

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held on **Tuesday, November 20, 2012** in the Council Chambers, 55 South Fifth Street. Present: Council President Bergonia; Councilmembers Baker, Casimir, Mahon, Morris, Robinson and Strosser; Mayor Wagner; Manager/Treasurer Smith; Solicitor Lyons; and Secretary Garrison. Absent: Councilmember Cox. Also present: Joe Snyder, Dan Remley, Matt Farrand, Evamarie Socha and Girl Scout Troop 60448.

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 Strosser, seconded by Councilmember Robinson, to approve the minutes of the regular Council meeting held October 16, 2012. Motion was unanimously approved.

PUBLIC PARTICIPATION: Council President Bergonia acknowledged the attendance of Girl Scouts from Troop #60448.

POLICE COMMITTEE: No meeting in November. Chief Yost distributed and thoroughly reviewed his October 2012 monthly activity report. He reported an overall budget summary was provided to the BVRPC for 2013, as well as the monthly minimum obligation (MMO) summary, and the 2013 budget was approved by the BVRPC at their last business meeting.

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

a. Margaret Brody/441 St. Anthony Street/Windows. An application was submitted to and reviewed by HARB for replacement windows. A motion was made by Robert Cook, seconded by Steve Snook, to approve these replacement windows as described in the HARB application under project description and as shown on the cut sheet attached; specifically the windows are to be simulated divided light (muntins on exterior), same exact size and glazed openings as original windows. Motion was unanimously approved.

b. Duane-Ann Griffin/113 South Fourth Street/Wooden Screen Porch. An application was submitted to and reviewed by HARB for construction of a wooden screen porch. A motion was made by Kim Walter, seconded by Elaine Wintjen, to approve this application as described in the HARB application under project description, and as shown in the diagram attached to the application. Motion was approved unanimously approved.

c. Rodney Yoder/202 North Fifth Street/Windows. An application was submitted to and reviewed by HARB for replacement windows. A motion was made by Kim Walter, seconded by Robert Cook, to approve these replacement windows as described in the HARB application under project description and as shown in the paperwork attached; specifically, 14 double hung units shall be two over two with exterior grilles, openings to remain as original in size and configuration, and 3 modified openings may be replaced in-kind. Motion was unanimously approved.

d. Dr. Brian Beitz (Campus Theatre)/413 Market Street/Sign. An application was submitted to and reviewed by HARB for a window sign. A motion was made by Ted Strosser, seconded by Steve Snook, to approve the placement of this sign as described in the HARB application under project description and as shown in the diagram attached.

Councilmember Casimir made a motion, seconded by Councilmember Strosser, to adopt Resolution No. 12-07, placement of 2013 banners across State Highway Route 45 (Market Street) and the submittal of same to PennDOT. ON THE QUESTION: Councilmember Casimir asked if we heard from the Green Dragon Foundation. Manager Smith said their information is included on this banner list. He, along with the Street Foreman, looked at Market Street to see if there is another location where a banner could possibly be placed; Sixth Street might be possible, but further investigation is needed. Councilmember Casimir said it was suggested that we urge the Union County Bicentennial Committee to focus on the vertical banners as that would solve some of the scheduling conflicts with banner placement. He asked if we should remove the Union County Bicentennial Banner from the list. Secretary Garrison said it would be better to have them included on the list submitted to the State, and then should there be a change, we would simply notify them.

Councilmember Casimir made a motion, seconded by Councilmember Strosser, to adopt Resolution No. 12-08, outlining the sewage permit fees charged to the public for on-lot sewage systems, and authorizing the Council President to sign an agreement between the Borough and the Central Keystone-COG for the 2013 Sewage Enforcement Services, naming Gerald W. Kilgus as primary Sewage Enforcement Officer, and Russell Goodling as alternate Sewage Enforcement Officer. ON THE QUESTION: Manager Smith explained this annual agreement is required by the State. Mayor Wagner asked if the fees are increasing. Manager Smith said the Central Keystone-COG did increase their hourly rates by \$1.00; they are now \$59.00 per hour. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Robinson, to direct the Solicitor to advertise the following 2013 meeting dates and times: Work Session of Council - 2nd Tuesday of each month at 7:00 PM; Council Meeting - 3rd Tuesday of each month at 7:00 PM; Traffic Advisory Committee - 4th Tuesday of each month at 12 Noon; Lewisburg Planning Commission - 1st Wednesday of each month at 6:00 PM; Shade Tree Commission - 2nd Thursday of each month at 7:00 PM; HARB - 2nd Tuesday of each month at 5:00 PM; Zoning Hearing Board - 3rd Monday of each month at 7:00 PM; Finance Committee - 2nd Monday of each month at 3:00 PM; Police Committee

