

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held at 6:30 PM on **Tuesday, March 29, 2022**, in Council Chambers, 55 South Fifth Street, Lewisburg. Present: Council President Sulai; Council Vice President Comas, Councilmembers Derman, Heayn, Bilenky Trahan, Powers, and Lira (via telecommunication); Manager Lowthert, Secretary Anders, and Solicitor Lyons. Also present: Community Development/Grant Manager Beattie, Taylor Lightman, Tim Turner, Chris Watts, Geoff MacArther, Ellen Kittermen, Kathy Kristjanson, Matt Farrand, Filippo Mazzamato, Sue Cox, Ed Cox, Mary Lotsperch, Chuck Confer, David Kristjanson, David Seybold, Elena Machado, Julianna Cooper, and Rob Sieczkiewicz. Also present but not signed in: Ellen Herman.

CALL TO ORDER: Council President Sulai called the meeting to order at 6:32 PM.

APPROVAL OF MINUTES: Councilmember Derman made a motion, seconded by Councilmember Powers to approve the February 15, 2022, Regular meeting minutes. Motion was unanimously approved.

CONDITIONAL USE HEARING DECISION: Councilmember Derman made a motion, seconded by Councilmember Comas to approve the Applicant Walnut Buildings, LLC Derrstown Village – Phase 2 Development conditional use subject to the following conditions:

1. All mechanical and electrical equipment and first floor elevations shall be set at least 18" above BFE for Lots 5 through 12.
2. Provide a concrete curb along the eastern pavement edge of Hazel Tree Alley and provide a Type M stormwater inlet(s) at north end of Hazel Tree Alley to convey widened alley section runoff away from Hazel Tree Alley and Beck Street.
3. Provide heavy vegetation screening along east property line at the end of the shared driveway to minimize vehicular light-shed from driveways on the adjacent residence to the immediate east. Additional landscape screening shall be installed along entire east boundary line of adjacent residence.
4. Provide a stop sign at the corner of Hazel Tree Alley and St. Anthony Street.
5. Provide a mirror to the Borough for installation on the curve of Beck St. connecting with Hazel Tree Alley.
6. Shade trees shall be provided within the land development/subdivisions area to the satisfaction of the Lewisburg Borough Shade Tree Commission (STC). The STC shall oversee the future health and replacement, when needed, of shade trees within Lots 1 through 12 and adjacent public rights-of-way per Borough Ordinances.
7. Extend additional concrete sidewalk to north boundary line of Lot 12.
8. Developer to execute a snow clearing easement with Borough at end of widened Hazel Tree Alley section.
9. Extend additional Hazel Tree Alley right-of-way, along the entire length of the Leah Stein property frontage and dedicate additional right-of-way to the Borough.
10. Provide concrete driveway aprons at driveways for Lots 5 through 12 and at shared driveway entrance for Lots 1 through 4 along Hazel Tree Alley.
11. Require the existing wooden fence to be removed along Hazel Tree Alley frontage of the Leah Stein property.
12. Require a homeowner's association (HOA) to be in place for maintenance of all shade trees, all stormwater management features, and the shared driveway at Lots 1 through 4. Borough shall review and approve HOA governing documents prior to occupancy permit issuance of any townhouse unit.
13. The existing greenhouse foundation building footprints shall be considered meadow land use for pre-development stormwater management calculations.

ATTENDANCE

CALL TO ORDER

APPROVAL OF MINUTES
February 15, 2022

CONDITIONAL USE HEARING DECISION
Derrstown Village
Townhouses

March 29, 2022

Councilmember Comas believes the conditions made meet the legitimate concerns raised by staff and community members.

Councilmember Lira commented it seems like the decision being made regarding the Derrstown Village has to do with the intent and division of the project. There have been a lot of smaller but procedurally correct transfers between the Council, Zoning Hearing Board, Commissions, and Committees and those have resulted in many small approvals. Councilmember Lira believes the project points to a bigger issue of the public wanting a big picture discussion of the entire project. She believes procedures that are followed in the future and communication efforts around them could be significantly improved so citizens and Councilmembers can understand the points in the process that really matter to them. Councilmember Lira shares a lot of the concerns around traffic and pedestrian safety. The decision, if the new plan is approved, while there will be increased traffic the alley will be widened and will have a sidewalk which could arguably make the street a lot safer, and those improvements would not happen if this project were rejected. Regardless of the decision tonight, Councilmember Lira would urge Council to try to take steps to prioritize traffic safety measures.

Elena Machado wanted to contribute new information or comments and regulations to the comprehensive plan and specifically provide recommendations for additional conditions to be added.

