

REGULAR COUNCIL MEETING
June 8, 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. B. Wilson, and Ms. Shade were present. Mr. DeArment was absent.

HEARING OF PERSONS PRESENT

Mr. Zubler stated that he spoke with Mr. Colussy and wanted to inform Council that 30% of 5 of the Borough's entitlements could be used for demolition and he felt it was something that Council should consider. Also, he wanted to make Council aware that there is now a Blight and Remediation Grant available. This grant is available through DCED and each project up to \$300,000 requires a match of 10%. This could be possibly used for the project on Valley and Chestnut Street. Mr. Zubler said the application deadline is July 31, 2020. This grant has a requirement that the project be affected by natural causes such as fire, flood, tornado, etc. The property that has been mentioned had been affected by a fire more than 20 years ago. Chief Barlett stated that the fire happened in the late 80's and that it pretty much destroyed the upper half of the building. Mr. Zubler stated he sent the guidelines to Ms. Walter for review. Ms. Shade questioned if there was an application fee. Mr. Zubler responded by saying there was a \$100 application fee. Ms. Shade stated they could send the grant to the Finance Committee for their review.

Mr. Jeremy Lewis stated there were several residents from Reservoir Lane attending the meeting. The concern is regarding the speeding of drivers and the traffic will increase due to the construction on West Fourth Street. He expressed that residents have called numerous times and they are still not receiving any police presence. Mr. Lewis also said that drivers are driving the minimum of 45 mph up to 60 mph and has contacted the police multiple times and they have had officers give them excuses. He said he was told they cannot put speed bumps in because of snow plows and feels its unacceptable. Ms. Shade stated that snow plows were not the reason for not allowing speed bumps. Mr. Lewis said he was also told they cannot track speed because they do not have radars but they can with lines, which they do not have. Mr. Lewis stated that he recently moved onto the street, had 3 young children, and a dog and it is hard to maintain 3 children when you have people driving by at high rates of speed. Also, continual excuses from the police department that that tax payers spend a lot of money on every year and where do they see their presence. Chief Clemens said that he has been keeping records and since April 15, 2020, the police department has been in that area on stationary patrol 22 times. Ms. Shade acknowledged that there will be a problem with the construction with people wanting to bypass the construction by going that direction. Mr. Lewis said it is also happening on the weekends when there isn't any construction as well. Darlene Wheeler, 50 Reservoir Lane, stated that drivers fly through the

street, not stopping at the stop sign, and the cop sitting there just watches. Ms. Wheeler said she will start to take pictures. Mr. Alan Aumiller expressed his gratitude for the “watch children sign”; however, the issue still needs addressed. Chief Clemens said he understands there is an issue there but they have been making an effort in that area. He said if the police are sitting there and not stopping those not stopping for the stop sign, he will address that issue. Ms. Shade asked Mr. Clemens for the reports that show when the officers were there. Mr. Terry asked how many violations have been written up at that location and would that be shown in the report. Chief Clemens stated that they log date, time, how much time they spent, if they observed any violations, and if they cited anyone. Ms. Shade questioned why they couldn’t put speed bumps down. Mr. Remy stated that there are PennDOT regulations regarding where you can place them. Larry Searer said they have been told for years they are not allowed to use speed bumps for speed enforcement. Ms. Debra Paulo said she has seen a couple cop cars come up her road since she started working from home but she has noticed people going down the road the wrong way. The residents agreed the worst hours for the speeding are 10 a.m. – 12 p.m. and 3 p.m. to 5 p.m. Mayor Bargo said she appreciated the feed back and reiterated that the police have been coming up to the location to patrol. Ms. Shade said that it is an on-going issue and there needs to be a resolution especially if they know the times that there’s an issue. Mayor Bargo asked if they would consider the speed indicator sign. Ms. Shade said they can certainly talk about the sign. Ms. Shade said until they can address the sign, she would like to see police on the street at the worst hours that the residents stated. Chief Clemens said that they will continue to monitor the situation.

