

COUNCIL MEETING
August 9, 2021, AT 5:30 P.M.
LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

The Council meeting opened at 5:30 p.m. with Borough Council President Larry Searer presiding. The Pledge of Allegiance was recited by all present.

ROLL CALL

Larry Searer (President), Mr. A Wilson (Vice President), Mr. Terry (Councilperson), Mr. B Wilson (Councilperson), and Ms. Shade (Councilperson), were present. Mr. Campbell (Councilperson) and Ms. Goss (Councilperson) were absent.

HEARING OF PERSONS PRESENT

Cathy Wilson states that an officer acted unprofessionally and disrespected her. The Wilson's car had been hit by a drunk driver in the days prior to the interaction. The Wilson's previously requested a report for their insurance company. Ms. Wilson states that the officer was unprofessional and disrespectful during the process of delivering the requested report. Chief Clemens states that the proper protocol would be to submit an official complaint so an investigation can be undertaken. Mr. Clemens provides the documentation needed to start this process.

Mark Knarr states that he is having issues with a neighbor operating a business in a residential district. Mr. Knarr has contacted the police as well as the Borough Manager and feels that there is not enough being done to remedy the situation. Mr. Knarr states that he was told by the landlord that the resident was practicing his hobby; Mr. Knarr maintains that there is obviously a business being run. The resident has been forced to shut off electric connections multiple times, but Mr. Knarr posits that the problem is likely to continue unless more action is taken. It is also stated that an officer involved in the skirmish used aggressive language to harass another resident bothered by the same issue. Chief Clemens states that to follow procedure a complaint should be made. Chief Clemens also states that there is body camera footage of the incident and urges those present to entertain both sides of the altercation.

Deb Peffer states that she has received a complaint from tenants regarding excess garbage from a neighboring building. Ms. Peffer states that there is an excess of garbage on the back of the property that has been present for a month and has potential to become a health and safety issue, if not already. Ms. Peffer states that contact has been made with the property owner as well as Mr. Fink. The property owners are not able to set the garbage out for the tenants due to potential liability. Ms. Peffer wants Council to look into a solution for the issue as a combination of liability, ordinance, and the eviction moratorium exhaust the currently evident solutions.

Tyler Wileman states that he is being harassed repeatedly by Officer Ciccolini. He was recently cited for having music in his car too loud but claims his volume was at a level that can barely be heard, if

at all, from the outside of the vehicle. Mr. Wileman claims that Officer Ciccolini is giving him citations simply because they do not get along. Chief Clemens states that he can provide the documents to submit a complain regarding the officer, but the citation must be taken to the Magistrate.

Michael Myers states that there are multiple sinkholes behind his home that raise great concern. Mr. Myers has 6 children and is worried because there are sinkholes obstructing the entrance to his home as well as the parking lot for the apartments. Mr. Myers states that he has contacted Mr. Fink for months, but the problem still persists. One of the holes that Mr. Fink measured was 4 feet deep. Mr. Myers also states that there were needles found behind the building that were collected by Officer Callahan. Mr. Myers has not heard back regarding preventative actions or the source of the needles.

****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:**
 - a. Council Meeting- July 19, 2021
- B. ****Approval of Treasurer's Report**
- C. ****Approval of Schedule of Bills**
- D. ****Facility Use Request:**
 - 1. Bargo Block Party
 - 2. Goose Day Race
- E. Acknowledge receipt of Fame Meeting Minutes & Stats
- F. Acknowledge receipt of Tax Collector's Report
- G. Acknowledge receipt of Codes Enforcement Report

On a motion by Ms. Shade and seconded by Mr. Terry, Council unanimously moved to accept the consent agenda.

BOROUGH MANAGER

Mr. Zimmerman states that the Valley Street repository property purchase should be approved and available to the Borough no later than August 26th. Mr. Zimmerman would like to remind the public that the pool season will be ending August 15th. Mr. Zimmerman states that a vote must be made to proceed with the W Water Street Sidewalk Replacement Project. The bid has already been approved by Council, a notice to proceed is needed.

On a motion by Mr. Terry and seconded by Ms. Shade, Council unanimously moves to approve a notice to proceed with the project.

Ms. Miller presents Ms. Anewalt's Tax Exoneration report and requests a motion to approve the exoneration.

On a motion by Ms. Shade and seconded by Mr. A Wilson, Council unanimously moves to approve the tax exoneration.

FIRE CHIEF

In the month of July there were 21 calls for action: two building fires, one cooking fire, two brush fires, six medical assists, two motor vehicle accidents, one water search assist, one extrication of a person from a vehicle, one carbon monoxide incident, one police assist, one public service, two cover assignments, and six unintentional alarm activations. The 26-hour water rescue class was finished in July. The department is also halfway through a 46-hour vehicle rescue course as well as an essentials course.

POLICE CHIEF

Chief Clemens states that there were 595 calls for service in the month of July. There were 66 traffic citations, 22 non-traffic, 9 written warnings, 411 parking meter tickets and 95 street maintenance tickets. Chief Clemens states that the National Night Out took place and wishes to thank all of those who showed their support either by attendance or directly sponsoring the event. Chief Clemens also states that the body cameras are fully in use while officers are on patrol.

BOROUGH SOLICITOR

Mr. Remy states that an ordinance was advertised regarding the Borough's non-uniform and police pension plans. The updating of the ordinance is a requirement of PMRS to ensure there are no conflicts with the updated plans.

On a motion by Ms. Shade and seconded by Mr. A Wilson, Council unanimously moves to approve the alterations to Pension Ordinance Chapter 36.

UNFINISHED AND NEW BUSINESS

Larry Searer states that there are three positions for the Mifflin County Municipal Authority that need to be filled by the Borough. Mr. B Wilson provides the names of three persons as follows: Jones Marker for the 1-year seat, Barry Bargo for the 3-year seat, and Jeff Rocco for the 5-year seat. Ms. Shade inquires as to whether there were recent advertisements for the positions as she has not received any documentation for applicants. Ms. Miller states that there were applications received by the previous Borough Manager however as the situation was uncertain the applicants were sent to the County. Council agrees that the positions should be advertised once more for the next Council Meeting. There was an application received for the Police Advisory Board, Larry Searer states that the Advisory Board vacancy should be advertised as well.

Council entered executive session at 6:18 pm.

Council exited executive session at 7:22 pm.

Mr. Zimmerman states that Ms. Miller's resignation from the position of Assistant Borough Manager/Treasurer has been accepted and wishes to thank Ms. Miller for her hard work throughout her years of service.

On a motion by Ms. Shade and seconded by Mr. Terry, Council unanimously agrees to bid the workman position, if the bid goes unanswered for 10 days, the position will then be advertised outside of the Borough.

On a motion by Ms. Shade and seconded by Mr. A Wilson, Council unanimously moved to fill the position of Clerk/Secretary.

On a motion by Ms. Shade and seconded by Mr. A Wilson, Council unanimously moved to fill the position of Secretary to the Borough Manager.

On a motion by Ms. Shade and seconded by Mr. Terry, Council unanimously moved to advertise a full-time Code Enforcement Officer.

On a motion by Mr. Terry and seconded by Ms. Shade, Council unanimously moved to allow a payroll consultant to be hired at a rate of 25/hour.

On a motion by Ms. Shade and seconded by Mr. A Wilson, Council unanimously moved to advertise the Assistant Borough Manager/Treasurer position.

Council motioned to adjourn at 7:26 pm.

(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:

(Asst.) Borough Secretary