

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held at 6:30 PM on **Tuesday, May 21, 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: Paige Kaszuba, Kim Wheeler, Ellen Ruby, Father Wilke, Barbra Kalin, Rudy Mummey, Bill Moore, Nancy Moore, David Ulrich and an unidentified signature.

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 Mahon, to approve the minutes of the April 16, 2019 regular monthly meeting. Motion was unanimously approved.

COUNCIL PRESENTATION(S): David Ulrich from Mid Penn Engineering is looking to revise flood maps as a result of development at Penn House Commons. As a result of their study, it shows some minor discrepancies with the existing flood maps. There will be some revisions/changes in the area with in the Borough as presented in a Public Information Meeting. There is no rise in the 100 year flood elevation. There was some discussion.

Councilmember Derman made a motion, seconded by Councilmember Mahon, to authorize the advertisement for Public Notification of intent to revise the flood hazard information. Motion was unanimously approved.

Councilmember Derman made a motion, seconded by Councilmember Medina, for authorization for David Hines to execute Form MT-2 Part 1 Form.

PUBLIC COMMENT(S) ON ANY AGENDA ITEM: None.

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.

Councilmember Mahon made a motion, seconded by Councilmember Derman, to approve the Borough's 2019 Sidewalk Replacement Project plans and to release the project for bid. Motion was unanimously approved.

Councilmember Mahon made a motion, seconded by Councilmember Heayn, to approve the Borough's 2019 Gravel Parking Lot and Brush Pile Loop Road Improvement Project plans and to release the project for bid. Motion was unanimously approved.

Councilmember Mahon made a motion, seconded by Councilmember Derman, to remove Market Street parking spaces and meters to improve pedestrian visibility at crosswalks and to be in compliance with the PA Vehicle Code as follows: first spot west of Sixth Street in the east bound lane, first spot east of Sixth Street on the west bound land and the first spot west of the midblock crosswalk in the west bound lane between Fifth Street and Sixth Street. Motion was unanimously approved.

Councilmember Mahon made a motion, seconded by Councilmember Derman, to approve Dave Gutelius Excavating Inc. Change Order for the 2018 Lewisburg Borough Streets Project Phase II in the amount of \$9,132.71 for work associated with water laterals. Motion was unanimously approved.

Councilmember Mahon made a motion, seconded by Councilmember Fredrick, to approve Dave Gutelius Excavating Inc. Change Order for the 2018 Lewisburg Borough Streets Project Phase II in the amount of \$12,152.33 for work associated with location of the sewer laterals and repairs to roadway base. Motion was unanimously approved.

Councilmember Mahon made a motion, seconded by Councilmember Derman, to approve Dave Gutelius Excavating Inc. Change Order for the 2018 Lewisburg Borough Streets Project Phase II in the amount of \$1,970.00 for work associated with the replacement of deteriorated storm sewer pipe on St. Catharine Street. Motion was unanimously approved.

Councilmember Mahon made a motion, seconded by Councilmember Derman, to approve Dave Gutelius Excavating Inc. Change Order for the 2018 Lewisburg Streets Project Phase II in the amount of \$7,888.40 for final quantity adjustment (bid quantities vs. installed quantities). Motion was unanimously approved.

There have been some plants that have migrated out of Mariah's Garden onto areas of a neighboring property. The property owner wanted permission to remove the unintendedly planted items so it didn't interfere with the neighboring property's garden. Committee granted permission. Sam Pearson volunteered the River Town team to dig out walnuts and transplant them to Wolf Field.

The Committee is reviewing potential 2020 Street Improvement Projects.

ATTENDANCE

CALL TO ORDER

APPROVAL OF MINUTES

COUNCIL PRESENTATION

PUBLIC COMMENT(S) ON ANY AGENDA ITEM

PUBLIC WORKS/POLICE COMMITTEE
BVRPD

WCEC

2019 Sidewalk Replacement release for Bids

2019 Gravel Project release for Bids

Market Street parking spaces and meter removal

2018 Streets Phase II Change Order approval

2018 Streets Phase II Change Order approval

2018 Streets Phase II Change Order approval

2018 Streets Phase II Change Order approval

Mariah's Garden

ADMINISTRATIVE/FINANCE COMMITTEE: Councilmember Derman made a motion, seconded by Councilmember Heayn, to approve payment of bills from April 13, 2019 through May 17, 2019 in the amount of \$374,013.70. Motion was unanimously approved.

