

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held on **Tuesday, August 19, 2014** in the Council Chambers, 55 South Fifth Street. Present: Council Vice President Mahon; Councilmembers Baker, Cook, Cox, Faden, Morris and Strosser; Mayor Wagner, Solicitor Lyons, Manager Smith, Secretary Garrison and BVRP Chief Yost. Absent: Council President Bergonia. Also present: Tom Egan, Matt Farrand, Kim Wheeler, Sam Pearson, Owen Floody and Viola Dressler.

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 Morris, seconded by Councilmember Baker, to approve the minutes of the July 15, 2014 regular meeting. Motion was unanimously approved.

PUBLIC HEARING: Council Vice President Mahon adjourned the regular order of business to conduct a public hearing on the proposed amendment to the official map of the Borough's Historic District (expansion of boundary limits.) She called the public hearing to order at 7:05 PM.

Chad Smith, Manager, explained that Matt Sauers was unable to be in attendance tonight, but he assured Council that Mr. Sauers posted notices as required and that our Solicitor properly advertised this hearing. Councilmember Strosser said the purpose of this hearing is to outline the expansion areas of the Borough's Historic District as can be seen on the map. (Map actually hung on wall for public.) Approximately ten years ago the State did a reassessment of the National Historic District, increasing the boundaries. Although this was approved at the Federal and State levels, the Borough never adjusted the local Historic District boundaries to match. So, by doing this now, we are a step closer to becoming a certified local government and we open ourselves up to some modest State funding that we would otherwise not be eligible for. Councilmember Morris questioned if this includes the High School property. Councilmember Strosser said it does not; it encompasses the entire cemetery, the Roller Mills east and west, the Street of Shoppes, the stretch from five points toward Dunkin Donuts, a little of the side of Wolf Field, and then goes down along South Front Street and down near the Brown Street/University Avenue triangle. The map does show the railroad bridge, but since that is in Northumberland County we cannot annex that. Councilman Strosser asked if there were any questions and/or comments from the public this evening.

A gentleman (unidentified) asked if the expansion described here is identical to the expansion described in the letter he received. Solicitor Lyons said yes, except for the railroad bridge. The gentleman commented this would affect only things that can be seen from the street and the alley; his home can be seen from both the street and the alley. Councilmember Faden said only the portions of your house that can be seen from the *street* would be affected. This gentleman asked if this covers replacement in-kind or could someone explain the difference of getting a building permit for a replacement in-kind vs. some other renovation. Councilmember Strosser said it would depend upon the element, i.e. structural vs. non-structural. It is the responsibility of the building/zoning officer to determine if it is a replacement in-kind and the safest thing to do is simply ask. Councilmember Faden said at every HARB meeting there is an open time where residents can come and get answers to any questions they may have.

Matt Farrand asked what this means to the cemetery association. Councilmember Strosser said we only review buildings and structures, so it would provide protection for the fence, the chapel, and the gatekeeper's cottage, not tombstones and monuments.

Tom Egan commented the zoning ordinance has design guidelines and HARB doesn't review the design guidelines. In 2011 during review this wasn't covered well, so we should come back and review those more closely. Manager Smith said it was always our intent to have them there until such time the Planning Commission and Council could get together on an amended land development. Hopefully we can include more design and technical guidance going forward. Mr. Egan said he hopes to hear from the Borough engineer shortly.

A woman (unidentified) asked if this was passed already or is it to be passed, and what exactly happened at May's meeting vs. what we are here for tonight. Solicitor Lyons said this hearing will be closed at some point and then Council will consider the proposed ordinance to increase the Historic District boundaries. If it is adopted by Council tonight, it becomes effective immediately. Councilmember Strosser said the May meeting was a meeting sponsored by the Lewisburg Neighborhoods Corporation (LNC) and was for informational purposes.

Councilmember Strosser shared an article titled, "Historic Districts and Economics Recent Lessons" written by Donovan Rypkema, the consultant helping the High School Repurposing Committee. It explains that homes in local historic districts enjoy an immediate 2% increase in values relative to the city average and properties appreciate at an annual rate that is 1% higher than the city average. This helps property values short term and long term.

ATTENDANCE

CALL TO ORDER

APPROVAL OF MINUTES

PUBLIC HEARING PROPOSED AMENDMENT TO OFFICIAL MAP OF BOROUGH'S HISTORIC DISTRICT (EXPANSION OF BOUNDARY LIMITS)

RESIDENT (UNIDENTIFIED)

MATT FARRAND

TOM EGAN

RESIDENT (UNIDENTIFIED)

Tuesday, August 19, 2014

A woman (unidentified) asked how long it would take to process an application. Councilmember Strosser said applications are due the last day of the month, reviewed by HARB on the second Tuesday of the following month, and HARB recommendations are then forwarded to Council for review/approval the third Tuesday of the month. The woman questioned what HARB is looking for exactly? Councilmember Faden said it is the materials being used that HARB reviews, but the goal is that we want to see residents keep the defining characteristics of the buildings. An example, if the windows are the defining characteristic of the building, we would encourage that those windows remain in the building, or at the least, the same divided light pattern remain. HARB isn't interested in color; we simply want to see building look, from the street, as it originally did.

