Mr. Felmlee and seconded by Mr. Campbell, Council by unanimous vote awarded the bid to Glenn O. Hawbaker for the MEG Manual contingent upon all paperwork being filled out properly.

Mary Bratton from the Mifflin County Tax Assessment Office explained what constitutes a reassessment at the County level. The assessment law states that any improvements under \$2500 are not necessarily deemed for evaluation. New windows and a new roof don't necessarily constitute a reassessment as well, even if it's above the \$2500. However; if the property is dilapidated and repairs are made with new windows, doors and roof, then there will be a reassessment. Mr. Berrier wants to know what constitutes an improvement then. The Assessment Office looks at how the property is being assessed now. Mr. Berrier also wanted to know how someone who is willing to take on a blighted property is going to get

tax abatement when the definition of improvement is vague. LERTA is supposed to encourage people to fix up blighted properties. How do we encourage this? Ms. Bratton wasn't able to answer the question. Mr. Campbell wanted to know if someone could request an assessment before, rather than after the completion of a project. Ms. Bratton confirmed that they could do that. The owner can appeal the assessment if they aren't happy after completion. Jim Zubler said there is an application to be completed for the LERTA. Would this be reviewed to see if someone qualifies for the LERTA program? She didn't know for sure, but would be willing to review the application.

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-March 11, 2019
 - 2. Law & Ordinance-March 28, 2019
 - 3. Finance-March 28, 2019
- 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. G/Borough Capital w/Requisitions
 - 3. Refuse Capital w/Requisitions
- D. Acknowledge Receipt of Tax Collector's Commissions & Tax Duplicate
- E. Facility Use Forms Approval:
 - 1. **MC Babe Ruth use of Rec Park baseball fields for immediate use until August contingent upon rest of their payment received of \$125.00 (Note: Form was submitted on 4/8/19)
- F. Acknowledge receipt of FAME Meeting Minutes March and February Response Stats
- G. Acknowledge receipt of DLI Minutes
- H. Acknowledge receipt of United Fire and Rescue 990
- I. Acknowledge receipt of DEP letter regarding the CAP
- J. Acknowledge receipt of News Release for Street Sweeping
- K. Acknowledge receipt of Board of Assessment Appeals Letter for hearings on 4/17/19
- L. Acknowledge receipt of Letter from Juniata-Mifflin Boroughs Association for annual dinner meeting on 4/24/19
- M. Acknowledge receipt of Chamber of Commerce Fireworks and usage of Rec Park

Larry Searer questioned why there were two fees for the Little League Team and Babe Ruth Team whenever they are all one league. Mr. Welham said that was determined at the Rec Board meeting; there should not be two separate charges for the Facility Use.

On a motion by Mr. Felmlee and seconded by Larry Searer, Council by a 6-1 (Berrier) vote, approved the consent agenda.

REGULAR AGENDA

REPORTS

A. Treasurer

Under the Borough Code, Ms. Walter presented Council that they can adopt a Resolution to dispose of anything of an estimated fair market value of less than \$1000. We can utilize social media for bidding, such as Municibid and Facebook. There is no fee to the Borough to use social media; however, Municibid does pass an 8% fee onto the buyer, which the buyer pays directly to Municibid, if we utilize that.

Ms. Walter is seeking Council's approval to adopt this Resolution so the Borough can utilize social media to bid items out. Mr. Berrier said we could also use a public consignment auction just to get rid of the stuff, such as Ebay.

On a motion by Larry Searer and seconded by Mr. Berrier, Council unanimously approved to dispose of anything with a fair market value of less than \$1000 by bidding through social media, contingent upon inserting "public consignment auction" in the Resolution.

B. Code Enforcement Officer

No report; Mr. Fink was absent. Mr. Welham will disperse the Code's report to Council whenever he receives it.

C. Fire Chief

Chief Barlett reported 21 alarms for March; 3 fires, 11 rescue and medical emergencies, 3 service calls, 1 person locked themselves out of their house, and 3 false alarms.

Rescue training class was held March 30 and 31. Upcoming classes for additional training in water rescue and operations are scheduled for May 4-5, June 1-2, Sept 14-15, and Oct 5-6. Applications have been submitted for truck operations and a vehicle rescue class.

New gear was brought up at the last fireman's league meeting. They are in the process now of taking bids for 11 sets this year. With the 30 the Borough bought the fire department and the gear coming this year, it will give the department 41 sets of new gear.

D. Mayor

Mayor Bargo presented Council with a list of board members on the Dr. Parcel's Poor Fund; Kay Hamilton, Jason Cunningham, Dr. Charles Everhart, Susan Hunter and herself. She is seeking Council's approval to proceed with the members listed.

