

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held on **Tuesday, August 21, 2012** in the Council Chambers, 55 South Fifth Street. Present: Council President Bergonia; Councilmembers Baker, Casimir, Cox, Mahon, Morris, Robinson, and Strosser; Mayor Wagner; Manager/Treasurer Smith; Solicitor Lyons; and Secretary Garrison. Also present: BVRPD Chief Paul Yost, Joseph Snyder, Dan Remley, Rick Dandes, 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 Casimir, seconded by Councilmember Baker, to approve the minutes of the regular Council meeting held July 17, 2012, with the correction reflected that Councilmember Casimir said "it is ambiguous whether or not 201A/B are contributing." ON THE QUESTION: Councilmember Casimir indicated Kristen Koconis pointed out on the second page where there were discussions about the carriage house, that the minutes reflect that he said, it is very clear 201A/B are non-contributing; he stated he doesn't think he said that and would like the minutes to reflect that he said, it is ambiguous whether or not 201A/B are contributing. He further clarified he hasn't found anything that shows it is clear they are not, but he hasn't found anything that shows it is clear that they are. Motion was unanimously approved.

PUBLIC PARTICIPATION: Linda Sterling, Executive Director of the Lewisburg Downtown Partnership (LDP), provided Council with a brief update/annual report. The LDP has two strong focuses: 1) relationship building, especially with the employers in the area when they are looking to bring people here; and 2) Leading Lewisburg, which is an economic development initiative to try to plan/shape the downtown by being proactive vs. reactive. The LDP is working on a vision and part of that vision is being a catalyst to make better use of the river. They recently did a random survey and as soon as she gets the information compiled, she will provide Council with a report. However, she has to share that she was extremely pleased with the results she has been seeing. She thanked Council for the efforts that went into the Market Street Paving Project; this project was very well planned and went extremely well. The First Friday event was a huge success. She noted the website address is www.lewisburgpa.com and suggested everyone visit this site to keep up with what the LDP is doing, noting this is the LDP's 12th year. Councilmember Morris stressed she is very pleased to be sitting on this Board and she is very impressed with the LDP.

POLICE COMMITTEE: No meeting. Chief Yost distributed and reviewed his July 2012 monthly activity report, pointing out they are producing at a higher level than projected, as they are producing numbers with two less officers than anticipated (one officer retired and one officer is out on workers compensation). There are now two certified rifle instructors, Corporal Burrows and Officer Miller, and all the former East Buffalo Township Police Officers were trained and certified on the use of the Taser weapon system and are now qualified to carry. Councilmember Cox stated National Night Out was a huge success; there was a tremendous turnout, i.e. people from Milton, Selinsgrove, Winfield, Watsontown, etc. Mayor Wagner said Corporal Burrows and Chief Yost did an exceptional job presenting an evening for our community highlighting law enforcement and agency services. Chief Yost noted this event becomes larger every year. There was **much** discussion.

PLANNING COMMITTEE: Councilmember Casimir made a motion, seconded by Councilmember Mahon, to approve HARB applications b, c, and d, as submitted and recommended by HARB. ON THE QUESTION: Councilmember Casimir asked if in the description of the windows, specifically under b, it says all windows should maintain the current size as well as location; can we make that window lights should remain the same size because he believes light refers to all the glass area. Councilmember Strosser said it refers to the count of individual panes. Councilmember Casimir suggested we come up with a standard term for this. Motion was unanimously approved.

a. Scott Bank/30-32-34 South Seventh Street/Windows. No one was present; application will be reviewed next month.

b. Levi Beachy/206-208 South Seventh Street/Windows. An application was submitted to and reviewed by HARB for replacement windows. A motion was made by Ted Strosser, seconded by Phoebe Faden, to recommend the following: six windows on front will have simulated divided lights, exterior grids, six over one; remaining windows should be one over one; the new door be a brushed finish as opposed to heavy wood grain, and all windows should maintain the current size as well as location. Motion as unanimously approved.

c. Susan M. Colon/10 South Seventh Street/Fence. An application was submitted to and reviewed by HARB for a fence. A motion was made by Phoebe Faden, seconded by Ted Strosser, to recommend approval of a new fence as proposed in the HARB application under project description, and as shown in the attached photos, said fence to be wood, painted and/or stained within one year; it was also approved that the replacement of the garage door was an in-kind replacement. Motion was unanimously approved.

d. Kim Oberdorf/139 North Second Street/Windows-Roof Reconstruction. An application was submitted to and reviewed by HARB for windows and roof reconstruction. A motion was made by Robert Cook, seconded by Phoebe Faden, to recommend approval of this work as submitted in the HARB application under project description and per the attached drawings with the provision the Kuma or Azek columns on the front stoop be smooth finish as opposed to wood grain. Motion as unanimously approved.

