

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held at 6:30 PM on **Tuesday, March 20, 2018** in the Council Chambers, 55 South Fifth Street, Lewisburg. Present: Council President Morris; Councilmembers Comas, Derman, Frederick, Heayn, Mahon, Medina and Yohn; Mayor Wagner, Solicitor Lyons, Manager Lowthert, Secretary Garrison, Police Chief Yost and Junior Councilmember Ezra Buonopane. Also present: Peter J. Bergonia, Jr., Matt Farrand and Max Gustafson. (Councilmember Heayn left the meeting at 7:20 PM.)

CALL TO ORDER: Council President Morris called the meeting to order at 6:30 PM, followed by the pledge of allegiance.

APPROVAL OF MINUTES: Motion was made by Councilmember Heayn, seconded by Councilmember Yohn, to approve the minutes of the February 20, 2018 regular monthly meeting. Motion was unanimously approved.

COUNCIL PRESENTATION(S): Manager Lowthert reported Stacey Sommerfield, Executive Director of the Buffalo Valley Recreation Authority (BVRA), will be presenting a power point presentation on the BVRA's activities at April's regular monthly Council meeting.

PUBLIC COMMENT(S) ON ANY AGENDA ITEM: A member of the public indicated he is a member of AMP and is here for the discussion of the non-discriminatory ordinance. Manager Lowthert said this is the regular monthly Council meeting. Council will be deciding tonight when they will be scheduling discussion on that issue, but it will not be tonight.

PUBLIC WORKS/POLICE COMMITTEE: Mayor Wagner commented Chief Yost is usually here by now, so something may have come up to detain him. Council received the Buffalo Valley Regional Police Department's (BVRPD) monthly report.

Councilmember Mahon made a motion, seconded by Councilmember Comas, to approve the award of the 2018 Lewisburg Streets Project to Dave Gutelius Excavating, Inc., in the base bid amount of \$431,335.00, as recommended by the Borough Engineer, subject to receipt of acceptable performance and payment bonds and proper insurance from the contractor, and contingent upon the review and approval of the Borough Solicitor. Motion was unanimously approved.

Councilmember Mahon made a motion, seconded by Councilmember Yohn, to approve the South Sixth Street Tree Planting Project, Contract 2018-02, to JPH Enterprises, LLC, in the amount of \$13,000.00, as recommended by the Borough Engineer, subject to receipt of acceptable performance and payment bonds and proper insurance from the contractor, and contingent upon the review and approval of the Borough Solicitor. Motion was unanimously approved.

Councilmember Mahon made a motion, seconded by Councilmember Derman, to approve the release of the St. Anthony Street Handicap Ramp/Curb Cut CDBG Project for bid, specifically the north side of St. Anthony Street at Hazel Tree Alley, the north side of St. Anthony Street at North Front Street, the north side of St. Anthony Street at North Water Street and the north and south side of St. Anthony Street at Ogren Alley (CDBG funding will be used to cover a portion of project costs). ON THE QUESTION: Manager Lowthert explained these are all handicapped ramps that will have to be done when the paving of St. Anthony Street occurs as it is a PennDOT requirement. Motion was unanimously approved.

Councilmember Mahon made a motion, seconded by Councilmember Derman, to approve Change Order No. 03 in the amount of \$449.99, which falls under standard renovations for the Borough Hall Renovation Project, specifically for the installation of an additional 20-amp receptacle, installation of cat6 wire, jack and wall plate, and installation of rg6 wire, jack and wall plate. ON THE QUESTION: Manager Lowthert said this room is the Emergency Operations Center and now we can potentially have three TVs, with multiple phone lines. Motion was unanimously approved.

Councilmember Mahon made a motion, seconded by Councilmember Derman, to approve Change Order No. 04 in the amount of \$2,468.35, which falls under removal of architectural barriers for the Borough Hall Renovation Project, specifically to enclose the existing creosote deck back boards throughout the ramp with thermos-treated eco deck boards and the addition of aluminum coil trim behind the new deck boards to prevent the creosote from running on to the ramp. Motion was unanimously approved.

Councilmember Mahon made a motion, seconded by Councilmember Derman, to adopt Resolution No. 18-05, a resolution eliminating the reduced permit fee for 12 month parking permits. ON THE QUESTION: Manager Lowthert indicated we sell parking permits for three lots (the Hufnagle lot, the one behind the post office, and the one near the Lewisburg Hotel just south of Coles). The current ordinance states if you purchase permits for 12 months you get a discount. The only lot we sell permits in for a 12 months period is the one near the Lewisburg Hotel and the Borough has never given a discount. Motion was unanimously approved.

