

**June 14, 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, Venus Shade, and Aaron Wilson were all present. Larry Searer called in and William Wilson was absent.

**Hearing of Persons Present:**

Tim Pavlic asked council to consider removing the one-way sign on Spruce Street between Logan and Church Lane due to the ongoing Valley Street construction. Mr. Kim Zimmerman stated he would get with Ben Rager and look at it.

Owen Craig spoke about some issues he has personally been going through and then things he witnessed while working for the Borough. He states he has kept notes of what was said. He did not wish to give that information out. He just wanted to bring it to light in hopes of making the working conditions better for the employees.

Aaron Wilson acknowledged Juniata Terrace and their 100-year Anniversary. He congratulated Juniata Terrace and their Mayor, John Wagner. Mr. Wilson also recognized Head Lifeguard Kylie Strawser for saving a young child's life at the Lewistown Rec Park Pool over Memorial Day weekend.

**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 May 10th, 2023
- B. Approval of Treasurer's Report: End of May 2023
- C. Approval of Schedule of Bills:
- D. Facility Use Requests: Farmer's Market
- 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 6-0 to approve the consent agenda.

## **Borough Manager**

### **1. Rec Park Community Pool- Advertising Banners Update and Rec Park Pool Study**

The pool is open, and the advertising banners are all hung. Special thanks to **Katelyn Rauch** for all her hard work. Mr. Zimmerman stated almost \$8,000 was raised to help pay for the pool chemicals.

All parties have signed the Rec Park Pool Study.

### **2. Street Sweeper**

No change. It is still due back by August.

### **3. Cemetery Trust**

Pete Searer is working pro bono on the cemetery trust.

### **4. Fire Convention**

Fire Convention is August 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>.

### **5. Fireworks Update**

Reminder that the Fireworks Ordinance was changed last year and is specific on when you can set them off. **Ms. Shade** asked if the current drought situation would impact the ability to set fireworks off. The collective stated they did not think it would impact fireworks. Mr. Zimmerman stated the fire chief of Wilkes Barre gave a presentation on new fireworks ordinances on which they are working. **Mr. Remy** stated he is going to investigate it to see if there is anything that can be used or added to our ordinance.

### **6. 216 E 3<sup>rd</sup> Street (Use of remaining grant funds)**

DCED extended the grant timeline. They need all final quotes by August. Mr. Remy will look into the deed for the property to determine if there are any liens against it.

### **7. FY2023 CDBG Funds**

We will receive \$145,546 (\$123,715 after administrative costs).

### **8. MCSWA Fees**

Fees will increase to 5% in 2024. This will be considered when we start working on the 2024 budget.

### **9. Postponing 5<sup>th</sup> Street Slip lining (\$200,110)**

The slip lining on 5<sup>th</sup> street will need to be moved to 2024 or 2025 due to other emergency projects that have come up.

### **10. Police Station**

The police station has a new landlord. It is Mike Buffington. The rent will stay the same.

### **11. Cost and Fee Schedule**

The cost and fee schedule is out for review.



## 12. Parking Authority Proposal

The Parking Authority asked for time to produce a new plan but so far, nothing has been presented.

## 13. Penelec Power Outage

Penelec has a planned power outage on June 20, 2023, between 8:00 AM and 12:00 PM.

## Fire Chief

**Chief Barlett** stated the fire department experienced low call volume for the month of May, which is good. He stated they had 16 alarms consisting of 1 cooking fire, 1 brush fire, 3 medical assists, 6 vehicle accidents with injuries, 1 lockout, an animal rescue, 1 police assist, 1 odor of smoke, and 1 automatic alarm. The fire on W 5th street caused major damage. The Fire Marshall came in and stated in his report that it was potentially caused by rags with varnish on them, which ignited. Chief Barlett thanked Borough Council for the safety equipment that was purchased for the fire department. Chief Barlett stated 6 smoke detector/CO detectors were ordered and picked up for the Community Center. They have been installed.

**Larry Carter** spoke about the upcoming Fire Convention. He stated there is a committee meeting every month. He went over the layout for the convention at Rec Park as well as the itinerary.

