

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held on **Tuesday, July 15, 2014** in the Council Chambers, 55 South Fifth Street. Present: Council President Bergonia; Councilmembers Baker, Cook, Cox, Mahon, Morris and Strosser; Mayor Wagner, Solicitor Lyons, Manager Smith, Secretary Garrison and BVRP Chief Yost. Absent: Councilmember Faden. Also present: Tom Egan, Bobby Sena, Joshua Pierce, Paul Mauger, Dan Remley, Stephen Emerson and Matt Farrand.

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 Baker, seconded by Councilmember Strosser, to approve the minutes of the June 17, 2014 regular meeting. Motion was unanimously approved.

CONDITIONAL USE HEARING: Council President Bergonia adjourned the regular order of business to conduct a conditional use hearing for the property known as 634 St. George Street, Case #CU 14-02. He called the public hearing to order at 7:05 PM.

Matt Sauers, Central Keystone COG, Zoning Officer for the Borough, said this is Case No. 14-02 for the property of 634 St. George Street in the RT-2 Zoning District. The application is for a conditional use to convert into a rooming or lodging house. This was properly advertised for a hearing. The property was posted, the property owners were notified, and the CK-COG has inspected this property to find it to be in compliance with the requirements for a conditional use. The parking proposal for this property is four off-street, off-site spaces utilizing Bucknell parking stalls. The Planning Commission reviewed this application and they are recommending this application be denied due to insufficient parking on-site. The plan is to get student decals from the university, as they are available, and this parking *is* less than 200 feet from the structure. He contacted campus security/police and there are parking decals available. Students would have to purchase them at a cost of \$100.00 per year or \$60.00 per semester; it has been confirmed there are more parking spaces than decals. The applicant, Joshua Pierce, is here this evening should Council have questions. Mr. Pierce confirmed the tenants will be getting student decals. Councilmember Morris said security knows that they are selling decals to students that are living off-campus and that they will be used 24/7 as opposed to students who are living off-campus and coming there to school. Mr. Sauers explained they sell decals for both. Mr. Pierce said he and his brother were students at Bucknell, lived at that property, and used Bucknell's parking lot. Councilmember Strosser asked if the Solicitor has a comment on this. Solicitor Lyons said if this application is in compliance with the ordinance, then we are here to consider the granting of a conditional use. He agreed that technically we should have two conditional use hearings, but this has been duly advertised for *both* issues so he doesn't see a reason for not having a combined hearing. There is nothing in the MPC that says there can't be a combined hearing and it is cost effective for the Borough to do it that way. There could be a reason in the future where we may want two hearings, but for the most part it is all the same issue. Councilmember Strosser said the second question is with regard to the off-site parking; does a decal in a flexible university lot satisfy the Borough's ordinance. Solicitor Lyons said he doesn't have an opinion as that is up to Council to decide. Councilmember Strosser commented it isn't black or white or a yes or no. Solicitor Lyons said it is the same issue we always have with off-site parking, i.e. whether it is permitted parking, allowed parking, whether the applicant has the right to use it, whether it meets the proximity requirements of the ordinance. It is up to Council to determine if it meets the requirements for the conditional use off-site parking. Manager Smith explained that if Council elected to approve this application, with this condition of off-site parking, Mr. Sauers would check to make sure that condition is met each and every year. Should that property not meet the condition of off-site parking, then the rooming/lodging house would cease to exist for that property. He explained the necessary motion, should Council approve this application, is found on the agenda under the Planning Committee. Councilmember Morris commented what if they park inappropriately? Councilmember Strosser said they would be allowed to park on the street, but they can't park in the grass in the backyard of that property. Manager Smith said if there was a problem with parking on the street, we could go back to the owner and address that. Mayor Wagner asked how many onsite parking spaces there are. Mr. Sauers said none. Councilmember Strosser said he thought there were two, but they are occupied by the accessory use. Mr. Sauers explained there is a South Seventh Street address to this same parcel, i.e. same parcel, but different structure and address. Councilmember Strosser said there are three legal occupants there now, with zero parking, so we could argue this is an improvement because they now have a legal spot somewhere.

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

ATTENDANCE

CALL TO ORDER

APPROVAL OF MINUTES

CONDITIONAL USE HEARING
634 ST. GEORGE STREET

CONDITIONAL USE HEARING CLOSED

Tuesday, July 15, 2014

PUBLIC PARTICIPATION: Paul Mauger, Chairman of the Zoning Hearing Board, indicated there is currently a vacancy on this three member board, and there will be another vacancy by the end of this year. He briefly explained the Zoning Hearing Board duties, requirements for membership, meeting times, term of office, etc. He asked that interested parties submit their letter of interest to the Borough Secretary. He encouraged Council to look for someone for this very important board.

