

A **reorganization meeting** of the Borough Council of Lewisburg, Union County, Pennsylvania, was held on **Tuesday, January 03, 2012** in the Borough Council Chambers, 55 South Fifth Street. Present: Councilmembers Casimir, Cox, and Mahon and Councilmembers-Elect Bergonia, Morris, Robinson and Strosser. Also present: Mayor Wagner, Manager/Treasurer Smith, Solicitor Lyons, Chief Yost, and Secretary Garrison. Member of the public present: James Hamill.

CALL TO ORDER: Mayor Wagner called the meeting to order at 7:00 PM, followed by the pledge of allegiance.

OATH OF OFFICE (COUNCIL): Mayor Wagner administered the Oath of Office to: Peter J. Bergonia, Jr., representing Ward III; Kathryn Morris, representing Ward III; Melody A. Robinson, representing Ward II; and Ted L. Strosser, representing Ward I. Councilmember Bergonia will be serving a two year term of office with the term expiration of December 31, 2013. Councilmembers Morris, Robinson and Strosser will each be serving a four year term of office with the term expiration of December 31, 2015. Mayor Wagner congratulated the newly elected Councilmembers and welcomed the returning Councilmembers.

Manager Smith reported there is currently a **vacancy** in **Ward IV**. As you all know, the person elected by a write-in vote initially accepted to serve as a Ward IV representative; however, his professional situation changed which required him to move out of the Borough. There are two letters of interest in this Ward IV seat, one from Swan S. Stall of 303 North Third Street, and one from Kenneth N. Baker, Jr., of 608 Logan Avenue. After much discussion, it was determined that interviews will be held with each of these individuals prior to the Borough Council meeting scheduled for Tuesday, January 17, 2012.

NOMINATIONS AND ELECTIONS FOR COUNCIL PRESIDENT AND COUNCIL VICE PRESIDENT: Mayor Wagner indicated she would now accept nominations for the position of President of Council.

Councilmember Casimir nominated Peter J. Bergonia, Jr. for the position of President of Council. There were no other nominations; nominations were closed. Mayor Wagner called for a voice vote of Council. Peter J. Bergonia, Jr. was unanimously elected as President of Council.

Mayor Wagner indicated she would now accept nominations for the position of Vice President of Council. Councilmember Bergonia nominated Susan P. Mahon. There were no other nominations; nominations were closed. Susan P. Mahon was unanimously elected as Vice President of Council.

Mayor Wagner congratulated Council President Bergonia and Council Vice President Mahon for securing their elected positions. She relinquished the gavel to the President of Council, Peter J. Bergonia, Jr., to officiate the remainder of the reorganization meeting.

NOMINATIONS AND APPOINTMENTS OF BOROUGH MANAGER/TREASURER, BOROUGH SECRETARY, BOROUGH SOLICITOR, CHIEF OF POLICE: President Bergonia asked for nominations for the position of Borough Manager/Treasurer. Councilmember Cox nominated Chad N. Smith to be appointed Borough Manager/Treasurer. President Bergonia called for a vote on this appointment. Chad N. Smith was unanimously appointed Borough Manager/Treasurer of the Borough of Lewisburg.

President Bergonia asked for nominations for the position of Borough Secretary. Councilmember Casimir nominated Patricia M. Garrison to be appointed Borough Secretary. President Bergonia called for a vote on this appointment. Patricia M. Garrison was unanimously appointed Secretary of the Borough of Lewisburg.

President Bergonia asked for nominations for the position of Borough Solicitor. Councilmember Casimir nominated Andrew D. Lyons to be appointed Borough Solicitor. President Bergonia called for a vote on this appointment. Andrew D. Lyons was unanimously appointed Solicitor of the Borough of Lewisburg.

President Bergonia asked for nominations for the Chief of Police. Councilmember Mahon nominated Paul Yost to be appointed Chief of Police. President Bergonia called for a vote on this appointment. Paul Yost was unanimously appointed Chief of Police of the Borough of Lewisburg.

