

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held on **Tuesday, July 21, 2009** in the Council Chambers, 55 South Fifth Street. Present: Council President Bergonia; Councilmembers Baker, Casimir, Fluent, Morris, and Strosser; Mayor Wagner; Chief Yost; Manager/Treasurer Smith; Solicitor Lyons; and Secretary Garrison. Absent: Councilmember Mahon. Councilmember Molesevich arrived at 7:05 PM. Also present: Kevin Mertz, Ed Cox, Bill Baker, Larry Erdley, Matt Farmand, Jeff Llewellyn, Laura Wolfberg, Scott Bernstein, Jack Allen, Joan Allen, and Lois Remer.

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 Morris, seconded by Councilmember Baker, to approve the minutes of the regular Council meeting held June 16, 2009. Motion was unanimously approved.

PUBLIC PARTICIPATION: Mayor Wagner honored the Lewisburg Civic Club for their numerous community services; this club was created and continues to function as a result of strong, dedicated women. Two instrumental members are present tonight: Joan Allen and Lois Remer. Mrs. Remer, for over 30 years, maintained two gardens located at the opening of Municipal Parking Lot No. 1 located behind the Post Office. Mayor Wagner presented Mrs. Remer with a Certificate of Appreciation for all her hard work over the years in those two gardens, stressing her work did not go unnoticed.

Larry Erdley, Chairman of the William Cameron Engine Company Fire Board, presented Council with a copy of the Operational Report dated January 1 through June 30, 2009, reviewing the year-to-date fire and rescue incidents, emergency medical service calls, Lewisburg incidents, as well as the hours of volunteer service. He thanked Council for the conditional use approval last month, noting meetings with the architect continue to occur. In accordance with the Fire Protection Agreement, the 2008 financial statement was sent to the Borough and the four municipalities served. He announced Steve Leuber was instrumental in filing for a Federal Grant in the amount of 1.9 million dollars through the Department of Homeland Security under the America Recovery and Reinvestment Act of 2009 for funding to aid in the fire station's construction project. The successful applicants should hear something by July 30th. Councilmember Casimir questioned if there are penalties for false alarms. Solicitor Lyons indicated he doesn't recall the Borough having anything. Councilmember Casimir requested this issue be forwarded to the Police Committee or the Planning Committee for discussion.

Jeff Llewellyn stated he was present because his request for vinyl siding was rejected by HARB for his property at 218-220 North Second Street. He explained he is trying to improve the property. The current siding is 6" clapboard and he wants to install vinyl insulated siding that looks like 6" clapboard that is top of the line product made by CertainTeed. There are 48 properties on First, Second and Third Streets that have either vinyl or aluminum siding, so he is asking for Council's permission to install this vinyl insulated siding. He is replacing the windows and trimming them with aluminum, moving toward making this property maintenance free. Councilmember Casimir commented Mr. Llewellyn received HARB approval for replacement windows, wrapping windows with aluminum cap, and replacing two storm doors. HARB did not approve vinyl shutters and vinyl siding. Mr. Llewellyn commented he can live without the shutters, but strongly feels the siding should be permitted. Councilmember Molesevich questioned the decision of HARB, as he knows vinyl has been approved. Councilmember Strosser indicated it has been approved on certain properties in the past, but the current HARB membership felt it shouldn't be recommended for the "front" of the property; he could do whatever to the back. Mr. Llewellyn stated he would like to do the whole job, not half of the job. Councilmember Casimir said this issue was brought to the Planning Committee, and after looking at the property, no disrespect intended, is not a particularly historically or architecturally interesting building, so he doesn't feel it would be offensive or intrusive if it were sided in vinyl. He would be willing to make another motion to allow the vinyl siding.

Councilmember Casimir made a motion, seconded by Councilmember Baker, to reject HARB's recommendation with regard to disallowing the installation of vinyl siding, and allow Mr. Llewellyn to install vinyl siding as originally requested on the application that was before HARB on his house located at 218-220 North Second Street, conditional upon Mr. Llewellyn complying with the rest of HARB's recommendations. ON THE QUESTION: Councilmember Bergonia questioned the shutters. Councilmember Casimir clarified the motion is just for the vinyl siding. Motion was approved with one dissenting vote, Councilmember Strosser voted no.

