

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held on **Tuesday, November 17, 2015** in the Council Chambers, 55 South Fifth Street. Present: Council President Bergonia; Councilmembers Cook, Cox, Faden, Mahon, Morris and Strosser; Mayor Wagner, Solicitor Lyons, Manager Lowther, Interim Manager Hamberger, Secretary Garrison and BVRP Chief Yost. Absent: Councilmember Baker. Also present: Matt Farrand, Lauren Pavlechko, Gary Frederick, and Scott Kling.

CALL TO ORDER: Council President Bergonia called the meeting to order at 7:00 PM, followed by the pledge of allegiance.

WELCOME AND INTRODUCTION OF WILLIAM LOWTHERT/MANAGER: Council welcomed William Lowther to his first official Council meeting.

APPROVAL OF MINUTES: Motion was made by Councilmember Faden, seconded by Councilmember Cook, to approve the minutes of the October 20, 2015 regular meeting, the November 3, 2015 work session. Motion was unanimously approved.

PUBLIC PARTICIPATION: Samantha Pearson, LNC Director, updated Council on the various Bull Run focus groups, Rivertown efforts, connectivity issues, and new volunteers as a result of the recent charrette. Mayor Wagner reported the charrette was extremely successful.

POLICE COMMITTEE: Council received the Chief's monthly report. Chief Yost briefly reviewed his report. He reported that Officer Baumwoll has successfully completed his probationary period.

PLANNING COMMITTEE: Councilmember Strosser made a motion, seconded by Councilmember Faden, to approve HARB letters a through e, as submitted and recommended by HARB. Motion was unanimously approved.

a. Bucknell University/Moore Avenue/Renovations. An application was submitted to HARB for renovation work to Roberts Hall. A motion was made by Steve Snook, seconded by Robert Cook, to recommend approval of the renovations as indicated in the project description of the HARB application and as shown in the booklet attached, titled, "Roberts Hall Renovations." Motion was unanimously approved.

b. Daniel Mulligan/340 North Third Street/Windows-Siding. An application was submitted to and reviewed by HARB for windows-siding. A motion was made by Rob Cook, seconded by Elaine Wintjen, to recommend approval of the replacement of windows-siding as described in the project description of the HARB application, specifically triple three smooth vinyl siding and windows same sizes as currently exist-wood windows, true divided lights two over two as existing. Motion was unanimously approved.

c. Bucknell University/414 South Seventh Street/Windows. An application was submitted to and reviewed by HARB for new windows. A motion was made by Elaine Wintjen, seconded by Mary Mastascusa, to recommend approval of the replacement windows-door as described in proposal attached dated October . (Note: Sign/plaque will be addressed at December HARB meeting.) Motion was unanimously approved.

d. Laura Payne/26 South Third Street/Windows-Door. An application was submitted to and reviewed by HARB for windows-door. A motion was made by Steve Snook, seconded by Robert Cook, to recommend approval of the replacement windows-door as described in proposal attached dated October . (Note: Sign/plaque will be addressed at December HARB meeting.) Motion was unanimously approved.

e. Brian Ranck/60 South Seventh Street/Roof. An application was submitted to and reviewed by HARB for a roof. A motion was made by Rob Cook, seconded by Mary Mastascusa, to recommend approval of the replacement roof, using architectural shingles (Note: roof material is not character defining feature), and replacement aluminum gutters one-half round. Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Morris, to approve Borough's submission of an Implementation Grant, a matching grant for up to \$50,000.00, to the Department of Community and Economic Development (DCED) for the planter project on Market Street as prepared by Linda Sterling, Executive Director of the LDP, and authorize Council President to sign Resolution No. 15-08. **ON THE QUESTION:** Councilmember Strosser pointed out there is no Borough funding as part of this grant application or match. Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Faden, to approve the request of Marna Benion for use of the Borough's three-globe light standard in her photographs. **ON THE QUESTION:** Councilmember Morris stated Ms. Benion must realize this is only for pictures she has taken and is selling. Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Mahon, to appoint Trey Casimir as the Chairman of the Vacancy Board, to fill the existing vacancy with a term expiration of 12/31/15; and reappoint Trey Casimir as Chairman of the Vacancy Board to serve a two year term 01/01/16 through 12/31/17. Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Faden, to reappoint William O. Smith to the Lewisburg Area Joint Sewer Authority (LAJSA) to serve a five year term 01/01/2016 through 12/31/20. Motion was unanimously approved.