Councilmember Derman made a motion, seconded by Councilmember Heayn, to retroactively award an emergency storm sewer pipe replacement project to Gutelius Excavating, Inc. with an estimated cost of \$25,000.00 - \$35,000.00. Motion was unanimously approved.

The new Public Works Bucket Truck has been received by the Borough and is in operation.

COMMUNITY DEVELOPMENT/PLANNING COMMITTEE: Councilmember Heayn made a motion, seconded by Councilmember Derman, to approve HARB items a, b, c and d as submitted and recommended by HARB per their minutes dated May 14, 2019. Motion was unanimously approved.

a. Rebecca Cornish/ 116 Saint Anthony Street / Replace Fence. An application was submitted to and reviewed by HARB for a fence. Motion was made by Elijah Farrell, seconded by David Heayn to recommend approval and issuance of Certificate of Appropriateness (COA) for a fence as submitted in the project description of the HARB application, recommendation for vinyl privacy fence at the front shall be wood. Motion was approved with one Against. Ann Hillard voted against.

b. Connie Harter/ Dwellings / 426 Market Street/Sign. An application was submitted to and reviewed by HARB for a sign. Motion was made by Ted Strosser, seconded by Elaine Wintjen, to recommend approval and issuance of Certificate of Appropriateness (COA) for a sign as submitted in the project description of the HARB application, Motion was unanimously approved.

c. Jeff Antolick & Kim Bowers-Antolick /90 Brown Street/Sunroom Addition. An application was submitted to and reviewed by HARB for a sunroom addition. Motion was made by Kim Walter-Makowski, seconded by Elaine Wintjen, to recommend approval and issuance of a Certificate of Appropriateness (COA) for a sunroom addition as presented and shown in the attachments to the HARB application, recommendation is for screening in the side porch, new roof with pitch and shingles to match the house, other element to be wood painted. Motion was unanimously approved.

d. Bucknell University / 5 Malcolm Street / Windows/Porch. An application was submitted to and reviewed by HARB for replacement of windows and porch flooring. Motion was made by Elijah Farrell, seconded by David Heayn, to recommend approval and issuance of a Certificate of Appropriateness (COA) for replacement windows and porch flooring as presented and shown in the attachments to the HARB application, recommendation is for the windows and porch floor as submitted. Motion was approved.

Additional Items:

Councilmember Yohn made a motion, seconded by Councilmember Heayn, to grant permission to Bob Showers to use the Lewisburg Street Light Image on 3D wood carvings. Motion was unanimously approved.

Councilmember Yohn made a motion, seconded by Councilmember Mahon, to grant BVRA an Alcohol Use Permit for a Warming House Adult kickball event on June 13th contingent upon receiving the application fee and Certificate of Insurance. Motion was unanimously approved.

Councilmember Yohn indicated the current vacancies on the Planning Commission, term expiration 12/31/19 and 12/31/22 and HARB, term expiration 12/31/20.

River Road Holiday event has been rescheduled to June 16th with a rain date of Saturday, June 22nd.

PUBLIC COMMENT(S) ON ANY NON-AGENDA ITEMS: Father Wilke stated he presented five issues of concern regarding the proposed Human Relations Ordinance April 2019 draft and the frequently ask questions document during the April 16, 2019 Council meeting. Father Wilke also stated that with the continued guidance of legal counsel he respectfully asked for a response to each of the five issues of concern presented April 16, 2019. Accordingly for clarification regarding the process by which the five responses will be made. Father Wilke asked the Council to answer procedural questions. "How will the responses to those questions and requests be made available, and when is it expected that these responses will be completed?" It was explained that the Human Relations Ordinance has not been presented to Council or hasn't been given to the President of Council to assign it to a committee for review. Council recognizes that there is a draft and there has been Public Meetings but nothing is formally before Council to consider. The draftees of the proposed Ordinance are still in the process. There is nothing that Council can comment on until there is something to address. The draft information and frequently asked questions was posted on the Borough website as a courtesy to the public because there was a lot of members of the public wanting copies. There was **much** discussion.