Council President Bergonia adjourned the regular order of business at 7:25 PM to conduct the first public hearing this evening, which deals with the conditional use request of Laura Wolfberg for 33 South Third Street.

Bill Baker, Zoning Officer, indicated the original zoning application was received June 30, 2009, and the fee was paid (property owned by Roger and Fran Hoffman at 29 South

ATTENDANCE

CALL TO ORDER

APPROVAL OF MINUTES

PUBLIC PARTICIPATION CERTIFICATE OF APPRECIATION PRESENTED TO LOIS REMER

LARRY ERDLEY

JEFF LLEWELLYN

COUNCIL APPROVED REQUEST OF JEFF LLEWELLYN FOR VINYL SIDING ON HOME AT 218-220 NORTH SECOND STREET

PUBLIC HEARING CONDITIONAL USE REQUEST FOR LAURA WOLFBERG/33 SOUTH THIRD STREET

Tuesday, July 21, 2009

Third Street). This is a conditional use request for a massage therapy business at 33 South Third Street. Notices were mailed to adjoining property owners June 30th and faxed to the Daily Item on July 1st for publication. The actual property is located in Residential District RT2. Laura Wolfberg explained this used to be a financial advisor's office. When the new owner purchased the building, he was unaware of the six-month timetable to incorporate a new business at this location, which means the grandfathering clause lapsed. Councilmember Casimir commented the grandfathering clause doesn't apply. This is a conditional use, so you start fresh. Manager Smith commented this is good history for the property. Ms. Wolfberg indicated there is a front room, which would be the waiting area, another room, which will be the therapy room, and a bathroom. There are three parking stalls out back, and she sees herself using two, because of the turnover time between clients. She offered to answer questions. Councilmember Casimir asked what else is in this building. Ms. Wolfberg said an apartment upstairs has just been rented. Mr. Allen (neighbor) indicated there is a solar business in that property too. Manager Smith asked if there was a parking analysis. Mr. Baker indicated Mid-Penn Engineering has not gotten back to him yet, but he doesn't foresee a problem. Councilmember Molesevich asked for definitions of a conditional use as opposed to a variance and special exceptions. Mr. Baker said a variance is needed when something does not fit, i.e. applicant cannot meet setback requirements, parking requirements, etc. Variances must then be obtained through the Zoning Hearing Board. A special exception has a list of criteria that must be met, or again, a variance would be needed from the Zoning Hearing Board. A conditional use is where the use is allowed by ordinance, but Council's approval is required. Solicitor Lyons read the definition of conditional use for the record: "A use that may not be appropriate in a particular zoning district as a whole, but may be suitable in certain locations within the district when specific conditions and factors prescribed within this ordinance for such uses are met. All conditional uses are permitted only by Borough Council, after recommendation by the Planning Commission." Mr. Baker reported the Planning Commission approved this. Councilmember Casimir asked if the neighbors had any comments. Mr. Allen questioned the size of a sign for the business. Ms. Wolfberg indicated a 1 x 2 metal sign is being requested. Mr. Allen said his understanding is that a sign should be no larger than two square feet, which means the 1 x 2 would fit. He commented there is another sign in this area that is more than double the permitted size and wasn't there preceding the ordinance. Councilmember Baker asked if the zoning permits this use. Manager Smith said this isn't a permitted use, but it is permissible under conditional use, as massage therapy is listed in the classification table. Mr. Allen explained that he has lived at 26 South Third Street for 50 years, enjoying this district and this Borough, but he fears the direction this property is taking. This home at 29 South Third Street is a very special home with great historic interest and beauty; to see it going through a series of businesses and apartments is quite disparate from the single family use with an occasional small business as a part of it for over a century. He asked that whatever relevant committees are involved give very serious consideration to this; nothing against the person with the current application. Councilmember Casimir questioned when this solar business came into this property. A member of the public commented it is a sales office for solar uses, has been there a couple of months and is permitted for that. Councilmember Baker asked the Borough's Zoning Officer what he knows about this. Mr. Baker indicated he was made aware of this solar business about a week ago. Councilmember Strosser stated this is Steve Connolly's office, was originally opened as his campaign headquarters, and fell within the grandfathering of this use when the Hoffman's took over the property. Mr. Connolly has now changed the nature of how he is using his office space, but is the same tenant. Councilmember Casimir commented the massage therapy practice seems to be much more consistent with the neighborhood and existing uses vs. a solar sales office. He asked the Manager to direct the Zoning Officer to check into this solar business to ensure they have the proper permitting, etc.