ADMINISTRATIVE/FINANCE COMMITTEE: Councilmember Derman made a motion, seconded by Councilmember Frederick, to approve the payment of bills from February 17, 2018 through March 16, 2018 in the amount of \$339,543.80. Motion was unanimously approved.

ATTENDANCE

CALL TO ORDER

APPROVAL OF MINUTES

COUNCIL PRESENTATION(S)

PUBLIC COMMENT ON ANY AGENDA ITEM

PUBLIC WORKS/POLICE COMMITTEE BVRPD

2018 LEWISBURG STREETS PROJECT AWARDED TO GUTELIUS EXCAVATING

SOUTH SIXTH STREET TREE PLANTING PROJECT AWARDED TO JPH ENTERPRISES, LLC

RELEASE OF ST. ANTHONY STREET HANDICAP RAMP/ CURB CUT PROJECT APPROVED

BOROUGH BUILDING PROJECT CHANGE ORDER NO. 03 APPROVED

BOROUGH BUILDING PROJECT CHANGE ORDER NO. 04 APPROVED

ELIMINATION OF REDUCED PERMIT FEE FOR PARKING PERMIT 12 MONTH PURCHASES (RESOLUTION NO. 18-05)

ADMINISTRATIVE/FINANCE COMMITTEE PAYMENT OF BILLS

Tuesday, March 20, 2018

Councilmember Derman made a motion, seconded by Councilmember Mahon, to accept the proposal from Financial S&Lutions/Stevens & Lee in the amount of \$81,565.00 for the Early Intervention Program (EIP) Study. ON THE QUESTION: Councilmember Derman reported an interview was held March and everyone in attendance was pleased with this firm. Manager Lowthert indicated the Borough is required to pay 20% of the costs of this study, and budgeted \$20,000.00 for this program, and 80% of the costs will come from a State grant through the Department of Community and Economic Development (DCED). Motion was unanimously approved.

Councilmember Derman made a motion, seconded by Councilmember Mahon, to approve the proposed parking lot agreement with St. Paul United Methodist Church, drafted by the Borough Solicitor as stipulated by Borough Council at the February 20, 2018 meeting, and to authorize its execution upon approval by the St. Paul United Methodist Church. Motion was unanimously approved.

COMMUNITY DEVELOPMENT/PLANNING COMMITTEE: Councilmember Yohn made a motion, seconded by Councilmember Mahon, to approve HARB items a through d, as submitted and recommended by HARB per their minutes dated March 13, 2018. Motion was unanimously approved.

a. James-Cheryl Mulligan/309-311 North Third Street/Roof. An application was submitted to and reviewed by HARB for a roof replacement. Motion was made by Ted Strosser, seconded by David Heayn, to recommend approval of this metal roof, provided it is a concealed fastener type, as described in the project description of the HARB application, and as shown in the photos attached to the HARB application. Motion was unanimously approved.

b. Union County Courthouse (Diana Robinson)/103 South Second Street/Roof. An application was submitted to and reviewed by HARB for a replacement roof. Motion was made by Elijah Farrell, seconded by Steve Snook, to recommend approval of this replacement roof, as described in the project description of the HARB application and as shown in the drawings/photos attached to the HARB application, specifically a metal coping system is preferred with replacement in kind as an alternate. Motion was unanimously approved.

c. Bucknell University-President's House/(Dominic Silvers)/103 University Avenue/Sunroom Addition. An application was submitted to and reviewed by HARB for a sunroom addition. Motion was made by Steve Snook, seconded by David Heayn, to recommend approval of the sunroom addition as presented and as shown in the drawings/photos attached to the HARB application. Motion was approved. There was one abstention; Ted Strosser abstained.

d. Bucknell University-Bucknell Hall/(Dominic Silvers)/1 Moore Avenue/Roof. An application was submitted to and reviewed by HARB for a replacement roof. Motion was made by David Heayn, seconded by Steve Snook, to recommend approval of this replacement roof as submitted and as shown in the drawings/photos attached to the HARB application. Motion was unanimously approved.

Councilmember Yohn reported the tentative meeting scheduled with East Buffalo Township (EBT) on March regarding the BVRA IGA was postponed; there will be a discussion during an executive session tonight on this matter.

