

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held on **Tuesday, August 18, 2009** in the Council Chambers, 55 South Fifth Street. Present: Council President Bergonia; Councilmembers Baker, Casimir, Fluent, Mahon, Morris, and Strosser; Mayor Wagner; Chief Yost; Manager/Treasurer Smith; Solicitor Lyons; and Secretary Garrison. Councilmember Molesevich arrived at 7:05 PM. Also present: Kevin Mertz, Diane Petryk, Dick and Beth Steffensen, Buddy Schenck, Alison Stevenson, Gary Bloss, Trish Carothers, Rick and Sue Sauers.

**CALL TO ORDER:** Council President Bergonia called the meeting to order at 7:00 PM, followed by the pledge of allegiance. There was a moment of silence for Assunda Rotolo and Leslie Davis, the children that lost their lives in the Susquehanna River Sunday night.

**APPROVAL OF MINUTES:** Motion was made by Councilmember Baker, seconded by Councilmember Morris, to approve the minutes of the regular Council meeting held July 21, 2009, with correction that Councilmember Mahon be shown as being absent. Motion was unanimously approved.

**PUBLIC PARTICIPATION:** Alison Stevenson, SEDA-COG's Project Coordinator for the Revitalizing River Towns Initiative was present to update Council on the outcomes of Phase I and to share plans for Phase II. This Initiative covers five counties: Montour, Columbia, Northumberland, Snyder and Union. She thanked Lewisburg for their active participation, including the Downtown Partnership and Bucknell University. She distributed documents summarizing the Focus Group meetings that have been held, as well as their Regional Vision Statement, explaining with regard to Phase II they are asking \$1,350 from each of the 10 communities, or at a minimum, a letter of support, to aid in leveraging Federal grant monies. The goal is to accomplish networking between River Towns, organizing a River Towns event series. There was a brief question/answer session. Councilmember Casimir pointed out there are so many parallel efforts out there now, i.e. Susquehanna Greenway, Middle Susquehanna Region Heritage Area Study, Lake Augusta Corridor Enhancement Study, etc., which makes it difficult to pull apart what each of these contribute, and why and how the Borough should contribute to each. Ms. Stevenson stated a lot of complimentary efforts are taking place, all with the intent to promote and revitalize the region. Each group has access to different pools of monies, thus the benefit of having several groups. Once people recognize this whole area as a single place, i.e. the Middle Susquehanna Region, the economy of each town will be stimulated. Councilmember Strosser asked how this work ties into the Heritage Area. Ms. Stevenson explained that was a study that happened simultaneously, with the same Task Force overseeing the field work/background research, and was a State program. Again, the Heritage Area Program brings in funding that could be directed toward local projects like the River Towns efforts; another layer to bring money into the region. (Councilmember Molesevich arrived during public participation.)

Mayor Wagner acknowledged the Director of the Packwood House Museum and his wife, Mr. and Mrs. Sauers, as well as Mr. and Mrs. Richard Steffensen. They are uniquely involved in the quilt event this weekend. She acknowledged Councilmember Baker, who is President of the Friends Board. She encouraged everyone to come into town on the 22<sup>nd</sup> and 23<sup>rd</sup> to see the many beautiful quilts that will be on display, and that are already on display in the different shops downtown. Mayor Wagner read a proclamation officially naming the week of August 17<sup>th</sup> through August 23<sup>rd</sup> as "Quilt Week in the Borough of Lewisburg." She thanked Mr. and Mrs. Sauers and Mr. and Mrs. Richard Steffensen for all their hard work, as well as the many others involved in this event. The Ghosts of Lewisburg Program was also very entertaining. Mr. Sauers updated Council on the upcoming events of the Packwood House Museum.

**POLICE COMMITTEE:** Councilmember Mahon reported the Police Committee did not have a meeting due to National Night Out, which was a huge success. She thanked Chief Yost and Corporal Burrows for all their hard work. Councilmember Casimir asked if we have taken steps toward changing the Police Committee into a Police and Public Safety Committee. Mayor Wagner said that will be on the agenda next month.

