

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held on **Tuesday, July 21, 2015** in the Council Chambers, 55 South Fifth Street. Present: Council President Bergonia; Councilmembers Baker, Cook, Cox, Faden, Morris and Strosser; Mayor Wagner, Solicitor Lyons, Manager Smith, Secretary Garrison and BVRP Chief Yost. Absent: Councilmember Mahon. Also present: Sharon Harris, Nada Gray, Stacy Hinck, Teri Provost, Joe Sylvester and Dan Remley.

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 Faden, to approve the minutes of the June 16, 2015 regular meeting and the July 14, 2015 work session. Motion was unanimously approved.

PUBLIC PARTICIPATION: Sharon Harris, a resident of 136 Market Street, indicated she is basically a newcomer to Lewisburg, leaving a major city to get away from the hustle/bustle; on August she will have been here for one year. She researched this area before she came here and a lot of the information she received was misleading. She doesn't have her own transportation so she depends upon public transportation. She found out after arriving there is no taxi service. She uses the Susquehanna Trailways to take her between Washington DC and New York to see family and has used that public transportation numerous times. However, about a month or so ago when she was traveling, there was a horrible storm; upon her arrival at the bus stop there was no bus stop as the coverage previously provided had been removed. She was drenched, as well as her luggage and personal items. She found out the bus stop was removed to accommodate a rail/trail. She had used the CVS as her grocery store and now the CVS is no longer in town so she must cross Route 15 to go there. She feels Union County is a food desert when it comes to healthy food unless you have your own transportation. She is thankful that Fisher's Meat Market is still here in town. She doesn't feel respected here in Lewisburg and was very upset by what occurred in April on the Bucknell University campus regarding the racial remarks. Her children traveled extensively and have pointed out that the United States is the most racist country they have ever seen. She said the looks and comments she got when she first moved here were ridiculous.

Councilmember Morris thanked Ms. Harris for coming, noting she empathizes with what was said; we should look at what we might do to make a difference. Councilmember Cook commented he too is disgusted with the things that have happened and pointed out that everyone here strives to make this a better place to live. There was **much** discussion.

Stacy Hinck, Chairwoman of the Planning Commission, commented she appreciates Ms. Harris' comments; we are all one community and we are trying to make it better. She updated Council of the actions of the Planning Commission, noting they are proceeding with the Subdivision and Land Development Ordinance (SALDO) review and will try to tweak it to improve it. She is glad to see that sidewalks are included in there and we are including streets too, maintaining the current grid lines. The Route 15 Corridor Improvement Plan Implementation Committee (being facilitated by the Union County Planning Department) fell by the wayside and she talked with the Manager recently and hopes to see that back on track.

Nada Gray, Member of the Planning Commission, indicated they reviewed the new high school proposal and were pleased that one of our Planning Commission members was allowed to participate on that committee. She asked if a Planning Commission member could be included on the East Buffalo/Borough consolidation committee.

Mayor Wagner said Thursday, August the School Board meets and maybe some decisions will be made on Greenspace Properties' proposal. She said the Borough was also grateful to have a voice in that decision.

POLICE COMMITTEE: Everyone received the Chief's monthly report. Chief Yost reported he hopes to hire two new officers within the next week. He announced that National Night Out will occur on Tuesday, August from 5 PM to 9 PM and encouraged everyone to attend. Mayor Wagner asked who from Council may be attending, as she must pass this information along to Corporal Burrows for the sign he is preparing that will state those present that evening.

Councilmember Morris asked if there will be any significant impact to the BVRPD if the Lewisburg School District follows through with hiring their own Police. Chief Yost said no; this is in the preliminary stages right now and they did talk to him about this as they are looking at six hours a day every school day. Mayor Wagner said we will still be the agency of record should there be a major event.

PLANNING COMMITTEE: Councilmember Strosser made a motion, seconded by Councilmember Faden, to approve HARB letters a, b, d, e and f, as submitted and recommended by HARB. **ON THE QUESTION:** Councilmember Strosser pointed out that item c was approved at the work session last week. Motion was unanimously approved.