Manager Lowthert reminded Council there is a vacancy on the Planning Commission because of the passing of Stacy Hinck. Councilmember Comas asked for a description of duties for a Planning Commission member. Secretary Garrison said she could provide that information. Councilmember Mahon said she has been talking over ideas of prints with Owen Mahon in hopes of finding something the Borough could do in memory of Stacy Hinck; she will keep Council informed.

PUBLIC COMMENT(S) ON ANY NON-AGENDA ITEMS: No one from the public wished to speak.

MAYOR: Mayor Wagner said on Saturday March 24th we have an opportunity to participate in March for our Lives, a memorial for those that have died violently; everyone will gather at the Post Office around 1:30 PM and at 2 PM there will be five minutes of silence; Chief Yost has graciously consented to blocking off one block of Market Street. Councilmember Mahon said some of us will be in Washington on March . Mayor Wagner said on April Senator Casey will be here for a roundtable with area Mayors from Northumberland, Snyder and Union Counties. If anyone has a question for the Senator, email it to her and she will ask the Senator. Council President Morris said anyone that sees the Mayor on Thursday, the , be sure to wish her a Happy Birthday!

COUNCIL PRESIDENT: No report.

MANAGER: Manager Lowthert updated Council on the Borough building renovation work. Beginning tomorrow morning the new entrance into the Borough building will be via the handicapped ramp. Stencils for the doors and appropriate directional signage have been ordered. All key cards have been reprogrammed, so check your key cards to make sure you can access the new entrance door. Councilmembers can also access the Council Chambers door; however, he would prefer everyone use the new entrance door because the bottom step is an unusual height because of the handicapped ramp. The Staff entrance, which is the former entrance to the building, will be closed to everyone through the end of construction. He is going to encourage everyone to use the new entrance in the future. Phase III starts on Friday or Monday. Phase III will be the most disruptive phase of this project, so please expect major disruptions over the next two months.

Councilmember Derman asked if the Lewisburg Downtown Partnership (LDP) is moving into the upstairs. Manager Lowthert said he believes that will occur later this summer as details are still being worked out.

PROPOSAL FROM FINANCIAL S&LUTIONS/STEVENS & LEE FOR EIP STUDY ACCEPTED

PARKING LOT AGREEMENT WITH ST. PAUL UNITED METHODIST CHURCH APPROVED

COMMUNITY DEVELOPMENT/PLANNING COMMITTEE HARB

J/C MULLIGAN

U/C COURTHOUSE

BUCKNELL UNIVERSITY (PRESIDENT'S HOUSE)

BUCKNELL UNIVERSITY (BUCKNELL HALL)

BVRA IGA TO BE DISCUSSED IN EXECUTIVE SESSION

VACANCY ON PLANNING COMMISSION

PUBLIC COMMENT ON NON-AGENDA ITEMS

MAYOR

COUNCIL PRESIDENT

MANAGER

LDP TO RELOCATION TO BOROUGH BUILDING

Tuesday, March 20, 2018

SOLICITOR: Solicitor Lyons said he presents Ordinance No. 1051, an ordinance authorizing the Borough to enter into an Intergovernmental Cooperation Agreement (IGA) with the Townships of East Buffalo, Kelly and Buffalo for the purpose of creating a Regional Fire Department to provide fire protection and emergency services to said municipalities. This ordinance has been duly advertised and is ready for Council enactment.

Councilmember Derman made a motion, seconded by Councilmember Mahon, to enact Ordinance No. 1051, an ordinance authorizing the Borough to enter into an Intergovernmental Cooperation Agreement (IGA) with the Townships of East Buffalo, Kelly and Buffalo for the purpose of creating a Regional Fire Department to provide fire protection and emergency services to said municipalities. Motion was unanimously approved.

Solicitor Lyons indicated he has the agreement signed by all the townships, and the Borough will sign tonight meaning this agreement will be in effect tonight. He explained a Borough elected official is needed to serve on the Central Susquehanna Fire and Emergency Services Board of Directors as a member. Manager Lowthert said previous discussions were that it makes sense for Councilmember Derman to be the voting member on this board since he served on MACAC. The actual terms will be determined at the first Board meeting. There is also a need for a Borough elected official to serve as an alternate on this Board. The alternate cannot vote unless the voting member is absent. There is also a Borough representative needed to serve a one year term on the Department Advisory Commission, this Commission serves an advisory role to the Board, so you would want this person to have some fire related experience.