On a motion by Larry Searer and seconded by Mr. Campbell, Council by unanimous vote approved the board members for Dr. Parcel's Poor Fund.

Mayor Bargo also presented Council with her first quarter wedding report for 2019.

April is Sexual Assault Awareness month and the Abuse Network wants to display teal colored ribbons to honor those who have survived sexual violence. Mayor Bargo is seeking Council's approval for the display.

On a motion by Mr. Felmlee and seconded by Larry Searer, Council by unanimous vote approved the display of teal colored ribbons for Sexual Assault Awareness.

Mayor Bargo announced the annual dinner for Juniata-Mifflin Boroughs Association will be held April 24 at 6:30 pm at Walker Grange Hall in Mifflintown.

E. Police Chief

Chief Clemens reported March statistics. The Lewistown Police Department had 609 calls for service, 153 traffic citations, 15 non-traffic citations and 8 written warnings. Parking ticket season has begun and 200 parking tickets were issued since March 25, which is when the Parking Enforcement Officer began. Seventy-three street sweeper tickets were issued since April 1.

Civil Service testing was conducted on April 6. Eight candidates are advancing to the next step, which is the oral testing and that will be given in the next few weeks. He is hoping to have all tests completed in time to present a list to Council next month.

Applications are still being accepted for summer internship through April 30. Approximately 8 to 9 have already been submitted.

Laptop computers for the vehicles have been ordered and should be installed soon.

F. Recreation Board

On a motion by Mr. Felmlee and seconded by Mr. Sievers, Council by unanimous vote approved the Rec Park pool fee of \$1 per child for the Lumina Center.

Mr. Felmlee announced he will pay for 10 pool passes for the Mifflin County Library.

Mr. Felmlee inquired about another applicant that was interviewed for the pool manager position. Mr. Welham informed him that Ms. Fultz was interested in returning this year and he wasn't aware of that when the other applicant was interviewed. Mr. Felmlee thinks we should be fair to him as well. Someone will reach out to him to see if he is interested in being a lifeguard.

On a motion by Mr. Felmlee and seconded by Mr. Campbell, Council by unanimous vote approved to rehire Jackie Fultz as pool manager for this summer.

G. Borough Solicitor

Mr. Remy presented Council with a draft on the Recovery Fee Ordinance that he has been working on. One of the local fire companies came across Brown Township's ordinance regarding recovery of certain costs. It's based on a state law that allows fire companies, in a hazardous materials response, to bill the driver of the vehicle. The fire companies bill the insurance company first and bill the individual of anything not covered. Chief Barlett said this is to help offset costs; however, the company cannot go after the party involved if they don't pay.

On a motion by Larry Searer and seconded with Mr. Felmlee, Council by a 6-1 vote, approved to advertise the ordinance.

Roll Call

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

H. Borough Manager/Secretary

Mr. Welham informed Council that, at the recent Mifflin County Planning meeting, Lewistown Borough was recognized for their support and contributions for the SH Rothermel Walking Trail and received the Community Planning Award.

Mr. Welham said it would be in our interest to refinance our two bonds with the interest rates being low right now. He is seeking Council's approval to hire Stifel as the Borough underwriter and PFM as our bond refinancing advisor.

On a motion by Mr. Sievers and seconded by Mr. Felmlee, Council by unanimous vote, approved to hire Stifel as the Borough underwriter and PFM as our bond refinancing advisor to refinance our bonds.

Mr. Welham is seeking Council's approval to bid out a 1980 CAT 910 Wheel loader with approximately 4500 hours and a 2003 Packer garbage truck with 26,000 hours. Mr. Campbell thought the wheel loader was a 1979 and wanted to make sure there was no issue for bidding purposes. Mr. Rager thought it may have been made in 1979 however we purchased in 1980.

On a motion by Larry Searer and seconded by Mr. Berrier, Council by unanimous vote approved to bid out the 1980 CAT 910 wheel loader and the 2003 Packer garbage truck.

The Borough now owns the properties at 672 and 674 Valley Street. Three bids were received for demolition of properties: Nate's Construction at \$36,000, G&R Excavating at \$18,200 and Mike's Landscaping at \$14,800. Mr. Welham is seeking Council's approval to award the demolition project to Mike's Landscaping.

On a motion by Larry Searer and seconded by Mr. Campbell, Council by unanimous vote, awarded the demolition bid to Mike's Landscaping for the properties at 672 and 674 Valley Street.

