

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held on **Tuesday, March 20, 2012** in the Council Chambers, 55 South Fifth Street. Present: Council President Bergonia; Councilmembers Baker, Casimir, Mahon, Morris, Robinson, and Strosser; Mayor Wagner; Manager/Treasurer Smith; Solicitor Lyons; and Secretary Garrison. Councilmember absent: Cox. Also present: Bill Seigel and Dave Grey.

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 Casimir, seconded by Councilmember Baker, to approve the minutes of the regular Council meeting held February 21, 2012. 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.

Bill Seigel, SEDA-COG Coordinator for the Community Development Block Grant (CDBG) Program, introduced David Grey, who will manage this public hearing. Mr. Grey said this is the first public hearing for the 2012 CDBG Program and the goal is to review the requirements of the program, provide an opportunity to discuss the projects we are aware of currently, 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 \$93,359; 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) Reimbursement of South Fifth Street; 2) Reconstruction of St. Louis Street from Sixth Street to Route 15; and 3) Borough wide curb cuts. He asked if there are any comments regarding these projects. Manager Smith stated his feeling is that the Borough should try to be reimbursed for all eligible activities for as long as possible, providing additional revenue source potential. Also, St. Louis Street from Sixth Street to Seventh Street, which was reviewed by the Bull Run Neighborhood Committee was reviewed. St. Louis Street from Route 15 has yet to be done. And the curb cut project is due to the ADA requirements changing and PennDOT adopting that change. Mr. Seigel explained this is for all intersections with truncated domes so that people approaching the curb cut recognize by tactile sensation they are walking out onto the street. Manager reminded Council that sometime around 2006 a resolution was adopted identifying an area bounded by Market Street on the north, St. George Street on the south, Fifth Street on the east, and Seventh Street on the west, as a neighborhood in need of reinvestment to prevent blight. Mr. Seigel pointed out there was also some spot blight removal for the Keiper property on South Second Street. As a result of Council taking action to identify this area within the Borough, they qualified the Borough to use CDBG funds with a great deal of flexibility. The second reason this was so significant is under Federal Statute you may only use 30% of your money in any one year for the removal of slum and blight. Because Lewisburg is a community included in the County's application and the County gets one contract for the County and Lewisburg Borough, we are able to take 30% of the total allocation the County gets and that 30% is greater than the Borough's allocation, so we work within the Federal regulations using 30% of the total funds available to the County/Kelly/Lewisburg giving all to Lewisburg Borough, and then we do not do any slum and blight projects in Union County or Kelly Township. This has worked to the Borough's benefit. Mr. Grey asked if there are any historical or environmental impacts of these proposed projects. There was no response. Mr. Grey said with regard to the review and discussion of previously funded projects, he asked for the Manager's comments. Manager Smith said we also assisted Susquehanna Valley Women in Transition with renovations to their building, we did a fair share with LARA's pool project, the Heiter Center, and the Area Agency on Aging's Penns Creek Center. Mr. Seigel commented the amount to the Penns Creek Center was based on a pro rata need for Lewisburg Borough seniors. Mayor Wagner asked about funding for the Heiter Center for this year.

ATTENDANCE

CALL TO ORDER

APPROVAL OF MINUTES

PUBLIC PARTICIPATION (CDBG PUBLIC HEARING)

