

REGULAR COUNCIL MEETING
August 10, 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, Mr. Terry, Mr. DeArment, Larry Searer, Mr. A. Wilson, Mr. B. Wilson, and Ms. Shade were present.

HEARING OF PERSONS PRESENT

Mr. Keith Altery, H.C. Kerstetter, updated that the safety dividend that is endorsed through the PSAB and Keystone Insurers Group was the highest payout that they have had with a return premium of 22.24%. They paid out a total of \$739,741 to policy holders and the Borough will receive \$28, 832.83 on the insurance premium for the year. This is the 10th straight year they have paid out.

Mr. Larry Carter, Brooklyn Fire Company, discussed that the 2020 Fire Convention had been cancelled due to the COVID – 19 Pandemic. He wanted to thank Council for all their help the past couple years. They can have the 2024 Fire Convention in Lewistown, and he was requesting Council's consent. Mr. Campbell questioned if they would carry over the funding that they had received so far for the 2020 Fire Convention. Mr. Carter stated that they will be carrying over the funding for the next Convention and asked Council if they would be allowed to use the paid fees for this year to be used for the 2024 Convention. Ms. Shade stated that they could, but they would need to fill out all the necessary forms again. Mr. Carter also requested a letter of approval for a meeting that they have with Central District on August 16, 2020 if Council should agree to allow the Convention. The dates for the 2024 Convention will be August 8 -10, 2024. Mr. DeArment questioned if they vote no will someone make a threat to let their house burn down. Mr. Carter said that he had no idea who put that in the Sentinel and that it did not come from Brooklyn Fire Company.

A motion was made by Mr. Terry and seconded by Mr. A. Wilson to allow Brooklyn Hose Fire Company to hold the 2024 Fire Convention.

Mr. Terry amended his motion.

On a motion by Mr. Terry and seconded by Mr. A. Wilson, Council by 6-1 vote (Searer) approved to allow Brooklyn Hose Company to hold the 2024 Fire Convention and give authorization to the Borough Manager to execute a letter of approval to the Brooklyn Hose Company .

Mr. Rick Smeltz, Smeltz and Aumiller, discussed that he had been hired to sell 512 South Grand Street. During the process of a deed search it is was found that the house sat on two different

parcels. The Assessment Office instructed him that the Borough is a municipality that allows lot mergers by virtue of a letter from the Borough. This will save both the property owner and purchaser potentially several thousands of dollars or more. Mr. Remy questioned when the Borough had approved mergers by letters, and he reviewed the Borough Ordinance that states they need a submission of a land development plan. Mr. Smeltz stated he did not want them to get rid of the property line but rather allow them to tax both tax parcels as one. Ms. Shade suggested calling the Assessment Office to get a better understanding of what they would like done and inform them of the Borough Ordinance.

A motion was made by Larry Searer and seconded by Mr. DeArment to approved to allow the letter for the 512 South Grand Street lot merger.

Larry Searer amended his motion.

On a motion by Larry Searer and seconded by Mr. DeArment, Council by unanimous vote approved to have Mr. Remy contact the Assessment office to see if it was illegal to approve the merger by letter and if not illegal then allow the letter for the 512 South Grand Street lot merger.

Bids were opened for the South Brown Street and Manor Drive Paving Projects:

- Mid-State Paving - \$140,551.00
- Glenn Hawbaker - \$111,780.40
- Jay Faulkroad & Sons Inc. - \$159, 343.61

On a motion by Mr. Campbell and seconded by Mr. Terry, Council by unanimous vote accepted the bid of \$111,780.40 by Glenn O'Hawbaker for the South Brown Street and Manor Drive Paving Projects contingent upon all paperwork being in order.

