

Rescheduled Borough Council Meeting September 25, 2024

LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS

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

Prayer

Roll Call

Steve Knudson, Jim Steele, Lisa Knudson, Scott Gutshall, Robert Barlett and Matt Moore were all present. Larry Searer was absent.

Hearing of Person's Present:

Crystal Ray, W 5th Street, is concerned about her neighbor. She stated the neighbor, who is renting, has parked a camper in the back yard and it is infested with roaches. She stated this has caused her home and the renter's home to be infested. She stated the floors of the home were removed because of dogs ruining the floors. Ms. Ray wants to know if there is going to be a renter's agreement or if there is a renter's agreement that can be enforced. Mr. Moore stated there is a Law and Ordinance meeting on October 17th at 5:00PM in the Community Center to discuss proposed Renter's Ordinance. Mr. Moore invited Ms. Ray to attend.

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. August 14, 2024, and August 21, 2024

B. Approval of Treasurer's Report. As of August 30, 2024

C. Approval of Schedule of Bills. \$1,444,201.77

D. Facility Use Requests:

Alley Closure Request for roof replacement: 2 E. Market Street and 16 E. Market Street, 9/30 – 10/18

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. Barlett and seconded by Mrs. Knudson, Council voted 6-0 to approve the consent agenda. Mr. Searer was absent.

Borough Manager:

- 1. 2025-2027 Police Contract: Tentative Agreement has been reached.**
Interim Borough Manager Somer Weiss stated a contract with the Police has been tentatively reached and will go to the union on Wednesday, October 2nd for Union approval.
- 2. Pool Study Reporting Filed. Waiting for \$15,000 grant reimbursement from DCNR.**
Somer Weiss stated all paperwork has been filed and we are currently waiting for reimbursement from DCNR.
- 3. 2024 Pool stats still being finalized.**
Mrs. Weiss stated expenses and revenue are still coming in, so the final numbers have not been finalized at this time.
- 4. CDBG funds received for the South Side Paving Project: \$21,785.00.**
The funds have been received from the county and that closes the project which began in 2023. The cost was originally approved at \$527,192.00 but the final cost came in at \$583,146. The funds for the project came from CDBG and State Liquid Fuels. The State Liquid Fuels total was \$209,265.00.
- 5. Fire Relief funds received: \$37,146.77**
The Fire Relief funds for this year have been received and handed over to the Volunteer Fire Relief Association.
- 6. Municipal Pension Funds received: \$306,984.02.**
Mrs. Weiss stated the Municipal Pension funds from the state have been received and that money will be forwarded on to PMRS (PA Municipal Retirement System).
- 7. ARPA funds now depleted (after 4th quarter FAME portion payout \$1,137.50).**
- 8. Digester #1 roof removal: \$80,000.00 Sludge Removal: \$367,500.00 = \$447,500.00**
Somer Weiss stated the sludge removal is complete. Mr. Moore asked if the digester was all cleaned out and Lucas Parkes, with EADS, stated it is done. Mr. Moore asked what can be done to eliminate damage from water and freezing temperatures in the winter. Tom Kakabar, with EADS, stated there should not be any damage. Tom Kakabar stated the original bid price was \$597,500 but the company did credit the borough \$150,000 because not all the material was disposed of off-site, and they were allowed to use the drying beds at the treatment plant. Mr. Kakabar did state there will be some expense for disposal in the future.
- 9. "Bon-Ton" parking lot paving: \$128,800.00+**
The lot is being paved this week. Somer Weiss stated the cost is around \$134,000.
- 10. County Loan-cannot be used for fire truck expense.**
- 11. Loggers and "shark fins" or FloDAR being installed this week.**
- 12. Valley/Central Avenue runoff resolved (Tyler Fink report).**
Tyler Fink stated that after a couple of days of monitoring the situation it was determined that the resident had his downspout directed to where the runoff was. The resident diverted his runoff to the street and there has not been any issues since.

Fire Chief

Chief Douglas stated that City Hook & Ladder responded to 29 calls for service, 19 in town and 10 out of town. They responded to 3 fires, 5 local alarms, 5 automatic fire alarms, 3 motor vehicle accidents, 3 medical assists, 1 carbon monoxide, 2 rescue assignments, 4 public service, 1 water rescue, 1 transfer and 1 brush fire. Heritage responded to 29 calls for service, 23 in town and 6 out of town. They responded to 5 fires, 5 local alarms, 3 automatic fire alarms, 3 motor vehicle accidents, 6 medical assists, 1 carbon monoxide, 1 rescue assignments, 3 public service, 1 water rescue, 1 transfer.

