

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held on **Tuesday, October 16, 2012** in the Council Chambers, 55 South Fifth Street. Present: Council President Bergonia; Councilmembers Baker, Casimir, Cox, Mahon, and Strosser; Mayor Wagner; Manager/Treasurer Smith; Solicitor Lyons; and Secretary Garrison. Absent: Councilmembers Morris and Robinson. Also present: Joe Snyder, Dan Remley, Karilyn Angelo, Matt Diles, Kaisha Johnson, Stacey Sommerfield, Molly Wilgucki, Blair Kalichman, Victoria Mold, Juliet Kelso, Alison Dyott, Sophie Kleinert, Diane Bonner, Josh Bonner, Lannie Shaffer, Lee Shaffer, Nathan Beduseigneur, Jordon Triwitz, Trevor Lloyd, Ross Wiley, Harold Harrison, Joseph Matter, Evan Armstrong and Logan Shaffer.

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 Cox, seconded by Councilmember Strosser, to approve the minutes of the regular Council meeting held September 18, 2012 and work session held October 09, 2012. Motion was unanimously approved.

PUBLIC PARTICIPATION: Stacey Sommerfield of Bucknell University was present to report on the many activities surrounding the community garden, and announced that the first season of the Lewisburg Community Garden was a *huge* success. She provided several handouts that addressed the garden contract, a recap of the first year, the year end tasks, as well as the actual brochures for the Community Garden and the Community Harvest Meal Program. She explained the Advisory Board addressed membership in an effort to allow new people to participate each year. Matt Diles, a senior at Bucknell University, and Kaisha Johnson, a junior at Bucknell University, shared their experiences with the Community Garden. Mayor Wagner applauded everyone's efforts and indicated the community garden proved to be an asset to our community. Councilmember Casimir stated his satisfaction with the handling of the community garden all spring, summer and fall, commends everyone for their work and noted he appreciates the planting of the winter oats, both in terms of the health of the garden, as well as the appearance of the garden to those passing by.

Council President Bergonia acknowledged the attendance of students from a Bucknell University journalism class and Boy Scouts from Troop #509. The Troop Leader reported the Scouts present this evening are working on either their communication merit badges or their citizenship of the community badges; both are requirements for Eagle Scout.

POLICE COMMITTEE: No meeting. Chief Yost distributed and thoroughly reviewed his September 2012 monthly activity report. He explained that Lewisburg, for one year of activity, contracted 25.68 Police Protection Units (PPUs), which averages out to 2.14 PPUs per month. During the month of September we delivered 1.87 which is a little below what we are to produce, but the average over the seven month tracking period puts us at 2.13. (For the public, Chief Yost explained in detail the calculation used to determine a PPU and Mayor Wagner explained the recent regionalization of the Lewisburg Police and the East Buffalo Police Departments.)

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

a. Adrian Pinter/518 Market Street/Renovations. An application was submitted to and reviewed by HARB for renovations. A motion as made by Kim Walter, seconded by Mary Mastascusa, to approve the renovation work as described in the HARB application under project description and as shown on the drawing presented and titled Option #3. Motion was unanimously approved.

b. 535 Inc. (Kevin Gardner)/43/45 South Second Street/Windows. An application was submitted to and reviewed by HARB for replacement windows. A motion was made by Phoebe Faden, seconded by Robert Cook, to approve replacement of the windows provided they have six over six exterior divided lights, and the original openings and size are maintained, as described in the HARB application under project description. (Note: HARB realizes these windows will allow easier egress vs. the existing windows in the case of an emergency as this structure contains apartments.) Motion was approved with one abstention. (Ted Strosser abstained.)

c. Lynn Thomas-Brenda Mader/120 South Fourth Street/Addition. An application was submitted to and reviewed by HARB for an addition. A motion was made by Robert Cook, seconded by Elaine Wintjen, to approve this addition, specifically the removal of the mudroom and the construction of a single story addition, as well as replacement of two sections of existing fence with the already existing HARB approved fence that currently exists in the back yard, and as described in the HARB application under project description and as shown in the drawings attached. Motion was approved with one abstention. (Ted Strosser abstained.)

d. Tamra Thomas/130 St. George 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 approve the replacement of windows provided they maintain the existing light and size, and the wrapping of the sills in aluminum provided it matches the existing profile, as described in the HARB application under project description and as shown in the attached brochure. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Strosser, to appoint Councilmember Baker to serve on the Lewisburg Area Recreation Authority (LARA), appointment retroactive to September 18, 2012. Motion was unanimously approved.