Jeremy Lewis, 15 Stoneroad Court, felt that they are still not getting a lot of police presence on Reservoir Drive and questioned the typical allowance over the speed limit. Chief Clemens stated that allowance is usually 10 miles over the speed limit, but it is different for school areas. Mr. Lewis requested that Council reduce the speed limit to 15 mph on the two block stretch of Reservoir Drive. The street is one way, parking is on one side, and the street can be very narrow. Mr. Remy suggested sending the issue to the Law and Ordinance or Streets Committee. There are also no streets within the Borough that the speed limit is 15 mph, most are 25 mph. Larry Searer mentioned that if you change one street there will be a lot more requests to change speed limits. Ms. Shade said she could sympathize because she also has a small alley to back out of and once had a small toddler. Mr. Lewis expressed that the 10 mph over the speed limit may not mean a lot on highways but in a rural area it is a considerable difference. Chief Clemens stated contacting the local State Representative may help. Mr. Lewis also questioned why they have 4 police cars and only have 2 policemen on duty a day. Chief Clemens stated at any given time there are 2 officers, a supervisor, and there is a car for the SRO. Ms. Shade encouraged Mr. Lewis to attend the Law and Ordinance meeting being held on August 20, 2020.

****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-July 13, 2020
 - 2. Streets-July 9, 2020
 - 3. Law & Ordinance – July 16, 2020
 - 4. Finance – July 23, 2020
 - 5. Personnel – July 23, 2020
- 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. Wastewater Facilities Capital Construction w/Requisitions
 - 3. Wastewater Treatment Capital w/Requisitions
- E. ****Facility Use Forms:**
 - 1. Sam Stotlzfus, DS Siding LLC, N Plaza Drive Closure in August for roof repairs contingent upon receipt of Certificate of Liability Insurance naming the Borough of Lewistown as an additional insured
- F. Acknowledge receipt of Fame Meeting Minutes July & June Stats
- G. Acknowledge receipt of Codes Enforcement Office Monthly Report
- H. Acknowledge receipt of Borough Corrective Action Plan Progress Report-January to June
- I. Acknowledge receipt of House Bill 1860 from Water Company
- J. Acknowledge receipt of Progress Meeting Minutes for W 4th St Project from Water Co.
- K. Acknowledge receipt of ADA Pre-Construction Minutes for S Brown St
- L. Acknowledge receipt of Letter from Borough Solicitor regarding Survey of Campgrounds
- M. Acknowledge receipt of Letter from Commissioners regarding Blight Contribution
- N. Acknowledge receipt of Memorial Butterfly Release
- O. Acknowledge receipt of PLGIT information
- P. Acknowledge MC Parks and Recreation Minutes & Treasurer's Report
- Q. Acknowledge receipt of Letter from Knepp & Snook for Dr. Parcel's Poor Fund
- R. Acknowledge receipt of EADS Quote for Valley Street Demo Engineering Fees
- S. Acknowledge receipt of PennDot Bridge Info
- T. Acknowledge receipt of Safety Committee Minutes
- U. Acknowledge receipt of Agreement with Gutelius for Valley Street Project

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

REGULAR AGENDA

BOROUGH MANAGER/SECRETARY/TREASURER/FINANCE MGR REPORT

Ms. Walter stated that the South Main Street bridge is now open, and she felt it looks good. She also updated Council on the South Brown Street sewer lines project. There was one problem found located at 428 South Brown street. There were roots in the lines and the lines will have to be dug up.

Ms. Walter stated that Mr. Rehab had to fix one main line on West 4th Street. They still need to camera from Franklin to Pennsylvania Avenue to check the sewer lines. This year they started checking storm drains, which was never done in the past, and they had one repair done by Crystal Springs. They still need to camera the storm drains from Pennsylvania to Bratton Avenue. There are no storm drains on South Brown street, but there is an inlet on Fleming Avenue that needs repaired.

Ms. Walter thanked Mr. Zubler for submitting the grant and working towards helping better the community.

Ms. Walter reported the pool will be open until and including August 11th. The lifeguards will be going back to college, and they do not have enough people certified to take over. Then going forward, they will need to be closed August 12, 13, and 14. Then reopening up on August 15 and 16 with the hours from 12pm to 7pm. Closing again, over the week and reopening up on the 21, and 22, until 7pm. The splash hop brought in \$1,162 with 193 adults and 96 children. With all the expenses and cost the approximate profit was \$462.00. The movie night brought in \$1,162 with 216 adults and 41 children.