Ms. Deb Peffer questioned again about putting mics in Council Chambers for the tax payers to hear. Ms. Walter said she had GME come in and with the COVID-19 Pandemic he is having issues getting the parts. He suggested that Ms. Walter reach out to Dustin Pollock to see if he could assist.

****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-May 11, 2020
 - 2. Law & Ordinance – May 21, 2020
 - 3. Finance – May 28, 2020
 - 4. Personnel – May 28, 2020
- B. ****Approval of Treasurer’s Report**
- C. **Acknowledge Receipt of Tax Coll Report**
- D. ****Approval of Schedule of Bills**
 - 1. General Borough/Specialty/Refuse/Wastewater Coll & Treatment/State Liquid Fuels
 - 2. General Borough Capital Account w/Requisitions

3. Wastewater Collection Capital Account w/Requisitions
- E. **Facility Use Forms:
 1. Farmers Market starting June-September 2020 contingent upon payment
- F. Acknowledge receipt of Fame Meeting Minutes May & April Stats
- G. Acknowledge receipt of Codes Enforcement Office Monthly Report
- H. Acknowledge receipt of DLI Minutes
- I. Acknowledge receipt of Letter for River Property from Knepp & Snook
- J. Acknowledge receipt of Parking Authority Minutes
- K. Acknowledge receipt of SR 3002 Construction Schedule
- L. **Approval of Annual Recycling Tire Challenge & Permission to Enter for 9/19/20

Ms. Walter said that they just received the facility use form for the Farmers Market and they paid via credit card today.

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

REGULAR AGENDA

UNFINISHED AND NEW BUSINESS

Ms. Walter said there were a lot of different projects going on inside of the Borough. She touched base with Mr. Mike Reeder on the South Main Street Bridge and he said it should be completed by the end of July. Ms. Walter stated she checked the bridge stone they were going to be using and she thinks they will look very nice after the project is completed.

Ms. Walter stated that after the South Main Street Bridge is completed the South Dorcas Street Bridge will start.

Ms. Walter updated Council on the West 4th Street project. The WWT employees checked the sewer lines from Grove Avenue to Howard Avenue with one issue found that needs replaced. They are planning on checking the rest and will coordinate with the Water Authority. Also, the storm drains were completed from Pennsylvania Avenue to Howard Avenue with one issue found. This issue is located at the inlet in front of Victory Auto.

Ms. Walter said that the traffic signal upgrades are coming mid-June for Valley and Market Street. At least one lane will remain open to traffic during work hours but drivers are encouraged to remain alert for sudden stops as they can encounter flaggers and such. This project is to be complete Mid November. Ms. Walter is seeking Councils approval to execute the traffic signal construction plans pending engineer approval. They were sent to the Borough's engineers but Ms. Walter would need Council's approval to move forward.

On a motion by Mr. Campbell and seconded by Mr. Wilson, Council by unanimous vote approved Ms. Walter to execute the traffic signal construction plans after the Borough engineer's approval.

Ms. Walter said that Mr. Walter Ciecierski has been the Chairman for the Parking Authority for years and has decided to resign. Mr. Eugene Hughes has taken over as Chairman. Ms. Walter wanted to thank Mr. Ciecierski and let him know that the Borough appreciates everything he has done for the Parking Authority. Ms. Walter expressed that someone will need to be placed on the Parking Authority and the Parking Authority already has some ideas of who they would like to ask to apply. Ms. Shade stated that the public could apply for that board as well.

Mr. Campbell questioned the minutes from the last Parking Authority Meeting about the 30 parking spaces and asked if they were set on charging the retailer \$150 per space. Ms. Walter stated that this rate was charged to others. Mr. Campbell said that those were for 2 or 3 parking spaces but this is for 30 spaces. Ms. Walter said that the owner was okay to pay \$150 per spot but the Borough would have to maintain the spots.

Ms. Walter said that the Municipal Building is open, and she ordered the plexi-glass for the Sewer/Refuse Office and is looking to have it installed.

