

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held on **Tuesday, April 21, 2015** in the Council Chambers, 55 South Fifth Street. Present: Council President Bergonia; Councilmembers Cook, Cox, Faden, Strosser, Mahon and Morris; Mayor Wagner, Solicitor Lyons, Manager Smith, Secretary Garrison and BVRP Chief Yost. Absent: Councilmember Baker. Also present: Matt Farrand, Linda Sterling, Dan Remley, James Blount, Mike Molesevich, Samantha Pearson, David Rapp-Kirshner, Stacey Sommerfield and Michele Kittell.

**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 Faden, to approve the minutes of the March 17, 2015 regular meeting. Motion was unanimously approved.

**PUBLIC PARTICIPATION:** Jamie Blount, the new Fire Chief for the William Cameron Engine Company (WCEC), introduced himself to Council and indicated his intent is to make changes that will make this department better and make this community a safer community. He prides himself on transparency, so unless the question is personnel related, he welcomes Council members to talk to him.

Stacey Sommerfield, the new Executive Director of the Buffalo Valley Recreation Authority (BVRA), introduced herself to Council and provided the upcoming events of the BVRA activities. She pointed out the pool capital campaign, a drive to raise \$55,000.00 for necessary pool renovation work, has been launched and in support of that there will be a Gala held May at the Cellars in Brook Park. The extension of the Rail/Trail from Eighth Street to Fifth Street and the piece that comes up to Market Street is scheduled to begin soon; Don E. Bower is the contractor for that work. We are working on getting the wall shored up at the old Railroad Bridge and temporary fencing has been placed there. There will be a big push for the tennis courts, which will include tennis lessons and clinics. She suggested everyone visit the BVRA website. And, she welcomed Council members' questions.

Samantha Pearson, Executive Director of the Lewisburg Neighborhood Corporation (LNC), was present to update Council on the many activities taking place with the Flood Impact Task Force, the Bull Run Neighborhood Committee, River Towns, and general neighborhood support. First, the Flood Impact Task Force recently met with representatives from our Federal Legislators' offices and we made great progress with communications, compiling a great deal of information. Mayor Wagner shared some of the flood information that was provided as a handout at that meeting. Ms. Pearson said we are now going to follow up with our State Legislators. Secondly, the Bull Run Neighborhood Committee made progress with the DCNR Grant, as approval has finally come through. The Request for Proposal (RFP) document should be due around May, and this should come before Council in June. A Project Study Committee is a requirement of DCNR, so she will email the draft listing to Council for review. She reminded Council that two representatives of Council are required and she believes Mayor Wagner is one. A management group of students have done some survey work and their final meeting is scheduled for April. She reported she, along with Linda Sterling, is working on some marketing strategies for real estate. And, lastly, one of our Bucknell students, David Rapp-Kirshner, and Michele Kittell would like to present some information about River Towns. Ms. Kittell said a brainstorming meeting was held and there was so much discussion on missions and about stakeholder groups, etc. She commented how impressive the students are, as they took all the information presented in order to create a master plan. Mr. Rapp-Kirshner said we are working on missions, branding and imaging for the River Town team in an effort to create a more concise and professional image so they may garnish some community support. All this creates what is called the master plan. They are looking to create a map of the Riverfront and some of the Bucknell geography classes are helping with that. Ms. Pearson clarified they are basically setting up the framework needed, and everything will be presented to Council.

Mike Molesevich, 27 South Water Street, was present to address the concerns of many individuals, including himself, regarding the lack of code enforcement that is occurring in this Borough. He pointed out numerous things: there have been two port-a-potties sitting in the backyard of a South Fifth Street property for weeks; there was overstuffed furniture on White Pine Alley for over six weeks (and this happens there regularly); on Market Street on the south side of the 200 block there was a sheet of ice for most of the winter; on North Fourth Street he couldn't walk across a sidewalk where no shoveling was done for a very, very long time. He doesn't understand how Councilmembers do not see these things and it isn't until a *resident* places a call that action is taken. He said research of the ordinance shows Council has the power to impose fines and penalties to prohibit and remove nuisances, but more importantly, the ability to collect the costs of removal for these nuisances and together collect a penalty of 10% of the cost. Before Council starts looking at new ordinances, it should be determined by the Solicitor how we can use the ordinances we already have to act quicker and get more response. He talked to the Manager about the refuse crews, meter maid or even the Police, reporting to the Borough Office when they see these things sitting around. Maybe it is time to reevaluate whether