ATTENDANCE

CALL TO ORDER

APPROVAL OF MINUTES

**PUBLIC PARTICIPATION
STACEY SOMMERFIELD/
COMMUNITY GARDEN**

POLICE COMMITTEE

**PLANNING COMMITTEE
HARB**

A PINTER

535 INC.

**L THOMAS/B
MADER**

T THOMAS

**COUNCILMEMBER
BAKER
RETROACTIVELY
APPOINTED TO
SERVE ON LARA**

Tuesday, October 16, 2012

Councilmember Casimir made a motion, seconded by Councilmember Baker, to approve use of the Borough's three globe light standard logo by the Lewisburg Cycling Club. ON THE QUESTION: Councilmember Casimir said there was concern this might look like a Borough sponsored activity, and this included the Lewisburg Downtown Partnership's (LDP) slogan, which we were uncomfortable with. Manager Smith said the LDP was contacted and they agreed to allow the use of their logo on the back of the shirts. This is very similar to the other requests we have received and approved. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Strosser, to put forward Phoebe Faden as the Historic Architectural Review Board (HARB) representative to serve on the Lewisburg Neighborhoods Corporation (LNC), upon Ted Strosser's term expiration. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Strosser, to adopt Resolution No. 12-06, ratifying, adopting and approving the Regional Solid Waste Management Plan as the Borough's Regional Solid Waste Plan, and approving its submittal by Union County to the Pennsylvania Department of Environmental Protection for review and approval. ON THE QUESTION: This was a five county Regional Solid Waste Study; the committee formed was made up of numerous Managers, Lycoming County representatives, as well as State agencies, i.e. DEP. The goal was to standardize methods of the private haulers, scheduling, recycling, etc. The County requested we take action on this resolution and our Solicitor has reviewed it. Councilmember Casimir commented our Manager represented the Borough, and Shawn McLaughlin represented the County Planning Department on this committee. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Strosser, to grant an exemption for Sunoco Final Land Development Plan at the corner of Route 15 and Route 192 in accordance with Section 106.A of the Stormwater Management Ordinance since the proposed project does not increase impervious coverage as recommended by the Borough Planning Commission and Borough Engineer. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Baker, to approve the Sunoco Final Land Development Plan, location of Route 15 and Route 192, revision dated September 12, 2012, based on the recommendation from the Lewisburg Planning Commission with two conditions: receipt of acceptable executed Stormwater Facilities Maintenance and Monitoring Agreement, and 2) receipt of acceptable executed Improvements Guaranty Agreement. ON THE QUESTION: Manager Smith indicated he has a set of plans should anyone wish to see them; essentially the islands will stay where they are, the store and bay will be demolished, and the building being relocated to the back of the property, the store will be enlarged with no bay for mechanical services, and there will be a little green space out front. Motion was unanimously approved.

Councilmember Casimir said we already talked about the Community Garden and the Planning Committee had reviewed the management/operation of the community garden and believed everything to be satisfactory. He said primarily because of Josh Steinhurst of the Planning Commission attending the Planning Committee meetings, there was discussion about granny flats and the Planning Commission taking that up with a little more alacrity; Mr. Steinhurst gave advice on how to proceed, so an email was sent to the Planning Commission detailing what the Planning Committee's intent is so the Planning Commission would have better direction. He also reported he will be meeting with Ted Strosser and Barb Martin, the newly formed LDP design group, to keep the off-premise sign project moving forward.

Manager Smith said there was an issue with the sandwich board signs this week. The downtown businesses technically own the sidewalk, so a sandwich board in front of their business representing their business is considered a temporary sign, is legitimate provided zoning reviewed the sign and it is placed out there daily (being removed at the end of each day). It is the businesses located off of Market Street that cannot bring their signs onto Market Street.

