

## LEWISBERRY BOROUGH COUNCIL MEETING

MONDAY, APRIL 4, 2011

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

### MEMBERS PRESENT

David Rough, President; Sandra Griffith, Vice President; Matthew Kiner, Mayor; Mark Keener, Nora Sowers, Edward Farr and Mary Pelton

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

### PUBLIC PRESENT

Sergeant Andrew Knaub, Newberry Township Police Chief      Allison Dougherty, Patriot News  
Robert Griffith, Resident

Travis Fuhrman, Dennis Beck, William Foley, Justin McNaughton, Rick Kauffman, Donna and Geoff Coder, Justin Bream, Kyle Shropshire, Henry Hartman, Denny Gopear; Lewisberry Fire Co.

### RECOGNITION OF PUBLIC

- Sergeant Andrew Knaub of Newberry Township Police Department reported there were 15 (fifteen) incidents in the Borough in the month of March.
- Lewisberry Fire Company:
  - Dennis Beck apologized for causing some confusion in last month's Council meeting concerning the audit of Firemen's Relief since he was not aware council already had that information.
  - Travis Fuhrman, Fire Chief reported on the following:
    - He reviewed the March call report which will be emailed to the Borough office.
    - In response to Council's inquiry concerning the eligible Grants, he explained the only grants they are not eligible for are the State Fire Commissioner grants because of the situation with the Auditor Generals audit; however, he does not have this in writing. He has requested this verification and will forward it to the office when received.
    - In response to the insurance question Council asked concerning repair of all apparatus, he explained during the meeting with the insurance company, they stated the coverage will be for all repairs not caused by negligence. He supplied Council insurance information at this time.
    - The situation with Firemen's Relief missing money has now become a criminal proceeding; however, it could take up to six (6) months for an arrest to be made. In addition, it may not only be two (2) persons; it could be potentially four (4).
    - The present officers took over this failing organization and have made giant steps forward; however, they now feel like they are being persecuted for the former officer's actions. David Rough explained it is Council's responsibility to ensure the residents have fire protection and the company is solvent
  - Geoff Coder, Treasurer, presented to Council the current monthly statement and the projected budget. He also inquired of Council how the letter was composed since these questions were not asked in a public meeting. It was explained Council discussed the questions during an executive session discussing legal matters concerning the fire company. He then stated when the letter was originally sent it was deemed important and then received no additional response from Council. Steven Miner stated the letter explained all and once it was sent, it was the Fire Company's responsibility to respond. Council is still awaiting the proper response from the Fire Company which should include a packet with all of the information requested per Steven. The packet will be assembled by end of April for Council's review per G. Coder.
  - David Rough was told to contact Dennis Beck for entry into the Fire Station to remove the dish installed previously for the Electric Company.

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## SOLICITOR'S REPORT

- Steven Miner presented Ordinance 2011-01 for adoption. This ordinance is to make a correction to the International Property Code Ordinance previously adopted by Council. Edward FARR made a motion which was seconded by Nora SOWERS to adopt Ordinance 2011-01. Roll Call Vote: Raugh: Aye; Griffith: Aye; Pelton: Aye; Farr: Aye; Keener: Aye; Sowers: Aye.
- Edward FARR made a motion which was seconded by David RAUGH to adopt Ordinance 2011-02 authorizing the execution of the EDI Landfill Energy Schedule Agreement with AMP for a period of ten (10) years. Roll Call Vote: Raugh: Aye; Griffith: Aye; Pelton: Aye; Farr: Aye; Keener: Aye; Sowers: Aye.
- Steven explained the Solar Energy Subscription Package also will require an ordinance to enact and he would like to have the technical portion reviewed further. David explained neither he nor William Thompson recommends this package due to discussions they have had with other municipalities nor does Utility Engineers recommend this project for the Borough. No further action required.
- Steven researched the USPS Regulations which allows for mailboxes on Front Street; however, the borough can regulate these boxes. The residents have the right to petition the Post Office for home delivery. He recommends contacting the postmaster and inviting this person to a meeting for Council to address their concerns.

## INVOICES AND RECEIPTS

- Edward FARR made a motion which was seconded by Mary PELTON to approve the General Fund, Electric Fund, Road Fund and Building Maintenance account invoices for payment. Motion carried, 6-0.

## COMMISSION AND BOARD REPORTS

### Zoning Officer Report

- Jerry Schulz addressed Council requesting clarification for what actually requires a permit. David explained any repair or upgrade over \$500.00. Steven Miner inquired if we opted in to the 2004 PA code which would determine what actually requires a permit. This will be researched.
- Jerry also stated he needs a letter printed explaining the location of a well on a property. He will send the letter to the Borough Manager whom will print on letterhead and send.

