

LEWISBERRY BOROUGH COUNCIL MEETING

TUESDAY, JULY 6, 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
Mary Jo Keener, Electric Company & Resident	Kathy Weems, Resident
William Carlisle, Fairview Township Fire Chief	Casey Rees, Resident
Matt Miller, Travis Fuhrman, David Lyons, Lewisberry Fire Company	

RECOGNITION OF PUBLIC

- David Raugh presented Casey Rees, the Borough's AMP scholarship finalist, a commendation from Lewisberry Council.
- Chief Snyder of Newberry Township Police Department reported there were eighteen (18) incidents in the Borough in the month of June. He will have patrol units attend the library Chili-Cook-off on Saturday, August 7, 2010.
- Chief Matt Miller presented the monthly fire report for the Lewisberry Community Fire Company and introduced Fairview Township's Fire Chief, William Carlisle, who gave the following information to the Council:
 - Fairview Township is very interested in opening merger agreement talks with Lewisberry Community Fire Company due to the fact they need to provide good viable fire service to the present residents in this area and also the new residents that are locating here. They feel now is the best time to do the merger, while the fire company is still operating. The Township would want to retain some equipment and they will ensure that Lewisberry Fire Company keeps civic pride and name the new department accordingly. On July 21st, the Fairview Township Fire Company will meet and vote to begin the merger talks with Lewisberry Community Fire Company. The Fairview Township supervisors will vote on this also at their last meeting in July.
 - If the merger is approved by all, Fairview Township would pay all of Lewisberry's Firefighters Workmen's Compensation insurance.
 - Matt Miller, acting Lewisberry Community Fire Company Chief is requesting permission of the Council to open merger talks with Fairview Township Fire Department. Daniel Soltis questioned EMS coverage and Chief Carlisle explained they are concentrating on the Fire Service at this time and will address EMS coverage once the merger is completed. He also stated the merger will take approximately three to six months; however, the Borough's residents will continue to have complete fire coverage during this time. Travis Fuhrman stated the Fire Department is planning on having all the equipment appraised if needed to assist in paying any outstanding debts.
 - Daniel SOLTIS made a motion which was seconded by Mary PELTON to give the Lewisberry Community Fire Company permission to proceed with negotiations with Fairview Township Fire Department. Motion carried, 7-0.
 - Matt Miller stated the Lewisberry Fire Company will vote on this on Monday, July 12th @ 7:00. Sandra GRIFFITH made a motion which was seconded by Nora SOWERS for Mary Pelton and Edward Farr to continue attending the Lewisberry Community Fire Department meetings. Motion carried, 7-0.
 - Sandra GRIFFITH made a motion which was seconded by Nora SOWERS naming Daniel Soltis and Mark Keener as Lewisberry Borough Council's two liaisons for the merger talks. Motion carried, 7-0.

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RECOGNITION OF PUBLIC, CONTINUED

- Kathy Weems, resident, requested an application to open a barber shop at 204 North Front Street. Since this area is zoned commercial, she must only complete a zoning application and a business license application. The Borough Manager will have the zoning officer, George Craker contact her to explain the zoning permit application process and will send her the business license application.

SOLICITOR'S REPORT

- Discussion ensued concerning the Motto property and repair of the sidewalk. Steven Miner stated the Borough Code does give the Borough the right to fix the sidewalk and sue the owner for the cost of the repairs. Mark Keener stated he had called Mr. Motto who replied that he will repair the sidewalk in July. Daniel SOLTIS made a motion which was seconded by Mary PELTON instructing the Borough Manager to compose and send a letter giving a deadline of August 1st to have the repair completed or the Borough would have the sidewalk repaired and bill Mr. Motto. Motion carried, 7-0.
- During June's meeting, Council questioned Steven if the Borough had height restrictions in place. The restrictions are 35' on main buildings and 25' on accessory buildings. Steven Miner recommends that the Council consider adding windmills to these restrictions. Council will review and report their decision during the August meeting.
- Discussion ensued concerning the Fair and Accurate Credit Transaction Act of 2003 to prevent Identify Theft. Mary Jo Keener, Electric Biller will review the paperwork and make corrections to develop a process for the Lewisberry Electric Company.
- Steven Miner explained further the Uniform Code Resolution he recommends the Borough adopt. This would cover all problems in the Borough rather than drafting various provisions to cover the blighted properties. This code is in line with the State's uniform code. Edward FARR made a motion which was seconded by Nora SOWERS giving Steven permission to purchase the Uniform Code book for \$31.00 for the Council's review. Motion carried, 7-0.

INVOICES AND RECEIPTS

- Mary PELTON made a motion which was seconded by Mark KEENER 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

David Raugh reported that Jerry Shultz has accepted the position of Zoning Officer; however he is presently on vacation. He will be sworn in and appointed during the August's meeting.