BILL SEIGEL & DAVID GREY/CDBG PROGRAM

Tuesday, March 20, 2012

Mr. Seigel said there hasn't been a request from the Heiter Center. Mayor Wagner commented she understands they are having a difficult time. Mr. Seigel said the unfortunate part about the CDBG funding for the Heiter Center is that any funding they received from the Borough would require a new and measurable program, and that could make their situation worse. Since 1984 Lewisburg has been an entitlement community. The criteria adopted in 1984 was called the Urban Development Action Grant Distressed Community criteria; last published in 1987. If it were criteria of today or a decade ago, Lewisburg Borough would likely not be an entitlement community. Mayor Wagner said she hopes that doesn't change. Mr. Seigel said he would be remiss to not add there is some dialogue at the State level that may reopen Act 179 to change this situation. The reasons for the dialogue are: 1) entitlement program creates 253 contracts a year for DCED and they are five year contracts, which means 1250 contracts a year that are open at any one time that the State is responsible to administer; 2) the State of Pennsylvania, when they started this program, was one of three, and the others have abandoned it and gone to a competitive program; 3) HUD feels the entitlement program is not a proper way to administer the program and are frustrated by the State's inability to do monitoring and trading as they are overwhelmed and understaffed, and with a reduction in administrative funds for the State, they get 2% of the allocation to run the program, which reduces the amount of money for the State to operate. If they were to reopen Act 179, he has heard they would take all the money that currently flows through the County and award it to the County, so the County could do a competitive grant program. His opinion, if that happened, is that it would be critical this change be phased in over a three year period of time, as many small municipalities are reimbursing themselves a project they have financed. If the State were to implement that overnight, it would leave communities in an extremely critical financial situation. Mr. Seigel noted this is the last night to request project proposals from the public. Councilmember Casimir asked if an endowment fund would be an eligible use of CDBG funding. Mr. Seigel said no; we would have to look at a specific public service or public activity and to see that it qualified by meeting predominantly low and moderate income persons. Councilmember Casimir said that is all they do. Mr. Seigel said not necessarily; DCED would want to see actual information on participants, i.e. where they are from, what their family income is, etc. There have been some scholarship programs funding based upon family income; this was mostly done in public swimming pool situations. Councilmember Casimir said the Heiter Center is the primary provider of services to low and moderate income people in this town. If there is a way we could hold a place for the Heiter Center, should Andrea Tufo, Director, be able to identify something, he would like to see that done. Mr. Seigel said it will be added to the list. Anyone in attendance tonight could do that same thing. He will contact Ms. Tufo. One last point is the Borough's allocation over the last three years has been cut by \$32,000. The result of that reduction is the administrative services fee by SEDA-COG is in excess of the Federal regulation limitation. SEDA-COG has agreed with the County to reduce the administrative fee by nearly \$5,000 in order to allow the Borough to continue to receive the maximum funds and not reach into the General Fund or some other revenue for our services. SEDA-COG is able to do that as they have had the opportunity to do some competitive applications around the region that generated some additional revenues for our operation; we have been recognized by the Commonwealth to do technical training in this program Statewide and those revenues have been used to offset operations.

Council President Bergonia asked if anyone else wishes to speak. No one wished to speak, so he declared the public hearing closed at 7:35 PM. He reconvened to the regular order of business and continued with the meeting.

Stacy Sommerfield, Assistant Director of Service Planning Programs in the Office of Civic Engagement at Bucknell University, presented a very, very detailed proposal for a Lewisburg Community Garden Project. She distributed several handouts: the plot application sample, the garden contract sample, the actual community garden pamphlet, and the actual drawing of the community garden showing the communal garden area, as well as the plots and raised beds. She works on the connection of classes at BU with civic engagement in the community, attempting to connect academic information with real work experience in civic engagement. She has done this before in previous positions. The produce from the community plot would be diverted into the hot meal program in Milton, as well as other hot meal programs, and the Union County Food Bank. The work there will be volunteer experience by students at BU, as well as community members, i.e. the students at the Heiter Community Center. If this project is approved, she hopes to have an Arbor Day event planned for the Heiter Community Center students, where they learn about planting and receive free trees to take home from BU's Management 101 Class. The site will be tilled by the BU facilities group, and they will re-till the site in the fall so it looks nice for the winter. Since this is a floodplain area, fencing was an issue, so we proposed fence posts and a 40" high rabbit fence. Of course the fence will be removed in the fall. Councilmember Casimir asked if Bucknell University is the formal sponsor. Ms. Sommerfield said this will be its own entity, but the Office of Civic Engagement is more than willing to take point on this, i.e. managing the volunteers, handle the garden applications, enforcement the rules, etc. The plan is to set up an administrative council to be the guiding force of this board. Mayor Wagner asked if a

(PUBLIC HEARING
CLOSED)

