

COUNCIL MEETING

September 13, 2021, at 5:30 PM

LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

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

Roll Call

Mr. Larry Searer (President), Mr. Aaron Wilson (Vice President), Mr. Marc Terry (Councilperson), Mr. Bill Wilson (Councilperson), Ms. Venus Shade (Councilperson) were present. Mr. Dave Campbell (Councilperson) and Ms. Casey Goss (Councilperson) were absent.

HEARING OF PERSONS PRESENT

Chastity Fultz spoke about the allocation of CDBG (Community Development Block Grant) funds for 2021. Ms. Fultz states Lewistown Borough is receiving \$21,039.00 for administrative costs and \$119,224.00 is available for projects. The total allocation is \$140,263.00. Ms. Fultz stated the funds could be used for road reconstruction on the South Side of Lewistown at the following locations:

Lincoln Ave-Entire length

700/800 block of S. Wayne St.

700 block of S. Grand St.

400 block of S. Juniata St.

W. Fleming Ave. (Main St. to UGI Facility)

Washington Ave. (Main St. to S. Grand St.)

200 Block of S. Wayne St.

Ms. Fultz states the total cost of these projects would be \$312,315.00. Ms. Fultz proposed using the 2020 funds originally set aside for the ADA ramps along 5th street and approximately \$91,885.00 from the Liquid Fuels account. Ms. Fultz stated that the engineering costs for these projects would not be covered in the \$312,500.00 and would be additional and the borough's responsibility.

The next item Ms. Fultz brought before the Council was the budget modification for the 2020 CDBG-CV (Coronavirus Cares) funds. Ms. Fultz is recommending that the funds originally set aside for the Reduce Laptop Devices for Mifflin County Students Project of \$2,003.06 be used for the NuVisions SeniorNet Program Equipment Project. This is a fair share project working with Brown, Derry and Granville Townships, Lewistown Borough and Mifflin County. The total requested by NuVision is \$11,381.00. This project is to teach seniors and the visually impaired how to utilize technology. This is in response to issues that arose during the pandemic.

The third item that Ms. Fultz brought before the Council was a project in the 5th Ward for a park. A survey was needed in the service area which has approximately 270 households. They did a random sample and needed 55 responses. To date they have sent 2 mailings and have received only 11 surveys back. PA-DCED requires 2 mailing attempts and a third is strongly encouraged. They are planning to do the third attempt door to door and will leave the survey behind. If more people do not respond the project will be cancelled and the funds could be lost, or another project will need to be found.

Ms. Fultz stated in closing that the application for 2021 is due to PA-DCED by October 28, 2021.

Ms. Fultz asked that the Council consider and approve these projects.

Cathy Wilson stated that she turned in the formal complaint paperwork at the police station to Officer Roberts. Ms. Wilson was concerned that since there hasn't been a formal acknowledgement of receipt of the paperwork from Chief Clemens that it may have been thrown away. Mayor Bargo stated that it wouldn't have been thrown away. Ms. Wilson reiterated that she would like some form of acknowledgement from Chief Clemens to show that the complaint was received. Ms. Wilson also stated that according to her understanding there is body cam footage that shows the original encounter with the officer. Ms. Wilson would like to see that footage. Ms. Wilson also stated that she was the person who lodged the complaint, not her husband. Ms. Wilson would like to be the person contacted regarding the complaint.

Vance Varner stated he is the new Superintendent of the Mifflin County School District. He has 23 years as an administrator in the school district. Mr. Varner stated two business owners in the community volunteered to take on a fundraising campaign to possibly upgrade the school districts athletic facilities. Mr. Varner stated there are four proposed sites for upgrades, two are in Lewistown Borough. The first site is Mitchell Field, which as Mr. Varner pointed out, has existed for a while, and had a sitting Vice President come and watch a football game there. The second site is the Middle School. Mr. Varner stated there is a lot of green space. The school district is also looking at the front of the high school. The fourth site is Highland Park, where it used to be. He stated they are looking at 4 sites so they can put in an all sports complex, a turf field, and maybe a sports stadium for approximately 3,400 fans. Mr. Varner stated there is considerable community use which is why we need a turf field. Mr. Varner reiterated that nothing was needed from the Borough at this time. No money has been raised, yet. Mr. Varner came to inform the board of discussions that have taken place.

