

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held on **Tuesday, December 15, 2015** in the Council Chambers, 55 South Fifth Street. Present: Council President Bergonia; Councilmembers Baker, Cook, Cox, Faden, Morris and Strosser; Mayor Wagner, Solicitor Lyons, Manager Lowthert, Interim Manager Hamberger, Secretary Garrison and BVRP Chief Yost. Councilmember Mahon arrived at 8 PM. Also present: Matt Farrand, Michael Derman and Dave Elton.

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

**RECOGNITION OF LEWISBURG BOYS SOCCER TEAM FOR SECURING PIAA CHAMPIONSHIP:** The Mayor and Council welcomed and congratulated the Lewisburg Boys Soccer Team, presenting each team member with a Certificate of Appreciation for a job well done. Mayor Wagner presented the team with a Mayor's Award for Excellence plaque.

**PRESENTATION OF CERTIFICATE OF APPRECIATION TO COUNCILMEMBERS BAKER, FADEN, STROSSER AND INTERIM MANAGER HAMBERGER:** Mayor Wagner stressed recognition and acknowledgement must be given to three Councilmembers who have contributed so very much to this Borough, specifically Councilmembers Baker, Faden and Strosser. And, acknowledgement and thanks to our Interim Manager Hamberger for his contributions to this Borough. (Certificates of Appreciation handed out by Mayor Wagner.)

**APPROVAL OF MINUTES:** Motion was made by Councilmember Strosser, seconded by Councilmember Morris, to approve the minutes of the November 17, 2015 regular meeting. Motion was unanimously approved.

**PUBLIC PARTICIPATION:** Manager Lowthert indicated Rich Wible of the Lewisburg Sunset Rotary was to be present to request closure of South Fifth Street between Pine Alley and St. Louis Street (approximately 8:30 AM to 10:30 AM) and the temporary closure of Market Street (9:30 AM to approximately 9:35 AM) for Frosty 5K Run being held on Saturday, February 6, 2016. A letter was distributed to all members of Council and the Chief of Police. Chief Yost indicated he doesn't foresee a problem with this, but noted manpower could be an issue; the BVRPD will do the best they can. He suggested, because of the route, that Bucknell University and East Buffalo Township be contacted.

Councilmember Strosser made a motion, seconded by Councilmember Cook, to approve of the closure of South Fifth Street between Pine Alley and St. Louis Street (approximately 8:30 AM to 10:30 AM) and the temporary closure of Market Street (9:30 AM to approximately 9:35 AM) for Frosty 5K Run being held on Saturday, February 6, 2016, contingent upon the approvals of the BVRPD, Bucknell University, and East Buffalo Township. Motion was unanimously approved.

**POLICE COMMITTEE:** Council received the Chief's monthly report. Chief Yost briefly reviewed his report.

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

**a. John Benjo/528 Market Street/Sign.** An application was submitted to HARB for a sign. A motion was made by Kim Walter, seconded by Rob Cook, to recommend approval of the sign as indicated in the project description of the HARB application, centered above awning. Motion was unanimously approved.

**b. Kate Fairweather on behalf of Laura Payne/26 South Third Street/Sign.** An application was submitted to and reviewed by HARB for a sign/plaque. A motion was made by Steve Snook, seconded by Robert Cook, to recommend approval of the sign and plaque as described in project description of the HARB application and as shown in the drawing attached, with lighting being proved from the ground. Motion was unanimously approved.

**c. Leanne Matullo (leasing portion of Mifflinburg Bank Building)/15 North Fifth Street/Signs.** An application was submitted to and reviewed by HARB for signs. A motion was made by Kim Walter, seconded by Steve Snook, to recommend approval of these signs as noted in the project description of the project description of the HARB application and as shown on the drawing contained in the Application for Zoning Permit, with no lighting. Motion was unanimously approved.

**d. Kelly-Matt Borich (will be owners of this property)/44 North Seventh Street/Fence.** An application was submitted to and reviewed by HARB for a fence. A motion was made by Rob Cook, seconded by Steve Snook, to recommend approval of the installation of a fence as described in the project description of the HARB application and as shown in the examples attached, said fence to be painted and/or stained within one year. Motion was unanimously approved.

**e. Craig Bennett/119-121 North Fourth Street/Accessory Garage.** An application was submitted to and reviewed by HARB for a garage. A motion was made by Ted Strosser, seconded by Mary Mastascusa, to recommend approval of a garage as described in the project description of the HARB application and as shown and described on the attached sheet. Motion was unanimously approved.

