

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held at 6:30 PM on **Tuesday, May 17, 2022**, in Council Chambers, 55 South Fifth Street, Lewisburg. Present: Council President Sulai; Council Vice President Comas, Councilmembers Derman, Heayn (via telecommunication), Bilenky Trahan, and Powers; Manager Lowthert, Secretary Anders, Mayor Alvarez (via telecommunication), Solicitor Lyons, and Community Development Grant Manager Beattie. Also present: Ellen Ruby, Taylor Lightman, Rudy Mummy, Jamie Grobes, and Matt Farrand.

CALL TO ORDER: Council President Sulai called the meeting to order at 6:31 PM.

PUBLIC HEARING: Council President Sulai informed everyone there was a Lewisburg Borough 2022 Community Development Block Grant Public Hearing at 5:30 PM.

Council President Sulai adjourned the regular order of business and called the public hearing to order at 6:32 PM. Cable Franchise Agreement. Solicitor Lyons explained the public hearing is for the Cable Franchise Agreement renewal with Service Electric Cable Television Inc. is being held pursuant to section 626 of the Federal Cable Act which sets forth the process for cable franchise renewal. Service Electric Inc. currently has cable franchise agreement with the Borough of Lewisburg and has request renewal of the franchise. Renewal is the best opportunity for municipalities to assert the right with respect to the cable operators and to obtain important benefits in return granting the cable operative the right to use the publics rights of way. These benefits include but are not limited to the following: State of the art cable systems, strong customer service standards, services community facilities, better reporting for cable operators, privacy of personal information with the federal law, franchise fees for the use of the publics rights of ways, franchise fee accountability, legal protections of the rights a ways, educational and government channel, and better mechanism to enforce the franchise agreement. This public hearing is part of the preliminary portion of the franchise renewal in which municipalities do the following: 1. Review the operators past performance. 2. Identify the Borough's future cable related community needs as such we invite comments from citizen who wish to speak either regarding both the subjects and to address the benefits of the franchise renewal or any other cable related items that are important to them. Solicitor Lyons opened the hearing for citizen comments. Councilmember Derman commented it's a long document and he was glad the Borough had someone who knew what they were talking about look at it. Council President Sulai ask if this has any bearing on the fact that Service Electric also provides cable internet or if this was strictly cable television? Solicitor Lyons verified it is strictly cable television and the only reason the Borough can regulate is due to the use of the Borough's rights of way. With no other comments, Council President Sulai declared the public hearing closed at 6:37 PM and reconvened to the regular order of business.

APPROVAL OF MINUTES: Councilmember Derman made a motion, seconded by Councilmember Comas to approve the April 19, 2022, Regular meeting minutes. Motion was unanimously approved.

PLANNING AND PUBLIC WORKS COMMITTEE: Councilmember Bilenky Trahan made a motion, seconded by Councilmember Comas to approve HARB items a as submitted and recommended by HARB per their minutes dated May 10, 2022. Motion was unanimously approved.

- a. **Bluebird Atelier / 217-223 Market Street / Sign** (HARB approved and recommends Council approval)

Councilmember Bilenky Trahan made a motion, seconded by Councilmember Powers to approve a proposal from PennCore Consulting in the amount of \$16,200.00 for pre-application engineering services related to a CDBG-CV application to DCED for an outdoor event venue in Hufnagle Park. Motion was unanimously approved.

ATTENDANCE

CALL TO ORDER

PUBLIC HEARING: CDBG

CABLE FRANCHISE AGREEMENT

(PUBLIC HEARING CLOSED)

APPROVAL OF MINUTES
April 19, 2022

PLANNING AND PUBLIC WORKS
HARB

Bluebird Atelier

Hufnagle Event Venue Engineering Approval - PennCore Consulting

May 17, 2022

Councilmember Bilenky Trahan made a motion, seconded by Councilmember Derman to award the Saint Anthony Street/Chestnut Tree Alley drainage improvements project to Don E. Bower, Inc. of Berwick in the amount of \$196,266.90. Project costs to be paid from the Borough's ARPA Funds. Motion was unanimously approved.

Councilmember Bilenky Trahan made a motion, seconded by Councilmember Powers to direct staff to prepare bid specifications and to release a large-scale road patching project for bid. Project costs to be paid from the Borough's Liquid Fuels Fund. Manager Lowthert clarified the curbing is to be paid out of the General Fund in the approximate amount of \$8,600.00. Motion was unanimously approved.

Councilmember Bilenky Trahan made a motion, seconded by Councilmember Derman to approve a letter of support for BVRA's Saint Mary Street Park grant application to Union County for ARPA funding and commitment to provide up to \$12,500.00 (5 percent) financial support to the project if the grant is awarded by Union County. (East Buffalo Township will also be providing 5 percent match if the grant is awarded by Union County.) There was some discussion. Motion was unanimously approved.