****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- August 9, 2021
- B. ****Approval of Treasurer's Report (July 2021)**
- C. ****Approval of Schedule of Bills**
- D. ****Facility Use Request:**
 - a. The Abuse Network (October)
 - b. 43rd Annual Goose Day 5K Race (September 25th)
 - c. Salvation Army Block Party (September 18th)
- E. Acknowledge receipt of Fame Meeting Minutes and Stats
- F. Acknowledge receipt of Tax Collector's Report
- G. Acknowledge receipt of Codes Enforcement Report
- H. Acknowledge receipt of "The Great Escape from Homelessness" Event
- I. Acknowledge receipt of Civil Service Commission Proof of Advertising

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

BOROUGH MANAGER

Mr. Zimmerman stated that he received a phone call from the landlord for the police station. The landlord asked that we address the council and talk about getting out of the lease and moving the police station somewhere else. The landlord has the chance to rent the entire first floor out to someone else. The police department currently only uses a portion of the first floor. The only option to move right now would be the Community Center. Mr. Zimmerman stated it would take serious modifications to facilitate that move. Mr. Zimmerman does not have current estimates for any remodeling that would take place. Mr. Zimmerman will speak with EADS, Mayor Bargo, and Chief Clemens to set an appointment to discuss facility needs so that plans can be drawn up with estimates. Mr. Zimmerman stated any renovations would be 6 to 12 months out. Due to the landlord not returning calls or emails we don't know what timeline the landlord is attempting to work within.

Next item was the CDBG-CV Park. We are waiting on the survey results before we can move forward.

ADA Lift Repair Status, we sent in our deposit in August, but they haven't received it. Will give until Wednesday, September 15th to see if they received it. If they do not receive it, we will cancel that check and overnight a new check to them. They will not start the work until they receive payment from the borough.

DYSTOR Panel Replacement, it is all electrical and controls the gas exchange and other key functions at the Wastewater Treatment Facility. It is outdated and it's time has been met. A quote from Gannett Fleming was received. The money was in the budget. A motion is needed to approve the replacement of the panel.

On a motion by Mr. Terry and seconded by Ms. Shade, Council unanimously moves to approve the replacement of the DYSTOR Panel.

Request to remove handicapped parking near 24 Catherine Street. The resident is no longer there and it isn't needed.

On a motion by Ms. Shade and seconded by Mr. A. Wilson, Council unanimously moves to approve the removal of the handicapped parking spot near 24 Catherine Street.

Request for a handicapped parking spot near 211 S. Spruce. We have investigated and there are no other handicapped parking spots in that area, near the house or on the street.

On a motion by Ms. Shade and seconded by Mr. A. Wilson, Council unanimously moves to approve the addition of a handicapped parking spot near 211 S. Spruce Street.

FIRE CHIEF

In the month of August there were 25 alarms: 3 building fires, 1 cooking fire, 1 brush fire, 3 medical assists, 7 motor vehicle accidents with injuries, 2 water rescues, a carbon monoxide incident, 3 power lines down, a couple smoke odors, local alarm system malfunction, smoke alarm malfunction and an automatic alarm. He stated last week's storm, all three fire stations went into storm mode and tuned up their pumps, rescue equipment and serviced the boats. During a 7-hour period they ran 26 alarms associated with the storm. This included wires and trees down on cars and buildings. They pumped out approximately two dozen basements. Also, they had a porch collapse. There was one major fire to the VFW. The State Police Fire Marshall was called in to investigate and the cause was found to be faulty wiring. Another concern is 3 firefighters have tested positive for Covid-19. Chief Barlett stated they have a limited supply of masks, gloves, sanitation supplies.

MAYOR BARGO

Mayor Bargo started off by talking about the emergency planning meeting she had with Phil Lucas, Borough Manager Zimmerman, Chief Clemens, Chief Barlett, and Ben Rager to discuss the pending storm and discuss any actions that can be taken to prepare for the severe weather storm that was tracking towards Lewistown. Mayor Bargo spoke about the closing of the Raystown Dam gates, which helped keep river levels from reaching dangerous flood heights. Mayor Bargo stated the Army Corp of Engineers closed the dam earlier than normal and well before any dangerous flood levels were observed. Mayor Bargo then spoke about FAME and the number of calls they receive each month. Mayor Bargo encouraged all council members to reach out to Chief Shoop to schedule a walk-thru to see what FAME does and how the calls generate revenue or don't generate revenue. Mayor Bargo also asked that council take advantage of Chief Clemens open invitation to take part in a ride-in with the police department. In addition to Mayor Bargo's comments, Borough Manager Zimmerman supported her comments by stating FAME has had approximately 2,700 calls in the past two months.

