

**February 8, 2023**

**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 Jim Steele (President), Nelson Rieffannacht, Robert Hammond, William Wilson, Larry Searer, Venus Shade, and Aaron Wilson were all present

**Hearing of Persons Present:**

**Doug Sellers** asked council to consider repealing or amending **Ordinance No. 2007-5 Outdoor fires and open burning**. Mr. Sellers would like to be able to have campfires at his campground for each of his campsites. Mr. Sellers stated a campfire is a part of the appeal of camping along the river. **Mr. Remy** stated the ordinance could be amended with a provision for campgrounds. He recommended sending it back to Law and Ordinance for further discussion. **Mr. Zimmerman** asked about bathrooms and showers since the ordinance states there needs to be bathrooms. Mr. Sellers stated they do not have running water at this point and are running it as primitive sites. Mr. Sellers states there are 10 camping sites. Council would like to send it back to Law and Ordinance for further discussion.

**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 January 11th, 2023
- B. Approval of Treasurer's Report: End of January 2023
- C. Approval of Schedule of Bills
- D. Facility Use Request: Alcohol for Community Center (Junction Fire Co "Cash Bash" on 04 March
- 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 Ms. Shade and seconded by Mr. A. Wilson , Council voted unanimously to approve the consent agenda.**

## **Borough Manager**

**1. 22 Ridge Road Demolition (in progress)**

The next property owner came in and spoke to the Codes department about repairs to their wall and paying for the insulation.

**2. Catherine-Walnut Park (in progress)**

The park is open and is being used by the residents. The fence needs to be installed before the sidewalk can be replaced. The park will be completed before the May deadline.

**3. 2022 Delinquent Taxes (\$159,124)**

**4. Town Hall 2023 (23 February at 6PM, Community Center)**

We are working to get the information out to the community with many presenters scheduled to speak.

**5. Mechanic Position**

This position is still open. We have not received any qualified applicants at this time.

**6. Digester Grant Borough Commitment Letter**

This has been completed. The last item needed was an updated/renewed SAM.gov membership. They required this so that we would have an active membership at the time the grants were awarded.

**7. Updated 2023 Committee Meeting Roster**

This roster has been updated and is available if needed.

**8. Rec Park Pool Grant, RFP**

This request for proposal has been sent to 6 different aquatic design firms. The deadline for them to respond is April.

**9. Digester Grant**

Already discussed.

**10. Ladder Truck and PPE Grants**

We are working on a federal grant for a new ladder truck and have received a letter of support from Senator Ward's office. The only issue right now is the SAM.gov account. They need to have their own account and cannot use the borough's account.

**11. Victory Park River Debris Grant**

Engineers came in to assess the issue. There was some deferral of responsibility from PUC, railroad, and the DEP.

**12. Borough Property (Community Garden area) Open for Discussion**

A discussion during the finance committee talked about the possibility of selling the property by the funeral home (Community Garden area) to a developer. Nothing is finalized. This is still a possible site for a police station.

**13. Parking Enforcement 2023**

This will be a topic of discussion at our Town Hall Meeting and will be open for discussion with the residents to see what they want.

**14. Southside Paving and ADA Ramps**

Bids will be sent out and ready to be discussed at the March council meeting.



## Fire Chief

Chief Barlett stated they responded to 40 incidents in the month of January. They responded to 6 building fires, one on E. Charles Street. Chief Barlett stated the Fire Marshall suspected the fire was accidental and potentially caused by the pellet stove. The Fire Marshall has not submitted the official finding at this time. He is waiting until demolition so that the pellet stove can be retrieved and inspected. The fire department also responded to 2 cooking fires, 1 camper fire, a brush fire, 5 medical assists, 4 motor vehicle accidents with injuries, 1 with entrapment, 2 water and ice related rescues, a gas leak, a carbon monoxide incident, 2 lockouts, 2 floodings from broken water pipes, a steam leak, 2 standby assignments for mutual aid for nearby fire companies, an odor of smoke with nothing found and 3 automatic alarms. This past month members of the fire department and fire committee have been working with Borough Manager Kim Zimmerman on the grant applications and the consolidation of United and Brooklyn fire companies. Chief Barlett offered a thank you to Borough Council for all the financial assistance the Borough has provided the department.

## Mayor

Mayor Bargo passed out 4<sup>th</sup> quarter wedding and end of year reports for 2022. Congressman John Joyce M. D. requested to meet with Mayor Bargo and Chief Clemens. Congressman Joyce was very impressed with the co-responder program initiated by Chief Clemens. He was then led downtown and to the courthouse. Congressman Joyce stated he is looking at putting an office in Lewistown. Senator Ward is having a ribbon cutting ceremony on February 24<sup>th</sup> at 11:00 AM at the Montgomery Ward building on 3<sup>rd</sup> Street. Mayor Bargo also stated there is an opening on the police advisory board and asked for ideas to fill that position.

