

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held at 6:30 PM on **Tuesday, Tuesday, May 15, 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 and Junior Councilmember Ezra Buonopane. Absent: Police Chief Yost. Also present: Teri Provost, Gregory Amarante, Dee Reikphy, Carolyn Conner, Matt Ostrowsky, Richard Owen, Eric Scicchitano, Matt Farand, Stephen Buonopane, Eileen Parnell, Katherine Aukerman, Alf Siewers, Sean Clark, Sam Pearson, Tina Prowante, Jordan Fetzer, Keith Fetzer, Barbara Kalin and TJ Boad.

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 Medina, to approve the minutes of the April 17, 2018 regular monthly meeting. Motion was unanimously approved.

PUBLIC HEARING/CDBG FUNDS: Council President Morris adjourned the regular order of business to conduct the first public hearing on the 2018 Community Development Block Grant (CDBG) Funding. She called the public hearing to order at 6:35 PM.

Teri Provost, SEDA-COG, stated she administers the Community Development Block Grant (CDBG) Program for Union County on behalf of Lewisburg Borough. The Community Development Program is a three year plan funded with federal funds coming through the Department of Housing and Urban Development (HUD), administered through the Department of Community and Economic Development (DCED). It is Act 179 that tells us how we can use the federal funds at the state and local government level. Tonight's public hearing is the first for the 2018 CDBG Program and how we let the public know Council is looking for projects/ideas. The estimate for Lewisburg Borough's Federal Fiscal Year (FFY) 2018 is \$97,000.00. The fundability criteria is: 1) benefit low and moderate-income individuals (LMI); 2) removal of slum/blight in a community; and 3) urgent need. Determination of low and moderate income (LMI) folks is usually through a survey process or presumed benefit of curb cuts or senior citizens or handicapped individuals. The Borough designated the South Sixth Street area of Market Street to St. George Street to Limestone (Bull Run) to Ludwig Alley as a slum/blight area around 2012. Urgent need is almost never used simply because by the time you get federal monies the urgent need has gone away. 70% of CDBG funding is expended each year on low and moderate income folks and no more than 30% to slum/blight initiative. Almost anything can be an eligible activity, it is the fundability that can be difficult. A packet of information was distributed and reviewed, specifically the CDBG Application Preparation Schedule for Union County, the Entitlement Program, the Section 3 Preference Statement (which is unique to HUD and gives a preference to the low to moderate income folks for business concerns in CDBG funded projects), the Fair Housing Notice covering state and federal laws, and the Residential Anti-Displacement Notice (Union County doesn't intend to displace anyone from their property this year), the Relocation Assistance Plan, as well as the Section 504 Outreach information which is primarily for accessibility. Lewisburg project have dealt mainly with curb cuts, slum and blight designated areas, and the removal of architectural barriers. This Borough building is an example of a project that dealt with the removal of architectural barriers; the result is everyone can access Council Chambers and there a restroom that is handicap accessible, in part from the CDBG Program. She met with the Public Works/Police Committee earlier this month to get ideas for the use of this funding, and tonight she would like the rest of Council and the public to share ideas they may have. Committee ideas already shared were curb cut reconstruction throughout the Borough, the slum and blight area improvements, and there is about \$80,000.00 allocated from 2017 grant funds for a retaining wall improvement on the west side of Limestone Run. Junior Councilmember Buonopane asked exactly what the slum and blight initiative monies are spent on. Ms. Provost said an example is Sixth Street; there was a deficiency in the infrastructure and ten houses were acquired and demolished with PEMA and FEMA grant funding. We leveraged those funds and then used CDBG monies for curbing, sidewalks, curb cuts, storm water conveyance, etc. Manager Lowthert said the idea is to make the neighborhood nicer by improving the infrastructure. Greg Amarante, 107 South Fourth Street, said given the nature of activities in this area, how much actually helps owners of the property who may not be taking care of their properties. Ms. Provost said the slum and blight initiative does not have a beneficiary and is atypical of the CDBG Program. Manager Lowthert said the Borough is focusing within the public right-of-way. Mr. Amarante said put these monies toward houses that are used for parties and then they wear down the public infrastructure at a greater rate. Ms. Provost said Fifth Street had a lot of money invested in it and it no longer looks like a party street. If we don't reinvest, they will continue to look like slum and blight. Mr. Amarante said there are people in need and then there are students who may not be in need, but abuse these properties. If there is no pressure on the property owners and/or landlords to keep up their properties to make Sixth Street nicer, then what is the benefit in the end other than a nicer looking curb and public infrastructure? Manager Lowthert said before the Borough invested in these areas, the slum and blight area was much larger. Through the investment of CDBG monies into this neighborhood over the last ten/fifteen years, Fifth Street and Seventh Street are much nicer looking streets. We have the same hope for Sixth Street. Sam Pearson said the Bull Run Greenway Plan addresses this area and is available on the Lewisburg Neighborhoods website. We are addressing the difference between public infrastructure and private properties. The private properties are very run down and that is where the bulk of the students are. The Borough is operating in the public zone and will continue to do that with the idea this will make property owners/landlords to want to improve their properties. Manager Lowthert indicated code enforcement is very active in that neighborhood as we instituted the Quality of Life ordinance

