

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held on **Tuesday, January 19, 2016** in the Council Chambers, 55 South Fifth Street. Present: Council President Bergonia; Councilmembers Cook, Cox, Derman, Frederick, Mahon and Morris; Mayor Wagner, Solicitor Lyons, Manager Lowthert, Secretary Garrison and BVRP Chief Yost. Also present: Matt Farrand

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 Cook, to approve the minutes of the December 15, 2015 regular meeting and the January 04, 2016 reorganization meeting. Motion was unanimously approved.

PUBLIC PARTICIPATION: There were no members of the public that wished to speak.

PUBLIC WORKS/POLICE COMMITTEE: No meeting of the Public Works/Police Committee in January. Council received the Chief's monthly report. Chief Yost briefly reviewed his report. He indicated Officer Tammy Smith left the BVRPD and is now working in Mahoning Township and Officer Shawn Kuhns has returned to work. The complement, as a result, remains the same. Next month a 2015 year-end report will be provided for Council's review. Mayor Wagner indicated the BVRPC officers remain the same: Judy Wagner, Chairperson; Tom Zorn, Vice Chairperson; Ed Cox, Treasurer; Sue Mahon, Secretary.

COMMUNITY DEVELOPMENT/PLANNING COMMITTEE: Councilmember Morris made a motion, seconded by Councilmember Cook, to approve HARB items b and f, as submitted and recommended by HARB. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Derman, to approve project updates h and i, as submitted and recommended by HARB. Motion was unanimously approved.

a. Wen Qing Wu (Sushihanna)/434 Market Street/Sign. An application was submitted to HARB for an illuminated sign. A motion was made by Steve Snook to table for further review/discussion. Motion was unanimous.

b. Susan Hart/234 North Fourth Street/Windows-Porch. An application was submitted to and reviewed by HARB for windows and a porch. A motion was made by Kim Walter, seconded by Elaine Wintjen, to recommend approval of the new windows, (double-hung one over one), in same openings, and approval of the porch, wood railing, turned spindles and top rail, steps reconstructed in kind, screen/storm door full lite with operable screen. Motion was unanimously approved.

c. Rick Thomas (Pizza Phi)/316 Market Street/Signs. An application was submitted to HARB for illuminated signs. A motion was made by Steve Snook to table for further review/discussion. Motion was unanimous.

d. Davide Della Pietra (Amami)/512 Market Street/Sign. An application was submitted to HARB for illuminated signs. A motion was made by Steve Snook to table for further review/discussion. Motion was unanimous.

e. David Smith (Mancini's)/428 Market Street/Sign. An application was submitted to HARB for illuminated signs. A motion was made by Steve Snook to table for further review/discussion. Motion was unanimous.

f. Thomas Harmon/17-19 North Seventh Street/Roof. An application was submitted to and reviewed by HARB for a new roof. A motion was made by Steve Snook, seconded by Kim Walter, to recommend approval for a standing seam metal roof with concealed fasteners or shingle as described at this meeting and as reflected in attachments to the HARB application. Motion was unanimously approved.

Project Updates:

g. Jean-Paul & Bernadine Richard/31 South Front Street – Complete.

h. David & Kristen Koconis/140 South Second Street – Kate Fairweather presented on behalf of the Koconis' with regard to window options. A motion was made by Steve Snook, seconded by Elaine Wintjen, to recommend approval of south window change presented on document provided and labeled Option 1. Motion was unanimously approved.

i. Ralph Apuzzio/18-20 South Fourth Street - Kate Fairweather presented on behalf of Appuzzio's. A motion was made by Rob Cook, seconded by Ted Strosser, to NOT recommend installation of wood grain vinyl shutters. Motion was unanimously approved.

j. Tom Egan & Jamie Piperberg/333 North Third Street – Complete.

k. Laura Payne/26 South Third Street – Kate Fairweather presented on behalf of the Payne's. Discussions regarding a sign ensued. It was determined that 2 sq. ft. is allowed and would be approved. However, the request was for 9 sq. ft. (3' x 3'), so a variance would be required. Kate Fairweather indicated that the Laura Payne will be consulted and may seek a variance.