PUBLIC WORKS COMMITTEE: Councilmember Strosser made a motion, seconded by Councilmember Casimir, to direct the Solicitor to advertise an ordinance allowing persons to ride a bicycle upon the sidewalk located on the north side of Market Street between the eastern right-of-way line of Route 15 and the eastern right-of-way line of Eighth Street. ON THE QUESTION: Councilmember Strosser said this is to allow the temporary Rail/Trail connection from the Route 15/Route 45 traffic light to allow people to safely get into the Borough. Manager Smith said he is very excited for this, as it seems like an extremely safe way to get into the Borough. Councilmember Mahon asked if there was input from residents. Manager Smith said no, but this ordinance has not been advertised to the public yet. Councilmember Casimir said those residents will have the opportunity to come and speak for or against this before enactment. Motion was unanimously approved.

APPROVAL OF USE OF THREE GLOBE LIGHT STANDARD LOGO BY LEWISBURG CYCLING CLUB

PHOEBE FADEN SUGGESTED TO SERVE ON LNC AS HARB REPRESENTATIVE

RESOLUTION NO. 12-06/REGIONAL SOLID WASTE MANAGEMENT PLAN

EXEMPTION GRANTED FOR SUNOCO FINAL LAND DEVELOPMENT PLAN

SUNOCO FINAL LAND DEVELOPMENT PLAN APPROVED WITH TWO CONDITIONS

GENERAL UPDATE

SANDWICH BOARD SIGN DISCUSSION

PUBLIC WORKS COMMITTEE SOLICITOR DIRECTED TO ADVERTISE ORDINANCE ALLOWING BICYCLES UPON SIDEWALK ON NORTH SIDE OF MARKET STREET BETWEEN ROUTE 15 AND EIGHTH STREET

Tuesday, October 16, 2012

FINANCE COMMITTEE: Councilmember Casimir made a motion, seconded by Councilmember Strosser, to approve payment of bills from 09/15/12 through 10/12/12 in the amount of \$104,763.15. ON THE QUESTION: Councilmember Casimir said he believes this is the lowest bill pay amount ever. Manager Smith explained the last two week bill pay did not get included in this as our Accounts Payable/Payroll Clerk was on vacation; next month's bill pay will reflect that two week period. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Mahon, to approve J.H. Williams & Company, LLP, Certified Public Accountants, to conduct the annual audit for the Fiscal Year 2012 in the amount of \$10,000.00 as well as prepare all quarterly taxing forms for Fiscal Year 2013 in the amount of \$2,080.00. ON THE QUESTION: Councilmember Casimir reported with an accounting expert on our Finance Committee now, it has been suggested by Councilmember Baker that, although we have had satisfactory dealings with J.H. Williams, because we have been with them for some time and a critical eye is needed, it was agreed that next year the Borough will open up the auditing process to other qualified accountants. Motion was unanimously approved.

Councilmember Casimir announced that the 2013 Budget discussions will continue at the November work session.

MAYOR: Mayor Wagner announced the hours for trick or treating in the Borough are 6 PM to 9 PM Wednesday, October 31st. (Mayor Wagner explained to the public present that as Mayor she doesn't vote; she isn't allowed to vote unless there is a tie. She can break a tie or call a special meeting for Council to vote again.) She reported the Woolly Worm Festival was a huge success and thanked the Bull Run Neighborhood Committee, a subdivision of the Lewisburg Neighborhood Corporation, for their help this year. She announced at the last Regional Police Commission meeting, Graham Showalter, a local attorney, was given a Certificate of Achievement by the Buffalo Valley Regional Police Commission (BVRPC) as he has been assisting with the regional police planning in some form or another for the past thirty years. Mr. Showalter is a great citizen and the force behind the Fourth of July Parade and the Cavalcade of Champions, and we were glad to recognize him for his work.

Chief Yost reported each Police Department (Lewisburg and East Buffalo) had their own Union Contract and when we regionalized, they had to come together to form a new organization which means they had to negotiate a new Union Contract representing this new organization with the BVRPC. Because each department had different benefit and compensation packages, it took a long time, but he is pleased to announce we finally have a signed new contract which doesn't expire until December 31, 2016. Mayor Wagner stressed the Chief deserves a lot of credit. Councilmember Cox said as does the Manager for his assistance.