Council President Bergonia asked if there were any other comments from the public. There were none. Councilmember Bergonia declared this public hearing closed at 7:45 PM.

Councilmember Bergonia convened the second public hearing at 7:45 PM. Solicitor Lyons stated before Council are proposed changes to the Subdivision and Land Development Ordinance, specifically replacing Article II with respect to processing the review, approval and recording of the plans, and adding Article IX, which affects administration and enforcement, both of which were drafted by our engineer. Manager Smith explained the ordinance has always read that applications come in to the Borough Secretary, the primary point of contact. There are so few, and these subdivision and land development applications are very complicated, i.e. who gets what, when, and at times there are issues when applications must be returned, and then there are the time constraints. The Borough Engineer is one of the parties we must send these documents to for his review, so we talked with the Planning Commission to see if they had a problem with the Borough Engineer being the primary point of contact. The Planning Commission felt that was a good idea, the Engineer reviewed the current ordinance, making the necessary changes to our ordinance to accomplish this, and added a little more

**PUBLIC HEARING
CLOSED**

**PUBLIC HEARING
SUBDIVISION/
LAND
DEVELOPMENT
ORDINANCE
AMENDMENT**

Tuesday, July 21, 2009

enforcement to Article IX with regard to the administration process. The Planning Commission had thirty days to comment, and the Borough did not receive any comments. Councilmember Molesevich summarized these are procedural and administrative changes. Manager Smith said correct.

Council President Bergonia asked if there were any comments from the public. There were none. Councilmember Bergonia declared this public hearing closed at 7:55 PM. He reconvened the regular order of business of the monthly Council meeting.

Councilmember Molesevich made a motion, seconded by Councilmember Casimir, to approve the conditional use request of Laura Wolfberg for a massage therapy business at 33 South Third Street. Motion was unanimously approved.

POLICE COMMITTEE: There was no meeting.

PLANNING COMMITTEE: Councilmember Casimir made a motion, seconded by Councilmember Baker, to approve the HARB applications, as submitted and recommended by HARB. ON THE QUESTION: Manager Smith reminded Council they receive a very brief summary of the HARB items on the agenda, but the specifics of the discussions are contained within the HARB minutes. Councilmember Casimir pointed out that Hester Kalin's building relocation is Carl Patton's garage that was deconstructed, to be reconstructed just up the alley. It appears there are zoning issues regarding setbacks, so this matter may be back. We are now merely approving the HARB recommendation. Councilmember Strosser pointed out Items a, f and g had no representation at the HARB meeting, therefore, they were tabled until next month. Motion was unanimously approved.

Roger/Fran Hoffman. 29 South Third Street. Signage.

Since applicant was not present, no action was taken by HARB. This application will be placed on agenda for the August meeting.

Marjorie Gill. 42 South Seventh Street. Replacement Windows.

An application was submitted to and reviewed by HARB for replacement windows. A motion was made by Peter Hill, seconded by Steve Snook, to recommend approval of five replacement windows, as indicated on the attachment to the HARB application, with the stipulation that window grills should be exterior. Motion was unanimously approved.

Molly O'Brien-Folsch. 312 St. George Street. Siding.

An application was submitted to and reviewed by HARB for placement of siding. A motion was made by Michael Lucas, seconded by Peter Hill, to recommend placement of siding, as shown in the attachments to the HARB application, with stipulation siding should be smooth. Motion was unanimously approved.

Hester Kalin. 211 South Third Street. Demolition of Shed/Building Relocation.