ATTENDANCE

CALL TO ORDER

APPROVAL OF MINUTES

PUBLIC PARTICIPATION

POLICE COMMITTEE

PLANNING COMMITTEE HARB

M BRODY

D GRIFFIN

R YODER

B BEITZ

**(RESOLUTION NO. 12-07)
PLACEMENT OF BANNERS FOR 2013**

**(RESOLUTION NO. 12-08)
SEWAGE PERMIT FEES CHARGED FOR ON-LOT SEWAGE SYSTEMS AND SEWAGE ENFORCEMENT SERVICES**

INCREASE IN CK-COG HOURLY RATES

SOLICITOR TO ADVERTISE 2013 MEETING DATES AND TIMES

Tuesday, November 20, 2012

- 1st Tuesday of each month at 5:00 PM (except for January); Public Works Committee - 1st Monday of each month at 5:30 PM (except for September; meeting will be held the 2nd Monday); Planning Committee - 2nd Thursday of each month at 5:00 PM (except for May and August; meetings will be held 3rd Thursday). ON THE QUESTION: Councilmember Morris said the Police Committee has met once this year, so why keep the Police Committee when we now have the Regional Police. Manager Smith said this was discussed and it was felt it would be better to advertise for this meeting, in case there would be a need for a meeting. Councilmember Morris commented couldn't we just go to the Regional Police Commission meeting if there was a need or an emergency. Councilmember Casimir said although it seems unlikely, but if something would happen and we don't want to go to the BVRPD, but discuss the Police matter internally, this gives us the option as we have a pre-advertised meeting available. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Baker, to approve the following reappointments/appointments: reappoint Ronald Lewis to the Lewisburg Area Joint Sewer Authority (LAJSA) to serve a five year term 01/01/2013 through 12/31/2017; reappoint Elaine Wintjen, Ted Strosser and Phoebe Faden to the Historic Architectural Review Board (HARB) to serve a three year term 01/01/13 through 12/31/15; reappoint Michele Kittell to the Shade Tree Commission to serve a five year term 01/01/13 through 12/31/17; reappoint Daniel DeFebbo to the Zoning Hearing Board to serve a three year term 01/01/13 through 12/31/15; reappoint Ann Longanbach and Michelle Oswald to the Traffic Advisory Committee to serve a five year term 01/01/13 through 12/31/17; reappoint Susan P. Mahon to the Buffalo Valley Regional Police Commission (BVRPC) to serve a two year term 01/08/13 through 01/07/15; appoint Ed Cox and Ken Baker to the Lewisburg Neighborhood Corporation (LNC) to serve a three year term 01/01/13 through 12/31/15. ON THE QUESTION: Manager Smith explained that two LNC member's terms were expiring, Peter Bergonia and Judy Wagner, so there is a need for two replacements; the LNC also recently changed their by-laws making the Mayor an ex-officio member. He asked Councilmember Casimir to amend his motion to include the appointment of Ken Baker to the LNC; Councilmember Casimir agreed to amend his motion to include appointment of Ken Baker to LNC.

Councilmember Casimir indicated an executive session will need to be held at the end of this meeting to discuss potential legal and personnel matters.

PUBLIC WORKS COMMITTEE: No action items.

FINANCE COMMITTEE: Councilmember Casimir made a motion, seconded by Councilmember Baker, to approve payment of bills from 10/13/12 through 11/16/12 in the amount of \$824,558.34. ON THE QUESTION: Manager Smith reminded Council that in this bill pay there is an additional two week bill pay, as well as annual transfers, payment of our construction projects and the pension. Motion was unanimously approved.

