

July 12, 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, Larry Searer, and Aaron Wilson were all present. Venus Shade and Bill Wilson were absent.

Hearing of Persons Present:

Mayor Bargo spoke about the tragic events that happened on June 17th involving Pennsylvania State Troopers in Mifflintown. Trooper Jacques F. Rougeau was killed in the line of duty while Lt. James Wagner was injured and is still hospitalized in critical condition with his injuries from the incident. Mayor Bargo went on to state she is working with the Mifflintown Mayor, Roxann McGinnis, and their borough council to develop a tribute from our Borough and County. Mayor Bargo went on to share the "Policeman's Prayer". **Chief Clemens** also spoke about the events and the level of commitment all officers share and demonstrate to put themselves in harms way to protect the communities they serve.

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 June 14th, 2023
- B. Approval of Treasurer's Report: End of June 2023
- C. Approval of Schedule of Bills:
- D. Facility Use Requests: Fire Convention Parade
- 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. Hammond, Council voted 5-0 to approve the consent agenda. Ms. Shade and Mr. B. Wilson are absent.

Borough Manager

1. Rec Park Community Pool- Rec Park Pool Study

The pool study is signed and approved by the Borough, DCNR and the aquatics company. The company plans on being at the pool in the next couple of weeks during operation hours to observe the pool while it is operating.

2. Street Sweeper

The street sweeper is still waiting for repairs. There are two estimates, one that the insurance company is saying they are responsible for which is \$3,154.35 and the second estimate for \$16,526.80 is what the Borough would be responsible for. The insurance company is stating some of the damage is from normal wear and tear and not a result of the accident. **Mr. Zimmerman** stated that after speaking with Keith Altiery, he recommended that council approve all the funds to repair the street sweeper. **Mr. Zimmerman** stated **Mr. Remy** has been included in the email chain. **Mr. Searer** agreed that the street sweeper needs to be repaired but that something needs to be done through **Mr. Remy** to recover those other funds. **Mr. Zimmerman** was not sure of the timeframe to repair the sweeper, but he expected it to be in September.

On a motion by Mr. Searer and seconded by Mr. A, Wilson, Council voted 4-1 to approve all the repairs to the street sweeper and have Mr. Altiery, Mr. Zimmerman, and Mr. Remy work on the details to sue the insurance company, if needed, for the damages they are refusing to cover. Mr. Hammond voted against the motion and Ms. Shade and Mr. B. Wilson are absent.

3. Fire Convention

The fire convention is on track. The fire convention parade was approved with the consent agenda. It has been approved by PennDOT already. The parade is August 12th at 5:00PM. **Larry Carter** gave an update on the Fire Convention stating that everything is ready to go. He gave council an update on the parade route. **Mr. Carter** also stated there were 86 pieces of equipment already signed up for the parade with more requests still coming in. **Mr. Carter** stated there are 78 campers signed up and more requests are coming in. **Mr. Carter** stated he is trying to get Senator Ward and Representative Benninghoff to invite them to the Thursday night President's dinner for the convention. **Mr. Carter** asked **Borough President Jim Steele** and **Borough Manager Kim Zimmerman** to be the Grand Marshals.

4. Parking Authority Proposal

There is nothing new.

5. September 20th, United Way Day of Caring

Numerous entities, including the Borough, will be participating.

6. State Liquid Fuels Audit

The 2022 State Liquid Fuels Audit was conducted today (July 12th). Everything was accounted for and there were no issues.

7. Digester DCED ARPA Grant

DCED is meeting on July 18th, and we would find out after that if we got the grant to fix the digester.

8. WWTP Intermunicipal Agreement Review

Mr. Zimmerman will be meeting with Derry Twp, Granville Twp, and the Borough to discuss the agreement and to see how it can be improved for the future.

Fire Chief

Chief Barlett stated the fire department responded to 21 alarms in June. They consisted of 4 fires, 2 vehicle fires, 4 medical assists, 5 vehicle accidents with injury, 1 natural gas leak, cover assignment for an out-of-town company, 1 automatic alarm and 1 smell of smoke. On July 11th, the fire department was dispatched to Shaw Avenue for a house fire. The Red Cross was notified, and 11 residents needed housing. There were two injuries to residents for smoke inhalation.

Mayor

Mayor Bargo stated that a resident who lives along Kish Street next to Green Avenue. He is complaining about trucks using their jake brakes. He asked if we could do anything to stop this from happening. **Mr. Zimmerman** stated this is a PennDOT issue and he would need the specifics to get more information. The Juniata River Valley Chamber and Visitors Center have a after hours event at a new location every month. This past month it was held at the new location for NuVision. She stated everyone working there is legally blind individuals, and they are doing great work with the new machines they were able to obtain with the new bigger location. The borough uses the company for custodial work.

Police Chief

Chief Clemens stated the police had 527 calls for service in June. This consisted of 31 traffic citations, 22 non traffic, 83 written warnings. The drug investigator reported 5 active investigations, 3 new investigations, 2 felony arrests, 1 misdemeanor arrest, 4 search warrants and various amounts of drugs were confiscated. Chief Clemens stated the officer has conducted undercover surveillance for individuals who have active warrants. The police are transitioning to the new RMS system and have conducted implementation. The projected go live date is September 9th. National Night out is scheduled for August 1st from 6pm to 9pm at Kish Park.