An application was submitted to and reviewed by HARB for the demolition of a shed, and the rebuilding of a carriage house (formerly owned by Mr. Patten and located at 232 South Third Street). A motion was made by Phoebe Faden, seconded by Mary Mastascusa, to recommend approval of demolition of existing shed and the rebuilding of the carriage house as detailed in documents attached to the HARB application. NOTE: HARB is of the opinion this building should be saved at all costs, as already shown by HARB's approval of its removal and rebuilding. HARB strongly believes this building should NOT be shortened due to zoning restrictions, and fully supports Ms. Kalin going before the Zoning Hearing Board requesting permission to be allowed to rebuild this carriage house without altering its size. HARB feels this is the most historically correct approach. HARB pointed out this carriage house was removed from an identical sized lot to that which it is being relocated to, so HARB's opinion is the size of the structure should be a non-issue. However, should the Zoning Hearing Board not approve of the rebuilding of this structure exactly as it was, HARB reluctantly would approve the shortening of this structure. Motion was unanimously approved.

Charles/Deborah North. 18-20 South Fifth Street. Renovations.

An application was submitted to and reviewed by HARB for renovation work, specifically replacement of existing garage door, existing porch pillars (with addition of one, so total of 5 porch pillars), erection of lattice/picket enclosure to house trashcans, erection of lath and bracket trellis, and archway and lattice/picket enclosure for heat pumps. A motion was made by Peter Hill, seconded by Mary Mastascusa, to recommend approval of all renovation work as detailed in the attachments to the HARB application. Motion was unanimously approved.

Bucknell University. 110 University Avenue. Roof Replacement.

Jeff Loss, on behalf of Bucknell University, requested this application be placed on agenda for the August meeting; hence, no action taken by HARB.

Martin Newton. 133 North Fourth Street. Storm Doors.

Since applicant was not present, no action was taken by HARB. This application will be placed on the agenda for the August meeting.

Jack/Barb Martin. 227 South Third Street. Fencing.

An application was submitted to and reviewed by HARB for removal of existing chain link fence and placement of new treated wood fence and gates. A motion was made by Phoebe Faden, seconded by Steve Snook, to recommend approval of the placement of fencing and gates, as specifically noted in the project description of the HARB application. HARB noted the applicant's intention to replace the whole back fence at a later date. Motion was unanimously approved.

April Fairweather. 27 Water Street. Renovations. An application was submitted to and reviewed by HARB for renovations, specifically siding, window, and door. A motion was made by Ted Strosser, seconded by Peter Hill, to recommend approval of renovations as noted in the project description of the HARB application and as shown on attachment. HARB noted windows meet HARB guidelines and are being approved as is. Motion was unanimously approved.

**PUBLIC HEARING
CLOSED/RECON-
VENE REGULAR
MEETING**

**CONDITIONAL USE
OF LAURA
WOLFBERG
APPROVED**

**POLICE
COMMITTEE**

**PLANNING
COMMITTEE
HARB**

R HOFFMAN

M GILL

**M O'BRIEN-
FOLSCH**

H KALIN

C NORTH

**BUCKNELL
UNIVERSITY**

M NEWTON

J MARTIN

A FAIRWEATHER

Tuesday, July 21, 2009

Councilmember Casimir reported Trish Carothers of the Susquehanna Greenway Partnership and Gary Bloss of SEDA-COG appeared to explain the contents of the Orientation Panel to be placed in Soldiers Park. We had hoped for a draft tonight to look at, but the specifics look good; there is a little urgency as they hope to go to production of these signs in August. Mayor Wagner indicated she has a copy of the specifics as she, along with Councilmember Strosser and Linda Sterling met with Trish Carothers. Councilmember Strosser indicated he surveyed the park and is trying to get a hold of the civic club to see if there is a historic drawing. His goal is to come up with two or three options for placement. (Mrs. Joan Allen suggested Elaine Schraeder be contacted.) Councilmember Casimir indicated Trish Carothers had recommended two places: the corner of Market and North Water Streets, and the other, looking down the road for the day the LARA Rail/Trail crosses the bridge, would be at the other end. The committee (the Manager and himself) gave tentative approval to the corner of Market and North Water Streets. There was **much** discussion about location. Mayor Wagner stated she trusts Councilmember Strosser will come back with some good options. Councilmember Strosser said placement doesn't need to be dealt with until September; they just need to go to print on the actual text in August. Councilmember Morris questioned when they have that final design and content, would there still be a chance to review? Mayor Wagner said yes.