ATTENDANCE

CALL TO ORDER

APPROVAL OF MINUTES

SHARON HARRIS

STACY HINCK

NADA GRAY

POLICE COMMITTEE

LEWISBURG SCHOOL DISTRICT LOOKING TO HIRE THEIR OWN POLICE

PLANNING COMMITTEE
HARB

21, 2015

a. Jessica Robinson/339 North Third Street/Fence. An application was submitted to and reviewed by HARB for a fence. A motion was made by Ted Strosser, seconded by Rob Cook, to approve the installation of a new wooden fence as noted in the project description of the HARB application, and as shown on the drawing attached to the application, said fence to be painted and/or stained within one year. Motion was unanimously approved.

b. Dr. Ralph Apuzzio/18 South Fourth Street/Siding-Windows-Deck-Fence. An application was submitted to and reviewed by HARB for renovation work. A motion was made by Ted Strosser, seconded by Phoebe Faden, to recommend approval of the renovation work as noted in the project description of the HARB application and as indicated on the four page attachment, with specifics as follows: new smooth vinyl siding, removal of windows with replacement being new vinyl windows in original openings, all windows will have exterior simulated divided lights, new roof shingles, repoint stone foundation, new entry door (same style), new porch composite decking, new rails, new posts that are 6" vs. current 4", removal of two windows on rear of second floor. (Note: They are going to come back with samples of the decking composite material at next month's meeting for HARB review.) Motion was unanimously approved.

c. Mike Purcell/605 Market Street/Signs-Fence. An application was submitted to and reviewed by HARB for a sign and a removable/temporary fence. A motion was made by Phoebe Faden, seconded by Elaine Wintjen, to approve the placement of a replacement sign, as noted in the project description of the HARB application, and as shown in the photo attached. (Note: Proposed outside seating contained in project description of application notes the Liquor Control Board (LCB) regulations stipulate that outdoor seating along the Sixth Street portion of their building must be "enclosed", so owner proposed flower pots with posts and landscaping chain (plastic) will be attached from post to post, explaining that this temporary fence will be removed every evening. Photos of this temporary fence were attached to the application. It was the sense of HARB that since this fence is temporary, a Certificate of Appropriateness was not needed.) Motion was unanimously approved.

d. Carrie Peters/57 North Fourth Street/Stoop Roof. An application was submitted to and reviewed by HARB for a stoop roof. A motion was made by Rob Cook, seconded by Elaine Wintjen, to approve the stoop roof, as shown in the drawings attached to the HARB application. Motion was unanimously approved.

e. Davide Della Pietra/512 Market Street/Sign. An application was submitted to HARB for a sign. A motion was made by Ted Strosser, seconded by Elaine Wintjen, to approve the placement of a new hanging sign on the side of the building next to the Rail/Trail, said sign is internally illuminated and HARB determined that is appropriate and on a secondary facade. Motion was unanimously approved.

f. Amos Smith, III/209-215 Market Street/Demolition-New Deck-Fence. An application was submitted to and reviewed by HARB for demolition of partial structure, with the replacement of a new deck and fence. A motion was made by Robert Cook, seconded by Kim Walter, to recommend approval of the demolition work, new deck and replacement fencing, as noted in the project description of the HARB application, and as shown on the drawings attached, said fence to be painted and/or stained within one year. Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Morris, to support the Lewisburg Downtown Partnership (LDP) Design Committee's initiative to place hanging flower baskets from the three-globe light standards along Market Street, conditional upon presentation of a proposed Maintenance Plan and Agreement with the Borough for the same. ON THE QUESTION: Manager Smith said this was reviewed and there were some concerns about possible damage to our light posts and the ongoing maintenance of the plants; however, we have been assured these things will be taken into consideration. There are negotiations with a landscape firm for the necessary maintenance. Councilmember Morris said this project will be financially supported by donations, not by taxpayer dollars. Councilmember Faden asked how many there will be. Mayor Wagner said every standard from the bridge to Route 15. Manager Smith said it will be done in phases. Mayor Wagner asked if this will replace the Christmas wreaths. Manager Smith said that will be considered. Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Faden, to approve Resolution No. 15-04, to petition the representatives duly elected to the Pennsylvania House of Representatives to support the passage of Senate Bill No. 3 to end the prohibition unduly imposed on the use of the cannabis plant and its applications for medicinal purposes within the borders of the State of Pennsylvania. ON THE QUESTION: Nada Gray spoke out, as a resident, that she doesn't feel this is a Borough Council issue and she doesn't think this has been scientifically proven. Councilmember Cook said the PSAB asked Council vote on this and support this. He feels legalizing this would lead the way to more studies and there are people benefiting by this. He noted 88% of people in Pennsylvania are in favor of this and this doesn't mean it is being legalized for recreational use. Councilmember Cox said that is coming. Motion was approved with two dissenting votes, Councilmember Cox and Council President Bergonia voted no.

