

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held on **Tuesday, March 19, 2013** in the Council Chambers, 55 South Fifth Street. Present: Council President Bergonia; Councilmembers Casimir, Cox, Mahon, Morris. Robinson and Strosser; Mayor Wagner; Manager/Treasurer Smith; Solicitor Lyons; and Secretary Garrison. Absent: Councilmember Baker. Also present: David Grey, Stephen Bolinsky, Matt Farrand and Jillian Lewis.

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 Strosser, seconded by Councilmember Morris, to approve the minutes of the regular Council meeting held February 19, 2013 and the work session of Council held March 12, 2013. Motion was unanimously approved.

PUBLIC PARTICIPATION: Council President Bergonia adjourned the regular order of business to conduct a public hearing. He called the public hearing to order at 7:05 PM.

David Grey, SEDA-COG, stated he will be administering the Community Development Block Grant (CDBG) Program, and will manage this public hearing. Mr. Grey said this is the first public hearing for the 2013 CDBG Program and the purpose of this meeting is to review/discuss the requirements of the program, the projects under consideration, open the hearing for public comment/discussion of any new projects proposed, and cover the regulatory documents distributed. The agenda provided reflects a CDBG allocation of \$90,000; these are Federal funds that come through the U.S. Department of Housing and Urban Development (HUD) and are administered through the Pennsylvania Department of Community and Economic Development (DCED). The CDBG Entitlement Program was explained in detail. The **eligible activities** for CDBG funding would be a broad range of community development and economic development activities including: water system improvements, sewer system improvements, storm water improvements, roads, streets, bridges, community facilities, senior centers, housing activities, economic development activities, and/or direct loans to private businesses in exchange for creation of jobs for low and moderate income persons. You cannot do any routine maintenance, or build or pay for the general function/purpose of government, and equipment is not eligible. Then every project must meet one of three **federal funding criteria**: 1) benefit low and moderate-income persons (how most projects are funded); 2) removal of blighting influence in a community (six block area: Seventh Street to Fifth Street and Market Street to Bucknell University is an area Council determined several years ago was in jeopardy of becoming a blighting influence on the community); and 3) urgent need (very few urgent need projects are undertaken in the CDBG Program). There are requirements imposed by the program: the first is the Preference Statement, which is located on the bottom of the agenda, and then attached are the Fair Housing Notice and the Residential Anti-Displacement and Relocation Assistance Plan. The final CDBG Program schedule was reviewed. The projects that have been discussed are: 1) South Sixth Street Reconstruction; 2) Donald Heiter Community Center (before school program); and 3) Borough wide curb cuts. He asked if there are any comments regarding these projects, noting this is the last night to request project proposals from the public. Manager Smith said these proposed projects were discussed in the Public Works Committee. Mr. Grey said he will be at the April 16th Council meeting so prioritization can occur, and then this goes before the County. He asked if there are any public comments relative to any potential historical or environmental impacts associated with any of these projects. There was no response. Any public comments on previously planned projects. There was no response.

Council President Bergonia asked if anyone else wishes to speak. No one wished to speak, so he declared the public hearing closed at 7:15 PM. He reconvened to the regular order of business and continued with the meeting.

Stephen Bolinsky, Fire Chief for the William Cameron Engine Company, reported they no longer use the old bunk house (white building on North Fifth Street) and have decided to demolish that structure. He indicated Larry Erdley would be in touch with the Manager regarding this demolition work and what will be required for this to occur. He pointed out Peter Wiley resigned as Chairman of the WCEC Board due to personal and professional commitments, so Vaughn Murray is now Chairman of the Board and Steve Leauber was elected to fill an Assistant Chief position. He updated Council on the current activities, training programs, and credentials of several of the members. He reported the Community Advisory Council he talked about forming has stalled a little, but a formal invitation letter is in the works and will be sent to all municipalities asking that a point person be established to each municipality, as well as an alternate. Initially these meetings will be monthly, and eventually they will become quarterly. They are planning on their first inaugural fire prevention/community outreach program in early May, which will also serve as an open house. One last note, we are transitioning to a 24-72 work schedule, meaning we work 24 hours on and 72 hours off, with four platoon shifts; this allows streamlined scheduling, it reduces significantly any overtime that may occur, and this is for the health and welfare of our men/women.