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 public hearing closed at 7:20 PM. She reconvened to the regular order of business.

PUBLIC PARTICIPATION: Samantha Pearson, Director of the LNC, briefly updated Council that they are gearing up for fall. There will be a picnic in Soldiers Park Thursday the 28th from 5:30 PM to 7:30 PM. With regard to the Flood Impact Task Force that is being created, there will be a public meeting September 3rd at the William Cameron Engine Company at 6:30 PM; Councilmember Cook is the Chairman of this Task Force.

Kim Wheeler, 45 North Seventh Street, shared her background of community planning. Her first project, while with SEDA-COG, was the Bull Run Neighborhood Revitalization Project in 2003. A plan to stabilize the neighborhood was developed through collaboration of Bucknell University, the Borough, and the residents. An Appalachian Regional Commission (ARC) grant was received and the plan was completed in 2004. What a wonderful way to involve the public and achieve something beneficial for a community. This plan document may be ten years old, but it is still relevant and the LNC plans to continue work on this today. The Elm Street funding became available shortly after this plan was developed and was available to neighborhoods surrounding Downtown Business Districts to help them become stabilized. We received that grant so we continued to focus on an area of need and were able to hire an Elm Street Manager. Now, ten years later, we attempt to continue this important work. Communities struggle with these types of funding sources stimulated by State grants. This is a moment where Council has to consider whether to sustain a program like this, when there are so many other focus areas. Having an Elm Street Manager has allowed a lot of progress to be made and she thanked Samantha Pearson for her work, noting she hasn't seen this kind of community outreach in a long time, whether it be the Bull Run Neighborhood, the North Ward, the flood meetings, all of which takes place during the hours when the Borough Staff has to return home. She stressed the value to this program and noted this is a long term process. Funding by public agencies isn't becoming easier, so staying the course and having a plan of action that is as current as possible is extremely important. She supports having someone that has the time to dedicate to neighborhood sustainability and she offers her services to assist the Borough in any way that she can. Councilmember Cook commented he plans on contacting Ms. Wheeler for assistance. Councilmember Morris questioned how we get the word out to residents that will have to pay more taxes if we keep the LNC going. We (Council) have said a lot about what the LNC does, but we haven't received feedback from the residents. Ms. Wheeler commented she has recently seen outreach or town hall meetings being held, so maybe there should be ward meetings or something along those lines. There was **much** discussion.

POLICE COMMITTEE: Council Vice President Mahon indicated there was no meeting in September. Everyone received a copy of the July 2014 monthly activity report. Chief Yost indicated the Lewisburg Area School District opens their doors tomorrow, and the Bucknell students start arriving this Friday with their first day of class being Wednesday the 27th. Mayor Wagner commented the social gathering ordinance is working well. A woman (unidentified) asked what the social gathering ordinance is. Chief Yost explained that there is an application process and pre-approval is needed for any party of 75 individuals or more serving alcoholic beverages. Manager Smith indicated the ordinance and application can be found on the Borough's website.

PLANNING COMMITTEE: Councilmember Strosser pointed out that HARB convinced the applicant of 204 South Seventh Street to repair their windows instead of replacing them as their application reflects. He pointed out that the HARB minutes are accurate; however, the agenda simply shows an approval was granted. He asked Solicitor Lyons how this should be handled. Solicitor Lyons suggested this one be approved separate from the rest with a notation they are repairing the windows and not replacing them.

Councilmember Strosser made a motion, seconded by Councilmember Cook, to approve HARB application a, specifically the *repair* of windows vs. the replacement of windows. Motion was unanimously approved.

**RESIDENT
(UNIDENTIFIED)**

**PUBLIC HEARING
CLOSED**

**PUBLIC
PARTICIPATION
SAMANTHA
PEARSON**

KIM WHEELER

POLICE COMMITTEE

**PLANNING
COMMITTEE
(HARB)**

Tuesday, August 19, 2014

Councilmember Strosser made a motion, seconded by Councilmember Cook, to approve HARB applications b, c and d, as submitted and recommended by HARB. Motion was unanimously approved.

a. Levi Beachy/204 South Seventh Street/Windows. An application was submitted to and reviewed by HARB for replacement of windows. A motion was made by Ted Strosser, seconded by Steve Snook, to recommend approval for repair of windows, noting that existing original windows be maintained as they are a defining character of this building, and also recommendation for the maintenance of the existing storm windows or replacement where necessary with the understanding the upper window is not original to the building and could be replaced, along with any windows along the back of the home. (Note: Pictures/descriptions provided as attachments to application.) Motion was unanimously approved.