STACY
SOMMERFIELD/
COMMUNITY
GARDEN PROJECT

Tuesday, March 20, 2012

Councilmember will serve on this board. Ms. Sommerfield said yes. Councilmember Casimir stated he would feel better if he heard Ms. Sommerfield say she will be in charge of this or hear someone say just that. Ms. Sommerfield said she will be in charge of the administrative aspect of it, but it is a community guided garden. There was **much** discussion. Manager Smith stated he met extensively with Ms. Sommerfield on this and applauds her presentation. (Council agreed.) The documents he received were sent to the Solicitor for a review. If Council supports this, we would want something in the form of a maintenance agreement to address the issues already mentioned this evening. This is already on the agenda under Planning Committee. Solicitor Lyons asked if BU is going to prepare this maintenance agreement. Ms. Sommerfield said there was talk about using the memorial park agreement. The Office of Civic Engagement provides the momentum for a project like this, which is a three to five year plan. Solicitor Lyons stated then we are looking at a short term agreement with BU, and a long term agreement with whoever this entity may be once up and running. This is definitely not the same as the agreement we did at the park for a memorial garden. He suggested a committee of Council meet to decide what they want to see in this management agreement. Councilmember Casimir said the Manager did bring it to Planning Committee and he has researched this on his own. The contract with your members would be an annual contract. Ms. Sommerfield said yes. Councilmember Casimir asked if you are in this for one year, do you get preference for the next year, or are you put back into the lottery, so to say. Ms. Sommerfield indicated there was interest in being guaranteed the same plot, because of all the work you put into making your soil better. The plan is to give people precedence. Councilmember Casimir said that leads to his biggest concern, which is the sense of ownership and territory. What is the term of the contract are you looking for from the Borough for this space. Ms. Sommerfield indicated more than one year would be better, five years would be ideal. The agreements she has seen give each party the ability to get out of the contract because it is not working. Councilmember Baker asked how the availability of these plots will be advertised to the community. Ms. Sommerfield explained they will be using the same avenues we use for advertising the hot meal program in Milton, i.e. press releases in local papers, the television station CCN, radio announcements, flyers, social service programs, etc. We want to give people access to the plots around the first week of May. Councilmember Mahon asked if this will be for Borough residents. Ms. Sommerfield said her research shows they are typically used by the people within the community where they are located. Councilmember Casimir said he sees there will be water access on the site. Ms. Sommerfield said we are hoping that Pennsylvania American Water Company (PAWC) will be putting a spigot in for free, and we will use dues for the fee for the water. With regard to parking there is an alley access out back and there is parking at the baseball fields across the street. Councilmember Baker asked who will construct the raised beds and then remove them at year end. Ms. Sommerfield said the raised beds at the end of the lot will not be removed, and are there for people with disabilities; there will be fundraisers to raise the money for the costs of the raised beds and fencing, and the engineering class is considering paying for the shed and actually building that as part of an engineering project. There was **much** discussion.

Councilmember Casimir made a motion, seconded by Councilmember Morris, to approve the concept of a five year contract with Bucknell University on behalf of the Lewisburg Community Garden Group, giving the Garden Group permission to till the ground April 1st in preparation for planting, with the understanding if the contract cannot be resolved, it will be sowed with grass seed and returned to a lawn for this summer, and the first year should be a probationary year, with Council revisiting this October 31, 2012 to see that all conditions have been met before approving the following four years of the contract. ON THE QUESTION: Councilmember Strosser asked if this is contingent upon our Solicitor drafting the appropriate document. Solicitor Lyons commented he has never done one of these before. He has a draft copy Ms. Sommerfield gave to the Manager, but there are a lot of gaps. Ms. Sommerfield suggested a meeting be held to discuss the drafting of this contract. Solicitor Lyons said Council should review this by their April 17th meeting and he suggested a committee assist, unless Mr. Bromfield and Ms. Sommerfield want to propose something. Ms. Sommerfield said she just hopes to be able to break ground April 1st, as BU's facilities department is willing to bring out their industrial tiller for the community site, and during spring thaw, students will be picking rocks and removing sod clumps for composting. Solicitor Lyons said this contract obviously cannot be done by April 1st. Councilmember Casimir stated if we have problems with the contract, then they will just have to plant grass and it will become a field again. Motion was unanimously approved.

POLICE COMMITTEE: There were no action items.

