

LEWISBERRY BOROUGH COUNCIL MEETING

MONDAY, NOVEMBER 1, 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, Nora Sowers, Edward Farr, Daniel Soltis and Mary Pelton

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

PUBLIC PRESENT

Jerrith Shultz, Zoning Officer
Kathy Weems, Resident
Travis and Amanda Fuhrman, Dennis Beck, Donna and Geoff Coder, Brad Wright; Lewisberry Fire Company
John Snyder, Newberry Township Police Chief
Allison Dougherty, Patriot News

RECOGNITION OF PUBLIC

- Lewisberry Community Fire Company Business
 - Travis Fuhrman reported the following:
 - The October Fire Report
 - Personnel continue to increase and the company is also continuing to clear their debts.
 - They plan to update fire gear in the next five (5) months.
 - The Company has been cleared to apply for the State Fire Commissioners grant.
 - The Fire Police assisted with directing traffic during trick-or-treat and would like to request to close down Front Street next year between Gross's and the Fire Station.
 - The Company is requesting approval to change the 29-1 Fire Box with York County. Edward FARR made a motion which was approved by Mary PELTON to approve these Changes which was explained in detail by Travis Fuhrman, Fire Chief. Motion carried, 7-0.
 - Dennis Beck reported the following:
 - The live-in program has been dissolved and the two apparatuses are still for sale.
 - The electric usage has been decreased considerably with various changes made at the Station; however, the \$5000 donation from the Borough has been depleted. Dennis and other members present stated the Fire Company is willing to pay the electric invoices for the balance of 2010.
 - The Council gave permission for the Fire Company to remove the window air conditioning units which are no longer used.
 - The Ladies Auxiliary has been reinstated with Donna Coder, whom Dennis introduced to Council, in charge. They hope to begin fundraisers after getting food license up-to-date.
 - Mark Keener, Council's liaison for the merger stated there was no meeting to report.
 - Daniel SOLTIS made a motion which was seconded by Mary PELTON to appoint Brad Wright as Lewisberry Borough's EMC. (Emergency Management Coordinator) Motion carried, 7-0.
- Chief Snyder of Newberry Township Police Department reported the following:
 - There were 26 incidents in the Borough in the month of October.
 - He apologized for not covering the Borough better during the trick or treat due to the suicide in the Township.
 - There is still not a definite answer from Newberry Township regarding the 2011 contract; however, he hopes to have both the numbers and the contract to share at next Borough Council Meeting.

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SOLICITOR'S REPORT

- Steven Miner presented the following:
 - Edward FARR made a motion which was seconded by Mark KEENER to adopt the Ordinance Levying Tax on Earned Income. Roll Count Vote: Mary Pelton, Yes; Sandra Griffith, Yes; Edward Farr, Yes; Daniel Soltis, Yes; Mark Keener, Yes; Nora Sowers, Yes; David Raugh, Yes. Motion carried, 7-0.
 - Sandra GRIFFITH made a motion which was seconded by Mark KEENER to pass a resolution electing not to accelerate EIT tax under TCC Supervision for 2011. Motion carried, 7-0.
 - Steve further explained the draft ordinance for “Local Traffic Only” for Front Street between Market Street and Heck Hill Road during winter months. The Ordinance will be advertised and placed on the December agenda for adoption.
 - Steve explained the Pennsylvania Legislature has enacted Act 90 which amends Title 53 by enacting the Neighborhood Blight Reclamation and Revitalization Act. This will assist municipalities in preventing blight and remediate abandoned properties through several new programs and rule changes.

APPROVAL OF MINUTES

- Sandra GRIFFITH made a motion which was seconded by Mary PELTON to approve the minutes of the October 4, 2010 meeting with the following correction on Page 4; The Redland Community Building Commission will be changed to Lewisberry Community Building Commission. Motion carried, 7-0.

INVOICES AND RECEIPTS

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

COMMISSION AND BOARD REPORTS

Zoning Officer Report

- Jerry Shultz reported to Council one (1) permit was applied for in October on Nebinger Street.

Mayor's Report – Matt Kiner

- Since the new ordinance was passed to deal with blighted properties, Matt stated he wanted to await Council's pleasure before moving forward with letters to the two properties of Konevich and Sinsabaugh. As the solicitor explained, the fairest way to avoid problems is to only issue violation letters that are complaint driven. That being the case, the Konevich property has had numerous complaints from several neighbors. Discussion ensued. Matt Kiner stated he will be taking inventory before asking the solicitor to issue a letter to the property owner.
- Council is requesting four (4) additional copies of the International Property Maintenance Code.
- Council is also requesting three (3) additional copies of the Pennsylvania State Borough Code Book.
- The Borough website is up-to-date including all minutes.
- The dog barking issue discussed in the October Council meeting is no longer a problem.

Road Commission

- Daniel Soltis explained after discussing the Front Street situation with William Thompson the residents are not interested in going thru the back of their properties. Discussion ensued. Council made the decision to discuss a solution with the Lewisberry Sewer Authority during one of their meetings. Sandra Griffith volunteered to attend the November meeting. Steven Miner stated if you do this work in stages you must justify the reason for doing so to ensure it does not appear the Borough is attempting to avoid the bidding process. If the Borough would do in stages, it would be because of cost.