ATTENDANCE

CALL TO ORDER

**WELCOME TO NEW
MANAGER
LOWTHERT**

**APPROVAL OF
MINUTES**

**PUBLIC
PARTICIPATION**

POLICE COMMITTEE

**PLANNING
COMMITTEE
HARB**

**BUCKNELL
UNIVERSITY**

D MULLIGAN

**BUCKNELL
UNIVERSITY**

L PAYNE

B RANCK

**APPLICATION FOR
DCED
GRANT/PLANTER
PROJECT BY LDP
(RESOLUTION NO. 15-
08)**

**APPROVAL
GRANTED TO MARNA
BENION FOR USE OF
STREET LIGHT LOGO**

**APPOINTMENT/
REAPPOINTMENT OF
T CASIMIR (VACANCY
BOARD)**

**APPOINTMENT OF W
SMITH
(LAJSA)**

November 17, 2015

Councilmember Strosser made a motion, seconded by Councilmember Faden, to reappoint Elaine Wintjen to the Historic Architectural Review Board (HARB) to serve a three year term 01/01/16 through 12/31/18. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Cook, to reappoint Ted L. Strosser to the Historic Architectural Review Board (HARB) to serve a three year term 01/01/16 through 12/31/18. Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Faden, to reappoint Stacy C. Hinck to the Planning Commission to serve a four year term 01/01/16 through 12/31/19. Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Mahon, to reappoint Bud Hiller to the Planning Commission to serve a four year term 01/01/16 through 12/31/19. Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Cook, to reappoint Kim Wheeler to the Shade Tree Commission (STC) to serve a five year term 01/01/16 through 12/31/20. Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Morris, to reappoint Daniel DeFebbo to the Zoning Hearing Board (ZHB) to serve a three year term 01/01/16 through 12/31/18. Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Mahon, to reappoint Judith T. Wagner to the Buffalo Valley Regional Police Commission (BVRPC) to serve a two year term 01/08/16 through 01/07/18. Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Mahon, to reappoint Ed Cox to the Buffalo Valley Regional Police Commission (BVRPC) to serve a two year term 01/08/16 through 01/07/18. Motion was unanimously approved.

Councilmember Strosser made a motion, seconded by Councilmember Mahon, to dissolve the CATV Advisory Committee, as recommended by the Council President. ON THE QUESTION: Councilmember Morris questioned why we are doing this. Council President Bergonia reported there hasn't been a need for a meeting in years, and there isn't much to be done right now anyway. Mayor Wagner indicated there are two cable franchise agreements and soon there will be only one as Windstream has notified customers that their television signal will cease at the end of this year. Manager Lowthert said the agreement with Service Electric Cablevision (SECV) doesn't expire until 2021. Motion was unanimously approved.

Councilmember Strosser pointed out there are currently two vacancies on the Planning Commission and one vacancy on the Shade Tree Commission, and as a result of two people not seeking reappointment, there will be one vacancy on the Historic Architectural Review Board (HARB) and one vacancy on the Buffalo Valley Recreation Authority (BVRA) effective 01/01/16. Manager Lowthert said if anyone is interested in serving, please direct your letter of interest to him and he will process it through the appropriate channels.

PUBLIC WORKS COMMITTEE: Councilmember Faden made a motion to enter into an agreement with Larson Design Group (LDG) for a condition assessment of the Borough Office Building, as outlined in the agreement dated October 23, 2015, at a cost of \$3,500.00. Motion was unanimously approved.

Councilmember Faden made a motion, seconded by Councilmember Morris, to authorize the Council President to sign an Environmental Covenant Agreement between the Borough of Lewisburg and UGI Central Penn Gas, Inc. for the property known as 210 South Front Street, as required by the Pennsylvania Uniform Environmental Covenants Act, said agreement was reviewed and approved by the Borough Solicitor. Motion was unanimously approved.

Councilmember Faden reported a presentation was made by the Shade Tree Commission (STC) for the planting of approximately 72 trees in the LAR Park and the Public Works Committee provided input to the STC, and this plan, when finalized, will be presented to Council for review and approval.

