The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held on Tuesday, June 16, 2015 in the Council Chambers, 55 South Fifth Street. Present: Council Vice President Mahon; Councilmembers Baker, Cook, Cox, Morris and Strosser; Solicitor Lyons, Manager Smith, Secretary Garrison and BVRP Chief Yost. Absent: Council President Bergonia, Councilmember Faden and Mayor Wagner. Also present: Teri Provost, Joe Sylvester, Sam Pearson and Greg Miller.

CALL TO ORDER: Council Vice President Mahon called the meeting to order at 7:00 PM, followed by the pledge of allegiance.

APPROVAL OF MINUTES: Motion was made by Councilmember Cox, seconded by Councilmember Baker, to approve the minutes of the May 19, 2015 regular meeting. Motion was unanimously approved.

PUBLIC HEARING/CDBG FUNDS: Council Vice President Mahon adjourned the regular order of business to conduct the first public hearing on the 2015 CDBG Funding. She called the public hearing to order at 7:05 PM.

Teri Provost, SEDA-COG, stated she will be administering the Community Development Block Grant (CDBG) Program for Union County on behalf of Lewisburg Borough. These are federal funds that come through the U.S. Department of Housing and Urban Development (HUD) and are administered through the Pennsylvania Department of Community and Economic Development (DCED). This is the first public hearing for the 2015 CDBG Program. This hearing allows for public comment of new projects or existing projects, the regulatory documents distributed. She pointed out that we still do not have our 2014 contract, which was submitted January 3, 2015. The Grantees Manager of DCED said we might see something within the next couple of weeks and it is realized that you can’t move ahead with your 2014 projects if you don’t have funding. The agenda provided reflects a CDBG allocation of approximately $94,200.00. She should know the exact amount by the July 21, 2015 meeting, when Council will decide project selection for funding. She doesn’t have an application date for 2015, but she is hoping September or October of this year, and the funding for 2015 will likely not be received until 2016. The CDBG Application Preparation Schedule for Union County was provided and the Entitlement Program was explained. There are requirements imposed by the program: the first is the Preference Statement, which is located on the bottom of the agenda, and then attached are the Fair Housing Notice, the Residential Anti-Displacement and Relocation Assistance Plan, and the 504 Annual Review. One part of the application is the Development, which is a three year process and if we look back we can see we have done South Sixth Street, still in progress, and South Seven Street. Eligible activities for CDBG funding would be a broad range of community development and economic development activities including: water system improvements, sewer system improvements, storm water improvements, roads, streets, bridges, community facilities, senior centers, housing activities, economic development activities, and/or direct loans to private businesses in exchange for creation of jobs for low and moderate income persons. You cannot do any municipal routine maintenance, or build or pay for the general function/purpose of government, and equipment is not eligible. Every project must meet one of three federal funding criteria: 1) benefit low and moderate-income persons (how most projects are funded); 2) removal of blighting influence in a community (six block area: Seventh Street to Fifth Street and Market Street to Bucknell University is an area Council determined several years ago was in jeopardy of becoming a blighting influence on the community); and 3) urgent need (very few urgent need projects are undertaken in the CDBG Program). We need to determine projects for 2015 and the projects proposed so far are the slum and blight for South Sixth Street, as well as curb cuts and sidewalks, which are approved Borough wide, but being made a priority in Ward I. There was also talk about removal of architectural barriers at the LAR Park, but she believes that was already resolved. She asked if there are any comments from Council regarding proposed projects. Councilmember Cox questioned the priority of curb cuts in Ward I. Councilmember Strosser said we are going to tie the curb cuts into the project we have for St. Anthony Street. Manager Smith said curb cuts are automatically eligible and fundable as they are presumed to benefit physically challenged individuals. So, rather than just randomly pick locations here and there, we looked at an entire ward. Ms. Provost pointed out keeping this usage of funds contained to a ward makes mobilization of contractors and construction simpler. Manager Smith said Council has always attempted to get the biggest bang for our buck and obviously CDBG is one of the highest regulated programs out there; there are a lot of costs associated with labor standards, environmental reviews, and the overall administration. So, we put it where we have very large projects. To try to use on smaller projects, they become difficult and time consuming. Ms. Provost asked if there are any comments from the public. There was no response from the public. She reminded Council that the South Sixth Street area has been slum and blight for the next ten years, so it would be in the Borough’s best interest to keep plugging the money into that area of Market Street to St. George Street to Limestone (Bull Run) to Ludwig Alley. From an eligibility standpoint, there is nothing we cannot do there, which is nice. Council Vice President Mahon questioned the administrative costs. Ms. Provost indicated she will have all the numbers in front of Council for next month’s meeting. Manager Smith asked if Ms. Provost would expand on Section 3, which is for a single individual. Council has heard a lot of information through the newspapers about Section 8 Housing, etc.
An application was submitted to and reviewed by HARB for the demolition of two structures. A motion was made by Ted Strosser, seconded by Elaine Wintjen, to pro-

