

## LEWISBERRY BOROUGH COUNCIL MEETING

TUESDAY JULY 5, 2011

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, Daniel Soltis and Mary Pelton

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

### PUBLIC PRESENT

Kathy Jo Wilson, Resident

Mary Jo Keener, Resident

Nat Sheffer, Frontier

Kathy Weems, Resident

Michelle Elliott and Allison Dougherty, Patriot News

David Lyons, Travis Fuhrman, Dennis Beck; Lewisberry Community Fire Company

### RECOGNITION OF PUBLIC

- Nat Sheffer of Frontier presented Council an option for an answering service for the electric company in case of a power outage. They offer a voice mailbox for \$6.00 a month which will allow one call to come in at a time, with up to thirty (30) minutes of recording time. Mary **PELTON** made a motion which was seconded by Nora **SOWERS** to order this service. Motion carried 6-0. Mr. Sheffer will contact Mary Jo Keener for set up.
- Kathy Jo Wilson of 109 South Street addressed council concerning the possible driveway for the Lewisberry Barber Shop on the property which borders her residence. She is concerned with the additional traffic this will cause and in addition causing a blind corner to the left. Since there are children in the area she is concerned with their safety. Discussion ensued. Steven Miner, solicitor stated that this discussion including any discussion with Kathy Weems, tenant of the property is pre-mature. The owner must complete a permit with a plan to the zoning officer who will then approve or disapprove the plan. If not approved, the owner may apply to the Zoning Board for a variance.
- Kathy Weems, resident discussed the plan for the Lewisberry Barber Shop and she also purchased a Lewisberry Borough Zoning Book for review.

### SOLICITOR'S REPORT

- Steven Miner reported on the Stormwater Management Ordinance (MS-4) explaining the Borough has the appropriate waivers which have been extended to June 11, 2012.
- A discussion ensued on a fireworks ordinance since the Manager had received a request from a resident to have a permit issued. Since the Borough does not have an ordinance in place, a permit could not be issued, nor could the display be prevented. The ordinances on the books will not cover fireworks displays; therefore, there should be a self-contained ordinance. Daniel **SOLTIS** made a motion which was seconded by Sandra **GRIFFITH** to instruct the solicitor to draft an ordinance to prevent fireworks in the borough of Lewisberry for those classes of fireworks that can be legally regulated. Motion carried, 6-0.

### APPROVAL OF MINUTES

- Mark **KEENER** made a motion which was seconded by Nora **SOWERS** to approve the minutes of the June 6, 2011 Meeting. Motion carried, 6-0.

### INVOICES AND RECEIPTS

- Mark **KEENER** made a motion which was seconded by Nora **SOWERS** 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 – Not Present

July 5, 2011

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# LEWISBERRY BOROUGH COUNCIL MEETING

TUESDAY JULY 5, 2011

## COMMISSION AND BOARD REPORTS, CONT'D.

### Mayor's Report – Matt Kiner

- Matt Kiner reported the following:
  - The Fenicle/Reigle property at 108 E. Front Street was sent a letter; however, there was miscommunication since the violation should have been two unregistered and untitled vehicles on the property plus the condition of the property. Steven Miner will draft an additional letter for this violation also.
  - A letter was sent to Mr. Sinsabaugh at 314 North Street and the property has continued to deteriorate; therefore, he recommends a letter giving him a final ten (10) days and then filing with the District Justice. Daniel Soltis stated Council needs to discuss this further before sending this letter. Sandra Griffith stated the Borough is spending too much money to send letters; she feels we should help clean up the properties. David Raugh stated we would be setting precedence if we clean up a bad property; therefore, it will become the Borough's responsibility to continue doing all properties. Steven Miner stated the Borough can send to district justice and cite the owner daily, then contract to clean the property and put a lien on the property; however, you cannot use any public money to do this clean up. In addition, the District Justice may not cite a fine. Steven Miner stated there are other avenues to pursue for assisting residents such as the office of aging. Nora **SOWERS** made a motion to authorize sending the letter and further filing with the district justice. This motion died for lack of 2<sup>nd</sup>. Steven Miner explained the cost to file is approximately \$300.00; however, you may eventually receive part of this filing fee back. Daniel Soltis will have a discussion with Mr. Sinsabaugh.
  - An anonymous letter was received concerning the properties at 113 Market and 208 South Streets. There are various violations for each property. Discussion ensued.
  - There is a meeting at York County Watershed and Matt will research if involvement is required.
- Nora Sowers received a complaint concerning poison at the back of the property at the Village Apartments. A letter should be sent for violation of 302.4 of the Property Code, all noxious weeds.
- Mary Pelton volunteered to supervise Community Service workers. Mary Ellen Banks will research.
- Steven Miner advised council concerning the right-a-ways stating the Borough can petition to vacate and give this property to the adjoining residents. In addition it would not be necessary to survey.

### Road Commission

- Mark Keener stated the repairs made on Front Street made an improvement.
- According to new regulations by Penn Dot, the Borough's sign inventory must also state the amount of reflectivity and condition. This must be completed by January 1, 2012; therefore, either a volunteer is needed to complete this or if Council desires, request Donald Dodson to complete the task. The Borough Manager will do further research as to how this is to be completed and have for August meeting.
- Discussion ensued concerning the cemented drain at 3<sup>rd</sup> and North Streets; however, consensus of Council is to wait until it causes a problem.