Ms. Walter requested approval for the United Way Day of Caring Project. She was asked if there were any projects open and the one thing that could be done would be a good cleaning of the Community Center Building. Ms. Walter would also reach out to the union for their approval as well. Mr. DeArment stated that the United Way is looking for more projects as well because they have an abundance of teams willing to help. Ms. Walter suggested they could also help clean the basement in the municipal building as well. Chief Clemens suggested that they could possibly help paint parking meters.

On a motion by Mr. DeArment and seconded by Mr. Campbell, Council by unanimous vote approved the United Way Day of Caring Project.

FIRE CHIEF

Chief Barlett reported 38 alarms for June: 1 building fire, cooking fires, brush & grass fire, 5 medical assists, 6 vehicle accidents with injuries, 1 motor vehicle/pedestrian accident, 1 extrication rescue, 1 elevator rescue, 1 water rescue, several gas leaks with natural gas leak, 1 lockout, 3 police assist, 2 public service, 1 odor or smoke in house, and 4 automatic alarms.

Chief Barlett said that the fire at the Bowling Alley ended up being a major fire with most of the damage being between several layers of roofing. There was a lot of mutual aid called in to do shifts on the hot day. Fame EMS set up the rehab to monitor vitals and provide liquids. Overall, they all did a great job.

Chief Barlett informed Council that United Fire and Rescues bank financing came back approved and they expect to have their ladder truck within 3 – 4 weeks. It will take around a month to train the crew on the new apparatus.

Ms. Shade questioned how long the City Hook and Ladder will continue their “Friday Fundraisers”. Chief Barlett said they are receiving a lot of support from local businesses and the public is treating them great. Most of the items raffled have been donated and if it continues to do well, they will keep doing the raffles.

MAYOR BARGO

Mayor Bargo said the 225th Anniversary of the Borough of Lewistown celebration was rescheduled till September 28, 2020 between 6 – 8 p.m. It will be a kickoff to the Goose day week celebration.

Mayor Bargo had an individual approach her about hanging a “VOTE” banner placed somewhere across Market Street. Ms. Shade stated that was a PennDOT street and would need approval. Mr. Campbell suggested the building behind the fountain. Mr. Remy said that temporary political signs are not regulated by the Borough. Ms. Shade stated if they can get permission from the property owner then they could hang the banner.

POLICE CHIEF

Chief Clemens reported the statistics for July. The Lewistown Police Department had 457 calls for service, 21 traffic citations, 12 non-traffic citations and 71 parking tickets with most of them being sweeper tickets.

Chief Clemens discussed that the Civil Service test had been completed and they had 10 candidates. They are looking to fill one officers’ position.

Kids ticket program was started this week where they hand out tickets to kids, they see doing good things such as wearing a helmet or helping someone. The kids can use them to get treats like ice cream from the Square Café and Bakery and Dairy Queen.

Chief Clemens thanked all individuals, organizations, and churches for all the donations and support over the past month.

Larry Searer questioned if they could get a better handle on street sweeper tickets. One week the street sweeper operator counted that they had over \$5,800 worth of tickets that were not issued. Some nights they are issuing tickets and some nights they are failing to do so. Chief Clemens reported they have already issued 287 street sweeper tickets. Larry Searer said there has not been tickets issued on Chestnut or Valley Street. Mr. Campbell stated they had missed Chestnut Street Ext. two weeks in a row. Larry Searer reported they missed 33 vehicles with no tickets on August 9, 2020. Mr. Campbell said people will not move cars to have the streets cleaned if the tickets are not issued. Chief Clemens stated that there are nights that while they are issuing tickets, they get sent out on calls halfway during a street. Larry Searer asked if the officers knew of the streets schedule. Chief Clemens felt they were informed but would remind them. The intern was put on night shift to help with the street sweeping tickets. Larry Searer felt that the ticket process needed to be fairer to the residents. Chief Clemens said the only way to get a consistent enforcement is to have a parking enforcement officer. Ms. Shade said that position was up for discussion at tonight's meeting. Larry Searer stated it was a lot of money to lose. Chief Clemens responded by saying that generating revenue was not the purpose of the police force. They do generate revenue with parking enforcement, but it is not their mission. Larry Searer said he understood but it needs to be more consistent.