Councilmember Cook shared that several people were present regarding the issue of illuminated signs downtown, which came up as a result of a complaint. HARB has been anticipating this discussion, realizes the need for decisions to be made, and tabled the matter in order to allow time for Council to review, discuss and decide how *they* want to proceed. There was concern raised about action being required within thirty days, however, Manager Lowthert reported because the applicants agreed to the tabling of this issue, the clock did not start. Had that happened, a decision to approve or deny would have been required. Councilmember Cook stated Ted Strosser distributed information on how other communities have been dealing with this issue. Councilmember Mahon requested everyone be provided with that information. Councilmember Cook indicated he suggested the businesses downtown turn their lights on, so the public and everyone can see what it looks like. Manager Lowthert distributed a copy of Zoning Chapter 360-25 sign regulations, highlighting the sections that are applicable. Solicitor Lyons clarified the Zoning Officer strictly *enforces* ordinances and as a result issued notices to those he felt were in violation. It was noted that Zoning and HARB are totally different entities. If Council wants to change the ordinance, this could be done, and ordinance changes would take 60 to 90 days. Manager Lowthert stated at some point a decision of Council will have to be made on Certificates of Appropriateness issued for these signs by HARB.

ATTENDANCE

CALL TO ORDER

APPROVAL OF MINUTES

PUBLIC PARTICIPATION

PUBLIC WORKS/POLICE COMMITTEE

COMMUNITY DEVELOPMENT/ PLANNING COMMITTEE
HARB

W QING WU

S HART

R THOMAS

D DELLA PETRA

D SMITH

T HARMON

J-P RICHARD

D KOCONIS

R APUZZIO

T EGAN/J PIPERBERG

L PAYNE

DISCUSSION OF ILLUMINATED SIGNS IN THE HARB DISTRICT

January 19, 2016

But, the bottom line is, does Council like what the current zoning ordinance language says, or would Council like to see the zoning ordinance changed. A suggestion would be to take a walk through the downtown area and determine if this is what you envision for Lewisburg. Councilmember Morris questioned if the HARB is looking for Council support to enforce the already existing ordinances. Councilmember Cook said he is sure that is a large part of it. There was **much** discussion.

Councilmember Morris made a motion, seconded by Councilmember Cook, to appoint Michael Derman to serve as a Borough Council Representative on the LNC Board; term expiration December 31, 2018. (Three year term 01/01/2016 through 12/31/18) Motion was unanimously approved.

Councilmember Mahon made a motion, seconded by Councilmember Derman, to appoint Kathryn Morris to serve on the Planning Commission; term expiration December 31, 2019. (Four year term 01/01/2016 through 12/31/2019). Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Derman, to appoint Gary Frederick to serve on the Buffalo Valley Recreation Authority (BVRA); term expiration December 31, 2020. (Five year term 01/01/2016 through 12/31/2020). Motion was unanimously approved.

Manager Lowthert reported three people have contacted the Borough expressing some interest in the Ward II Council vacancy, but none have submitted a letter of interest to date. Solicitor Lyons explained the Vacancy Board will have fifteen days to make a decision; unfortunately if Council doesn't have anyone, the Vacancy Board isn't going to have anyone as the Vacancy Board consists of Council.

Manager Lowthert reported Verizon Wireless has an interest in installing mini-antennae and control box structures along the Route 45 (Market Street) corridor to increase cell phone 4G/LTE data service. A meeting is scheduled with Verizon, and Ted Strosser will be representing HARB keeping the historic focus in the forefront. This would generate some revenue for the Borough, and it was noted that if the Borough doesn't allow this, we may lose control as Verizon will more than likely approach individual property owners.

Manager Lowthert reported the Township decided to decline the grant for the Borough/Township Consolidation Study. He has been in contact with DCED and they are interested in working with the Borough on some type of related study, one that may be focused internally rather than externally, and he will keep Council informed. There are a lot of analyses a consultant could do and assist the Borough with that would be extremely beneficial and some examples would be other consolidation efforts, financial five year budget planning, refuse collection studies, and grant funding to name a few. There was **much** discussion.

Manager Lowthert indicated the spelling of St. Catherine vs. Catharine Street has been a subject of discussion for quite some time and the Borough now needs to order signs. He provided a copy of an editor's note found in the codification documents with General Code that indicates at the time of the revision of July 21, 1998, the spelling of St. Catherine Street changed to St. Catharine Street with an "a" at the request of the Borough for purposes of historical accuracy. There was **very much** discussion.