ATTENDANCE

CALL TO ORDER

APPROVAL OF MINUTES

PUBLIC HEARING 2018 CDBG FUNDING

**TERI PROVOST/
SEDA-COG**

**GREG
AMARANTE**

Tuesday, May 15, 2018

which allows CK-COG to issue a green tickets for code violations and we've seen an improvement as a result. Councilmember Comas asked what is meant by curb cut and why is it important. Ms. Provost said from the CDBG perspective, we want to remove architectural barriers so a handicapped person or an elderly person can safely cross a street. The ideas from tonight's meeting will go to Council for a decision in June. A member of the public asked if any of this money can go to flood remediation. Ms. Provost said along South Sixth Street we are grading back the western side of the creek which deals with an existing flooding issue, but the Borough is doing more than what a little CDBG Program could do through the Flood Resiliency Initiative. When dealing with CDBG funds, fundability is crucial, meaning who is going to benefit. This Borough basically eats up the County's slum and blight monies, which is fine as it usually isn't used anywhere else. Surveys determine slum and blight areas and as previously stated the South Sixth Street area qualifies. Stephen Buonopane of 200 North Third Street said he would like to see more shade trees and unnecessarily paved area turned back to grass. Councilmember Heayn said he believes the reference is for tree lawns. Mr. Buonopane said yes. Ms. Provost said that could be an eligible CDBG Project, but it is the fundability that is tricky as it would have to predominately benefit low and moderate income individuals. Councilmember Comas said Hufnagle Park is in need of bathroom facilities and water. Ms. Provost said that would be a hard project to qualify for CDBG monies because the question would be who uses the park. Councilmember Comas asked how we would assess that. Ms. Provost said we would have to determine who uses the park and primarily beneficiaries will be the residents that live within a distance of this park. Unfortunately this park isn't part of the slum and blight area. Councilmember Comas said he would like to see the Borough accommodate pedestrian and bike traffic. Ms. Provost said a good project, but we would have to look at a certain street that makes sense from the beneficiary standpoint. Councilmember Comas said parts of Lewisburg has poor access to fresh food, so can we address building infrastructure for a food market or growers market. Ms. Provost said again, good project, but a tough sell. It could possibly be seen as helping low to moderate income people learn about healthy eating and nutrition. Everyone must remember that we are talking about HUD funding. A member of the public asked if there are any other creative ways to use CDBG funding. Ms. Provost said there is a whole lot of red tape when using CDBG funds. Projects this money has been used for in Union County would be road reconstruction, drainage projects along the road, milling and paving, township park restrooms (Kelly Township is the **only** municipality in Union County that is low to moderate income township wide and they have only one park so this easily qualified), curb cuts are popular, and we do public service, which could be considered a little creative. We bought school buses so western Union County, which is a low to moderate income area, could provide rides to school for kids. Councilmember Mahon said funds have been used to benefit the Donald Heiter Center for programing. Ms. Provost said it must be a new service and we are open to this, but DCED has really pushed us away from small projects. Manager Lowthert said with public service, the expectation is you provide the seed money to get it going, but non-profit organizations may not be able to continue to fund the program. Councilmember Derman asked if CDBG monies can be used to replace a roof on the Heiter Center. Ms. Provost said if it is not maintenance and we have to be careful about deferred maintenance. Councilmember Yohn said the Heiter Center would contact SEDA-COG directly to determine if there is anything fundable and then it would then come before Council for review/approval. Manager Lowthert said yes. Councilmember Heayn asked if there is anything else this Borough should be pursuing other than slum and blight. Manager Lowthert said slum and blight is really the best bet. He gave examples of how you would try to determine who benefits by improvements being made based on service areas, i.e. Spruce Street which is a dead end street and would benefit just those that live on Spruce Street vs. St. Louis Street which is used by individuals other than just residents along St. Louis Street. Mayor Wagner expressed how proud she is for all the improvement work that has occurred and will be occurring in this area, creating a real asset to this Borough. Ms. Provost said her portion of this public hearing has concluded. Sam Pearson shared there is a public meeting being held on transportation this Thursday night at Earl's Bicycle Shop at 7:30 PM.

