

LEWISBERRY BOROUGH COUNCIL MEETING

TUESDAY, SEPTEMBER 4, 2012

The meeting was called to order by Robert Griffith, President leading in the Pledge of Allegiance to the Flag.

MEMBERS PRESENT

Robert Griffith, President; Robert Smith, Vice President; Matthew Kiner, Mayor; Mark Keener, Nora Sowers, Mary Pelton, Daniel Soltis and William Thompson. Also Present: Mackensie Greene, Borough Manager; P. Daniel Altland, Solicitor

PUBLIC PRESENT

SEE ATTACHED SIGN IN SHEET

RECOGNITION OF PUBLIC

- Sargent J. Smith of the Newberry Police Department reported the following:
 - There were twenty-two (22) calls in the Borough for the month of August 2012.
 - Officer Myers has been receiving off duty complaints from borough residents and asks that residents file an official complaint with the department.
 - Manager Greene stated information had been requested from Officer Tyson regarding an abandoned vehicle on West Front Street and as of yet has had no response. Sargent Smith will look into this.
- Byron Trout of Gordon Brown & Associates stated he has the application for the MS4 Stormwater Waiver completed. He asks council to approve the application for signature and submission.
- Resident Brooke Miller of 104 W. Front Street, submitted a petition in show of support for the keeping of chickens in the Borough. She is asking council to reconsider passing proposed Ordinance 2012-01 amending Ordinance §2-101 and banning residents from housing chickens within the Borough.
- Resident Scott Six of 208 West Front Street stated he as well spoke with residents of Lewisberry and found the majority of the Borough is in support of the Miller's request. Discussion ensued. Mark **KEENER** made a motion which was seconded by Daniel **SOLTIS** to pass Ordinance 2012-01 with the exception that council grandfathers three (3) of the Millers chickens. Motion denied, 3-4, with Robert Smith, Robert Griffith, Nora Sowers and Mary Pelton voting no. Further discussion ensued. Mary **PELTON** made a motion which was seconded by Robert **SMITH** to approve Ordinance 2012-01 banning chickens in the Borough. Motion carried, 4-3, with Mark Keener, Daniel Soltis and William Thompson voting no. Ordinance 2012-01 shall become effective September 28, 2012.
- Robert Timko, President of the Fairview Township Fire Department reported the following:
 - There was no (0) calls in the month of August 2012 for the Borough.
 - Officer Myers stated Newberry officers have been receiving reports while off duty.

SOLICITOR'S REPORT

- Solicitor Altland stated the following:
 - In accordance with the Borough Code an advertisement was published on July 12, 2012 with respect to the Amendment to Ordinance §2-101 dealing with the keeping of animals.

APPROVAL OF MINUTES

- Daniel **SOLTIS** made a motion which was seconded by Nora **SOWERS** to approve the minutes of the August 6, 2012 Meeting. Motion carried, 7-0.

APPROVAL OF INVOICES AND RECEIPTS

- Nora **SOWERS** made a motion which was seconded by Robert **SMITH** to approve the General Fund, Electric Fund, Road Fund and Building Maintenance account invoices for payment. Motion carried, 7-0.

COMMISSION AND REPORTS

Zoning Officer Report:

- Arthur Trout stated there were two (2) permits issued for the month of August, 2012.
- Manager Greene will prepare a notice for the electric bills with contact information for Arthur Trout.

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Mayor's Report:

- An Ordinance violation letter has been sent to 210 Market Street for the lack of upkeep with the grass and weeds.
- The registration of the Chevy Trailblazer parked on W. Front Street has expired which makes it legally acceptable for the Borough to ask for it to be removed. The Newberry Police have been asked to identify the owner of the vehicle so that an ordinance violation letter can be sent. Manager Greene will follow up with this.

Road Commission:

Robert Smith stated the following:

- Terence Yinger and himself have cut and cleared more brush and raked leaves. Also, a report was received for a low wire at 3rd and Lewis Streets. Robert Smith will look into this.

Electric Commission:

William Thompson stated the following:

- He attended the PMEA conference.
- The Cumberland County Tax Commission (CCTC) has moved their location to 21 Waterford Drive, Mechanicsburg.
- West Shore School District has withdrawn their support of the West Shore Recreation Commission as well as Newberry Township.

Insurance Commission: No Report

Building and Grounds Commission:

- Robert Smith presents a sign-up sheet and asks for volunteers to paint the Borough Park Building.
- Mary Pelton states the library has their annual chili cook-off coming up on October the 22nd.

Fire Protection Commission:

- Fairview Township hosted a movie night at the Fire Station and had a nice turnout.
- A side-by-side refrigerator was donated to the Fire Station.
- Sandra Fogle donated two (2) nine foot counter tops, two (2) base cabinets and one (1) upper cabinet to the Fire Station. She will also have two (2) more cabinets to donate as well.
- The current balance of the \$5,000.00 donation for the Fairview Fire Station is \$3,176.92.
- In cooperation with Fairview Township, a grant was submitted to the DCED for reimbursement of the legal fees incurred with regards to the execution of the Intergovernmental Cooperative Agreement between the Borough and Fairview. Robert Griffith spoke with Robert Brady from the DCED and he informed Robert that Fairview Township Manager, Steve Smith has the paperwork necessary to receive the grant money from the State to distribute.

OLD BUSINESS

- Daniel Soltis requests items to be added to the Agenda for the October 2012 meeting.

COMMUNICATIONS RECEIVED

- PSAB Fall Leadership Conference; PSAB-Underground Infrastructure Assets Class

NEW BUSINESS

- Solicitor Altland clarified what constitutes a reimbursable expense for the Zoning Hearing Fee.
- Correspondence from Kenneth Rotz of Keystate Publishers recommends council change the placement of an Ordinance within the code. Solicitor Altland clarifies the request and informs council he agrees with this request. Manager Greene will correspond with Keystate Publishers to continue as suggested.
- Resident Sandra Griffith inquired of an ordinance that would pertain to the placement of signs advertising a business. Discussion ensued. Robert Smith will look into this.
- Robert Griffith stated resident Dave Iddings, reported stones were removed from a culvert; Paul Fisher was notified and asked to look into this. The cost to make the necessary repairs is estimated to be \$500.00. Discussion ensued. Robert **SMITH** made a motion which was seconded by Mark **KEENER** approve the cost of the necessary repairs. Motion carried, 7-0.

ADJOURNMENT

- Mark **KEENER** made a motion which was seconded by Mary **PELTON** to adjourn the meeting and move into Executive Session. Motion carried, 7-0.