

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held on **Tuesday, July 19, 2016**, in the Council Chambers, 55 South Fifth Street. Present: Council President Bergonia; Councilmembers Cook, Cox, Derman, Frederick, Mahon, Morris and Yohn; Mayor Wagner, Solicitor Lyons, Manager Lowthert, and Secretary Garrison. Also present: Teri Provost, Nada Gray, Alex Reichenbach, Jeremy Kennedy, Perry Koot and Ted Strosser. (Manager Lowthert informed the public that a member of the media (WKOK) will be recording the Council meeting tonight.)

**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 Morris, seconded by Councilmember Derman, to approve the minutes of the June 21, 2016 regular monthly meeting. Motion was unanimously approved.

**PUBLIC PARTICIPATION:** Teri Provost, SEDA-COG, stated the Community Development Block Grant (CDBG) Program application for 2016 funding is on the agenda for Council action; she will defer her comments until that time. Manager Lowthert reminded Council there was a public hearing last month, potential projects were discussed, and tonight under the Public Works/Police Committee, Council will be officially selecting the projects so SEDA-COG and Union County can continue with the process.

**PUBLIC WORKS/POLICE COMMITTEE:** Council received the Buffalo Valley Regional Police Department's (BVRPD) monthly report. Councilmember Mahon reminded everyone that National Night Out is Tuesday, August from 5 PM to 9 PM, with the fireworks being held at 9 PM. She encouraged everyone to attend.

Manager Lowthert explained official action of Council is needed for the 2016 CDBG entitlement funds.

Councilmember Mahon made a motion, seconded by Councilmember Morris, to request that Union County, on behalf of the Lewisburg Borough, submit an application to the Pennsylvania Department of Community and Economic Development (DCED) for the Borough's FFY 2016 Community Development Block Grant (CDBG) entitlement funds for the following activities: 1) South Sixth Street Reconstruction in the amount of \$48,048.00; 2) Curb Cuts (Borough-wide) in the amount of \$32,032.00; and Administration in the amount of \$17,570.00, for a total of \$97,650.00; as well as authorize the Council President to sign, on behalf of Borough Council, all necessary application forms for the CDBG funding. ON THE QUESTION: Council President Bergonia asked if Ms. Provost had any comments. Ms. Provost confirmed these are the projects that were talked about at the Public Works Committee and at the public hearing last month. Council had indicated they would like to see a 60/40 split, which is what these dollars represent after the administration costs. The actual 2016 application isn't before Council tonight as it isn't due until November. She will bring this application to the Council President for signing at a later date. Manager Lowthert asked when the Borough could expect to see these funds. Ms. Provost said she would think sometime around July or August of 2017. Motion was unanimously approved.

Councilmember Mahon made a motion, seconded by Councilmember Derman, to direct Manager to provide letter of support to the Lewisburg Neighborhoods Corporation (LNC) for their River Road Holiday event to be held on River Road from North Water Street to Winter Farm Lane on Sunday September from 1 to 5 PM, provided all requirements for the PennDOT Special Event Permit are in order. Motion was unanimously approved.

Manager Lowthert reported bids were opened for the St. Anthony Street Curb Cuts/Ramp Improvements Project to be funded with the 2014 CDBG funds. The bids were double what was initially expected. Original estimates were around \$45,000.00 and the low bid was \$96,000.00. We could do this, but we would use all the 2014 funds and almost all the 2015 funds, which we haven't even received yet. He isn't making a recommendation at this time, as he will be discussing this more with our engineer, but he believes his recommendation next month will be to reject the bids and re-advertise in January or February for an early spring 2017 construction. He reminded everyone there are additional locations that need ramps, so he may pull some of the 2016 CDBG money into this and make this a larger project than originally anticipated.

Manager Lowthert indicated Windstream Communications, Inc. would like to address Council regarding installation of an equipment facility in St. Mary Park on the west side of Fifteenth Street near the end of the parking lot. All members of Council received a packet of information. Windstream has been in touch with the Buffalo Valley Recreation Authority (BVRA) since they manage the park and also CK-COG to talk about necessary permitting requirements. If we decide to allow them to use our land, there will have to be a formal agreement put into place and our Solicitor will handle the drafting and/or modification of the necessary agreement. This work is needed to increase the high speed internet service for that portion of the Borough.