**PLANNING COMMITTEE:** Councilmember Casimir made a motion, seconded by Councilmember Baker, to approve the HARB applications (excluding those indicating no action until next month), as submitted and recommended by HARB. Motion was unanimously approved.

**Roger/Fran Hoffman. 29 South Third Street. Signage.** An application was submitted to and reviewed by HARB for signage. A motion was made by Ted Strosser, seconded by Steve Snook, to recommend approval of two signs as noted under Project Description of the HARB Application for Laura Wolfberg/Certified Message Therapist and Hometown Energy (two 1' x 2" flush mounted signs), contingent upon confirmation of the Zoning Officer and Borough Solicitor that these signs and businesses fully meet the Borough's zoning ordinances. Motion was approved with one dissenting vote, Peter Hill voted no.

**Bucknell University. 110 University Avenue. Roof Replacement.** An application was submitted to and reviewed by HARB for a replacement roof. A motion was made by Peter Hill, seconded by Steve Snook, to recommend approval of a replacement roof as specifically described under Project Description of the HARB Application (new standing seam metal roof in corroded cooper color. Motion was unanimously approved.

**ATTENDANCE**

**CALL TO ORDER**

**APPROVAL OF MINUTES**

**PUBLIC PARTICIPATION  
ALISON STEVENSON/  
RIVER TOWNS INITIATIVE**

**POLICE COMMITTEE**

**PLANNING COMMITTEE  
HARB**

**R HOFFMAN**

**BUCKNELL UNIVERSITY**

**Tuesday, August 18, 2009**

**Martin Newton. 133 North Fourth Street. Storm Doors.** Applicant was not present, no action taken by HARB. This application will be placed on agenda for the September meeting.

**Paul Santomauro. 116 South Seventh Street. Repair Front Porch.** An application was submitted to and reviewed by HARB for repairs to front porch. A motion was made by Michael Lucas, seconded by Peter Hill, to recommend approval of porch repairs as specifically described under Project Description of the HARB Application (siding to be cement board on front). Motion was unanimously approved.

**Nicholas Fasano. 302 North Third Street. Fence.** An application was submitted to and reviewed by HARB for placement of a fence. A motion was made by Michael Lucas, seconded by Steve Snook, to recommend approval of a 6 ft. high fence as specifically described under Project Description of the HARB Application (fence around perimeter of property). (Note: Fence to be painted or stained within one year.) Motion was unanimously approved.

**Bob Donehower. 56 South Fifth Street. Fence.** An application was submitted to and reviewed by HARB for placement of a fence. A motion was made by Peter Hill, seconded by Michael Lucas, to recommend approval of a fence as specifically described under Project Description of the HARB Application (swag picket fence/white wood or plastic). (Note: Fence to be painted or stained within one year.) Motion was approved; Steve Snook abstained.

**Rebecca Mohr. 140 South Front Street. Fence.** Applicant was not present, no action taken by HARB. This application will be placed on agenda for the September meeting.

**Ted Strosser. South Fifth Street. Renovations.** An application was submitted to and reviewed by HARB for renovation work. A motion was made by Steve Snook, seconded by Michael Lucas, to recommend approval of renovation work as specifically described under Project Description of the HARB Application (removal of aluminum siding/scrape and paint original siding or replace with cement board siding; scrape/repair/repaint all trim elements; replace windows/aluminum clad wood one over one double hung units). Motion was approved; Ted Strosser abstained.

**Todd West. 238/240 North Fourth Street. Windows/Screen Doors.** An application was submitted to and reviewed by HARB for replacement windows and screen doors. A motion was made by Mary Mastascusa, seconded by Peter Hill, to approve replacement windows and screen doors as specifically described under Project Description of the HARB Application (new energy efficient one over one windows and wood screen doors/34 windows and 6 doors). Motion was unanimously approved.