PLANNING COMMITTEE: Councilmember Casimir made a motion, seconded by Councilmember Mahon, to approve HARB application a, b, c, d, e, f, g, i, and j, as submitted and recommended by HARB. ON THE QUESTION: Councilmember Casimir said he intentionally left out k, as it was deferred to next month. He intentionally left out h, although it was approved by HARB, as it referred to an off-premise sign and our new zoning ordinance doesn't permit that. Manager Smith explained that the Zoning Officer told him anything that is visible from the street, within the historic district, is to go before

**APPROVAL OF
CONCEPT OF FIVE
YEAR CONTRACT
WITH BUCKNELL
UNIVERSITY ON
BEHALF OF
COMMUNITY
GARDEN GROUP**

**POLICE
COMMITTEE**

**PLANNING
COMMITTEE
HARB**

Tuesday, March 20, 2012

HARB. Councilmember Strosser said that is correct; if it requires a building/zoning permit and is visible from the public way, it comes before HARB as HARB's time is free, but we pay the Zoning Officer; so why would we pay our Zoning Officer to do a review on something only to have HARB shoot it down. There was **much** discussion. Manager Smith clarified that we know the intent, but a change needed. Solicitor Lyons commented once the change is made, it should never get to HARB. Councilmember Strosser said that is correct. Motion was approved.

a. Janet Jones-David Marsh/20 South Water Street/Storm Windows. An application was submitted to and reviewed by HARB for installation of storm windows. A motion was made by Robert Cook, seconded by Steve Snook, to recommend approval of the storm windows as submitted in the HARB application under project description as they match those on the other half of the duplex and are reversible. Motion as unanimously approved.

b. Richard-Brenda Bedosky/214 Market Street/Signage. An application was submitted to and reviewed by HARB for a sign. A motion was made by Elaine Wintjen, seconded by Mary Mastascusa, to recommend approval of this sign as submitted in the HARB application under project description. Motion as unanimously approved.

c. Thomas Harmon/17-19 North Seventh Street/Replacement Windows. An application was submitted to and reviewed by HARB for replacement windows. (Note: This is appeal to previous decision of requirement for exterior grid due to cost.) A motion was made by Mary Mastascusa, seconded by Robert Cook, to recommend approval of replacement windows as submitted in the HARB application under project description, windows shall be one over one (no grilles), match existing windows in size, and aluminum wrap found to be acceptable. Motion was unanimously approved.

d. William-Jacqueline Kelly/50 South Fourth Street/Residing Existing Wall. An application was submitted to and reviewed by HARB for residing of existing wall. A motion was made by Robert Cook, seconded by Steve Snook, to recommend approval of the wall renovation as submitted in the HARB application under project description and as shown in the pictures attached, and siding should be smooth or brushed in texture. Motion was unanimously approved.

e. Lynn Potor/120 North Third Street/Addition-Renovation. An application was submitted to and reviewed by HARB for an addition and renovation work. A motion was made by Elaine Wintjen, seconded by Robert Cook, to recommend approval of this as submitted in the HARB application under project description. Motion as unanimously approved.

f. Bucknell University/416 Market Street/Signage. An application was submitted to and reviewed by HARB for replacement of a sign. A motion was made by Steve Snook, seconded by Elaine Wintjen, to recommend approval of this sign as submitted in the HARB application under project description, and as shown in diagram attached. Motion as unanimously approved.

g. Bucknell University/301 Market Street/Signage. An application was submitted to and reviewed by HARB for replacement of a sign. A motion was made by Robert Cook, seconded by Steve Snook, to recommend approval of this sign as submitted in the HARB application under project description, and as shown in diagram attached. Motion as unanimously approved.

h. Angelo Giunta/Corner of 3rd and St. John Streets/Signage. An application was submitted to and reviewed by HARB for a sign. A motion was made by Mary Mastascusa, seconded by Steve Snook, to recommend approval of this sign as submitted in the HARB application under project materials, and as shown in pictures attached. It was noted that the sign relates to a building that is a Non-contributing structure and is located in front of another building that is also Non-contributing. Motion as unanimously approved.