Jeremy Kennedy of Windstream Communications, Inc. thanked Council for the opportunity to provide the details associated with upgrading of their services. When upgrading, it

**ATTENDANCE**

**CALL TO ORDER**

**APPROVAL OF MINUTES**

**TERI PROVOST/  
SEDA-COG**

**PUBLIC WORKS/POLICE COMMITTEE  
BVRPD MONTHLY REPORT**

**2016 CDBG FUNDING**

**AUTHORIZATION TO SUBMIT CDBG PROGRAM APPLICATION FOR 2016 FUNDING**

**MANAGER TO PROVIDE LETTER OF SUPPORT TO LNC FOR RIVER ROAD HOLIDAY**

**ST. ANTHONY STREET CURB CUTS/RAMP IMPROVEMENTS PROJECT UPDATE**

**WINDSTREAM COMMUNICATIONS/ INSTALLTION OF EQUIPMENT IN ST.MARY PARK**

**JEREMY KENNEDY**

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requires the cooperation of the public and private individuals. The infrastructure, which is about ten years old or less, has to be upgraded in order to expand broadband services. The goal is to offer better broadband speed, so we are constantly carving out what we call customer serving areas, attempting to shorten the loop lengths on network cables back to those electronics. (Maps were provided that show the exact location of the facility/equipment, as well as examples of what the facility/equipment would look like.) He continued to provide details with regard to the work necessary, noting he is working with the BVRA so the work they proposed to perform does not interfere with the BVRA's future plans. He pointed out they try very hard to provide appropriate screening/landscaping in an effort to camouflage the equipment facility. There was **much** discussion regarding this proposed work.

**COMMUNITY DEVELOPMENT/PLANNING COMMITTEE:** Councilmember Morris made a motion, seconded by Councilmember Mahon, to approve HARB items a and b, as submitted and recommended by HARB. Motion was unanimously approved.

**a. Bucknell University/103 University Avenue/Ramp-Steps.** An application was submitted to and reviewed by HARB for a ramp and steps. A motion was made by Steve Snook, seconded by Elaine Wintjen, to recommend approval of the ramp and steps for the east entrance of the President's House, as shown on the drawing labeled Option 6, which is attached to the HARB application. Motion was unanimously approved.

**b. Lynn Thomas/120 South Fourth Street/Windows.** An application was submitted to and reviewed by HARB for replacement windows in the apartment above the garage. A motion was made by Mary Mastascusa, seconded by Steve Snook, to recommend approval of the replacement windows as described in the project description of the HARB application, as shown in the attachment to the application, with windows being one over one, same size and shape of the existing windows. Motion was unanimously approved.

Manager Lowthert explained that the Lewisburg Downtown Partnership (LDP) is here tonight to present their BrewBQue event proposed street and parking lot closures, as well as address any questions Council might have. There is a motion for Council to take action on the LDP's application for permit to serve alcohol in Hufnagle Park for this event. The LDP has met with Chief Yost and everyone should have a drawing in front of them showing the proposed set-up of this event. The LDP is also looking to close the Hufnagle Park parking lot.

Leigh Wible, President of the LDP and Chairperson of the BrewBQue Committee indicated this event is August and it is a fundraiser for the LDP. The required Pennsylvania Liquor Control Board permit has been obtained, as well as the Certificate of Liability Insurance. She shared their proposed drawing outlining the layout of this event, and she covered the event in great detail. (Proposed ingress/egress of the carnival area, the location of the secured perimeter, the pedestrian traffic, firetruck access, barricade placements and the overflow of trailer parking.) Manager Lowthert indicated one of the bigger discussion issues at the committee level was the Hufnagle Parking lot (MPL #2) closure time on Friday. Concerns were raised about closing it too early and negatively affecting some of the businesses downtown, but recognition was given of the fact closure has to occur early enough to allow time for the LDP to get things set up. Ms. Wible said she reached out to the businesses in the immediate area and she didn't get any direction/opinion/response from the merchants. There was **very much** discussion. It was the sense of Council that appropriate signage be strategically placed in MPL #2 on Thursday, with the meters being bagged and the actual closure occurring at 4 PM on Friday with the reopening occurring at 7 PM on Saturday. Chief Yost said if after all this a vehicle is found to be in the lot, the communications center should be contacted and he'll have an officer do his best to reach the owner to get the vehicle out of there. Manager Lowthert said he will make sure to contact all permit holders to notify them that MPL #2 will be closed for this event and they will have to find another location to park. Ms. Wible reminded everyone there is also no parking on South Sixth Street. Chief Yost said this area should be handled the exact same way as MPL #2 with the appropriate signage, the bagging of meters, and the reopening time. A member of the public suggested tagging the windshields of the cars in both these parking locations in an effort to advise that parking will not be available, the specific times for this and information on the actual event.