Council President Morris asked if there is anyone else that would like to speak at this time. No one wished to speak. Council President Morris declared the public hearing closed at 7:10 PM. She reconvened to the regular order of business.

COUNCIL PRESENTATION(S): There were none.

PUBLIC COMMENT(S) ON ANY AGENDA ITEM: No one wished to speak.

PUBLIC WORKS/POLICE COMMITTEE: Council received the Buffalo Valley Regional Police Department's (BVRPD) monthly report. Manager Lowthert indicated Chief Yost was unable to attend this meeting. Mayor Wagner said we are working with the officers to develop some initiatives regarding additions to their uniforms to avoid the development back issues, we are working on expanding our computer assets at the Police Station, and we are looking at adding some additional positions. All is going very well.

Councilmember Mahon made a motion, seconded by Councilmember Derman, to approve the Borough of Lewisburg being the "municipality of record" for the BVRPD's application for Bulletproof Vest Funding, which is non-match funding through the Office of Justice Program. ON THE QUESTION: Manager Lowthert said the Chief asked if we would do this as funding is passed through non-match funding; there is no risk to do this, just administrative time we need to offer, and we expect the Chief will spend the money as required. Motion was unanimously approved.

STEPHEN BUONOPANE

(PUBLIC HEARING CLOSED)

COUNCIL PRESENTATIONS

PUBLIC COMMENT(S) ON ANY AGENDA ITEM

PUBLIC WORK/POLICE COMMITTEE BVRPD

BOROUGH TO AID IN BULLETPROOF VEST FUNDING FOR BVRPD

Tuesday, May 15, 2018

Councilmember Mahon made a motion, seconded by Councilmember Derman, to award the St. Anthony Street Handicap Ramp/Curb Cut CDBG Project to Heim Construction Company in the amount of \$55,712.30, 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 Engineer, SEDA-COG, and the Borough Solicitor. ON THE QUESTION: Manager Lowthert said this ramp/curb cut work begins at the little alley next to the old greenhouses on St. Anthony Street, then it is North Second Street and Front Street, and then Auburn Alley. There is one on the south side of St. Anthony Street and the rest are on the north side. Motion was unanimously approved.

Councilmember Mahon made a motion, seconded by Councilmember Derman, to select the following projects for the second round of the 2018 Streets Project: South Third Street from Market Street to St. Louis Street, James Alley at South Sixth Street, and a storm sewer project on South Eighth and St. Catharine Streets. ON THE QUESTION: Councilmember Comas asked about James Alley. Manager Lowthert said we are doing about 100 feet of this alley that is deteriorating to the west of South Sixth Street and then the handicapped ramps. We have been trying to hit the worst of our streets and alleys over the last two years. Motion was unanimously approved.