**ATTENDANCE**

**CALL TO ORDER**

**APPROVAL OF MINUTES**

**PUBLIC PARTICIPATION**  
**JAMIE**  
**BLOUNT/FIRE CHIEF**

**STACEY**  
**SOMMERFIELD/**  
**BVRA EXECUTIVE**  
**DIRECTOR**

**SAMANTHA**  
**PEARSON**  
**LNC EXECUTIVE**  
**DIRECTOR**

**MIKE MOLESEVICH**

April 21, 2015

the codes system we have in place is the best for this Borough. He also recently learned the CK-COG Executive Director resigned and now there is a committee of four in charge? That is a concern because now there is no point of accountability as you can't go to someone specifically to get things done.

**POLICE COMMITTEE:** No meeting in April. Everyone received the Chief's monthly report. Chief Yost commented both newspapers printed articles about house party weekend. He said the number of registered events for this school year was about 540. There were probably about 30 incidents we responded to for underage drinking, disorderly conduct, etc. The 1 PM cut-off for the parties has worked extremely well. We are going to be reviewing our social gathering ordinance, as we have had it long enough that he believes we can fix some things to make it work better for everyone. The port-a-potty issue needs reviewed, as they are being rented for a period of six months, and then students are moving them from party to party. Another issue is the attendance number being reported; if they underestimate that number and more people show up, they would be in violation of the permit. So, permits are now being submitted showing 4,000 people in attendance. But, the 30 day penalty for violation has proven to be extremely effective. It was the sense of Council that discussions be held regarding the permit fee; is it adequate to cover costs being incurred by BVRPD or does it need to be increased. Mayor Wagner said she would like to see a Police Committee meeting held in May on the at 5 PM. Dan Remley questioned if Chief Yost has given any thought to how he would like to handle commencement weekend as he would like to be able to message students so they are aware of what they need to do. Chief Yost indicated students have been coming out to register and he doesn't see where there would be a problem. Manager Smith asked if there has been any change as a result of the removal of the homes along Sixth Street. Chief Yost stated trash seems to blow further and the noise definitely travels further. Mayor Wagner said it really hasn't been a bad year at all; we have to remember we live in a college town. She thanked Dan Remley for all his help. There was **much** discussion. Chief Yost also reminded everyone that they have before them an invitation to an Open House being held on Thursday, April from 6 PM to 8 PM.

**PLANNING COMMITTEE:** Councilmember Strosser made a motion, seconded by Councilmember Faden, to approve HARB letters a, b, c, d and e, as submitted and recommended by HARB. Motion was unanimously approved

**a. Robert Conner/128 St. Mary Street/Fence and Windows.** An application was submitted to and reviewed by HARB for a fence and windows. A motion was made by Rob Cook, seconded by Ted Strosser, to recommend approval of the installation of a fence and the installation of replacement vinyl windows, as stated in the HARB application project description, said fence to be painted and/or stained within one year, and replacement windows to match the existing openings. Motion was unanimously approved.

**b. Robert Conner/737 Market Street/Fence.** An application was submitted to and reviewed by HARB for a fence. A motion was made by Ted Strosser, seconded by Steve Snook, to recommend approval of the installation of a fence as shown in the two diagrams attached to the HARB application, said fence to be painted and/or stained within one year. Motion was unanimously approved.

**c. Chuck Confer-Mary Lotspeich/210 North Second Street/Addition and Garage.** An application was submitted to and reviewed by HARB for an addition and garage. A motion was made by Steve Snook, seconded by Kim Walter, to recommend approval of the removal of an existing addition and replacement with new addition, as well as the removal of the existing garage and replacement of a new garage, all as stated in the HARB application and as shown in the diagrams attached. Motion was unanimously approved.