REC BOARD

Ms. Walter reported that Rec Board had been held via teleconference. They reviewed the pool and cost associated with the revenue. They also agreed to continue the meetings via teleconference.

Ms. Walter said they received a Community Center agreement on August 4, 2020 from Brenda Hutchinson. She would like to use the Activity Room on August 22, 2020, but she would like permission to hand out wine coolers herself and not use a bartender. Mr. Remy said upon reviewing the ordinance and the application he would not recommend allowing her to do so based upon the Community Center Contract. Ms. Shade, Larry Searer, and Mr. Campbell agreed with Mr. Remy that they should follow the contract. Ms. Walter said she would have the Community Center Coordinator reach out to inform Ms. Hutchinson.

BOROUGH SOLICITOR

Mr. Remy updated Council on the River Camping Area. A letter was sent Mr. Pete O'Donnell regarding Councils most recent discussion and he had yet to hear anything from him. Larry Searer questioned how long they would let this go and why did Mr. Remy wait till August 4th to mail the letter out. Mr. Remy stated he had put in 80 hours for the Borough in the past month and had a week off. Larry Searer questioned if they got the prices for the survey. Ms. Shade said they needed to get the other party to agree first. Larry Searer said that is not what was voted on last month, they were going to get prices whether they agreed to half or not. Council has spent more than \$200,000 in attorney fees in 2020 and they are not worried about something that could be a liability for something that could cost \$6,000 - \$10,000. Mr. Terry said he was under the impression that they were getting the estimates and if they wanted to split cost they could, which he thought would be the better thing to do. Larry Searer said if the property does happen to be theirs the Borough will get money from them having a camping area in the Borough. Ms. Walter looked back on the May 11, 2020 minutes when Mr. Lucas Parkes discussed the surveying of the property and at the time, he stated it could cost anywhere from \$5,000 - \$7,000 to complete. Mr. Parkes was in attendance of the meeting. He said they had a survey department capable of doing the work at the same cost. The EADS group had previously referenced the PennDOT map for the property lines. Mr. Campbell felt that they should have at least 3 estimates. Larry Searer requested that Mr. Parkes start on the survey so they can have the information for the next meeting.

Roll call vote was taken:

<i>Dave Campbell</i>	<i>Yea</i>
<i>Steven DeArment</i>	<i>Yea</i>
<i>Marc Terry</i>	<i>Yea</i>
<i>Larry Searer</i>	<i>Yea</i>
<i>Aaron Wilson</i>	<i>Yea</i>
<i>Bill Wilson</i>	<i>Yea</i>
<i>Venus Shade</i>	<i>No</i>

On a 6-1 Vote, Council approved to have EADS Group complete the survey of the River Camping Area property.

Mr. Remy discussed the Lerta Ordinance that was advertised and ready to be voted on this evening. This ordinance relates to a reduction in the amount of real estate taxes on improvements that homeowners make to certain properties and the amount of reduction spans 10 years. Mr. Campbell included that it gives incentive to fix up properties. Ms. Shade said it includes residential and commercial properties. It goes across the Borough and there is no particular area that it applies to directly. Mr. Zubler said the ordinance has been shared with the County and he believes it has been shared with the school district also. They must pass similar ordinances so that it is consistent with all taxing bodies.

Roll call vote was taken:

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

By a unanimous vote, Council approved to adopt the Lerta Ordinance.

Mr. Remy discussed the Sewer Ordinance that was advertised and ready to be voted on this evening. This ordinance will allow the Borough to seek to have damages reimbursed if someone would discharge things into the sewer that are prohibited and would cause damages to the sewer. Mr. Terry questioned if there was literature for people to read regarding what is acceptable and not acceptable to be put down the sewer system. Ms. Walter and Ms. Shade replied by saying there is literature with the information available. Ms. Shade asked Mr. Remy if the ordinance included that they would make sure that the proper party will be billed because of properties being two on one line. Mr. Remy said he was not sure how they would determine in those instances but there are not that many of those lines. Mr. Remy read the ordinance and it stated they would have to establish where the damage came from.

