

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held on **Tuesday, January 20, 2009** in the Council Chambers, 55 South Fifth Street. Present: Council Vice President Baker; Councilmembers Casimir, Fluent, Mahon, Molesevich, Morris, and Strosser; Mayor Wagner; Chief Yost; Manager/Treasurer Smith; Solicitor Lyons; and Secretary Garrison. Absent: Council President Bergonia. Also present: Kevin Mertz, Chip Rearick, Jamie Shrawder, Mike Miller and Bill Seigel.

CALL TO ORDER: Council Vice President Baker called the meeting to order at 7:00 PM, followed by the pledge of allegiance.

APPROVAL OF MINUTES: Motion was made by Councilmember Mahon, seconded by Councilmember Morris, to approve the minutes of the regular Council meeting held December 16, 2008. Motion was unanimously approved.

Council Vice President Baker adjourned the regular order of business to conduct a public hearing on the Borough's 2009 Community Development Block Grant (CDBG) entitlement funding administered through SEDA-COG. He called the public hearing to order at 7:05 PM.

Bill Seigel, SEDA-COG Coordinator for the CDBG Program, explained this is the first public hearing for the 2009 CDBG Program. He introduced Jamie Shrawder and Mike Miller. An agenda was provided, which reflects estimated funds available in the amount of \$113,700. There may be an increase in CDBG funding in the future, as the Obama Presidency made a strong commitment to the program. The Democratic Party is proposing \$350 billion to infrastructure investment and job creation. The application schedule has been attached, and you will see project selection occurs February 17th at 7 PM. The **eligible activities** for CDBG funding would be a broad range of community development and economic development activities including: water system improvements, sewer system improvements, storm water improvements, roads, streets, bridges, community facilities, senior centers, housing activities, economic development activities, and/or direct loans to private businesses in exchange for creation of jobs for low and moderate income persons. You cannot do any routine maintenance, or build or pay for the general function/purpose of government, and equipment is not eligible. Then every project must meet one of three **federal funding criteria**: 1) benefit low and moderate-income persons (how most projects are funded); 2) removal of blighting influence in a community (Lewisburg Neighborhood Project); 3) urgent need. An example of urgent need would be a Gubernatorial declaration of some form of disaster having occurred within the last 18 months. Bill Seigel explained that applications are submitted in May, typically approval is June or July, contracts are offered July or August, and funds are available by the end of the year. Administrative costs are \$18,600, and that is the same as they have been for the last two years, cover the total administration of the five-year contract, which is the period of time the Commonwealth of Pennsylvania writes a contract for. CDBG Programs do not require a match. There are requirements imposed by the program: the first is the Preference Statement, which is located on the bottom of the agenda, and then attached to the agenda are the Fair Housing Notice, and the Residential Anti-Displacement and Relocation Assistance Plan. Mike Miller stated he would review the four projects for consideration. The first project is the Elm Street/Lewisburg Neighborhood Project. They were looking to do St. Louis Street and South Fifth Street. The request is for \$45,000 to \$65,000 depending upon which project they do, and it is eligible and fundable by removal of blight. Dan Greene, Elm Street Manager, said this project would be a continuation of the efforts on South Seventh Street, i.e. streetscape improvements such as paving of streets, new walkways, new curbs, lighting, etc. on South Fifth Street from Market Street to St. Catherine Street (maybe a little past St. Catherine Street). The cost estimate received is \$264,000. Dan Greene explained since South Sixth Street has many, many issues that need to be resolved, i.e. housing on the east side, floodway, etc. they decided to look at South Fifth Street. Bill Seigel said we made some overtures to PEMA and FEMA for funding to address that repetitive flooding along Sixth Street, and have not been successful. To bypass Sixth Street would give us a chance to continue to seek those other options. The department requests projects be completed in three years, the contract is for five, and they will grant an extension for the full five years if it is needed. If that money starts to get old, we simply use older money on current projects and keep newer money for a project that is delayed. Mike Miller said the second project is Susquehanna Valley Women in Transition (SVWIT). They are looking to renovate their current shelter by moving office space out of the shelter and doubling the capacity for people to use the shelter. The estimated cost for renovation work to the existing facility is \$396,000 (includes outside and inside work). They approached Kelly Township and Union County for allocations, and their current request to the Borough is \$75,000. It is eligible and fundable. SVWIT's a candidate for an emergency shelter grant. They have money allocated from the Degenstein Foundation. This CDBG money could possibly be match money for these grants. Bill Seigel said last year the shelter requested funding to do a Crime Victim Advocacy Program, which was partially funded, but they have not used CDBG funds yet. There have been some fair share issues, but those CDBG funds may be rolled over into this project. Manager Smith commented we didn't get the money this year until November,