Samantha Pearson, Director of the LNC, briefly updated Council on the Executive Board's goals for this year. The direction is to focus on the next steps for South Sixth Street, River Town Project efforts, and organizational sustainability. The LNC is handing off to Council and Rob Cook, Chairman of the Flood Impact Task Force, the flood impact issues. A meeting was held and a list of issues drafted, which will be circulated to Council. On the LNC sustainability, one grant was awarded to the Borough and we are waiting to hear on another sometime this fall. We have a list of 20 foundations we are screening for private funding. She thanked Finance Committee for recommending \$12,000.00 be given to the LNC from the South Sixth Street Grant funding and thanked Council for the resolution designating Lewisburg as a River Town. The Bull Run Neighborhood Committee gave recognition to Marjorie Priceman for her work in recent years, both initial sketches that led to the port-a-potty enclosure, as well as her Lewisburg themed Holiday cards which generated funding for small scale projects. Councilmember Cox asked the timeframe for the private foundation grants. Ms. Pearson said they are variable; many are rolling deadlines and rolling review of applications. She pointed out there is one person present this evening in support of the River Town resolution before Council this evening. Stephen Emerson introduced himself and confirmed his support.

POLICE COMMITTEE: Councilmember Mahon indicated there was no meeting in June. Everyone received a copy of the June 2014 monthly activity report. Chief Yost reminded everyone that National Night Out is Tuesday, August 5th from 5 to 9 PM. It will be even bigger and better this year; he shared the groups participating as well as some of the activities. The Social Gathering Ordinance was approved last month and we have already issued six permits. There are a few minor issues we need to review, but basically everything went well. Chief Yost further stated construction at their new location will be occurring very soon. We currently have a three year grant for administrative salary assistance through the State and our third and final year was just approved in the amount of \$16,000.00. You will also be seeing two new fleet cars out on the streets very soon. Also, bicycle permits are now available for anyone interested in registering their bicycles.

PLANNING COMMITTEE: Councilmember Strosser made a motion, seconded by Councilmember Mahon, to approve HARB applications a and b, as submitted and recommended by HARB. Motion was unanimously approved.

a. Susan Howell/Donna Wilder/113-115 North Fourth Street/Siding-Windows. An application was submitted to and reviewed by HARB for siding and windows. A motion was made by Kim Walter, seconded by Phoebe Faden, to recommend approval as indicated in the project description, however, the difference is that 3" smooth vinyl siding be used instead of the wood grain; with regard to the new windows on the back and sides of house, they should be one over one, and that the windows on the front of the building not be replaced. Motion was unanimously approved.

b. Brian Gwynn/9 Market Street/Wall-Fencing-Gates. An application was submitted to and reviewed by HARB for placement of a block wall, fencing and gates. A motion was made by Ted Strosser, seconded by Robert Cook, to recommend approval as indicated in the project description, however, the block wall will be purged and will have a finished cap, and the cedar fence will be painted and/or stained within one year. Motion was unanimously approved.

Project Updates:

- Jamie Piperberg/Tom Egan were present to discuss building materials for their 333 North Third Street property. Updated drawings will be submitted for their file. Stone for the base wall will be York Limestone from Eldorado Stone and Burtonfield Sanded Smooth Type 2.

Councilmember Strosser indicated that 333 North Third Street is noted as a courtesy review on our agenda, but this was a project review of an ongoing project. He noted all the exterior materials to be used for 333 North Third Street were reviewed and approved by HARB.

Councilmember Strosser made a motion, seconded by Councilmember Mahon, to approve Case No. CU-14-02, 634 St. George Street, to convert into a rooming/lodging house, conditioned upon the provision of four parking spaces off-site per ordinance; adequate proof of off-site parking spaces to be provided to the Borough's Zoning Officer. **ON THE QUESTION:** Councilmember Morris stated something doesn't feel right with the idea of using Bucknell decals for parking of vehicles of off-campus residents. Dan Remley, representing Bucknell University, indicated Bucknell is comfortable with that regardless of where they live. Motion was approved, with two dissenting votes; Councilmembers Cox and Morris voted no.