i. David-Kristen Koconis/140 South Second Street/Addition. An application was submitted to and reviewed by HARB for an addition. A motion was made by Robert Cook, seconded by Steve Snook, to recommend approval of this addition as shown in the drawings attached to the HARB application, except for the dormer window and the final details for that to follow. Motion as unanimously approved.

j. Dwellings-John Gardner/425 Market Street/Signage-Ramp. An application was submitted to and reviewed by HARB for a sign and ramp. A motion was made by Robert Cook, seconded by Mary Mastascusa, to recommend approval of this sign and ramp as submitted in the HARB application under project description and as shown in the diagrams attached to the HARB application, with the stipulations: no lighting on sign, ramp railing could be three horizontal pipes or vertical pickets as submitted/according to Code and railings may be mill finish aluminum or painted/powder coated steel. Motion as unanimously approved.

k. Elena Kreamer-Connie Goodwin/34 North Front Street/Fence. No one was present; application will be reviewed next month.

Councilmember Casimir made a motion, seconded by Councilmember Mahon, to appoint Michele Kittell to the Shade Tree Commission, term expiration 12/31/12. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Morris, to hold an executive session at the end of this meeting to discuss a personnel issue. Motion was unanimously approved.

*Councilmember Casimir made a motion, seconded by Councilmember Strosser, to direct the Solicitor to amend the Uniform Construction Code Ordinance to allow the Borough to bill violators upon a second notice from CK-COG or upon a second repeat violation notice of the same property, provided either occurrence happens within a one-year period. ON THE QUESTION: Councilmember Casimir explained we want to provide an amount of time in between the first and second notice; and, the violator would have to resolve the issue or communicate with the CK-COG. Manager Smith said the Code Enforcement Officer indicated he would change the letter to state that as it doesn't have to be in the ordinance. Solicitor Lyons said if we are talking about a second notice, that second notice would have to say the violator would have to do whatever or they would pay a

J JONES/D MARSH

R BEDOSKY

T HARMON

W KELLY

L PORTER

BUCKNELL
UNIVERSITY

BUCKNELL
UNIVERSITY

A GIUNTA

D KOCONIS

J GARDNER

E KREAMER/C
GOODWIN

M KITTELL
APPOINTED TO STC

(EXECUTIVE
SESSION)
END OF MEETING
FOR PERSONNEL

BILLING OF
VIOLATORS OF
UNIFORM
CONSTRUCTION
CODE/CK-COG

Tuesday, March 20, 2012

cost and there must be a time limit given also. Councilmember Casimir said actually the first notice said you must do this within "this" amount of time and if there is a second notice, you will be billed for the Code Enforcement Officer's time. Solicitor Lyons said we are looking at one notice saying whatever, but if there is a second notice you will be assessed an administrative cost from that one forward. Manager Smith said his intention was you are billed for it all, including the first notice if you get a second notice. Solicitor Lyons commented that is not right; you should get charged from the time of the second notice. Councilmember Casimir clarified the Planning Committee agreed everyone should get one hour free, which is a cost of \$58/hour. If a second notice is issued, that second hour must be paid for and any costs thereafter. There was **much** discussion. Solicitor Lyons explained he is worrying about collecting the money we are billing for; he normally files a lien, so he would need an amount. Currently, for refuse, we normally wait two quarters and then file a lien on the monies owed. If the party continues to not pay, the language allows him to collect future refuse costs, fees, expenses, penalties, etc. so when they go to pay this off at the time of the sale of the property, he not only collects the amount of the claim itself, but also all that money that hasn't been paid after that point. He would suggest we do the same in this instance. The Municipal Claim Act requires us to give notice to the person that owes, the amount they owe. An example, if we sent the second notice, are we then saying you owe "x" amount of dollars because you didn't do what the first notice said and you were told you would be assessed for this, so we are going to assess you all future costs. Councilmember Casimir said that is exactly what we are saying. Solicitor Lyons clarified the second notice will have to warn them if they don't pay this amount in thirty days, we *will* file a municipal claim. Again, there was **much** discussion.

*Councilmember Casimir withdrew his motion. Councilmember Strosser withdrew his second.

Councilmember Casimir commented it seems there is a process already in place, so we should follow it. Many of the people we are talking about are repeat offenders, and he is only talking of giving them one free hour of CK-COG per year, not a free hour over and over and over for multiple offenses. Solicitor Lyons said he can figure out the municipal claim language, he just needs to be sure of the process. Manager Smith said he will talk with the Solicitor for clarification.