**f. Neil Boyd/56 South Fifth Street/Window.** A request was submitted to and reviewed by HARB for a window. A motion was made by Steve Snook, seconded by Rob Cook, to recommend approval of a window on the first floor to match those on the front in size and detail as described at this meeting and as shown on drawing that was distributed. Motion was unanimously approved.

**ATTENDANCE**

**CALL TO ORDER**

**RECOGNITION OF LEWISBURG BOYS SOCCER TEAM**

**PRESENTATION OF CERTIFICATES OF APPRECIATION TO COUNCILMEMBERS BAKER/FADEN/STROSSER AND INTERIM MANAGER HAMBERGER**

**APPROVAL OF MINUTES**

**PUBLIC PARTICIPATION FROSTY 5K RUN IN FEBRUARY**

**POLICE COMMITTEE**

**PLANNING COMMITTEE**

**J BENJO**

**L PAYNE**

**L MATULLO**

**K/M BORICH**

**C BENNETT**

**N BOYD**

**December 15, 2015**

Councilmember Strosser made a motion, seconded by Councilmember Baker, to reappoint Ed Cox to serve a three year term as a Borough Council Representative on the LNC Board effective January 1, 2016 through December 31, 2018. Motion was unanimously approved.

Councilmember Strosser made a motion to appoint Michael Derman to serve a three year term as a Borough Council Representative on the LNC Board effective January 4, 2016 through December 31, 2018. Solicitor Lyons said point of order; Michael Derman will not be sworn in as a Councilmember until the reorganization meeting on January 4, 2016. Manager Lowthert indicated we can take this matter up at the regular monthly meeting in January.

Councilmember Strosser made a motion, seconded by Councilmember Morris, to approve the request of Laurie Slear, The Mercantile, to use the Borough's street light logo on wooden ornaments and wooden signs (Manager previously granted temporary approve for its use). Motion was unanimously approved.

**PUBLIC WORKS COMMITTEE:** No meeting in December.

**FINANCE COMMITTEE:** Councilmember Morris made a motion, seconded by Councilmember Faden, to approve the payment of bills from 11/14/15 through 12/11/15 in the amount of \$324,050.94. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Baker, to adopt final 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, as presented to Council dated November 17, 2015. Motion was approved with one dissenting vote, Councilmember Strosser voted no.

Councilmember Morris made a motion, seconded by Councilmember Cook, to enact Ordinance No. 1037, an ordinance levying a total real estate tax on real estate assessment with the Borough for fiscal year 2016 at the rate of 11.74 mills (General Fund 9.995; Street Lighting Fund 0.465; Fire Protection Fund 0.740; Shade Tree Fund 0.100; Regional Recreation Fund 0.440). Motion was approved with one dissenting vote, Councilmember Strosser voted no.

Councilmember Morris made a motion, seconded by Councilmember Baker, to adopt Resolution No. 15-11, a resolution for the realty transfer tax, the earned income tax, the local services tax, the business privilege tax, and the per capita tax for 2016. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Baker, to approve per capita tax exonerations for 2015 (2015-1) in the amount of \$60.00 as submitted by Tax Collector. Motion was unanimously approved.

Manager Lowthert reported he contacted Stacey Sommerfield, Director of the BVRA, with regard to the request for winter maintenance of the rail/trail from Seventh Street to Market Street. It was clarified that BVRA is looking for some assistance during a snow event. The cost for this would be between \$2,000.00 and \$3,000.00, which includes materials/labor. Since we currently do not know what the usage of this section of the rail/trail will be, it was suggested we wait until the first snowfall to assess the usage. After that, hopefully we will have more information and a decision can be made on what action to take. It was explained by Ms. Sommerfield that the rail/trail remains open regardless of weather conditions, and it is not cleared in East Buffalo Township anywhere. The ownership issue has not been resolved, but Ms. Sommerfield believes the BVRA owns the entire length of the rail/trail, including the Seventh Street to Market Street section.

Councilmember Morris made a motion, seconded by Councilmember Cook, to accept Pennsylvania Economy League (PEL) as the consultant to carry out the Consolidation Feasibility Study for Lewisburg Borough and East Buffalo Township, as approved by the Township at their meeting held December 14, 2015, and to agree to payment of 20% of the Consolidation Feasibility Study costs up to a maximum cost of \$20,000.00. Motion was unanimously approved. (There was much discussion.)