## Mayor

**Mayor Bargo** praised the actions of everyone involved in the fire on 5<sup>th</sup> street. She also gave an update on the PSAB Conference that she and Mr. Zimmerman attended. She briefed council on two pieces of legislation. The first was Senate Bill 459 Police Radar Bill, this has been an ongoing effort and was shot down again. Pennsylvania is the only state that does not allow local police to use radar. The other was a bill to recoup funds for boroughs with tax-exempt properties. Lewistown currently has over 200 properties that are tax exempt. The conference had 400 people who attended. **Larry Searer** stated only 1 officer on a 12-hour shift worked both days over the weekend. He asked if it was true. Mayor Bargo deferred the question to **Chief Clemens**. Chief Clemens stated that it was correct. He stated it was due to being down 3 officers, vacations, and training.

## Police Chief

Chief Clemens stated the police had 548 calls for service in May. This consisted of 17 traffic citations, 29 non traffic, 46 written warnings and 124 parking tickets were issued. The drug investigator reported 6 active investigations, 3 new investigations, 3 drug buys, 1 misdemeanor arrest, 2 search warrants and various amounts of drugs were confiscated. He also stated there is an ongoing investigation into a fatal drug overdose. The new RMS system is being implemented and new laptops have been received and issued. Each officer will have their own laptop.

## Recreation Board

No meeting.

Victory Park steps have been removed. Catherine Street Park is 100% completed.

## **Borough Solicitor**

Mr. Remy stated that Mr. Stambaugh filed an open records appeal and the state determined he filed it too early.

## **Unfinished & New Business**

### **1. 2023 Police Academy Incentive Plan**

**On a motion by Mr. A. Wilson and seconded by Mr. Rieffannacht , Council voted 6-0 to approve the Police Academy Incentive Plan.**

### **2. Recycle Yard Weekend Operations**

The recycle yard will be open on June 24<sup>th</sup>, September 16<sup>th</sup>, and December 16<sup>th</sup>. Ms. Shade asked why those dates were picked. The days were discussed with the employees first to work around any potential scheduling issues and then worked with various other recycling events that may take place. The hours originally scheduled were 7:30 to 3:30 PM. Mr. Searer asked why it was scheduled as a full day. After a discussion Council decided on 8:00 to 12:00 PM for the hours.

**On a motion by Ms. Shade and seconded by Mr. A. Wilson , Council voted 6-0 to approve the opening of the Recycle Yard on June 24<sup>th</sup>, September 16<sup>th</sup>, and December 16<sup>th</sup> from 8:00 AM to 12:00 PM.**

### **3. Summer Staff for the Streets Department**

Held for executive session.

### **4. Employee Issue**

Held for executive session.

### **5. Insurance Company Quotes**

**On a motion by Mr. Rieffannacht and seconded by Ms. Shade , Council voted 6-0 to approve changing to Selective Insurance for \$158,000.**

### **6. July 3<sup>rd</sup>, Monday before July 4<sup>th</sup> (Holiday)**

Mr. Zimmerman stated employees wanted to have Monday, July 3<sup>rd</sup> off. It would be similar to the day after Thanksgiving and employees would use a personal or vacation day. Mr. Searer stated he felt that the Refuse and Codes offices should remain open. Mr. Steele and Mr. Rieffannacht recommended closing the offices.

**On a motion by Mr. Rieffannacht and seconded by Ms. Shade, Council voted 5-1 to approve closing Borough Hall on July 3<sup>rd</sup>.**

## **Public Comments:**

No comments were made.

Executive Session Started: 6:28 PM

Executive Session Ended: 6:45 PM

On a motion by Mr. A. Wilson and seconded by Ms. Shade, Council votes 4-1 with one abstention to approve the termination of the employee discussed in the executive session. Mr. Hammond voted against the motion and Mr. Searer abstained due to being friends with the employee in question.

On a motion by Mr. A. Wilson and seconded by Mr. Hammond, Council voted 6-0 to approve hiring the 3 full-time officers that were discussed in the executive session.

On a motion by Mr. A. Wilson and seconded by Ms. Shade, Council voted 6-0 to approve the hiring of the 2 applicants as temporary summer help for the Streets/Refuse department as discussed in the executive session.

Council Ended: 6:48 PM

  
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(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:

  
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(Asst.) Borough Secretary