Ms. Walter stated that in March, Council temporarily discontinued fees associated with the Refuse/Sewer Bills. Ms. Walter also said that there are 3 cycles of bills that go out. Cycle 1 is billed for a certain part of town such as Valley Street, Chestnut Street, Shaw Avenue, North Brown Street, Etc. Cycle 2 would be for another certain part of town and they are billed in different months. Cycle 3 would be the Commercial Accounts. The end of June would mark the end of Cycle 3. Ms. Walter questioned Council if they would like to start implementing fees effective for the upcoming months to start with July. Ms. Shade asked if Ms. Walter was talking returning to the original fees. Ms. Walter said that would be correct. Mr. Campbell said that the fee discontinuation was a temporary relief for those residents and business owners during the Covid-19 Pandemic, when they were not to be out, and some people were not working. Ms. Walter also questioned since the Municipal Building was open if Council wanted to continue to mail the tags free of charge or start implementing the fee of mailing the tags. Members of Council felt that was part of the fees being reinstated.

On a motion by Larry Searer and seconded by Mr. Terry, Council by unanimous vote approved to implement the fees for the Refuse/Sewer billing and instating the fee to mail tags in July.

Ms. Walter discussed the extension of timeframe for use of personal leave days for employees. Ms. Walter said that according to the Wage and Salary Resolution and the Union Contract, employees are required to take one personal leave day before the end of June. Due to all the layoffs, Ms. Walter was requesting based upon those employees who have not used their personal leave day to give an additional 3 months until the end of September to use that personal day.

On a motion by Larry Searer and seconded by Mr. Campbell, Council by unanimous vote approved to allow employees an additional 3 months until the end of September to use their personal leave day that they have not used.

Ms. Walter stated there was a tax exoneration for 807 West 6th Street. Ms. Water indicated that the whole house had been removed from the property making the property a vacant lot. Ms. Walter said the taxes due were \$272. 28 and was seeking Councils approval to exonerate the tax collector from collecting.

On a motion by Larry Searer and seconded by Mr. A. Wilson, Council by unanimous vote approved to exonerate the taxes for 807 West 6th Street in the amount of \$272.28.

FIRE CHIEF

Chief Barrett reported that in May the Fire Companies responded to 22 alarms. Those alarms consisted of 1 house fire, grass/brush fires, 8 medical assists, 1 motor vehicle accident with entrapment, 2 water rescues. The Lewistown water rescue included both boat companies, Brooklyn and City Hook and Ladder, spent 22 hours out on the water. Between the two stations, 31 personnel were used to run the operation. Stress debriefing was offered to all firefighters participating.

Chief Barlett informed Council that due to Covid-19 the fire department's fundraisers had to be cancelled and their financial aid has disappeared. Chief Barlett said that they did find ways to work around the pandemic to come up with ways to raise money. He was happy to report that the State gave the State Fire Commissioners Office \$54 Million to help out fire departments. At the beginning of the year all three fire departments applied for state grant funds and were awarded between \$12,000 – \$14,000. With the \$54 Million at the State Fire Commissioners Office all the fire departments have to do is refile and they will get the same amount awarded again. Chief Barlett said that Brooklyn and City Hook and Ladder have already refilled. Ms. Shade questioned when the social rooms will be opening again. Chief Barlett said that the executive committee was unsure because of the restrictions. Mr. Larry Carter stated that with the restrictions it may not be profitable at the moment.

Chief Barlett stated that the fire departments participated in the annual memorial service for Mr. Jack Hopple, Mr. John Wilson, and Mr. Rick White that were killed at Derry Land on June 1, 1968. This year marked 52 years since they were killed.

Chief Barlett said that with help from Mayor Bargo the fire departments were able to hold a graduation parade for the Seniors. Chief Barlett said it turned out wonderful. Ms. Shade thanked Chief Barlett for their gesture and to all others that have been helping during the pandemic.