Roll call vote was taken:

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

By a unanimous vote, council approved to adopt the Sewer Ordinance.

UNFINISHED & NEW BUSINESS

Ms. Walter discussed the allocation of the CDBG-CV funds for purchase of laptop devices. The funds include \$61,047 for the devices and \$10,850 for administration. Ms. Walter said there was discussion on using the money for businesses as well. Mr. Campbell questioned if there was no further discussion of options at either of the public hearings. Ms. Shade and Ms. Walter said there was no other discussion. Mr. Campbell said he would much rather see the money being used towards our residents and businesses, but it was difficult to make it happen. Ms. Shade asked what happened to the money if the school goes back to in person school and will it also help with

internet service? Mr. DeArment said he thought there was other funds to help expand the internet services. Discussion continued regarding lack of internet services and how to expand the services. Ms. Deb Peffer questioned how many laptops would be purchased. Ms. Walter said they would be purchasing 120 – 125 laptops inside the Borough. Mr. DeArment said that the teacher’s union would be in possession and would be loaning them out to the students. Mr. Zubler said the County does have a committee looking into the expansion of broadband internet.

Roll call vote was taken:

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

On a 4-2 vote, council approved the resolution to allocate the CDBG-CV funds to purchase laptop devices.

Law and Ordinance

Mr. Campbell stated he was seeking approval to advertise the emergency snow removal ordinance. It is like a snow maintenance ordinance based on the amount of snow that has fallen. This would have residents move to have the streets cleaned. Ms. Walter said this will help with safety and help with snow removal efficiency. Mr. Campbell said they would not be plowing the cars in but clearing the parking spaces. Larry Searer questioned where all the cars would be parked. Mr. DeArment said they would need to start with the main areas and get those cleared first. The ordinance was written to say all the streets with the idea to put the signs on the main areas to clear those first. Discussion continued regarding on where they would park and how it would cause issues. Larry Searer said he could see certain streets but not for the whole Borough. *The discussion of the ordinance will be taken back to Law and Ordinance for further discussion.*

Mr. DeArment stated he was seeking approval to advertise an ordinance to allow to keep chickens in the Borough. He brought the idea to the committee because of everything that everyone has been going through the past couple months. Some people have had issues getting meats and groceries at the store. This will promote self-reliance and allow people to take care of themselves. Provisions in the ordinance include not allowing roosters, certain coop sizes, following setbacks, the number of chickens based upon the size of coop, noise and odor ordinances are included. Mr. Matt Boyer said there is already an issue with residents keeping their property clean now and adding chickens would only add to the smell. Mr. Campbell said that would be an enforcement issue and it also requires a permit. Mr. DeArment explained that plans for the coop need to be submitted to the Codes Enforcement Officer, then he will inspect and verify how many chickens would be allowed in the coop. This ordinance was based upon one adopted in State College. Larry Searer questioned who was going to check how many chickens a resident is holding. Ms. Shade stated that the Codes Enforcement Officer is to go around according to the ordinance and verify.

Also, the setback for the coop is 30 feet from any main building on a property, so Ms. Shade questioned how many residents in the Borough would be able to have chickens. Mr. DeArment said there was a discussion on whether to reduce the set back, but by keeping it at 30 feet, it set a restriction of keeping it away from being right next to a house. Mr. DeArment expressed that he understood the concerns, but there are residents with too many cats and it smells or too many dogs and it's too loud so at what point do they say no one else can do it because someone could do something wrong. Because if that is the route they go, then they would need to get rid of dogs, cats, or pave the front yard because the guy beside me does not mow his yard. At some point people who do things right should have the opportunity to do them and those not doing the right thing should face the consequences. Mr. Wilson questioned if the property was a rental. Ms. Shade said it was only permitted at owner occupied/family dwellings, not rental properties.

On a motion by Mr. DeArment and seconded by Mr. Campbell, council by 5-2 vote (Searer, B. Wilson) approved to advertise the Chicken Ordinance.

