

December 14, 2022

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 Larry Searer (President), Nelson Rieffannacht, Aaron Wilson, Robert Hammond, Venus Shade, Jim Steele was all present. William Wilson was absent.

Hearing of Persons Present

Paul Knepp spoke at the beginning of the council meeting regarding his employment status. He asked that council consider his side of the situation. President Searer stated the issue would be discussed in executive session and an answer would be provided when the meeting resumed.

Mark Colussy of the County Planning Office spoke to give an update on the river trail project. Mr. Colussy stated the path needed to be moved from its original planned location due to it encroaching on wetlands. Mr. Colussy stated this move meant that they needed to go back to the state legislature to get a new easement. The goal is to have this project out to bid by the end of the month and possibly award the bid in February.

Mr. Hammond asked Mr. Colussy why the county ARPA funds were not distributed as grants but were instead offered as loans. Mr. Colussy stated the commissioner's intention is to have those funds be a revolving loan instead of a one-time grant program. **Mr. Steele** stated that all the County's buildings are in the Borough but the County doesn't have to pay taxes on those buildings. Mr. Colussy offered to arrange a meeting with the County Commissioners so that the Borough Council could have their concerns heard. Mr. Hammond then stated that when the Borough purchased the camera truck and asked the County for reimbursement from some of their ARPA funds, it seemed like a "no brainer" since the whole county uses that piece of equipment and the Borough doesn't charge neighboring municipalities to use the camera truck. Mr. Zimmerman asked how the County came up with the amounts for Lewistown (\$200,000 loan)? Mr. Colussy stated he didn't think he could give an answer to that question. He stated he didn't think there was any formula used to determine those amounts. Council members asked Mr. Colussy to set up a meeting with the County Commissioners.

CONSENT AGENDA

The following are routine, procedural, and informational non-controversial items and do not appear to require discussion or explanation prior to the 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: Council Meeting of November 9th , 2022

B. Approval of Treasurer's Report: As of November 30th, 2022

C. Approval of Schedule of Bills

D. Facility Use Request: None

E. Acknowledge receipt of Fame Meeting Minutes

F. Acknowledge receipt of Tax Collector's Report

G. Acknowledge receipt of Codes Enforcement Report

On a motion by Mr. A. Wilson and seconded by Mr. Steele, Council votes unanimously 6-0 to approve the Consent Agenda.

Borough Manager

Mr. Kim Zimmerman, Borough Manager, spoke about the following items:

1. 22 Ridge Street Demolition Update

The paperwork is complete. They have been given notice to proceed and have 30 days to complete the project. However, if they need to extend it to February because of the holidays, that is fine, and they will keep us in the loop.

2. Bingaman Property Demolition Reimbursement Update

The reimbursement paperwork will begin when the Digester grant paperwork is complete and submitted.

3. Future Police Station Update

Mr. Zimmerman stated he was informed by MCMA that the appraisal was back, but they would not disclose that amount at this time.

4. Digester #1 Repair Update

Grant is ready to be submitted. We need a resolution to support the grant and a bank note stating that we could obtain a loan if needed to pay 1/3 of the grant amount or about \$700,000.

5. SCR Readiness to Serve Charge

How do we come up with \$2 million to pay for the digester project. This will be discussed later in the meeting.

6. Riverfront Property

Payment has been received and the paperwork is complete.

7. CY 2023 Budget

The budget is complete. Mr. Zimmerman encourages the council members to look at it and ask questions.

8. Salaries and Compensation Resolution

This is available to review.

9. Fire Department County ARPA Opportunity

County had a meeting about the ARPA money and only 6 fire companies put in requests for those funds. The County is offering \$22,000 to \$28,000 per fire station in ARPA funds. The fire departments will need to submit those requests.

10. Toys for Tots

Toys for Tots is ongoing for the rest of the week. In the future, we will continue to offer the Community Center to help support this event.

11. Christmas Early Closure

It was suggested by a member of council that Municipal Hall close early on Friday, December 23rd.