**Cindy Reed. 217 Market Street. Signage.** An application was submitted to and reviewed by HARB for signage. A motion was made by Elaine Wintjen, seconded by Mary Mastascusa, to approve sign as specifically described under Project Description of the HARB Application (vinyl sign to front window/size to be in compliance with zoning regulations). Motion was unanimously approved.

**Bison Properties. 638 Market Street/701 Market Street/700-702 Market Street. Renovations.** Applications were submitted to and reviewed by HARB for renovations to the above properties.

A motion was made by Ted Strosser, seconded by Elaine Wintjen, to approve renovation work for 638 Market Street as specifically described under Project Description of the HARB Application and as shown in photos and other documents attached, with exception of windows on west and south third floors – those four units shall be maintained with new storm windows or replaced without grilles between the glass. Motion was unanimously approved.

Renovation work for 701 Market Street will be placed on agenda for the September meeting.

A motion was made by Mary Mastascusa, seconded by Steve Snook, to approve renovation work for 700-702 Market Street as specifically described under Project Description of the HARB Application and as shown in photos and other documents attached (all units shall be one over one without grilles between the glass). Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Baker, to approve the Final Land Development Plan for the Bucknell Landing with three conditions: 1) Bucknell executes a Stormwater Maintenance Agreement, upon favorable review by the Borough Solicitor; 2) Bucknell executes an Improvements Guaranty Agreement upon favorable review by the Borough Solicitor; 3) Bucknell obtains a Pennsylvania Department of Environmental Protection (DEP) permit for floodway encroachment. ON THE QUESTION: Solicitor Lyons reported he already reviewed the agreements and there are no problems. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Baker, to appoint Mauricio Figueroa, MD to the LARA Board to fill the unexpired term of Barbara G. Martin, term expiration 12/31/10. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Baker, to approve the request for a 30-day extension by Benderson Development Company, LLC for Bechtel's Restaurant/Rite Aid Project land development review per letter dated August 12, 2009. ON THE QUESTION: Councilmember Molesevich asked if there is a specific issue. Councilmember Casimir said there are issues with the neighboring landowner, which are close to being resolved. However, the Borough has been patient and if they don't make it within the 30 days, they will have to re-file and again pay the fees.

Councilmember Casimir made a motion, seconded by Councilmember Mahon, to authorize the Manager to write a letter of support for SEDA-COG's "River Towns Initiative/Phase II." ON THE QUESTION: Councilmember Casimir explained the Borough isn't prepared to recommend contributing funds. Motion was unanimously approved.

M NEWTON

P SANTOMAURO

N FASANO

B DONEHOWER

R MOHR

T STROSSER

T WEST

C REED

BISON  
PROPERTIES

APPROVAL OF  
FINAL LAND  
DEVELOPMENT  
FOR BUCKNELL  
LANDING

APPOINTMENT  
OF MAURICIO  
FIGUEROA, MD  
(LARA)

APPROVAL OF  
30-DAY  
EXTENSION FOR  
BECHTEL'S  
RESTAURANT/RI  
TE AID  
PROJECT LAND  
DEVELOPMENT  
REVIEW

LETTER OF  
SUPPORT FOR  
RIVER TOWNS  
INITIATIVE/  
PHASE II

Tuesday, August 18, 2009

**PUBLIC WORKS COMMITTEE:** Councilmember Baker reported there was no meeting.

**FINANCE COMMITTEE:** Councilmember Morris made a motion, seconded by Councilmember Baker, to approve payment of the bills from 07/17/09 through 08/14/09 in amount of \$196,445.98. Motion was unanimously approved.

Councilmember Morris reported that our Manager is reviewing the budget to determine where we are, and it appears there have been some positive indicators this year as we are preparing for the 2010 budget year. She commended the Manager for his hard work.