Larry Carter stated they had a meeting with the Central Districts regarding the Fire Convention. Brooklyn was given approval to continue and Central Districts will back them 100%. Mr. Carter said whatever they cannot fund for the convention the Central Districts will contribute the rest. Mr. Carter indicated that when they originally submitted their Facility Use Form for Rec Park they didn't realize they would need an extra day for set up and were requesting the additional day of August 12, 2020 be added to their original request. Mr. Carter stated they are continuing to do fundraising to offset the cost and they wanted to make Council aware they would like to do a boot drive within the Borough limits.

On a motion by Mr. A. Wilson and seconded by Mr. Campbell, Council by unanimous vote approved to amend the Fireman's Convention Facility Use to include August 12, 2020.

MAYOR BARGO

The final day for the census is October 31, 2020. Residents can call or go online. The census is important so the respective municipalities can get their required funding.

POLICE CHIEF

The Police Chief reported 391 calls for the month of May with 11 traffic cites in May and 14 non-traffic cites. The officers did a good job on the recent robberies, and Civil Service testing is scheduled on July 25 (rescheduled from April) with one open position. National Night Out has been cancelled.

REC BOARD

No meeting was held.

BOROUGH SOLICITOR

Mr. Bill Wilson questioned why the advertisement for the second amendment was not submitted earlier for advertisement. Mr. Remy stated he emailed the executive committee and felt that due to the meetings being held via teleconference that it would be best to hold off until council could meet in person. He also stated that with the financial issues that COVID brought, it would be best to hold off on advertising it, when we may in fact have to advertise it again. Mr. Wilson stated that there is no such thing as an executive committee and that this is illegal. He said he contacted PSAB and they said it was illegal. Mr. Remy said the Borough had enacted an Ordinance regarding executive committee, and that he would be happy to discuss this with PSAB. Mr. Wilson said that

since it has gone through council, it should have been advertised. Ms. Shade said she would be interested in speaking with someone from PSAB, and Mr. Wilson said that the contact information was in your PSAB book. Mr. Remy said he would be interested in discussing this also.

On a motion by Larry Searer and seconded by Mr. Terry, Council by roll call vote approved to adopt the Second Amendment Ordinance.

***Dave Campbell-Yea
Marc Terry-Yea
Larry Searer-Yea
Aaron Wilson-Yea
Bill Wilson-Yea
Venus Shade-Yea***

On a motion by Larry Searer and seconded by Mr. Campbell, Council approved the Facility Use Form to use the grassy area at the Library from the Lumina Center for June & July contingent upon receiving their certificate of liability insurance naming the Borough of Lewistown as an additional insured with charging the regular rate of \$50 each month.

Ms. Walter stated they received a handicap parking space request for 322 Shaw Avenue. Ms. Walter checked it out with the Street Superintendent and there are no other handicap parking spaces around this address.

On a motion by Larry Searer and seconded by Mr. Campbell, Council by unanimous vote approved inserting a handicapped parking space at 322 Shaw Avenue.

Discussion was held on outside seating for businesses. Mr. Panninzo had requested to put tables outside possibly in the parking spaces or on the sidewalk. Concerns were voiced about being mindful of any handicap people going through on the sidewalk and only seating 2 people per table. The tables should be up against their property to allow for people to walk through.

On a motion by Mr. Campbell and seconded by Larry Searer, Council by unanimous vote approved authorizing staff to give temporary sidewalk occupancy permits to restaurant's inside the Borough with condition of allowing flow traffic for pedestrians.

The Community Center is opening back up since the restrictions have been lifted. The CDC guidelines should be posted at the community center that all occupants must abide by CDC rules to eliminate liability for the Borough.

Ms. Shade stated the pool will be opening this year in July after all the full-time employees have returned.

On a motion by Mr. Terry and seconded by Mr. A. Wilson, Council approved by 4-2 (Searer/Wilson) vote to open the pool.

Ms. Shade also stated that no bids were received for the concession stand earlier in the year; however, Bartlebaugh's has reached out and has submitted a bid.