Police Chief Clemens stated the police had 510 calls for service in January and 43 traffic citations, 13 non-traffic citations, 55 warnings. The Narcotics officer has 5 total investigations, 4 misdemeanor arrests, 1 felony arrest, 2 search warrants and seized various amounts of drugs. He also had a case from 2022 that resulted in a Federal indictment in January. Chief Clemens discussed a tuition reimbursement program for new hires. The cost is approximately \$6,000 to attend an Act 120 Police Academy. The program is for new hires and individuals that have graduated from an academy within the last year. They would sign a 3-year contract and if they leave the department early the hire would need to pay the money back to the borough. The tuition would be paid back after the 1-year probationary period was reached. The contract has been turned over to Mr. Remy for legal review. Chief Clemens requested approval to start advertising the possibility of a new tuition program with the advertisement for the civil service test.

**On a motion by Ms. Shade and seconded by Mr. Hammond, Council votes unanimously to approve advertising the potential tuition reimbursement, up to \$6,000.00, pending final legal and staff review.**

## Recreation Board

Mr. Zimmerman stated there weren't enough members for a quorum but they did have the meeting. The Rec. Board went through the HRG packet for the county's plan to connect Victory Park to the Stone Arch Bridge via a trail system.

## **Borough Solicitor**

Borough Solicitor Mark Remy discussed the Outdoor fire Ordinance as it relates to the pending lawsuit from Mr. Stilp regarding flag burning and open burning because it doesn't allow for political expression. The recommendations from our insurance carrier reached a tentative agreement with Mr. Stilp which would have the insurance company paying Mr. Stilp and the borough would need to change the ordinance to make allowances for political flag burning. The settlement was for \$6,000.00 and that would be paid for by the insurance company.

**A roll call vote was taken to approve the advertisement of changes to the Open Burn ordinance. Council voted 4-3 to approve the ordinance change. Mr. Searer, Mr. Rieffannacht and Mr. B. Wilson voted against.**

<b>Bobby Hammond</b>	<b>Yes</b>
<b>Nelson Rieffannacht</b>	<b>No</b>
<b>Larry Searer</b>	<b>No</b>
<b>Venus Shade</b>	<b>Yes</b>
<b>Jim Steele</b>	<b>Yes</b>
<b>Aaron Wilson</b>	<b>Yes</b>
<b>Bill Wilson</b>	<b>No</b>

## **UNFINISHED AND NEW BUSINESS**

### **1. PA One Call (811) April "Safe Digging Month" Resolution**

The PUC sent out information to all communities requesting to make April "Safe Digging Month". They sent a sample resolution for us to use.

**On a motion by Ms. Shade and seconded by Mr. Rieffannacht, Council votes 6-1 to approve making April PA One Call (811) "Safe Digging Month" with Mr. Searer voting against.**

### **2. CDBG-CV NuVisions Quote Approval for \$2,003.06**

This is the quote that finally came in which was previously approved. This is Lewistown's fair share on the project.

**On a motion by Mr. Hammond and seconded by Ms. Shade, Council votes unanimously to approve the CDBG-CV NuVisions quote for \$2,003.06.**



**3. Bucket Truck Repair \$13,006.59**

The bucket truck's engine needs repaired. It is currently sitting at Bowersox Truck Repair.

**On a motion by Mr. Searer and seconded by Ms. Shade, Council votes unanimously to approve the engine overhaul on the bucket truck with Bowersox for \$13,006.59**

**4. Bank Account Consolidation**

Deputy Borough Manager/Treasurer Somer Weiss is requesting to dissolve the "Victory Park Water implementation Account" by transferring all funds (\$6,447.67 plus interest) to the "Victory Park Improvement Account" and dissolving the "Wastewater Facilities Construction and Capital Purchases Account" by transferring all funds (\$2.38 after outstanding check plus interest) to "Wastewater Capital Reserve". Dissolving these accounts would rid the borough of two redundant accounts and help streamline them as well.

**On a motion by Mr. Hammond and seconded by Mr. Searer, Council votes unanimously to approve dissolving the Victory Park Water Implementation Account and the Wastewater Facilities Construction and Capital Purchases Accounts.**

**5. Fire Department Refuse/Water/Internet/Sewer bills paid by the Borough.**

Mr. Zimmerman is not ready to bring this to Council for a decision. He stated he wants to have accurate data on costs before he asks the Borough to pay for these bills through the Specialty Tax. Mr. Remy said to ask Comcast about the internet bills to see if they are to be providing services to us under the cable agreement.

**6. Gannet-Fleming Dialer Bill \$12,500**

Mr. Zimmerman broke the bill down explaining that Gannet-Fleming charged \$5,000 to install which he felt was excessing. He stated he would be writing a letter to them. Mr. Zimmerman stated the dialer is what alerts staff of any potential emergencies or issues at the facility.

**On a motion by Ms. Shade and seconded by Mr. A. Wilson, Council votes unanimously to approve the Gannett-Fleming invoice for \$12,500 to repair the WWTP Dialer.**

Council entered executive session at 6:34 PM

Council exited executive session at 6:48 PM

**On a motion by Mr. Rieffannacht and seconded by Mr. A. Wilson, Council votes unanimously to hire 2 part-time police officers, as discussed.**

**On a motion by Ms. Shade and seconded by Mr. Hammond, Council votes unanimously to approve the temporary promotion of Officer Lynch to Sergeant and to temporarily promote Executive Officer Light to full-time each on March 1, 2023, as discussed.**

Council ended at 6:51 PM

