

LEWISBERRY BOROUGH COUNCIL MEETING

MONDAY, MARCH 7, 2011

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

MEMBERS PRESENT

Sandra Griffith, Vice President; Mark Keener, Nora Sowers, Daniel Soltis, 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

Paul Konevitch, Resident

William Thompson, Electric Commission

Roy Livergood, York County Planning Commission

Robert Smith, Resident

Jerry Shultz, Zoning Officer

Travis Fuhrman, Dennis Beck, Donna Coder of Lewisberry Fire Co.

RECOGNITION OF PUBLIC

- Chief Snyder of Newberry Township Police Department reported the following:
 - There were twelve (12) incidents in the Borough in the month of February.
 - The speed board was used on Front Street due to the concern of the resident during the February Council Meeting. In Chief Snyder's opinion, there were not a high percentage of speeders during the time the board was used; however, they will be doing periodic enforcements on this street. In addition, the speed board will be used other places in the Borough this summer.
- Lewisberry Fire Company:
 - Dennis Beck reported on the following:
 - The Redland Senior Center has contacted the Fire Department to inquire about renting the Social Hall and other rooms beginning 2012. Council requires more information before giving permission to proceed with this long-term rental such as the amount of rent, the size required, what extra rooms are required, etc. Council directed the Fire Company to gather all of the details, have it approved by their Trustees and at that time, come to Council for permission.
 - The restoration from the water damage to the kitchen is to be completed March 27th.
 - Two (2) Trustees inquired why the members were working on the bathrooms. As was explained to them, there was work that needed to be completed at minimal cost.
 - The Auditor General's office has posted the latest audit for the Lewisberry Firemen's Relief on-line. It was stated that it contained very interesting information concerning missing funds and the investigation.
 - Travis Fuhrman, Fire Chief reported on the following:
 - The February Call report for the Fire Company was presented to Council
 - They conducted a boot drive that netted \$426.00; however, it was interrupted by a fire call.
 - The Company had two (2) Workmen Comp claims this month; Dennis Beck during a fire call and Kyle Shropshire who slipped and fell off a ladder during the bathroom renovations.
 - The Auxiliary is doing well and they have had four requests for hall rentals.
 - The Company is rebuilding the BBQ pit behind the fire hall and will begin utilizing it.
- Barbara Casner of Redcap addressed Council concerning the additional assessment for 2010 rent. She is asking permission to allow quarterly payments through 2011. Mary PELTON made a motion to allow Redcap and the Library to make quarterly payments for the 2010 assessment. Mark Keener stated since this assessment is for the invoices the Borough has paid in 2010, he would like to see it paid sooner. Mary PELTON then withdrew her motion above. Mark KEENER made a motion which was seconded by Edward FARR to allow Redcap and the Library to pay one half of the assessments in thirty days, (April 7th) and the balance by June 30th. Motion carried, 6-0.

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RECOGNITION OF PUBLIC, CONTINUED

- Barbara also questioned the fact that when the Corporation was dissolved, there was a large amount of money which should be used for these expenses which would result in not having this assessment. In addition, previously when there were large expenditures, this was split between all tenants at that time. Steven Miner stated according to the lease, the Borough is handling this correctly. Each year expenses and income will be reviewed and an assessment or check will be issued if over paid.
- Roy Livergood of the York County Planning Commission presented to Council a proclamation from the York County Supervisors thanking Council for approving the York County Comprehensive Plan.
- Paul Konevitch addressed Council concerning the following items:
 - He referred to the letter drafted from the Solicitor and requested additional time to remove the vehicles from his property and complete all cleanup. Daniel SOLTIS made a motion which was seconded by Mark KEENER to allow Mr. Konevitch until April 16th to comply with Council's request abiding with Lewisberry's ordinances as was stated in the previously mentioned letter. Motion carried, 6-0.
 - Mr. Konevitch had various problems and damages during and after the electric explosion on the outside of his house. The damages were a loss of two surge protectors, some radios, light bulbs and lights with ballasts. According to his electrician there was 241 volts going into a 110 circuit. Council suggestions he submit a claim to his homeowners or business insurance. According to Steven Miner, solicitor, he can submit a claim to the Borough; however, the Borough's insurance will make the decision if it is a legitimate claim.
 - Mr. Konevitch would like to remove two (2) trees on his property and is inquiring if it is necessary to have a permit to do this. Council explained a permit is not required.
 - He also explained he would like to replace windows and Council explained if the cost is over \$500.00 he is required to obtain a permit. Jerry Shultz, Zoning Officer was present and will assist Mr. Konevitch in this process.

