

LEWISBERRY BOROUGH COUNCIL MEETING

MONDAY, JUNE 7, 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
Brandt Cook, Newberry Township Supervisor	Don Keener, Newberry Township Manager
Stephen Pancoe, Newberry Township Supervisor	John Snyder, Newberry Township Police Chief
David Iddings, Borough Resident	Dennis and Ashley Beck, Lewisberry Fire Co.
Bob Donlevy, Newberry Township Bsn. Owner	Brad Wright, Wright Communications
William Kessler, Borough Resident	Zach Slothower, Lewisberry Fire Co.
Ted and Liz Christianson and Mike Carroll, RLGSA	David Lyons, Borough Resident
Mark Albright and Matt Miller, Residents and Lewisberry Fire Company	

RECOGNITION OF PUBLIC

- Chief Snyder of Newberry Township Police Department reported there were fifteen (15) incidents in the Borough in the month of May.
- Liz Christiansen along with Michael Carroll of RLGSA presented a proposal requesting permission to conduct a Girls Softball Camp at the Borough Park Field. This will include a four (4) week youth camp June 21st through July 15th and a two (2) week high school camp July 26th through August 5th held 9:00-12:00, Monday thru Thursday. Liz explained this is her summer job and will be conducted through a limited partnership business. Her rate will be \$150.00 with RLGSA players receiving a discounted price of \$125.00. Mr. Carroll explained that the RLGSA endorses this softball camp. Edward FARR made a motion which was seconded by Mark KEENER to allow Liz Christiansen to conduct a Girls Softball Camp at the Borough Park Ball Field in 2010 for the fee of \$80.00. Motion carried, 7-0.
- A letter was received May 24, 2010 from Newberry Township Manager Don Keener opening a discussion on cooperative purchase of insurance for the respective Fire Companies of Newberry Township, Lewisberry, Goldsboro and York Haven Boroughs. Sandra GRIFFITH made a motion which was seconded by Mary PELTON to explore the possibility of joining with Newberry Township for purchase of Fire Company insurance. Motion carried, 7-0.
- **Comments and discussions concerning Lewisberry Community Fire Company:**
 - Robert Donlevy of Donlevy's Auto Service stated his company did repair work over a year ago on the Fire Company vehicles for a total of \$1,125.47. His company was told the payment will be sent when the grant is received; however, he can no longer wait and is preparing to take legal action.
 - Brad Wright of Wright Communications stated he also has outstanding invoices from the Fire Company of \$2,947.33 and knows of other vendors that have invoices outstanding. Mark Albright, Chief, stated all vendors were informed previous to the work being completed payment would be after receiving the grant. The grant is approved; however, has not been received from the State.
 - Edward Farr asked if any audits have been completed at the Fire Company and if they exist they should be able to be produced. Mark Albright stated he is not involved in the administrative side of the Fire Company. They have appointed a new treasurer, Douglas Morrow, who is now in training. Discussion ensued.

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RECOGNITION OF PUBLIC, CONTINUED – LEWISBERRY FIRE COMPANY DISCUSSION:

- David Raugh stated it is the Borough's responsibility to ensure the residents of the Borough are protected and the fire company is solvent. Edward Farr stated the Borough purchased the Station and paid all their outstanding debts two years ago.
- Newberry Township Chairman Pancoe stated he was not able to get support from the board to allocate Lewisberry Fire Company an annual donation of \$10,000. A discussion ensued concerning a possible merger with either Newberry or Fairview Township Fire Companies. Newberry Township Supervisor, Brandt Cook stated if there is mismanagement now within the Fire Company and the Township gave them the \$10,000 donation, they feel it would be mismanaged again; therefore, why put another band-aid on it.
- Ashley Beck, former treasurer of the Fire Company, stated there were bills coming in and they were not paid because there was no money to pay them. When the money did come in, it was gone immediately. She did not have access to anything at the bank; only entered the information into Quick Books. Discussion ensued by Council for the best way to handle the situation.
- David Iddings, resident stated he is a life member of the Fire Company and a resident of the Borough. He is aware it is Council's responsibility to provide the residents fire protection; therefore his suggestion would be put another Fire Company at the station.
- Zach Slothower, former member of the Lewisberry Fire Company stated he joined in 2007. At that time, he took EMT classes which he was to be reimbursed for; however, he was not reimbursed. He then resigned because of his job. In 2008 he returned and was VP of the Relief Association. He felt he then had to resign again due to professional reasons of not wanting his affiliation with the Fire Company to cause any problems with his career. There are numerous members that have resigned and if present management was changed, they will return to the Fire Company.
- David Lyons stated one possible solution is the Relief Association can loan money to the Fire Company; however, there is a certain procedure that must be followed.
- At this point in the meeting, the Lewisberry Borough Fire Chief, Mark Albright stated he will resign as Chief of the Fire Company and left the meeting.
- Matt Miller, Deputy Fire Chief and resident stated if Mark resigns, the Board of Directors will hold an emergency meeting and appoint a new Chief.
- Chairman Pancoe stated Lewisberry and Newberry Township's Fire Company's are independent entities with Fairview Fire Company being funded totally by the Township. Newberry Township will give their cooperation to help solve this problem for Lewisberry and he is assuming the reluctance of his board has been the financial state of the Lewisberry Fire Company.
- Matt Miller stated the next Fire Company Board of Directors meeting will be to discuss and deal with the problem of not having funds to pay their bills and also to discuss a possible merger. It will be necessary to sell equipment beginning with the Chief's truck which is valued at \$14,000. Daniel Soltis or Mark Keener will attend the next Board meeting. Steven Miner, solicitor, stated it is the Borough's obligation to provide fire service; however, it is not appropriate for the Borough to step in and take over the Company. He is not aware of the Company's by-laws but assumes they will have to sell equipment to pay off the outstanding invoices if they make the decision to merge. Mary PELTON made a motion which was seconded by Nora SOWERS to support the Lewisberry Fire Company if they make the decision to open discussions for a merger with either Fairview or Newberry Township Fire Departments. Motion carried, 7-0.
- Mark Albright's resignation was received by Matt Miller via email effective Tuesday, June 8th, 11:59 pm. Mark Fuhrman will be taking over as acting Chief and the Board must meeting within twenty-four (24) hours to appoint a new Chief.

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SOLICITOR'S REPORT

Steven Miner reported the following:

- As requested by Council after researching alternative energy he found that according to Act 129 of 2008 Borough Municipalities are not required to entertain alternative energy to purchase back electricity generated; however, the Borough should have an ordinance in place including the technical requirements. Discussion ensued concerning alternative energy and also windmills. Steven stated windmills are a totally different issue and he will research ordinances on height restrictions for July meeting.
- The Fair and Accurate Credit Transaction Act of 2003 is commonly called the Red Flag Policy. According to the law, the Borough was to have a policy in place previously. Steven supplied the Borough with a sample resolution which is similar to other Boroughs which was forwarded to Mary Jo Keener, Electric Biller for review. Edward FARR made a motion which was seconded by Mark KEENER to move forward with preparing this resolution for Lewisberry Borough once it is reviewed by the Electric Biller. Motion carried, 7-0.
- Matt Kiner and himself visited several of the blighted properties in the borough and he makes the following suggestions; either 1) Immediate satisfaction, the Borough can file nuisance action with District Justice; however, the nuisance law is very subjective and time consuming to enforce or 2) The Borough could adopt the Property Maintenance Code which is strict liability, a condition is a violation whether it is a nuisance or not which would make it easier and less costly for the Borough to handle these blighted properties. Steven will purchase the Property Maintenance code book for the Borough and allow all to read it before preparing an ordinance.