Councilmember Strosser indicated the Borough Manager has requested a work session in August to attempt to finalize development of the quality of life ordinance. Manager Smith said the final draft he created was forwarded to all Councilmembers and he feels everyone needs to be involved in this ordinance. Council could then direct the Solicitor at the August regular monthly meeting to advertise. Solicitor Lyons commented he would highly doubt it would be ready by then; there is a lot of information in this document and we need to decide where we are putting this and exactly how we are going to handle. Stacy Hinck questioned what this is about. Solicitor Lyons explained it is an ordinance dealing with regulations for code enforcement (some examples: snow removal, grass that is too high, not trimming your bushes overhanging the sidewalks, not paying your trash bill, abandoned cars) giving the Borough the ability to actually deal with issues in a timely manner, as the present ordinance doesn't empower us to do that. There is much that needs to be discussed and we realize we need to figure out a better way to do things. There was **much** discussion. Mayor Wagner suggested the Planning Commission be given a copy of this.

J ROBINSON

R APUZZIO

M PURCELL

C PETERS

D DELLA PIETRA

A SMITH

COUNCIL SUPPORTS LNC DESIGN COMMITTEE'S PLACEMENT OF HANGING FLOWER BASKETS FROM THREE GLOBE LIGHT STDS ALONG MARKET STREET

COUNCIL SUPPORTS USE OF CANNABIS PLANT FOR MEDICINAL PURPOSES (RESOLUTION NO. 15-04)

21, 2015

PUBLIC WORKS COMMITTEE: Councilmember Baker made a motion, seconded by Councilmember Strosser, to request that Union County, on behalf of the Lewisburg Borough, submit an application to the Pennsylvania Department of Community and Economic Development (DCED) in the estimated amount of \$94,200.00 for FFY 2015 Community Development Block Grant (CDBG) Program as follows: 1) South Sixth Street Reconstruction, 52% of allocation; 2) Curb Cuts Borough-Wide, 30% of allocation; 3) Administration, 18% of allocation (total 100%); and that Council President be authorized to sign all necessary application forms on behalf of the Borough for the CDBG FFY 2015. Motion was unanimously approved.

FINANCE COMMITTEE: Councilmember Morris made a motion, seconded by Councilmember Cox, to approve the payment of bills from 06/13/15 through 07/17/15 in the amount of \$586,740.68. Motion was unanimously approved.

Councilmember Morris reported that the committee is currently reviewing Non-Uniformed Pension Plan's asset manager and fund broker for potential savings and/or additional revenue generation.

MAYOR: Mayor Wagner reported there are lots of interesting things coming up, the BVRA Triathlon on August , the Brew-B-Que, which is the same date. Councilmember Strosser indicated there will be two full blocks of breweries, wineries, food and music this year; the Heiter Center will have an activity area for the kids too. There have been 150 presales this year and last year there were only 60 presales. Mayor Wagner said Linda Sterling has done a wonderful job this year. Regardless of what happens downtown, we will survive and continue to be vibrant.

COUNCIL PRESIDENT: Council President Bergonia announced congratulations are in order for Linda Sterling for being awarded the Charles H. Coder Entrepreneurial Leadership Award at the Bucknell University Small Business Development Center's Celebration of Small Businesses held last Friday. Mayor Wagner said we really have no idea how many businesses have been fostered through this Center.