ATTENDANCE

CALL TO ORDER

APPROVAL OF MINUTES

PUBLIC PARTICIPATION

**(CDBG PUBLIC HEARING)
DAVID GREY**

(CDBG PUBLIC HEARING CLOSED)

STEPHEN BOLINSKY/WCEC

Tuesday, March 19, 2013

POLICE COMMITTEE: No meeting in March. Chief Yost distributed and briefly reviewed his February 2013 monthly activity report. He reported he is now able to provide comparisons of 2012 and 2013. Mayor Wagner pointed out April 15th will be the first time Chief Yost will actually have a full staff. Chief Yost explained we will still be one short as a result of the retirement of Officer Hoffman. Councilmember Morris reported that students walking home from Linntown Intermediate School and the Donald H. Eichhorn Middle School need to be made aware of the fact they should be walking facing traffic.

PLANNING COMMITTEE: Councilmember Casimir made a motion, seconded by Councilmember Morris, to approve HARB application a, as submitted and recommended by HARB. Motion was approved with one abstention; Councilmember Casimir abstained from voting.

a. Trey Casimir/637 Market Street/Signage. An application was submitted to and reviewed by HARB for signage. A motion as made by Elaine Wintjen, seconded by Robert Cook, to approve the sign as presented and as shown on the HARB application under project description, with the understanding this sign will be attached to the building using the existing sign brackets and that this sign will not be illuminated. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Strosser, to approve HARB applications b, c and d, as submitted and recommended by HARB. Motion was unanimously approved.

b. Bucknell University/600 Walker Street/Window Replacement. An application was submitted to and reviewed by HARB for replacement windows. A motion was made by Ted Strosser, seconded by Elaine Wintjen, to approve the replacement windows as stated in the HARB application under project description, and as shown on the drawings attached to the application, specifically the windows will be simulated divided light and exist in the original openings. (Note: This Project is expected to take three to four years.) Motion was unanimously approved.

c. Randy Sprenkle/44 North Seventh Street/Window Replacement. An application was submitted to and reviewed by HARB for replacement windows. A motion was made by Ted Strosser, seconded by Phoebe Faden, to approve the replacement windows as stated in the HARB application under project description, specifically the windows will be one over one replacement windows which will be kept in the existing openings, and also approve getting rid of the second story two over two windows as HARB feels these windows are not a defining feature of the building. Motion was unanimously approved.

d. John and Danielle Murphy/124 North Fourth Street/Garage. An application was submitted to and reviewed by HARB for construction of a garage. A motion was made by Phoebe Faden, seconded by Robert Cook, to approve the construction of a carriage house style garage on the site of their demolished garage, as stated in the HARB application under project description and as shown on the drawings attached to the application, specifically the windows will be simulated exterior divided grills or no grills at all, with HARB's recommendation for T-111 siding or wood board batten as additional siding options, however, if vinyl siding is used it should be smooth or brush finished. (Note: If wood or T-111 is used, it should be painted or stained within one year.) Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Strosser, to approve a revised Intergovernmental Agreement of Cooperation between Lewisburg Borough and East Buffalo Township creating a recreation authority known as the Lewisburg Area Recreation Authority (LARA) soon to be known as the Buffalo Valley Recreation Authority (BVRA). Motion was unanimously approved.

Councilmember Casimir pointed out the new contribution formula will begin the second quarter.

Councilmember Casimir made a motion, seconded by Councilmember Mahon, to approve Ordinance No. 1020, establishment and maintenance of Police employees' pension, annuity, insurance and benefit fund or funds, to amend the plan to comply with changes necessary under the Internal Revenue Code (IRC). Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Strosser, to approve Resolution No. 13-02, authorizing the transfer of funds of the Borough of Lewisburg Police Pension Plan to the funds of the Buffalo Valley Regional Police Pension Plan. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Strosser, to direct the Solicitor to prepare and advertise an ordinance that would terminate the Lewisburg Police Pension Plan. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Morris, to approve Resolution No. 13-03, establishing SEDA-COG's Community Development Program Chief, William C. Seigel, as an agent of the Borough of the purpose of administering the RFC and HMGP Flood Mitigation Grants. ON THE QUESTION: Manager Smith explained this was the result of discussions with PEMA and their legal representatives. This was required to allow PEMA to discuss with SEDA-COG the Borough's project, specifically the demolition of the ten flood prone properties on South Sixth Street. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Mahon, to amend the Agreement between AFSCME Local 3313 and the Borough of Lewisburg to reflect a change in the hours of operation of the Borough's Refuse Crew on Saturdays to 5 AM

