

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held at 6:30 PM on **Tuesday, April 16, 2019** in the Council Chambers, 55 South Fifth Street, Lewisburg. Present: Council President Morris; Councilmembers Derman, Comas, Mahon, Medina, Fredrick and Yohn; Mayor Wagner, Solicitor Lyons, Manager Lowthert and Secretary Anders. Also present: Kim Wheeler, Ellen Ruby, James Zellers, Jolene Helwig, Jim Buck, Carol Steckel, Jeff Reber, Carolyn Conner, Father Wilke, Nancy Steckel, Donald Steckel, Matt Farand, Eric Scicchitano, Barbra Kalin, Jon Allocca, Kevin Gardner, two unidentified signatures and not signed in Char Gray.

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

Council President Morris called for an executive session at 6:32 PM to discuss legal matters.

Council returned at 7:51 PM. Solicitor Lyons stated as a result of the executive session Borough Council has directed outside Legal Counsel to respond to the letter from East Buffalo Township's Solicitor regarding the Police IGA, upon doing so the letter will be released to the public and the newspapers.

APPROVAL OF MINUTES: Motion was made by Councilmember Yohn, seconded by Councilmember Media, to approve the minutes of the March 19, 2019 regular monthly meeting. Motion was unanimously approved.

COUNCIL PRESENTATION(S): Jeff Reber, Republican Candidate running for Union County Commissioner, introduced himself to Council and the public.

PUBLIC COMMENT(S) ON ANY AGENDA ITEM: Jim Buck wanted to comment on the Police dispute. He was asked to hold his comment until Public Comments on Any NON-Agenda Items since the Police IGA matter wasn't on the agenda. Mr. Buck decided to leave.

PUBLIC WORKS/POLICE COMMITTEE: Council received the Buffalo Valley Regional Police Department's (BVRPD) monthly report.

Council received the William Cameron Engine Company (WCEC) year to date report.

The Committee directed the Borough Manager to order a replacement employee shelter at the brush pile in the amount of \$1,222.00 to be paid from the Refuse Fund.

Lewisburg Borough is moving forward with the Pool and Skate Park Parking Lot Sealing Project this spring at the St. Mary Street Park. The project is budgeted for \$6,500.00 from the Recreation Tax Fund.

The Committee directed the Borough Manager to authorize sealing for the basketball court at the St. Mary Street Park when the parking lots are sealed. The extra sealing is quoted at \$950.00 and will be paid from the Recreation Tax Fund.

Borough staff is working with Mid-Penn Engineering to schedule an information meeting on May 2, 2019 at 6:30 PM to be held in Borough Council Chambers with residents impacted by proposed changes to the FEMA Floodplain Maps in the areas between Route 15 and North Fifteenth Street.

ADMINISTRATIVE/FINANCE COMMITTEE: Councilmember Derman made a motion, seconded by Councilmember Mahon, to approve payment of bills from March 16, 2019 through April 12, 2019 in the amount of \$546,292.28. Motion was unanimously approved.

Councilmember Derman made a motion, seconded by Councilmember Mahon, to accept the proposal from Cohen Law Group for professional services associated with revising our Wireless Ordinance based upon the recent FCC Orders with an estimated cost of approximately \$5,000.00 to be paid from the General Fund. Motion was unanimously approved.

Councilmember Derman made a motion, seconded by Councilmember Mahon, to accept the resignation of Tom Egan from the Lewisburg Borough Planning Commission with regret. Motion passed 6 to 1 with Councilmember Comas voting No.

Councilmember Derman made a motion, seconded by Councilmember Mahon, to grant Union County the authority to coordinate bridge inspections on behalf of the Borough with PennDOT. Motion was unanimously approved.

The Borough received the 2017 Liquid Fuels Audit and all was in order.

The Committee discussed the Borough's 2019 first quarter financials.

COMMUNITY DEVELOPMENT/PLANNING COMMITTEE: Councilmember Yohn made a motion, seconded by Councilmember Derman, to approve HARB items a, b, c, d and e as submitted and recommended by HARB per their minutes dated April 9, 2019. Motion was unanimously approved.

a. Anthony Russo/ 622 Saint Catherine Street/Siding and Roof. An application was submitted to and reviewed by HARB for siding and roof. Motion was made by Ted Strosser, seconded by Elaine Wintjen, to recommend approval and issuance of Certificate of