ATTENDANCE

CALL TO ORDER

APPROVAL OF MINUTES

PUBLIC HEARING/2009 CDBG PROGRAM

BILL SEIGEL

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so can they proceed on their own with a reimbursement? Bill Seigel said we have the ability to request the department's approval of the activity and then reimburse if they finance the project. A reasonable time schedule would probably be, have the design work occurring during 2009, bid document preparation late this year, and solicitation of bids towards the end of this year for spring construction. Mike Miller said the third project was Police Regionalization, which is the combining of services from Lewisburg Borough and surrounding municipalities. He asked Jamie Shrawder for input as she researched this. Manager Smith said he had to ask if this could be considered. Jamie Shrawder explained this is a new service, definitely an increase in services, and the CDBG regulations under the public services category says any measurable increase in a service should be eligible. That was the first hurdle. Unfortunately it is not fundable, as it doesn't meet the three criteria; it is not slum and blight, it is not urgent need, and Lewisburg Borough does not qualify as low/moderate income. Chief Yost commented if we are providing the additional service to New Berlin, does the criteria for that area work? Bill Seigel said we lose again even though we make the LMI requirement, because Lewisburg Borough can't spend their funds to benefit New Berlin Borough. Mike Miller said the fourth project would be to reimburse the Borough for incurred costs on the Seventh Street Project, which has already been completed. The estimated Borough expense of \$150,000 to \$200,000 can be reimbursed into the general and lighting funds. It is eligible and fundable because there were CDBG monies in it before. Bill Seigel explained when he was talking with the Manager about funding for police regionalization, he tried to think how we could get revenue into the Borough funds that wouldn't have all the CDBG strings attached, and this project was it. He asked if there were suggestions for any other projects. He explained that the Heiter Center was funded for three consecutive years, which is all they were entitled to, and they were challenged to find continuing operational funds, which they did. They are a success story. Since this is an entitlement grant, the Borough is entitled to these funds. As long as you select any eligible fundable activities, the funds will be approved. There are costs associated with environmental reviews, labor standards enforcement, etc. related to each project. So if you were to put \$10,000 into ten projects, you would incur a lot of those kinds of costs; you would get as much money into bricks and mortar as opposed to funding one or two projects. Mike Miller explained that Selinsgrove Borough picks out a major street reconstruction project, build up funds a little bit, we do the project and they continue to reimburse themselves. Bill Seigel stressed Seventh Street probably had five years of CDBG funds in it. Councilmember Molesevich said understanding the elimination of slum and blight, he would propose the purchase of the Tuscan Villa. It is a vacant, decrepit property this Borough has discussed. Bill Seigel said that would be an eligible activity, and what you ultimately do with the property is probably also eligible. We can purchase under slum and blight and the reuse of the property would be the question. Manager Smith questioned if we do that and resell it, where do we get caught with program income. Bill Seigel said if purchased with CDBG funds, any revenues generated would be prorata shared as program income. Realized revenues would go back into the CDBG program for the Borough. With a historic project, you could use the funds to entice a private buyer who might be interested in buying and rehabbing. You could provide an interest free loan or grant. Mayor Wagner clarified we are talking about \$113,700 in 2009 CDBG funds less the administrative costs. Councilmember Mahon asked if we were to reimburse ourselves for the Seventh Street Project, could we keep that money in the coffers to help reduce taxes next year. Mike Miller said it essentially becomes your money again. Manager Smith asked the fundability for the acquisition. Bill Seigel said eligibility is acquisition, fundability is removal of slum and blight. There was discussion. Manager Smith explained that he and Dan Greene investigated St. Louis Street from Hawn Alley to South Sixth Street, as it would essentially finish St. Louis Street. That was presented to the Bull Run Neighborhood Committee and it was at that time they suggested looking at South Fifth Street at the same time. Bill Seigel explained that the Elm Street Neighborhood is designated as slum and blight for as long as the resolution of Council remains in place. At some point Council may want to change that. Councilmember Casimir questioned the Preference Statement. Bill Seigel explained this simply means when you can identify Section 3 residents or businesses, you will endeavor to have your projects provide opportunities to those residents or businesses. Mike Miller asked if any member of the public would like to present a project for consideration. There was no response. Mike Miller asked if there are any discussions of historical or environmental impacts for any of the projects we have discussed this evening, or any of the projects we previously considered. Councilmember Molesevich said the project he brought up has historic significance, however, he doesn't know of any environmental issues related to any of the other projects.