**d. Ellen Herman/239 North Second Street/Remodel and Windows.** An application was submitted to and reviewed by HARB for renovation work and replacement windows. A motion was made by Ted Strosser, seconded by Phoebe Faden, to recommend approval of the renovation work and replacement windows, as stated in the HARB application, said replacement windows to match the existing openings. Motion was unanimously approved.

**e. Heritage House/50 North Third Street/Fence.** An application was submitted to and reviewed by HARB for a fence. A motion was made by Ted Strosser, seconded by Elaine Wintjen, to recommend approval of the installation of a fence, as stated in the HARB application, said fence to be painted and/or stained within one year. Motion was unanimously approved.

Councilmember Strosser said the committee is currently reviewing a potential amendment to the property maintenance code; the sample ordinance we obtained is from the City of Scranton and it would allow the Borough to deal with a lot of the problems noted by Mr. Molesevich during public participation. It would allow tickets to be issued on the spot for violations vs. the traditional warning, then a waiting period, etc. Solicitor Lyons said this is basically the issue that he and the Manager have been discussing.

Councilmember Strosser explained bids for the VanSant Elevation Project were received and were approximately \$85,000.00 over budget. This was forwarded to PEMA, who has forwarded it on to FEMA. We are awaiting a response.

**PUBLIC WORKS COMMITTEE:** Councilmember Strosser said the condition of the 402 North Fifth Street garage was discussed and the committee suggested use of the C.A. Heiser Trust Fund to finance the necessary repairs. However, it appears that further research by the Manager revealed that would not be a use consistent with the Trust Fund language. Councilmember Cox indicated there are mission groups around that come into towns to provide help to people that are in need. There was **much** discussion.

**POLICE COMMITTEE**

**PLANNING  
COMMITTEE  
HARB**

**R CONNER**

**R CONNER**

**C CONFER/M  
LOTSPEICH**

**E HERMAN**

**HERITAGE HOUSE**

**PROPERTY  
MAINTENANCE  
DISCUSSIONS**

**VANSANT  
ELEVATION  
PROJECT**

**PUBLIC WORKS  
COMMITTEE**

April 21, 2015

Councilmember Morris suggested the Council of Churches be contacted, as all churches are represented by this group.

**FINANCE COMMITTEE:** There was no meeting in February. Councilmember Morris made a motion, seconded by Councilmember Faden, to approve the payment of bills from 03/13/15 through 04/17/15 in the amount of \$464,655.09. Motion was unanimously approved.

**MAYOR:** Mayor Wagner commented since we have covered so much tonight, she has nothing more to report.

**COUNCIL PRESIDENT:** Council President Bergonia indicated he has no report.

**SOLICITOR:** Solicitor Lyons said he would like an executive session at the end of this meeting to discuss a legal issue regarding a conditional use request.

**MANAGER:** Councilmember Mahon made a motion, seconded by Councilmember Cox, to approve Confirmation of Assignment with Larson Design Group for surveying and engineering services in the amount of \$19,875.00 for the development of St. Anthony Street Project from North Third Street to North Water Street. ON THE QUESTION: Council President Bergonia asked if we have money budgeted for this. Manager Smith said yes; this project is going to end up being around \$160,000.00 and engineering costs are normally anywhere from 10% to 17% of the total cost of a project. Motion was unanimously approved.

Councilmember Faden made a motion, seconded by Councilmember Mahon, to approve Confirmation of Assignment with Larson Design Group for surveying and engineering services in the amount of \$12,000.00 for the development of the St. Anthony Street Cul-De-Sac Project (two locations). ON THE QUESTION: Manager Smith clarified the location of these two cul-de-sacs are in the area of St. Anthony Street between Eleventh Street and St. Lawrence Street. Motion was unanimously approved.

Manager Smith also noted he is currently looking at Terrace Drive as that street may end up being a more immediate need because of its poor condition.

**OTHER COMMITTEES:** Council President Bergonia said Stacey Sommerfield, the new BVRA Executive Director, updated Council earlier this evening.