For the conditions for suitability, Ms. Machado asked the following conditions to be added to mitigate the impact of water runoff: 100 % of the impervious coverage be made of semi-permeable or water-permeable materials and a plan be in place for maintaining this coverage; flood control landscaping be required on all pervious coverage spaces; existing trees be kept and maintained; and plant new trees. Ms. Machado believes if the conditions are not added, then the conditional use criteria of suitability is not being met.

To address the conditions for accessibility, safety, and welfare, Ms. Machado requested the following conditions be added as safeguards: decrease the number of exits to the development from 9 exits to a maximum of 4 exits to streamline vehicular movement; improve visibility and accessibility for pedestrians and vehicles by limiting the number of interruptions to the pedestrian walkway along the alley. Ms. Machado believes if the conditions are not added the proposal does not meet the conditional use for accessibility, safety, and welfare.

Kathy Kristjanson-Gural suggested for Council to consider 2 exits instead of the 4 Ms. Machado suggested and to consider that no other townhouses beyond the 8 approved can be built until actions be taken by the developer to demonstrate in good faith to a subset of the Borough Council in conjunction with an ad-hoc neighborhood advisory council that the pedestrian safety, the vehicular traffic patterns, parking issues and rainwater subterranean infiltration system are effectively working and are able to be maintained. The neighborhood ad-hoc advisory committee could be comprised of 6 neighborhood residents selected by the area neighborhood. Residents of the neighborhood want to be involved in the decisions as they are being made. The residents of the Derrstown Village will be given 2 parking spaces on the site, one in the garage and the other in front of the garage. This clarity should be made due to the parking issues on street sweeping days.

Ellen Herman presented Council President Sulai with a petition comprised of 51 signatures asking Council to reject the conditional use application for Derrstown Village.

Councilmember Comas asked Chris Watts of Mid Penn Engineering for clarification regarding changes to the total amount of impervious coverage. Chris responded the new plans for the townhouses has a bit more impervious coverage. Councilmember Comas also commented the townhouse are a more correct usage in terms of it being housing.

CONTINUED
CONDITIONAL USE
HEARING DECISION
Derrstown Village
Townhouses –
Councilmember
Comas

Councilmember Lira

Elena Machado

Kathy Kristjanson-
Gural

Ellen Herman

Councilmember
Comas

March 29, 2022

Councilmember Derman asked Chis Watts about the advantages or disadvantages of the use of semi-pervious material and why semi-pervious material is not being used. Chris Watts stated the semi-pervious material is maintenance heavy and less frequently used material for paving roads and driveways. There was some discussion.

Councilmember
Derman

Council President Sulai inquired about the condition stating the existing greenhouse foundation building footprints shall be considered meadow land use for pre-development stormwater management calculations. Community Development/Grant Manager Steven Beattie explained the Zoning Hearing Board placed a condition on the variance requiring the two-year storm event remains on the site. This requires the applicant to construct infiltration beds to allow the two-year storm event to infiltrate the soil on site. The suggested condition goes beyond the Zoning Hearing Board condition and now requires the applicant not to use the previous impervious coverage in the predevelopment calculations therefor more stormwaters will be retained. There was also some discussion regarding the driveways.

Council President
Sulai

Community
Development Grant
Manager Beattie

Community Development/Grant Manager Beattie stated the current approval process has shown the Borough there are places that Ordinances can be improved in the future.

Motion was unanimously approved.

COMMUNITY DEVELOPMENT/PLANNING/PUBLIC WORKS/ COMMITTEE:

**COMMUNITY
DEVELOPMENT/PLA
NNING/PUBLIC
WORKS/COMMITTEE
HARB**

Councilmember Bilenky Trahan made a motion, seconded by Councilmember Powers to approve HARB items b through c as submitted and recommended by HARB per their minutes dated March 8, 2022. Motion was unanimously approved.

- a. **Bluebird Atelier / 217-223 Market Street / Sign** (~~HARB approved and recommends Council approval~~) Not Present at meeting.
- b. **Jon Allocca / 60 South Second Street / Exterior Steps** (HARB approved and recommends Council approval)
- c. **Robert Dewar / 236 South Third Street / Garage & Renovations** (HARB approved and recommends Council approval)

Bluebird Atelier
*Correction 2/19/22

Allocca

Dewar

Councilmember Bilenky Trahan made a motion, seconded by Councilmember Derman to enact Resolution 22-03 to submit the Limestone/Bull Run Phase II Grant Application to DCNR. There was some discussion. Motion was unanimously approved.