**MAYOR:** Mayor Wagner commented we are all aware of the very tragic drowning incident that occurred Sunday into Monday. She commended Chief Yost for his work as Critical Incident Commander, as well as Sergeant Hetrick, for his remarkable work as the leading Officer and Public Relations Officer. Sergeant Hetrick's public service message today about the care and caution regarding the river was exceptional and should be repeated. She, along with Councilmember Mahon, had the opportunity to attend the debriefing that occurred as a result of this search, rescue and recovery mission and what an impressive operation it was. She commended Deb Catherman for her role as Critical Crisis Management Coordinator, supporting the emotional needs of the men and women that took part in this operation. The words that come to mind to describe those participating in this operation would be: professional, dedicated, organized and prepared.

Chief Yost said the Lewisburg Police expresses our deepest sympathy to the parents, family and friends of Assunda Rotolo and Leslie Davis. This was a very tough situation, and he trusts the community will respond, as appropriate, to the needs of the family. He thanked everyone that was involved in the efforts, including the over 125 volunteers from 15 agencies in five counties. He provided detailed information of the efforts for Council's information. Council thanked the Chief for his efforts in the coordination of this search and rescue mission. Manager Smith stated everyone has been involved in the NIMS (National Incident and Management System) Program, and this certainly was an example of how it works efficiently and effectively. Chief Yost indicated as part of the Task Force, Lewisburg Borough is 71 Police Departments strong.

Mayor Wagner announced everyone received a mood cup compliments of the LARA Triathlon, which was a huge success. Councilmember Casimir stated there were 370 racers this year. Mayor Wagner expressed concern over the out of town landlords, and asked Council to be vigilant of these properties throughout their wards. There was **much** discussion. It was agreed these concerns should be brought to the attention of the Manager, as he is responsible to contact the Code Enforcement Officer. Councilmember Morris reported the Bull Run Neighborhood Committee met last night and discussed some of these properties, so she suggests we keep in touch with this group. Councilmember Molesevich indicated The Daily Item recently printed the delinquent tax listings and there were many properties listed under the ownership of Market Street Investments. He asked who that is. Mayor Wagner commented that is something we should look into. Councilmember Molesevich indicated these are our taxes and this affects our planning, budgeting, etc. Mayor Wagner announced the Tuscan Villa was bought; the party that purchased it plans to rehab it, create some other opportunities there, and eventually live there.

**POLICE CHIEF:** Chief Yost had nothing more to report.

**COUNCIL PRESIDENT:** Council President Bergonia indicated a motion is needed to appoint a Council representative to the Tax Collection Committee to fulfill the requirement of Act 32. He indicated he is willing to serve unless there is someone else interested in serving.

Councilmember Casimir made a motion, seconded by Councilmember Baker, to appoint Peter J. Bergonia, Jr., as Council's representative to the Tax Collection Committee to fulfill Act 32 requirement. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Baker, to appoint Mayor Judy Wagner and Councilmember Sue Mahon to serve as Council's representatives on the Regional Police Commission (this action is in anticipation of the approval of the proposed Intergovernmental Cooperation Agreement). Motion was unanimously approved.

**SOLICITOR:** Solicitor Lyons had nothing to report.

**MANAGER:** Manager Smith reported D & E Communications merged with D & E Systems, Inc.; therefore, a resolution is required to reassign the current franchise agreement.

**PUBLIC WORKS COMMITTEE**

**FINANCE COMMITTEE PAYMENT OF BILLS**

**BUDGET UPDATE**

**MAYOR**

**POLICE CHIEF**

**COUNCIL PRESIDENT**

**PETER BERGONIA, JR TO SERVE ON TAX COLLECTION COMMITTEE/ACT 32**

**JUDY WAGNER AND SUE MAHON TO SERVICE ON REGIONAL POLICE COMMISSION**

**SOLICITOR**

**MANAGER REASSIGNMENT OF FRANCHISE AGREEMENT/ D&E SYSTEMS, INC.**

Tuesday, August 18, 2009

Councilmember Casimir made a motion, seconded by Councilmember Baker, to approve Resolution No. 09-03 assigning the current Franchise Agreement with D & E Communications to D & E Systems, Inc. Motion was unanimously approved.

