

March 13, 2024

LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

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

Roll Call

Steve Knudson, Jim Steele, Bob Barlett, Scott Gutshall, Lisa Knudson, and Larry Searer were present. Mr. Moore phoned in to the meeting.

On a motion by Mrs. Knudson and seconded by Mr. Barlett, Council voted 6-1 to approve adding a prayer to the meeting after the Pledge of Allegiance.

Prayer

Hearing of Person's Present: N/A

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. 14 February 2024**
- B. Approval of Treasurer's Report. As of 29 February 2024**
- C. Approval of Schedule of Bills.**
- D. Facility Use Requests.**
 - Centre County Baseball League (CCBL)**
 - Mifflin County Girls Youth Softball**
- E. Acknowledge receipt of Fame Meeting Minutes: N/A**
- F. Acknowledge receipt of Tax Collector's Report: N/A**
- G. Acknowledge receipt of Codes Enforcement Report.**

On a motion by Mr. Moore and seconded by Mrs. Knudson, Council voted 7-0 to approve the consent agenda.

Borough Manager:

1. Digester #1 Repair Status

Lucas Parkes and Tom Kakabar, both with EAD, outlined the next steps in repairing the #1 Digester. Tom Kakabar stated EADS is working through COSTARS quotes instead of a full open bidding process. He described it as an informal bidding process through COSTARS with vendors who are registered. This should streamline the situation and speed the process up. Lucas Parkes stated the goal is to reach out to contractors in the next month to get the roof off and then the sludge removed. These are the first steps so that the cause of the failure can be determined. Mr. Parkes hopes to have quotes ready for the April Council meeting to get the roof removed and the sludge drained. Mr. Moore asked where the Borough

stands on funding options. Mr. Zimmerman stated there are options available from PENNVEST, bank loans, and grants. Mr. Moore thinks this needs to be moved on now. Mr. Gutshall stated he thought we needed to wait until quotes came back before moving forward with finalizing any funding options. Mr. Zimmerman stated we have an old quote that was used to solicit the county for ARPA funding.

On a motion by Mr. Moore and seconded by Mr. Gutshall, Council voted 7-0 to approve the EADS Contract.

2. Important Dates:

- a. March 16: Recycling Yard Open (8:00AM to 12:00 PM)
- b. March 19: 1st Day of Spring
- c. March 20: 2nd Annual Town Hall Meeting 6:00 PM (Postponed)
- d. March 20: Teamster (Police Department) Contract Negotiations Begin
- e. March 29: Good Friday/ Borough Holiday/ National Vietnam War Veteran's Day
- f. March 31: Easter
- g. April 1: April Fool's Day
- h. April 10: Council Meeting

3. PSAB Annual Conference (June 2-5)

4. Monthly Work Session Discussion:

- a. April 3 at 5:30 PM
- b. April 25 at 5:30 PM

On a motion by Mr. Gutshall and seconded by Mr. Moore, Council voted 7-0 to approve the work sessions on April 3rd and 25th at 5:30 PM to be held at Borough Hall.

5. Handicapped Parking Spot Renewal Fee

Will be discussed in Unfinished and New Business section of the meeting.

6. Community Center Requirements

The freezer stopped working. City Hook and Ladder has offered to give a freezer to the Community Center. Mr. Zimmerman will work with the fire department on this issue.

7. Fire Department (Heritage) Grant Requests Submitted

8. Chapter 24 Review

This chapter covers the fire department. There are two focuses up for discussion and change. The first item deals with the merging of Brooklyn and United fire departments and the other deals with the process to appoint the Fire Chief. These items will be discussed further in the Law and Ordinance meeting, as well as the monthly work sessions.

9. Mass Casualty Training Workshop March 23rd and 24th at MCHS

10. FAME EMS Funding

On a motion by Mr. Gutshall and seconded by Mrs. Knudson, Council voted 7-0 to approve adding FAME EMS Funding to the agenda for discussion.

Mr. Gutshall stated he had a meeting with FAME EMS regarding their needs and funding provided by the Borough. Mr. Gutshall stated an understanding was agreed to reduce the funding for 2024 to

\$22,500 due to financial “headwinds” within the Borough. Mr. Gutshall also stated that moving forward the specialty tax millage would be adjusted to collect the \$45,000 that is annually given to FAME. Currently approximately \$11,000 is collected via the Specialty Tax and the remaining portion is funded through the borough’s general fund.