Mayor's Report – No Report

Road Committee

- The Borough Manager reported the Borough has received \$2,651.88 on June 4, 2010 from the Federal Government for the 2009/2010 snow storms.
- The Front Street Ice Problem Committee Report is as follows:
 - Sandra GRIFFITH made a motion which was seconded by Mary PELTON to purchase @ \$25.00 each and post November 1 thru April 1 each year four (4) "Local Traffic Only" signs on Front Street. Motion carried, 7-0.
 - Daniel Soltis reported he will meet with the Front Street residents to inquire if they are willing to go thru their back yards rather than the street after a conversation with Paul Fisher. Steven Miner stated the Borough would need to have an agreement with all residents affected and the Borough may not be able to expend funds if this construction is not on public property. Depending on the cost, it will have to go out on bid; therefore, if over \$10,000.00 you will have to advertise for bids.

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COMMITTEE REPORTS, CONTINUED

Electric Committee

- David Raugh reported on the following:
 - The PMEA Conference will be held September 29th thru October 1st at State College. If anyone is interested, please let him know.
 - The Electric Outage Process is as follows: 1st call is Mark Keener, 2nd call is Sandra Griffith and 3rd call is David Raugh.
 - The 2009 Audit from AMP has been received.

Library Committee

- Sandra Griffith reported there is a sub sale on Wednesday, July 14th.
- The Annual Chili Cook-off will be held on August 7th.

Insurance Committee

- The Workmen's Comp annual audit has been completed.

Park Committee

- Mary Ellen Banks reported Terry VonNieda has been conducting food auctions monthly in the Borough Park Building; however, the six (6) hours limit is not sufficient for set-up, auction and tear-down. Borough Council gave approval to extend the six hour limit as necessary.
- David Raugh reported when the wood carpet was delivered, the truck demolished one of the light poles in front of the Community Center. Kevin Sorenson was called and explained the fixture and pole is no longer made; therefore, he suggested we purchase two new poles so they are uniform. It will be approximately \$1300.00 plus labor for each fixture and pole. Camp Hill Forest Products will reimburse the Borough for one. Sandra GRIFFITH made a motion which was seconded by Edward FARR to purchase the second pole and fixture. Motion carried, 7-0. Paul Fisher also suggested the Borough remove several feet of dirt from the playgrounds next year before having the wood carpet delivered.

Planning Committee – No Report

Red Land Community Corporation

- The Corporation has been dissolved and the final check was received by the Borough. Per David Raugh, this will cause additional costs for the Borough. There is paperwork and books that need checked, reviewed and finalized along with all new records and accounts that need to be set up. All solicitor charges and Borough Manager's time will be kept separate for the record.

OLD BUSINESS - NONE

NEW BUSINESS/COMMUNICATIONS

- Waggoner, Frutiger and Daub 2009 Financial Audit is in Council Member's packets for review.
- There is a Leadership Conference in Gettysburg if anyone is interested in attending.
- West Shore Recreation April 13th meeting minutes have been received.
- Mark Keener reported he has received several complaints concerning the Sinsabaugh property on North Street. Daniel Soltis stated he would discuss this with Mr. Sinsabaugh.
- Mark Keener reported he received a verbal quote from JR's Driveway Service to repair the Fire Station parking lot. He also suggests the Borough consider with all the repairs that need completed in the Borough, a possible \$5.00 charge on all electric bills; however, Steven Miner stated you cannot legally do this; however, you can access additional tax millage. Mary PELTON made a motion and Daniel SOLTIS seconded it to have the Borough Manager compile figures to determine the additional income generated for a ½ mil increase in taxes. Motion carried, 7-0.

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NEW BUSINESS/COMMUNICATIONS, CONTINUED

- Sandra GRIFFITH made a motion which Nora SOWERS seconded to appoint Edward Farr the alternate liaison for the Fire Company merger talks. Motion carried, 7-0.
- Mark Keener stated he has requested that Kevin Sorenson replace meters with fogged glass.
- David Raugh reported he also had Kevin Sorenson replace a breaker and a photo eye on the light in the Community Building Parking Lot.

RECESS TO EXECUTIVE SESSION – LEGAL AND PERSONNEL

- The Regular meeting of the Lewisberry Borough Council recessed to Executive Session for the following reasons:
 - Redland Community Action Program Lease
 - Personnel

RECONVENE TO REGULAR MEETING OF THE LEWISBERRY BOROUGH COUNCIL @ 10:02

- Edward FARR made a motion which was seconded by Sandra GRIFFITH to accept the reserve funds from the Redland Community Corporation. Motion carried, 7-0.
- Mary PELTON made a motion which was seconded by Edward FARR to accept assignment from the Corporation for the lease. Motion carried, 7-0.
- Edward FARR made a motion which was seconded by Mark KEENER for the Borough Manager to calculate costs, repairs, etc. to estimate future costs of the Community Building. Motion carried, 7-0.
- Daniel SOLTIS made a motion which was seconded by Mary PELTON to increase Janice Russell, the Borough janitor's payroll by \$25.00 per week to cover the common area and the Borough Office cleaning. Motion carried, 7-0.
- Edward FARR made a motion which was seconded by Daniel SOLTIS to adjourn the meeting. Motion carried, 7-0.