Councilmember Morris made a motion, seconded by Councilmember Cook, to approve the LDP BrewBQue Event to be held on Saturday, August , including the application for permit to serve alcohol in the park, as well as the street/parking lot closures as presented and discussed this evening. Motion was unanimously approved.

Councilmember Morris explained the sub-committee established to review the Borough sign ordinance has collected about fifteen survey forms so far. She indicated there has been good coverage in the Daily Item and Standard-Journal. The next meeting is August at 7 PM. She reminded Council there is still a vacancy on HARB (term expiration 12/31/18) and also a vacancy on the Shade Tree Commission (term expiration 12/31/20).

**ADMINISTRATIVE/FINANCE COMMITTEE:** Councilmember Cox made a motion, seconded by Councilmember Frederick, to approve the payment of bills from 06/18/16 through 07/15/16 in the amount of \$168,522.60. Motion was unanimously approved.

**MAYOR:** Mayor Wagner reported she, along with Councilmember Morris, attended the Small Business Development Center's Award Breakfast last week noting the award winners, and applauded the Center's work. She also reminded Council negotiations are underway with the BVRPD.

COMMUNITY DEVELOPMENT/PLANNING COMMITTEE

BUCKNELL UNIVERSITY

L THOMAS

BREWBQUE PRESENTATION

LEIGH WIBLE

COUNCIL APPROVED BREWBQUE EVENT ALCOHOL SERVING PERMITS/STREET AND PARKING LOT CLOSURES

SUB-COMMITTEE FOR REVIEW OF SIGN ORDINANCE UPDATE

ADMINISTRATIVE/FINANCE COMMITTEE PAYMENT OF BILLS

MAYOR

Tuesday, July 19, 2016

**COUNCIL PRESIDENT:** No report.

**SOLICITOR:** Solicitor Lyons indicated everyone should be in receipt of the draft Quality of Life ordinance, which will allow for ticketing of some ordinance violations. Ticketing is an option and is not mandatory. If this ticketing, for whatever reason, doesn't cure the problem, we can proceed with the citation route. Manager Lowthert explained this is an ordinance that allows the Borough to deal with repeat offenders. Solicitor Lyons mentioned there is already a section in the traffic ordinance that addresses ticketing. Manager Lowthert stated he will share this with the CK-COG. Solicitor Lyons reported with this ordinance, every day is a new violation. Manager Lowthert asked if Council wants to review this at the committee level, then come back next month and direct the Solicitor to advertise, or are you comfortable enough to direct the Solicitor to advertise this for enactment at our next meeting. Councilmember Mahon said there was another ordinance before Council that was similar to this. Solicitor Lyons explained that was a very complex ordinance. This ordinance is much more streamlined, dealing with those issues we really want to deal with and is based on our existing ordinances. Councilmember Morris asked who will be ticketing. Solicitor Lyons said it could be the Code Enforcement Officer, the Manager or the Police, but most of this will be the Borough Manager and/or Code Enforcement Officer. Manager Lowthert said the goal is to get people to clean up their properties, not to fine people. This is a tool to allow the Borough to deal with those repeat offenders that are not cooperating, and to allow the Code Enforcement Department to deal with those properties they find they have to constantly go back to again and again for trash complaints. The procedure in this ordinance should definitely get people's attention. There was **very much** discussion. Councilmember Cook questioned if there is some way to put the onus of the tree butchering that happens on the tree contractor performing the work vs. the property owner. Solicitor Lyons said unfortunately no.

Councilmember Derman made a motion, seconded by Councilmember Cook, to direct the Solicitor to advertise the Quality of Life ordinance for possible action of Council at the August regular monthly meeting. Motion was unanimously approved.

**MANAGER:** Manager Lowthert indicated he has something he will report on under the Shade Tree Commission.

**OTHER COMMITTEES:** Council President Bergonia reported everything is going well for the BVRA.

Councilmember Morris indicated the LDP has made their selection for an Executive Director, Dan Bevis, and the official announcement will be made in the very near future. There was **some** discussion regarding the qualifications and background of Mr. Bevis. Ms. Wible, as Chairman of the LDP, indicated she is looking forward to working with the new Executive Director.