**MAYOR:** Mayor Wagner reported the Borough is still attempting to acquire a second millstone. She indicated if anyone would like to make a financial contribution toward this acquisition, it would be appreciated. The owner has indicated his willingness to sell it to the Borough for \$1,000.00, although the original asking price was \$2,000.00. Manager Lowthert reported our Public Works Foreman will be inspecting this millstone's condition since it was removed and relocated. There was **much** discussion. It was the sense of Council that the Borough contribute, as previously discussed, \$500.00 toward this purchase and that the balance be reached through contributions. Solicitor Lyons clarified this is not a tax deductible contribution.

Mayor Wagner shared that the tree lighting ceremony was a huge success and thanked Vicki Fennel and David Jennings for all their hard work.

REAPPOINTMENT OF ED COX TO LNC BOARD

APPOINTMENT OF COUNCIL REPRESENTATIVE TO LNC BOARD WILL OCCUR IN JANUARY

APPROVAL GRANTED TO THE MERCANTILE FOR USE OF STREETLIGHT LOGO

PUBLIC WORKS COMMITTEE

FINANCE COMMITTEE  
PAYMENT OF BILLS

FINAL BUDGET ADOPTED FOR 2016 (TOTAL MILLAGE RATE 11.74 MILLS)

ORDINANCE LEVYING TOTAL REAL ESTATE TAX ON REAL ESTATE ASSESSMENT FOR FISCAL YEAR 2016 (ORDINANCE NO. 1037)

RESOLUTION ADOPTING TAX RATES FOR 2016 (RESOLUTION NO. 15-11)

PER CAPITA EXONERATIONS FOR 2015 APPROVED

MAINTENANCE OF RAIL/TRAIL DISCUSSED (SEVENTH STREET TO MARKET STREET)

CONSOLIDATION FEASIBILITY STUDY FOR BOROUGH AND EBT ACCEPTED/ CONSULTANT NAMED IS PENNSYLVANIA ECONOMY LEAGUE (PEL)

MAYOR  
SECOND MILLSTONE ACQUISITION

TREE LIGHTING CEREMONY

December 15, 2015

**COUNCIL PRESIDENT:** Council President Bergonia commented the tree lighting ceremony was well attended and the tree looks very nice this year.

**SOLICITOR:** Solicitor Lyons indicated the ordinance increasing the parking ticket fine to \$8.00 has been duly advertised and is before Council for consideration.

Councilmember Strosser made a motion, seconded by Councilmember Morris, to enact Ordinance No. 1038, an ordinance increasing the parking ticket fine to \$8.00 if paid within 48 hours. Motion was unanimously approved.

Solicitor Lyons indicated the ordinance permitting the use, possession and consumption of beer and/or wine under certain circumstances in parks, playground and recreation areas of the Borough has been duly advertised and is before Council for consideration.

Councilmember Strosser made a motion, seconded by Councilmember Cook, to enact Ordinance No. 1039, an ordinance permitting the use, possession and consumption of beer and/or wine under certain circumstances in parks, playgrounds and recreation areas of the Borough at the discretion of the Borough Council. ON THE QUESTION: Councilmember Morris indicated there is confusion with the language. Solicitor Lyons explained this is an amendment to an already existing ordinance as written, which isn't before you. He shared whoever applies for this must be able to get a special occasion permit from the Pennsylvania Liquor Control Board (PLCB), who has its own rules and regulations; and without that special occasion permit, they will not be able to use the Borough's parks/playgrounds/recreation areas. There was **very much** discussion. Motion was unanimously approved.

**MANAGER:** Manager Lowthert indicated a motion is needed for our Solicitor to advertise our 2016 meeting dates and times. He pointed out that the Public Works/Police Committee meeting will now be a morning meeting, so our Public Works Director, George Stump, will be able to attend. He pointed out the reorganizational meeting will be held the first Monday of January.

Councilmember Faden made a motion, seconded by Councilmember Baker, to direct the Solicitor to advertise the following meeting dates and times for 2016: Work Session of Council: Tuesday of each month – 7:00 PM; Council Meeting: Tuesday of each month – 7:00 PM; Lewisburg Planning Commission: Wednesday of each month – 6:00 PM; Shade Tree Commission: Thursday of each month – 7:00 PM; HARB: Tuesday of each month – 5:00 PM; Zoning Hearing Board: Monday of each month – 7:00 PM; Administrative/Finance Committee: Monday of each month – 4:00 PM; Public Works/Police Committee: Tuesday of each month – 8:00 AM; Community Development/Planning Committee: Thursday of each month (except for June, September and December which will be the Thursday – 5:00 PM); Council Reorganization Meeting: Monday of January – 7:00 PM. Motion was unanimously approved.

**OTHER COMMITTEES:** Council President Bergonia announced that the BVRA received an award from 10thousand Friends of PA (2015 Commonwealth Award to Lewisburg and East Buffalo Public Infrastructure Project) for having one of the best Rail/Trails in the area.