Councilmember Mahon made a motion, seconded by Councilmember Derman, to accept the proposal from Larson Design Group (LDG), in the amount of \$13, 500.00, for the engineering services associated with the second round of 2018 Streets Projects (South Third Street from Market Street to St. Louis Street, James Alley at South Sixth Street, and a storm sewer project on South Eight and St. Catharine Streets). Motion was unanimously approved.

ADMINISTRATIVE/FINANCE COMMITTEE: Councilmember Derman made a motion, seconded by Councilmember Heayn, to approve the payment of bills from April 14, 2018 through May 11, 2018 in the amount of \$575,459.81. Motion was unanimously approved.

COMMUNITY DEVELOPMENT/PLANNING COMMITTEE: Councilmember Yohn made a motion, seconded by Councilmember Derman, to approve HARB items a through h, as submitted and recommended by HARB per their minutes dated May 08, 2018. Motion was unanimously approved.

a. Ben-Sarah Wheatley/701 Market Street/Windows. An application was submitted to and reviewed by HARB for replacement windows. Motion was made by Ted Strosser, seconded by Elaine Wintjen, to recommend approval of replacement windows, contingent on all windows replaced with same size in same openings, windows shall be either no grilles (1 over 1) or simulated divided lights (6 over 6) with grilles on exterior; porch windows fixed with sliding to each side with no grilles; door on side replaced with tall double hung unit (no grilles) with ability to shorten with lower raised panel section, 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. Ken Mineart/38 North Seventh Street/Fence. An application was submitted to and reviewed by HARB for a fence. Motion was made by Kim Walter-Makowski, seconded by Elaine Wintjen, to recommend approval of this fence, as described in the project description of the HARB application and as shown in the drawings/photos attached to the HARB application, said fence to be painted or stained within one year. Motion was unanimously approved.

c. Ben Vollmayer-Lee/114 South Fourth Street/Porch Roof. An application was submitted to and reviewed by HARB for a new porch roof. Motion was made by Ann Hilliard, seconded by Ted Strosser, to recommend approval of this raised seam roof with concealed fasteners to match main house as described in the project description of the HARB application and as described in the attached contract. Motion was unanimously approved.

d. Jenni Stieler/40 South Second Street/Fence. An application was submitted to and reviewed by HARB for a fence. Motion was made by Elaine Wintjen, seconded by Ann Hilliard, to recommend approval of this wrought iron or aluminum fence with matching gate, as described in the project description of the HARB application and as shown in the drawings attached to the HARB application. Motion was unanimously approved.

e. Robert Gotoff/54 South Second Street/Fence. An application was submitted to and reviewed by HARB for a fence. Motion was made by Kim Walter-Makowski, seconded by Elaine Wintjen, to recommend approval of this wrought iron or aluminum fence and wood fence, as described in the project description of the HARB application and as shown in the drawings attached to the HARB application, wood fence to be painted or stained within one year. Motion was unanimously approved.

f. Jurgen Exner/216 South Second Street/Windows-Siding. An application was submitted to and reviewed by HARB for replacement windows. Motion was made by Kim Walter-Makowski, seconded by Elaine Wintjen, to recommend approval of windows and siding as described in detail in the project description and as shown in the drawings attached to the HARB application. Motion was approved. Ted Strosser abstained from voting.

g. Jesse Reeves/21 North Third Street/Sign. An application was submitted to and reviewed by HARB for a sign. Motion made by Ted Strosser, seconded by Elaine Wintjen, to recommend approval of a lettering change to a pre-existing sign, as shown in the attachment to the HARB application. Motion was unanimously approved.

h. Robert Brosious/336 North Fourth Street/Siding. An application was submitted to and reviewed by HARB for replacement siding. Motion was made by Ann Hilliard, seconded by Ted Strosser, to recommend approval of siding, smooth or brushed finish, as per sample (mastic) presented at the HARB meeting, as described in detail by Caleb Rathermore, Contractor, and as shown in the project description and drawing attached to the HARB application. Motion was unanimously approved.

Councilmember Yohn made a motion, seconded by Councilmember Mahon, to direct the Borough Solicitor to submit the proposed Subdivision and Land Development Ordinance (SALDO) to the Union County and Lewisburg Planning Commissions for their thirty day review pursuant to the Municipalities Planning Code (MPC), and direct the Solicitor to prepare an ordinance, schedule a public hearing, and advertise the same for enactment. Motion was unanimously approved.