Councilmember Casimir made a motion, seconded by Councilmember Strosser, to direct the Solicitor to amend our Vehicle and Traffic Ordinance to include twelve permit only parking spaces in MPL #2. ON THE QUESTION: Councilmember Casimir said we received a request from BU for exclusive permit parking for BU employees; we declined to approve that. But, given there are going to be more people working downtown, we thought it would be a good idea to make more permit parking only spaces that are guaranteed parking spaces. This means the entire lot known as MPL #6 (the lot between Second and Third Streets near Coles) is permit only/guaranteed space, and now 12 spaces in MPL #2 (lot next to Hufnagle Park) will be permit parking only/guaranteed space. The remainder in MPL #2 will still be metered permit parking, but you are not guaranteed a space. These will be first come, first serve. Next year we were hoping to change the permit fee, as both permits currently cost \$35, and we believe those permits that guarantee a space should be more and we were thinking \$50 for those. Manager Smith showed the stickers that are issued when you buy a permit explaining we will issue a blue sticker for the permit parking only/guaranteed space in MPL #2. The red sticker will be permit parking at metered spaces which will be good in MPL #1 or MPL #2. The green sticker would continue to be used in MPL #6. Solicitor Lyons asked if you are removing the meters for those twelve spaces. Manager Smith said yes. And, there are thirty-seven total spaces in MPL #6, three are handicapped, and there are only eight permits still available. There was **much discussion. Motion was unanimously approved.

Solicitor Lyons stated he has just read the ordinance and doesn't believe an amendment to the ordinance is needed. The ordinance states: we are issuing parking permits, two different kinds, in MPL #'s 1, 2 and 6. It doesn't say specifically how many we are issuing, what kind, or that we are reserving twelve guaranteed spaces in any lot. Manager Smith said correct, but are you comfortable with that. Solicitor Lyons said the ordinance doesn't say you can't establish those twelve spaces; it allows it. Manager Smith said from the enforcement perspective, if someone pulls in without the right permit and parks at a permit only spot. . . Solicitor Lyons said the ordinance says you have to comply and you are establishing a certain color, a certain place, a certain requirement that you can't just park anywhere. Councilmember Casimir stated he understands what Solicitor Lyons has stated, so we can do without a motion.

**Councilmember Casimir made a motion to repeal his prior motion, seconded by Councilmember Strosser. Motion was unanimously approved.

MANAGER/
SOLICITOR TO
DETERMINE
PROCESS

MOTION TO DIRECT
SOLICITOR TO
AMEND TO VEHICLE
AND TRAFFIC
ORDINANCE/PERMIT
ONLY PARKING IN
MPL #2

MOTION REPEALED

Tuesday, March 20, 2012

Councilmember Casimir made a motion to direct the Manager to transform twelve of the meter spaces in MPL #2 into permit parking only/reserved spaces, designating those spaces by removing the parking meter heads, and to place signs indicating permit parking only Monday through Friday 8 AM to 6 PM, with the Manager determining the best location for those twelve spaces. Motion was unanimously approved.

Councilmember Casimir explained last month we approved coming up with half of \$3,000 to augment the remaining funds from the DCNR Design Grant to allow completion of the design of the Rail/Trail from Route 15 into the Borough. Because of mistakes on the part of the designer and a built in inefficiency by DCNR's insistence that the County Planning Director administer the grant funds, the number we were working with was incorrect. The number wasn't \$24,000, but was \$14,000, so there isn't enough money for the design. The Borough had previously agreed to contribute \$5,000 toward a project SEDA-COG was doing regarding bikeable/walkable communities; nothing has happened for more than a year and we have lost faith in that process. We feel that \$5,000 would be better spent on designing the Rail/Trail into the Borough.