Mr. Welham is seeking Council's approval to allow Wilt's Vending to run the concession stand again this year at the Rec Park pool. Mr. Sievers wanted to confirm that the Borough would receive 10% as last year. Mr. Welham confirmed everything was the same.

On a motion by Larry Searer and seconded by Mr. Felmlee, Council by unanimous vote approved Wilt's Vending to run the concession stand at Rec Park Pool.

Mr. Welham announced upcoming projects:

- PennDOT changed the date for the Valley Street reconstruction project from 2022 to 2023.
- The streetscape Phase 5 will begin on April 22.
- The South Main Street bridge project will begin on April 30. The detour will start on May 15 and is expected to run to November 4.

- Bids are out for the Kish Street project and the bids will be opened at the Finance meeting scheduled April 25.

UNFINISHED AND NEW BUSINESS

FINANCE

Mr. Sievers is seeking Council's approval of the 2019/2020 Liability and Workmen's Comp insurance package. Keith Altieri from HC Kerstetter gave a quote of \$168,892 through EMC which included volunteer fire department and full prior acts of the board of directors was covered, saving the Borough \$42,000 from last year. Argonaut also gave a quote of \$154,943 that would save the Borough \$13,000 more; however they do not issue any dividends. Mr. Sievers recommends going with EMC with the dividend on the renewal.

On a motion by Mr. Felmlee and seconded by Mr. Campbell, Council by unanimous vote approved the 2019/2020 Liability and Workmen's Comp insurance to be renewed with EMC.

Mr. Sievers would like Council's approval to purchase a 2019 refuse pickup truck from Lake Dealership, a COSTARS vendor, for \$23,682. It was budgeted in the capital reserve.

On a motion by Mr. Campbell and seconded by Mr. Felmlee, Council by unanimous vote approved the purchase of a 2019 refuse pickup truck for \$23,682 from Lake Dealership.

PUBLIC COMMENTS

Deb Peffer indicated there are no signs at the Juniata River Trail saying dogs have to be on leashes and some people are afraid of being knocked down. She feels that something needs to be done.

Ms. Shade said that she and several others went with the Boy Scouts to the river trail this past weekend and picked up 25-30 bags of trash.

Mr. Felmlee addressed a meeting that was held in Lewistown recently about recreational marijuana. Ms. Shade's statement was used by the news and Mr. Felmlee said he was approached about it by the public, wondering if Council was in favor of it or not. Ms. Shade indicated she did not introduce herself as a member of Council and it was her opinion only.

Russell Platt wanted to thank everyone for their hard work on getting the properties next to him on Valley Street torn down. Ms. Shade acknowledged his patience through the process.

Mr. Felmlee wants Scott Earnest, AFSCME President, to be present at some point during executive session. Council went into executive session at 6:34 pm for personnel matters. Mr. Berrier left the meeting.

EXECUTIVE SESSION

Council came out of executive session at 7:34 pm.

On a motion by Larry Searer and seconded by Mr. Felmlee, Council by unanimous vote, approved to advertise the contract with the school district for the SRO contingent upon the school board's approval with no changes.

On a motion by Larry Searer and seconded by Mr. Felmlee, Council voted to discontinue the GPS system in all Borough vehicles except the Police Department and make Chief Clemens the sole administrator of it.

Mr. Campbell feels that this hasn't been thought out well. We have a fleet of vehicles to protect, we're jumping the gun and this has been in motion for two weeks and there is one discrepancy being addressed. He feels there has been no attempt to resolve any issues. Mr. Searer said the morale of the employees is terrible. Mr. Felmlee feels the supervisors need to be made more accountable. Ms. Shade agrees that it needs to be given more than two weeks' time to use. The original intent of the GPS system was the safety and the maintenance, not to be watching everything that everybody is doing. Mr. Campbell wanted to know if these concerns have been addressed with the Borough Manager. The answer was "no".

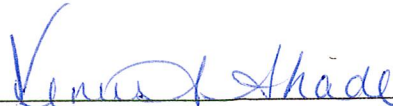
Roll Call

Dave Campbell	Nay
Jim Felmlee	Yea
Larry Searer	Yea
Mark Sievers	Nay
Bill Wilson	Yea
Venus Shade	Nay

Mayor Bargo decided to table her vote for 10 days. She will announce her decision at a special council meeting to be held on Thursday, April 18 at 5:30 pm, after the Law and Ordinance meeting.

Depending on how the vote goes, Mr. Campbell feels we need to have a meeting on the implementation and management of the GPS system. Mr. Earnest said he would like to be involved in the meeting.

On a motion by Mr. Campbell and seconded by Mr. Felmlee, the meeting adjourned at 7:46 pm.



(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:



(Asst.) Borough Secretary