Solicitor Lyons said he can't guarantee this will be ready for the June meeting, as the planning commissions must have thirty days to review/comment and this proposed ordinance must be advertised for two consecutive weeks. This is also conditional upon a further review with special legal counsel, as previously discussed. If we are looking at July for this hearing, it might be possible to get legal review before then. Council President Morris said this is always something we can make changes to. Solicitor Lyons said a public hearing would be required, but yes that is correct.

ST ANTHONY STREET HANDICAP RAMP/CURB CUT CDBG PROJECT AWARDED TO HEIM CONSTRUCTION COMPANY

SECOND ROUND OF 2018 STREET PROJECTS SELECTED

LDG ENGINEERING PROPOSAL ACCEPTED FOR SECOND ROUND OF 2018 STREETS PROJECTS

ADMINISTRATIVE/FINANCE COMMITTEE PAYMENT OF BILLS

COMMUNITY DEVELOPMENT/PLANNING COMMITTEE HARB

B/S WHEATLEY

K MINEART

B VOLLMAYER-LEE

J STIELER

R GOTOFF

J EXNER

J REEVES

R BROSIOUS

SALDO SUBMITTED TO COUNTY/LOCAL PLANNING COMMISSIONS/SOLICITOR DIRECTED TO PREPARE/ADVERTISE ORDINANCE AND SCHEDULE PUBLIC HEARING

Tuesday, May 15, 2018

Manager Lowthert indicated he wasn't at the EBT meeting last night, but Council should discuss the decision made by EBT as it is clear then have decided to end the discussions with the Borough regarding Buffalo Valley Recreation Authority (BVRA) Intergovernmental Agreement of Cooperation (IGA). EBT is planning on providing its own agreement to BVRA for consideration; the BVRA Board will review that agreement when they receive it, and once BVRA makes a decision as to whether they are willing to accept the agreement, they will notify the Borough of their decision. Council President Morris said she feels this Borough should go on record indicating our willingness to continue to support the BVRA. The BVRA doesn't go away, just the IGA. Mayor Wagner said she, along with Council President Morris and Councilmembers Comas and Yohn, were at the meeting and hopeful something would emerge. We were all quite discouraged because we spent an enormous amount of time trying to reach an agreement for the betterment of all our residents. Councilmember Comas thanked the Community Development/Planning Committee and everyone for trying to do everything possible to represent the Borough and residents by engaging in good faith negotiations. Mayor Wagner said Lewisburg has always had a recreation program and always will because it is important to provide that service to our residents. Councilmember Heayn asked if the composition of the BVRA Board will be determined by the acceptance of EBT agreement. Manager Lowthert said we have no idea as BVRA is waiting to see what formal document is provided to them. Councilmember Yohn said all of this is conjecture at this point and until we have actual facts, there is no reason for discussion. It was felt by those in attendance at last night's EBT meeting that there was only a discussion and no vote. Council President Morris asked Matt Farand, who was at that meeting, if there was a vote taken last night by EBT. Mr. Farand said there was no vote. Manager Lowthert said he believes it was referred to their Solicitor. Councilmember Heayn thanked everyone for their time and efforts as the public outcry to keep recreation was great and this Borough has always been behind keeping recreation. He is upset as to how much of a dog and pony show this has been and pointed out the time that could have been saved if they had come to the table in good faith as we did. He isn't pointing fingers at any one individual. The Borough needs to find a way to support the BVRA financially and otherwise to maintain the services they provide that are so important to our area period. Councilmember Buonopane asked if EBT withdraws from the IGA, the IGA will no longer exist, so will the Borough have to enter into another agreement with the BVRA. Manager Lowthert said we don't necessarily need to make an agreement as we fund other organizations like LNC and LDP on an annual basis. However, Council could decide to go in that direction even though it isn't necessary. There was **much** discussion.