Chief Douglas stated he would be sitting down with Rex and Katelyn to work out some details prior to the inspections beginning in January of 2025.

Chief Douglas requested Council to approve the purchase of an emergency light for the Codes vehicle. Chief Douglas stated there have been instances where he needed them, but they were stopped outside the perimeter.

On a motion by Mr. Barlett and seconded by Mrs. Knudson, Council voted 6-0 to approve the purchase of an emergency light for the Codes Department vehicle. Mr. Searer was absent.

Chief Douglas stated he is in the process of trying to design a Lewistown Fire Department patch. He stated each fire station has their individual patch, but this would be one patch to represent the Lewistown Fire Department.

Chief Douglas stated he still wants to change the designation of the Chief and Deputy Chief from Battalion Chief but is receiving pushback from the County. Chief Douglas would like a second letter of support sent in.

Mayor

Mayor Bargo was absent from the meeting, and Chief Clemens reported for her.

1. Police Station Building Option.

Chief Clemens stated they have toured the MCMA (Mifflin County Municipal Authority) building and thinks it might be time for Borough Council to reach out to MCMA to get a price on the building. Chief Clemens stated EADS is researching renovation costs.

2. Trick or Treating: Thursday, October 31, 2024 from 6-8PM.

Chief Clemens stated Trick or Treat would be Thursday, October 31, 2024, from 6-8PM. This is the date that the neighboring municipalities are all in agreement for this date and time.

On a motion by Mr. Steele and seconded by Mrs. Knudson, Council voted 6-0 to approve Trick or Treating on Thursday, October 31, 2024, from 6:00 PM to 8:00 PM. Mr. Searer was absent.

3. Keystone Municipal Solutions: management assistance- Chad Saylor

Chad Saylor, with Keystone Municipal Solutions, is a former Dauphin County Commissioner. Mr. Saylor gave a brief presentation outlining what Keystone Municipal Solutions could offer the Borough as it navigates its change in leadership at the Borough Manager level. Mr. Saylor stated he currently holds the position of Executive Director of Keystone Municipal Solutions, which is a consulting group that is a part of the McNees, Wallace & Nurick law firm in Harrisburg, PA. Mr. Saylor stated they can help with recruiting, interim staff solutions, and strategic management planning. Mr. Saylor stated that they have a person who is a retired manager from Dauphin County who may be available to help with the transition.

Police Chief

Chief Clemens stated the police had 388 calls for service in August. They had 37 traffic citations, 23 non-traffic citations, 30 warnings, 4 DUI arrests, 196 parking meter tickets, and 450 street maintenance tickets. Revenue ticketed was \$8,700 and the amount collected in August was \$6,950. The Narcotics Investigator had 5 active investigations, 5 new investigations, 3 controlled buys, 4 felony arrests, 3 misdemeanor arrests, 4 search warrants, approximately 4 grams of heroin and fentanyl, 35 grams methamphetamine, and \$100.00 was seized.

On a motion by Mr. Gutshall and seconded by Mrs. Knudson, Council voted 6-0 to approve adding the purchase of 2 evidence computers through the Accreditation Grant to the agenda. Mr. Searer was absent.

1. Evidence Computers purchased with funds from the Accreditation Grant at a cost of \$9,988.00.

On a motion by Mr. Gutshall and seconded by Mrs. Knudson, Council voted 6-0 to approve the purchase of 2 evidence computers through the Accreditation Grant for \$9,988.00. Mr. Searer was absent.

Borough Solicitor

1. Omnibus Ordinance Amendment.

Mr. Remy asked for the authority to advertise the Omnibus Ordinance that was passed through the Law and Ordinance committee. The ordinance covers smaller issues that have accumulated over time.

Section 1 addresses the drainage of pool water from the storm water system to the sanitary system.

Mr. Remy stated this is a DEP initiative.

Section 2 deals with the Disabled American Veterans van parking space near the courthouse.

Section 3 changes the meeting time for the planning commission.

Sections 4 and 5 get rid of chapters that are not used.

Section 6 changes responsibility for special parking permits for clergy or delivery people from the police chief to the borough manager.

