

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held on **Tuesday, April 21, 2009** in the Council Chambers, 55 South Fifth Street. Present: Council President Bergonia; Councilmembers Casimir, Fluent, Mahon, Molesevich, Morris, and Strosser; Mayor Wagner; Chief Yost; Manager/Treasurer Smith; Solicitor Lyons; and Secretary Garrison. Councilmember Baker was absent. Also present: Kevin Mertz, Jaime North, Marty Wilson, and Ann Longanbach.

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 March 17, 2009. Motion was unanimously approved.

PUBLIC PARTICIPATION: Marty Wilson, Attorney, introduced himself indicating he is a candidate for Judge of the 17th Judicial District for both Union and Snyder Counties. The primary election is May 19th and there are three candidates. He briefed Council on his legal background, his view on how he would conduct his courtroom. He explained he has been in practice for 30 years, has been Assistant District Attorney in Union County for 10 years, is a graduate of Bucknell University, and feels quite qualified to sit as the next Judge in Union and Snyder Counties. He thanked Council for giving him this time.

Ann Longanbach, presented a proposal for Bicycle Rack Installation in Downtown Lewisburg, created by the Bicycle and Pedestrian Sub-Committee of the Lewisburg Traffic Committee and Local Action Network, dated March 2009. She thoroughly reviewed the document, which provided their recommendations regarding placement and type. Mayor Wagner thanked the Sub-Committee for all their hard work. There was some discussion. Council President Bergonia directed this to the Public Works Committee for their review.

Kim Wheeler said with regard to the LARA Rail/Trail, the Traffic Committee is really interested in taking a look at where we can get the in-town connections beyond the rail right-of-way that extends to Fifth Street. We suggest Council designate some work group or committee to take a look at what connector(s) may work best. The Traffic Committee reviewed the map and traveled around town; they feel St. John Street between the river and Fifth Street, and then the right-of-way between Fifth Street and Eighth Street is probably the best option. Council President Bergonia asked that the Traffic Committee present the concept and the recommended routes they have determined to be best to the Manager, and they will be taken to the appropriate Committee for review and recommendation to Council.

POLICE COMMITTEE: Councilmember Mahon reported there were no action items.

PLANNING COMMITTEE: Councilmember Casimir made a motion, seconded by Councilmember Morris, to approve the HARB applications, as submitted and recommended by HARB. Motion was unanimously approved.

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

Elizabeth Burke called and requested a continuance to allow more time for her and her husband to gather the information HARB requested when they appeared at the March meeting.

Lepley/Engleman/Yaw. 318 Market Street. Signage.

An application was submitted to and reviewed by HARB for placement of a sign, indicating the business' name above the awning, on the actual storefront. A motion was made by Michael Lucas, seconded by Phoebe Faden, 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.

Bucknell University. 400 Market Street. Renovations.

An application was submitted to and reviewed by HARB for placement of a *larger* sign than the one originally requested and brought before HARB. (Note: The only sign now will be on the front of the building and it is to be 50 square feet. The original request was for a sign that was 38.4 square feet.) A motion was made by Phoebe Faden, seconded by Peter Hill, to recommend placement of this sign as indicated in a memo from William Baker, Zoning Administrator, dated March 31st. Motion was unanimously approved.

Ray/Elaine Campbell. 5 Market Street. Renovations.

An application was submitted to and reviewed by HARB for renovations. A motion was made by Phoebe Faden, seconded by Ted Strosser, to recommend renovation work as indicated, in a very detailed manner, on the documents attached to the HARB application. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Molesevich, to approve LARA's use of the three-globe light standard symbol for their 5K Run. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Mahon, to approve the resignation of Owen Mahon from the Zoning Hearing Board, with regret. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Mahon, to appoint Ray Campbell to the Zoning Hearing Board; term expiration 12/31/09. ON THE

ATTENDANCE

CALL TO ORDER

APPROVAL OF MINUTES

PUBLIC PARTICIPATION
MARTY WILSON

ANN
LONGANBACH
(BICYCLE RACKS)

KIM WHEELER
(RAIL/TRAIL)

POLICE COMMITTEE

PLANNING COMMITTEE
HARB

TERRANCE
BURKE

LEPLEY/ENGL-
MAN/YAW

BUCKNELL
UNIVERSITY

RAY/ELAINE
CAMPBELL

LARA'S USE OF
THREE-GLOBE
LIGHT SYMBOL
APPROVED

RESIGNATION OF
OWEN MAHON
(ZHB)

APPOINTMENT OF
RAY CAMPBELL
(ZHB)

April 21, 2009

QUESTION: Councilmember Molesevich questioned Mr. Campbell's background. Councilmember Strosser stated Mr. Campbell lived in Chicago, was involved in historic rehabilitation work, has dealt with municipalities before, is renovating/rehabilitating his second property on Market and South Water Streets and is involved with Mya's Café. Motion was unanimously approved.

