

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held on **Tuesday, March 17, 2009** in the Council Chambers, 55 South Fifth Street. Present: Council President Bergonia; Councilmembers Baker, Fluent, Mahon, Molesevich, Morris, and Strosser; Mayor Wagner; Chief Yost; Manager/Treasurer Smith; Solicitor Lyons; and Secretary Garrison. Councilmember Casimir arrived at 7:45 PM. Also present: Kevin Mertz, Jaime North, Ricco Rosini, Steve Leauber, Mark Carollo, Matt Cunningham, Ed Cox, Brian Kerstetter.

CALL TO ORDER: Council President Bergonia 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 Baker, to approve the minutes of the regular Council meeting held February 17, 2009. Motion was unanimously approved.

PUBLIC PARTICIPATION: Steve Leauber, Captain/Vice President/Borough Liaison for the William Cameron Engine Company, updated Council on the fire company's activities, and distributed and reviewed call information. There is continuous, consistent training for all fire personnel, and we continue to work on the long-range plan dealing with personnel, equipment, etc. As you know, the scuba truck was sold to the Police Department. He introduced Mark Carollo, the new Fire Chief. Mr. Carollo thanked Council for the appointment and commented he is looking forward to the next two years in office. Mr. Leauber extended an invitation to all Councilmembers to visit the fire company, and thanked Council for their continued support. Manager Smith commented he is very impressed with the hours of training, and noted that is a **good** thing when writing grants. Councilmember Molesevich commented there was an article not too long ago about volunteer shortages in other fire companies. Mr. Leauber said volunteerism is always a struggle. Councilmember Molesevich asked that Council be told if it becomes a concern.

Brian Kerstetter, Attorney, introduced himself and shared that he is a candidate for Judge of the 17th Judicial District, both Union and Snyder Counties; Judge Knight is vacating the seat. He briefed Council on his legal background, explaining he feels that his vast array of knowledge in the areas of the law, which is dealt with routinely by Judges on a day-to-day basis, qualifies him to sit as the next Judge in Union and Snyder Counties. He thanked Council for giving him this time.

Matt Cunningham, BSG Liaison for Council, reported the annual Easter Egg Hunt is Saturday the 11th, the weekend of Easter from 1 PM to 4 PM.

POLICE COMMITTEE: Councilmember Mahon made a motion, seconded by Councilmember Baker, to direct the Solicitor to advertise an amendment to the Vehicles and Traffic Ordinance, Chapter 345, to include a permanent three way stop sign at the intersection of South Sixth Street and St. George Street. Motion was unanimously approved.

PUBLIC WORKS COMMITTEE: Councilmember Baker reported there were no action items.

FINANCE COMMITTEE: Councilmember Morris made a motion, seconded by Councilmember Fluent, to approve payment of the bills from 02/14/09 through 03/13/09 in the amount of \$190,909.97. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Baker, to approve the purchase of a 2009 Chevrolet Silverado and snow plow equipment in the amount of \$37,585.04 from the Hondru Fleet Group. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Fluent, to move \$3,000 from the Police Equipment Special Fund unappropriated balance to computers and equipment for the purchase of new equipment within the Police Department. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Fluent, to move \$5,000 from the Police Equipment Special Fund unappropriated balance to police cruiser for outfitting of new mobile Police unit. Motion was unanimously approved.

MAYOR: Mayor Wagner commented she yields her time to the Chief, as she gave the Regional Police update at the work session last week.

POLICE CHIEF: Chief Yost stated he received, just yesterday, an application for the COPS Grant Initiative; each Councilmember has a worksheet before them. This is a four-year commitment with a zero match for three years. The Federal Government will cover the cost of the first three years of the grant and that means all expenses as far as salary and benefits. The fourth year requires the Borough to absorb all costs. He reviewed the spreadsheet in detail, noting the cost to the Borough would be approximately \$25,000 per year per officer. His submitted documentation will be based