On a motion by Mr. Hammond and seconded by Mr. A. Wilson, Council votes unanimously 6-0 to approve the closing of Municipal Hall 2 hours early on Friday, December 23rd and all employees will be able to leave 2 hours early with pay.

12. Catherine-Walnut Park

The park is all marked out for when they do their digging and prepping. It will hopefully start to be installed next Monday.

Fire Chief

Chief Barlett stated the fire department responded to 22 alarms in November. 2 building fires, a cooking fire, an incinerator fire (outdoor furnace), 2 fuel burner fires, 1 vehicle fire, 1 grass fire, 2 brush fires, 2 medical assists, 2 motor vehicle accidents with injury, 1 gas spill, 2 gas leaks, 1 odor of smoke and an automatic alarm. On behalf of the Fire Department, Chief Barlett would like to wish Council and the residents of Lewistown a Merry Christmas. Also, just a reminder to make sure your Christmas tree is watered and that your outlets are not overloaded. Be careful when cooking dinner. Please have a designated driver if needed.

Mayor

Mayor Bargo wanted to acknowledge the Chamber for a wonderful Festival of Ice event. Mayor Bargo stated Gary Gil contacted her and stated that a person needed a bike to get to work. Mayor Bargo stated they did have some and the nicest one was brought up and given to that person. Gary reached out to thank us for the bike.

Police Chief

Chief Clemens was sick and unable to attend the meeting. Mayor Bargo stated that the police were helping with Toys for Tots, Shop with a Cop and now Fill a Cruiser on Friday at the Giant Store from 9AM to 3PM. The donations will be sent to Mother's Cupboard and the Lumina Center.

Recreation Board no meeting

Mr. Zimmerman stated the Rec Board meeting was held on December 6th. The board voted to recommend to Borough Council to remove the Victory Park steps instead of replacing them.

On a motion by Mr. Rieffannacht and seconded by Mr. A. Wilson, Council votes 5-1, with Ms. Shade voting against, to approve removing the steps at Victory Park.

Borough Solicitor

Borough Solicitor Mark Remy stated Act 57 Real Estate Tax Forgiveness on late fees and penalties ordinance was properly advertised.

On a motion by Ms. Shade and seconded by Mr. A. Wilson, Council votes unanimously to approve adding the Act 57 Real Estate Tax Forgiveness ordinance for late fees and penalties to the agenda.

On a motion by Ms. Shade and seconded by Mr. A. Wilson, Council votes unanimously to approve the Act 57 Real Estate Tax Forgiveness ordinance for late fees and penalties.

Mr. Remy, Codes Enforcement Officer Katelyn Rauch, and Mayor Bargo discussed the Vacant Property ordinance. Ms. Rauch stated that the ordinance would create a registry for vacant properties to better track and enforce violations to hopefully avoid a property from becoming condemned. There are approximately 169 vacant properties in the borough. Some have been vacant for almost 20 years. Ms. Rauch also stated that a property would need to be vacant for 6 months before it would need to go on the registry. Mayor Bargo stated that 33 of the vacant properties are condemned. Once a property is listed on the registry, someone from the code's office needs to inspect the property to make sure it is up to code for safety and security reasons.

On a motion by Ms. Shade and seconded by Mr. A. Wilson, Council votes 5-1, with Mr. Rieffannacht voting against, to approve advertising the Vacant Property Ordinance.

Mr. Remy presented an Omnibus ordinance to clean up multiple ordinances to make them enforceable. The ordinance would deal with minimum and maximum fines listed, animal control, gas brush and weeds, solid waste, and ice removal ordinance. It also has changes to the amusement device tax ordinance fees. This addresses the newer skills game devices that have been introduced to the area. This ordinance would also require all fines or fees to be paid before a license could be purchased.

On a motion by Ms. Shade and seconded by Mr. A. Wilson, Council votes unanimously to approve advertising the Omnibus Changes ordinance.