Councilmember Casimir indicated a positive meeting was held with the Pennsylvania Fish and Boat Commission regarding the previously acquired grant from the Northeast Urban Forestry Grant Program to help rehabilitate the stream. The Fish and Boat Commission will provide the labor and bulk of the expense for improving the habitat, preserving the stream bank, mitigating the flood hazard there. One requirement is that the Borough, as the landowner of the park, must sign the landowner authorization for this project. He, as well as the Solicitor reviewed the document, which is needed by Monday the 27th. This grant started when Greg Weitzel was Executive Director of LARA. This grant has provided for the removal of trees, the replanting of trees, with more to be replanted, but the major portion is for this stream bank stabilization and rehabilitation.

Councilmember Casimir made a motion, seconded by Councilmember Fluent, to authorize the Council President to sign the DEP Landowner/Grantee Agreement for the LARA sponsored "Stream Habitat/Bank Protection BMP Structure Installation" on Bull Run in the Lewisburg Area Recreation Park. **ON THE QUESTION:** Councilmember Strosser asked if this is from St. Mary Street to Fifteenth Street. Councilmember Casimir said yes, and commended Shannon Burkland of the Conservation District, as she was instrumental in helping to move this along. Motion was unanimously approved.

PUBLIC WORKS COMMITTEE: Councilmember Molesevich indicated the Lewisburg Area Joint Sewer Authority (LAJSA), in conjunction with Bucknell University, wants to pursue a study for the reuse of effluent from the sewage treatment plant. This has to do with the extra regulations being placed on the water quality from wastewater treatment plants. HRG has asked that the Borough show support.

Councilmember Molesevich made a motion, seconded by Councilmember Strosser, to adopt Resolution No. 09-01, a resolution acknowledging Lewisburg Area Joint Sewer Authority's special study for potential effluent reuse project in cooperation with Bucknell University. There was some discussion. Motion was unanimously approved.

Councilmember Molesevich explained additional funding became available for the CDBG Program. As a result, the formula has changed, and a new motion is needed; this motion will supersede Council's motion made February 17th.

Councilmember Molesevich made a motion, seconded by Councilmember Casimir, to approve the 2009 Community Development Block Grant (CDBG) funds, \$18,600 being administrative costs, \$33,470 going to the Susquehanna Valley Women in Transition (SVWIT), and the remainder of \$95,100 being reimbursed to the Borough for the South Seventh Street construction cost. **ON THE QUESTION:** Mayor Wagner asked who changed the formula. Manager Smith said SEDA-COG made a recommendation to take back the \$15,000 we allocated earlier to SVWIT, give SVWIT the stimulus funding that is ready to go, and then we could simply increase our reimbursement by the \$15,000. Councilmember Molesevich stressed the Public Works Committee approved this, because it is a win/win. Motion was unanimously approved.

FINANCE COMMITTEE: Councilmember Morris made a motion, seconded by Councilmember Fluent, to approve payment of the bills from 03/14/09 through 04/17/09 in the amount of \$340,935.96. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Casimir, to approve the parking meter exonerations for the first quarter of 2009 in the amount of \$215.00. **ON THE QUESTION:** Councilmember Morris commented she feels the Manager has the ability to sign off on these quarterly reports. Council certainly can see them, but it is not necessary for Council to vote on them. Manager Smith commented he did contact our auditor, and there isn't a reason these reports have to come before Council. Council President Bergonia affirmed that the Manager would be responsible to sign off on all parking meter exonerations after this month. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Fluent, to authorize the Council President to sign the DCED Housing and Redevelopment Assistance (HRA) Program Grant Contract in the amount of \$1,000,000 to be loaned to Bucknell University for the purpose of constructing a Bucknell Bookstore in downtown Lewisburg. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Fluent, to approve a sub-recipient agreement between Lewisburg Borough and Bucknell University for the purpose of assuring that Bucknell University adheres to all stipulations/requirements of the HRA Program Grant. **ON THE QUESTION:** Councilmember Molesevich said