Council Vice President Baker declared the public hearing closed at 7:45 PM. He reconvened to the regular order of business and continued with the meeting.

PUBLIC PARTICIPATION: None.

**PUBLIC
HEARING
CLOSED**

**PUBLIC
PARTICIPATION**

Tuesday, January 20, 2009

POLICE COMMITTEE: Councilmember Mahon reported no action items. Mayor Wagner reported a Regional Police Committee meeting was held, and Lawson Fetterman and Chad Smith will meet to work on a formula to equitably represent the Borough and the Township. There is a need for our Solicitor, and Pete Matson, Solicitor for East Buffalo Township, to start working on the contracts. Solicitor Lyons indicated Pete Matson would not do this until there is certainty this will occur. Mayor Wagner stressed this will be money well spent, because if we do come up with a formula, we will be applying for grants, etc. She will ask Hank Baylor to speak to Mr. Matson. Councilmember Casimir asked what contracts. Solicitor Lyons said we would need to merge two police contracts. Manager Smith clarified we are talking an "intergovernmental" agreement. Mayor Wagner said this would take some time, but there are documents from other mergers that could be reviewed. Councilmember Casimir understands the funding formula is one issue, and this merger agreement is another. Mayor Wagner said we are talking about pooling our funds the first year with what we have already budgeted. And, she feels strongly that a five-year agreement needs to be in place. There was **much** discussion.

Councilmember Casimir acknowledged the letter from the Union County Sheriff's office commending our Police Chief on his excellent service.

PLANNING COMMITTEE: Councilmember Casimir commented that at 29 South Third Street we have an unfortunate situation where a set of wooden stairs were built, and HARB denied the Certificate of Appropriateness.

Councilmember Casimir made a motion, seconded by Councilmember Mahon, to approve the HARB applications, as submitted and recommended by HARB. ON THE QUESTION: Councilmember Strosser clarified the stairs are to be relocated around the corner, out of sight from the public way; they will not be a HARB issue at that point and the property owner has until May 1st to relocate them. Councilmember Molesevich questioned how this happened. Councilmember Strosser commented there was miscommunication. He pointed out HARB gave approval of an internally luminated sign for 400 Market Street as a result of physical evidence and documentation of photographs. There was **much** discussion. Motion was unanimously approved.

Roger/Fran Hoffman, 29 South Third Street, Exterior Stairs.

An application was submitted to and reviewed by HARB for exterior stairs (as well as door/window reconfiguration necessitated by the exterior stairs). (Note: exterior stairs already in place.) A motion was made by Peter Hill, seconded by Mary Mastascusa, to recommend denial of the Certificate of Appropriateness for said exterior stairs, with requirement these stairs be relocated by May 1st to a location not visible from the public way, and requirement that second floor center window be replaced, with solid panels appearing on either side, with window being one over one double hung unit. Motion was approved 3 to 0, with one abstention (Ted Strosser abstained).