PLANNING COMMITTEE: Councilmember Strosser made a motion, seconded by Councilmember Cook, to approve HARB letters a through g, as submitted and recommended by HARB. Motion was unanimously approved.

a. Larue Hassenplug/36 North Eighth Street/Demolition. An application was submitted to and reviewed by HARB for demolition of two structures. A motion was made by Ted Strosser, seconded by Elaine Wintjen, to recommend approval of the demolition of the two accessory structures, as noted in the project description of the HARB application, as they are not visible from the street and the removal will not affect the streetscape. Motion was unanimously approved.

b. Rachel Stevenson/410B Market Street/Sign. An application was submitted to and reviewed by HARB for a sign. A motion was made by Phoebe Faden, seconded by Steve Snook, to recommend approval of the installation of a sign as noted in the project description of the HARB application and as shown in the diagrams attached, contingent upon zoning approval. Motion was unanimously approved.

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And, that is what qualifies this type of funding and we have qualified streets this way. HUD, back in 1985, came to Lewisburg and based on census data, qualified two entire census tracts. Ms. Provost said you have one here too as well. Section 3 is a program, that if you fall under the County and receive more than $200,000.00 in federal funding (which is a yes for Lewisburg Borough) allows you to include language in your bid documents indicating you may choose to give preference to low income individuals that fall under the Section 8 guidelines. Income amounts for a family of one is shown as $33,150.00, a family of two would be probably in the ballpark of $36,000.00, and a family of three is probably around $40,000.00. These amounts change every year in the fall. HUD has back low to moderate income people into these contracts, benefiting a family or working with Minority Business Enterprise (MBE) or Women Business Enterprise (WBE). Bid preference can be given in some cases to the second lowest responsible bidder. Manager Smith said we can do a project anywhere, provided SEDA-COG would undertake a survey for us to determine who the primary beneficiaries are of the project, so we can find out if that area qualifies. Ms. Provost said renter could be counted not necessarily property owners. Ms. Provost said she will come back to Council for project finalization with some allocations for South Sixth Street under slum and blight and the curb cut project. She asked if there are any other 504 discussion that you would like to talk about (removal of architectural barriers/accessibility). She said it is very important that she ask if there are any public comments relative to any potential historical or environmental impacts associated with any of the proposed projects or projects in the past. Again, there was no response. She thanked Council for their time.

Council Vice President Mahon asked if there is anyone else that would like to speak. No one wished to speak. Council Vice President Mahon declared the conditional use public hearing closed at 7:20 PM. She reconvened to the regular order of business.

PUBLIC PARTICIPATION: Everyone received the Chief’s monthly report. Chief Yost reported he now has three new part-time officers. We are currently in the hiring process and have six candidates for full-time employment; testing will take place next week. His hope is to have two new full-time hires by the end of July.

Councilmember Morris made a motion, seconded by Councilmember Cook, to direct the Solicitor to prepare and advertise the social gathering ordinance, as revised, and also prepare the appropriate change to the fee resolution. ON THE QUESTION: Solicitor Lyons pointed out some of the revisions: port-a-potties were eliminated; space, both interior and exterior must be indicated; and now one of the violations that would prohibit someone from getting a permit would be property maintenance code violations, including not cleaning up after the party by 9:00 AM the following morning. He also pointed out that the fee resolution will need to be amended to reflect the increase recommended by HARB. Motion was unanimously approved.

PLANNING COMMITTEE: Councilmember Strosser made a motion, seconded by Councilmember Cook, to approve HARB letters a through g, as submitted and recommended by HARB. Motion was unanimously approved.

a. Larue Hassenplug/36 North Eighth Street/Demolition. An application was submitted to and reviewed by HARB for demolition of two structures. A motion was made by Ted Strosser, seconded by Elaine Wintjen, to recommend approval of the demolition of the two accessory structures, as noted in the project description of the HARB application, as they are not visible from the street and the removal will not affect the streetscape. Motion was unanimously approved.