ATTENDANCE

CALL TO ORDER

APPROVAL OF MINUTES WITH CORRECTION NOTED

PUBLIC PARTICIPATION LINDA STERLING

POLICE COMMITTEE BVRPD UPDATE

PLANNING COMMITTEE HARB

S BANK

L BEACHY

S COLON

K OBERDORF

Tuesday, August 21, 2012

Councilmember Casimir made a motion, seconded by Councilmember Robinson, to award the Warming Hut Roof Replacement Project (located next to the Lewisburg Area Recreation Park) to Raymond Sampsell Construction in an amount not-to-exceed \$6,000.00. ON THE QUESTION: Manager Smith indicated the Public Works Committee directed him to obtain a proposal for this roof work. Figures came in at \$5,100.00 for the roof replacement in metal, and the gutters and downspouts came in at \$500.00; recognizing there was an ongoing leak and not knowing what they would find, he suggested the not-to-exceed \$6,000.00 figure. Councilmember Baker asked if that includes the woodshed also. Manager Smith said yes. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Strosser, to approve the resignation of Christopher Mussoline from the Planning Commission, with regret. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Robinson, to contract, pursuant to Ordinance No. 878, Subsection 280-21, with Hometown Disposal to allow them to provide curbside recycling for residents in the Borough. ON THE QUESTION: Councilmember Casimir stated he used the word *contract* because that is what our ordinance requires. Solicitor Lyons explained the only way the Borough can do this is to comply with a provision of our ordinance which allows the Borough to contract for this type service for residential. This contract is non-exclusive, as we are not necessarily just contracting with Hometown Disposal, but we are contracting with them to provide this service *in addition* to the recycling services already provided by the Borough. The Borough will not ignore their statutory obligations for mandatory recycling. Councilmember Casimir said this contract is important because we want the Borough to continue to get credit through the State for the tonnage coming from within this Borough. Solicitor Lyons said this will not be a complicated contract, we are simply going to allow them to do this, it will be non-exclusive, they will have to meet certain criteria, i.e. safety issues, sanitary issues, etc. in the performance of this work, and allow the Borough to take advantage of the tonnage they collect within the Borough. There was *much* discussion. Councilmember Morris stated residents need to know they are not obligated to go with Hometown Disposal and that the Borough will continue to provide its current recycling services. She suggested this information be included in the Borough's newsletter. Manager Smith said Hometown Disposal approached the Borough because they know the Borough has a municipal refuse system, and he immediately contacted the Solicitor to get his input. Per Act 902 the Borough is mandated to pick-up residential recycling, but it does allow the Borough to contract with a private hauler for recycling pick-up. Should a resident wish to pay for the convenience of single stream recycling, which the Borough cannot provide, they may do so. Manager Smith noted Bucknell University is collecting single stream recycling from off-campus students every Saturday and then *they* sort it and take it to the Borough's Recycling Center. Councilmember Casimir pointed out that Hometown Disposal accepts a lot more than what the Borough does. Solicitor Lyons indicated he, along with the Manager, will work on the contract. Motion was unanimously approved.

PUBLIC WORKS COMMITTEE: Councilmember Strosser made a motion, seconded by Councilmember Robinson, to award the North Seventh Street Project to Fairchild Brothers, Inc. in the amount of \$6,040.00. ON THE QUESTION: Manager Smith commented this is removal of the rail and the ties, a small project that will meet the PUC requirements to have the Seventh Street and Eighth Street crossings abandoned. Motion was unanimously approved.

FINANCE COMMITTEE: Councilmember Casimir made a motion, seconded by Councilmember Mahon, to approve payment of bills from 07/14/12 through 08/17/12 in the amount of \$345,595.48. Motion was unanimously approved.

MAYOR: Mayor Wagner said LARA did a great job with the Triathlon; it was a huge success. The easels for the Poetry Path have been installed at various locations and she has heard positive comments; the official opening of the Poetry Path is scheduled for this Friday at 3 PM. Councilmember Morris indicated the Woolly Worm is Saturday, October 6th and the Bull Run Neighborhood Group is working with the Kiwanis Club on this event. Mayor Wagner indicated she, along with Councilmember Morris, will be attending an event Thursday at Bucknell President Bravman's house regarding autism research. A Backpack Program initiated by a Borough woman ended up being a private/public initiative, and was a huge community success. Councilmember Morris indicated the Lewisburg Community Garden has been very successful; their picnic went very well with 25 to 30 people in attendance this past Saturday. They are asking for help, as they will soon be harvesting all of the crops. She has recommended the Lewisburg Community Garden approach the Borough as we are getting close to the end of their first year. She also indicated they are considering doing winter crops.

COUNCIL PRESIDENT: Council President Bergonia stated National Night Out and the LARA Triathlon were extremely successful events.

**WARMING HUT
ROOF
REPLACEMENT
APPROVED**

**C MUSSOLINE/
RESIGNATION
FROM PLANNING
COMMISSION**

**HOMETOWN
DISPOSAL
PERMITTED TO
PROVIDE
CURBSIDE
RECYCLING**

**PUBLIC WORKS
COMMITTEE
NORTH SEVENTH
STREET PROJECT
APPROVAL
(REMOVAL OF
RAIL AND TIES)**

**FINANCE
COMMITTEE
PAYMENT OF
BILLS**

MAYOR

**COUNCIL
PRESIDENT**

Tuesday, August 21, 2012
SOLICITOR: No report.