APPROVAL OF MINUTES

- Edward FARR made a motion which was seconded by Mary PELTON to approve the minutes of the May 3, 2010 meeting. Motion carried, 7-0.

INVOICES AND RECEIPTS

- Mary PELTON made a motion which was seconded by Sandra GRIFFITH 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

Mayor's Report

- Matt Kiner reported the following:
 - The Motto sidewalk has not been repaired. Mary Ellen Banks will send all information to both the solicitor and Matt for review.
 - The April meeting minutes are now on the Borough website and there is also a link to Keystone which contains the Borough's ordinances.

Road Committee

- David Raugh reported the crosswalk sign by the Borough Park has been stolen. Council requests we order a replacement from Penn Dot.
- Mary Ellen Banks reported the Snow Storm paperwork has been submitted to PEMA/FEMA and we are expecting 75% of the total cost; \$2,651.88.

Electric Committee

- David Raugh reported the AMP Power Supply 101 meeting was attended by William Thompson, David Raugh and Mary Ellen Banks. A chart was shared with Council members concerning the transmission cost which will increase from current, 2010-2011, \$5.30 to \$6.88 in 2013-2014.

Library Committee

- The Borough Manager explained the agreed upon semi-annual donation of \$600.00 for June thru December has been given to the Library since the Corporation has been dissolved meaning the Library is no longer paying rent.

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COMMITTEE REPORTS, CONTINUED

Insurance Committee

- New Pirma Property Agreement (Insurance Coverage) has been received.

Park Committee

- David Raugh reported he attempted to do a trade with RLGSA official for building repairs in exchange for using the field for the softball camp.
- Mary Ellen Banks
 - On June 10th there is a birthday party at the park which will include a Game Truck.
 - On June 6th there will be a food auction by auctioneer Terry VonNieda.

Planning Committee – No Report

Red Land Community Corporation

- David Raugh reported the following:
 - The agreement with the Corporation and Redland Community Action has not been located; however the research is continuing.
 - Once the dissolution is completed there will be new committee appointments for the change-over and on-going building management. David suggested for this change-over and on-going additional work the Borough Manager should have additional compensation. Volunteers for the new committee appointments were Mary Pelton, Matthew Kiner, David Raugh, and Mary Ellen Banks. Sandra Griffith stated her husband, Robert Griffith, would agree to be on the committee. There will be additional costs in the beginning such as changing the locks, solicitor fees, etc.

OLD BUSINESS

- Reminder the July Council meeting will be on July 6th, 2010.

NEW BUSINESS/COMMUNICATIONS

- Nora Sowers stated residents have come to her with complaints concerning trash burning and motorcycles. Council explained the residents should call the police while the problem is happening. She also continues to have residents complain about the Konevich property.
- Council thanked Mary Pelton for planting flowers at the monument on the square and placing the American Flags for Memorial Day.
- Mary Jo Keener, Resident, sent the Borough Manager an email stating her concerns with the condition of the Community Center landscaping and play ground. Both playgrounds have been weeded and Paul Fisher has contacted Camp Hill Forest Products to have wood carpet delivered at half the cost that was budgeted for 2010.
- David Raugh reported the Borough has received a letter from the Red Land Senior Center requesting consideration to rent the Borough Park Building once again. Sandra Griffith states she will vote against this due to the experience when the organization rented it previously. Sandra GRIFFITH made a motion which was seconded by Mary PELTON to not discuss this possibility with the Center. Mark Keener suggested Council allow the discussion. Discussion ensued and motion was tabled until at a later date.
- West Shore School District Certificate of Appreciation for the Borough was received.
- York County Planning Commission 2009 Annual Report was received for review.
- Robert Griffith's 20 Year Service Award was received from Pennsylvania State Association of Boroughs. Mr. Griffith requested not to receive the plaque publicly.
- Fairview Township 2010 Draft Comprehensive Plan CD was received for review.
- York County Economic Development Corporation 2009 Annual Report was received for review.

ADJOURNMENT

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