Councilmember Casimir made a motion, seconded by Councilmember Morris, to approve the proposed 2013 budget with millage rates as follows: General Fund 6.98; Street Light Fund 0.34; Fire Protection Fund 0.50; Shade Tree Fund 0.04; Recreation Fund 0.29; and direct the Solicitor to advertise the proposed 2013 budget for final consideration and adoption of Council on Tuesday, December 18, 2013. Motion was unanimously approved.

Councilmember Casimir made a motion, second by Councilmember Morris, to direct the Solicitor to prepare and advertise the necessary tax ordinance (General Fund 6.98; Street Light Fund 0.34; Fire Protection Fund 0.50; Shade Tree Fund 0.04; Recreation Fund 0.29). Motion was unanimously approved.

Councilmember Casimir made a motion, second by Councilmember Mahon, to direct the Solicitor to prepare a tax resolution regarding the realty transfer tax, the earned income tax, the local services tax, the business privilege tax, and the per capita tax for 2013. Motion was unanimously approved.

MAYOR: Mayor Wagner invited everyone to attend the tree lighting ceremony on December 6th; there has been a lot of work done by the Manager and our employees to make this possible; special thanks to Chester Eisenhower and Ed Richard. She reminded the late night shoppers to come downtown December 7th, and for everyone that the Victorian Parade will be held on December 8th. She said in the spirit of the Holidays, we have a resident that would like to donate a Victorian clock for placement in the area of Market Street in Hufnagle Park; this clock will signify "Lewisburg Established 1822" and will have a two-sided lighted face that is shatter proof. Councilmember Casimir asked if the resident wishes to remain anonymous. Mayor Wagner said yes, at this point in time. This is a \$12,000.00 gift. She indicated the Borough will have to place the concrete and arrange for the electric should the Borough choose to accept this generous gift. She noted that for an additional \$500 there could be a plaque that would be engraved indicating that this clock was a gift and include the donor's name.

REAPPOINTMENTS
(R LEWIS/LAJSA; E WINTJEN, T STROSSER, P FADEN/HARB; M KITTELL/STC; D DEFEBBO/ZHB; A LONGANBACH, M OSWALD/TRAFFIC; S MAHON/BVRPC; E COX, K BAKER; LNC)

EXECUTIVE SESSION

PUBLIC WORKS

FINANCE
PAYMENT OF BILLS

2013 PROPOSED MILLAGE RATES APPROVED AND SOLICITOR DIRECTED TO ADVERTISE

SOLICITOR DIRECTED TO PREPARE AND ADVERTISE TAX ORDINANCE

SOLICITOR DIRECTED TO PREPARE AND ADVERTISE TAX RESOLUTION

MAYOR

Tuesday, November 20, 2012

Councilmember Casimir made a motion, seconded by Councilmember Morris, to accept this gift of a Victorian clock, with gratitude, the Borough being responsible for the placement, with the location to be determined based upon the availability of electric, and also the engraving of a plaque. Motion was unanimously approved.

Mayor Wagner announced that she just received permission from the donor to release her name; the donor of the Victorian clock is Betty Cook. (Councilmembers expressed their thanks to Betty Cook for this donation.)

Mayor Wagner reported the Union County Bicentennial Committee will be selling their commemorative items at the Mifflinburg Christkindl Market.

COUNCIL PRESIDENT: Council President Bergonia indicated the Holiday meter bags are currently being placed on the parking meters by the Boy Scouts; meters will be covered until after Christmas.

SOLICITOR: Solicitor Lyons reported the ordinance amending the traffic ordinance with respect to bicycle riding has been duly advertised and is presented to Council for consideration.

Councilmember Casimir made a motion, seconded by Councilmember Robinson, to adopt Ordinance No. 1016, 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. Motion was unanimously approved.

Councilmember Casimir asked if the Borough will be putting sharrows out there. Manager Smith said not in the sidewalk area, but we were looking at putting them in the alley. Councilmember Casimir suggested this go to the Public Works Committee for further discussion.

MANAGER: Councilmember Casimir made a motion, seconded by Councilmember Strosser, to approve Notice of Intent to Award contract agreement for the Limestone (Bull) Run Stream Stabilization Project bid to Dave Gutelius Excavating, Inc. with a base bid amount of \$111,620.12; the award of this contract agreement is subject to receipt of acceptable performance and payment bonds, as well as proper insurance. Motion was unanimously approved.