ATTENDANCE

CALL TO ORDER

Executive Session

APPROVAL OF MINUTES

COUNCIL PRESENTATION

PUBLIC COMMENT(S) ON ANY AGENDA ITEM

PUBLIC WORKS/POLICE COMMITTEE
BVRPD

WCEC

Employee Shelter – brush pile

Parking Lot Sealing – Pool and Skate Park

St. Mary Street Park – Basketball court sealing

FEMA Floodplain Maps

ADMINISTRATIVE/FINANCE COMMITTEE
PAYMENT OF BILLS

Cohen Law Group Services – revising Wireless Ordinance

Tom Egan Resignation

Bridge Inspections

General Updates

COMMUNITY DEVELOPMENT/PLANNING COMMITTEE
HARB

A RUSSO

April 16, 2019

Appropriateness (COA) for siding and roof as submitted in the project description of the HARB application, recommendation siding as presented must maintain trim elements and corners, windows and cornice and metal roofing must be concealed fasteners. Motion was unanimously approved.

b. Ona Fleming/ 131 North Third Street/Replace Fence. An application was submitted to and reviewed by HARB for a fence. Motion was made by Ted Strosser, seconded by Elaine Wintjen, to recommend approval and issuance of Certificate of Appropriateness (COA) for a fence as submitted in the project description of the HARB application, recommendation is for the wood fence be painted or stained within one year. Motion was unanimously approved.

c. Amanda Unzueta/227 South Third Street/Fence. An application was submitted to and reviewed by HARB for a fence. Motion was made by Ann Hilliard, seconded by Elaine Wintjen, to recommend approval and issuance of a Certificate of Appropriateness (COA) for a fence as presented and shown in the attachments to the HARB application, recommendation is for the wood fence be painted and stained within one year, all other elements recommend as submitted. Motion was unanimously approved.

d. Bucknell University/400 Saint George Street/ADA Ramp. An application was submitted to and reviewed by HARB for an ADA ramp. Motion was made by Elaine Wintjen, seconded by Ann Hilliard, to recommend approval and issuance of a Certificate of Appropriateness (COA) for an ADA ramp as presented and shown in the attachments to the HARB application. Ted Strosser abstained. Motion was approved.

e. Bucknell University/570 Loomis Street/Replace Roof. An application was submitted to and reviewed by HARB to replace roof. Motion was made by Elaine Wintjen, seconded by Ted Strosser to recommend approval and issuance of a Certificate of Appropriateness (COA) for roof replacement as presented and shown in the attachments to the HARB application. Motion was unanimously approved.

Additional Items: Exner Family Trust, 216 South Second Street, presented to HARB a siding sample. HARB deemed the sample acceptable.

Councilmember Yohn indicated there are current vacancies on the Planning Commission, term expiration 12/31/19 and on HARB, term expiration 12/31/20.

PUBLIC COMMENT(S) ON ANY NON-AGENDA ITEMS: Char Gray inquired about the pedestrian crossing signs at the intersections. They stop traffic in all four directions and she believed there was some discussion to change that several months ago. Char Gray commented with all the traffic going through town, this may help move things along. Borough Manager Lowthert informed Char there would need to be an engineering study done to be able to make those changes to the intersections. This is being looked at by TPD as part of the Market Street Traffic Study.

Char Gray also inquired about the motion to approve \$5,000.00 to Cohen Law Group for the Wireless Ordinance. Borough Manager Lowthert explained Cohen Law Group wrote the Wireless Ordinance that was adopted in 2016 and there has been some changes to the FCC guidelines with regards to esthetics and placement of wireless antennas.

Char Gray also stated that there has been three different attorneys over the last couple of years that have looked at the language of the Police IGA and haven't come to an agreement on what it means. She believe it still needs to be reviewed and cleaned up to make it less confusing regardless of what was decided in the executive session.

Jim Zellers addressed Council regarding a close call incident involving a young pedestrian trying to cross the street. Mr. Zellers did some research in PA Motor Vehicle Code to present to council regarding line of sight at crosswalks. He has been invited to further discuss this matter at the Public Works/Police Committee Meeting.

Father Wilke addressed Council and submitted questions and requests at the recommendation of his legal counsel after review of the proposed April 2019 Draft of the Human Relations Ordinance and the Frequently asked Questions. Father Wilke read the submitted question and requests. Council will receive a copy for review and comment at a later date.

Jon Allocca recently purchased a home and wants to add natural gas to this property, however, the road has been recently paved prior to his purchase and there is a \$5,000.00 degradation fee to do this property upgrade. Kevin Gardner asked if a notice is sent out in advance when street pavings will be done. Borough Manager confirmed that emails are sent out to Utilities. Councilmember Comas made a motion, seconded by Councilmember Derman, to reduce the degradation fee to \$3,000.00 for Jon Allocca at 139 North Third Street with the conditions that the utility uses a flowable fill when they backfill and require utility to pave the wearing course on the patch within sixty days. Motion passed 6 to 1 with Councilmember Yohn voting No.