SOLICITOR: Solicitor Lyons said the parking meter changes on North Second Street and the parking lot permit space changes in MPL No. 2, as recommended by Council have been advertised and this ordinance is presented to Council for consideration.

Councilmember Morris made a motion, seconded by Councilmember Cook, to adopt Ordinance No. 1035, an ordinance eliminating: 1) metered parking spaces on the East Side of North Second Street between Cherry Alley and St. John Street and 2) permit (or reserved) parking spaces in Municipal Parking Lot No. 2; and establishing that Municipal Parking Lot No. 2 shall consist entirely of metered parking spaces. Motion was unanimously approved.

Solicitor Lyons said the changes, as recommended by Council, to the social gathering ordinance have been advertised and this ordinance is presented to Council for consideration.

Councilmember Strosser made a motion, seconded by Councilmember Faden, to adopt Ordinance No. 1036, an ordinance amending the social gathering requirements and regulations by adding definitions for garage and rubbish, by changing what is to be included in permit applications, and establishing an additional ground for denying a permit and an additional unlawful act constituting a violation. Motion was unanimously approved.

Solicitor Lyons indicated an amendment needs to be made to the fee resolution to note the application fee for a social gathering permit is now \$40.00.

Councilmember Faden made a motion, seconded by Councilmember Cook, to adopt Resolution No. 15-03, a resolution providing that the application fee for a regulated social gathering permit shall be \$40.00. Motion was unanimously approved.

MANAGER: Manager Smith stated everyone is aware that he has been working with the Lewisburg Club and service organizations to upgrade the three Welcome to Lewisburg signs. Samples (A, B, C) were given to him this afternoon and were shown to Council for their review. The Lewisburg Club recommendation was design C, and the word "Lewisburg" be in the font/lettering from Design B. He noted Design C is the largest of the three samples. It was the sense of Council the blue trim should be replaced with green. There was very **much** discussion. Manager Smith said he would be sure to address the fact we want the globes to be able to be seen, since that is a concern of Council. He also thanked David McCord of the Lewisburg Club for all his work on this project.

Councilmember Faden made a motion, seconded by Councilmember Cook, to approve the purchase of three Welcome to Lewisburg signs from Middle Creek Signs, specifically Design C, with a green background trim on the top portion of the sign, with the bottom portion of the sign remaining blue as shown, in the amount of \$6,225.00. Motion was unanimously approved.

PUBLIC WORKS COMMITTEE
COUNCIL
APPROVES CDBG PROGRAM APPLICATION FOR FFY 2015 FOR: S SIXTH ST/CURB CUTS BOROUGH WIDE/ ADMINISTRATION

FINANCE COMMITTEE
PAYMENT OF BILLS

REVIEW OF NON-UNIFORMED PENSION PLAN ASSET MANAGEMENT

MAYOR

COUNCIL PRESIDENT
LINDA STERLING RECOGNIZED FOR AWARD

SOLICITOR
PARKING METER CHANGES ON NORTH SECOND AND PARKING LOT PERMIT SPACE CHANGES IN MPL NO. 2

(ORDINANCE NO. 1035)

SOCIAL GATHERING ORDINANCE CHANGES

(ORDINANCE NO. 1036)

SOCIAL GATHERING PERMIT APPLICATION FEE

(RESOLUTION NO. 15-03)

MANAGER

COUNCIL AUTHORIZED PURCHASE OF WELCOME TO LEWISBURG SIGNS

21. 2015

Manager Smith explained that Playworld Systems requested permission to install a prototype piece of equipment in Kidsburg for photo opportunity and he was successful in negotiating for this equipment to remain in Kidsburg.

Manager Smith indicated that Citizens Electric Company wants feedback from Councilmembers on the different light lumens displayed in the Lewisburg Cemetery; he asked that Council report their findings and he will forward them to Citizens Electric Company. Councilmember Morris said she had the chance to walk with Eric Winslow to see these lights. Three of these really project the light outward, which could cause a problem by shining into windows/homes. It was the one light located nearest to the cemetery building that appeared to be the best for town, in that it is focused downward and it is the brightest white vs. what we have now in the alleys; this one was Mr. Winslow's recommendation.