LARA/GRANT FOR
STREAM BANK
STABILIZATION/
REHABILITATION
IN LARA PARK

COUNCIL
PRESIDENT
AUTHORIZED TO
SIGN DEP
LANDOWNER/
GRANTEE
AGREEMENT FOR
LARA/GRANT

PUBLIC WORKS
COMMITTEE
BOROUGH
ACKNOWLEDGES
SPECIAL STUDY
OF EFFLUENT BY
LAJSA AND
BUCKNELL
UNIVERSITY
(RESOLUTION NO.
09-01)

2009 CDBG
FUNDS: \$18,600
ADMINISTRATIVE
COSTS/\$33,470
SVWIT/\$95,100
FOR SEVENTH
STREET PROJECT

FINANCE
COMMITTEE
PAYMENT OF
BILLS

PARKING METER
EXONERATIONS
FOR FIRST
QUARTER
APPROVED

MANAGER
AUTHORIZED TO
SIGN OFF ON
PARKING METER
EXONERATIONS

COUNCIL
PRESIDENT TO
SIGN DCED HRA
PROGRAM GRANT
CONTRACT/BU
CONSTRUCTING
BOOKSTORE
DOWNTOWN

COUNCIL
APPROVED SUB-
RECIPIENT
AGREEMENT
BETWEEN
BOROUGH AND
BU

April 21, 2009

Council went over this grant quite extensively at the work session where there were Bucknell representatives present. Councilmember Casimir said there is still a third step, which is figuring out the payment arrangement. Solicitor Lyons said when he drafted the agreement he included a provision that it is subject to a repayment agreement from Bucknell University, which will determine the length of the payment term and the interest rate, all to be negotiated and executed within sixty days from the actual signing of this sub-recipient agreement. Councilmember Morris commented she could see the Finance Committee working out a recommendation of the details for this. Council President Bergonia agreed that the Finance Committee would be responsible for the recommendation of the details for this repayment agreement, with the assistance of the Manager and Solicitor. Motion was unanimously approved.

MAYOR: Mayor Wagner commented she reported at the work session the Regional Police negotiations are moving right along; financials have basically been agreed to, and we continue to move forward. There is a wonderful brochure out called the Earth Month Celebration, and in it is an article addressing the Arbor Day activities scheduled for April 24th as hosted by our Shade Tree Commission. The Arts Festival is this coming weekend. The Bull Run Neighborhood Ice Cream Festival was very well attended today before the rain started; she thanked Dan Remley, from Bucknell, for the donation of the ice cream.

POLICE CHIEF: Chief Yost said he would simply like to remind everyone of the parking restrictions as a result of the Arts Festival this weekend, as towing will take place.

COUNCIL PRESIDENT: Council President Bergonia commented this weekend is to be beautiful, so bring your friends and relatives to the Arts Festival.

SOLICITOR: Solicitor Lyons reported he was authorized to prepare and advertise an ordinance providing for the erection and maintenance of stop signs at the corners of the northeastern and southwestern intersections of St. George and South Sixth Streets. This ordinance is presented to Council for action.

Motion was made by Councilmember Morris, seconded by Councilmember Mahon, to adopt Ordinance No. 992, providing for the erection and maintenance of stop signs at the corners of the northeastern and southwestern intersections of St. George and South Sixth Streets. Motion was unanimously approved.

MANAGER: Manager Smith announced he was notified that our New Communities Grant application of \$150,000 for three additional years of Elm Street funding was approved. Authorization for the Council President to sign the contract is required.

Councilmember Mahon made a motion, seconded by Councilmember Casimir, to authorize the Council President to sign the New Communities Grant Contract in the amount of \$150,000 for the purpose of salary and administration over the next three years (2009-2010-2011). Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Morris, to approve the Land Development Plan of Dunkin Donuts, subject to the review/comments of the Borough Engineer, that the required variances are granted, and any conditions relative to such variances are complied with. **ON THE QUESTION:** Councilmember Casimir reported said the minutes from the Planning Commission say "concerns of the Solicitor should also be satisfied." Solicitor Lyons said he has no concerns at the moment, but he hasn't seen anything yet, so he can't really answer that. Councilmember Molesevich asked if there were any significant changes. Manager Smith said very minor changes, i.e. change of location of a tree, cut off of curb, etc. Motion was unanimously approved.