b. Bison Properties, LLC/31-33 South Seventh Street/Demolition. An application was submitted to and reviewed by HARB for demolition of a garage. A motion was made by Steve Snook, seconded by Robert Cook, to recommend approval as indicated in the project description. (Note: Pictures provided as attachments to application.) Motion was unanimously approved.

c. Robert & Julie Gotoff/54 South Second Street/Removal-Reconstruction. An application was submitted to and reviewed by HARB for removal and reconstruction of a back porch enclosed area. A motion was made by Elaine Wintjen, seconded by Robert Cook, to recommend approval as detailed in the project description. Motion was unanimously approved.

d. Holly Hower/123 Market Street/Sign. An application was submitted to and reviewed by HARB for placement of a sign. A motion was made by Phoebe Faden, seconded by Elaine Wintjen, to recommend approval of this wood sign, noting that it should not be illuminated, as detailed in the project description. Motion was unanimously approved.

e. Donna Cummings/626 Market Street/Fence. An application was submitted to HARB for review; however, no one was present to address this application. This will be placed on next month's agenda for review and consideration.

Councilmember Strosser noted the Planning Committee is recommending denial of the Buffalo Valley Recreation Authority's (BVRec) request for forgiveness of the balance of the loan (line of credit) in the amount of \$4,147.83.

Councilmember Strosser reminded everyone that the Flood Impact Task Force will hold their first formal meeting September 3rd at 6:30 PM in William Cameron Engine Company (WCEC) training room.

PUBLIC WORKS COMMITTEE: Councilmember Baker pointed out the following: South Sixth Street/Phase II demolition work is complete; the South Front Street project starts September 8th; the North Seventh Street Bridge project started August 18th; the St. Louis Street/Phase I reconstruction bid opening is scheduled for September 16th; and the Brown Street reconstruction will start August 25th.

Councilmember Cox asked why Third Street was re-cut today. Manager Smith said it's the Pennsylvania American Water Company (PAWC) doing this work; after they replace lines and laterals, the Borough ordinance requires they come back through and go an additional 12" on either side to permanently pave the excavation site.

FINANCE COMMITTEE: Councilmember Morris made a motion, seconded by Councilmember Cox, to approve payment of bills from 07/12/14 through 08/15/14 in the amount of \$735,587.58. ON THE QUESTION: Manager Smith clarified that this is the time of year we perform our transfers from one fund to another. We also made our quarterly payment to the Police and there were payments for healthcare this month. If we remove the items just mentioned, the monthly payments would have been around \$161,000.00. Motion was unanimously approved.

Councilmember Morris shared that there is a member of our community who attended the Finance Committee this past month and he plans on meeting with our Manager regarding the Borough's finances. Council Vice President Mahon stated we always welcome members of the public to attend our meetings.

MAYOR: Mayor Wagner commented she has had more people remark about South Sixth Street and how beautiful it is and just think we first started working on this in 2003. She thanked the Manager for all his work and noted that this Council should be proud. Manager Smith stated this was accomplished through three Elm Street Managers, a Task Force, six PEMA agents, etc., etc. Mayor Wagner said it has been a long road, but that just shows that we do not give up.

COUNCIL VICE PRESIDENT: No report.

SOLICITOR: No report.

MANAGER: Manager Smith said we held the public hearing on the expansion of the boundary limits for the historic district.

L BEACHY

BISON PROPERTIES

R GOTOFF

H HOWER

D CUMMINGS

**BVREC
FORGIVENESS OF
DEBT DENIED**

**FLOOD IMPACT
TASK FORCE**

**PUBLIC WORKS
COMMITTEE
UPDATE ON
PROJECTS**

THIRD STREET

**FINANCE
COMMITTEE
PAYMENT OF BILLS**

MAYOR

**COUNCIL VICE
PRESIDENT**

SOLICITOR

MANAGER

Tuesday, August 19, 2014

Councilmember Cook made a motion, seconded by Councilmember Faden, to adopt Ordinance No. 1029, an ordinance changing the description of the boundary limits of the Borough's Historic District. ON THE QUESTION: Manager Smith thanked our Solicitor for the amount of work he put into this document. Solicitor Lyons questioned where a certified copy of this ordinance gets submitted at the State level. Councilmember Faden stated the Pennsylvania Historic and Museum Commission (PHMC) and the Pennsylvania Historic Commission (PHC). Motion was unanimously approved.