Section 7 deals with parking meter covers.

Section 8 deals with food trucks and food trailers. This would exempt them from needing a transient business license to sale food in the Borough.

On a motion by Mr. Steele and seconded by Mr. Gutshall, Council voted 6-0 to approve advertising the Omnibus Ordinance amendments. Mr. Searer was absent.

2. Chapter 30 Ordinance Amendment.

Mr. Remy stated this ordinance changes the residency requirements for the Borough Manager to be a Pennsylvania resident but not necessarily a Mifflin County resident and some changes to the relationship between Borough Council and Borough employees.

On a motion by Mr. Gutshall and seconded by Mrs. Knudson, Council voted 6-0 to approve advertising the Chapter 30 Ordinance amendments. Mr. Searer was absent.

UNFINISHED & NEW BUSINESS

1. USG sludge removal \$367,500 payment from WWT Capital to be reimbursed by County Loan.

On a motion by Mr. Gutshall and seconded by Mr. Barlett, Council voted 6-0 to approve the payment of the USG sludge removal invoice for \$367,500 out of the Wastewater Treatment Capital account with the payment then being reimbursed through the County loan. Mr. Searer was absent.

2. Digester #1 Repair Quotes; EADS.

Tom Kakabar and Lucas Parkes, with EADS, delivered multiple options for finishing the Digester #1 project. Option 1 was to put the roof back on the digester. Mr. Kakabar stated this would cost approximately \$512,500 (Engineering costs of \$12,500 + \$500,000 for the roof installation). This option would bring the total cost of the project to approximately \$998,762.50. Mr. Kakabar went on to state that while the tank is in particularly good condition, they did notice a small amount of seepage. Mr. Kakabar presented a change order with USG to apply 2 coats of a Structural Grade Microfiber Reinforced Epoxy to the digester tank for a total cost of \$192,500 (\$2,500 engineering costs + \$190,000 for the interior tank coating through USG). This change order would represent a way to prevent the seepage. Mr. Kakabar stated this change order along with the roof install and the original cost of removing the sludge and cleaning the digester would bring the total cost of the project to approximately \$1,191,262.50 (Costs to date \$46,262.50 + coating of \$192,500 + roof installation \$512,500). Mr. Kakabar then presented feasible options to help prevent the digester from becoming inoperable again before the life of the digester plant and roof comes to an end. Mr. Kakabar presented options of purchasing a chopper pump and a nozzle mixing system to install to help prevent the material build up that led to the digester failure (and the failure in 2005). The chopper pump would be installed outside the tank and the nozzle mixing system would be installed inside the tank. The chopper and nozzle mixing system would cost \$250,000. The total cost of the digester project with all the options would be \$1,466,262.50 (Cost to date \$486,262.50 + Interior tank coating \$192,500 + Roof Installation \$500,000 + Chopper pump and Nozzle Mixing system \$250,000 + Engineering fees and permits \$25,000). Mr. Moore asked for clarification on the pump's location and Mr. Kakabar did confirm that the pump would be installed externally. Mr. Kakabar stated these options and equipment upgrades are designed to extend the life of the roof and the tank. Zeke Phillips, WWTP & WCS Superintendent, stated that with the installation of the chopper pump externally, it would allow plant to empty the tank without removing the roof, if needed, an option that is not currently available to the Borough.

On a motion by Mr. Gutshall and seconded by Mr. Steele Council voted 6-0 to approve the recommended Digester #1 change orders totaling \$1,466,262.50 (Cost to date \$486,262.50 + Interior tank coating \$192,500 + Roof Installation \$500,000 + Chopper pump and Nozzle Mixing system \$250,000 + Engineering fees and permits \$25,000) be sent out to bid. Mr. Searer was absent.

3. Storm Line: Stage 1- Edgewater camera work out to bid.

Lucas Parkes, with EADS, stated that data acquired from the field inspection and the smoke and dye testing, along with the information from the new meters that were installed, that area is seeing a spike in water 7 to 10 times the normal amount during rainstorms. Mr. Parkes stated there is obviously an I & I (Infiltration & Inflow) issue. Mr. Parkes stated this is a part of the requirements by DEP to camera the entire system. Somer Weiss stated this is for Storm water and funds to pay for this would come from either the loan through the county or the general fund.