MAYOR: Mayor Wagner presented a Proclamation of Motorcycle Noise Awareness Month for May for the Borough of Lewisburg. Mayor Wagner presented a Proclamation declaring June 2019 as LGBTQ Pride Month for the Borough of Lewisburg. Mayor Wagner explained in 1962, President John F. Kennedy signed a Proclamation that designated May 15th as Peace Officers Memorial Day and the week in which that day falls as Police Week. Not only do we honor the Police Officers in our community, but we honor the deceased Police Officers. Mayor Wagner gave honor to Police Chief Gorden Hufnagle who lost his life on Sixth Street during the 1972 flood while attempting to rescue a resident.

Kim Wheeler talked about May being National Bike month.

May 21, 2019

COUNCIL PRESIDENT: No report.

**COUNCIL
PRESIDENT**

**MANAGER
Market Street
Update - Wheeler**

BOROUGH MANAGER: Borough Manager, Lowthert, informed Council that Kim Wheeler will give a quick overview of the Market Street Study. The Consultants and the Steering Committee members would like to push back the Public Presentation of the results from the June 11th Council Work Session to the July 9th Council Work Session to have more time for analysis. Kim Wheeler informed Council that there have been weekly, bi-weekly or more frequent conference calls with TPD. The ATR, Noise and vibration meters data collection was done in April and May will be core sample data collection. There have been public comment survey and merchant surveys that have been returned to the Borough, and everyone that has been in contact with Market Street is encouraged to fill out the survey. It was suggested to have paper copies available at some of the Market Street businesses. Junior Councilmember Kaszuba will also help get the survey handed out to the public.

Borough Manager Lowthert informed Council about the concerns regarding Sycamore trees at Soldiers Park. Most of them are over 100 years old. At least four trees have concerns regarding the health and how compromised they are and they are also diseased. Council may need to think about tree removal. After some discussion, the trees will be reviewed by another arborist and the findings will go to the Public Works Police Committee.

Kim Wheeler informed Council that she attended the Annual International Town-Gown Conference in State College. Lewisburg is doing a lot and is sometimes ahead of other communities because of the legwork that has been done and the conversations that were started years ago but we are currently doing it without an official partnership. Wheeler will meet with Bucknell Office of Civic Engagement to pursue the partnership.

BOROUGH SOLICITOR: No report.

JUNIOR COUNCILMEMBER: Page Kaszuba asked for some clarification regarding signage. Junior Councilmember Kaszuba also inquired about the process of possibly AMP doing a Pride event in the park next year with some vendors.

OTHER COMMITTEES: Councilmember Medina updated Council on BVRA items.

Ellen Ruby, Executive Director of the LDP, informed Council that she did reach out to the Businesses regarding the Sign Ordinance and they are aware they will be contacted if they are in violation. Ruby also reminded Council there will be a craft fair June 1st in the park.

Councilmember Derman updated Council on LNC items.

Barbra Kalin reported that Shade Tree Commission member Brian Gockley secured grant money to update the Borough's twelve year old tree inventory. STC voted to identify and require correction of the trees on Market Street to bring them up to standard. STC continues to bring outstanding permits to compliance.

Councilmember Derman updated Council on CSFES items.

ANY ADDITIONAL BUSINESS FROM COUNCIL: Councilmember Heayn shared information regarding an event in the local area. Councilmember Comas shared some webinar information regarding Census.

WRITTEN REPORTS: Councilmember Derman made a motion, seconded by Councilmember Heayn, to acknowledge receipt of the Lewisburg Area Joint Sewer Authority April Minutes and May's Agenda, Parking Report, Zoning Officer Report and Permits and Code Enforcement Officer Report and Permits. Motion was unanimously approved.

WORK SESSION: Manager Lowthert said there will be a work session held Tuesday June 11, 2019 to continue with the recommendations from the EIP Study and planning going forward.

Council President Morris called for executive session at 8:27 PM for personnel and legal matters.

Council returned at 9:04 PM.

Councilmember Derman made a motion, seconded by Councilmember Comas, to authorize legal counsel, Campbell Durrant, to proceed with the filing of an action in the Court of Common Pleas because the corrective action sought through letters dated February 20, 2019 and April 17, 2019, has not been taken. Motion was unanimously approved.

There being no further business, Councilmember Yohn made a motion, seconded by Councilmember Mahon, to adjourn the meeting. Motion was unanimously approved. Meeting adjourned at 9:05 PM.

Respectfully submitted,

Jacqueline A. Anders
Borough Secretary