FINANCE COMMITTEE: Councilmember Morris made a motion, seconded by Councilmember Faden, to approve the payment of bills from 10/17/15 through 11/13/15 in the amount of \$653,952.79. ON THE QUESTION: Interim Manager Hamberger reported the amount is large because we made allocations to the pension plans, an allocation to the Regional Police, as well as an allocation to the Fire Company. Motion was unanimously approved.

REAPPOINTMENT OF
E WINTJEN
(HARB)

REAPPOINTMENT OF
T STROSSER
(HARB)

REAPPOINTMENT OF S
HINCK
(PLANNING
COMMISSION)

REAPPOINTMENT OF
B HILLER
(PLANNING
COMMISSION)

REAPPOINTMENT OF
K WHEELER
(STC)

REAPPOINTMENT OF
D DEFEBBO
(ZHB)

REAPPOINTMENT OF
JUDITH T WAGNER
(BVRPC)

REAPPOINTMENT OF
ED COX
(BVRPC)

CATV ADVISORY
COMMITTEE
DISSOLVED

UPDATE ON
VACACANCIES

**PUBLIC WORKS
COMMITTEE
AGREEMENT WITH
LDG FOR CONDITION
ASSESSMENT OF
BOROUGH BUILDING**

ENVIRONMENTAL
COVENANT
AGREEMENT WITH
UGI CENTRAL PENN
GAS FOR 201 SOUTH
FRONT STREET

STC PRESENTATION
UPDATE

**FINANCE COMMITTEE
PAYMENT OF BILLS**

November 17, 2015

Councilmember Morris made a motion, seconded by Councilmember Faden, to acknowledge receipt of the Annual Financial Statement/December 31, 2014, from J.H. Williams & Company, LLP. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Strosser, to direct the Solicitor to amend the traffic ordinance to provide for an increase in the parking ticket fine from \$5.00 to \$8.00 if paid within 48 hours. ON THE QUESTION: Councilmember Mahon asked how we decided upon this amount. Councilmember Morris indicated we compromised and we took into consideration the comments of Linda Sterling, Executive Director of the LDP, and she was fine with this solution. Councilmember Strosser commented this was thoroughly reviewed and there were only three places to obtain the additional revenue needed: 1) from the taxpayer at large, 2) the people plugging the meters, or 3) the people breaking the law and not feeding the meters. The committee decided to require a fine of \$8.00 instead of the \$10.00 originally discussed so it should be noted this probably will not cover the deficit. Motion was approved with one dissenting vote, Councilmember Mahon voted no.

(NOTE: A member of public participation questioned when business is down and traffic is down, why raise something like this 60%. Manager Lowthert said he is new and doesn't have background on this, but he sees two options before Council. You either penalize the people who break the law or you penalize the people who don't break the law by increasing meter costs. There was **much** discussion on this topic.)

Councilmember Morris made a motion, seconded by Councilmember Cox, to approve the expenditure of \$15,000.00 from the General Fund to the Buffalo Valley Recreation Authority (BVRA) in order to make them fiscally solvent through December 31, 2015. ON THE QUESTION: Councilmember Strosser asked why we are faced with this again. This request has been a repeat occurrence by BVRA for several years in a row and this Council increased revenues with the understanding this situation would not occur again. Council President Bergonia indicated over the last two years there have been a couple of major unforeseen expenses for the pool dealing with pumps and water, and the BVRA is facing a huge deficit. Interim Manager Hamberger commented swimming pools are very expensive to maintain. The BVRA's budget is one of money in and out, so there is no capital reserve fund for them to fall back on. His suggestion is that in the future East Buffalo Township and this Borough spend time with the current Director of the BVRA in an effort to assist her with the budgeting process in an attempt to avoid this from happening in the future. Manager Lowthert shared his experiences that municipal pools are not money makers anymore and will cost you. Ultimately, the decision must come down by the elected officials on whether you support a public pool or not and usually that is a decision based upon the needs of your citizens. There was **much** discussion. Councilmember Morris stated the comments of Councilmember Strosser mimic how the Finance Committee felt. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Mahon, to approve the proposed 2016 budget with millage rates as follows: General Fund 9.995; Street Lighting Fund 0.465; Fire Protection Fund 0.740; Shade Tree Fund 0.100; Regional Recreation Fund 0.440, and direct the Solicitor to advertise proposed 2016 budget for final consideration and adoption of Council on December 15, 2015. ON THE QUESTION: Interim Manager Hamberger reviewed his budget message that was distributed to all members. Motion was approved with one dissenting vote, Councilmember Strosser voted no.