### Mayor's Report – Matt Kiner

- The York County Conservation District has requested the Borough enter into a MOU (memorandum of understanding) with their agency concerning stormwater management and erosion control. He has given this to Steven Miner for review who inquired if Lewisberry had a stormwater management ordinance. Robert Griffith, resident and previous President of Council explained the Borough was not required to have this ordinance since we were not large enough. Matt Kiner will contact the engineer at the Conversation District for more information
- Newberry Township has supplied changes to their Comprehensive Plan as a courtesy since Lewisberry borders Newberry Township. They are planning to adopt this plan on April 12, 2011.
- Matt also received two complaints concerning an unregistered vehicle in the Borough. Mark Keener will address this issue with the owner.

### Road Commission

- Front Street Problem:
  - David Raugh explained he has been in contact with Gordon Brown concerning the Front Street problem. The cost to correct the drainage problem will be approximately \$10,000-\$12,000 with an additional \$20,000 to repair the street. Gordon will inquire into receiving a block grant from York County and complete the necessary paperwork. He suggests the road commission meet and review all other streets needing repair to combine all with Front Street when asking for the grant.
  - Mary Ellen Banks discussed possible financing options asking for direction from Council. She will contact M & T Bank once again to discuss adding additional monies on the Fire Station purchase loan.



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## COMMISSION AND BOARD REPORTS, CONTINUED

### Road Commission, Continued

- Mark Keener questioned the possibility of the Sewer Authority contributing since the problem only surfaced after the sewer was installed. Robert Griffith, resident and member of the Sewer Authority at the time stated he was not aware anyone from the Authority told the residents to pump their water into the street; however, they did require the septic tanks in the rear of the properties to be removed.
- David Rough discussed this problem with Representative Scott Perry and if we complete the paperwork for the grant, he will support us. He also explained there will be no State money available this year.
- The "Local Traffic Only" signs will be removed from Front Street in April.

### Electric Commission

- Research is still being completed on not disconnecting electric when there are medical issues.
- After researching the issue of sales tax levying on landlords paying electric and in turn billing the tenants, it was determined this tax should be levied. Mary Jo Keener will be informed.
- Mark Keener informed Council members he and Mary Jo may not continue handling the electric billing, etc. in 2012.

### Library Commission

- Sandra Griffith stated the Library still has not selected a Fairview Township member for the Board.

### Insurance Commission

- The annual review has been rescheduled to April 25<sup>th</sup>.
- The Insurance payment for the water damage at the Fire Station will be issued less the \$1,000.00 deductible. Later in the meeting, Travis Fuhrman stated he was in contact with Douglas Morrow from H.B.Mellon who stated they will waive the \$1,000.00.

### Recreation and Grounds Commission

- The following are known to have keys to the Park Building: Mark Keener, Mary Pelton, Jerry Shultz, and Patrick Groft. The following have master keys to the Park Building: Sandra Griffith, Shirley Hall, David Rough and the Borough Office.
- Patrick Groft will give Council an estimate for miscellaneous repairs at the Park Building.

### Lewisberry Community Building Commission

- Patrick Groft will give Council an estimate for miscellaneous repairs in the Community Building.
- The Medical Center manager requested assistance to repair lights. Patrick Groft reported the reason there were problems was the use of incorrect bulbs. The suggestion is that the Medical Center be invoiced for the time and material rather than accessing to all tenants at the end of the year.
- Mary PELTON made a motion which was seconded by Nora SOWERS to issue a letter to the Redcap Community Action Program instructing all tenants with entrances in the rear of the Community building to be parking in the rear lot in order to ensure the safety and convenience of the patrons of the Library, Medical Center and Redcap Action Program and to prevent liability to the Borough. In addition the Borough Manager will issue a special invoice to the Medical Center for the light problem discussed above. Motion carried, 6-0.
- Sandra Griffith thanked Mary Pelton for painting the front wall in the Park Building.

### OLD BUSINESS - Nothing

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## COMMUNICATIONS RECEIVED

- West Shore Recreation March 8, 2011 Meeting Minutes

## NEW BUSINESS

- The Emergency Management Coordinator, Brad Wright has resigned and Newberry Township has appointed Greg Starner to this position. The Borough Manager will contact Newberry Township for further information.
- The annual TMI drill will be held on April 7<sup>th</sup> at Newberry Township per Travis Fuhrman.
- Council permitted the Borough Manager to have the office computer serviced.
- The flags at the Memorial and Community Center were torn and replaced by Patrick Groft. We received a flag from Scott Perry's office and a certificate of appreciation.

## ADJOURNMENT

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