COUNCIL PRESIDENT: No report.

SOLICITOR: No report.

MANAGER: Manager Smith indicated the parking meters will be covered during the Holiday Season beginning Wednesday, November 21st through Monday, January 1st. He explained the Lewisburg Downtown Partnership (LDP) notified him they were short on funding for the purchase of the Holiday meter bags, so the Borough will take care of this purchase. The LDP normally makes a request for the meters to be covered; however, Council already established for 2012 that permits would be sold for eleven months. He asked Council's intention for 2013. Councilmember Casimir suggested that be addressed during budget discussions. The Troop Leader indicated the Boy Scouts need some community service hours, so he would be willing to volunteer their services to bag the meters for the Borough. Manager Smith said he would be in touch.

Manager Smith reminded everyone leaf season is here; ticketing **and towing** are taking place on the streets posted "no parking until noon." It is extremely important that the leaves are removed because if they are not they eventually find their way to the storm sewer inlets, clogging them, which causes flooding when it rains. Press Releases were prepared and sent to the newspapers, the radio stations, etc. Chief Yost reminded the public the normal street cleaning process doesn't take as much time as the leaf removal process so it is important to obey the **no parking until noon** sign.

Councilmember Cox asked if there is an update on the private recycling haulers. Manager Smith said a Recycling Agreement has been finalized, which we will be using.

OTHER COMMITTEES: Council President Bergonia reported, on behalf of LARA, they are in their new office located in Brook Park Farms, and are currently working on their budget.

Mayor Wagner said the LDP recently had their assessment and it went extremely well.

FINANCE COMMITTEE
PAYMENT OF BILLS

JH WILLIAMS
APPROVED TO CONDUCT ANNUAL AUDIT FOR 2012 AND PREPARE QUARTERLY TAXES FOR 2013

2013 BUDGET DISCUSSIONS CONTINUE AT NOVEMBER WORK SESSION

MAYOR

BVRPD SIGNED UNION CONTRACT

COUNCIL PRESIDENT

SOLICITOR

MANAGER
PARKING METERS COVERED FOR HOLIDAY SEASON

LEAF SEASON REMINDER/ TICKETING AND TOWING

RECYCLING AGREEMENT

OTHER COMMITTEES
LARA

LDP

Tuesday, October 16, 2012

Mayor Wagner said the Town and Gown Committee will meet in November.

Councilmember Strosser stated the LNC board meeting was a follow up to the Retreat, and they are moving forward with designating Ward I Plus, which is North of Market Street, everything from Fifth Street to the railroad tracks, and Wolf Field to the river and Cherry Alley.

Councilmember Casimir reported the Chairwoman of the Shade Tree Commission is pregnant and just started a new job, so this month we were strict about enforcing the rule that we must receive applications by the end of the previous month or they rollover to next month's meeting. Four of the five applications fell into that category. He announced that Citizens Electric Company has always been a great partner of the Shade Tree Commission and this year they have donated \$600 toward the planting of trees in the D.F. Green Field Complex.

Council President Bergonia indicated the CK-COG had their annual meeting which was well attended; their membership is now at 45. There was an ISO review of the COG's coverage area (conducted by the State), and on a scale of 1 to 10 (1=best and 10=worst) the CK-COG's rating for municipal insurance purposes was a 3 for residential and a 2 for commercial; both *are* excellent.

Council President Bergonia indicated we already discussed the Community Garden.

OLD BUSINESS: None.

NEW BUSINESS: None.

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 reported there will be a work session held on Tuesday, November 13th to discuss the 2013 budget.

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

Council President Bergonia called for a five minute recess at 7:50 PM. Council returned at 8:00 PM.

Council entered executive session at 8:00 PM. Council returned at 8:15 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 8:15 PM.

Respectfully submitted,

Patricia M. Garrison
Borough Secretary

TOWN AND GOWN

LNC

STC

CK-COG

COMMUNITY GARDEN

OLD BUSINESS

NEW BUSINESS

WRITTEN REPORTS

WORK SESSION

EXECUTIVE SESSION

RECESS

(EXECUTIVE SESSION)

ADJOURNMENT