ATTENDANCE

CALL TO ORDER

APPROVAL OF MINUTES

PUBLIC PARTICIPATION STEVE LEAUBER

BRIAN KERSTETTER

MATT CUNNINGHAM

POLICE COMMITTEE ADVERTISEMENT OF STOP SIGN S SIXTH AND ST GEORGE STS

PUBLIC WORKS COMMITTEE

FINANCE COMMITTEE PAYMENT OF BILLS

PURCHASE OF 2009 CHEVROLET SILVERADO/SNOW PLOW EQUIPMENT

TRANSF FROM POLICE EQPMT SPECIAL FUND UNAPPROP TO COMPUTERS

TRANSFER FROM POLICE EQPMT SPECIAL FUND UNAPPROP TO CRUISER

MAYOR

POLICE CHIEF COPS GRANT INITIATIVE

Tuesday, March 17, 2009

on three officers. He is proposing new hires to: increase the capacity of this law enforcement agency; respond to community needs; and strengthen partnerships through a safer community, which means a pool of officers to reassign/place in areas where we couldn't before, i.e. criminal investigations, drug investigations, etc. He talked with SVWIT, and through their grant process they have a liaison connection with the Police Department that could fund a certain amount of the cost and that officer would then be in charge of training/coordinating the STOP Grant Program. Manager Smith said the Elm Street Program has a certain public safety/community liaison involvement that we could use an officer for. There was **much** discussion. Manager Smith said we would be bringing someone on full-time, full benefits, and they get four years of experience. Mayor Wagner indicated we make application and we may get three or one, or we may get three and only want one. Manager Smith clarified that after the four years, there is no obligation to keep the officer(s); we simply must make sure anyone hired fully understands that. Again, there was **much** discussion.

Councilmember Molesevich made a motion, seconded by Councilmember Baker, to authorize the Chief to submit the COPS Grant Initiative application. ON THE QUESTION: Councilmember Strosser asked how we could pursue this without the partners for Regional Police agreeing. Manager Smith said we are pursuing, not obligating ourselves to anything until such time we are offered the grant, the Council would have to take action to accept the grant. In the meantime there will be time to address the Regional Police aspect of this. Motion was unanimously approved.

Chief Yost reported today was the first of our Smooth Operator Waves, a federally funded program for highway and aggressive driving enforcement. This program covered around 15 or 16 additional man-hours. There were approximately 37 or 38 citations issued today.

COUNCIL PRESIDENT: Council President Bergonia announced he would like to have an executive session at the end of this meeting to discuss a personnel matter.

SOLICITOR: No report.

MANAGER: No report.

PLANNING COMMITTEE: Councilmember Strosser made a motion, seconded by Councilmember Baker, to approve the HARB applications, as submitted and recommended by HARB.

Terrence Burke. 55 North Seventh Street. Demolition of Barn/Installation of Patio.

An application was submitted to and reviewed by HARB for the demolition of an existing garage at rear of property and installation of patio. Note: Wood (from existing garage) to be used to refurbish existing structure also on North Seventh Street. A motion was made by Ted Strosser, seconded by Steve Snook, to remand this application to the next meeting, at which time additional information has been requested. Motion was unanimously approved.

Scott Stieler (owner)/Charles Sackrey (tenant). 111 Market Street. Signage.

An application was submitted to and reviewed by HARB for placement of a sign, which is to be fastened to the wall to the right of the door. A motion was made by Mary Mastascusa, seconded by Michael Lucas, to recommend placement of this sign as indicated on the project description of the HARB application and as shown in the drawing attached to same. Motion was unanimously approved.

Manager Smith said we have the Lewisburg Loan Program, with roughly \$110,000 available. We have a review process in place, but after receiving our first application, it was determined we didn't have a process for actual approval. He clarified the two phase process: the LDP takes care of Phase I, which is receiving and reviewing the applications for consistency with the downtown look, feel, etc., and the Borough is responsible for Phase II, reviewing the loan for the proper financial criteria. He is recommending the application, after financial review, be deemed approved. These would not come before Council, but would be readily accessible by Council. Solicitor Lyons stressed if the Manager is designated as the official to confirm the applicant meets the financial criteria, the application wouldn't have to come before Council. He feels applicants may not want it publicly known they are receiving money. It is not that this is not a public record, it is. Manager Smith noted that Grace Mahon and SEDA-COG have agreed to work together on the financial aspect.