Bucknell University/400 Market Street/Renovations.

An application was submitted to and reviewed by HARB for renovation work (sign, storefront, replacement windows) to the 400 Market Street property. A motion was made by Ted Strosser, seconded by Mary Mastascusa, to recommend approval of a Certificate of Appropriateness for renovation work as detailed in previous HARB application and as reflected in document titled, "Barnes & Noble Bookstore at Bucknell University/HARB Clarifications" dated January 6, 2009, with the following conditions: signs within windows shall not be internally illuminated, and sign type "B" - HARB recommendation to support zoning variance to allow as it is consistent with architecture of building and the historic photo is evidence of its prior existence. Project is seeking Historic Tax Credits and has been reviewed by State Historic Preservation Office.

Councilmember Casimir indicated the committee recommended alternating towing services, starting with Catherman's for January, as they have been towing. A log of performance will be kept, and after this year the intent is to have a three-year contract for towing services.

Councilmember Casimir made a motion, seconded by Councilmember Molesevich, to direct the Manager to communicate to Buck's Service and Catherman's Garage and Auto Body, Inc., that the Borough will call upon them for towing services during 2009 on a bi-monthly basis, with their services being evaluated through this year, with the intent of awarding a three year contract starting in 2010. ON THE QUESTION: Councilmember Mahon said this is for leaf removal/snow removal season. Chief Yost said in the case of a motor vehicle accident, we ask what towing service an individual would like, but if they don't care, the officer makes the call. Councilmember Casimir clarified this is just for Borough business. Councilmember Molesevich commented by the nature of this motion he presumes both candidates have met the prequalification. Councilmember Casimir explained that part of the evaluation for the year deals with security at the St. Mary Street lot. Council Vice President Baker said he will not support this motion for a few reasons. First, this is an administrative decision to be made by the Manager and the Chief, and second, he doesn't feel both candidates have met the qualifications. Catherman's has met the qualifications totally, but Buck's does not. Buck's lot on St. Mary Street is a mess and it has been for a very long time, so we would be starting with a deficiency on the part of one of the towing services. That doesn't seem equitable and/or fair. He suggested giving so much time to Buck's Service to actually make the necessary repairs, i.e. one lot has lighting and no fencing, the other has fencing and no lighting, and the third in town

**POLICE
COMMITTEE
REGIONAL
POLICE**

**RECOGNITION
GIVEN TO CHIEF
YOST**

**PLANNING
COMMITTEE
HARB**

**ROGER/FRAN
HOFFMAN**

**BUCKNELL
UNIVERSITY**

**TOWING
SERVICES**

**MANAGER TO
COMMUNICATE
TOWING
SERVICE
ARRANGE-
MENTS FOR
2009**

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doesn't have the right fencing or a gate. There was **much** discussion. Councilmember Casimir said there were slight inequities between the two providers from fees, to amount of insurances, to the security of the parking lots. But, given one towing provider is a taxpayer to this Borough, and the other towing provider isn't, we took that political situation into account, and decided to inconvenience our excellent administrative staff for a year to see if we could get compliance from our Borough taxpayer. Again, there was **much** discussion. Councilmember Morris clarified this matter was referred to the Planning Committee for their research and recommendation, so she supports their recommendation. Councilmember Molesevich stated he clearly feels this is a decision of the Manager and Chief. This is a perfect example of micromanaging, and we have spent too much time on this. Council Vice President Baker agreed.

On roll call the vote was as follows:

YES - Casimir, Mahon, Morris and Strosser

NO - Baker, Fluent and Molesevich

Motion was approved by a 4 to 3 vote.

Councilmember Casimir reported the Block Party Permit procedure is complete and is in effect for 2009. Manager Smith commented the application packet, as well as a sample posting, was provided to Council. Since our ordinance currently allows for such gatherings, we simply have the necessary procedure in place.