MANAGER: Councilmember Casimir made a motion, seconded by Councilmember Morris, to approve Resolution No. 12-04, an application to PennDOT for permission to erect a banner over Market Street on behalf of the Green Dragon Foundation and Lewisburg Area High School Alumni Association. Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Mahon, to award the North Water Street Project to Dave Gutelius Excavating, Inc. in the amount of \$15,711.00, with the Borough being reimbursed by Craig Bennett in the amount of \$6,500.00 for the private work associated with this project. ON THE QUESTION: Manager Smith explained the parking lot area at the Street of Shops doesn't drain properly; it drains onto the sidewalk impacting three or four residents. There is no way to correct the drainage given its location, so we looked into tying into the public system on St. John Street. Councilmember Casimir stated the term "reimbursed" concerns him; does that mean we are going to wait until the work is done and then get the payment or are we getting the payment up front since we are doing private work. Manager Smith said provided Council approves this, he would go back to Mr. Bennett and work out details for an agreement much like we do with residents when sidewalk work is needed in conjunction with a Borough project, i.e. the Borough pays the costs and then gets reimbursed. Councilmember Baker reported Mr. Bennett has agreed to pay this amount. Solicitor Lyons commented entering into an agreement is fine, as we have recourse. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Mahon, to approve Resolution No. 12-05, final application for administrative funds from the Pennsylvania Department of Community and Economic Development (DCED) for the purpose of continuing to employ an Elm Street Manager. ON THE QUESTION: Manager Smith said 2013 is the fifth and final year for the Elm Street Manager funding. Motion was unanimously approved.

Councilmember Mahon questioned when repair work will be done on North Fourth Street; its condition is very bad due to Pennsylvania American Water Company (PAWC) work. Manager Smith said the Borough is notified when a project is being done; the PAWC indicated they were replacing the main line and then going back and replacing laterals. Every time a street is opened, *temporary* restoration work is done until such time they are ready for final restoration work. You are now seeing temporary restoration work.

OTHER COMMITTEES: Council President Bergonia reported LARA should be moving into their new office this Saturday; it is located in Brook Park Farms and is a purple building located next to, what used to be, the Rug Outlet. Manager Smith reported LARA is extremely pleased the Borough is taking care of the roof repairs at the warming hut. Councilmember Casimir noted there are two doggy swims coming up.

Councilmember Morris said she has nothing more to report on behalf of the LDP; Linda Sterling did a great job this evening.

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

Councilmember Morris noted there are vacancies on the LNC; two Borough Council representatives are needed, as well as a HARB representative, effective January 1, 2013. Councilmember Strosser stated he believes he found a HARB member. Councilmember Strosser reported the LNC is having a Board Retreat this Saturday in the basement of the Post Office from 8 AM to 12 Noon.

Councilmember Casimir reported the STC's main project this summer has been taking the opportunity to look closely at North Fourth Street, since this street and the planning wells have been dug up, with the intent of repopulating with shade trees; approximately 24 sites were identified between Market Street and five points. The STC intends on buying trees in bulk and working with the Borough to dig planting wells where necessary so residents will get a shade tree at a significant discount.

Council President Bergonia stated there is nothing new to report with regard to the CK-COG. Councilmember Casimir said regarding the new rooming and lodging house definition and our first application last month, the CK-COG has identified 41 different structures this designation would apply to, and on their own initiative sent out letters to the owners of all those buildings regarding our new process and the application process, as a means of preparing for future enforcement.

OLD BUSINESS: None.

NEW BUSINESS: None.

SOLICITOR

MANAGER
(RESOLUTION NO. 12-04) BANNER FOR GREEN DRAGON FOUNDATION

NORTH WATER STREET PROJECT APPROVAL

(RESOLUTION NO. 12-05) FINAL APPLICATION TO DCED FOR ELM STREET FUNDING

CONDITION OF NORTH FOURTH STREET AS A RESULT OF WATER COMPANY WORK

OTHER COMMITTEES
LARA

LDP

TOWN AND GOWN

LNC

STC

CK-COG

OLD BUSINESS

NEW BUSINESS

Tuesday, August 21, 2012

WRITTEN REPORTS: Councilmember Casimir 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 asked if a work session is needed. Manager Smith said we should tentatively schedule one for Tuesday, September 11th.

EXECUTIVE SESSION: Councilmember Casimir made a motion, seconded by Councilmember Morris, to hold an executive session on a personnel issue. Motion was unanimously approved.

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

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

There being no further business, Councilmember Mahon made a motion, seconded by Councilmember Strosser, 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

**EXECUTIVE
SESSION ON
PERSONNEL
MATTER**

RECESS

**(EXECUTIVE
SESSION)**

ADJOURNMENT