SOLICITOR'S REPORT

- Steven Miner's report is as follows:
 - A letter was sent to Mr. Konevitch whom attended the meeting tonight and feels Council acted appropriately to take care of the issues stated in the letter.
 - As far as Redcap letter and inquiry into the money transferred from the Corporation, Steven wanted to make sure Council understood this was not income and should not be treated as such. Hopefully next year the impact and assessment will be smaller.
 - In reference to the International Property Code, he would like to do a small correction to the ordinance since he feels the language is too vague. Edward FARR made a motion which was seconded by Daniel SOLTIS to request Steven Miner to draft an ordinance making this correction to the code. Motion carried, 6-0.

APPROVAL OF MINUTES

- Edward FARR made a motion which was seconded by Mary PELTON to approve the minutes of the February 7, 2011 Meeting. Motion carried, 6-0.

INVOICES AND RECEIPTS

- Mary PELTON made a motion which was seconded by Mark KEENER to approve the General Fund, Electric Fund, Road Fund and Building Maintenance account invoices for payment. Motion carried, 6-0.
- Mary Pelton stated Council should consider not having the Solicitor attend all monthly meetings in order to reduce expenses. When asked Steven stated he attends all other municipality's meetings; however, he will follow Council's direction. The Borough is invoiced the same amount each month of \$300.00 for his attendance no matter how long or short the meeting. Daniel Soltis if there were problems or questions that came up during the meeting and someone must discuss with the Solicitor after the fact it may result in higher fees. Discussion ensued with no decision being made

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COMMISSION AND BOARD REPORTS

Zoning Officer Report – Jerry Shultz

There were two (2) permits issued in the month of February.

Mayor's Report – Matt Kiner – Not Present

Road Commission

- Gordon Brown, Borough Engineer discussed the situation with the water on Front Street explaining the updated cost would be approximately \$27,000.00. He also explained another option would be to complete the installation of 4" perforated piping to take care of the issue with the water and complete the street repairs at another time. The cost to do this would be approximately \$10,000.00. Items discussed further were a possible grant from York County, Mr. Brown recommended a process for resurfacing the road which is called milling and resurfacing, measuring and gathering more costs, meeting with the Road Commission, possible meeting with banks to obtain other financing, etc. Mr. Brown will contact David Raugh when he returns from vacation to discuss further.

Electric Commission

- Mary Jo Keener, Electric Company Biller has questioned the process for assessing sales tax. William Thompson will research this question further.
- William Thompson reported the following:
 - The APPA Group held a rally in Washington with AMP to review with legislatures various issues. There is a summary of this rally in the latest AMP Update which he will forward to Council.
 - William recommends Council sign the contract for the Landfill Gas Project. He has submitted the contract and sample resolution to Steve for review.
 - AMP has entered into an agreement with First Energy and once he receives that paperwork, he will also submit this to Steve for review.

Library Commission

- Sandra Griffith stated the Library has not selected a Fairview Township member for the Board; however, hopefully there will be a selection for Council to approve next month.

Insurance Commission – No Report

Recreation and Grounds Commission

- Borough Manager, Mary Ellen Banks explained to Council there is a family that holds an annual reunion each year at the Park and would like to have a pig roast. Council does not foresee a problem with this.

Lewisberry Community Building Commission – see above discussion with Barbara Casner

OLD BUSINESS - Nothing

COMMUNICATIONS RECEIVED – On Table

- York County Real Estate Market Report
- West Shore Recreation December Meeting Minutes and March Meeting Agenda

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NEW BUSINESS

- Mary PELTON made a motion which was seconded by Nora SOWERS to enter into the York County Planning Commission BAS (Boundary and Annexation Survey) Consolidation Agreement. Motion carried, 6-0.
- Various changes to the Newberry Township Comprehensive Plan have been received.
- Mark Keener stated he has been informed by residents on Front Street the Post Office is now charging them for a P. O. Box which previously were at no charge. His concern is the post office employees have told the residents they can put a physical mailbox in front of their homes; unfortunately, the sidewalk is next to the street. Therefore, they were informed they can put the mailbox in a five (5) gallon bucket and sit it on the sidewalk. Council would like to prevent this. Steven will research this problem and report to Council the options.
- Daniel Soltis stated he has received various complaints of trash which consisted of loose cardboard on the street directly behind the Community Center. This is assumed to be from the Food Bank. A letter will be sent to Redcap explaining all cardboard trash must be bundled in order to prevent this from happening.

ADJOURNMENT

Edward FARR made a motion which was seconded by Nora SOWERS to adjourn the Meeting. Motion carried, 6-0.