A RUSSO – Cont.

O FLEMING

A UNZUETA

BUCKNELL UNIVERSITY

BUCKNELL UNIVERSITY

Exner Family Trust

Vacancies

PUBLIC COMMENT – NON AGENDA ITEMS

April 16, 2019

MAYOR: Mayor Wagner commented that the Borough crew – even the Borough Manager has been terrific in light of our natural disturbance. Borough Manager suggested that everyone should like the Borough’s Facebook page. Announcements will be posted on that and we are going to be doing another week of limb collection.

Kim Wheeler announced that there will be a Public Meeting Tuesday, April 23, 2019 at 6:30 for the Market Street Traffic Study at Iron Front Event space on third floor.

COUNCIL PRESIDENT: No report.

BOROUGH MANAGER: William Lowthert was contacted by the executive director of BVRA and the Authority is requesting the Borough enter into a funding agreement with the Authority. Currently BVRA’s solicitor will be working the Borough’s solicitor on language for the agreement and will bring it back to Council when it is appropriate to consider adoption.

BOROUGH SOLICITOR: Councilmember Derman made a motion, seconded by Councilmember Mahon, approving Resolution 19-03 approving and adopting the Lewisburg Area Joint Sewer Authority amending and restating its Articles of Incorporation. Motion was unanimously approved.

OTHER COMMITTEES: Councilmember Medina updated Council on BVRA items.

Ellen Rudy, Executive Director of the LDP, reported June 1st is the craft fair in the park and sidewalk sales on Market Street and the annual calendar of events are available and out.

Councilmember Derman, LNC, reported there were two clean ups.

Barbra Kalin, Shade Tree Chairman, informed Council that the Spring Planting Plan is also its Arbor Day Planting. The Arbor Day Planting is one of the requirement for Lewisburg to be a Tree City USA Community. The bear root planting will be April 24th on North Fifth Street and anyone is welcome to come. Barbra also stated it is possible a future Borough Council Work Session could be in conjunction with the Shade Tree Commission. The Shade Tree Commission is working hard on all of the 2018 non-compliant permits to be compliant permits. Borough Manager Lowthert commented that with the storm that passed through, most of the tree damage appears to be in private properties, back yards, Borough properties along the Rail Trail and it appears that only one street tree has been lost. The owner is aware that they have to be in compliance.

Borough Manager Lowthert reported that CK COG has been very busy with all the storm damage. There was a couple roofs that were blown off and gutters hanging. CK COG is out looking at the damage and making determinations.

Councilmember Derman updated Council on Central Susquehanna Fire and Emergency Services (CSFAES) will be meeting on Monday and an upcoming board meeting.

ANY ADDITIONAL BUSINESS FROM COUNCIL: Councilmember Comas shared a document with Council summarizing three possible choices going forward with the pros and cons of the Human Relations Ordinance and asked if other Councilmembers had any comments or missed anything. Councilmembers want time to read the document before having discussions.

WRITTEN REPORTS: Councilmember Derman made a motion, seconded by Councilmember Comas, to acknowledge receipt of the monthly Borough Budget Index, Parking Report, Zoning Officer Report, Code Enforcement Officer Report, Building Permit Report, Lewisburg Area Sewer Authority February minutes and April agenda and Planning Commission April draft minutes. Motion was unanimously approved.

WORK SESSION: Manager Lowthert said there will be a work session held Tuesday, May 14, 2019 to continue with the recommendations from the EIP Study and planning going forward.

Council President Morris called for executive session at 9:08 PM for personnel matters.

Council returned at 9:29 PM.

There being no further business, Councilmember Derman made a motion, seconded by Councilmember Yohn, to adjourn the meeting. Motion was unanimously approved. Meeting adjourned at 9:30 PM.

Respectfully submitted,

Jacqueline A. Anders
Borough Secretary

Mayor

COUNCIL PRESIDENT

MANAGER

BOROUGH SOLICITOR

OTHER COMMITTEES BVRA

LDP

LNC

STC

CK COG

CENTRAL SUSQUEHANNA FIRE AND EMERGENCY SERVICES BOARD

ADDITIONAL BUSINESS FROM COUNCIL

WRITTEN REPORTS

WORK SESSION

Executive Session

ADJOURNMENT