Councilmember Morris made a motion, seconded by Councilmember Mahon, to direct the Solicitor to prepare and advertise the necessary tax ordinance for 2016 reflecting millage rates as follows: General Fund 9.995; Street Lighting Fund 0.465; Fire Protection Fund 0.740; Shade Tree Fund 0.100; Regional Recreation Fund 0.440.

On roll call the vote was as follows:

YES - Cook, Cox, Mahon, Morris and Bergonia

NO - Faden and Strosser

Motion was approved by a 5 to 2 vote.

Councilmember Morris made a motion, seconded by Councilmember Faden, to direct the Solicitor to prepare tax resolution regarding the realty transfer tax, the earned income tax, the local services tax, the business privilege tax, and the per capital tax for 2016. Motion was approved with one dissenting vote, Councilmember Strosser voted no.

Councilmember Morris reported the Citizens' Electric Company presented a check in the amount of \$1,000.00 for use by the STC for any future tree planting project. Mayor Wagner said thank you to Citizens' Electric Company.

MAYOR: Mayor Wagner stated she recently attended a function of the Susquehanna Valley Visitors Bureau and they are doing a tremendous job advertising our Valley; she applauds Andrew Miller and his staff. She updated Council on some other events she was involved with over this past month. She reminded Council that last spring we discussed the consolidation of the Borough and East Buffalo Township (EBT) and

ANNUAL AUDIT
FINANCIAL
STATEMENT/
DECEMBER 31, 2014

SOLICITOR
DIRECTED TO
AMEND TRAFFIC
ORDINANCE FOR
INCREASE IN
PARKING TICKET
FINE

APPROVAL TO
PROVIDE \$15,000.00
TO BVRA TO MAKE
THEM FISCALLY
SOLVENT THROUGH
DECEMBER 31ST

APPROVAL OF
PROPOSED 2016
BUDGET AND
SOLICITOR
DIRECTED TO
ADVERTISE

SOLICITOR
DIRECTED TO
PREPARE AND
ADVERTISE
NECESSARY TAX
ORDINANCE FOR
2016

SOLICITOR
DIRECTED TO
PREPARE
NECESSARY TAX
RESOLUTION FOR
2016

ACKNOWLEDGE-
MENT OF CITIZENS'
ELECTRIC
CONTRIBUTION TO
STC

MAYOR

approved EBT applying to DCED for a 60/40 grant to facilitate this work. The grant was awarded by DCED this summer. The Borough and EBT split the 40% match. The RFP's were released in September and there were four responders. This RFP calls for a five year financial plan, an evaluation of government structures for potential consolidation, and the responder's recommendation for consolidation. There will be two interviews conducted Monday morning of next week. The committee appointed by our Council President to facilitate this grant consists of: Councilmember Morris, Manager Lowthert, and Mayor Wagner. Anyone else interested in attending would be welcome.

COUNCIL PRESIDENT: Councilmember Morris made a motion, seconded by Councilmember Mahon, to appoint William Lowthert, Borough Manager, as the Borough's official Right to Know Officer. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Faden, to adopt Resolution No. 15-09, authorizing a Tax and Revenue Anticipation Note in the amount of \$400,000.00 for the year 2016. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Mahon, to adopt Resolution No. 15-10, placement of 2016 banners across State Highway (Market Street) and submit copy to PennDOT. Motion was unanimously approved.

SOLICITOR: No report.

MANAGER: Manager Lowthert said this is day number two for him.

OTHER COMMITTEES: Council President Bergonia reported we already discussed the BVRA.

Councilmember Morris reported the Borough is in the third year of the funding commitment cycle for the LDP. The LDP continues to look for funding through other sources.

Mayor Wagner indicated the Town and Gown Committee meeting was interesting with a report from Evangelical Hospital and discussions regarding the off-campus living issues and concerns. She noted the number of the party requests have remained the same.

Council President Bergonia reported we already discussed LNC.