On a motion by Mr. Gutshall and seconded by Mrs. Knudson, Council voted 6-0 to approve sending the Edgewater Camera work out to bid. Mr. Searer was absent.

4. WWTP 2024 budgeted item purchase: Sampler \$10,000.

On a motion by Mr. Gutshall and seconded by Mrs. Knudson, Council voted 6-0 to approve purchasing the budgeted Sampler for \$10,000 out of Wastewater Capital funds. Mr. Searer was absent.

5. Centrifuge Repair: \$6,710.35.

Zeke Phillips, WWTP/WCS Superintendent, stated they have 2 centrifuges. He stated they just got the one fixed and now the other one had a computer part that runs the main drive broke. Mr. Phillips stated he got two quotes. One was to repair the broken centrifuge and the other was to replace the centrifuge with a new one. The cost to replace was twice as expensive as repairing the current piece of equipment.

On a motion by Mr. Gutshall and seconded by Mr. Steele, Council voted 6-0 to approve repairing the centrifuge for \$6,710.35. Mr. Searer was absent.

6. Halloween Parade: Wednesday, October 23,2024 (tentative).

On a motion by Mr. Barlett and seconded by Mr. Knudson, Council voted 6-0 to approve the Halloween parade pending PennDOT approval. Mr. Searer was absent.

7. Handicap Space Removal Request: 41 Pannebaker Avenue.

On a motion by Mr. Steele and seconded by Mrs. Knudson, Council voted 6-0 to approve removing the handicap space at 41 Pannebaker Avenue. Mr. Searer was absent.

8. Handicap Space Request: 231 Logan Street.

On a motion by Mr. Steele and seconded by Mr. Gutshall, Council voted 6-0 to approve adding a handicap space at 231 Logan Street. Mr. Searer was absent.

9. Pay Parking Authority 2024 Lot Rent: \$12,300.

Mr. Gutshall asked what the status of the Parking Authority abolishment was, and Mr. Remy stated he started to draft the asset purchase agreement. He stated that would need to be agreed upon and finalized. Mr. Steele asked if it would be done by the end of the year and Mr. Remy stated yes.

On a motion by Mr. Gutshall and seconded by Mrs. Knudson, Council voted 6-0 to approve paying the Parking Authority 2024 Lot rent of 12,300. Mr. Searer was absent.

10. MMO Pension approval to distribute (2).

On a motion by Mr. Gutshall and seconded by Mr. Steele, Council voted 6-0 to approve the MMO Pension distributions. Mr. Searer was absent.

11. Speed Bumps: North Plaza Drive at a cost not to exceed \$500.

On a motion by Mr. Gutshall and seconded by Mr. Steele, Council voted 6-0 to approve purchasing two speed bumps at a cost not to exceed \$500.00. Mr. Searer was absent.

12. Domestic Violence Awareness Month (October): The Abuse Network place purple flags around the fountain and purple lights on the fountain.

On a motion by Mr. Steele and seconded by Mrs. Knudson, Council voted 6-0 to approve allowing The Abuse Network to place purple flags around the fountain and purple lights on the fountain in recognition of Domestic Violence Awareness Month. Mr. Searer was absent.

13. Breast Cancer Awareness Month (October): Central PA pink ribbons on meters.

On a motion by Mr. Steele and seconded by Mrs. Knudson, Council voted 6-0 to approve allowing Central PA to place pink ribbons on parking meters to recognize Breast Cancer Awareness Month in October. Mr. Searer was absent.

14. Police Taser purchase: \$7,019.73 (4).

Somer Weiss stated the police department has a 2024 budget item to purchase 3 police tasers for \$7,000 and there was a quote received for 4 tasers at a cost of \$7,019.73.

On a motion by Mr. Gutshall and seconded by Mrs. Knudson, Council voted 6-0 to approve the purchase of 4 tasers for the police department at a cost of \$7,019.73. Mr. Searer was absent.

15. Garbage Truck purchase: budgeted \$156,000. Actual \$234,054.28

The Refuse department would like to purchase a new garbage truck. The vehicle was budgeted for \$156,000 and the actual cost has come in at \$234,054.28. Tyler Fink stated the chassis is not expected to arrive until the end of 2025 or beginning of 2026. Mr. Gutshall asked if this would replace an existing garbage truck and Tyler stated this would probably lead to a request to sale a vehicle that had aged out. Mr. Barlett asked if the Borough was ok to make up the price difference. Somer stated right now the Refuse capital account has \$160,000 in it that would have covered the original estimate, but the refuse department has the funds to cover the purchase.