PUBLIC WORKS COMMITTEE: Council Vice President Baker reported there was no meeting in December. There is a conflict with the Regional Police Committee meeting, so he may have to propose a change in the meeting date. Councilmember Molesevich stated that he, along with Councilmember Strosser, plan to tour all the Borough's facilities to possibly propose suggestions for cutbacks, etc. If anyone would like to accompany them, they should contact the Manager. Councilmember Morris stressed this should be an invitation for the entire Council.

FINANCE COMMITTEE: Councilmember Morris made a motion, seconded by Councilmember Fluent, to approve payment of the bills from 12/13/08 through 01/16/09 in the amount of \$296,607.85. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Casimir, to approve the 2009 Budget modifications dated 01/20/09 to the 2009 Budget adopted by Borough Council 12/16/08. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Strosser, to approve parking meter exonerations for the fourth quarter of 2008 in the amount of \$155.00. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Casimir, to approve per capita tax exonerations for the fourth quarter of 2008 in the amount of \$60.00, as submitted by the Tax Collector. Motion was unanimously approved.

Councilmember Morris explained the Finance Committee has been discussing numerous ways of keeping Council involved and thinking about the budget as we go through 2009. We propose, at February's work session, that our Manager provide a "training" session of the Budget Index. She would like the Manager to walk Council through the processes/details that we normally don't touch upon.

MAYOR: Mayor Wagner asked if the Chief could address the recent training Officer Miller received in Atlanta. Chief Yost indicated since Officer Miller is on duty, he will get him. Mayor Wagner said we are fortunate to have officers who seek out additional training to further their expertise so they can provide better service to the Borough citizens. Officer Miller is our newest officer and has been a guest speaker at the Lewisburg High School dealing with computer issues. Officer Miller explained his training was through the Internet Crimes Against Children Program (ICAC). We have agreed to work with the ICAC if there is a crime of an online predator, child pornography, etc. The crime gets reported to the National Center for Missing/Exploited Children, they look into it to see if further review is required, and if so, it goes to ICAC. ICAC finds the closest investigator to where the crime is being committed. If a crime were reported in Lewisburg, we would be contacted to look into this further. Through participating with ICAC and investigating by their standards, this outstanding and intense training was provided totally free. The course size was limited to 30 officers; no two officers from the same State.

POLICE CHIEF: Chief Yost stated once again, everything he was going to mention has already been covered. Manager Smith asked the Chief to explain his activity today. Chief Yost commented he was at the high school doing a political science program titled, "search and seizure" for about a hour. Mayor Wagner commented our Chief was at the high school yesterday too. Chief Yost commented he doesn't really think about these

BLOCK PARTY PERMIT PROCEDURE IN PLACE

PUBLIC WORKS COMMITTEE

TOUR OF BOROUGH FACILITIES

FINANCE COMMITTEE
PAYMENT OF BILLS

2009 BUDGET MODIFICATIONS DATED 01/20/09 APPROVED

FOURTH QUARTER PARKING METER EXONERATIONS

FOURTH QUARTER PER CAPITA TAX EXONERATIONS

TRAINING SESSION FOR BUDGET AT NEXT WORK SESSION MEETING

MAYOR
INTERNET CRIMES AGAINST CHILDREN (ICAC) TRAINING

POLICE CHIEF
MISC TRAINING PROVIDED TO HIGH SCHOOL

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types of things, but we are actually building an Emergency Response Procedure for the School District. Monday we met with the teaching staff and support staff for the whole district, covering lockdown procedures at each school district building, and following that we had a brief session with the staff of the Lewisburg High School answering questions, etc. The next phase will be an actual live exercise.

COUNCIL PRESIDENT: Absent.

SOLICITOR: No report.

MANAGER: Manager Smith said everyone should be in receipt of a New Right to Know Act Policy and Request Form, which has been prepared by our Solicitor.

Councilmember Morris made a motion, seconded by Councilmember Casimir, to approve the New Right to Know Act Policy and Request Form. Motion was unanimously approved.