Councilmember Mahon made a motion, seconded by Councilmember Baker, to approve the two phase process of the Lewisburg Loan Program: Phase I, LDP receives and reviews the applications, making a recommendation to the Borough, and Phase II, that the Manager, on behalf of the Borough, be designated as the Administrator responsible to review the financial criteria and make determination of approval. Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Mahon, to approve the Borough acting as applicant for a Community Action Team (CAT) Grant on

**COUNCIL
PRESIDENT**

SOLICITOR

MANAGER

**PLANNING
COMMITTEE
HARB**

**TERRENCE
BURKE**

SCOTT STIELER

**LEWISBURG
LOAN
PROGRAM**

**PROCESS OF
REVIEW AND
APPROVAL FOR
LOAN
PROGRAM
ESTABLISHED**

**BOROUGH TO
ACT AS
APPLICANT FOR
CAT GRANT ON
BEHALF OF LDP**

Tuesday, March 17, 2009

behalf of the Lewisburg Downtown Partnership (LDP) in the amount of \$12,500.00 (no local match required). Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Mahon, to approve a request for a 90-day extension by Benderson Development Company, LLC for Bechtel's Restaurant/Rite Aid Project land development review per letter dated February 16, 2009. Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Mahon, to submit a letter of support to SEDA-COG for participation in the E-Pay Project Grant, and to financially support the grant application, in-kind, in an amount not to exceed \$1500. Motion was unanimously approved. ON THE QUESTION: Councilmember Morris asked what this is. Manager Smith said SEDA-COG wants to know the level of interest the Borough has with residents paying for parking meter fines, refuse bills, etc. on-line. The Borough isn't locked into participation should this not fit our needs. Motion was unanimously approved.

Manager Smith said discussions have taken place with regard to the Planning Committee's decision to reject the request of the American Legion to put their symbol on the Welcome to Lewisburg signs. The request was to put their symbol on our current signs. The Borough's response was we did not see fit to put their symbol on our current signs, but would consider alternative locations and/or alternative structures. Councilmember Strosser clarified the three service organizations shown on these Welcome to Lewisburg signs were the three that initiated them, maintained them for decades, and because of that warranted keeping their symbols. If another request came in, it could mean an additional sign added adjacent to the existing signs to preserve the integrity of the original ones.

(Note: Councilmember Casimir arrived at 7:45 PM.)

Councilmember Casimir said concerns revolved around an additional sign simply being hung from the existing signs as that would not be secure, and would be a safety concern. He was very surprised when the article appeared in the paper, as there are plenty of other options available and the conversation is not over.

Manager Smith stated as a member of the Community Rating System, we are required every two years to verify the repetitive loss properties in the Borough, every three years to submit an annual report to re-verify the efforts we make to educate and be aware of flooding issues, and every five years are reclassified. This year (2008) was the fifth year, and we have been notified we will remain a CRS Level 8, which assures residents a 10% discount if they reside in the flood zone, and 5% discount if they reside outside the flood zone and still wish to have flood insurance.

OTHER COMMITTEES: Councilmember Casimir reported LARA's Executive Director, Angela Zimmerman, resigned last week. LARA is taking the necessary steps to seek a candidate. Jim Buck has stepped down from the Board to serve as interim Executive Director until someone is hired. He reported he was in Washington this afternoon lobbying Chris Carney, Arlen Specter, and Bob Casey for Federal funding for the Rail/Trail Project. He will meet with Peter Bergonia and Jim Buck to discuss the Lewisburg pool situation, as the new regulations (unfunded Federal mandate) for drain safety have had an impact.

Councilmember Mahon stated the Lewisburg Downtown Partnership (LDP) is pleased to have received the Planning Grant, and will continue to work hard to make sure the businesses downtown continue to thrive.

Mayor Wagner reminded Council the Town and Gown Committee only meets four times a year, so there was no meeting.

Councilmember Strosser reported there was no LNC meeting.