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COMMISSION AND BOARD REPORTS, CONT'D

Road Commission, Continued

- The Borough received a letter from Bo Hobaugh concerning his property and a flooding issue in the rear yard during heavy rains. David Raugh and Robert Griffith inspected the drain pipe on the property which was there before the houses in the area were built. This drain pipe had holes which were caulked and he and Robert removed some of this caulking. They will again inspect the property after the next rain and decide the best way to deal with the problem if this did not solve it.
- Kathy Weems, owner of Lewisberry Barber Shop stated there are no Front Street/Market Street Signs on either intersection. Borough Manager explained they will be ordered this week if agreed upon by Council; however, in the meantime Kathy requests putting special signs on the corners. Council informed her to contact Paul Fisher for permission to put signs on the Sewer Authority Property. Edward FARR made a motion which was seconded by Nora SOWERS to order and install two Front Street/Market Street signs. Motion carried, 7-0.

Electric Commission

- Mark Keener stated a quote for a new laptop was received from Warrington Computer for \$440 for the hardware and \$60 per hour to not exceed \$240 to transfer the software. This process will take two days and will be completed after the November Billing. Edward FARR made a motion which was seconded by Daniel SOLTIS to purchase the laptop and have the software installed by Warrington. Motion carried, 7-0.
- David Raugh reported the following:
 - PMEA has requested information from the Borough including the charge per KWH in February, 2006, 2007, 2008, 2009 and 2010. They also requested a copy of our ordinance with this charge; however, we do not have ordinances. Therefore, David requested we send a copy of our electric regulations. We have additional information from both Mifflinburg and Middletown on their processes on disconnects. Mark Keener stated we should review how the Borough handles pulling a meter on residents on dialysis or a heart monitor.
 - The PMPA organization which we are a member has requested each Municipality adopt the by-laws which were changed and updated at the October annual meeting. Edward FARR made a motion which was seconded by Daniel SOLTIS to adopt the PMPA by-laws. Motion carried, 6-0 with Sandra Griffith abstaining.

Library Commission

- Sandra Griffith informed Council there will be a sub sale on November 17 and a Book and Bake Sale on November 6, 2010. Next year's Chili Cook-off has been scheduled for September 10.

Insurance Commission – No Report

Recreation and Grounds Commission

- The auctioneer that currently rents the Borough Park Building approximately once a month is requesting permission to name the Lewisberry Borough Park Building an Auction House on his paperwork for the state. Council denies that request. Further, Steve Miner, Borough Solicitor stated he should contact his attorney to determine if he must do this.
- Mark KEENER made a motion which was seconded by Edward FARR to change the rental rates beginning January 1, 2011 at the Borough Park Building to \$150 for any for-profit business. Motion carried, 7-0.
- A quote was received from Penn Pest for \$75 per treatment per building including the Community Center and the Park Building three times a year to replace the Ehrlich agreement for the Community Center. Sandra GRIFFITH made a motion which was seconded by Mary PELTON to cancel the Ehrlich Agreement and sign the Penn Pest agreement at \$75 a treatment three times a year for the Community Center and the Park Building. Motion carried, 7-0.

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COMMISSION AND BOARD REPORTS, CONT'D

Lewisberry Community Building Commission

- Edward Farr explained he will arrange a meeting with the Commission within the next two weeks.
- Daniel SOLTIS made a motion which was seconded by Mary PELTON to hire Patrick Groff as the Borough's maintenance person @ \$12.00 per hour. Motion carried, 7-0.
- David Raugh requested a quote from Thomas and Doherty for biannual maintenance on the heating and air conditioning units in the Community Building.
- Edward FARR made a motion which was seconded by Sandra GRIFFITH to appoint Patrick Groff to the Lewisberry Community Building Commission. Motion carried, 7-0.
- Mary Ellen Banks informed Council the Redland Valley Church contacted Redland Community Action Program inquiring if it would be possible to have volunteers assist at the Borough Buildings to do cleaning and/or maintenance in the spring. Council is agreed.

OLD BUSINESS

- Mark KEENER made a motion which was seconded by Nora SOWERS to sign the Kohler Animal Control Agreement for 2011. Motion carried, 7-0.

NEW BUSINESS/COMMUNICATIONS

- Communications received going forward will be on the table for Council's review
- A Right-to-Know Inquiry was received from the Patriot News requesting salaries of employees including council members for 2009.
- 2011 Budget
 - The Draft budget was presented in advance to all Council Members by the Borough Manager with changes proposed by the Budget Committee as follows:
 - Fire Station repairs, Park Building Repairs, M&T Annual Loan Payment were all removed from the Electric Fund Budget and included in the General Fund Budget.
 - The Library Donation is to physically be transferred from the General Fund to the Community Building Maintenance Fund quarterly.
 - There will be nothing budgeted for Front Street Repair
 - There will be no pole rental increase to either Blue Ridge Cable or Frontier
 - The Committee recommends 1 mill increase of taxes to .0018
 - The Committee also recommends 1 cent increase to Electric Rates. (Note: The last increase was in 2008 from \$.103 to \$.12. Using average 1050 kwh usage, this increase would result in \$10.50/month)
 - Discussion ensued on the above points with the following changes/recommendations:
 - Determine where the Front Street project could be included into the budget.
 - Change the recommendation of the Committee for tax increase from 1 mill to ½ mill increase.
 - Remove new Computer Purchase and lessen the software maintenance for this laptop (will be purchased and paid for in 2010)
 - Electric Charge for the Community Building Maintenance Fund is to be included as an expense and transferred to the Electric Fund. (use retail)
 - There will be a special meeting in November to approve the proposed budget once all changes are completed. This will ensure time to advertise the proposed budget before December Council Meeting.

ADJOURNMENT

- Edward FARR made a motion which was seconded by Nora SOWERS to adjourn the meeting to Executive Session for personnel discussion. Motion carried, 7-0.