Councilmember Morris made a motion, seconded by Councilmember Derman, to take action to officially make the spelling of St. Catharine Street with an "a" (C-a-t-h-a-r-i-n-e) for historical accuracy.

On roll call the vote was as follows:

Yes - Cook, Cox, Derman, Frederick, Mahon, Morris and Bergonia

No - None

Motion was approved by a 7 to 0 vote.

Current vacancies: one Planning Commission vacancy expiring December 31, 2017; one Shade Tree Commission vacancy expiring December 31, 2019; one HARB vacancy expiring December 31, 2018; and one MACAC vacancy.

ADMINISTRATIVE/FINANCE COMMITTEE: Councilmember Cox made a motion, seconded by Councilmember Morris, to approve the payment of bills from 12/12/15 through 01/15/16 in the amount of \$670,197.68. Motion was unanimously approved.

Councilmember Cox made a motion, seconded by Councilmember Mahon, to adopt necessary modifications to the 2016 final budget in order to accurately reflect the starting cash amounts and the adjustments needed to the unappropriated line items. **ON THE QUESTION:** Manager Lowthert explained the Borough adopts a budget at year end with an estimated cash balance. Once that balance is determined, an adjustment must be made to accurately reflect the cash balances. Moving forward, Council will be presented with a list of estimated expenses and a list of estimated revenues which will balance at year end. The amount of cash in the bank at year end should always be at least 10%

APPOINTMENT OF
MICHAEL DERMAN
TO LNC BOARD

APPOINTMENT OF
KATHRYN MORRIS TO
PLANNING
COMMISSION

APPOINTMENT OF
GARY FREDERICK TO
BVRA

WARD II VACANCY

VERIZON MINI-
ANTENNAE

CONSOLIDATION
STUDY UPDATE

SPELLING OF ST.
CATHARINE STREET

COUNCIL VOTED TO
BE SPELLED WITH AN
"A"

EXISTING VACANCIES

ADMINISTRATIVE/
FINANCE COMMITTEE
PAYMENT OF BILLS

MODIFICATIONS TO
2016 BUDGET

January 19, 2016

of the total budget for emergencies and to allow the Borough to continue to function through the beginning of the year until taxes start to come in. Motion was unanimously approved.

Manager Lowthert indicated the Borough is currently a member of the Pennsylvania State Association of Boroughs (PSAB), and it serves the Borough well. However, there is another organization that he feels would be beneficial for the Borough to be a member of and that is the Pennsylvania Municipal League (PML), formerly Pennsylvania League of Cities. They have labor relations conferences and a State-wide town and gown organization. There would be no membership fee in 2016, and then the fee is discounted over the next four years; their way of encouraging you to continue membership. He would like to see Council decide to join the PML, noting that if at the end of 2016 you feel it has not been beneficial, this membership will not be budgeted in future years. There was **much** discussion.

Councilmember Derman made a motion, seconded by Councilmember Mahon, for the Borough to become a member of the Pennsylvania Municipal League (PML) in 2016, at no cost. Motion was unanimously approved.

Manager Lowthert indicated the Borough's website is extremely out of date, and because we have a very engaged community when it comes to social media, he would like to see the Borough update the platform of our website and social media. The cost to do this is approximately \$3,000.00 to \$4,000.00, which is within the purview of the Manager and quite reasonable, so he will continue to pursue this update.

Manager Lowthert reported a contractor closed the alley behind the post office right before Christmas and numerous complaints were received. Although a contractor should notify the Borough, as well as the Communications Center for emergency purposes, we currently have no street closure permit or fee schedule for this. There was **much** discussion. Manager Lowthert indicated he will present a permit for committee review and eventually a fee will have to be determined to cover the Borough's administrative costs.

Manager Lowthert reported the Donald Heiter Community Center has requested financial support from the Borough to help cover some of the scholarships costs they have for Borough residents with their after school program and summer program. The Committee said they are willing to consider this request, but noted it was not budgeted for 2016. A suggestion was made that they come back later this year and when they do, the Borough will have a better idea of where we are financially.