Councilmember Morris made a motion, seconded by Councilmember Baker, conditional upon Mayor Wagner, Councilmember Strosser, and Linda Sterling remaining involved with the approval of the final design, to approve the content of the Susquehanna Greenway Orientation Panel, with the placement to be determined in Soldiers Park. ON THE QUESTION: Councilmember Molesevich said he can't vote on something he can't see. Mayor Wagner explained it is a 3 x 4 sign with a series of nine attractions pictured with a fifty-word description under each. Councilmember Strosser reminded Council that this doesn't exist, as it has not been designed yet. Councilmember Morris commented that is why her motion is for Mayor Wagner, Councilmember Strosser, and Linda Sterling to stay involved. Councilmember Strosser explained this is a standardized metal sign that is framed making continuity up and down the entire greenway. Chief Yost commented there is a sign in Milton's Park. Councilmember Molesevich said it would have been nice to have a photograph. Did this sign come before Zoning or HARB? Manager Smith stated last month Council approved the concept of this and he moved forward, as it is open space and a freestanding informational sign. Soldiers Park is in the Historic District, but he doesn't believe HARB would review this. Councilmember Strosser commented HARB does not review street furniture. Councilmember Morris indicated there is consistency in these signs for the entire greenway area, so if we are part of the whole concept, shouldn't we allow that consistency. Councilmember Molesevich said he doesn't disagree, but you only see the signs one at a time. He wants the sign consistent with our historic community. Again, there was **much** discussion. Suggestions of other locations were made: St. George Street, Mariah's Garden, etc. Councilmember Casimir indicated this isn't a historic looking sign; Councilmember Molesevich is right, while we respect the need for standardization and continuity, we still have to keep our town in mind, and maybe we need to find a better site for this.

Councilmember Morris withdrew her motion. Councilmember Baker withdrew his second.

Councilmember Morris made a motion, seconded by Councilmember Baker, to approve the content of the Susquehanna Greenway Orientation Panel, specifically under: Live/Discover - Market Street, Hufnagle Park and Mariah's Garden; Learn - Packwood House Museum (Canal Heritage), Slifer House, Bucknell University; Explore - Lewisburg Historic Walking Tour, Lewisburg Area Recreation Park, Dale Engle Walker House and Ridge Trail (Underground Railroad); with additional Points of Interest on the Map listed without a photograph: cemetery, West Branch River Water Trail/Canoe Access on St. George Street, Rural Landscapes outside of Lewisburg, Campus Theatre, Weis Center for the Performing Arts, Artisans Trail/Arts Thrive on 45, Lewisburg Street Lights, with placement and final design to be approved later. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Baker, to accept the resignation of Barbara G. Martin from the Lewisburg Area Recreation Authority (LARA). Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Baker, to accept the resignation of Lynne P. Walshaw from the Lewisburg Planning Commission. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Baker, to approve a letter to Pennsylvania Labor and Industry supporting SEDA-COG's Energy Resource Center hosting one of the five training centers for local contractors to become "green certified." Motion was unanimously approved.

SUSQUEHANNA
GREENWAY
PARTNERSHIP/
ORIENTATION
PANEL

CONTENT OF
SUSQUEHANNA
GREENWAY
ORIENTATION
PANEL APPROVED

RESIGNATION OF
BARBARA MARTIN
(LARA)

RESIGNATION OF
LYNNE WALSHAW
(PLANNING
COMMISSION)