**POLICE COMMITTEE
BVRPD UPDATE**

**PLANNING
COMMITTEE
HARB**

T CASIMIR

**BUCKNELL
UNIVERSITY**

R SPRENKLE

J MURPHY

**REVISED
INTERGOVERN-
MENTAL
AGREEMENT OF
COOPERATION (IGA)
FOR LARA/soon to
BE BVRA**

**ESTABLISHMENT/
MAINTENANCE OF
POLICE EMPLOYEES'
PENSION TO COMPLY
WITH INTERNAL
REVENUE CODE (IRC)
(ORDINANCE NO. 1020)**

**TRANSFER OF PENSION
FUNDS FROM
LEWISBURG TO BVRP
(RESOLUTION NO. 13-
02)**

**SOLICITOR TO
PREPARE/ADVISE
ORDINANCE TO
TERMINATE BOROUGH
POLICE PENSION PLAN**

**SEDA-COG CD
PROGRAM CHIEF
NAMED AGENT FOR
BOROUGH FOR
PURPOSE OF
ADMINISTERING RFC
AND HMGP FLOOD
MITIGATION GRANTS**

**AFSCME AGREEMENT
AMENDED TO REFLECT
NEW HOURS FOR
REFUSE CREW**

Tuesday, March 19, 2013

through 10 AM. ON THE QUESTION: Manager Smith explained the current agreement reads 6 AM to 11 AM. He didn't have a problem with this change, and the refuse crew has been operating on Saturdays from 5 AM to 10 AM, with no complaints received from residents. There were employees that disagreed with the Refuse Crew not following the times noted in the agreement, so he decided to change the agreement. All employees, as well as AFSCME, agreed to this change. Motion was unanimously approved.

PUBLIC WORKS COMMITTEE: Councilmember Strosser made a motion, seconded by Councilmember Casimir, to approve the Confirmation of Assignment to Larson Design Group in the amount of \$7,850 for data collection, survey work, final design, preparation of construction documents, bidding, and construction administration services for the Recycling Center Improvement Project. ON THE QUESTION: Manager Smith indicated he wanted to provide more detail to Council with regard to the Confirmation of Assignments. This is a result of the Borough working with Union County and getting approximately \$64,000 in grant funds to renovate the current recycling complex. This doesn't physically expand the site, but it expands our ability to recycle. Expanding the site is a consideration in the future. Councilmember Cox asked that blacktopping the area be considered. Manager Smith said we are contemplating that. Motion was unanimously approved.

*Councilmember Strosser made a motion, seconded by Councilmember Morris, to approve Confirmation of Assignment to Larson Design Group in the amount of \$4,780 for design, permitting and document preparation to re-stabilize the stream bank along Buffalo Creek, adjacent to the Borough's brush pile. ON THE QUESTION: Manager Smith explained this wasn't a recommendation of the Public Works Committee. Back by the brush pile, where the rope swing used to be, erosion has taken away 10 or 15 feet of the bank; it was felt by the committee this was nature taking its course. However, recognizing that this site was an old landfill for the Borough back in the 1980's and what the impact could be should there be more erosion, it was strongly felt that something should be done, i.e. a retaining wall, to stop any further erosion at this location. Councilmember Casimir asked for more time to look into this situation, as he contacted the Merrill Lynn Conservatory to see what ideas they might have to help us out with this. If we could accomplish something with the planting of trees or shrubs vs. a retaining wall, he would rather see that happen.

*Councilmember Strosser tabled his motion, seconded by Councilmember Morris, and approved.

Councilmember Casimir thanked Council for tabling this motion and giving him the opportunity to look into this further. He will try to have information by next month's meeting, and if a solution is not available, he will entertain this motion next month.

Councilmember Strosser reported that LARA, soon to be known as the BVRA, notified the Borough in a letter dated March 13th of their intent to apply for additional funding through DCNR and DCED to construct various portions of the Rail/Trail into Lewisburg and up to North Fifth Street.