Tina Prowante, an East Buffalo Township resident, asked if EBT was involved in recreation over the last many years. Solicitor Lyons said yes. Ms. Prowante asked what EBT contributed. Council President Morris said she doesn't know and that would be difficult to determine, but it really isn't relevant now to discuss the history of the BVRA. Solicitor Lyons said the way contributions were made changed over the years from voluntary to formula driven, but both the Borough and EBT always contributed to recreation and there was a point when Kelly Township did as well.

Councilmember Yohn made a motion, seconded by Councilmember Derman, to adopt Resolution No. 18-07, a resolution for placement of banner over Market Street (Route 45) for the American Cancer Society's Relay for Life of Susquehanna Valley event to be held June 9th, and to submit said resolution to PennDOT. ON THE QUESTION: Manager Lowthert reported this was originally approved, but the event name changed, so PennDOT requires another resolution. Motion was unanimously approved.

PUBLIC COMMENT(S) ON ANY NON-AGENDA ITEMS: Alf Siewers of Lewisburg said he wanted to clarify again the process for stakeholders working with Councilmember Comas on the non-discrimination ordinance. He understood people who wanted to be could be involved. Council President Morris said we have to work to finalize how this committee is going to be formed and who is going to be on it. Councilmember Comas reported nothing has happened and he is learning the processes now. Councilmember Heayn clarified this is not a government committee, but just people with a common interest getting together. There was **very much** discussion. Manager Lowthert said he really doesn't want to get into this tonight as it isn't an agenda item, but he will quickly attempt to clarify this the best he can. The work session direction was to turn this matter back to Councilmember Comas so he can take the lead on this. He is to work with a group of stakeholders, meaning those interested in participating in the discussion of this proposed ordinance. When Councilmember Comas feels the proposed ordinance is ready to come back, it will come back to the Community Development/Planning Committee, a committee of Council, for a formal discussion. He understands Councilmember Comas has circulated a yellow sheet of paper and is asking everyone interested in being informed about this to list their contact information. Ultimately, Councilmember Comas could rewrite the ordinance without anybody's input and bring it back to the Community Development/Planning Committee meeting and that would be the next opportunity for it to be before a Borough committee for discussion. Again, there was **very much** discussion. Councilmember Comas said he really doesn't have a formalized plan on how to proceed as he hasn't had time to put it together, but he, on his own, will try to find people with concerns and he will try to address them. Councilmember Mahon said it will be several weeks until the next Community Development/Planning Committee meeting. Manager Lowthert said everyone should "like" the Borough's Facebook page as he will try to put as much information as he can out on that, as well as the Borough's website, and he will see that notice is given on exactly when Councilmember Comas plans on presenting this proposed ordinance to the committee so any interested can attend the meeting and be part of the discussion.

DISCUSSION OF EBT DECISION TO END DISCUSSIONS WITH BOROUGH REGARDING BVRA

TINA PROWANTE

RESOLUTION NO. 18-07/RELAY FOR LIFE BANNER PLACEMENT

PUBLIC COMMENT ON NON-AGENDA ITEMS
AL SIEWERS

Tuesday, May 15, 2018

Stephen Buonopane of 200 North Third Street expressed his continued concern over the Borough's sidewalk reconstruction project on North Third Street noting he is responsible for the ongoing maintenance of the sidewalks installed by the contractor and drainage from his roof could potentially negatively impact his stone foundation if not properly conveyed to the street. He reviewed the plans and specifications for this contract and the contractor is not completing the work as specified. He inquired to receive more details and was told by the Borough's engineer that he is working with Gutelius to make sure walks and downspouts drain adequately. There are two possibilities: 1) The Borough knows details of what will be installed and is not willing to share them with the public, or 2) the Borough doesn't know the details and is leaving it to the contractor. He wants more information from the Borough.

Manager Lowthert commented he doesn't like being called a liar; it was very clearly explained in the email he sent to Mr. Buonopane that the engineer is working with the contractor to identify how that is going to be installed. There are no plans right now for that because it is being worked on in the field, it is going to be identified by the engineer and contractor together, as to the best way to convey that water away from your property. You are asking for something that cannot be provided because it doesn't exist. As for the curbing, you are correct that there was a problem with the curbing installed at multiple intersections. That problem either rests with the Borough engineer, meaning the design was wrong, or it rests with the Gutelius for when they shot the elevation of the curbs and the curbs were wrong. There isn't a resolution as to who is at fault, but we have been assured that the Borough will not be responsible to pay for that; they are working through those issues right now.