Council President Bergonia noted no report from the STC.

Council President Bergonia noted the Central Keystone-COG's budget is very good.

Councilmember Morris stated no meeting and nothing new to report for the Community Garden Committee.

Samantha Pearson reported efforts continue with regard to sharing information acquired through the Flood Impact Task Force.

Samantha Pearson reported the Art Festival next year will carry the theme of the river.

Councilmember Cox reported the Municipal and Community Advisory Committee (MACAC) continues to meet and discuss the budgetary issues and concerns.

OLD BUSINESS: None.

NEW BUSINESS: Councilmember Mahon reported that Michael Derman, Councilman Elect for Ward I, had planned to be here tonight, however, he was unable to make it due to the birth of his granddaughter. Gary Frederick, Councilman Elect for Ward IV, was present and was introduced to all members of Council. Councilmember Morris reported that there was a tie in Ward II; however, unofficially, it appears as though both candidates written in do not have an interest in serving on Council. So, if there is anyone interested in serving on Council from Ward II, she would request that they come forward.

Councilmember Cook said he understands that our Interim Manager's last day is going to be Wednesday, the . Interim Manager Hamberger stressed he meant what he wrote in the last paragraph of his budget message. It has been a pleasure working with this Borough; he commended the Staff and Council and stressed this is a great community. Mayor Wagner shared that what Interim Manager Hamberger brought to this Borough was far more than ever expected. Manager Lowthert stated this Council certainly made a good choice when they brought Lloyd Hamberger on as Interim Borough Manager.

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

**COUNCIL PRESIDENT
WILLIAM LOWTHERT
APPOINTED RIGHT TO
KNOW OFFICER**

**TRAN AUTHORIZED
(RESOLUTION NO. 15-
09)**

**PLACEMENT OF
BANNERS ACROSS
MARKET STREET
(RESOLUTION NO. 15-
10)**

SOLICITOR

MANAGER

**OTHER COMMITTEES
BVRA**

LDP

TOWN AND GOWN

LNC

STC

CK-COG

**COMMUNITY GARDEN
COMMITTEE**

**FLOOD IMPACT TASK
FORCE**

**RIVERTOWN
COMMITTEE**

MACAC

OLD BUSINESS

**NEW BUSINESS
COUNCILMAN ELECT
DERMAN AND
COUNCILMAN ELECT
FREDERICK**

**RECOGNITION OF
INTERIM BOROUGH
MANAGER LLOYD
HAMBERGER**

WRITTEN REPORTS

November 17, 2015

WORK SESSION: Council President Bergonia indicated there will not be a work session held December 8th.

Council President Bergonia called for a five minute recess at 8:05 PM. Council returned at 8:10 PM.

Councilmember Morris made a motion, seconded by Councilmember Mahon, to hold an executive session on a personnel matter, a real estate matter, and an update on union contract negotiations. Motion was unanimously approved.

Council entered executive session at 8:10 PM. Council returned at 8:50 PM.

Councilmember Strosser made a motion, seconded by Councilmember Faden, to allow the percentage increases previously approved by Council to remain in place until December 31, 2015 for Patricia Garrison, Debra Depew and George Stump. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Cook, to approve the terms of the AFSCME Contract for January 1, 2016 through December 31, 2017 reflecting all changes negotiated between AFSCME and the Borough, said changes noted in the document titled, "Negotiating Committee Agreed upon Contract Changes – Presentation to Council 11/17/15." Motion was unanimously approved.

There being no further business, Councilmember Mahon made a motion, seconded by Councilmember Cook, to adjourn the meeting. Motion was unanimously approved. Meeting adjourned at 8:55 PM.

Respectfully submitted,

Patricia M. Garrison
Borough Secretary

WORK SESSION

RECESS

**EXECUTIVE SESSION
ON PERSONNEL/REAL
ESTATE/UPDATE ON
UNION NEGOTIATIONS**

**(EXECUTIVE
SESSION)**

**INCREASES FOR P
GARRISON/D
DEPEW/G STUMP
REMAIN IN EFFECT
UNTIL DECEMBER
31ST**

**APPROVAL OF
TERMS OF AFSCME
CONTRACT
JANUARY 1, 2016
THROUGH
DECEMBER 31, 2017**

ADJOURNMENT