FINANCE COMMITTEE: Councilmember Casimir made a motion, seconded by Councilmember Cox, to approve payment of bills from 02/16/13 through 03/15/13 in the amount of \$257,046.45. Motion was unanimously approved.

Councilmember Casimir indicated the Finance Committee asked the Manager to conduct a review of the Borough's local banking options. Manager Smith indicated what he would like to send out is what he would refer to as a "Request for Qualifications" (RFQ) sheet, which he would then review with the Finance Committee to make a determination whether it would be prudent to make a change. He briefly explained there is currently an issue with a coin sorter/counter at M & T Bank, and the cost of these machines can be anywhere between \$5,000 and \$10,000; M & T Bank is putting the onus on the Borough to acquire the machine, although willing to work with us. Councilmember Casimir said the bank is talking about waiving the Borough's service fee for a period of time until the Borough recoups the money spent for the machine. Considering the amount of business the Borough generates and given the fact there is a new local bank moving in, this might be a good time to review our banking options.

MAYOR: Mayor Wagner said it was an extremely busy month. The BVRPD is developing a Strategic Plan, with the assistance of Bill Seigel. There is master planning work taking place with Ward I Plus. There is a Rail/Trail meeting scheduled for Friday. The Bucknell basketball team has brought a lot of focus to Lewisburg, in a very positive way, as well as the PIAA Swimming and Diving Championships. Our town has been full of people and has been a very busy place.

COUNCIL PRESIDENT: Council President Bergonia explained Act 32 requires a Delegate and Alternate to serve on the Union County Tax Collection Committee. Council appointed him to serve as Delegate and Sue Mahon to serve as the Alternate per resolution and he would like to note that these appointments will continue. He reported he was recently elected as the Chairman of this Committee.

PUBLIC WORKS COMMITTEE

CONFIRMATION OF ASSIGNMENT TO LARSON FOR SERVICES WITH RECYCLING CENTER IMPROVEMENT PROJECT/ APPROVED

CONFIRMATION OF ASSIGNMENT TO LARSON FOR SERVICES WITH RESTABILIZATION OF STREAM BANK ALONG BUFFALO CREEK

(TABLED)

LARA NOTIFICATION OF INTENT TO APPLY FOR ADDITIONAL FUNDING THROUGH DCNR AND DCED FOR RAIL/TRAIL

**FINANCE COMMITTEE
PAYMENT OF BILLS**

MANAGER DIRECTED TO REVIEW BOROUGH'S BANKING OPTIONS THROUGH RFQ PROCESS

MAYOR

**COUNCIL PRESIDENT
U/C TAX COLLECTION COMMITTEE DELEGATE AND ALTERNATE**

Tuesday, March 19, 2013

Councilmember Morris made a motion, seconded by Councilmember Mahon, to allow Bella's Bliss Bakery to use the depiction of the Borough's three globe light standard. Motion was unanimously approved.

SOLICITOR: Solicitor Lyons presented an ordinance to Council for consideration of the placement of stop signs on North Water Street at the intersection of St. John Street for traffic travelling north and south on North Water Street.

Councilmember Morris made a motion, seconded by Councilmember Strosser, to approve Ordinance No. 1019, placement of stop signs on North Water Street at the intersection of St. John Street for traffic travelling north and south on North Water Street. Motion was approved with one dissenting vote, Council Casimir voted no.

MANAGER: Manager Smith indicated he placed two additional Confirmation of Assignment issues on the agenda for Council action as they were received after the last committee meeting.

Councilmember Casimir made a motion, seconded by Councilmember Robinson, to approve Confirmation of Assignment to Larson Design Group in the amount of \$6,775 for survey work, construction document preparation, bidding and construction administration for renovations (Phase I) to the Borough Hall Council Chambers and the relevant second floor area. ON THE QUESTION: Manager Smith said we are looking to remove the restroom and stairwell here in the Council Chambers. Councilmember Casimir said part of Phase I is also the installation of an ADA restroom. Manager Smith said no that will be part of Phase II. We need to strategically move people around as the work gets done and therefore had to break the project down into phases. Councilmember Morris said she doesn't want to do the upstairs before we have a handicap accessible bathroom down here. Councilmember Strosser said that isn't possible as you need to have an office location available for the person sitting where the bathroom will be located and you will not have that available space if the upstairs isn't done first to allow someone to move up there. There was **much** discussion. Manager Smith reported that Larson Design Group has subcontracted with Councilmember Strosser to be the architect on this project, so Councilmember Strosser will need to abstain from voting. Motion was approved with one abstention; Councilmember Strosser abstained.