Resolution 22-03

Councilmember Bilenky Trahan made a motion, seconded by Councilmember Powers to award Brown Alley Stormwater Improvement and Green Infrastructure Project to Masters Excavating LLC of Lock Haven in the amount of \$44,973.02. Cost to be paid from the Borough's ARPA Funds under the Replacing Lost Public Sector Revenue category. Motion was unanimously approved.

Award Brown Alley
– Masters
Excavating LLC

Councilmember Bilenky Trahan made a motion, seconded by Councilmember Derman to approve the final design plans for and to grant permission to release for bid the Saint Anthony Street Stormwater Improvement Project which includes stormwater improvements in Chestnut Tree Alley. Motion was unanimously approved.

Release for Bid –
St. Anthony
Stormwater

Councilmember Bilenky Trahan made a motion, seconded by Councilmember Derman to approve a concept from Siam Café to connect their rear property improvements project to the Borough owned section of the Buffalo Valley Rail Trail with the understanding that an Easement/License agreement will be executed prior to construction. There was some discussion. Motion was unanimously approved.

Siam Café
Concept Approval

March 29, 2022

The Committee decided to change future Committee meeting times to 10:00 am on the first Thursday of each month.

Borough staff will be reviewing streets for a large-scale Borough Street patching project later in 2022.

The Committee recommends the Borough to submit an improvement project in the area of the Piers to Union County for consideration of County ARPA funding.

The Committee will be reviewing areas of the Borough where gaps in the sidewalk system exists and making recommendations to Borough Council on future actions.

ADMINISTRATIVE/FINANCE/PUBLIC SAFETY COMMITTEE: Councilmember Derman made a motion, seconded by Councilmember Powers to approve payment of bills from February 12, 2022, through March 11, 2022, in the amount of \$423,748.65. Motion was unanimously approved.

Buffalo Valley Regional Police Chief Yost submitted a monthly report.

William Cameron Engine Company submitted a monthly report.

Councilmember Derman made a motion, seconded by Councilmember Bilenky Trahan to accept a proposal in the base amount of \$2,000.00 from Barry Isett & Associates Inc. to prepare a Fire Inspection Ordinance for Lewisburg Borough. Additional services, if needed, will be billed at rates indicated in the proposal. There was some discussion. Motion was unanimously approved.

Councilmember Derman made a motion, seconded by Councilmember Powers to enact Resolution 22-04 regarding the Borough's use of ARPA Funds. There was some discussion. Motion was unanimously approved.

Councilmember Derman made a motion, seconded by Councilmember Bilenky Trahan to create a Mechanic/Laborer classification in our Public Works Department with a pay rate of \$27.06 per hour. Motion was unanimously approved.

Councilmember Derman made a motion, seconded by Councilmember Powers to accept the resignation of Trey Casimir as an Alternate to the Lewisburg Borough Zoning Hearing Board with regret. Motion was unanimously approved.

Councilmember Derman made a motion, seconded by Councilmember Powers to grant permission to the Union County Veterans' Fourth of July Parade Committee to close Market Street and Borough Streets for the parade and permission to submit the letter of support to PennDOT. Motion was unanimously approved.

Councilmember Derman made a motion, seconded by Councilmember Bilenky Trahan to request on behalf of the Union County Veterans' Fourth of July Parade Committee the assistance of Milton Borough, Mifflinburg Borough, New Berlin Borough, Watsonstown Borough, Union Township, and White Deer Township Fire Police for the event. Motion was unanimously approved.

Councilmember Derman made a motion, seconded by Councilmember Powers to accept the Revised 2022 Pension MMO in the amount of \$267,769.00. Motion was unanimously approved.

The surplused Lewisburg Borough Tar Buggy has been donated to LAJSA.

Current vacancies on Planning Commission with term expiring December 31, 2025, Zoning Hearing board Alternate with term expiring December 31, 2023, HARB with term expirations December 31, 2022, December 31, 2023, December 31, 2023.

Committee Time Change

Street Patching Project

County ARPA – Piers

Sidewalk Gaps

ADMINISTRATIVE/
FINANCE/PUBLIC
SAFETY
Approval of Bills

BVRPD

WCEC

Fire Inspection Ordinance – Barry Isett & Assoc.