Councilmember Morris reminded everyone that the Arts Festival is scheduled for this Saturday. She also noted the great strides being made by the LDP on the KINBER Project. Councilmember Cook shared that Jim Baker, SEDA-COG's IT Chief, has offered his services. Councilmember Strosser reported the Bucknell management students gave a presentation at the LDP Board meeting on connections to the river and it was the very best student project he has ever seen.

Dan Remley said the Town and Gown Committee is scheduled to meet Wednesday, May at 7 PM.

Council President Bergonia indicated Council was updated earlier this evening on the LNC activities.

Councilmember Faden said on behalf of the STC she would like to remind everyone of the tree planting schedule. Manager Smith said Friday, April is Arbor Day and at 5 PM on the corner of St. Lawrence and St. Mary Streets the STC will be planting a pink weeping willow. On Sunday at 12 noon, there are approximately 26 bare root trees that will need to be planted in the LAR Park. The following two Saturdays, May and May, there will be tree planting occurring from 10 AM to 2 PM. Councilmember Faden said the holes have been pre-dug, thanks to the Borough crew, so it is just a matter of placing the tree into the ground and filling in the holes. Manager Smith indicated our Borough crew has been extremely busy as a result of this event and the Arts Festival. He said they should be commended for their efforts. It was the sense of Council that donuts and coffee should be provided as their way of recognizing their extra efforts.

Council President Bergonia reported there were some issues brought up tonight, which he will address with the CK-COG. Manager Smith clarified the procedure with regard to complaints, pointing out that as soon as he is made aware of a complaint, he contacts the CK-COG to investigate, and he receives a response of their findings. The CK-COG also affords the Borough driving time, what he refers to as "windshield" surveys, but they do not make it to every single street and alley. The cost of that service is \$61.00 per hour, which equates to about \$20,000.00 a year. This is nowhere near the cost of an employee. Mayor Wagner stressed that with all the things that we are doing with less staff and less money, as an example, rising to the flood challenges, the river work, the street work, etc., she truly believes we do a great job. Councilmember Morris pointed out she asked the Manager for the explanation of duties of CK-COG and SEDA-COG as she gets them confused, and thanked the Manager for a job well done.

**FINANCE  
COMMITTEE  
PAYMENT OF BILLS**

**MAYOR**

**COUNCIL  
PRESIDENT**

**SOLICITOR**

**MANAGER  
CONFIRMATION OF  
ASSIGNMENT  
APPROVAL TO LDG  
FOR ST ANTHONY  
STREET PROJECT**

**CONFIRMATION OF  
ASSIGNMENT  
APPROVAL TO LDG  
FOR ST ANTHONY  
STREET CUL-DE-  
SAC PROJECT**

**TERRACE DRIVE**

**OTHER  
COMMITTEES  
BVRA**

**LDP**

**TOWN AND GOWN  
COMMITTEE**

**LNC**

**STC**

**CK-COG**

April 21, 2015

Councilmember Morris indicated the Community Garden is having their plant sale on Saturday, May from 9 AM to 1 PM; there will be more varieties of flowers and vegetable plants than last year.