On a motion by Mr. Steele and seconded by Mr. A. Wilson, Council votes unanimously to approve discuss raising the Fire Tax.

Mr. Remy stated the borough would need to approve a new ordinance if taxes are raised. Mr. Zimmerman presented to council a proposal from the fire committee to raise the Fire Tax by 1 mill. Mr. Zimmerman stated the fire department needs new equipment and training, including a new fire truck that would cost \$1.8 million approximately. Mr. Hammond did not think this should be passed on to the borough residents, especially since the county is sitting on ARPA funds that could help with this issue.

Roll call vote was taken on a motion by Mr. Steele, seconded by Mr. A. Wilson, Council voted 4-3 to approve advertising a new Fire Tax Ordinance that would include a 1 mill increase with Mr. Hammond, Mr. Rieffannacht and President Searer voting against the advertisement. Mayor Bargo was the tie breaking vote.

Bobby Hammond	No
Nelson Rieffannacht	No
Larry Searer	No
Venus Shade	Yes
Jim Steele	Yes
Aaron Wilson	Yes
Bill Wilson	Absent
Mayor Bargo	Yes

UNFINISHED AND NEW BUSINESS

1. Digester Grant Resolution

On a motion by Ms. Shade and seconded by Mr. A. Wilson, Council votes unanimously to approve the Digester Grant Resolution.

2. WWTP Camera Funds Transfer to ARPA account

On a motion by Mr. Hammond and seconded by Ms. Shade, Council votes unanimously to approve moving the \$177,000 purchase of the WWTP/WCS Camera Truck from the Capital Fund to ARPA funds.

3. PennDOT MS-339 County Liquid Fuels Encumbrance

On a motion by Mr. Rieffannacht and seconded by Ms. Shade, Council votes unanimously to approve the encumbrance of \$7,341.00 for 2023 projects.

4. Digester State ARPA Grant Match Bank Note (JVB)

Mr. Zimmerman stated we need to include a note from a financial institution that shows we could obtain a loan and that council would approve that loan, if needed, to obtain the funds needed to pay our portion of the Digester project. This is all a part of the grant we are working to obtain.

On a motion by Mr. Hammond and seconded by Mr. A. Wilson, Council votes unanimously to the loan note from Juniata Valley Bank, if needed, for the Digester repairs.

5. SCR Readiness to Serve Charge

Mr. Zimmerman brought up a possible way to pay for future large sewage issues like the digester issue. Mr. Zimmerman showed an example from a different municipality that shows a service charge on every bill. He stated those funds would be able to be used on future capital expenditures at the sewage plant.

Council entered executive session at 6:48 PM

Council Exited executive session at 7:13 PM

Roll call vote was taken on a motion by Mr. A. Wilson, seconded by Mr. Steele, Council voted 5-1, with Mr. Searer voting against, to approve the hiring of two part time police officers.

Bobby Hammond	Yes
Nelson Rieffannacht	Yes
Larry Searer	No
Venus Shade	Yes
Jim Steele	Yes
Aaron Wilson	Yes
Bill Wilson	Absent

Roll call vote was taken on a motion by Ms. Shade, seconded by Mr. Hammond, Council votes 6-0, to approve the hiring of the applicant recommended by the personnel committee for the Part Time HR Benefits Coordinator position at the agreed upon hourly wage.

Bobby Hammond	Yes
Nelson Rieffannacht	Yes
Larry Searer	Yes
Venus Shade	Yes
Jim Steele	Yes
Aaron Wilson	Yes
Bill Wilson	Absent

Roll call vote was taken on a motion by Mr. Steele, seconded by Ms. Shade, Council voted 5-1, with Mr. Searer voting against, to approve the termination of the employee discussed in the executive session.

Bobby Hammond	Yes
Nelson Rieffannacht	Yes
Larry Searer	No
Venus Shade	Yes
Jim Steele	Yes
Aaron Wilson	Yes
Bill Wilson	Absent

Council ended at 7:15



(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:



(Asst.) Borough Secretary