

LEWISBERRY BOROUGH COUNCIL MEETING

MONDAY, MAY 3, 2010

The meeting was called to order by David Raugh leading in the Pledge of Allegiance to the Flag.

MEMBERS PRESENT

David Raugh, President; Sandra Griffith, Vice President; Matthew Kiner, Mayor; Mark Keener, Daniel Soltis, Nora Sowers, Edward Farr and Mary Pelton.

Also Present: Mary Ellen Banks, Borough Manager; Steven Miner, Solicitor

PUBLIC PRESENT

John Snyder, Newberry Township Police Chief Allison Dougherty, Patriot News
Steve Anderson and Chris Kennedy, Touch of Grass Charles Semken, All Care Landscaping
Mark Albright and Matt Miller, Residents and Lewisberry Fire Company Representatives

APPOINTMENT OF SOLICITOR

- Daniel SOLTIS made a motion which was seconded by Mary PELTON to release the firm of Ream, Carr, Markey and Woloshin as solicitor for Lewisberry Borough. Motion carried, 7-0.
- Edward FARR made a motion which was seconded by Mark KEENER to appoint the firm of Daley Zucker Melton Miner and Gingrich as Lewisberry Borough Solicitor with Steven Miner as the Council representative. Motion carried, 7-0.

OPENING OF LAWN MAINTENANCE BIDS:

- Mary Ellen Banks stated she accidentally opened one of the Lawn Maintenance Bids received in the mail that was not marked as a lawn bid. When she realized it was a bid, she immediately resealed the envelope. She further swore that she did not read or disclose the amounts of the bid to any other person or persons.

- The following Lawn Maintenance Bids were opened and read:

1. Barry Bonsell	Bid	\$230.00
128 Pickett Road	Hourly	\$25.00
Dover, PA 17315		
2. H & N Landscaping	Bid	\$347.00
1245 East Lisburn Road	Hourly	\$48.50
Mechanicsburg, PA 17055		
3. P&M Brenneman Services	Bid	\$250.00
345 Mengus Mill Road	Hourly	\$40.00
Littlestown, PA 17340		
4. All Care Landscaping	Bid	\$155.00
313 Juniper Drive	Hourly	\$18.00
Etters, PA 17319		
5. Mellott	Bid	\$160.00
P. O. Box 7549	Hourly	\$20.00
York, PA 17404		
6. Shope's Landscaping	Bid	\$175.00
595 Old York Road	Hourly	\$30.00
Wellsville, PA 17365		

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OPENING OF LAWN MAINTENANCE BIDS, CONTINUED:

7. Brickman 925 Lewisberry Road Lewisberry, PA 17339	Bid Hourly	\$240.96 \$40.00
8. Premier Property Services, LLC 1638 Guilford Lane York, PA 17404	Bid Hourly	\$200.00 \$25.00
9. Miller's Lawn Care 435 Dull Road Felton, PA 17322	Bid Hourly	\$145.00 \$16.00
10. Tim Stoltzfus 309 N. Millbach Road Newmanstown, PA 17073	Bid Hourly	\$300.00 \$45.00
11. K & J Landscaping 205 Krone Road Lewisberry, PA 17339	Bid Hourly	\$300.00 \$25.00
12. A Touch of Grass (Steve Anderson) 135 Winding Hill Dr. Etters, PA 17319	Bid Hourly	\$159.00 \$28.00
13. Tru-Green Limited Partnership 2211 Industrial Highway York, PA 17402	Bid Hourly	\$345.00 \$34.00
14. Apex York Landscaping Contracting 2537 East Market Street York, PA 17402	Bid Hourly	\$210.00 \$30.00

- A motion to accept the above bid from All Care Landscaping was made by Mary PELTON and seconded by Daniel SOLTIS. Motion carried, 7-0.

RECOGNITION OF PUBLIC

- Chief Snyder of Newberry Township Police Department reported there were fourteen (14) incidents in the Borough in the month of March and twenty-five (25) incidents in the month of April. He also reported that the foot and bicycle patrols have already begun for the spring and summer time frames.
- Discussion with Lewisberry Community Fire Company Chief, Mark Albright:
 - Mark acknowledged the receipt of the email from Mary Ellen Banks, Borough Manager requesting information and explained he will have the items listed within the next week or two.