On a motion by Mr. Campbell and seconded by Mr. A. Wilson, Council approved awarding the agreement to Bartlebaugh's contingent upon receiving their certificate of liability insurance naming the Borough of Lewistown as an additional insured and contingent upon receipt of the security deposit.

On a motion by Larry Searer and seconded by Mr. Campbell, Council approved the hazard mitigation plan by Resolution.

Mr. Remy reviewed an Ordinance for the No Pedestrian Crossing and Use Crosswalk postings to be legally enforceable. Ms. Walter advised that PennDOT had sent us a letter and that the municipality had to enact an Ordinance for this posting to be legally enforced.

On a motion by Mr. Terry and seconded by Mr. A. Wilson, council discussed the fees for not abiding by the Ordinance. Larry Searer suggested making it not less than \$50.00. Mr. Terry rescinded his motion along with Mr. A. Wilson.

On a motion by Larry Searer and seconded by Mr. A. Wilson, Council by unanimous vote approved to advertise the Ordinance based upon Mr. Remy changing the fees to "not less than \$50.00".

On a motion by Larry Searer and seconded by Mr. Terry, Council by unanimous vote approved to allow PennDOT to work at night on the Valley Street Project.

FINANCE

On a motion by Mr. Campbell and seconded by Mr. A. Wilson, Council by unanimous vote approved designating Ms. Walter as having the authority to execute documents on behalf of the Municipality for obtaining financial assistance for COVID costs through PEMA by Resolution.

The upgrades to the SCADA system were budgeted however cost has increased.

On a motion by A. Wilson and seconded by Mr. Campbell, Council by unanimous vote approved proceeding with all the upgrades to the SCADA system.

Mr. Campbell stated that we are seeking council's approval to recall all our employees back to work. Ms. Walter stated they would be called back based upon the municipal seniority list within the union contract guidelines. Everyone will be returning by June 29, 2020 including the non-union employees. So, the pool will not be opened until all the employees have returned.

On a motion by Mr. Campbell and seconded by Larry Searer, Council by unanimous vote approved recalling all the employees back to work.

Mr. Campbell stated that a resident reached out to him on getting an Autism Awareness sign. Mr. Remy stated that PennDot has a certain criterion for signs that can be approved. Ms. Walter will need to investigate it.

Mr. A. Wilson addressed council and stated that he appreciated all the hard work of the ones who had to pull together for the COVID-19. He also discussed how the community has come together during this challenging time.

PUBLIC COMMENTS

Fire Chief Bartlett addressed council about open burning inside the Borough. He would like to remind the community about the Ordinance and put it on the EG Channel. He will get the Ordinance to Ms. Walter to forward to the EG Channel administrator.

Mr. Bubb from the Water Company discussed with PennDot on shutting down to one lane for the West Fourth Street Project.

On a motion by Larry Searer and seconded by Mr. Terry, Council unanimously approved to close one lane on West Fourth Street.

EXECUTIVE SESSION

Council went into executive session at 7:12 p.m. to discuss pending litigation and personnel issues.

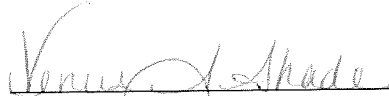
Council came out of executive session at 7:36 p.m.

On a motion by Mr. Campbell and seconded by Mr. A. Wilson, Council by unanimous vote approved for Ms. Walter to continue to sign any legal documentation needed for the Borough.

On a motion by Mr. A. Wilson and seconded by Mr. Campbell, Council by 5-1 vote (Searer) approved to hire a pool manager and lifeguards after the employees have returned to work.

On a motion by Mr. Terry and seconded by Mr. A. Wilson, Council by unanimous vote approved to hire an unpaid intern initially and then check with the Parking Authority to see if they would reduce the Borough's semi-annual rent and offset it with a wage for the intern.

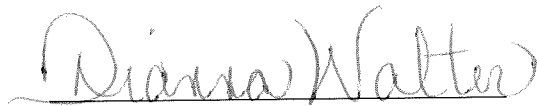
The meeting adjourned at 7:38 p.m.



(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:



(Asst.) Borough Secretary