b. Rachel Stevenson/410B Market Street/Sign. An application was submitted to and reviewed by HARB for a sign. A motion was made by Phoebe Faden, seconded by Steve Snook, to recommend approval of the installation of a sign as noted in the project description of the HARB application and as shown in the diagrams attached, contingent upon zoning approval. Motion was unanimously approved.
An application was submitted to HARB for a fence. A motion was made by Elaine Winjten, seconded by Mary Mastascusa, to approve the replacement of a metal fence with a wooden fence in the same location, as noted in the project description of the HARB application, said fence will be lower in the front along the street and will be painted and/or stained within one year. Motion was unanimously approved.

d. Robert Albin/324-326 Market Street/Windows. An application was submitted to and reviewed by HARB for windows. A motion was made by Ted Strosser, seconded by Elaine Winjten, to approve the replacement windows as noted, in detail, on the explanation sheet attached to the HARB application. Motion was unanimously approved.

e. Jessica Robinson/339 North Third Street/Fence. An application was submitted to HARB for a fence. However, no one was present to comment or address questions. This matter can be brought before HARB at next month’s meeting, Tuesday, July.

f. Candie Beiler/202 Market Street/Sign. An application was submitted to and reviewed by HARB for a sign. A motion was made by Robert Cook, seconded by Steve Snook, to recommend approval of the installation of a sign as shown in the diagrams attached to the HARB application, contingent upon zoning approval. Motion was unanimously approved.

g. Craig DeFazio/634 St. Catherine Street/Roof. An application was submitted to and reviewed by HARB for roof repairs. A motion was made by Ted Strosser, seconded by Phoebe Faden, to recommend approval of the roof repair work as noted in the project description of the HARB application, with the recommendation a concealed fastener raised seam roof be used. Motion was unanimously approved.

Councilmember Strosser made a motion to approve the resignation of Samantha Pearson from the Traffic Advisory Committee (TAC). Solicitor Lyons advised that since the TAC is being dissolved, there is no need to accept Ms. Pearson’s resignation. Councilmember Strosser withdrew his motion.

Councilmember Strosser made a motion, seconded by Councilmember Morris, to dissolve the Traffic Advisory Committee (TAC), with the understanding that any/all traffic concerns will now be addressed by the Public Works Committee, which meets the first Monday of every month at 5:30 PM. ON THE QUESTION: Councilmember Strosser said he would like to see a letter sent to the TAC members thanking them for their services.

Councilmember Strosser made a motion, seconded by Councilmember Cook, to approve the request of Erin Yust Brown for use of the Borough’s three-globe light standard depiction on pottery. Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Cook, to enter into a contract with Brian S. Auman Landscape Architecture/Land Studies to perform consulting work for the Bull Run Master Site Plan in the amount of $60,000.00, contingent upon the review and approval by the Pennsylvania Department of Community and Natural Resources (DCNR). Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Morris, to designate the Manager as the lead and to work with the Elm Street Manager for the project management of the Bull Run Master Site Plan. ON THE QUESTION: Councilmember Strosser commented this isn’t directed at Ms. Pearson, but to the issue that Ms. Pearson’s position could terminate in December and our Manager must be totally involved and on top of all that is taking place. Motion was unanimously approved.

Councilmember Strosser indicated he had two FYI’s tonight; Steve Lindenmuth is requesting permission to place hanging baskets from the Borough’s three-globe light standards. He will be at next month’s committee meeting to present details of this plan as far as placement, maintenance, etc. Also, the Manager is continuing to work on development of the quality of life ordinance, which we hope to review in July.

Councilmember Baker reported the Committee has recommended that the Manager deny the request of Dunkin Donuts to install a trash compactor, as that would require the use of an outside vendor for collection. Manager Smith said Dunkin Donuts has trash collection five times a week; unfortunately, the housing they have for their container doesn’t allow the placement of a container that is large enough for the amount of trash they generate. They decided to look at other ways to control the amount of trash. Our trucks are rear load, and with a trash compactor bin you need front load. So, to allow this would also require a change to our ordinance because we do not allow other haulers to remove trash. He spent a great deal of time reviewing this, trying to find a way to accommodate them, but the bottom line is if they want to use a trash compactor, that is fine, but they will still have to pay the Borough for trash removal. Our ordinance clearly states that the Borough collects all trash. There was much discussion.
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Councilmember Morris suggested our Manager share the trash truck problems we were faced with a couple weeks ago. Manager Smith said towards the end of May, you may have seen a Fisher’s Disposal truck going around picking up Borough trash. We had one truck with regulator problems that was scheduled for repair work in Williamsport. This problem occurred during our Bucknell University student move out period, thus explaining the delay in pick-ups as we only had one truck. The following week the other refuse truck broke down and it had to be taken to Harrisburg for some critical repair work. We decided to go to Williamsport and get the truck with the relatively minor regulator problem, because we figured we would be good until the one in Harrisburg was repaired. However, that didn’t work out the way we planned. That truck with the regulator problems broke down, leaving us with NO truck for refuse collection. He was in panic mode trying to figure out how we could provide trash collection and luckily, Fisher’s Disposal came to our rescue. We paid $85/hour for the use of Fisher’s refuse truck. We had received another quote from Hometown Disposal for $125/hour, but that included a driver with the truck. Since we have three refuse workers, he went with Fisher’s Disposal. Councilmember Morris asked that the next time something like this happens, an email be sent to Council to make them aware of what is going on.