**OTHER COMMITTEES:** Councilmember Casimir stated the LARA Triathlon was a huge success. The Rails/Trails Program is temporarily on hold due to the State budget; however, local donors have funded some design efforts to keep things moving forward. Councilmember Molesevich asked if any part of the trail is accessible, or is it closed until it is totally finished. Councilmember Casimir explained there are many issues regarding erosion, security, safety of the abutting property owner's families and livestock, etc. so the official position is the trail is completely off limits. Agreements are in place with Lewisburg Borough Police, East Buffalo Township Police, and Mifflinburg Borough Police for enforcement. LARA's Director, Kevin Drewencki, continues to do an excellent job. Chief Yost commented Mr. Drewencki was very helpful with National Night Out. Councilmember Casimir reported the Stream Bank Restoration Program is now complete. Councilmember Baker commented the work out there is beautiful, but the area right around the Peking Gardens Restaurant is a total mess. He contacted DEP and has never heard back from them. Councilmember Casimir commented he would like to see a Friends of Bull Run 501c3, as that creek doesn't get much attention.

Councilmember Mahon stated, on behalf of the Downtown Partnership, it was great to have all the merchants participate in the upcoming Quilt Weekend Event. She thanked Susan Fader as she was her point person. The Welcome to the Neighborhood Event for Bucknell Students will be held Monday the 24<sup>th</sup>, and the Ice Festival is already in the planning stages. Sadly, Donehowers is closing. Ellicinder's Beads is moving into the building where Wagner's Stationery was located, and Pronto, which is an Italian market, is scheduled to be opening sometime in September.

Mayor Wagner stated the Town and Gown Committee should meet soon. She, along with the Manager, were invited to meet on the 20<sup>th</sup> with Secretary Cornelius of DCED regarding the nature of the partnership between Bucknell University and the Borough, and the importance of Bucknell University's investments to our community.

Councilmember Strosser reported the LNC did not meet this month. Councilmember Morris indicated the Ice Cream Social is scheduled for September 15<sup>th</sup> from 5:30 to 6:30 PM in the Pocket Park on Seventh Street.

Councilmember Casimir indicated another windstorm has damaged our shade tree population. The STC will continue to be professional and proactive in preserving and protecting our trees. The Manager's suggestion to create our own private tree farm is being pursued; we hope to purchase a number of seedlings at a very reduced rate, leave them in place to be cared for by a local nursery, and then in so many years we can offer them to residents at a very reasonable rate when requesting residents replace their shade trees. We are also working toward duplicating the Borough's procedure with regard to streetlights, meaning we are going to attempt to piggyback shade tree plantings with street projects and water projects.

Councilmember Baker commented the last Central Keystone-COG meeting dealt with ongoing sewage problems within other communities. Council's last work session was with CK-COG representatives, resulting in positive communications.

Councilmember Strosser indicated he had nothing to report with regard to the Union County Multi-Municipal Comprehensive Plan Committee.

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

**COUNCILMEMBER COMMENTS:** Councilmember Molesevich reminded everyone just how treacherous the Susquehanna River is.

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

**WORK SESSION:** Council President Bergonia announced there will be a work session on September 8<sup>th</sup> to meet with the Lewisburg Historic Architectural Review Board.

There being no further business, Councilmember Baker made a motion, seconded by Councilmember Strosser, to adjourn the meeting. Motion was unanimously approved. Meeting adjourned at 8:25 PM.

Respectfully submitted,  
Patricia M. Garrison, Borough Secretary

(RESOLUTION NO.  
09-03)

**OTHER  
COMMITTEES**  
LARA

**DOWNTOWN  
PARTNERSHIP**

**TOWN AND GOWN  
COMMITTEE**

**LNC**

**SHADE TREE  
COMMISSION**

**CENTRAL  
KEYSTONE-COG**

**U/C MUNICIPAL  
COMPREHENSIVE  
PLAN**

**OLD BUSINESS**

**NEW BUSINESS**

**COUNCILMEMBER  
COMMENTS**

**WRITTEN  
REPORTS**

**WORK SESSION**

**ADJOURNMENT**