Manager Smith reminded Council in September of 2011 Tropical Storm Lee came through. The Borough applied through the Federal Emergency Management Agency (FEMA) for federal reimbursements and was granted a multitude of categories covering Borough costs. In addition, we received a large grant for bank stabilization along Bull Run from the St. George Bridge all the way up to Market Street. The Larson Design Group prepared and advertised the bids for this work. There were twelve bids received, ranging from \$111,000.00 to \$360,000.00. Manager Smith said the Borough had estimated the cost of this project to be around \$140,000.00. There is another grant through the Department of Environmental Protection (DEP), under the Growing Greener Program, for work at the railroad crossing at the D.F. Green Field down to Market Street that will incorporate vegetation along the stream bank, making this work much more comparable to the Lewisburg Area Recreation Park stream bank stabilization work.

Manager Smith said a request came in yesterday from Karen Baker, owner of Wolf's Jewelry, for the use of the Borough's three globe light standard on jewelry, and in addition she was looking to use the LDP logo, minus the background, on the dial of Bulova watches and clocks; if you eliminate the background, you are left with the Borough's three globe light standard. There was much discussion. It was the consensus of Council that it should be clarified that the Lewisburg Downtown Partnership (LDP) must be contacted by Wolf's Jewelry for the use of the LDP logo.

Councilmember Baker made a motion, seconded by Councilmember Casimir, to allow the business known as Wolf's Jewelry, owned by Karen Baker, to create jewelry depicting the Borough's Three Globe Light Standard, and also allow the Borough's Three Globe Light Standard to be used for the dial of Bulova watches and clocks. Motion was unanimously approved.

Manager Smith indicated an agreement is being required by DCNR between LARA, the Borough, and East Buffalo Township, to signify the partnership of the design/costs of the Buffalo Valley Rail/Trail Extension from the east side of Route 15 to North Fifth Street in the Borough. Council already approved transferring the \$5,000 allotment from the Walkability Grant Program through SEDA-COG to LARA in order to facilitate LARA getting their additional money to allow them to finish the design of the Rail/Trail between Market and Fifth Streets. This agreement doesn't reflect anything more than what was already approved by Council. Solicitor Lyons said he reviewed this agreement, along with Councilmember Casimir, and we simply added that whatever they are going to construct must be approved by Council. Manager Smith indicated at this point in time our parking lot makes the most sense for a trailhead here in Lewisburg. There was **much** discussion.

BETTY COOK'S
DONATION OF
VICTORIAN CLOCK
ACCEPTED /
BOROUGH
RESPONSIBLE FOR
PLACEMENT AND
ENGRAVING

COUNCIL
PRESIDENT

SOLICITOR

(ORDINANCE NO.
1016)
BICYCLES
ALLOWED ON
NORTH SIDE OF
MARKET ST
BETWEEN ROUTE
15 AND EIGHTH ST

MANAGER
BID AWARD FOR
LIMESTONE (BULL)
RUN STREAM
STABILIZATION
PROJECT BID TO
DAVE GUTELIUS
EXCAVATING

UPDATE ON FEMA
REIMBURSEMENTS

APPROVAL OF
WOLF'S JEWELRY
USE OF
BOROUGH'S THREE
GLOBE LIGHT
STANDARD

DCNR REQUIRING
PARTNERSHIP
AGREEMENT FOR
DESIGN/COSTS OF
BVR/T EXTENSION

Tuesday, November 20, 2012

Manager Smith reported there has been a lot more skateboarding in the Borough, and reminded everyone that it is **not** allowed between Cherry Alley and White Pine Alley and between Front Street and Seventh Street, and **not** in our parks. Chief Yost reported kids are not using the skate park in the St. Mary's Street Park, but are skateboarding all over that park; he suggested Council consider modifying the ordinance accordingly. Solicitor Lyons said skateboards and bicycles are allowed in all our parks, but Hufnagle Park. He reminded Council that the St. Mary's Street Park did not exist when this ordinance was written. There was **much** discussion. Council President Bergonia directed this subject to the Planning Committee for review and a recommendation. A member of the public commented he sees lots of skateboarding on the Bucknell University campus as well.