Councilmember Strosser made a motion, seconded by Councilmember Morris, to direct the Solicitor to advertise to hold a public hearing 7 PM Tuesday, August 19th, on the proposed amendment of the Borough's Historic District boundaries, and to consider enactment of the ordinance for same thereafter. **ON THE QUESTION:** Solicitor Lyons

PUBLIC PARTICIPATION
PAUL MAUGER

SAMANTHA PEARSON

POLICE COMMITTEE

PLANNING COMMITTEE

S HOWELL/D WILDER

B GWYNN

J PIPERBERG/T EGAN

**634 MARKET STREET/
CASE 14-02
CONVERSION TO ROOMING/
LODGING HOUSE APPROVED**

SOLICITOR DIRECTED TO ADVERTISE PUBLIC HEARING FOR HISTORIC DISTRICT BOUNDARY CHANGES

Tuesday, July 15, 2014

indicated the mapping included the railroad bridge, which he cannot include as it isn't even in Union County let alone the Borough. Councilmember Strosser suggested the proposed map be made available to everyone. Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Cook, to adopt Resolution No. 14-09, supporting the Borough's formal designation by the Susquehanna Greenway Partnership as a Susquehanna Greenway River Town. Motion was unanimously approved.

Councilmember Strosser indicated we received a letter from the Planning Commission strongly recommending that we stop allowing rooming/boarding houses in the RT-2 zoning district. There have been approximately nine or ten approved; the concern is over the density of vehicles, not so much the density of people. He asked that Council consider removing that from the zoning ordinance noting the Planning Committee was basically in agreement with the Commission's recommendation. Solicitor Lyons asked if there are any other zoning changes coming, because this means having to advertise for a public hearing. Manager Smith said he did not put this on the agenda as he wasn't quite sure how this should be handled. There wasn't a *recommendation* and there were already issues noted with the off-site parking language. So, if Council decides not to amend the ordinance for the purpose of removing rooming/boarding houses, we would still have to consider an amendment because of the off-site parking issues. Councilmember Morris said the purpose of the Planning Commission is to draft language for a change like this. Solicitor Lyons stated regardless, it still has to be advertised and a public hearing must be held. Councilmember Strosser said we need to determine if Council feels this is the right thing to do and then we can proceed with the process. It was the sense of Council the removal of rooming/boarding houses should be considered. Councilmember Strosser said there are other zoning ordinance amendments that have been on the agenda for some time, so the Planning Committee will address these other amendments that are needed at their next meeting, consulting with the Planning Commission, and will report back to Council. He noted a representative from the Planning Commission attends our Planning Committee meetings, but this month we should have more than just one member of the Planning Commission present for these discussions. Manager Smith said everyone received a memo explaining his thoughts that it is nice to have something on this. He would **not** want to see Council do away with it and go back to no more than three unrelated period because we receive many inquiries and requests from those that want to rent to more. Inclusion of this allows zoning involvement, codes involvement, etc. which is important. Councilmember Morris suggested a survey of residents to see what the impact has been for them. Councilmember Strosser said residents may not feel an impact. However, maybe we could enlist the help of the LNC on a survey of this nature. Mayor Wagner said it would be difficult to differentiate regular parking or extra parking and commented the absence of the high school in 2016 will create extra parking. There was **much** discussion.

Councilmember Strosser said we have a Bucknell representative present this evening so he will ask if the student dorms that are being built are on schedule and when will they be able to be occupied. Dan Remley said they are on schedule and will be able to be occupied August of 2015; approximately 13 months from now. Councilmember Strosser asked how the numbers affect this neighborhood. Mr. Remley said it goes from approximately 500 to 200. We are only a few weeks away from educating students on the new process, which will be by lottery, i.e. seniors only, 100 men/100 women, and then when they identify they have been given permission and they tell him building specific locations, he will check capacity against the application. If they say they live in RT-1, it must be an occupancy of three and there will not be able to be four names given. Bucknell University, actually Dan Remley, will be the gatekeeper. This has never been done before.

Paul Mauger, Chairman of the Zoning Hearing Board, said the Zoning Hearing Board appreciates very clear cut delineations with regard to the zoning ordinances as that makes it easier for the Board in their decision making.

Councilmember Strosser indicated the Borough has again been certified a Level 8 community under the Community Rating System (CRS), which grants residents in the Special Flood Hazard Area (SFHA) a 10% discount on flood insurance and those outside the SFHA a 5% discount on flood insurance. He thanked the Manager for his work to achieve this certification.

Councilmember Strosser reported the American Red Cross will be providing collection bins for clothing and household items in the Lewisburg Recycling Compound. Councilmember Morris asked if this conflicts with what is there now. Manager Smith said yes and no; it simply gives residents an option. He indicated USAgain is paying the Borough per pound. Whereas, the American Red Cross has explained whatever profit they make goes back to the American Red Cross.

PUBLIC WORKS COMMITTEE: Councilmember Baker reported no meeting held in July.