TERMS OF EMPLOYMENT FOR AT-WILL EMPLOYEES: Council President Bergonia said next are the terms of employment for the Borough Manager/Treasurer, Borough Secretary, Borough Solicitor, and Chief of Police.

Councilmember Casimir made a motion, seconded by Councilmember Morris, to approve the terms of employment for the Borough Manager/Treasurer, as per previous discussions, i.e. a 3% increase effective 2012, a 3% increase effective 2013, and one additional PTO day, the contract being effective 01/01/12 through 12/31/13. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Morris, to approve the terms of employment for the Borough Secretary, as per previous discussions, i.e. a 3% increase effective 2012, a 3% increase effective 2013, and one additional PTO day, the contract being effective 01/01/12 through 12/31/13. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Morris, to approve the terms of the letter dated December 23, 2011 for the Borough Solicitor, effective 01/01/2012 through 12/31/13. **ON THE QUESTION:** Councilmember Casimir asked if there is an increase in the \$17,000 retainer fee. Solicitor Lyons said yes; his retainer fee was \$16,000 for 2010 and 2011. Councilmember Casimir asked if phone calls are included. Solicitor Lyons said no; the retainer fee includes the regular monthly meetings; everything else is billed at the \$85/hourly rate. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Morris, to approve the terms of employment for the Chief of Police, the contract being effective 01/01/12 through 12/31/12 or upon the start-up of the Buffalo Valley Regional Police Department (BVRPD). **ON THE QUESTION:** Manager Smith clarified the content of the Chief's contract with the Borough is the same as before, as Chief Yost will be operating under his contract with the Buffalo Valley Regional Police Commission (BVRPC) as

ATTENDANCE
CALL TO ORDER
OATHS OF OFFICE – COUNCIL
WARD IV VACANCY
ELECTION OF COUNCIL PRESIDENT (PETER J. BERGONIA, JR.)
ELECTION OF COUNCIL VICE-PRESIDENT (SUSAN P. MAHON)
MANAGER/TREASURER (CHAD N. SMITH)
BOROUGH SECRETARY (PATRICIA M. GARRISON)
SOLICITOR (ANDREW D. LYONS)
CHIEF OF POLICE (PAUL YOST)
TERMS OF EMPLOYMENT FOR AT-WILL EMPLOYEES
MANAGER/TREASURER
SECRETARY
SOLICITOR
CHIEF OF POLICE

Tuesday, January 03, 2012

soon as the Regional Police Department is up and running. Motion was unanimously approved.

PENSION AND LEGAL ADVISORS: Councilmember Morris made a motion, seconded by Councilmember Casimir, to approve Rhoades Law Firm as legal consultant for pension/contract negotiations and/or issues for the Uniformed/Non-Uniformed employees, and Campbell, Durrant & Beatty for labor negotiations and/or issues. ON THE QUESTION: Solicitor Lyons clarified these are specialty items that he doesn't deal with on a regular basis, and ethically, he feels he should not be handling these types of issues. These are professional firms that the Borough has been working with for years and they are quite competent and very reasonable in cost. Motion was unanimously approved.

Councilmember Casimir updated Council that he spoke with the President of the Lewisburg Police Officers Association (LPOA), Sgt. Fred Hetrick, who indicated the LPOA considered the Borough's offer again and declined to accept the contract with the 3% increase and the health care cap; as far as the LPOA is concerned it will proceed to arbitration. Police Chief Yost commented this really will become a moot point after February 6, 2012.

PAYING EXPENDITURES IN ADVANCE: Councilmember Morris made a motion, seconded by Councilmember Casimir, to approve paying bills prior to Council approval for the period of 01/01/12 through 12/31/13 to receive discounts as applicable. Motion was unanimously approved.