FINANCE

Mr. Campbell addressed the approval of the Blight Remediation Grant Resolution & staff execution of a letter to the County officially requesting \$15,000 funds from Act 152 funds along with the intermunicipal agreement with the stipulation that if we choose to build on the property they would not require us to repay the \$15,000. Initially the amount requested was \$30,000 but they are now requesting less because the County brought in the other \$15,000. Ms. Walter received a letter from the Commissioners agreeing to contribute the \$15,000, contingent on the Borough acquiring the property, the Borough's commitment of \$15,000 as the remaining local share requirement, the PADCED Grant of \$300,000, and an acceptable and executed intermunicipal agreement between the Borough and the County setting forth the terms and conditions of the County's \$15,000 commitment. Mr. Zubler stated a copy of the draft was submitted with the grant application, but they need the resolution to accompany to secure the funds.

On a motion by Mr. Campbell and seconded by Mr. Terry, a motion was made to approve the Blight Remediation Grant Resolution & staff execution of a letter to the County.

Motion was rescinded by Mr. Campbell and Mr. Terry.

On a motion by Mr. Campbell and seconded by Mr. Terry, Council by unanimous vote approved the Blight Remediation Grant Resolution & staff execution of a letter to the County along with the intermunicipal agreement with the stipulation that if we choose to build on the property they would not require us to repay the \$15,000.

The 2020 CDBG funds allocation was discussed. Mr. Campbell felt that the funds should be continued to be used on paving. There are a lot of stipulations to the CDBG funds for demolition that has backfired. Ms. Walter stated they are looking to work on the 200 – 500 blocks of West 5th Street. Letters were sent out last year requesting that sidewalks get repaired. Mr. Campbell stated

that in the past 4 years a lot of streets have been paved and it shows. Mayor Bargo questioned when 4th Street would be finished. Ms. Walter said she thought they were going to try to finish this year.

Discussion was held on the 18-20 Chestnut Street property. Ms. Walter stated she was informed by Mr. Zubler that the County rejected the \$1,000 bid. Mr. Zubler stated that it was not about the money but more about what the plan for the property was going to be. No bids were accepted for the properties.

Mr. Campbell expressed that he had a hard time with the fact that they are rejecting bids from a business owner. Mr. Campbell also questioned if they were just in need of a written plan of action on paper and was the individual made aware. Ms. Shade stated she had hoped that the Commissioners would had made them aware of what they need to come back with.

PERSONNEL COMMITTEE

Mr. Campbell stated he was seeking Approval of a resolution to allow the Borough Mgr/Secretary/Treasurer/Finance Mgr & Street Superintendent to issue Citations regarding Codes Violations. This would allow 3 employees to issue permits or citations instead of 1 to help with focus on blighted properties, codes issues, codes violations, and overall appearance of things within the Borough. Mr. Terry said with as many complaints they have in codes; it would make sense to have more people helping. Ms. Walter stated that in July, 98 courtesy notices were sent out from the code's office. Ms. Shade said that upon reviewing the list she noticed that most issues were resolved. Mayor Bargo questioned if a notice was sent out, would one person follow it through or would it be passed off to Mr. Rex Fink. Ms. Walter stated that they would share the work, but they would hand it back to the Officer when he is back in the office. Mr. Terry asked if they would go out to help with codes if Mr. Fink was out of the office. Ms. Walter stated that if he were in a meeting or has an emergency they would help. They recently had a property that needed to be condemned on a Saturday night. She could not get ahold of the Streets Superintendent, so Ms. Walter went and got all the paperwork ready. After finally locating the Superintendent, he was able to come in to help.

On a motion by Mr. Terry and seconded by Mr. A. Wilson, council by a 5-2 vote (Searer, B. Wilson) approved to allow the Borough Mgr./Secretary/Treasurer/Finance Manager & Street Superintendent to issue Citations regarding Codes Violations.