On a motion by Mr. Searer and seconded by Mr. Rieffannacht, Council voted 5-0 to add the new SRO (School Resource Officer) contract to the agenda. Ms. Shade and Mr. B. Wilson were absent.

Mr. Zimmerman stated the contract is the same as the last one. The only difference is they are requesting 8 hours a day instead of 6 hours a day.

On a motion by Mr. Searer and seconded by Mr. A. Wilson, Council voted 5-0 to accept the new contract from the school district for the SRO (School Resource Officer). Ms. Shade and Mr. B. Wilson were absent.

Mr. Rieffannacht asked who needed to be contacted to set up a neighborhood watch program. Chief Clemens stated they would need to contact the department and speak to a member of leadership. Mr. Rieffannacht stated there is some concerning activity on the Rothermel Trail. Chief Clemens stated he was aware of the activity and had asked the officers to monitor the situation.

Recreation Board

No meeting. There was a conflict with the Fire meeting. The next meeting will be August 1st.

Borough Solicitor

Mr. Remy stated the Planning Commission received an application from the VFW to do a lot consolidation. They are recommending to council that it be approved.

On a motion by Mr. A. Wilson and seconded by Mr. Searer, Council voted 5-0 to approve the lot consolidation for the VFW property. Ms. Shade and Mr. B. Wilson were absent.

Unfinished & New Business

1. Handicapped Parking Spot Request (Pannebaker Ave)

Mr. Zimmerman stated the person who submitted the application does not have a handicap placard yet. He has applied for one. Mr. Zimmerman stated this would put 3 spots in a row. Mr. Zimmerman stated all the other spots are being used.

On a motion by Mr. Hammond and seconded by Mr. Searer, Council voted 5-0 to approve the Pannebaker handicap spot pending the payment of the fee and the issuance of a handicap placard. Ms. Shade and Mr. B. Wilson were absent.

2. Employee Handbook

Mr. Zimmerman stated he is holding off on this for right now. Some changes still need to be made.

3. Cost and Fee Schedule

Cost and fee schedule has been completed.

On a motion by Mr. Searer and seconded by Mr. A Wilson, Council voted 5-0 to approve the Cost and Fee Schedule, effective September 1, 2023. Ms. Shade and Mr. B. Wilson were absent.

4. Pool Community Day

Mr. Zimmerman recommended a Pool Community Day for the weekend of August 5th and 6th. This would be free to the public. Mr. Zimmerman briefed council on the possibility of closing the pool due to a lack of lifeguards. Council expressed concerns regarding the potential early closing of the pool. Mr. Zimmerman stated they are still working through the schedules to see what options are still available.

On a motion by Mr. A. Wilson and seconded by Mr. Hammond, Council voted 5-0 to approve the Free Pool Community weekend for August 5th and 6th. Ms. Shade and Mr. B. Wilson were absent.

5. County Liquid Fuels Tax Funds Form 339 (\$7,340.00)

This is a request from the borough to the county to have them encumber the funds until they can be utilized next year.

On a motion by Mr. A. Wilson and seconded by Mr. Searer, Council voted 5-0 to approve encumbering the County Liquid Fuels Tax funds of \$7,340.00. Ms. Shade and Mr. B Wilson were absent.

6. Planning Commission Board Member

Lisa Knudson applied to join the Planning Commission.

On a motion by Mr. Hammond and seconded by Mr. A. Wilson, Council voted 5-0 to approve adding Lisa Knudson to the Planning Commission Board. Ms. Shade and Mr. Wilson were absent.

7. New School Resource Officer Contract

This action was discussed and approved earlier in the meeting.

8. EADS Black's Hospital Boundary Change

On a motion by Mr. Rieffannacht and seconded by Mr. A. Wilson, Council voted 5-0 to approve adding the EADS Black's Hospital Boundary Change to the agenda. Ms. Shade and Mr. Wilson were absent.

Mr. Lucas Parkes, with the EADS group, stated the property lines were not 100% correct. Mr. Parkes states they adjusted the property lines so that they are correct. He asked council to approve the revised plans and property lines. Mr. Parkes stated that all the proper paperwork will be filed at the courthouse as well.

On a motion by Mr. Searer and seconded by Mr. A. Wilson, Council voted 5-0 to approve the adjusted property lines for the Black's Hospital subdivision. Ms. Shade and Mr. Wilson were absent.

Mr. Parkes stated the Southside Paving project is still moving forward and progress is being made.

9. Handicapped Parking Request (Valley Street)

On a motion by Mr. A. Wilson and seconded by Mr. Hammond, Council voted 5-0 to approve adding the Handicap Parking request to the agenda. Ms. Shade and Mr. Wilson were absent.

Mr. Zimmerman stated the person who submitted the request has valid health concerns. The issue is the Valley Street paving project is still almost 2 years away from being finished.

On a motion by Mr. Rieffannacht and seconded by Mr. A. Wilson, Council voted 5-0 to approve the handicap parking request for Valley Street pending the completion of the Valley Street paving project. Ms. Shade and Mr. Wilson were absent.

Public Comments:

No comments were made.

Executive Session Started: 6:17 PM

Executive Session Ended: 6:44 PM

Council Ended: 6:46 PM


James E. Steady

(Vice) President, Lewistown Borough Council

(Seal)

 ATTEST:



(Asst.) Borough Secretary