### Electric Commission

David Raugh reported on the following:

- Fremont Energy Project contract was sent and on Appendix M, David signed the finance pages stating the Lewisberry Electric Company desires the option to have AMP finance certain buy-out costs.
- The tree trimming was completed by Henkel & McCoy.
- Mary Jo Keener, Electric biller stated currently the electric regulations state a \$30.00 cost for NSF checks and since the bank has increased the Borough's cost, she recommends we increase our fee to \$35.00. Sandra **GRIFFITH** made a motion which was seconded by Nora **SOWERS** to change the NSF check charge to \$35.00. Motion carried, 6-0.

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### COMMISSION AND BOARD REPORTS, ELECTRIC COMMISSION, CONT'D.

- Mark Keener requests a letter sent to Barbara Forgas concerning her rental property on Front Street. He has verbally informed her that she must move the three (3) electric meters to outside the building; however, they still remain in a closed-in sun porch. The letter will be sent with a ten day notice to have the meters moved or they will be removed.
- David Raugh informed the Fire Company members on July 19<sup>th</sup>, William Thompson will need access to the Fire House since there will be a technician from AMP to remove the satellite dish as it is no longer needed.

#### Library Commission

- Sandra Griffith requests the Borough send a letter informing Brenda Levy she was appointed to the Library Board.
- There will be a sub sale on July 20<sup>th</sup>.

#### Insurance Commission – No Report

#### Recreation and Grounds Commission

- David Raugh informed council Donald Dodson has cleaned the playground.
- Mary Pelton informed Council there are loose boards on the pavilion roof; therefore, David Raugh will check to see what needs repaired.

#### Lewisberry Community Building Commission

- David Raugh explained Edward Farr will arrange a meeting of the commission.
- Borough Manager reminded all tenants to ensure building is locked when leaving.
- David has arranged for the large window to be replaced. The Borough received from the insurance company \$834.00 less \$1,000.00 deductible. The cost from Harrisburg Glass is \$1834.00.

#### OLD BUSINESS

- Electronics Recycling in York County will be now be held every month.

#### LEWISBERRY FIRE COMPANY:

- Lewisberry Fire Company:
  - Travis Fuhrman, Fire Chief reported on the following:
    - The fire report for the month of June was supplied for Council.
    - Engine 29 is out of service due to pump failure; however, the Station is still in service with other mutual aid companies assisting. In addition, the brush truck can respond to fires. The insurance company was notified and the Fire Company officers ensures Council the insurance company adjustor stated since it was a catastrophic failure, this will be covered by insurance and in addition, they will pay for a rental engine until the original is repaired. They have been attempting to rent another engine from the West York Fire Company; however, the members were told someone on the Lewisberry Council talked with them and the deal was halted.
  - Steven Miner, solicitor inquired of Fire Company officers if they informed anyone on Council when the engine was taken out of service. Dennis Beck stated he notified Mary Pelton; however, neither the Borough manager nor any other members of Council were notified.
    - Dennis Beck assures Council he is knowledgeable of the Fire Service as is now shown on the insurance coverage. The company is aware they are in debt; however, they have no overhead and they are working on paying off that debt. They made \$123.00 on the spaghetti dinner.

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### LEWISBERRY FIRE COMPANY, CONT'D.

- The Fire Company's May Treasurer's report has not been received by the Borough. Travis Fuhrman stated he will send it via email.

### COMMUNICATIONS RECEIVED

- West Shore Recreation Commission June Agenda and May Minutes.
- David Raugh stated the next meeting will be held in July.

### NEW BUSINESS

- Mary Ellen Banks reported on the following:
  - Daniel **SOLTIS** made a motion which was seconded by Mary **PELTON** to adopt Resolution 2011-R03 declaring its intent to follow the schedules and procedures for disposition of records as set forth in the municipal records manual approved on December 16, 2008. Motion carried, 6-0.
  - Various historical records were found from 1854 and forward pertaining to the Borough. Mary Ellen recommends the Borough take measures to preserve these records as they are deteriorating in the file cabinet. She has been authorized to research this process.
  - The 2010 Financial audit was supplied to all Council members asking them to please review.
  - Daniel **SOLTIS** made a motion which was seconded by Mark **KEENER** to sign the paperwork from York County Department of Emergency Services authorizing a change to the York County fire boxes to add the York County ATR (Advanced Tactical Rescue) Team to all special rescue responses. Motion carried, 6-0.
- Sandra Griffith inquired if we must send minutes to the solicitor to review. Steven Miner stated he would like to review the minutes for accuracy prior to the meeting.
- Daniel Soltis once again asked if the Borough Council members are willing to forgo their salary showing the borough residents Council is willing to make sacrifices also. Daniel **SOLTIS** made a motion for the Borough Council members and the Mayor to forgo their salary for the remainder of 2011. The Borough Manager stated the President and Mayor put a lot of work into taking care of numerous problems and issues in the Borough when they arise. David Raugh explained his concern is not with giving us his pay; however, all Council members should take some responsibility, all have to get involved and do their part which has not been happening. Sandra **GRIFFITH** seconded the motion. Motion carried, 6-0.
- Daniel Soltis stated the work orders for Patrick Groft should go thru him via email.
- Sandra Griffith stated she is concerned with the Library's chili cook-off and the electric problems in the Borough Park Building. David stated there are twelve (12) outlets on the same circuit and it would take a major electric renovation to fix this problem.

### ADJOURNMENT

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