Manager Smith indicated as a result of Super Storm Sandy, FEMA supplied all counties with MRE's (Meals Ready to Eat) and water. It was stored at the Armory and they asked that they be removed, so the County contacted all municipalities; most failed to respond. So, as a result, Lewisburg Borough is now the proud owner of two full skids of water and four skids of MRE's (45 boxes per skid/12 meals per box). There was **much** discussion.

OTHER COMMITTEES: Councilmember Casimir indicated with regard to LARA, the IGA negotiations are going quite well. Even if we had total agreement, there isn't enough time to get a new IGA in place by the beginning of 2013.

Councilmember Casimir made a motion, seconded by Councilmember Mahon, to, once again, temporarily increase the millage rate for LARA to 0.23 mills for 2013 until the IGA is finalized, at which time its funding formula and rules would take effect. **ON THE QUESTION:** Councilmember Morris asked if that is different than what we just agreed upon for our budget. Councilmember Casimir said no; recreation is 0.29 which is everything including LARA, but LARA's official IGA amount currently is 0.154 mills. The Borough's budget numbers are not changing. This year in April or March Council voted to change the millage for LARA to 0.23 mills and that has worked very well for LARA. Manager Smith explained this was discussed in detail at the Finance Committee meeting. Motion was unanimously approved.

Councilmember Morris reported the LDP is continuing to do an excellent job.

Mayor Wagner stated she did not attend the Town and Gown Committee last Wednesday due to a conflict in scheduling. Dan Remley reported at that committee meeting two Bucknell University newcomers: Bridget Newell, Associate Provost for Diversity, and Thomas Alexander, Associate Dean of Students, were introduced.

Councilmember Morris said the LNC is very busy as they are going to be incorporating as a Keystone Communities Program with the intent to get a second neighborhood interested. Councilmember Strosser reiterated that their by-laws were changed, allowing the Mayor to stay on the Committee as an ex-officio member, and that a Bucknell University representative will also be an ex-officio member. The LNC also approved the outline of their Strategic Plan.

Councilmember Casimir reported the Shade Tree Commission has been busy continuing efforts to fulfill their role responsibly and in concert with the Borough. Three big trees were planted in the D.F. Green Playground area thanks to the donation of the \$600 from Citizens Electric. He thanked the Borough crew for watering and mulching. The purchase of a smaller tree was also made. However, a PA One Call wasn't made, everyone forgot this should happen before you dig, so there was a problem with the planting location of this one smaller tree. The STC is working to find a suitable location for this tree. Councilmember Morris pointed out several trees have fallen in the Lewisburg Cemetery. Councilmember Casimir commented the Cemetery Association approached the STC about the trees along St. Catherine Street; it was agreed seven trees were damaged and/or diseased that could be removed, with the understanding the STC would then work with them to create a tree line along their property.

Council President Bergonia indicated there is nothing new to report with regard to the CK-COG.

Councilmember Morris reported the community garden group has closed their year. She missed the Council meeting attended by the community garden group, but shared how extremely pleased she was with the coordination efforts of all participants. Mayor Wagner said there was a beautiful article about the community garden in the Bucknell World Magazine.

OLD BUSINESS: None.

NEW BUSINESS: None.

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

DISCUSSION OF SKATEBOARDING/ REFERRED TO PLANNING COMMITTEE

WATER/MRE'S SUPPLIED BY COUNTY

OTHER COMMITTEES LARA

MILLAGE RATE FOR LARA INCREASED TO 0.23 MILLS

LDP

TOWN AND GOWN

LNC

STC

CK-COG

COMMUNITY GARDEN

OLD BUSINESS

NEW BUSINESS

WRITTEN REPORTS

Tuesday, November 20, 2012

WORK SESSION: Council President Bergonia reported there will not be a work session in December.

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

Council President Bergonia called for a five minute recess at 7:55 PM. Council returned at 8:00 PM.

Council entered executive session at 8:00 PM. Council returned at 8:10 PM.

There being no further business, Councilmember Strosser made a motion, seconded by Councilmember Robinson, to adjourn the meeting. Motion was unanimously approved. Meeting adjourned at 8:10 PM.

Respectfully submitted,

Patricia M. Garrison
Borough Secretary

WORK SESSION

**EXECUTIVE
SESSION
LEGAL AND
PERSONNEL
MATTERS**

RECESS

**(EXECUTIVE
SESSION)**

ADJOURNMENT