POLICE CHIEF

Chief Clemens states there were 534 calls for service in August. There were 46 traffic citations, 27 non-traffic, 54 written warnings, 427 parking tickets issued. Chief Clemens states the Mental Health Co-Responder program grant has been extended another year. Chief Clemens states they are looking to expand that coverage into another jurisdiction. Chief Clemens states they had 8 officers complete Crisis Intervention training in August. This was also a part of the Co-Responder program, with the grant paying for the overtime. Chief Clemens states as of now every officer in the department has received the Crisis Intervention training. It is a 40-hour training course. Chief Clemens states the Civil Service test for officer positions will be held on October 24th at the Mifflin County High School at 2:00 PM. Applications need to be submitted by October 15th and the applicant needs to be enrolled in an Act 120 program or have completed it to be able to take the test. All the information can be found on their website at www.lewistownpolice.org

BOROUGH SOLICOR

Mr. Remy presented a request from Daniel Taptich to be given a 90-day extension for the subdivision plan submitted on behalf of Sacred Heart of Jesus Roman Catholic Church, the proposed buyer, and Mark Sievers the landowner. Mr. Remy states the plan is unable to be completed within the original 90-day timeframe.

On a motion by Ms. Shade and seconded by Mr. A Wilson, Council unanimously moves to approve the request for a 90-day extension for the Plan of Subdivision submitted by Taptich Engineering & Surveying, INC. on behalf of Mr. Sievers and the Sacred Heart of Jesus Roman Catholic Church.

Mr. Remy presented a resolution to dissolve the Municipal Authority of the Borough of Lewistown because of the sale of the water system. If approved the final closing would take place the end of September 2021.

On a motion by Ms. Shade and seconded by Mr. A Wilson, Council unanimously moves to approve the dissolution of the M. A. B. L. Water system.

Mr. Remy presented changes for the existing Parking prohibit ordinance. Mr. Remy is asking for approval to advertise the proposed ordinance for adoption in October. The ordinance would make it unlawful to park in a borough alley, unlawful to park or leave a mechanically inoperable vehicle, a vehicle without current registration or current inspection sticker on any public street, alley, highway, and both metered and unmetered parking lots owned by the Borough. The fines would go up from \$50.00 for a first offense, \$150.00 for a second offense, and \$300.00 for a third offense. All instances would be 15 days or more between offenses.

On a motion by Mr. Terry and seconded by Mr. A Wilson, Council unanimously moves to approve the advertising of the proposed Parking Ordinance Change.

UNFINISHED AND NEW BUSINESS

Mr. B Wilson made three recommendations to fill the vacant MCMA (Mifflin County Municipal Authority) seats:

1 year: Melvin E. Parker Jr.

3 years: Barry L. Bargo

5 years: Jeffrey L. Rocco

Larry Searer states the only other application that was received was Mr. Jones Marker. The courthouse will be approved by the County Commissioners but must be recommended by the Borough Council.

On a motion by Mr. B Wilson and seconded by Mr. Terry, Council unanimously moves to approve the recommendations for the vacant MCMA seats.

Larry Searer states there is a vacant Police Advisory Committee seat. Borough Manager Zimmerman states we received one applicant, James W. Tipping.

On a motion made by Mr. Terry and seconded by Ms. Shade, Council unanimously moves to approve Mr. Tipping to the Police Advisory Committee.

On a motion made by Ms. Shade and seconded by Mr. Terry, Council unanimously moves to approve the CDBG-Southside paving project presented by Ms. Fultz.

On a motion made by Ms. Shade and seconded by Mr. B Wilson, Council unanimously moves to approve the CBBG-CV Park and NuVisions projects presented by Ms. Fultz.

Mr. B Wilson asked Chief Clemens how the investigation into his car accident was going. Chief Clemens stated the person was sited. Chief Clemens stated he needs to speak to Officer Lynch since it is his investigation.