Discussion was held on hiring a Parking Enforcement officer. Ms. Shade questioned if it was for full time. Mr. Campbell said that maybe they should focus on some of the changes from the parking study to have some consistency. Ms. Shade said the number one thing that the study showed was

the parking meters needed to be consistent. Mr. Campbell felt it would be good to discuss possibly getting smart meters. Ms. Walter said Mr. Brothers looked at what meters needed to be repaired and a cost to repair was acquired. Mr. Campbell stated that if they focus on smart meters in the business district and focus on repairing the others that would give more time. Ms. Shade felt it was not a good time to be issuing parking enforcement when businesses were suffering. Larry Searer stated that they should consider raising the fines and doing so will force people to put money in the meters. A five-dollar ticket does not mean a lot to many people so they do not put the money in the meter. Right now, may not be the time to hire considering winter is approaching but it is a project to work through to be ready for next summer. Mr. Campbell questioned if there was anything that could be done now to the improve consistency. Ms. Walter stated that Mr. Brothers has worked on all the meters. The issue will be discussed at the Finance Committee Meeting.

PUBLIC COMMENT

Mr. Keith Booher said to date nothing has been done about the property located at 1 North Grand Street. He had brought the same complaint to the Codes Enforcement Officer and Council since 1996. Ms. Shade said that the owner has been fined. Mr. Booher said the roof has caved in, windows have been broken out, part of the front porch is falling off, and cats are running in and out of the building. Mr. Terry question how much the fines were and if the property had been condemned. Mr. Booher stated that no one has been living in the property for 20 years. Mr. Campbell stated that the property is currently condemned. Mr. Booher stated the property is owned by a Patricia Wertz. He blames the Borough for having resolutions and codes enforcement, yet nothing has been done to the property. Mr. Remy stated that the property owner has other properties that she has been cited for. Mr. Campbell stated that they must abide by the law as well and sometimes the law is not in their favor. Ms. Shade stated she was just cited for weeds last month. Mayor Bargo stated that the building is a safety issue. Mr. Terry stated that if the Borough would condemn and take the property, then the Borough is stuck with the expense of tearing down the building. Ms. Shade said it is a no-win situation. Mr. Booher said that years ago he was given a notice to repair his sidewalks because they were cracked or broken, and he fixed them. Sixty days later the streets crew dug a hole in the sidewalk for a resident of the apartments because they wanted a handicapped parking space. He was not notified but was told he owned the sidewalk that is why he had to have it replaced. One North Grand Streets sidewalk is 1 – 2 inches lower than his sidewalk and it has been for 7 years. He has complained to the streets crew, attended a meeting at Borough Hall yet nothing was done. Ms. Walter questioned if they could fix up the sidewalk and then lien the property. Ms. Shade said she would like to see the records of citing of the property from the Codes Enforcement Office. Mr. Booher stated he also did not agree with raising chickens in the Borough when there are buildings that are condemned. Mr. Campbell explained that Mr. Booher is looking at one property to the many that they have addressed in the past 3 years. He assured Mr. Booher that it will be on the agenda for the next Law and Ordinance meeting.

Matt Wright, attended meeting via teleconference, said there was a group concerned about the water authority issue and were waiting on an update from Council. Ms. Shade stated that it was on discussion for executive committee. Mr. Wright questioned if they would explain after they come

out of the meeting. Ms. Shade stated she was unsure, it depended on the result of the executive session.

Council went into executive session at 7:47pm to discuss civil service, litigation, and personnel issues.

Council came out of executive session at 8:58 pm.

Larry Searer left the meeting at 8:47 pm during executive session.

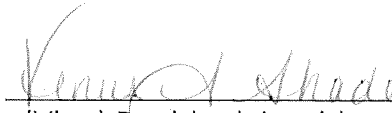
On a motion by Mr. A. Wilson and seconded by Mr. Terry, council by a unanimous vote approved to direct Council to respond to the Water Authorities proposal.

On a motion by Mr. A. Wilson and seconded by Mr. Campbell, Council unanimously approved to hire a full-time officer from the Civil Service Test.

On a motion by Mr. Terry and seconded by Mr. A. Wilson, Council unanimously approved to extend the union contract with a .50 raise with the exception of negotiating the healthcare.

On a motion by Mr. Terry and seconded by Mr. A. Wilson, Council unanimously approved to the settlement agreement.

The meeting adjourned at 9:00pm.



(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:



(Asst.) Borough Secretary