FINANCE COMMITTEE: Councilmember Morris made a motion, seconded by Councilmember Cox, to approve the payment of bills from 05/16/15 through 06/12/15 in the amount of $566,363.91. ON THE QUESTION: Manager Smith said you will see we purchased the 120 South Sixth Street property in the amount of approximately $331,000.00; so we are within the $200,000.00 monthly expenditure range. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Cox, to approve the transfer of $10,000.00 from General Fund to Shade Tree Fund for operating purposes, with the understanding this is a temporary loan to be paid back upon receipt of the Tree Vitalize Grant which is due prior to yearend. Motion was unanimously approved.

*Councilmember Morris made a motion, seconded by Councilmember Baker, to hold an executive session at the end of this meeting to discuss a personnel matter concerning our Manager. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Strosser, to direct the Solicitor to prepare and advertise amendments to ordinances as follows: 1) for removal of metered spaces from North Second Street (between Cherry Alley and St. John Street), and 2) for removal of the twelve permit only spaces in Municipal Parking Lot #2, to be replaced with meters. ON THE QUESTION: Manager Smith said our Parking Enforcement Officer has indicated that there is seldom parking or coinage in the meters along North Second Street from Cherry Alley to St. John Street. So removal of these meters would be a good thing. With regard to the reinstallation of the meters in MPL #2, we have only ever sold one permit in that lot since we made the change to permit parking only. So the Borough will be better served by having the meters in that lot. The next FYI also shares that the owner of Fisher’s Meat Market expressed an interest in having meters along St. John Street, so he intends to meet with him to see what his ideas are regarding meters in that area. Motion was unanimously approved.

Councilmember Morris reported the Borough building’s current renovation work totaled $22,015.49 and that includes furniture, carpeting, electrical/phone/computer work and manpower. Manager Smith said he has options with regard to replacement tables and chairs in our Council Chambers and will share that in the near future. Councilmember Morris said she wants to go on record saying that she heard numerous rumors that the Borough Office is moving to the Heiter Center once the building is vacant; she would like to go on record that she would not support a move to the Heiter Center. This building should remain the Borough Office/Council Chambers. Council Vice President Mahon stated she hasn’t heard anything. Councilmember Strosser said he thinks use of the Heiter Center by the Borough would be a good idea. There was some discussion.

Councilmember Morris reported the Borough is working with the Lewisburg Club to have the three “Welcome to Lewisburg” signs updated; the Manager has indicated there is money in the budget to cover this expense because each service club contributes $200 per year for the upkeep of those signs and this money has accumulated. Manager Smith said the approximate cost of replacement is around $5,000.00 and Council will be able to see what is being proposed before the actual order is placed.

MAYOR: Absent.

COUNCIL VICE PRESIDENT: No report.

SOLICITOR: No report.

MANAGER: Manager Smith indicated there are several motions on the agenda, all items that did not make it to a committee for review.
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Councilmember Morris made a motion, seconded by Councilmember Cook, to award St. Louis Street Improvements Project B/Contract 2015-01 to Don E. Bower, Inc., in the base bid amount of $190,569.85, as recommended by the Borough Engineer, subject to receipt of acceptable performance and payment bonds and contingent upon the review and approval of the Borough Solicitor. ON THE QUESTION: Manager Smith indicated this is the second phase of our St. Louis Street Project; this will wrap up all our efforts in the last decade and a half to redo St. Louis Street. This project is well within our budget. Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Baker, to award South Sixth Street Demolition/Phase III/Contract 2015-02 to Affordable Construction and Demolition, LLC, in the amount of $15,800.00, as recommended by the Borough Engineer, subject to receipt of acceptable performance and payment bonds and full compliance with State and Federal requirements established under the PEMA/FEMA Flood Mitigation Program, and all contingent upon the review and approval of the Borough Solicitor. ON THE QUESTION: Manager Smith indicated this is our last demolition project and the funds are in hand, so we are ready to move. He hopes the work will begin sometime early in July. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Strosser, to approve a Landowner Letter of Commitment to the Pennsylvania Department of Environmental Protection (DEP) for the Bull (Limestone) Run Stream Bank Stabilization Project which should occur sometime in 2016. ON THE QUESTION: Manager Smith indicated he was asked, just today, to partner in a bank stabilization project by East Buffalo Township; he provided drawings showing the work planned to stabilize the bank along Bull Run through the Borough and East Buffalo Township stating this is very similar to what was done in the LAR Park from the Fifteenth Street Bridge down to St. Mary Street. Our participation would strengthen this grant application and it is a wonderful opportunity for the Borough to complete that section of Bull Run. We are being asked for a financial contribution not to exceed 40% of the estimated cost of about $45,000.00 to $50,000.00. So we are looking at roughly $20,000.00. (Manager Smith handed out pictures showing the type of work to be done.) He again pointed out the actual work wouldn’t occur until 2016, so we can budget appropriately for this. He will be back, once the award is made, for a commitment of Council for the necessary funding. There was much discussion. Motion was unanimously approved.