Councilmember Bilenky Trahan made a motion, seconded by Councilmember Derman to approve Change Order 1 from H&P Construction, Inc. in the amount of \$7,565.51 for the repair of damaged underlying wood elements identified during the roof replacement project at the Borough's brick storage building on North Fifth Street. Motion was unanimously approved.

Councilmember Bilenky Trahan made a motion, seconded by Councilmember Powers to approve application for payment 1 from H&P Construction, Inc. for the roof replacement project at the Borough's brick storage building on North Fifth Street in the amount of \$46,849.73 to be paid from the Borough's Building Depreciation Fund. Motion was unanimously approved.

Councilmember Bilenky Trahan made a motion, seconded by Councilmember Comas to approve application for payment 2 (Final) from H&P Construction, Inc. for the roof replacement project at the Borough's brick storage building on North Fifth Street in the amount of \$2,465.78 to be paid from the Borough's Building Depreciation Fund. Motion was unanimously approved.

Councilmember Bilenky Trahan made a motion, seconded by Councilmember Comas to approve application for payment 5 from Don E. Bower, Inc. in the amount of \$135,581.71 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 Competitive Grant funds. Motion was unanimously approved.

Councilmember Bilenky Trahan made a motion, seconded by Councilmember Derman to approve application for payment 6 from Don E. Bower, Inc. in the amount of \$450.95 associated with the Hufnagle Park Restroom and Handwashing Station project. Project costs to be paid from the Borough's General Fund. Community Development Grant Manager Beattie commented the restroom and handwashing station is to be open by Memorial Day weekend contingent on the contractors. The restrooms will be open from 8 AM to 8 PM. Motion was unanimously approved.

**St. Anthony/
Chestnut Tree
Drainage award
Don E. Bower**

**Release Large
Scale Road Patch
Bid**

**Approval BVRA
Financial Support**

**Borough Building
Roof Approval
H&P Change
Order 1**

**Borough Building
Roof Payment 1
Approval**

**Borough Building
Roof Payment 2
Approval**

**Approval Don E
Bower - Hufnagle
Restroom &
Handwashing
Payment 5**

**Approval Don E
Bower - Hufnagle
Restroom &
Handwashing
Payment 6**

May 17, 2022

Councilmember Bilenky Trahan made a motion, seconded by Councilmember Powers to approve application for payment 7 (Final) from Don E. Bower, Inc. in the amount of \$21,414.70 associated with the Hufnagle Park Restroom and Handwashing Station project. Project costs to be paid primarily from the Borough's CDBG-CV Entitlement and CDBG-CV Competitive Grant funds with a portion to be paid from the Borough's General Fund. Motion was unanimously approved.

Borough Manager Lowthert has approved an engineering services agreement with Larson Design Group in an amount not to exceed \$2,500.00 for additional design services associated with a grant application to Union County for ARPA funding associated with a project in the area of the Piers east of Limestone (Bull) Run and North of Market Street.

ADMINISTRATIVE AND PUBLIC SAFETY COMMITTEE: Buffalo Valley Regional Police (BVRPD) Chief Yost submitted a monthly report.

William Cameron Engine Company (WCEC) Chief Blount submitted a monthly report. Councilmember Derman shared the fire company will be doing a complete analysis of the current and future of the fire company building needs. There will be three municipalities that will be asked to contribute \$10,000.00 towards the analysis.

Councilmember Derman made a motion, seconded by Councilmember Bilenky Trahan to approve payment of bills from April 16, 2022, through May 13, 2022, in the amount of \$459,473.66. Motion was unanimously approved.

Councilmember Derman made a motion, seconded by Councilmember Bilenky Trahan to accept the resignation of Marlene Lira as a Lewisburg Borough Councilmember for Ward 4 with regret. Motion was unanimously approved.

Councilmember Derman made a motion, seconded by Councilmember Powers to accept the resignation of Marlene Lira as a Lewisburg Borough Councilmember/Civilian Representative to the Buffalo Valley Regional Police commission with regret. Motion was unanimously approved.

Councilmember Derman made a motion, seconded by Councilmember Powers to appoint Geralee Zeigler to the Lewisburg Borough Planning Commission with a term expiring December 31, 2025. Motion was unanimously approved.

Councilmember Derman made a motion, seconded by Councilmember Bilenky Trahan to appoint Judy Wagner to the Lewisburg Borough Shade Tree Commission with a term expiring December 31, 2023. Motion was unanimously approved.

Councilmember Derman made a motion, seconded by Councilmember Bilenky Trahan to approve the submittal of a letter to PEMA requesting that the North Fourth Street Flood Resiliency Project be added to the Union County Hazard Mitigation Plan. Motion was unanimously approved.