Councilmember Casimir made a motion, seconded by Councilmember Strosser, to approve Confirmation of Assignment to Larson Design Group in the amount of \$14,175 for data collection, permitting, final design, preparation of construction/demolition documents, bidding and construction/demolition administration services for Phase I portion of the 2013/2014 Flood Mitigation efforts under the RFC and HMGP Grants received. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Cox, to approve the installation of concrete walls and steps with railings at field no. 1 in Wolfe Field by Diehl's Masonry at a cost not to exceed \$4,800. Motion was unanimously approved.

Manager Smith indicated he prepared a Certification of Appreciation for Citizens' Electric Company and Windstream Corporation for their manpower and equipment assistance with the placement of Union County Bicentennial banner at a new location, specifically at Sixth and Market Streets. He further explained after it was relocated the wind severely damaged the banner and another has been ordered.

OTHER COMMITTEES: Councilmember Bergonia indicated he believes the name of LARA will be changing this Friday to Buffalo Valley Recreation Authority (BVRA). There is work taking place to the pool in preparation for the opening of the pool.

Councilmember Morris reported Downtown Partnership is very busy reworking a mission statement and a vision statement. She asked the Manager contact Linda Sterling to see when she may want to come before Council to share the goals they are setting for themselves.

Mayor Wagner stated the next Town and Gown Committee meeting is scheduled for May.

Mayor Wagner reported the LNC is very busy setting up a search committee for an Elm Street Manager and scheduling meetings for Ward I Plus.

Councilmember Casimir reported the Shade Tree Commission is planning the Arbor Day Celebration which will be Friday, April 26th. One phase will be the replanting of trees along North Fourth Street. Another phase will be the removal and replanting of some trees in Kidsburg. He indicated fifteen trees and assistance with planting will be provided to the Borough at no cost. Councilmember Morris asked if the requests from the community garden representatives were addressed. Councilmember Casimir said yes; two maples and one black walnut tree will be removed. We asked that they not replant until we see an actual planting plan. As for the value of the lumber of the black walnut tree, it is difficult to know by looking at the outside of the tree. Councilmember Strosser

BELLA'S BLISS BAKERY PERMITTED TO USE THREE GLOBE LIGHT STANDARD LOGO

SOLICITOR PLACEMENT OF STOP SIGNS ON N WATER STREET AT ST. JOHN STREET (ORDINANCE NO. 1019)

MANAGER

CONFIRMATION OF ASSIGNMENT TO LARSON FOR SERVICES WITH BOROUGH HALL RENOVATION WORK PHASE I/ APPROVED

CONFIRMATION OF ASSIGNMENT TO LARSON FOR SERVICES WITH CONSTRUCTION/ DEMOLITION OF PHASE I FLOOD MITIGATION (RFC and HMGP GRANTS)

INSTALLATION OF WALL/STEPS/ RAILING FIELD NO. 1 IN WOLFE FIELD

CERTIFICATE OF APPRECIATION TO CITIZENS' ELECTRIC AND WINDSTREAM CORPORATION

OTHER COMMITTEES LARA

LDP

TOWN AND GOWN

LNC

STC

Tuesday, March 19, 2013

indicated the property down by the garden is posted for sale; we aren't in the business of acquiring properties, but it seems that is a missing link. It was the sense of Council that the Manager should look into the asking price of this property, as well as conditions of the sale.

Council President Bergonia indicated the CK-COG continues to be busy.

OLD BUSINESS: Mayor Wagner reported Wolfe Jewelry recently received watches with the Borough's logo.

NEW BUSINESS: None.

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

WORK SESSION: Council President Bergonia reported there will not be a work session in April.

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

Respectfully submitted,

Patricia M. Garrison
Borough Secretary

**MANAGER TO LOOK
INTO PROPERTY
LISTED FOR SALE BY
COMMUNITY GARDEN**

CK-COG

OLD BUSINESS

NEW BUSINESS

WRITTEN REPORTS

WORK SESSION

ADJOURNMENT