COUNCIL APPOINTMENT OF CHAIRPERSON PRO TEM: Councilmember Casimir made a motion, seconded by Councilmember Morris, to appoint Ed Cox as the Chairperson Pro Tem, noting that he will preside in the absence of the President and Vice President, only if there is a quorum present. Motion was unanimously approved.

COUNCIL COMMITTEE APPOINTMENTS BY COUNCIL PRESIDENT: Council President Bergonia announced the Committee membership:

Finance: Kathryn Morris, Chairperson; Ed Cox, Trey Casimir
Police: Susan Mahon, Chairperson; Ed Cox and Ward IV Representative
Planning: Trey Casimir, Chairperson; Susan Mahon and Ted Strosser
Public Works: Ted Strosser, Chairperson; Melody Robinson and Ward IV Representative
(Peter J. Bergonia, Jr., Ex-Officio on above committees.)

Councilmember Robinson indicated she cannot make a 12 noon meeting due to her job; any meeting after 4:40 PM would work for her. Councilmember Strosser indicated we can certainly change the time of the Public Works Committee meeting to 5 PM, and it can remain the first Monday of each month. Solicitor Lyons indicated this time change will have to be advertised; the Borough Secretary is willing to take care of this advertisement. Councilmember Casimir questioned if the Planning Committee meeting dates were changed to allow minutes of the HARB meetings to be provided to the Planning Committee for their review prior to the regular monthly Council meeting. Manager Smith said that was taken care of. Council President Bergonia indicated the time of the Public Works Committee meeting will be 5 PM; however it has been suggested the advertisement not be placed until after a Councilmember has been appointed to fill the current vacancy. (Just in case the recommended 5 PM time would not work for that individual.)

MISCELLANEOUS: Councilmember Cox indicated at the last Regional Police Commission meeting there was discussion of having the Managers of the Borough and the Township sit on the BVRPC. Manager Smith clarified there was discussion to broaden the membership of the Commission to include Managers of the participating municipalities. Councilmember Casimir said the Commission can't do that internally, as the municipalities would have to change the agreement to allow that. Solicitor Lyons reported that is correct. Mayor Wagner said she doesn't believe we are at a point where we want to take any action on this; the BVRPC really needs to discuss this further amongst themselves.

Councilmember Casimir stated after reviewing the November LARA minutes that were distributed by our Manager today; LARA either needs to change their by-laws, even after the fact, or they have exposed the Borough and East Buffalo Township in a way that we do not want to be exposed. Since the entire justification was because it was a "financial" issue, the by-laws should be changed. Also, he will be scheduling an IGA meeting in the very near future.

Councilmember Morris questioned if the Borough should have a Police Committee. Councilmember Strosser stated there will still be police issues. Mayor Wagner said she would like to continue to maintain a very strong communication level between the Borough and the BVRPC. This is a new Commission, and she wants to see all efforts coordinated to make sure the Regional Police is a success. Chief Yost said the Police Committee would allow him to serve as the liaison between the BVRPD and the Borough at the Committee level, i.e. allowing him to hear about any issues/concerns and also be able to present issues/concerns. Councilmember Strosser questioned if the Chief will be attending Council meetings in the future. Solicitor Lyons commented the Chief's position will be similar to that of the Fire Chief, etc., and his attendance would depend upon what agreement was worked out. Mayor Wagner stressed again that we need to put a process in place to assure the success of the Buffalo Valley Regional Police.

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 07:50 PM.

Respectfully submitted,

Patricia M. Garrison
Borough Secretary

PENSION AND
LEGAL ADVISORS

LPOA CONTRACT
UPDATE

PAYING
EXPENDITURES IN
ADVANCE

CHAIRPERSON
PRO TEM
(ED COX)

COUNCIL
COMMITTEE
APPOINTMENTS

MISCELLANEOUS

LARA/BY-LAWS

POLICE
COMMITTEE

ADJOURNMENT