There have been two Ward IV residents, Jamie Grobes and Rudy Mummy, that expressed an interest in filling the vacant position. After some discussion, Councilmember Comas made a motion, seconded by Councilmember Derman to appoint Jamie Grobes to fill the vacant Ward IV Borough Council Member position with a term expiring 12/31/23.

Committee directed Borough Manager to purchase a commercial grade battery powdered weed trimmer in the amount \$915.14 to replace a two-stroke engine gas powdered weed trimmer.

The Committee is interested in starting a "1% for the Arts" initiative in Lewisburg Borough.

Approval Don E Bower - Hufnagle Restroom & Handwashing Payment 7

Piers Project Engineering Approval - Larson Design

ADMINISTRATIVE AND PUBLIC SAFETY
BVRPD

WCEC

Approval of Bills

Ward IV Resignation – Lira

BVRPC Resignation – Lira

Planning Commission Appointment – Zeigler

Shade Tree Appointment – Wagner

Request N. 4th St. added to Union County Hazard Mitigation Plan

Ward IV Discussion & Appointment – Grobes

Purchase Battery Weed Trimmer

1% for Arts

May 17, 2022

Current vacancies on Borough Council Member Ward IV with term expiring on 12/31/23, HARB with terms expiring on 12/31/22, 12/31/23 and 12/31/24, Planning Commission with terms expiring 12/31/22 and 12/31/23, Zoning Hearing Board Alternate with a term expiring 12/31/23, and Buffalo Valley Regional Police Commission for a Council Member or Civilian Representative with a term expiring 12/31/24.

PUBLIC COMMENT(S) ON ANY NON-AGENDA ITEMS: Lewisburg Downtown Partnership Ellen Ruby shared the Variety show will be held tomorrow, June 4th will be the summer craft fair in the Municipal parking lot behind the Post Office, and June 6th will be WVIA “Our Town Lewisburg Premiere”.

BOROUGH SOLICITOR: Councilmember Powers made a motion, seconded by Councilmember Comas to adopt Ordinance 1066 – Open Container Ordinance which regulates the consumption and possession of alcoholic beverages in public within the Borough. Motion was unanimously approved.

Councilmember Powers made a motion, seconded by Councilmember Comas to adopt Ordinance 1067 – Cable Franchise Ordinance approving the authorizing execution of a cable franchise agreement between the Borough and Service Electric Cablevision, Inc. Motion was unanimously approved.

Councilmember Comas made a motion, seconded by Councilmember Derman to adopt Ordinance 1068 – Parking Fines Ordinance amending on-street and off-street parking by increasing the prescribed fines for violations of the on-street and off-street metered parking provisions. Motion was unanimously approved.

REPORTS / COMMUNITY UPDATES / PUBLIC NOTICES: Mayor Alvarez commented that COVID transmissions are on the rise and encourages everyone to be diligent, but don’t let it keep you from living your lives.

Council President Sulai stated since COVID numbers are on the rise and please get your vaccination, mask up, and test. The Federal Government has just released they will send eight more free tests in the mail.

Community Development Grant Manager Beattie stated there are only a handful of items left for Bull Run Phase II, Brown Alley is getting ready to start, and the black Tri-Globe light with a brief history has been put in place by Betty Cook’s house on Market Street.

Councilmember Bilenky Trahan heard the media coverage regarding the Kidsburg Playground on Big Country. Councilmember Bilenky Trahan reminded everyone to vote.

Councilmember Derman informed everyone full-time Firefighter Matt Becker passed away.

Councilmember Comas thanked the Poll workers.

Vacancies

PUBLIC COMMENT ON NON-AGENDA ITEMS Ruby – Updates

Ordinance 1066 – Open Container

Ordinance 1067 – Cable Franchise

Ordinance 1068 – Parking Fine Increase

REPORTS / COMMUNITY UPDATES / PUBLIC NOTICES Alvarez

Sulai

Beattie

Bilenky Trahan

Derman

Comas

May 17, 2022

WRITTEN REPORTS: Councilmember Derman made a motion, seconded by Councilmember Comas to acknowledge receipt of the parking report, April Planning Commission minutes, LAJSA April agenda and February minutes, Zoning Officer report and Code Enforcement Officer report. Motion was unanimously approved.

WORK SESSION: There will be a Work Session to be held Tuesday, June 14, 2022.

QUESTIONS FROM THE MEDIA: Matt Farrand asked for clarification on the Ward IV appointment and the proposal from PennCore Consulting for pre-application engineering services related to a CDBG-CV application to DCED for an outdoor event venue in Hufnagle Park.

There being no further business, Councilmember Derman made a motion, seconded by Councilmember Powers to adjourn the meeting. The meeting was adjourned at 7:41 PM.

Respectfully submitted,

Jacqueline A. Anders
Borough Secretary

**WRITTEN
REPORTS**

WORK SESSION

**MEDIA
QUESTIONS**

ADJOURNMENT