Councilmember Casimir questioned the letter the Solicitor wrote regarding the Keiper Estate. Solicitor Lyons indicated there is a municipal claim against the Keiper Estate for property demolition. A provision in the Tax Sales Act allows, upon notice to the Tax Claim Bureau, any municipal claim to be added to the delinquent taxes on a tax sale. He heard from Graham Showalter, representing the Keiper Estate, this may be coming up for a delinquent tax sale, so he sent this letter to ensure they were aware of the Borough's claim.

OTHER COMMITTEES: Councilmember Casimir reported LARA is continuing to work on the Rails to Trails Project. There has been no news on the SMART Transportation Grant. Our subcommittees are becoming more active, and we hope to send representatives to meet with the Public Works Committees in each affected municipality to seek their input before we get too far into the design process.

Councilmember Mahon announced there are new Downtown Partnership board members and all new officers. The new Board members are: Rich Bartlett, Susan Warner-Mills, and Leslie Veltz. The new Officers are: Seneca Foote, President; Barbara Martin, Vice President; Maurice Brubaker, Treasurer; and Lisa Leighton, Secretary. The Ice Festival is February 6th and 7th. A couple of applications for the Lewisburg Loan Program were recently received and will be reviewed by the appropriate committee. Manager Smith explained there have been power issues in the park, and we believe, along with Citizens Electric, that it is a direct result of a malfunction of the lights in the Christmas tree. As a result, there may not be lights for the Ice Festival.

Mayor Wagner reported the Town and Gown Committee reorganized and will now meet four times a year.

Councilmember Strosser reported Lewisburg Neighborhood Committee meetings are now bi-monthly; the next meeting is Thursday, the 22nd.

Councilmember Casimir reported we have a new Shade Tree Commission member, Ann Mercek. We are currently working toward better documentation.

Council Vice President Baker reported the Central Keystone-Council of Governments met January 8th. Ken Kipp was appointed to the Board as a result of the resignation of Dianne Peeling. Discussions were held relative to subpoena costs, the Right to Know Policy, sewage agreements, and regional police. He had contact with Wayne Bromfield this week and it appears that parents are very satisfied with the CK-COG operations.

Councilmember Strosser said the Union County Multi-Municipal Comprehensive Plan Committee met; he has a CD containing a draft of the action items he plans on emailing to Council.

OLD BUSINESS: Councilmember Molesevich said last month we spoke about the revisions to zoning being complete and we were to get a copy. Councilmember Casimir said the first draft is complete, but there is significant proofreading before it can be distributed. Councilmember Molesevich asked for a timeframe. Councilmember Casimir said he would guess at least six more weeks.

NEW BUSINESS: Councilmember Molesevich said everyone should have received an email regarding efforts for ongoing cost reductions, savings, efficiency improvements, etc. He prepared a one-page document titled, "A Cost Reduction Goal for the Borough/Ten Percent by 2010." This would show a good effort on Council's part, and be non-binding. We may see 10%, we may not, but we will not know until we try.