Manager Smith said there has been a lot of changes with the new traffic lights and he will attempt to update everyone. He said the St. Mary Street and Route 15 light has been placed back online today, so the delays on Route 15 should not be as bad. The Fifteenth Street light on Route 45 went live today. Nada Gray commented the traffic light structural arms at Route 45 and Route 15 are the ugliest she has ever seen. Manager Smith said he agrees and has made similar comments. Ms. Gray said the Borough should not lose their ability to negotiate on these. Manager Smith said back to the traffic light on Route 15 and Route 45. It now has a left turn east and west on Route 45 headed north and south on Route 15 and then it goes to a green light on yield. Concerns were raised between pedestrians and those cars turning left on the green light on yield. There is now longer crossing time for vehicles, but because of the green light, there are now left turns which changes the safety level for the pedestrians as they will not win if they are hit by a vehicle. Solicitor Lyons said they may win in court, but that is if they survive the accident. Manager Smith said when he met with PennDOT today he asked what we can do if we do not like this. They basically said we could do a new traffic impact study. Solicitor Lyons said if pedestrians are hit there and the Police have verifiable traffic statistics, it would be a different ball game without question. Stacy Hinck commented and PennDOT will not entertain the idea of a green arrow on St. Mary Street. Dan Remley suggested communication be sent to make sure people are made aware of the change to this pedestrian/left turn situation at Routes 15 and 45, and he is talking the School District, the BVRA, etc. as there IS pedestrian usage at that location. There was **much** discussion.

OTHER COMMITTEES: Council President Bergonia reported he is the new President for the BVRA.

Councilmember Morris reported we covered the LDP already.

Councilmember Morris indicated the next meeting of the Town and Gown Committee will be in September. Dan Remley reported that Dean Susan Lance has officially resigned and in the interim Amy Badal will be Dean of Students.

Councilmember Morris indicated the LNC has not met. Mayor Wagner said there will be a Flood Committee meeting tomorrow at 8 AM at the Street of Shops.

Manager Smith indicated there is no report for the Shade Tree Commission.

Council President Bergonia reported the CK-COG has hired a new Zoning Officer, David Hines, and he should start in the next week or so.

Councilmember Morris indicated the Community Garden hasn't had a meeting.

Mayor Wagner said we already discussed the Lewisburg Area High School Repurposing.

Council President Bergonia said the Flood Impact Task Force was already discussed.

Council President Bergonia indicated there is no report on the River Town Committee activities.

Councilmember Cox reported the Municipal and Community Advisory Committee (MACAC) minutes were distributed and a meeting is scheduled for this Thursday night when he believes the funding formula will be discussed.

OLD BUSINESS: None.

NEW BUSINESS: Dan Remley reported that Bucknell University wanted a target number of 940 first year students and today that number was 946; the retention of upper classmen is consistent. Councilmember Morris said the new dorms, externally, are gorgeous. Mr. Remley said there are 198 rising seniors who live and rent downtown. There are 12 students who are truly commuting from home and there are 22 commuting adults (could be 50 years old and a returning student or be a fifth year student).

PROTOTYPE PIECE OF EQUIPMENT IN KIDSBURG

CITIZENS ELECTRIC LOOKING FOR FEEDBACK ON LIGHTING

TRAFFIC SIGNAL UPDATE

OTHER COMMITTEES BVRA

LDP

TOWN AND GOWN COMMITTEE

LNC

STC

CK-COG

COMMUNITY GARDEN

HIGH SCHOOL REPURPOSING

FLOOD IMPACT TASK FORCE

RIVER TOWN COMMITTEE

MACAC

OLD BUSINESS

NEW BUSINESS UPDATE ON BUCKNELL UNIVERSITY STUDENT NUMBERS

21, 2015

WRITTEN REPORTS: Councilmember Morris made a motion, seconded by Councilmember Faden, 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: Council President Bergonia indicated there will be a work session August for review of the Quality of Life ordinance.

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

WRITTEN REPORTS

WORK SESSION

ADJOURNMENT