Councilmember Casimir commented the Shade Tree Commission is preparing for the annual Arbor Day celebration April 24th. This year it is at the pocket park on Seventh Street at approximately 4:30 PM, and after that there will be a brief tree walk through the cemetery to the high school. We are looking to create a Memorial Tree Program that the Shade Tree Commission will advise on and the Cemetery Association will earn a fee from in an attempt to repopulate the cemetery with shade trees. Councilmember Molesevich asked if the STC is working with residents that have Norway maples that need addressed due to blight. Manager Smith said they are aware of this. Councilmember Casimir commented he is really pleased with the online tool the Commission has been using as it has helped them to become organized.

Councilmember Baker reported the Central Keystone-COG met, and there was much discussion as a result of their business being so slow.

90 DAY EXTENSION GRANTED TO BENDERSON DEVELOPMENT COMPANY, LLC (RITE-AID)

LETTER OF SUPPORT TO SEDA-COG FOR E-PAY PROJECT GRANT

DISCUSSION OF PLACEMENT OF AMERICAN LEGION SYMBOL ON WELCOME TO LEWISBURG SIGNS

COMMUNITY RATING SYSTEM UPDATE

OTHER COMMITTEES
LARA

LDP

TOWN AND GOWN COMMITTEE

LNC

SHADE TREE COMMISSION

CK-COG

Tuesday, March 17, 2009

Councilmember Strosser said he presented everyone's input at the last Union County Multi-Municipal Comprehensive Plan Committee meeting. Manager Smith explained the current County Comprehensive Plan is in about twelve volumes and it is terrible to work with. Councilmember Strosser said he feels they will lean toward adopting the County Plan's front three chapters, and then the one chapter specific to the Eastern Planning Region, which makes future updates and so forth easy. There does, however, have to be a consensus of the Eastern Planning Region.

Councilmember Molesevich asked the status of the zoning ordinance updates. Councilmember Casimir said we have about sixteen items left to address, and he feels his goal of April may still be feasible.

OLD BUSINESS: None.

NEW BUSINESS: None.

COUNCILMEMBER COMMENTS: None.

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

Council President Bergonia called for a recess at 8:05 PM. Council returned at 8:10 PM.

Councilmember Morris made a motion, seconded by Councilmember Mahon, to hold an executive session on a personnel matter. Motion was unanimously approved.

Council entered an executive session at 8:10 PM. Council returned at 8:40 PM.

Councilmember Casimir made a motion, seconded by Councilmember Molesevich, to appoint Mayor Wagner, Manager Smith, Chief Yost, and Councilmember Mahon to find an appropriate neutral, independent financial expert to review the Borough's and East Buffalo Township's figures, so they can be compared in a meaningful way and we can continue to move forward with our Regional Police negotiations. ON THE QUESTION: Mayor Wagner asked if Tom Sauers could be charged with finding an appropriate individual. There was **some** discussion. It was the sense of Council that Ron Stern would be the appropriate party. Manager Smith clarified that this motion is basically directing the Regional Police Negotiating Committee to share with Tom Sauers that this is the direction the Borough wants to go, and Mr. Sauers, as the facilitator, should determine if East Buffalo Township is in agreement with this. Councilmember Casimir suggested, since no one from the press was present that this motion be shared so the public is aware of what is taking place. Motion was unanimously approved.

WORK SESSION: Council President Bergonia reported there will be a work session April 14, 2009.

There being no further business, Councilmember Molesevich made a motion, seconded by Councilmember Mahon, to adjourn the meeting. Motion was unanimously approved. Meeting adjourned at 8:50 PM.

Respectfully submitted,

Patricia M. Garrison
Borough Secretary

U/C MULTI-MUNICIPAL COMPREHENSIVE PLAN COMMITTEE

ZONING ORDINANCE UPDATE

OLD BUSINESS

NEW BUSINESS

COUNCILMEMBER COMMENTS

WRITTEN REPORTS

RECESS

(EXECUTIVE SESSION)

MOTION TO FIND NEUTRAL/INDEPENDENT FINANCIAL EXPERT TO REVIEW BOROUGH AND EAST BUFFALO FIGURES FOR REGIONAL POLICE NEGOTIATING COMMITTEE

WORK SESSION

ADJOURNMENT