Councilmember Casimir made a motion, seconded by Councilmember Baker, to rescind the pledge of \$5,000 made to SEDA-COG, redirect that money to the LARA Rail/Trail design into the Borough, and request East Buffalo Township (EBT) and Evangelical Hospital do the same, contingent upon receiving assurance that the Borough hasn't incurred expenses in excess of \$1,000 for the bikeable/walkable project. ON THE QUESTION: Councilmember Morris questioned if that money has been spent. Manager Smith said no. Councilmember Baker suggested we verify that. Manager Smith said to his knowledge SEDA-COG hasn't even made application, so he feels strongly no expenses have been incurred. Motion was unanimously approved.

Councilmember Casimir reported he attended a solar energy workshop through SEDA-COG that was to address how Loyalsock Township went to zero electric bills by transforming to solar power; it was very disappointing. Loyalsock only completed their transformation in December 2011 so they didn't have data to show they achieved their goals. It was agreed technology is changing every six months and the biggest savings were made by changing light bulbs, street lights, etc., which this Borough already did.

Councilmember Casimir stated during LARA Intergovernmental Agreement conversations it was shared that East Buffalo Township intends on charging LARA \$8,000 in rent when they move into their new building. Given the upstairs of this building is empty, he suggests we house LARA, and asked this be placed on the Planning Committee agenda for discussion. Manager Smith commented the LNC and LDP have also expressed interest in the office space upstairs.

Councilmember Casimir reported notice was received from the CK-COG that their Appeals Board has vacancies. Manager Smith said it is a seven member board, and currently there are only three members.

Solicitor Lyons indicated the Lewisburg Area Joint Sewer Authority (LAJSA) wants to change the composition of their Authority and East Buffalo Township has given their approval; the Borough should be receiving something soon very soon from the LAJSA.

PUBLIC WORKS COMMITTEE: There were no action items.

FINANCE COMMITTEE: Councilmember Casimir made a motion, seconded by Councilmember Mahon, to approve payment of bills from 02/18/12 through 03/16/12 in the amount of \$232,721.91. Motion was unanimously approved.

MAYOR: Mayor Wagner stated the DeWitt building will officially open Friday, March 30th, the second of the trilogy of projects financed in cooperation with former Governor Rendell's Economic Enhancement Program for downtown through Bucknell University. The bookstore was a huge success, and this will be too. She commented Chief Yost sends his regrets as he had to attend an off-campus student forum at Bucknell University. And, she noted this weekend is house party weekend.

COUNCIL PRESIDENT: No report.

SOLICITOR: Councilmember Casimir made a motion, seconded by Councilmember Strosser, to direct the Solicitor to advertise a public hearing at the April 17th regular meeting, for the following amendments to the Zoning Ordinance: 1) removal of the illustration from 360-23 (B) as it does not accurately reflect the current definition of "building height"; 2) rewriting of definition of "building height", Section 360-6, to state: "the vertical distance measured from the finished grade level of the land at the front setback to the top of the highest roof point, not including chimneys, cupolas and other accessory structures such as weather vanes"; 3) removal of (e), (i), (j) and (l) from Section 360-37 (F); 4) rewriting of 360-25(B)(5) to read, "Off-premises signs including advertisements