Councilmember Strosser said thanks to the vote earlier this evening, the LDP is hoping to have our Brew-B-Que in the park in 2016. Councilmember Morris said January will be the reorganization meeting for the LDP.

Mayor Wagner indicated there was no Town and Gown Committee meeting.

Mayor Wagner said a meeting of the LNC was held before the tree lighting ceremony and good work continues. Councilmember Morris noted with the adoption of the 2016 budget this evening, the LNC will continue through 2016.

Manager Lowthert reported he has communicated with the Chairperson of the STC on a number of issues. He noted a concern about the placement of a tree in the area where the ash trees had been removed as it is directly under a power line. The STC indicated they like the alignment of the trees and the placement was deliberate. The STC wants to talk to Citizens to see if trimming can be done to accommodate this tree. Manager Lowthert said he is willing to give them the opportunity to figure this out, but he personally doesn't like V cut trees around power lines and is fearful it will not survive.

Council President Bergonia noted the Central Keystone-COG is working on their budget.

Councilmember Morris stated an email was received today noting the official closing of the Community Garden and the reorganization of the board for 2016. She commented the Community Garden is in its fifth year and she believes the agreement entered into was for five years.

**COUNCIL PRESIDENT**

**SOLICITOR**

**PARKING TICKET FINE INCREASED TO \$8.00 (ORDINANCE NO. 1038)**

**AUTHORIZATION TO PERMIT USE/POSSESSION/ CONSUMPTION OF BEER/WINE IN PARKS/PLAY- GROUNDS/ RECREATION AREAS (ORDINANCE NO. 1039)**

**MANAGER**

**SOLICITOR DIRECTED TO ADVERTISE 2016 MEETING DATES AND TIMES**

**OTHER COMMITTEES BVRA**

**LDP**

**TOWN AND GOWN COMMITTEE**

**LNC**

**STC**

**CK-COG**

**COMMUNITY GARDEN COMMITTEE**

December 15, 2015

Councilmember Cook indicated he had nothing new to report on the Flood Impact Task Force.

Councilmember Faden indicated the River Town Committee has continuously been meeting. They continue to work on the boards from the charrette and continue to get comments. Also, the LNC website holds a link to a video of part of the charrette which is intended to be educational. A summary of all the information received will be presented to Council at the work session scheduled in January.

Councilmember Cox reported the Municipal and Community Advisory Committee (MACAC) continues to meet. The municipal representatives were finally successful at convincing the Fire Board of the interest/importance of serving on that board. However, there are rules for changing the by-laws, which he understands will be pursued.

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

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

**WORK SESSION:** Council President Bergonia indicated as we just heard, there will be a work session held January 12, 2016 regarding a presentation on the findings of the charrette.

Council President Bergonia called for a five minute recess at 7:55 PM. Council returned at 8:00 PM. (It should be noted for the record that Councilmember Mahon arrived.)

Councilmember Morris made a motion, seconded by Councilmember Mahon, to hold an executive session on several personnel matters. Motion was unanimously approved.

Council entered executive session at 8:00 PM. Council returned at 8:35 PM.

Councilmember Morris made a motion, seconded by Councilmember Baker, to allow the Borough Secretary to rollover up to six PTO days from 2015 into 2016. Motion was unanimously approved.

Councilmember Morris made a motion, seconded by Councilmember Mahon, to approve the contract for the Borough Secretary, as presented, for the contract period of January 01, 2016 through December 31, 2017, with the amendment to paragraph seven, which should reflect the rollover of up to six PTO days from 2015 to 2016. Motion was unanimously approved.

There being no further business, Councilmember Faden made a motion, seconded by Councilmember Strosser, to adjourn the meeting. Motion was unanimously approved. Meeting adjourned at 8:40 PM.

Respectfully submitted,

Patricia M. Garrison  
Borough Secretary

**FLOOD IMPACT TASK FORCE**

**RIVER TOWN COMMITTEE**

**MACAC**

**OLD BUSINESS**

**NEW BUSINESS**

**WRITTEN REPORTS**

**WORK SESSION**

**RECESS**

**EXECUTIVE SESSION ON PERSONNEL MATTERS**

**(EXECUTIVE SESSION)**

**PERMISSION GRANTED FOR BOROUGH SECRETARY TO ROLLOVER UP TO SIX PTO DAYS INTO 2016**

**BOROUGH SECRETARY CONTRACT FOR 2016 AND 2017 APPROVED**

**ADJOURNMENT**