On a motion by Mr. Barlett and seconded by Mr. Steele, Council voted 6-0 to approve the purchase of a new garbage truck at a cost of \$234,054.28. Mr. Searer was absent.

16. CDBG Options (available funds 2023 \$123,715 + 2024 \$121,475 = \$245,190).
 - a. Rec Park Handicapped Access Playground Equipment- Not allowed.
 - b. Victory Park Boat Dock Area Upgrade: Approximately \$60,000. 50% grant funds.
 - c. Rec Park Paving: \$36,000 + \$10,650 + \$7,000 = \$53,650.

Somer Weiss stated that we cannot use the funds for the handicapped access equipment because the park is in the flood zone. Somer Weiss stated the PA Fish and Boat Commission Boating Facility Grant is opening to help pay for the Victory Park Boat Dock Area Upgrade. The grant is a 50% match so half of the approximate \$60,000 cost could come from the grant and the other half could come from CDBG funds. Tyler Fink gave a presentation to show three different cost points based on how far down we go to rebuild the lot from the base up. If we just did the top layer, it would be \$36,000 but adding the different upgrades to the paving project would see the cost rise to \$53,650.00 total. Mr. Moore asked if the alley was removed from consideration and Tyler stated he has a separate quote for that alley. Tyler Dombroski, with SEDA-COG (Susquehanna Economic Development Association Council of Governments) stated no work on the screen (Rec Park Paving and Rec Park Handicapped Access Playground Equipment) could be done with CDBG funds due to the area being in the flood way. Council decided to table the discussion at this time.

17. Victory Park Boat Dock Area Upgrade: PA Fish and Boat Commission Boating Facility Grant (BFG) program. 50% match.

Lucas Parkes recommended applying for the PA Fish and Boat Commission Boating Facility Grant and then DCNR has Recreation Grants open in the Spring and we may be able to use their grant towards the 50% match.

On a motion by Mr. Gutshall and seconded by Mrs. Knudson, Council voted 6-0 to approve the allowing EADS to apply for the PA Fish and Boat Commission Boating Facility Grant. Mr. Searer was absent.

18. Recreation Board:
 - a. Katelyn Rauch as Administrative Secretary
 - b. Lacey Stoner as Community Care Leader
 - c. Remove Aaron Wilson from Board.

On a motion by Mr. Gutshall and seconded by Mrs. Knudson, Council voted 6-0 to approve making Katelyn Rauch the Administrative Secretary for the Recreation Board, to make Lacey Stoner the Community Center Coordinator and to remove Aaron Wilson from the Recreation Board. Mr. Searer was absent.

Public Comments:

Mr. Santana, 5 Woods Lane, stated he just moved to the area and is having issues with a slow drain and wanted to know if his issue is tied to any of the other treatment plant issues that were discussed this evening. Zeke Phillips stated he would talk with Mr. Santana privately to go over the issues he is having.

Executive Session Started: 6:53 PM

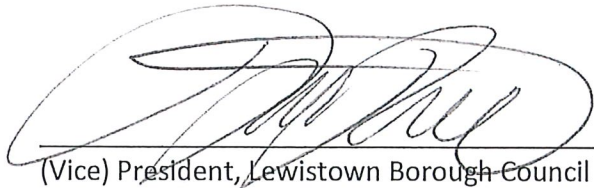
Executive Session Ended: 7:17 PM

- 19. Borough Manager nomination(s).
- 20. Borough Manager hiring.

On a motion by Mrs. Knudson and seconded by Mr. Barlett, a roll call vote was taken, and Council Voted 6-0 to approve the hiring of Tyler Fink as the new Borough Manager at a salary of \$72,200.00 per year. Mr. Searer was absent from the meeting.

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

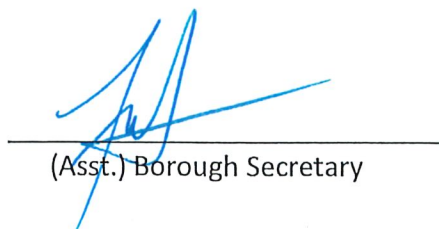
Council Ended: 7:18 PM



(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:



(Asst.) Borough Secretary