On a motion by Mr. Gutshall and seconded by Mr. Moore, Council voted 6-1 to investigate the current millage rates so that the specialty tax can be adjusted for 2025 to collect the proposed \$45,000 FAME allocation. Mr. Searer voted against the motion.

On a motion by Mr. Gutshall and seconded by Mr. Knudson, Council voted 7-0 to reduce the FAME allocation for 2024 from \$45,000 to \$22,500.00.

Fire Chief

Chief Douglas stated that in the month of February the department responded to 31 total calls. City Hook and Ladder had 17 calls. 13 in town and 4 out of town. They also had 1 medical assist, 2 vehicle fires, 1 carbon monoxide, 1 brush fire, 2 fires, 2 wires down, 2 gas leaks, 1 transfer assignment, 1 motor vehicle accident, 1 public service, 1 automatic alarm and 1 false alarm. Heritage responded to 14 calls. 11 in town and 3 out of town. They also had 2 medical assists, 2 vehicle fires, 1 carbon monoxide, 2 brush fire, 3 fires, 2 gas leaks, 1 automatic alarm and 1 false alarm.

Chief Douglas stated they had over 40 people participating in the February department training. City Hook and Ladder had a CPR refresher and 27 people took part in the class.

Chief Douglas stated they are going to invite the convention committee to a fire committee meeting next month so that the bills and revenue from the event can be discussed. Chief Douglas stated there will be an officers meeting in April and with the assistance of the codes office the fire department will take over the fire inspections in the Borough.

Chief Douglas stated they have 26 sets of turn out gear that will be out of service by the end of the year. Chief Douglas stated they need 11 sets. 5 would be allocated for City Hook and Ladder, 5 for Heritage and 1 to Chief Douglas since his will be expiring by the end of the year as well. The total cost of these 11 sets is \$35,728.00 the turnaround time on this purchase would be about 6 weeks.

On a motion by Mr. Barlett and seconded by Mr. Gutshall, Council voted 7-0 to add the purchase of turnout gear to the agenda.

Mr. Searer asked if this means only 11 people will be able to fight a fire. Chief Douglas stated this purchase will bring the department up to standard. There is other gear that can be used. The kits expire after 10 years and are then unable to be used in fires. Mr. Barlett asked to have the funds for this purchase be taken from the ARPA funds the Borough has available. Mr. Zimmerman did state that there is money available for this purchase from the Specialty Tax account. Somer Weiss, Treasurer, did confirm there were funds available for this purchase from the Specialty Tax account. This money can only be used for the fire department. Mr. Barlett stated he would like to stick to the request that the money come out of ARPA.

On a motion by Mr. Barlett and seconded by Mrs. Knudson, Council voted 7-0 to purchase the 11 turnout kits from ARPA funds for \$35,798.00.

Mayor

No report Mayor Bargo was absent from the meeting.

Police Chief

Chief Clemens stated the police department had 388 calls for service in February. Officers issued 128 traffic citations, 14 non traffic citations, and 7 warnings were issued. There were 6 active drug investigations, 6 new investigations, 1 undercover purchase, 1 felony arrest, and 4 search warrants. 2 grams of methamphetamine, 1 gram of crack cocaine, 1 lb. of marijuana, and \$3,000.00 was seized. The drug investigator attended a weeklong homicide investigation training.

Chief Clemens stated civil service testing was completed and the results were certified. Discussion to hire officers will be held during executive session.

The Mental Health Co-Responder has been invited to present at the National Co-Responder convention in June. The event will be in Nebraska and is paid for by the Mental Health grant the borough received. Chief Clemens stated they just received confirmation that the program has been chosen to present at the Women in Law Enforcement conference in Las Vegas. The program is getting national recognition.

Chief Clemens stated that at the last Police Advisory meeting the board members suggested they investigate the Police station situation and create a committee to look at various options that could be available. Mr. Zimmerman stated the mayor can create that committee.