TWELVE RESERVED PERMIT PARKING SPACES IN MPL #2

\$5,000 PLEDGE TO SEDA-COG RESCINDED/MONEY REDIRECTED TO LARA RAIL/TRAIL DESIGN

SOLAR ENERGY WORKSHOP

OFFICE SPACE IN BOROUGH BUILDING

CK-COG APPEALS BOARD VACANCIES

LAJSA/CHANGE OF AUTHORITY COMPOSITION

PUBLIC WORKS COMMITTEE

FINANCE COMMITTEE
PAYMENT OF BILLS

MAYOR

COUNCIL PRESIDENT

SOLICITOR

SOLICITOR TO ADVERTISE FOR PUBLIC HEARING/ZONING ORDINANCE AMENDMENTS

Tuesday, March 20, 2012

for garage, yard, or other neighborhood sales, except for permanently affixed commercial center signs in the Highway Commercial District and permanently affixed directional signs in both the Highway Commercial and Bucknell Districts” with the enactment of this ordinance taking place at the April 17th regular monthly meeting. ON THE QUESTION: Solicitor Lyons pointed out the agenda reflects an outline for amendments, but the Planning Commission also made additional recommendations. This advertisement needs to *specifically identify* what we are holding the hearing on. Councilmember Casimir said his motion stands. The second page and a half of recommendations were only moved and not approved as they were only one Planning Commission member’s suggestions. The three approved were in response to the ones suggested. For some reason of safety they didn’t want to include campgrounds and a couple of other things, so he suggests we decline their recommendation. The third recommendation was to slightly rewrite the off-premises sign so it now says, “Off-premises signs including advertisements for garage, yard, or other neighborhood sales, except for permanently affixed commercial center signs in the Highway Commercial District and permanently affixed directional signs in both the Highway Commercial and Bucknell Districts.” That meets our intent and is actually clearer; these changes should be advertised for enactment.

MANAGER: Manager Smith reported he met with the League of Women Voters today and the topic was public vs. private services and privatization

OTHER COMMITTEES: Council President Bergonia reported the Lewisburg Area Recreation Authority (LARA) is preparing to open the pool. They continue to operate month to month and everything is moving along.

Councilmember Morris reported the Lewisburg Downtown Partnership (LDP) has been thrilled with their past events, i.e. the Polar Bear Plunge, the Miracle on Market Street; all reports show the same or better sales this year for over 80-90% of the businesses downtown. She indicated Linda Sterling contract was renewed with very favorable comments.

Mayor Wagner reported the Town and Gown Committee did not meet this past month.

Councilmember Strosser reported the assessment was to be on Thursday, but has been postponed.

Councilmember Casimir reported the Shade Tree Commission is preparing for the Arbor Day Celebration. The property at St. George and South Front Streets (old gas works) was remediated in the 90’s and the assumption was it had to be a grass parking lot as there was a clay cap placed over contaminated soil. He contacted DEP to determine if trees could be planted and they thought it was a great idea to help hold the soil in place and prevent erosion. So we are working to turn that into a more usable park space. There are a number of delinquent tree plantings in the Borough; seventeen official delinquencies were identified and six letters were sent today notifying property owners they have until May 10th to plant or the Borough will and then will bill them accordingly. Councilmember Mahon questioned the tree at the Shoemaker property. Councilmember Casimir indicated nothing will happen there until the bulb-out work is done. Mayor Wagner asked what happened to the trees at the Post Office. Councilmember Casimir said they wanted to have the trees evenly flank their entranceway and the replacement trees they are planting will be substantial trees.

Council President Bergonia reported things have been quiet for the Central Keystone-Council of Governments (CK-COG).

Mayor Wagner reported the Buffalo Valley Regional Police Department (BVRPD) is up and running efficiently. She is hopeful to have a contract very soon.

Manager Smith indicated Lieutenant Hosterman was asking what the Borough boundary was on Route 192. After much discussion with numerous people, he contacted our engineer asking for a proposal to have the area officially surveyed.

OLD BUSINESS: None.

NEW BUSINESS: None.

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

WORK SESSION: Manager Smith stated we have a great relationship with Citizens Electric. As we become more energy conscientious we may want to meet to work together in an effort to benefit both parties. Council President Bergonia indicated there will be a work session April 10th, contingent upon Eric Winslow’s availability to attend.

MANAGER

OTHER COMMITTEES
LARA

LDP

TOWN AND GOWN COMMITTEE

LNC

STC

CK-COG

BVRPD

OLD BUSINESS

NEW BUSINESS

WRITTEN REPORTS

WORK SESSION

Tuesday, March 20, 2012

Council President Bergonia called for a five minute recess at 9:00 PM. Council returned at 9:05 PM.

Council entered executive session at 9:05 PM. Council returned at 9:55 PM.

Councilmember Casimir made a motion, seconded by Councilmember Baker, to direct the Solicitor to advertise a special Council meeting to be held on Tuesday, March 27th at 7:00 PM to discuss a personnel matter.

There being no further business, Councilmember Morris made a motion, seconded by Councilmember Strosser, to adjourn the meeting. Motion was unanimously approved. Meeting adjourned at 10:05 PM.

Respectfully submitted,

Patricia M. Garrison
Borough Secretary

RECESS

**(EXECUTIVE
SESSION)**

**SPECIAL COUNCIL
MEETING MARCH
27TH**

ADJOURNMENT