LETTER OF
SUPPORT FOR
SEDA-COG TO
HOUSE TRAINING
CENTER FOR
CONTRACTORS
TO BECOME
GREEN CERTIFIED

Tuesday, July 21, 2009

Councilmember Casimir announced that the rewritten zoning ordinance has been directed to Gannett Flemming for review, editing and comment, at a cost not to exceed \$2,280. This money has been budgeted. We checked with our professionals within the Borough and they agreed it would be prudent to have an unaffiliated professional review of this document before sending to Council for final approval. Councilmember Strosser commented this is totally opposite of what was talked about last month. Councilmember Molesevich agreed. Councilmember Casimir explained when previously discussed, we thought it unnecessary and that it might cause offense. After looking closely at the details of having a professional look it over, it was determined this would be the most pragmatic effective way to move this process forward. Councilmember Strosser said he has a lot of interest in seeing this, as others do, and he expects quite a bit of revision work that might make this review a waste of money. Councilmember Molesevich said if there are still more changes to be made, why send it for *final* review and editing. Councilmember Casimir said he would remove the word *final*; this is a preliminary external professional review, edit and comment. Solicitor Lyons asked the objective. Councilmember Casimir said to make sure that: 1) we haven't missed any required elements, since we are not planning professionals; 2) where we have made judgment calls, they are consistent with the Municipalities Planning Code (MPC); 3) the document is consistent; and 4) the document uses appropriate language. Our engineer agrees that this be done, as well as the County Planning Director. Councilmember Molesevich asked why Gannett Flemming. Councilmember Casimir said they were recommended by the committee member with the strongest feeling about this document. They submitted a quote, and we were satisfied with their price and service. Councilmember Molesevich asked the Zoning Officer for his comments. Mr. Baker stated he is anxious to see the document and has no problem with Gannett Flemming reviewing it for the technical/legal aspect. Councilmember Strosser asked if Matt Sauers would be reviewing this. Councilmember Casimir said yes. Councilmember Strosser reported Matt Sauers used to live here, and was with the County Planning Department. Manager Smith clarified he is looking for assurances that the document is consistent with the MPC; our Borough Engineer, Planning Director, and everyone else will be looking at the document specifically for Lewisburg and the issues within. Councilmember Molesevich asked if we should be seeking bids? Manager Smith said no; anything under \$4,000 he, as Manager, has the right to expend. Solicitor Lyons said he envisions a two-fold process before the point of a public hearing and adoption, i.e. an informal review by Council, the Zoning Officer, and himself; then a formal review by the County and Borough Planning Commission. He asked if there were extensive changes during the informal review, would there be another technical review. Councilmember Casimir said no. Manager Smith said if during the informal review there is an issue we are not be able to solve, we could get a review on that specific issue, but he firmly believes at that point our own Engineer, Zoning Officer, or Planning Director could direct us. Councilmember Casimir indicated we need to be as clear as we can on the technical aspects, as there still may be philosophical differences between Council, the ultimate approving body, and this little Ad Hoc Committee that rewrote this zoning ordinance. Councilmember Molesevich said since there seems to be some disagreement on doing this, although this was simply an FYI, he would like to make a motion.

Councilmember Molesevich made a motion, seconded by Councilmember Morris, to approve Gannett Flemming reviewing, editing, and commenting on the amendment to the zoning ordinance at a cost not to exceed \$2,280. ON THE QUESTION: Councilmember Molesevich clarified this isn't necessarily how he will vote, but he wants this issue on the table. Councilmember Casimir pointed out this expenditure is under the \$4,000 amount the Manager can spend. Councilmember Strosser asked if Matt Sauers is reviewing this with an eye on the new County Comprehensive Plan or the old. Manager Smith commented the committee had multiple members who were involved in the County Comprehensive Plan, so the entire development process was with it in mind. Councilmember Casimir said Matt Sauers wasn't given that direction. The comprehensive plan is an advisory document, but still these kinds of judgments are to be made by Council. Motion was approved with three dissenting votes, Councilmember Fluent, Councilmember Molesevich and Councilmember Strosser voted no.

Solicitor Lyons said point of order; he believes the maker of a motion cannot vote against his own motion. In this particular case it doesn't change the outcome of the vote, but he would like to research this.

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

FINANCE COMMITTEE: Councilmember Morris made a motion, seconded by Councilmember Baker, to approve payment of the bills from 06/13/09 through 07/16/09 in amount of \$243,684.41. Motion was unanimously approved.

Councilmember Morris made a motion to approve the contribution of \$5,000 to Union County as the local match for U.S. Route Corridor Plan Grant in the amount of \$220,000. Motion was unanimously approved.