Councilmember Molesevich made a motion, seconded by Councilmember Strosser, to

COUNCIL PRESIDENT

SOLICITOR

MANAGER

RIGHT TO KNOW ACT POLICY AND REQUEST FORM

KEIPER ESTATE

OTHER COMMITTEES
LARA

DOWNTOWN PARTNERSHIP

TOWN AND GOWN COMMITTEE

LNC

SHADE TREE COMMISSION

CK-COG

U/C MULTI-MUNICIPAL COMPREHENSIVE PLAN COMMITTEE

OLD BUSINESS
ZONING REVISION UPDATE

NEW BUSINESS
COST REDUCTION GOAL OF 10% BY 2010 DISCUSSED

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follow the document titled, "A Cost Reduction Goal for the Borough/Ten Percent by 2010" as a guideline to reduce costs and expenses this year in anticipation of the 2010 budget. ON THE QUESTION: Council Vice President Baker suggested this be discussed during February's work session. He asked if the Finance Committee reviewed this document. Councilmember Morris said no, and she isn't comfortable voting on this. Council Vice President Baker commented he hasn't seen this email. Councilmember Fluent stated she hasn't seen the email. Councilmember Casimir questioned the character of how we would act on this, because if it is non-binding, would a motion even be appropriate. Solicitor Lyons said Councilmember Molesevich isn't looking for something to empower anyone; it is simply a guideline to try to reduce costs and expenses by 10%. Councilmember Morris said it is premature to put something like this into the record as a proposal. Councilmember Mahon suggested this be taken to the Finance Committee for discussion. Councilmember Morris said she agrees with that, and then she will bring it before Council at the work session. Councilmember Molesevich commented this is just another delay; he would like a consensus whether this Council is interested in reducing expenses. Councilmember Casimir commented he resents that comment. There are many items in this document. Councilmember Molesevich said they are suggestions and ideas. Councilmember Casimir said then it is meaningless and a waste of time, or micromanagement as previously suggested. This would be why he would vote no if it comes to a vote, not because he disagrees with reducing expenses by 10%. Council Vice President Baker said he agrees. Councilmember Molesevich said it is simply "intent." There was **much** discussion. Councilmember Molesevich stated since some Councilmembers have not even seen this document yet, he will withdraw his motion, and asked that this matter be discussed at the work session. Councilmember Strosser indicated he would withdraw his second. Council Vice President Baker assigned this to the Finance Committee for their review. Mayor Wagner said she is glad we are going through the Finance Committee, and then a work session, to systematically approach the budget and our expenditures.

COUNCILMEMBER COMMENTS: Councilmember Morris reported she has been hearing from people that the Borough needs to do something about the sidewalks. Manager Smith said this has been an issue; he is in the process of drafting a sidewalk procedure for Council's consideration via the Public Works Committee. He is hoping to come up with a four-year program, based on Wards, to review sidewalk conditions and require repairs. (Councilmember Morris left the meeting at 8:50 PM.)

WRITTEN REPORTS: Councilmember Mahon made a motion, seconded by Councilmember Fluent, to acknowledge receipt of the Budget Index, Police/Parking Reports, Zoning Officer Report, and Code Enforcement Officer Report. Motion was unanimously approved.

WORK SESSION: Council Vice President Baker stressed there will be work session February 10th dealing with the budget.

Chip Rearick, Operations Manager for Catherman's, questioned if Buck's Garage will be made to abide by the stipulations of the RFQ prior to his going month to month. Councilmember Strosser indicated your competitor, Buck's Garage, indicated in his submission of his RFQ that he was going to improve one of his lots. It is this Council's intention to inform Buck's Garage that we would like him to do what he indicated he would do. Mr. Rearick asked if there would be a timeframe given for these improvements. There was **much** discussion. Councilmember Casimir indicated starting on a level playing field isn't as important as ending up on the level playing field. Councilmember Strosser stated the stipulation must be that the evaluation is for the entire year, not just the last two weeks of the year. Councilmember Casimir agreed; he doesn't want to see six months of non-secure parking. Council Vice President Baker said he would like to see a date given for these improvements. Again there was **much** discussion.

Councilmember Strosser made a motion, seconded by Councilmember Molesevich, to take Buck's Garage up on the offer made within the RFQ, and stipulate that the improvements must be completed by April 1, 2009.

On roll call the vote was as follows:
YES - Baker, Fluent, Molesevich and Strosser
NO - Casimir and Mahon
Motion was approved by a 4 to 2 vote.

There being no further business, Councilmember Molesevich made a motion, seconded by Councilmember Casimir, to adjourn the meeting. Motion was unanimously approved. Meeting adjourned at 9:05 PM.

Respectfully submitted,

Patricia M. Garrison
Borough Secretary

**COUNCILMEMBER
COMMENTS
SIDEWALK
REPAIRS**

**WRITTEN
REPORTS**

WORK SESSION

**CHIP REARICK OF
CATHERMAN'S
HAD QUESTIONS
ON TOWING**

**BUCK'S GARAGE
TO MAKE
IMPROVEMENTS
AS OFFERED IN
RFQ/WITH
COMPLETION
DATE OF 04-01-09**

ADJOURNMENT