Recreation Board

Mr. Zimmerman stated there was a meeting and Lisa Knudson, Matt Moore and Scott Gutshall were there. One of the items discussed was the "No Sledding" signs at Rec Park. It was suggested that the signs be removed. Their recommendation was to have the signs removed. Mr. Searer asked if the Borough would be responsible for any injuries. Mr. Remy, Borough Solicitor, stated the Borough would be responsible and it would be handled by the insurance company just like with any injury that occurred at the park.

On a motion by Mr. Gutshall and seconded by Mrs. Knudson, Council voted 6-1 to remove the "No Sledding" signs at Rec Park. Mr. Searer voted against the motion.

Mr. Zimmerman stated that Phillips has generously donated AV equipment and Mr. Gutshall has offered to donate his time to install the equipment at the Community Center.

The Rec Board requested security cameras be purchased for various areas around the pool and parking lot. The Rec Board also requested money to be set aside for them to purchase items (cameras, umbrellas, general repairs) for the pool. Mr. Zimmerman stated they would like the money to come from ARPA. Mrs. Knudson requested \$10,000. Mr. Gutshall stated they had a meeting with the County Commissioners and a verbal pledge to donate between \$3,000 and \$5,000 was made. The \$10,000 that was requested would be the total budget meaning the ARPA funds would be for the difference between the \$10,000 that was requested and the money, if received, donated by the County.

On a motion by Mrs. Knudson and seconded by Mr. Gutshall, a roll call vote was taken, and Council voted 6-1 to approve allocating \$10,000.00 from ARPA for the Pool Committee Budget. Mr. Searer voted against the motion.

Bob Barlett	Yes
Steve Knudson	Yes
Mr. Moore	Yes
Larry Searer	No
Jim Steele	Yes
Scott Gutshall	Yes
Lisa Knudson	Yes

Mr. Zimmerman stated the donation letter for the pool is being drafted. The pool concept picture has been received but the other data needed has not been given yet. The deadline for the grant with DCNR is April and it would require a dollar-for-dollar match.

On a motion by Mr. Gutshall and seconded by Mrs. Knudson, Council voted 7-0 to delay applying for the DCNR grant until 2025.

Borough Solicitor

Mr. Remy stated that Scott Noerr contacted the Borough and requested a Quit Claim Deed for an old railroad siding that runs between their buildings. Mr. Remy stated the Borough is not really giving anything up and ownership is unknown.

On a motion by Mr. Gutshall and seconded by Mrs. Knudson, Council voted 7-0 to approve the Quit Claim Deed for Norlin Warehouse.

Mr. Remy requested permission to advertise the Septic Ordinance that he created to help regulate the 4 remaining septic systems in the borough.

On a motion by Mr. Gutshall and seconded by Mrs. Knudson, Council voted 7-0 to advertise the Chapter 192 Septic Ordinance.

UNFINISHED & NEW BUSINESS

1. 8 x 3-yard Dumpster Purchase (\$7,918.00)

On a motion by Mr. Gutshall and seconded by Mrs. Knudson, Council voted 7-0 to purchase 8x3 yard Dumpsters for \$7,918.00.

2. Portnoff Tax Collection (Contract/Resolution/ Ordinance)

Mr. Gutshall asked if this was for taxes beginning in 2024 and Mr. Moore asked to confirm no cost to the borough. Mr. Zimmerman stated that yes, the collection would begin with the 2024 delinquent taxes and that there was no cost to the borough. Mr. Zimmerman stated that the firm collects fees from pursuing the tax funds and that is a part of the ordinance.

On a motion by Mr. Moore and seconded by Mr. Gutshall , Council voted 7-0 to approve the Portnoff Tax Collection contract, the resolution, and the advertising of the ordinance.

3. Rec Park Pool Funding

Already discussed and approved.

4. Handicapped Parking Space Renewal Fee (\$25.00)

On a motion by Mr. Searer and seconded by Mr. Barlett, Council voted 7-0 to approve the implementation of a Handicap Parking Renewal Fee Ordinance of \$25.00.

5. Streets Committee Abolishment (Ordinance)

Mr. Zimmerman stated that if the Streets-Parking Board were established then this committee would not be needed, and it would need to be abolished. Mr. Moore recommended that the street committee abolishment and the Parking Authority Board Abolishment be tabled until after council can meet at the work session to discuss further. Mark Lawson wanted to know why this was being rushed when they were working with Geisinger School of Nursing about a parking contract.