PROPOSED
ZONING
ORDINANCE
DISCUSSED

COUNCIL
APPROVED
GANNETT
FLEMING TO
REVIEW/EDIT/
COMMENT ON
PROPOSED
ZONING
ORDINANCE

POINT OF
ORDER/
MOTION
QUESTION

**PUBLIC WORKS
COMMITTEE**

**FINANCE
COMMITTEE
PAYMENT OF
BILLS**

**\$5,000 LOCAL
MATCH FOR RT
15 CORRIDOR
PLAN GRANT**

Tuesday, July 21, 2009

Councilmember Morris made a motion, seconded by Councilmember Baker, approve professional appraisal services for properties located along South Sixth Street, at a cost not-to-exceed \$2,000.00, for purpose of applying to Pennsylvania Emergency Management Agency (PEMA) for Flood Mitigation Grant. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Fluent, to approve amendment to Special Conditions of the Housing and Redevelopment Assistance (HRA) Grant/Loan to Bucknell University to allow Borough to receive repayment from Bucknell University with condition that all funds are used to further HRA eligible activities within Borough. ON THE QUESTION: Councilmember Casimir asked what they are. Manager Smith read: undertake a code enforcement program, infrastructure improvements, site improvements, streetscape improvements, building renovations, development of formal housing, public purpose community development projects, and other HRA eligible loan projects. Motion was unanimously approved.

MAYOR: Mayor Wagner announced upcoming events: Packwood House Museum Ghosts of Lewisburg Program July 24th at 7 PM, National Night Out, coordinated by Lewisburg Police, August 4th, so no Police Committee meeting that day, Kuhns Brothers Triathlon August 15th, and Packwood House Quilt Weekend August 21st through 23rd. Since Councilmember Mahon isn't here to represent the Downtown Partnership, she encouraged everyone to check out the downtown and all the wonderful things going on. The Regional Police Committee meeting is the first Wednesday of the month, and we are working on the contract.

POLICE CHIEF: Chief Yost invited everyone to National Night Out, noting there will be a live band this year. He announced this is the third year participating in the Pennsylvania Liquor Control Board Grant Program, and we received \$5,000 for both enforcement and enhancement of alcohol issues.

Manager Smith indicated there have been a lot of issues with jake brake retarders. They are not permissible in the Borough; we ask that signage be recognized and followed. Councilmember Baker commented that their loads should also be covered. Chief Yost reported there is a Smooth Operator Grant that will allow additional law enforcement, so we will be targeting trucks on Route 192 and Market Street.

COUNCIL PRESIDENT: Council President Bergonia indicated the 4th of July weekend was great.

SOLICITOR: Solicitor Lyons indicated the required public hearing for the proposed ordinance amending Chapter 315 Subdivision and Land Development was held this evening; this ordinance has been drafted, duly advertised and is presented to Council for consideration.

Councilmember Morris made a motion, seconded by Councilmember Casimir, to adopt Ordinance No. 993 amending Chapter 315 Subdivision and Land Development, by replacing Article II thereof, being Part 2 of the said ordinance, with a new Article II with respect to processing, review, approval and recording of plans; and adding Article IX thereto with respect to administration and enforcement. Motion was unanimously approved.

Solicitor Lyons indicated the proposed ordinance for placement of stop signs on the northwestern and southeastern intersections of North Fifth Street and St. Anthony Street has been drafted, duly advertised and is presented to Council for consideration.

Councilmember Baker made a motion, seconded by Councilmember Morris, to adopt Ordinance No. 994 amending Subsection A of Section 345-19 of Article II of Chapter 345 Vehicles and Traffic for placement of stop signs on the northwestern and southeastern intersections of North Fifth Street and St. Anthony Street. Motion was unanimously approved.

Solicitor Lyons stated he quickly reviewed the zoning ordinance and the solar business could meet a number of permitted uses in Class I commercial business, i.e. general offices, at home and business services, etc. So the person in the public that made the comment that the solar business could be there, probably looked at the zoning ordinance.

MANAGER: Councilmember Morris made a motion, seconded by Councilmember Fluent, to approve a Certificate of Appreciation to Lewisburg Neighborhoods Corporation for their financial support of the Kidsburg Resurfacing Project. Motion was unanimously approved.