A woman (unidentified) asked if the value of the property goes up, would taxes go up too. And, if there are other advantages to this. Solicitor Lyons said taxes would not go up unless there was a County-wide reassessment. The assessed value would not be impacted by being in a historic district, although it increases the value when you go to sell the property. Councilmember Strosser stressed HARB is a good resource to homeowners throughout the historic district for technical assistance and/or advice on exterior improvements of your property, as well as your neighbor's property, which should give residents confidence in overall neighborhood values and stability.

Councilmember Strosser made a motion, seconded by Councilmember Baker, to approve the response to the corrective action plan of J.H. Williams as a result of their 2013 Single Audit findings. ON THE QUESTION: Manager Smith said when a municipality expends in excess of \$150,000.00 of Federal funds, they are required to do a single audit for that given year. If any of those expenditures are for a project in excess of \$300,000.00, you have to specifically include that project in the audit procedure. For 2013 we had four projects: Market Street Bulb-Outs; the Repetitive Flood Claims (RFC) Project; the Hazard Mitigation Grant (HMG) Project; and the Bull Run Stabilization. As with our annual audit there were two findings, which are standard findings: 1) we do cash basis vs. accrual with reserve and our reserve funds, and 2) we have a limited number of personnel for segregation of duties. Solicitor Lyons said we do not have to take the actions recommended, but we have to respond to the auditor's findings. The auditors have to point this out every time, even though we already know it. The Borough is at risk for not taking corrective action(s), but it is a risk we are willing to take because if we hired additional personnel to segregate the duties, it would be extremely costly. There was **much** discussion. Councilmember Morris summarized that Council approving this corrective action plan doesn't mean we are going to implement their recommendations. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Baker, to approve Resolution No. 14-10, a resolution appointing a Board of Appeals as required under the Pennsylvania Construction Code Act, specifically the Board of Appeals as established by the Central Keystone-Council of Governments (CK-COG) shall be the Board of Appeals for the Borough. Motion was unanimously approved.

OTHER COMMITTEES: Councilmember Baker reported the tennis courts were dedicated this past Saturday and the turnout was good. Also, the triathlon recently held was successful. He is currently working on the budget with Katie Davis and hopes to submit the budget to the board this month, which means it should be in Council's possession next month.

Councilmember Morris indicated the LDP is reviewing their first annual Brew-B-Que event; it seemed to be successful, but they are looking to make changes for next year in an attempt to make it better.

Mayor Wagner reported the next Town and Gown Committee meeting will be held in September.

Council Vice President Mahon asked if there is anything additional from the LNC. Ms. Pearson reminded everyone there will be a Discover Lewisburg event September 19th and more information will be available soon.

Manager Smith announced he submitted the \$10,000.00 Tree Revitalization Grant to DCNR/Department of Forestry. He was notified this week that the Borough was approved. He will be looking to identify and remove some of our Ash trees, grind stumps, and replant. Ms. Wheeler, a member of the STC, said the STC will be focusing their plantings this year on the gateways into this community with Market Street being the focus point.

There was no report on the CK-COG. Manager Smith indicated there were some recent emails regarding code enforcement and he would like to report that the Codes Department is on top of issues they are aware of, and if anyone sees any issues, i.e. debris in alleys, etc., please call so he can notify them.

Councilmember Morris indicated she had nothing new to report on the Community Garden. Manager Smith pointed out during the Little League presentation, WNEP included Lewisburg's community garden.

CHANGING BOUNDARY LIMITS OF HISTORIC DISTRICT

(ORDINANCE NO. 1029)

RESIDENT (UNIDENTIFIED)

MANAGER DIRECTED TO RESPOND TO THE CORRECTIVE ACTION PLAN OF J.H. WILLIAMS/2013 SINGLE AUDIT

APPOINTMENT OF BOARD OF APPEALS (RESOLUTION NO. 14-10)

OTHER COMMITTEES BVRA

LDP

TOWN AND GOWN COMMITTEE

LNC

STC

CK-COG

COMMUNITY GARDEN

Tuesday, August 19, 2014

Ms. Pearson said the Traffic Advisory Committee met and there was a resident present regarding North Seventh Street speeding. Manager Smith reported the Borough painted "yield to pedestrian notices" at each end of Market Street. He also noted we will be putting bright signage banners on the poles downtown at the crosswalk areas in the very near future.

Mayor Wagner indicated there was nothing new to report on the Lewisburg Area High School Repurposing Committee; next meeting is in October and we hope to look at a preliminary RFP.

OLD BUSINESS: None.

NEW BUSINESS: None.

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

WORK SESSION: Council Vice President Mahon indicated there will be a work session on September 9th.

There being no further business, Councilmember Morris 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

**TRAFFIC ADVISORY
COMMITTEE**

**LAHS REPURPOSING
COMMITTEE**

OLD BUSINESS

NEW BUSINESS

WRITTEN REPORTS

WORK SESSION

ADJOURNMENT