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RECOGNITION OF PUBLIC, CONTINUED

- Discussion with Lewisberry Community Fire Company Chief, Mark Albright, Continued:
 - Mark voiced his concern that he heard from other fire departments that Council was searching for a replacement for the Lewisberry Fire Company and requested that Council come to him with concerns, not go to other fire companies. Daniel Soltis explained Council has not discussed this with any other fire companies and rumors have been circulated from both sides. He once again mentioned the residents and Council are concerned with the perception of fire vehicles at Silver Lake Bar and Restaurant. Mark explained Silver Lake management is assisting the Fire Company with various fundraisers; however, even though Council approves of this fundraising, they still recommend not having vehicles parked there unless there is a fundraiser going on and they suggest either walking or driving personal vehicles when visiting Silver Lake.
 - Since the Treasurer resigned, Council inquired if the President can assume the position of the Treasurer according to the by-laws. Mark Albright stated this is permissible.
 - Mark Keener explained he had a discussion with a Newberry Township Supervisor whom informed him he will not agree to give Lewisberry Fire Company an allocation of funds unless there are better checks and balances in place for how the money is spent and the pickup truck will not be used as the Chief's personal vehicle. Chief Albright explained he pays all the maintenance for the truck; however, Council stressed it is an asset of the Fire Company and should not be used for personal use which will lower the value of the vehicle. Mark Keener also stated the Fire Company needs to follow the requests by Newberry Township and as a Lewisberry Council member and as a citizen, Mr. Keener feels the Fire Company should make the decision to not allow the Fire Chief's truck to be driven personally. Chief Albright stated if that is a stipulation to get the allocation from Newberry Township, he will discontinue his personal use of this vehicle.
 - Chief Albright stated the Chairman of the Newberry Township Board, Stephen Pancoe may attend the Borough's June Council meeting.
 - Edward Farr questioned how the internal audit of the Fire Company financials is completed and if the treasurer is part of that process. Chief Albright explained the Board completes the audit and the treasurer should be part of it; however, the prior treasurer (Ashley Beck that just resigned) could never make these audit meetings. Chief Albright informed Council the State does the Relief Association's Audit.
 - Daniel Soltis asked if Mark contacted an individual to purchase a ladder for the new ladder truck as a "conversation piece". Mark stated he was just inquiring and he was aware they would not be able to use the ladder since it would not pass inspection.
 - Mark Keener stated he again discussed with Dolan Oil concerning the propane tank they disconnected due to a past due invoice since April 09 and he also explained they stated there was no gas leak and the tank was definitely removed for non-payment. Chief Albright once again stated the Fire Company requested Dolan to pick up the tank.
 - Edward Farr questioned an over-due invoice of approximately \$3,000.00 for Wright Communications which Brad Wright states he has tried to reach someone at the Fire Company many times with no return calls. Chief Albright stated he explained to Brad that he will be getting his money when they receive the grant from the State.
 - Chief Albright informed Council the Fire Company will begin to bill insurance companies for fire service after responding to a fire or vehicle accident. Some insurance companies may (or may not) pay giving the Fire Company possible income.
 - Chief Albright stated there are mutual aid agreements in place with Fairview and Newberry Townships.
 - David Raugh informed Mark Albright that the research the Council is conducting is necessary and part of Council's responsibility to the residents of the Borough. Once all of the information requested is received and reviewed, there will be further discussion on this matter.

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APPROVAL OF MINUTES

- Sandra GRIFFITH made a motion which was seconded by Mary PELTON to approve the minutes of the April 12, 2010 meeting. Motion carried, 7-0.

INVOICES AND RECEIPTS

- Mark KEENER made a motion which was seconded by Nora SOWERS to approve the General Fund, Electric Fund and Road Fund invoices for payment. Motion carried, 7-0.

COMMITTEE REPORTS

Zoning Officer Report – George Craker not Present – Mark Keener reporting the following:

- Mr. Craker informed Mark a permit was not necessary at 110 Nebinger Street for the retaining wall.
- A roof was replaced at Third and Lewis Streets with no permit; therefore, he will inform owners.
- Mr. Craker informed Mark Keener that he would like the Board to find a replacement for his position as Zoning Officer and he will continue until a replacement is found. Mark suggested hiring a Lewisberry resident; therefore, a notice will be inserted into the Electric invoices for the May billing. An application has been received from an interested party from Etters.