OTHER COMMITTEES: Councilmember Casimir reported salvage of the rails has been delayed until next week. There will be activity on the rail lines seven days a week, sunrise to sunset, and there will be noise. LARA is actively searching for an Executive Director; hopefully at our May meeting we will make a recommendation for a new hire. LARA is complying with the requirements of the Virginia Graham Baker Act for our pool. Thanks to our competent and conscientious Council President's volunteerism, it looks like we will be spending a lot less than we expected to be in compliance. We are still talking about \$10,000 or more dollars, and unfortunately, this is not something LARA budgeted for; we will probably request financial assistance from the Borough and East Buffalo Township.

Councilmember Mahon thanked Council for the pledge contribution received by the LDP. The 40th Annual Arts Festival starts Friday night; she distributed literature detailing the activities. The Business Support and Development Committee started a new program where everyone on the Committee is responsible for certain businesses and making sure all businesses are aware of all that is going on. Unfortunately, Linda Sterling can't be everywhere.

MAYOR

POLICE CHIEF

COUNCIL PRESIDENT

SOLICITOR

STOP SIGNS AT ST. GEORGE AND SOUTH SIXTH STREETS (ORDINANCE NO. 992)

MANAGER COUNCIL PRESIDENT AUTHORIZED TO SIGN NEW COMMUNITIES GRANT CONTRACT (THREE ADDITIONAL YEARS OF ELM STREET FUNDING)

LAND DEVELOPMENT PLAN OF DUNKIN DONUTS APPROVED

OTHER COMMITTEES LARA

LDP

April 21, 2009

Mayor Wagner said the Town and Gown Committee met, initiatives were updated, and there were very few issues or concerns. Councilmember Molesevich questioned the projection for students off-campus next year. Mayor Wagner said between 360 and 400; very comparable to this year. The new requirement is that anyone living off campus must be involved for several hours in some sort of community event, i.e. ice cream social, get to know your neighbors, picnics, etc. Parents also have access to the website, and it has been wonderful.

Councilmember Strosser reported there was no LNC meeting last month; there will be a meeting tomorrow evening.

Councilmember Casimir reported the Shade Tree Commission is preparing for the annual Arbor Day celebration April 24th to be held at the pocket park on Seventh Street at approximately 4:30 PM; after that there will be a brief tree walk through the cemetery to the high school. An eleven year old, Alison Kinter, contracted leukemia and died last year, so her softball coach and family wanted to do something in her memory; two purple ashes were planted at Wolf Field on Saturday, and he thanked everyone for their contributions with this planting, particularly the Manager for having the Borough workers do their part. Councilmember Morris indicated Chad was very instrumental in getting the mulch spread at Kidsburg. Mayor Wagner said it was a great cleanup day Friday. Councilmember Casimir commented he is really pleased with the online tool the Commission has been using; it has helped them to become quite organized.

Council President Bergonia said no report on the Central Keystone-COG.

Councilmember Strosser said the draft of the Comprehensive Plan is being unveiled tomorrow.

OLD BUSINESS: None.

NEW BUSINESS: None.

COUNCILMEMBER COMMENTS: None.

WRITTEN REPORTS: Councilmember Casimir 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.

WORK SESSION: Council President Bergonia reported there would be a work session May 12, 2009. Councilmember Molesevich stated we discussed having the Central Tax Bureau representatives present.

There being no further business, Councilmember Casimir made a motion, seconded by Councilmember Morris, to adjourn the meeting. Motion was unanimously approved. Meeting adjourned at 8:10 PM.

Respectfully submitted,

Patricia M. Garrison
Borough Secretary

TOWN AND GOWN
COMMITTEE

LNC

SHADE TREE
COMMISSION

CK-COG

U/C MULTI-
MUNICIPAL
COMPREHENSIVE
PLAN COMMITTEE

OLD BUSINESS

NEW BUSINESS

COUNCILMEMBER
COMMENTS

WRITTEN
REPORTS

WORK SESSION

ADJOURNMENT