No further action taken.

6. Streets-Parking Board Establishment (Ordinance)

No action taken.

7. Parking Authority Board Abolishment (State)

No action taken.

8. Sewer Vent Cover for I & I Mitigation (New Ordinance)

On a motion by Mr. Barlett and seconded by Mrs. Knudson, Council voted 7-0 to approve updating the ordinance regarding Sewer Vent Cover installation to help with I & I Mitigation.

9. Pool Attendance Rates

On a motion by Mr. Gutshall and seconded by Mrs. Knudson, Council voted 6-1 to approve lowering the daily pool attendance rate to \$5.00 for the 2024 season and to lower the family rates to \$10.00 below Burnham pool rates. Mr. Searer voted against the motion.

10. Salary and Compensation Resolution CY2024

Held for executive session.

11. EADS Contract

12. Pool Manager Position

Held for executive session.

13. 2 Assistant Pool Manager Positions

Held for executive session.

14. Workman Position

Held for executive session.

15. County DAV Parking Space Request

County is requesting that the Borough designate a spot for the DAV van.

On a motion by Mr. Gutshall and seconded by Mr. Barlett, Council voted 7-0 to approve dedicating a parking space at the Courthouse for the DAV van with the County to pay for the installation.

16. Sewer Rate Discussion

On a motion by Mr. Gutshall and seconded by Mrs. Knudson, Council voted 7-0 to approve adding sewer rates to the agenda.

Mr. Gutshall stated there is a \$290,000.00 shortfall for wastewater collections. Mr. Gutshall asked what the rates would need to be raised to so that the shortfall is negated. Somer stated these new rates would need to be put in place immediately to be able to bill for the second quarter. Mr. Steele asked EADS if they had any input and they stated they did not. Somer stated the rates would go up on average between \$5.00 to \$10.00 per customer per quarter.

On a motion by Mr. Gutshall and seconded by Mrs. Knudson, a roll call vote was taken, and Council voted 7-0 to approve advertising the Sewer Ordinance with the proposed sewer rate increases.

Bob Barlett	Yes
Steve Knudson	Yes
Mr. Moore	Yes
Larry Searer	Yes
Jim Steele	Yes
Scott Gutshall	Yes
Lisa Knudson	Yes

17. Fire Department Turnout Gear Purchase (\$35,728.00)

Already added to the agenda, discussed, and approved.

18. South Side Car Wash Lot Consolidation

On a motion by Mr. Searer and seconded by Mr. Gutshall, Council voted 7-0 to approve the lot consolidation for the Southside Car Wash.

19. Library Pool Pass Request

On a motion by Mr. Searer and seconded by Mr. Gutshall, Council voted 7-0 to approve giving the library free pool passes as prizes for reading.

20. 201 N. Grand Handicapped Parking Space Request

On a motion by Mr. Searer and seconded by Mr. Gutshall, Council voted 7-0 to approve the handicap parking space at 201 N. Grand.

Executive Session Started: 6:42 PM

Executive Session Ended: 7:14 PM

On a motion by Mrs. Knudson and seconded by Mr. Gutshall, Council voted 7-0 to approve discontinuing lawsuit #10792016.

On a motion by Mrs. Knudson and seconded by Mr. Gutshall, Council voted 6-1 to approve the Salary and Compensation Resolution CY2024. Mr. Searer voted against the motion and feels all salaried employees should receive the same \$2,000.00.

On a motion by Mrs. Knudson and seconded by Mr. Gutshall, Council voted 7-0 to approve hiring the candidate that went through the personnel committee for Pool Manager.

On a motion by Mrs. Knudson and seconded by Mr. Gutshall, Council voted 7-0 to approve hiring the two candidates that went through the personnel committee as Assistant Pool Managers.

On a motion by Mrs. Knudson and seconded by Mr. Gutshall, Council voted 7-0 to approve hiring the candidate that went through the personnel committee for the workman position.

On a motion by Mrs. Knudson and seconded by Mr. Gutshall, Council voted 7-0 to approve hiring the three candidates that Chief Clemens recommended as police officers.

Council Ended: 7:16 PM



(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:



(Asst.) Borough Secretary