**RESOLUTION
DESIGNATING
BOROUGH A RIVER
TOWN
(RESOLUTION NO.
14-09)**

**ELIMINATION OF
ROOMING/
BOARDING HOUSES
IN RT-2 DISTRICT
REFERRED TO
PLANNING
COMMITTEE AND
PLANNING
COMMISSION FOR
REVIEW**

**CERTIFIED LEVEL 8
CRS STATUS GIVEN**

**AMERICAN RED
CROSS CLOTHING/
HOUSEHOLD ITEM
BINS AT
RECYCLING
CENTER**

**PUBLIC WORKS
COMMITTEE**

Tuesday, July 15, 2014

FINANCE COMMITTEE: Councilmember Morris made a motion, seconded by Councilmember Baker, to approve payment of bills from 06/14/14 through 07/11/14 in the amount of \$230,049.55. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Baker, to approve an allocation of \$12,000.00 to the Lewisburg Neighborhoods Corporation (LNC) as administrative funds, which will be disbursed under the Keystone Communities Program Grant for South Sixth Street/Phase I (St. Louis Street Streetscape Project). **ON THE QUESTION:** Councilmember Morris asked if that money is here and available. Manager Smith said we have a contract to receive that money and the intent of the motion is that we will front the LNC the money now and recoup it upon disbursement by the State. Motion was unanimously approved.

MAYOR: Mayor Wagner thanked the Borough crew, the Manager, and the BVRPD for all their work during the fourth of July parade, which was a **huge** success.

COUNCIL PRESIDENT: No report.

SOLICITOR: No report.

MANAGER: Manager Smith indicated there are several awards that need to be made tonight for our 2014 Projects.

Councilmember Morris made a motion, seconded by Councilmember Strosser, to award the Brown Street Overlay Project to Eastern Industries, Inc., in the amount of \$31,534.00 (base bid amount), subject to receipt of acceptable performance and payment bonds and proper insurance, and subject to review and approval by the Borough Engineer and Solicitor. Motion was unanimously approved.

Councilmember Baker made a motion, seconded by Councilmember Cook, to award the Municipal Parking Lot No. 1 Pavement Repair Project to Don E. Bower, Inc., in the amount of \$20,245.45 (base bid amount), subject to review and approval of acceptable performance and payment bonds and proper insurance, and subject to review and approval by the Borough Engineer and Solicitor. **ON THE QUESTION:** Councilmember Strosser asked what the estimates were for Brown Street and MPL No. 1. Manager Smith indicated he did not have them with him tonight, but these bids are within the amounts budgeted. Motion was unanimously approved.

Councilmember Mahon made a motion, seconded by Councilmember Baker, to award the South Front Street Improvements Project to Don E. Bower, with a base bid amount of \$149,044.00, and a bid alternate amount of \$23,816.65, for a total award of \$172,860.65, subject to review and approval of acceptable performance and payment bonds and proper insurance, and subject to review and approval by the Borough Engineer and Solicitor. **ON THE QUESTION:** Councilmember Cox asked what the bid alternate is for. Manager Smith said we are doing enough work that we are including sidewalks. The bid alternate is for the private residential sidewalk work. This work becomes part of the award, which means the Borough pays for it, and then seeks reimbursement from the residents. All residents are given the option of having the Borough do the necessary sidewalk work on their behalf or having their own private contractor do this work. Councilmember Mahon asked what work we are doing on South Front Street. Manager Smith said we are doing *extensive* improvement work from Market Street up to very close to St. Catherine Street, i.e. base repair, mill and overlay, infrastructure work, storm sewer work where necessary, plus curbing and sidewalks; this street is bad. This also includes a small section of White Pine Alley coming off of South Water Street. Motion was unanimously approved.

Councilmember Mahon made a motion, seconded by Councilmember Baker, to allow the Buffalo Valley AM Kiwanis Club to use the Borough's three-globe light standard in their depiction of their Lewisburg Hotel crock, and on any future crocks they may design for future sales. **ON THE QUESTION:** Councilmember Morris explained that last year they did a depiction of the high school and there was a very small three-globe light standard in it; they neglected to get permission. She requests this be a blanket approval for this Club to use the three-globe light standard in their depictions past, present and future. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Baker, to approve Confirmation of Assignment to Larson Design Group to provide professional design services for South Sixth Street/Phase I (St. Louis Street Streetscape Project) in an amount of \$29,400.00. **ON THE QUESTION:** Mayor Wagner clarified this is the St. Louis Street Project. Manager Smith said this is the overall engineering, but it will be done in two phases because of the funding coming from two sources, CDBG and Keystone. Motion was unanimously approved.