MAYOR: Mayor Wagner thanked our Manager and Matt Miller of Playworld Systems for responding to a letter she received from the Brownies whereby they indicated there was a hole in the plastic sliding board in Kidsburg which was ripping their clothes and pinching their skin. Manager Lowthert said Playworld Systems responded by saying they would manufacture a slide, which he anticipates will be installed very soon. Mayor Wagner noted she is still pursuing the acquisition of art for display in the Council Chambers. And, she donated a book titled, "Water-powered Gristmills of Union County" to the Borough, which will be kept in the Manager's office should anyone wish to see it.

COUNCIL PRESIDENT: No report.

SOLICITOR: No report.

MANAGER: Manager Lowthert reported a decision was made today to close the Recycling Center on Saturday, December 23rd due to the inclement weather forecast and the concern for the safety of our citizens. Signs have been posted and notification was given to the papers and radio stations.

OTHER COMMITTEES: Council President Bergonia announced that the BVRA opened the ice rink this past week.

Councilmember Morris indicated there is a meeting of the LDP on Monday to review the strategic plan. She reminded everyone that the first weekend in February is the Ice Festival and the Polar Bear Plunge.

Mayor Wagner indicated there was no Town and Gown Committee meeting.

Mayor Wagner reported the LNC met and elected officers; Judy Wagner, President; Dan DeFebbo, Vice President; Ed Cox, Treasurer; and Dan Remley, Secretary.

Manager Lowthert reported he talked with the STC about a tree planted under a power line. Initially the STC liked the planting spot, but after taking a drive out to Fairfield Road to see the maple tree under the power line and how it was cut, they are rethinking that decision.

Council President Bergonia noted the Central Keystone-COG is very busy and they will be hiring an additional person in the very near future.

**PENNSYLVANIA
MUNICIPAL LEAGUE
DISCUSSION**

**PML MEMBERSHIP
FOR 2016 APPROVED**

**WEBSITE/SOCIAL
MEDIA UPDATE**

**STREET CLOSURE
PERMIT/FEE
DISCUSSION**

**DONALD HEITER
COMMUNITY CENTER
FINANCIAL SUPPORT
REQUEST**

MAYOR

COUNCIL PRESIDENT

SOLICITOR

**MANAGER
RECYCLING CENTER
CLOSURE ON
SATURDAY THE 23RD
DUE TO INCLEMENT
WEATHER**

**OTHER COMMITTEES
BVRA**

LDP

**TOWN AND GOWN
COMMITTEE**

LNC

STC

CK-COG

January 19, 2016

Councilmember Morris said she received an email today from the Community Garden Committee looking for help for the serving of meals the next two Monday nights, if anyone is interested in a community service.

Councilmember Cook indicated he had no report on the Flood Impact Task Force.

Mayor Wagner indicated the River Town Committee is a subsidiary of the LNC for river bank clean-ups, etc. Councilmember Morris suggested this be removed from the agenda and that any River Town Committee action/events be shared during the LNC reporting.

Councilmember Cox reported the Municipal and Community Advisory Committee (MACAC) continues to meet.

OLD BUSINESS: None.

NEW BUSINESS: None.

WRITTEN REPORTS: Councilmember Morris made a motion, seconded by Councilmember Mahon, to acknowledge receipt of the Budget Index; Parking Report, Code Enforcement Officer Report, Zoning Officer's report, and the annual Zoning Officer report. Motion was unanimously approved.

WORK SESSION: Council President Bergonia indicated there will not be a work session held February 09, 2016. However, if something should come up, a work session has been advertised and a meeting could be held. Solicitor Lyons suggested if there is no work session, the Vacancy Board could meet.

There being no further business, Councilmember Derman made a motion, seconded by Councilmember Cook, to adjourn the meeting. Motion was unanimously approved. Meeting adjourned at 8:30 PM.

Respectfully submitted,

Patricia M. Garrison
Borough Secretary

COMMUNITY GARDEN

FLOOD IMPACT TASK FORCE

RIVER TOWN COMMITTEE

MACAC

OLD BUSINESS

NEW BUSINESS

WRITTEN REPORTS

WORK SESSION

POSSIBLE VACANCY BOARD MEETING

ADJOURNMENT