Councilmember Mahon made a motion, seconded by Councilmember Yohn, to appoint Councilmember Derman to serve on the Central Susquehanna Fire and Emergency Services Board of Directors as a member, term to be determined at the first board meeting. Motion was unanimously approved.

Councilmember Derman made a motion, seconded by Councilmember Frederick, to appoint Councilmember Medina to serve on the Central Susquehanna Fire and Emergency Services Board of Directors as an alternate. Motion was unanimously approved.

Councilmember Mahon made a motion, seconded by Councilmember Heayn, to appoint Councilmember Derman to serve a one year term on the Department Advisory Commission for the Central Susquehanna Fire and Emergency Services Board. Motion was unanimously approved.

JUNIOR COUNCILMEMBER: Junior Councilmember Buonopane reported the recycling stickers discussed at the last meeting are on the recycling bins. There has been some improvement, but trash is still being placed in the recycling bins. The ones that have less trash in them are the ones located next to a trash container. Manager Lowthert said it sounds like you are saying all the recycling containers should be relocated closer to an existing trash container. Junior Councilmember Buonopane said definitely. Manager Lowthert said he'll see what we can do. Junior Councilmember Buonopane updated Council on various issues at the Lewisburg High School.

OTHER COMMITTEES: Councilmember Frederick reported there was a meeting on February . BVRA is ready to hire at the pool, obtained a PPL Grant for the purchase of trees along the rail/trail, and the gym work is moving right along.

Council President Morris said the LDP Board has discussed moving into the Borough Office in late spring or early summer. There was discussion regarding the financial stability of the LDP, as well as the arrangements that would need to be made if the LDP moves into the Borough building. There is a significant donation currently being discussed with Tere Rill and although details cannot be released yet, she did want to make Council aware of this. Councilmember Comas asked if the LDP had a strategic plan. Council President Morris said yes, it is on their website, and she provided a brief history on the LDP. Mayor Wagner noted that Pronto is closing after ten years of wonderful service in the Borough and she wishes them the best. Solicitor Lyons said the Daily Item reported there is already another business ready to go into that building. Mayor Wagner also noted the Cherry Alley Café is open under new ownership.

Councilmember Derman said the LNC meets this Thursday and there is an LNC event on Saturday, a live stake planting amid the riprap along Bull Run upstream from the covered bridge.

Councilmember Comas thanked everyone for the productive work session held with the STC. Currently there are discussions being held with regard to Arbor Day festivities. Manager Lowthert said if the Borough crew is needed to dig hole(s) for a tree planting(s), we need to be notified at least a week in advance; this should be coordinated through the Borough Secretary. Councilmember Comas updated Council on various STC discussions, activities, etc.

Peter Bergonia reported things at the Central Keystone-COG are busy. Jim Emery, Code Enforcement Officer, reported the CK-COG was invited to a builders show at Lycoming College recently and things are going very well.

Peter Bergonia indicated the Community Garden Committee met March and there will be plants sold this year on April and May at the community garden. There is a new point of contact, Jen Partica, the Farm and Garden Coordinator for Bucknell University. Also, a fruit tree

BOROUGH SOLICITOR ORDINANCE AUTHORIZING THE BOROUGH TO ENTER INTO IGA TO CREATE REGIONAL FIRE DEPARTMENT (ORDINANCE NO. 1051)

MEMBERSHIP REQUIREMENTS FOR CENTRAL SUSQUEHANNA FIRE AND EMERGENCY SERVICES BOARD

COUNCILMAN DERMAN APPOINTED TO SERVE ON BOARD

COUNCILMAN MEDINA APPOINTED TO SERVE ON BOARD AS AN ALTERNATE

COUNCILMAN DERMAN APPOINTED TO SERVE A ONE YEAR TERM ON THE DEPARTMENT ADVISORY COMMISSION

JUNIOR COUNCILMEMBER

OTHER COMMITTEES BVRA

LDP

LNC

STC

CK-COG

COMMUNITY GARDEN

Tuesday, March 20, 2018

will be planted at the community garden in memory of Stacy Hinck and we want to coordinate this with her family sometime in April. Manager Lowthert reminded everyone that Ogren Alley, next to the community garden, will be redone by the Borough late spring/early summer and may not be accessible every day during the construction period.