Mr. Buonopane asked when he called the Manager a liar. Manager Lowthert commented it was when you said the Borough has the documentation and is not providing it to the public. That isn't true as the documents do not exist and he can't provide something that doesn't exist. Mr. Buonopane asked if there will be written documents that describe what is going to be constructed in front of his property. Manager Lowthert said probably not; a lot of times when you are in the field you make a field decision based upon the current conditions as to how something is going to be redone; more than likely in this case the engineer, in concert with the contractor, is going to identify the best way to handle this situation. Ms. Pearson said you are talking to a couple that consists of an architect and an engineer. Mr. Buonopane said it doesn't appear the work is being done to specification in front of his home, so you are saying you are confident the work will be performed as specified. Manager Lowthert said Ms. Pearson has gone on record at a previous public meeting indicating she has zero confidence in the Borough engineer, so it is very clear that she doesn't trust the work being done by Larson Design Group (LDG). LDG is the Borough's engineer and we need to trust that they are going to design something that is in the best interest of the public. Once we continue to change the plans of an engineer, like we did for the curbs, we take on increased liability and we have the potential if there is a problem and we turn back to the engineer's errors and omissions insurance for them to turn around and say no, we told you how to design it and you made the choice to design it differently so the issue is now yours. We need to be very careful about going against the recommendations of our engineer. In this case the engineer is dealing with the situation and we need to let them deal with it. Mr. Buonopane asked that the record reflect that he did not say the Borough refused to provide the information, but that he requested more information. Council President Morris said there possibly could have been a miscommunication here. Sam Pearson said the Borough specification indicates what they feel is an adequate drain and she is pretty sure no contractor or engineer that would actually concur with that specification.

Tina Prowante stated she just has to say that this Council is very professional; everyone talks, listens, discusses, being very respectful of one another, and also takes community input. She said thank you.

MAYOR: Mayor Wagner reported WVIA is again creating an Our Town "Lewisburg" presentation. She had taken the opportunity to look at the last one Lewisburg did and she really doesn't believe it can be improved upon as it was that good. She thanked Council President Morris for attending the Arbor Day festivities and reading the proclamation on her behalf. She shared that Sara Mahoney, to achieve her Girl Scout Gold Award, made the arrangements necessary to relocate a World War II monument to the new high school and the dedication ceremony is May ; she is proud of our young people, including our Junior Councilperson Buonopane.

COUNCIL PRESIDENT: No report.

MANAGER: No report.

BOROUGH SOLICITOR: No report.

JUNIOR COUNCILMEMBER: Several recycling bins were moved next to garbage cans so a separation between garbage and recycling could easily be seen; unfortunately it was affecting Hometown Disposal's willingness to continue to pick up the recycling bins and we are rectifying this problem. Manager Lowthert said he gave AMP the ability to move the recycling bins since Council authorized him to make these decisions. Junior Councilmember Buonopane also noted they are having more durable stickers made for the recycling containers as the old ones faded badly. Councilmember Yohn commended Junior Councilperson Buonopane for his participation.

OTHER COMMITTEES: Councilmember Frederick said he distributed the last BVRA bill pay/balance sheet that he received. He commended the BVRA for the good work they do providing recreation for the Borough residents and the surrounding communities.

STEPHEN
BUONOPANE

TINA PROWANTE

MAYOR

**COUNCIL
PRESIDENT**

MANAGER

**BOROUGH
SOLICITOR**

**JUNIOR
COUNCILMEMBER**

**OTHER
COMMITTEES
BVRA**

Tuesday, May 15, 2018

Council President Morris said due to the struggles of the LDP over the past couple of years, the LDP met with representatives from the Pennsylvania Development Center (PDC) and from the Pennsylvania Department of Community and Economic Development (DCED) in an attempt to get a clear focus on how to move forward. We are reaching out to the businesses to find out exactly what they are looking for from the LDP, and we may move forward differently from how we have in the past.