Samantha Pearson, Chairwoman of the Traffic Committee, commented she is waiting to hear whether the Traffic Committee will report to Planning Committee or another committee. Manager Smith said this topic was discussed at length; because the Planning Committee is the last committee to meet prior to Council, there is normally a lot of information that ends up before them. So, he would suggest the Public Works Committee. Councilmember Morris asked if there has been discussion with the Professor serving on the Traffic Committee to actually have her students provide research on the areas of concern being presented to Council. Ms. Pearson indicated Ms. Beiler has two senior design projects right now: 1) Bull Run Greenway, and 2) Rail/Trail Extension. Councilmember Morris said that isn't Traffic Committee. Ms. Pearson said they are topics that relate to transportation in the Borough as traffic has to do with bikes and pedestrians, as well as cars. She said the Traffic Committee's goals and objectives were distributed to Council for review. Councilmember Morris said she was in receipt of a document from the Manager, which she believes is the Borough's goals and objectives. Ms. Pearson said the document is titled the Borough of Lewisburg's Transportation Goals and Objectives, but was generated by the Traffic Committee and approved by Council 10 years ago and should be reviewed. Councilmember Morris suggested this document be sent to the Public Works Committee for review and revision. Ms. Pearson said she talked to the Manager today about the Traffic Impact Study for the Pennsylvania House; that document doesn't reflect any of the impacts upon the Borough, which she believes will be considerable. Manager Smith said he was assured there is going to be a sidewalk on the south side of St. Mary Street. However, the current plans for St. Mary Street do not show a sidewalk, so he is thinking the sidewalks might be part of the plan for the Penn Commons Project. Mayor Wagner shared her concerns about traffic in the Ikeler Park area. Manager Smith said the western portion of St. Mary and Fifteenth Street is a concern, but the Traffic Impact Study didn't address those areas. Solicitor Lyons said that study didn't have to because those streets are in a different municipality. There was **much** discussion.

Mayor Wagner indicated the Lewisburg Area High School Repurposing Committee meets May to review the RFP's; these proposals will be forwarded to the committee and they will make a decision in September.

Council President Bergonia indicated the Flood Task Force and River Town Committee progress was already addressed. Councilmember Morris indicated she isn't sure we have a Council representative on the River Town Committee and we need one. Councilmember Faden reported that she has been representing Council and will continue to do so.

Councilmember Cox said the Municipal and Community Advisory Committee (MACAC) was cancelled for this month.

**OLD BUSINESS:** Councilmember Cox commented that the D.F. Green concession stand looks wonderful.

**NEW BUSINESS:** Councilmember Strosser indicated the LDP, in order to meet their mission as a Main Street community, must do two preservation related activities each year. So on Tuesday, May , after our HARB meeting and before the work session if we have one, there will be a walking tour of the Historic District; this will be advertised on the LDP's website and open to the public as May is National Preservation Month.

**WRITTEN REPORTS:** Councilmember Morris made a motion, seconded by Councilmember Baker, to acknowledge receipt of the Budget Index; Parking Report, and Code Enforcement Officer Report. Motion was unanimously approved. (Note: The Zoning Officer's report was not submitted this month; March and April reports should be distributed at the May Council meeting.)

**WORK SESSION:** Council President Bergonia indicated the Manager doesn't think there is a need for a work session on May , but he will let everyone know if that changes.

Council President Bergonia called for a five minute recess at 8:25 PM. Council returned at 8:30 PM.

Councilmember Morris made a motion, seconded by Councilmember Mahon, to hold an executive session on a legal issue regarding a conditional use request. Motion was unanimously approved.

Council entered executive session at 8:30 PM. Council returned at 8:50 PM.

**COMMUNITY GARDEN**

**TRAFFIC COMMITTEE**

**REPURPOSING COMMITTEE**

**FLOOD TASK FORCE/ RIVER TOWN COMMITTEE**

**MACAC**

**OLD BUSINESS**

**NEW BUSINESS**

**WRITTEN REPORTS**

**WORK SESSION**

**RECESS**

**LEGAL ISSUE ON CONDITIONAL USE REQUEST**

**(EXECUTIVE SESSION)**

**April 21, 2015**

Councilmember Morris made a motion, seconded by Councilmember Mahon, to reconsider and void the previous motion to deny the request for a conditional use for 606 St. Catherine Street, and to schedule a conditional use public hearing to be held on Tuesday, May , to allow the applicant of 606 St. Catherine Street to present the basis for his conditional use request. Motion was unanimously approved.

There being no further business, Councilmember Cox made a motion, seconded by Councilmember Faden, to adjourn the meeting. Motion was unanimously approved. Meeting adjourned at 8:55 PM.

Respectfully submitted,

Patricia M. Garrison  
Borough Secretary

**PREVIOUS MOTION  
RESCINDED AND  
CONDITIONAL USE  
HEARING FOR 606 ST  
CATHERINE STREET  
SCHEDULED FOR  
MAY 19<sup>TH</sup>**

**ADJOURNMENT**