Borough Manager Zimmerman states that per new rules regarding the rules of posting meeting agendas; that all meeting agendas need posted at least 24 hours before each meeting. Also, any items that need discussed after the agenda is posted need to be brought to council for approval to discuss before any other actions can be taken. Those new meeting items if approved to discuss then need to be added to an amended meeting agenda and posted within 24 hours of the meeting. Council was asked to consider discussing the following items:

- A. Sacred Heart of Jesus Church dropped off a facility use request to have a block party on September 26th at Noon and ending at 2:00PM.

On a motion made by Ms. Shade and seconded by Mr. A Wilson, Council unanimously moves to add the Sacred Heart of Jesus Church facility use request to the agenda.

The application and the application fee was received. The borough is still waiting for the insurance waiver. Fater William Weary is going to get the waiver, he just hasn't yet.

On a motion made by Ms. Shade and seconded by Mr. Terry, Council unanimously moves to approve the Sacred Heart of Jesus Church facility use request contingent upon them getting the insurance waiver.

- B. Chamber of Commerce is having a fundraiser for the A. M. E. Cemetery that the borough is responsible for. The Chamber of Commerce wants the boroughs approval to continue trying to raise the \$14,000.

On a motion made by Ms. Shade and seconded by Mr. A Wilson, Council unanimously moves to add the Chamber of Commerce and their request to continue raising funds for the A. M. E. Cemetery to the agenda.

The Chamber of Commerce has a plan for restoring the cemetery, including classes on how to restore gravestones, benches installed, overhead sign.

On a motion made by Ms. Shade and seconded by Mr. Terry, Council unanimously moves to approve the Chamber of Commerce to continue their fundraising efforts for the A. M. E. Cemetery.

C. **Goose Day 5K**

On a motion made by Ms. Shade and seconded by Mr. Terry, Council unanimously moves to approve the addition of the Goose Day 5K to the agenda.

This is an annual event. The route, insurance, everything the borough needs has been received.

On a motion made by Ms. Shade and seconded by Mr. A Wilson, Council unanimously moves to approve the Goose Day 5K event.

D. **Request for “No Parking” signs on S. Pine between Feeder Ave and Chestnut St.**

On a motion made by Ms. Shade and seconded by Mr. A Wilson, Council unanimously moves to approve the addition of the “No Parking” request to the agenda.

Street committee recommended the approval for “No Parking”. Stated is a short block and it only involves 2 properties. States that people park on both sides of the streets, and makes it difficult to pass thru the street. Also, parking makes it difficult to run the street sweeper.

On a motion made by Ms. Shade and seconded by Mr. Terry, Council unanimously moves to approve the “No Parking” sign on South Pine between Feeder Avenue and Chestnut Street.

Council entered executive session at approximately 6:30 PM.

Council exited executive session at approximately 7:45 PM.

Roll call vote was taken: Promoting Ben Rager to Director of Public Works and to advertise for a Supervisor for Refuse and Streets with salary dependent on qualifications.

Dave Campbell
Casey Goss
Larry Searer	Nay
Venus Shade	Yea
Marc Terry	Yea
Aaron Wilson	Yea
Bill Wilson	Nay

On a roll call voted motioned by Ms. Shade and seconded by Mr. A Wilson, Council voted 3-2 to promote Ben Rager to Director of Public Works and to advertise for a Supervisor for Refuse and Streets with salary dependent on qualifications.

On a motion made by Ms. Shade and seconded by Mr. A Wilson, Council voted unanimously to approve an additional 5 days of vacation to the contract for Borough Manager Kim Zimmerman.

On a motion made by Ms. Shade and seconded by Mr. A Wilson, Council voted unanimously to approve the hiring of Ryan Erdman for Codes Enforcement Officer.

On a motion made by Ms. Shade and seconded by Mr. A Wilson, Council voted 4-1 to refuse the offer from Sellers and Dobczynski to purchase the river parcel. Mr. Searer voted against refusing the offer.

Roll call vote was taken: Approving an additional \$10,000 for consulting fees.

Dave Campbell
Casey Goss
Larry Searer	Nay
Venus Shade	Yea
Marc Terry	Yea
Aaron Wilson	Yea
Bill Wilson	Nay

On a roll call voted motioned by Ms. Shade and seconded by Mr. A Wilson, Council voted 3-2 to approve the additional \$10,000 in consulting fees.

Council motioned to adjourn at 7:51 PM.

(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:

(Asst.) Borough Secretary