OTHER COMMITTEES: Councilmember Baker reminded everyone that Jim Mathias has resigned from the BVRA and his last meeting is this month. He indicated Stacey Sommerfield, has settled into her new role of Executive Director, and everything is moving right along.

Councilmember Morris reported Linda Sterling, Executive Director of the LDP, has spent a lot of time reviewing internet connectivity and will be before Council at the work session in July. She is also working on the Brew-B-Que scheduled for Saturday, August .

Councilmember Morris indicated there was no Town and Gown Committee meeting.

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

Manager Smith reported he attended the last STC meeting. Discussions were held on the large Linden tree on St. Louis Street, which we were going to try to keep, but it is not healthy so it is going to be removed. He is currently getting a recommendation from the STC for the four trees on South Front Street that need replaced as a result of the street project, and the STC is working on a redesign of the pocket park across from the Cherry Alley Café.

Manager Smith said the CK-COG is currently interviewing for a zoning officer. There were some small hurdles as Robin Fox tried to keep up with ongoing zoning processes and procedures, but it appears everything is proceeding smoothly.

Councilmember Morris indicated the Community Garden is having a potluck dinner Friday evening and anyone interested in going should contact them so they know how many to expect. Councilmember Morris indicated she doesn’t believe someone has been hired to fill the position vacated by Stacey Sommerfield.

Councilmember Morris indicated the Lewisburg Area High School Repurposing Committee meets next Thursday; hopefully there will be an appraisal on the property and a recommendation for the School Board to accept the proposal that is on the table.

Councilmember Cook reported he hasn’t been able to attend many Flood Impact Task Force meetings as he is training for a new position at work. Ms. Pearson said the next meeting will be held July .

Council Vice President Mahon indicated Ms. Pearson updated us earlier this evening on the River Town Committee activities.
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Councilmember Cox reported the Municipal and Community Advisory Committee (MACAC) have started their ambulance membership campaign. Manager Smith asked if they are still working on a funding formula. Councilmember Cox said yes they are.

OLD BUSINESS: Councilmember Baker asked if anyone wanted to give a report on the status of the East Buffalo Township Consolidation Project. Manager Smith said there was a meeting held as requested with the State for the development of the RFP. We got a lot of basic information. This is a grant through EBT, so the Township Manager has been charged with the edits, etc. Manager Smith stated once he receives the final draft of the RFP, he will forward to Council for review and approval. There was much discussion.

NEW BUSINESS: None.

WRITTEN REPORTS: Councilmember Baker made a motion, seconded by Councilmember Strosser, to acknowledge receipt of the Budget Index; Parking Report, Code Enforcement Officer Report, and the Zoning Officer’s report. Motion was unanimously approved.

WORK SESSION: Manager Smith indicated there will be a work session Tuesday, July as the LDP will be presenting information regarding high speed internet.

Council Vice President Mahon called for a five minute recess at 8:20 PM. Council returned at 8:25 PM.

Council Vice President Mahon indicated a motion was made earlier this evening for an executive session to be held at the end of this meeting on a personnel matter concerning our Manager.

*Council entered executive session at 8:25 PM. Council returned at 8:30 PM.

Councilmember Morris made a motion, seconded by Councilmember Baker, to pay the Manager for 6 of his unused PTO days from 2015, as allowed per his contract, to be payable the next payroll cycle. Motion was unanimously approved.

There being no further business, Councilmember Cook made a motion, seconded by Councilmember Baker, to adjourn the meeting. Motion was unanimously approved. Meeting adjourned at 8:30 PM.

respectfully submitted,

Patricia M. Garrison
Borough Secretary