OTHER COMMITTEES: Councilmember Casimir indicated the Stream Bank Restoration Project is moving along thanks to the Pennsylvania Fish and Boat Commission. The

PROFESSIONAL APPRAISAL SERVICES/S SIXTH STREET AT COST NOT TO EXCEED \$2,000

AMENDMENT TO SPECIAL CONDITIONS OF HRA GRANT/LOAN TO BU ALLOWING RECEIPT OF REPAYMENT CONDITIONAL ON USE OF MONIES FOR HRA ELIGIBLE LOAN PROJECTS

MAYOR

POLICE CHIEF

JAKE BRAKES

COUNCIL PRESIDENT

SOLICITOR

AMENDMENT TO SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (ORDINANCE NO. 993)

PLACEMENT OF STOP SIGNS ON N FIFTH AND ST ANTHONY STS (ORDINANCE NO. 994)

SOLAR BUSINESS AT 330 S THIRD ST

MANAGER
CERTIFICATE OF APPRECIATION/ LNC'S FINANCIAL SUPPORT OF KIDSBURG

OTHER COMMITTEES
LARA

Rail/Trail Project is moving along; meetings are scheduled with PennDOT and DCNR to discuss timetables and schedules. LARA is hiring a new gymnastics coach. Our new Director, Kevin Drewencki, continues to perform beyond expectations. The Kuhns Brothers Triathlon is August 15th. The Bucknell University Memorandum of Understanding has finally been signed, they actually made a payment, and their first choice for a LARA member will be presented to East Buffalo Township for their consideration per the agreement.

Council President Bergonia thanked Mayor Wagner for covering events downtown under her report.

Mayor Wagner stated the Town and Gown Committee will meet in August.

Mayor Wagner indicated the LNC did not meet, and the Bull Run Neighborhood Committee isn't meeting this month. A Master Planning meeting was held with discussions about the appraisals on Sixth Street.

Councilmember Casimir indicated the Shade Tree Commission continues to be very active. There were several old and damaged trees that the Borough identified, some were approved for removal, some simply needed pruned. Our Manager had a great idea that we buy several young trees, leave them on the horticulturist's site to grow and be cared for, and later the Borough could offer these trees to residents at a reduced rate. Manager Smith said the nursery is very excited and has asked for a list of trees the Borough would be interested in.

Councilmember Baker reported he was out of town for the last meeting of the Central Keystone-COG, but was assured nothing happened at that meeting that would impact the Borough. He, along with the Manager, have been meeting with our Code Enforcement Officer in an effort to improve and increase enforcement, expedite the notices, decrease costs, and possibly recoup costs to the Borough.

Councilmember Strosser commented there was no meeting of the Union County Multi-Municipal Comprehensive Plan Committee.

OLD BUSINESS: None.

NEW BUSINESS: Solicitor Lyons said he would like to clarify his point of order. A member can vote against his own motion, but he cannot speak against his motion.

COUNCILMEMBER COMMENTS: Councilmember Strosser stated Council overturned another HARB decision this evening. The HARB's membership is very professional and they are leaning toward being more strict, which is what a HARB is about. He suggested HARB attend a work session to talk with Council to determine the level of strictness they should be pursuing. Council President Bergonia suggested September's work session. Manager Smith reminded Council that budget discussions start in September.

WRITTEN REPORTS: Councilmember Morris made a motion, seconded by Councilmember Casimir, 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 said there will be a work session on August 11th with the Central Keystone-COG for Codes/Zoning discussions.

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

Respectfully submitted,

Patricia M. Garrison
Borough Secretary

**DOWNTOWN
PARTNERSHIP**

**TOWN AND GOWN
COMMITTEE**

LNC

**SHADE TREE
COMMISSION**

**CENTRAL
KEYSTONE-COG**

**U/C MUNICIPAL
COMPREHENSIVE
PLAN**

OLD BUSINESS

**NEW BUSINESS
POINT OF
ORDER/CLARIFICA
TION
COUNCILMEMBER
COMMENTS
WORK SESSION
MEETING WITH
HARB**

**WRITTEN
REPORTS**

WORK SESSION

ADJOURNMENT