Mayor Wagner said the Town and Gown Committee will be meeting closer to the fall.

Councilmember Derman updated Council on the topics of discussion of the River Town Committee held yesterday. He reminded Council of the upcoming River Road Holiday scheduled for September , as well as the upcoming river clean-up scheduled for August . He noted there were discussions on working with the Borough to implement best management practices for the buffers along the waterways. Manager Lowthert indicated that is always a balance between how much you want to see the water resources in the community vs. how much vegetation you want to see.

Manager Lowthert reported there wasn't a quorum at the STC meeting on July , so that meeting was rescheduled to be held July at 7 PM. There are a number of applications before the STC for removal of dead trees. There have been a total of 26 additional dead ash trees identified on Borough property, specifically two located at the Little League fields and 24 located in the green space behind LaCasa and behind the Town Tavern. Because of the liability and safety issues, he will be preparing a bid for the removal of these trees. His hope is that we will have bids for Council's review and award at the next Council meeting.

Council President Bergonia indicated things are going very well at the CK-COG.

Councilmember Morris said the Community Garden Committee meets tomorrow night.

Councilmember Cox stated everyone should be in receipt of his email explaining the funding formula being proposed for the fire company. Under the scenario presented, this would mean a tax increase in the Fire Fund. Manager Lowthert explained, based upon the formula proposed, the Borough is looking at, at least, a 0.2 mill tax increase in the Fire Fund. Municipalities have a legal obligation to provide fire protection services to their residents, which means this Borough could decide to provide fire services within the community, decide to provide fire services by contracting outside the community, and, of course, some communities on the periphery of the Borough could decide they want fire protection provided by some other neighboring fire company vs. the William Cameron Engine Company. He noted that should some of these surrounding communities fall away,

**COUNCIL PRESIDENT**

**SOLICITOR  
EXPLANATION OF  
QUALITY OF LIFE  
ORDINANCE**

**SOLICITOR DIRECTED  
TO ADVERTISE  
QUALITY OF LIFE  
ORDINANCE**

**MANAGER**

**OTHER COMMITTEES  
BVRA**

**LDP**

**TOWN AND GOWN  
COMMITTEE**

**LNC**

**STC  
PREPARATION OF BID  
FOR ASH TREE  
REMOVAL ON  
BOROUGH PROPERTY**

**CK-COG**

**COMMUNITY GARDEN**

**MACAC  
DISCUSSION OF  
FUNDING FORMULA  
PROPOSED BY FIRE  
COMPANY AND  
IMPACT TO FIRE  
FUND**

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the fire company's needs could be higher or lower based upon staffing/equipment levels. Councilmember Morris commented she was not happy when she saw the board was voting on a possible name change. She doesn't like to see consideration given to dropping an individual's name, especially one who contributed greatly to an organization. Mayor Wagner asked if that has happened. Councilmember Cox said there will be more discussion on this, but they realized that they cover a larger area. There were people not happy about the name change of LARA to BVRA. Councilmember Morris said that is different, because with the fire company we are talking about history. There was **much** discussion.

Councilmember Cox shared that right now this Borough has the potential of tax increases given the situation with the fire company, the current negotiations with the regional police, and the school tax increases.

**OLD BUSINESS:** None.

**NEW BUSINESS:** Councilmember Morris said a neighbor had fallen on a sidewalk in the Borough and was very pleased to read in the Enlightener that the Borough is asking residents to evaluate, and if necessary, repair their sidewalks.

**WRITTEN REPORTS:** Councilmember Derman made a motion, seconded by Councilmember Mahon, to acknowledge receipt of the Budget Index, Parking Report, Code Enforcement Officer Report and Zoning Officer's report. Motion was unanimously approved.

**WORK SESSION:** Council President Bergonia reported there will not be a work session on Tuesday, August unless something would come up that requires attention.

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

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

Council entered executive session at 8:25 PM. Council returned at 8:35 PM.

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

Respectfully submitted,

Patricia M. Garrison  
Borough Secretary

**OLD BUSINESS**

**NEW BUSINESS**

**WRITTEN REPORTS**

**WORK SESSION**

**RECESS**

**PERSONNEL MATTER**

**(EXECUTIVE  
SESSION)**

**ADJOURNMENT**