Resolution 22-04

Union Position - Mechanic/Laborer Classification

Resignation ZHB Alternate – Casimir

Support 4th of July Parade – Street Closure

Request Community Fire Police Support for 4th of July Parade

MMO Revision

Tar Buggy donation – LAJSA

Vacancies

March 29, 2022

PUBLIC COMMENT(S) ON ANY NON-AGENDA ITEMS: Taylor Lightman shared some updates from Lewisburg Neighborhoods. They have received the approval from PennDOT for the May 8, 2022, River Road Holiday, they will be hosting a tree tenders training on April 26, 2022, at the Union County Government Center, and they have received a grant from the Degenstein Foundation to continue the public paddle program.

Elena Machado asked Council to reassess the methods for encouraging participation of residents in the governing process as well as the strategies for recruiting residents into open seats. Elena suggested reframing the way residents are addressed during public comment and believes local interaction is important.

Council President Sulai stated Council has been working hard on a lot of issues and one of Council's priorities is communicating better with residents in different ways.

Councilmember Comas wanted to say the material and issues brought to attention at the Public Use Hearing by residents were very useful and appreciated.

Taylor Lightman would love to see the Enlightener sent out to all residents not just property owners.

BOROUGH MANAGER: Councilmember Bilenky Trahan made a motion, seconded by Councilmember Derman to accept the resignation of Elijah Farrell from the Lewisburg Borough Planning Commission with regret. Motion was unanimously approved.

Councilmember Comas made a motion, seconded by Councilmember Bilenky Trahan to approve Application for Payment #2 from Don E. Bower, Inc. in the amount of \$44,052.56 associated with the Hufnagle Park Restroom and Handwashing Station project. Project costs to be paid from the Borough's CDBG-CV entitlement and CDBG-CV Grant funds. Motion was unanimously approved.

Councilmember Comas made a motion, seconded by Councilmember Bilenky Trahan to approve Application for Payment #3 from Don E. Bower, Inc. in the amount of \$14,278.82 associated with the Hufnagle Park Restroom and Handwashing Station project. Project costs to be paid from the Borough's CDBG-CV entitlement and CDBG-CV Grant funds. Motion was unanimously approved.

Councilmember Comas made a motion, seconded by Councilmember Bilenky Trahan to approve Application for Payment #4 from Don E. Bower, Inc. in the amount of \$8,568.05 associated with the Hufnagle Park Restroom and Handwashing Station project. Project costs to be paid from the Borough's General Fund. Motion was unanimously approved.

Councilmember Powers made a motion, seconded by Councilmember Derman to appoint William Lowthert as Lewisburg Borough's Voting Delegate and Jacque Anders as the Alternate Delegate to the 2022 PSAB Annual Conference. Motion was unanimously approved.

BOROUGH SOLICITOR: Councilmember Powers made a motion, seconded by Councilmember Bilenky Trahan to adopt Resolution 22-05 updating Section 1.02 – Definitions of the Borough of Lewisburg Non-Uniformed Employees' Retirement Plan. Motion was unanimously approved.

REPORTS / COMMUNITY UPDATES / PUBLIC NOTICES: Council President Sulai reminded everyone to get vaccinated. Council President Sulai commented on the possibility for a new polling location for Lewisburg 3.

Community Development/Grant Manager Beattie updated Council on the progress of current projects.

PUBLIC COMMENT(S) ON NON-AGENDA ITEMS - Taylor Lightman

Elena Machado

Council President Sulai

Councilmember Comas

Lightman

Resignation Planning Commission - Farrell

Hufnagle Restroom Payment #2 – Don E. Bower (CDBG-CV)

Hufnagle Restroom Payment #3– Don E. Bower (CDBG-CV)

Hufnagle Restroom Payment #4– Don E. Bower (CDBG-CV)

PSAB Voting Delegates – Lowthert and Anders

Resolution 22-05

REPORTS / COMMUNITY UPDATES / PUBLIC NOTICES
Council President Sulai

Community Dev/Grant Manager Beattie

March 29, 2022

WRITTEN REPORTS: Councilmember Comas made a motion, seconded by Councilmember Bilenky Trahan to acknowledge receipt of the Shade Tree Commission December 2021 and January 2022 minutes, Planning Commission February Minutes and 2021 Annual Report, LAJSA November 2021 Minutes and February Agenda, and CK COG Zoning Officer Report and Code Enforcement Officer Report. Motion was unanimously approved.

WORK SESSION: There will be a Work Session to be held Tuesday, April 12, 2022.

There being no further business, Councilmember Bilenky Trahan made a motion, seconded by Councilmember Powers to adjourn the meeting. The meeting was adjourned at 8:23 PM.

Respectfully submitted,

Jacqueline A. Anders
Borough Secretary

**WRITTEN
REPORTS**

WORK SESSION

ADJOURNMENT