Manager Smith reported the Ward III sidewalk inventory letters were mailed to property owners; there were two categories, slight (95 recipients) and severe (over 50 recipients).

FINANCE COMMITTEE
PAYMENT OF BILLS

APPROVAL OF ALLOCATION OF \$12,000 TO LNC FROM KEYSTONE COMMUNITIES PROGRAM GRANT FUNDS

MAYOR

COUNCIL PRESIDENT

SOLICITOR

MANAGER

AWARD OF BROWN STREET OVERLAY PROJECT TO EASTERN INDUSTRIES

AWARD OF MPL NO. 1 PAVEMENT REPAIR PROJECT TO DON E. BOWER, INC.

AWARD OF S FRONT STREET IMPROVEMENTS PROJECT TO DON E. BOWER

BUFFALO VALLEY AM KIWANIS PERMITTED TO USE THREE-GLOBE LIGHT STANDARD IN DEPICTIONS ON ANY CROCKS THEY SELL

CONFIRMATION OF ASSIGNMENT TO LDG FOR PROFESSIONAL DESIGN SERVICE ON S SIXTH STREET/ PHASE I PROJECT APPROVED

WARD III SIDEWALK LETTERS MAILED

Tuesday, July 15, 2014

OTHER COMMITTEES: Council President Bergonia indicated once again, it is business as usual for the BVRA. There is recent concern that there may be a leak in the pool.

Councilmember Morris indicated the LDP's first annual Brew-B-Que event is scheduled for Saturday, July 26th.

There was no report for Town and Gown Committee.

There was no report for the LNC.

Manager Smith updated Council on the treatments of the Emerald Ash Bore (EAB). We are applying for a \$10,000.00 grant to replant trees, as we work very diligently this fall on clear cutting to getting rid of our Ash trees.

Council President Bergonia indicated it is business as usual for the CK-COG.

Councilmember Morris indicated the Community Garden is working to prepare for their annual dinner.

Councilmember Strosser indicated the Traffic Advisory Committee meets next Tuesday.

Mayor Wagner said the next Lewisburg Area High School Repurposing Committee is Thursday, July 31st. The consultants from the Pennsylvania Downtown Center are wonderful, as we have obtained some unbelievable information pertaining to the 17837 zip code. An internationally known consultant, Donovan Rypkema, PlacEconomics, will be at the next meeting. There was **much** discussion. Mayor Wagner said her hope is that we will have something out for response by late summer/early fall. Councilmember Strosser said there were discussions about the zoning ordinance and it seems as though the ordinance is somewhat consistent with the reuse we are considering. However, we would need to address any potential zoning change should we decide to allow something different on that site. Solicitor Lyons stressed you cannot do spot zoning, so you would have to have some idea, conceptually, and then determine whether the ordinance would allow it as it is or if an amendment would be needed. Councilmember Strosser said the one issue seemed to be multi-family housing. The way it is written it is limited to four units. Solicitor Lyons said that would be less spot zoning than other things because of the nature of the premises. Mayor Wagner stressed we won't know until we receive proposals. There was **much** discussion.

OLD BUSINESS: None.

NEW BUSINESS: None.

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

WORK SESSION: Council President Bergonia indicated there will be a work session on August 12th, so maybe the LNC could be discussed at that time. Councilmember Morris suggested we consider talking about the Borough's budget in August. Manager Smith indicated he is not sure if he will be prepared to talk about the budget. So, if it is determined a work session is not needed, he will be sure to let everyone know.

Councilmember Mahon made a motion, seconded by Councilmember Strosser, to hold an executive session to discuss a personnel matter. Motion was unanimously approved.

Council President Bergonia called for a five minute recess at 8:10 PM. Council returned at 8:15 PM.

Council entered executive session at 8:15 PM. Council returned at 8:35 PM.

There being no further business, Councilmember Morris made a motion, seconded by Councilmember Strosser, to adjourn the meeting. Motion was unanimously approved. Meeting adjourned at 8:35 PM.

Respectfully submitted,

Patricia M. Garrison
Borough Secretary

**OTHER
COMMITTEES
BVRA**

LDP

TOWN AND GOWN

LNC

STC

CK-COG

**COMMUNITY
GARDEN**

**TRAFFIC ADVISORY
COMMITTEE**

**LAHS
REPURPOSING
COMMITTEE**

OLD BUSINESS

NEW BUSINESS

WRITTEN REPORTS

WORK SESSION

**PERSONNEL
MATTER**

(RECESS)

**(EXECUTIVE
SESSION)**

ADJOURNMENT