Mayor's Report

- Matt Kiner reported the following:
 - He once again reviewed the ordinances and could not find any violations for the Konevich property. The utility truck and the bread box truck that were discussed in the March Council meeting have been removed. Solicitor Miner will review the information.
 - He received information on various courses offered thru PSAB on zoning administration and subdivision and land development review and community planning. Sandy GRIFFITH made a motion which was seconded by Edward FARR to give Matt permission to attend if he wishes. Motion carried, 7-0
 - Matt inquired if anyone on Council had an objection to posting a link on the Borough's website to Lewisberry's ordinances on the Keystate website. There were no objections.

Road Committee

- Daniel Soltis reported the Committee for the Front Street ice situation has not met at this time.
- Edward FARR made a motion which was seconded by Sandra GRIFFITH to pass a snow storm resolution making Mary Ellen Banks, Borough Manager, the Borough's agent for this process per PEMA and FEMA requests. Motion carried, 7-0.

Electric Committee

- David Raugh reported on the following:
 - The pole numbering has been completed.
 - The pole replacement at Walnut Lane and South Street will not be necessary per Henkle and McCoy since they were able to make the necessary repairs.
 - David attended a meeting with Tom Handley of AMP whom suggested the Borough consider an Alternative Energy Ordinance. He has received information concerning an ordinance passed by Chambersburg Borough along with technical information. He will ask an engineer from Henkle and McCoy to review this and also check with Lee Fishel of Goldsboro. Mary PELTON made a motion which was seconded by Nora SOWERS for David to research this possible ordinance fully. Motion carried. 7-0.
 - Power Supply 101 meeting will be given by AMP in Perkasio on May 17th if anyone is interested in attending. William Thompson, David Raugh and Mary Ellen Banks will be attending.

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COMMITTEE REPORTS, CONTINUED

Library Committee

- Sandra Griffith stated there will be a sub sale next week.

Insurance Committee – No Report

Park Committee

- David Raugh reported for Thomas Banks there is no mold in the front right corner of the Borough Park Building and the vent on the second floor will be replaced by Thomas Banks when he is recovered.

Planning Committee – No Report

Red Land Community Corporation – No Report

OLD BUSINESS

- David informed council he once again called Penn Waste concerning the collection of refuse before 7:00 AM and Council members stated it is now being picked up after that time.

NEW BUSINESS/COMMUNICATIONS

- Annual Donations
 - Mary PELTON made a motion which was seconded by Nora SOWERS to not make an annual donation of \$350.00 to the Lewisberry Health Center. Motion carried, 7-0.
 - Sandra GRIFFTH made a motion which was seconded by Mary PELTON to donate \$150.00 to the York County Heritage Trust where the Lewisberry Borough antique engine is on display. Motion carried, 7-0.
- Lewisberry Area Joint Authority Meeting Minutes for April, 2010 are available for review.
- An invitation was received to Lancaster Inter-Municipal Committee annual dinner featuring the current and future responsibilities and opportunities relative to the Chesapeake Bay Program.
- York County Economic Association Newsletter is available for review.
- Sandra Griffith stated the street drains need cleaned; therefore, David Raugh will call the Borough's Penn Dot representative inquiring how to have this completed on Market Street.
- Mary Pelton stated she would like to have flowers or bushes planted around the Monument on the Square prior to Memorial Day. Council stated they would pay for the supplies. Mary Ellen Banks will inquire if the Boy Scouts that meet at the Borough Park Building at no cost would be interested in assisting with this project. If not, she will also check with the new Lawn Maintenance company if they would do the planting at the miscellaneous cost of the contract.
- Mark KEENER made a motion which was seconded by Mary PELTON to sign the retainer letter to engage the firm of Daley Zucker Meilton Miner and Gingrich as Lewisberry Borough Solicitor with Steven Miner as the Council representative. Motion carried, 7-0.

ADJOURNMENT

- Mary PELTON made a motion which was seconded by Daniel SOLTIS to adjourn the meeting. Motion carried, 7-0.