LDP

Sam Pearson said on behalf of the LNC she is pleased to announce that the Borough has been awarded \$1,000,000.00 in federal Transportation Alternatives Set-Aside (TA Set-Aside) funding for the Bull Run Greenway Phase I – Kidsburg Initiative Project, which is the culmination of over a decade of work, focusing on the Kidsburg area, but it also includes the connection of a piece of the rail/trail across Hufnagle Park. This will go to match our existing \$250,000.00 from DCNR for the floodplain restoration/storm water mitigation nature play in Kidsburg and also a small \$100,000.00 from DCED for the trail connector. She will continue to work with the Manager on this and she thanked everyone involved.

LNC

Manager Lowthert indicated Barbara Kalin, Shade Tree Commission (STC) Chairperson, is here to update Council. Ms. Kalin said when we met in February we discussed the many non-compliant permits and shade tree issues that were outstanding; 35 letters were mailed to property owners addressing various issues and so far the reaction has been positive and trees have been planted. The Borough ordinance refers to certain pruning standards from 1995 and there is a 2017 version which supersedes earlier versions. Councilmember Yohn commented there was an Our Town Leighton program recently and the Leighton’s Shade Tree Commission President, Mark Hoffman, outlined a program where they sought to have 150 shade trees *donated* to their community, the trees were sold out in weeks and then they pulled together many groups and organizations for the plantings. This was a very positive program and she suggested that Barbara Kalin reach out to Leighton to find out more information. There was **very much** discussion. Councilmember Comas said in addition to that work, we are staying on top of the current applications. He expressed appreciation to Ms. Kalin for the work she has done in organizing 17 years-worth of records. He explained the STC has been holding work sessions to discuss the review/update of our ordinance, grants, education/outreach, etc. Ms. Kalin asked if a resident doesn’t like a decision of the STC, is there an appeal process. Solicitor Lyons said he doesn’t believe there is any remedy under State statute. Ms. Kalin said so what does the STC say to a property owner. Solicitor Lyons said to suggest they contact a lawyer; the only procedure in Pennsylvania is to go to the Court of Common Pleas.

STC

Manager Lowthert said the CK-COG has been busy with the numerous complaints we have received about weeds and tall grass thanks to the amount of rain we have been getting.

CK-COG

Sam Pearson said the Community Garden Committee participated in the River Road Holiday and they had two plant sales and reached their goal set for sales.

COMMUNITY GARDEN

Councilmember Derman reported the MACAC met last month, but he missed that meeting. Basically there are negotiations going on between the MACAC and the William Cameron Engine Company Board about how the transfer of assets will occur; another meeting will not be held until these things are finalized.

MACAC

ANY ADDITIONAL BUSINESS FROM COUNCIL: Councilmember Derman said there have been discussions regarding Councilmembers holding ward meetings. He, along with Councilmember Mahon, came up with a tentative agenda, provided to all Councilmembers, for their Ward I neighborhood communication meeting which they hope to hold the end of June. Councilmember Heayn indicated he plans on doing the same thing, but he is asking for information from the residents, i.e. what would you like to see continue, see different, etc. There was **much** discussion. Councilmember Derman stated he has created a list of acronyms and if anyone has any they want him to add to the list, please contact him.

ANY ADDITIONAL BUSINESS FROM COUNCIL WARD I MEETING PROPOSED

WRITTEN REPORTS: Councilmember Derman made a motion, seconded by Councilmember Yohn, 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.

WRITTEN REPORTS

WORK SESSION: Manager Lowthert reported a work session is scheduled for June 12th for the purpose of discussing the Borough’s refuse ordinance.

WORK SESSION

There being no further business, Councilmember Derman made a motion, seconded by Councilmember Mahon, to adjourn the meeting. Motion was unanimously approved. Meeting adjourned at 8:25 PM.

ADJOURNMENT

Respectfully submitted,

Patricia M. Garrison
Borough Secretary