Councilmember Derman said the Central Susquehanna Fire and Emergency Services Board will be meeting on Thursday for the first time.

Council President Morris said Councilman Heayn has to leave early so we will talk about the work session now.

WORK SESSION: Manager Lowthert reported a work session will be needed April 10th. There are three topics to choose from: the sign ordinance, the non-discrimination ordinance, and the refuse ordinance. Councilmember Derman said the sign ordinance should be the next topic of discussion since it has been worked on for two years. Councilmember Comas said he is working on a draft of the non-discrimination ordinance, but isn't sure it would be ready. Council was in agreement the topic of discussion at the April work session should be the sign ordinance.

ANY ADDITIONAL BUSINESS FROM COUNCIL: Councilmember Comas updated Council on a Governor's community meeting he attended with representatives from the Departments of Agriculture, Corrections, Education, Transportation, as well as the State Police. He pointed out that next Tuesday the Union County Commissioners are meeting to consider a resolution in support of the State law about fair districts. He received a complaint from a constituent about the lack of street sweeping. Manager Lowthert explained in the winter street sweeping doesn't happen as often for numerous reasons, e.g. the sweeper uses water and the water freezes, this is the time for sweeper maintenance, and it also depends upon the workload of the Borough staff. Councilmember Comas said ticketing still occurs. Manager Lowthert explained the problem is that even if we are not street sweeping, all the utility companies, contractors, etc. are aware of the posting of the Borough streets, so you could have Service Electric trimming trees or Windstream working on their lines or contractors delivering to homes they are working on. Councilmember Comas said he now knows how to answer a constituent with this issue.

Councilmember Derman shared that Bucknell University is looking to strengthen their internship program through providing a better match of student and the organization.

WRITTEN REPORTS: Councilmember Mahon made a motion, seconded by Councilmember Comas, to acknowledge receipt of the Budget Index, the monthly parking report, the monthly Code Enforcement Officer's report, and the monthly Zoning Officer's report. Motion was unanimously approved.

Council President Morris acknowledged Char Gray, a Supervisor from East Buffalo Township. Ms. Gray asked if there is a list of approved shade trees. Manager Lowthert said yes and he'll see that she gets one. Ms. Gray said several sidewalks are in need of repair between Sixth and Seventh Streets. Manager Lowthert said the CK-COG has been asked to review the condition of sidewalks and have issued citations to property owners. One property owner is refusing to do repairs, so the only option the Borough has is to do the sidewalk repair and bill the property owner. If the property owner does not pay, the Borough would have to lien the property. Only the STC can authorize removal of a tree. If a property owner has a sidewalk problem as a direct result of a shade tree, requests removal, and isn't granted permission, then we have an issue. There was **much** discussion. Ms. Gray said an email indicated the committee was unable to meet on March and she questioned the issues (surrounding the BVRA IGA) because she would like to keep moving forward. Manager Lowthert said that will be discussed in executive session tonight with our Solicitor. Solicitor Lyons suggested Ms. Gray talk to Pete Matson, EBT's Solicitor as he shared his opinions with Mr. Matson today and will be sharing them with Council tonight.

Manager Lowthert indicated there may be a motion before Council tonight, after the executive session is held.

Council President Morris called for a five minute recess at 7:35 PM.

Councilmember Derman made a motion, seconded by Councilmember Mahon, to hold an executive session on legal matters. Motion was unanimously approved.

Council entered executive session at 7:40 PM. Council returned at 8:25 PM.

Councilmember Derman made a motion, seconded by Councilmember Comas, to approve the stipulation and settlement agreement involving the GSLHS Development, LLC, Appellant, v. the Lewisburg Borough Zoning Hearing Board, Appellee. Motion was unanimously approved.

There being no further business, Councilmember Frederick 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

**CENTRAL
SUSQUEHANNA
FIRE AND
EMERGENCY
SERVICES BOARD**

**WORK SESSION
SIGN ORDINANCE
DISCUSSION APRIL
10TH**

**ANY ADDITIONAL
BUSINESS FROM
COUNCIL**

**WRITTEN
REPORTS**

CHAR GRAY

RECESS

LEGAL MATTERS

**(EXECUTIVE
SESSION)**

**STIPULATION AND
SETTLEMENT
AGREEMENT
INVOLVING GSLHS
DEVELOPMENT,
LLC V. BOROUGH
ZHB APPROVED**

ADJOURNMENT