

LEWISBERRY BOROUGH SPECIAL COUNCIL MEETING

THURSDAY, SEPTEMBER 29, 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, Edward Farr, Nora Sowers, Daniel Soltis and Mary Pelton

Also Present: Mary Ellen Banks, Borough Manager; Kathleen Gingrich, Solicitor

PUBLIC PRESENT- SEE ATTACHED LISTING MADE PART OF THIS DOCUMENT

David Rough explained this special meeting to discuss safety and fire service has been duly advertised in the York Dispatch and also posted as required. He reviewed the agenda as follows:

1. Pledge of Allegiance
2. This special meeting was duly advertised in the York Dispatch and the advertisement ran on September 28, 2011. An email from Legal at York Dispatch is available for review in lieu of proof of publication which has not been received as of today.
3. This is Special meeting convened to consider Resolution 2011-R-04, dealing with Lewisberry Community Fire Company and Fairview Township Fire Company.
4. Public comment will be permitted before Council discussion of the resolution. Interested individuals should register on the sign in sheet with their name and address if they wish to speak. (If people arrive after the meeting has started allow them to place their name and address in the minutes, if they did not register.) Due to the expected level of public interest certain rules will apply to the public discussion including the following:
 - a. Individual speakers will be recognized by myself, the President of Council.
 - b. Individuals should identify themselves by name and address
 - c. Each speaker should direct comments or questions to Council
 - d. Individuals speakers will be limited to 5 minutes per person. If the comment exceeds five minutes, I may extend the time on a case by case basis.
 - e. Each speaker is expected to yield the floor after his comment.
 - f. Repetitious comments may be limited and citizens are asked to be brief and indicate support or opposition, if their particular comment has already been made.
 - g. The public is expected to be courteous to council and each other. Disruptive comment or comment that prevents the progression of the meeting will not be tolerated. I, as President, will only warn the speaker once. Continued violation of the rules will be grounds for removal from the meeting.
 - h. Audience members shall not interrupt citizen speakers or Council members

David Rough then read the prepared Resolution # 2011-R04 (attached) and asked for all public comments.

RECOGNITION OF PUBLIC

- Eric Carr of 306 W. Front Street stated he has lived in the Borough for twenty-two (22) years. In the years past, the Fire Company was very active raising money, hosting monthly dinners, and doing sub sales, etc. They had great interaction with the community at that time. The Company now is good at fighting fires; however, is not interacting well with the Community. If the Borough contracts with Fairview Township, it is a win for Borough, a win for Fairview Township and a win for the firefighters whom can then join Fairview Fire Company. Lewisberry Borough and the Council have given the Company a chance to straighten out their finances and to cooperate with Council and they have not done so. Mr. Carr encourages Council to vote for this resolution.

LEWISBERRY BOROUGH SPECIAL COUNCIL MEETING

THURSDAY, SEPTEMBER 29, 2011

- Fred Sanders, representing the Newberry Township supervisors requested the Borough to keep the Supervisors updated on this situation where it affects the Township.
- Geoffrey Coder, resident, inquired as to the next step after this resolution is passed. Kathleen Gingrich, solicitor explained Council will enter into negotiations with Fairview Township to finalize the inter-governmental agreement and arrange leasing of the Fire Station. Any interested public persons and residents of the borough will again have an opportunity to speak before that agreement is voted on.
- David Raugh inquired of Council if there were any further questions or comments before voting on this resolution, which was none. Mary **PELTON** made a motion which was seconded by Daniel **SOLTIS** to adopt Resolution # 2011-R04 declaring its intent to decertify Lewisberry Community Fire Company and engage Fairview Township Fire Department for all fire services in the Borough effective 0900, September 30, 2011. Motion carried, 7-0. Roll Call Vote: Mary Pelton, Aye; Sandra Griffith, Aye; Edward Farr, Aye; Daniel Soltis, Aye; Mark Keener, Aye; Nora Sowers, Aye; David Raugh, Aye.

ADJOURNMENT

Edward **FARR** made a motion which was seconded by Sandra **GRIFFITH** to adjourn the meeting. Motion carried, 7-0.

LEWISBERRY BOROUGH SPECIAL COUNCIL MEETING

THURSDAY, SEPTEMBER 29, 2011

Resolution 2011-R- 04

A RESOLUTION OF LEWISBERRY BOROUGH, YORK COUNTY, PENNSYLVANIA, RECOGNIZING VOLUNTEER FIRE COMPANY AND AUTHORIZING ACTIVITIES.

BE IT RESOLVED by the Borough of Lewisberry, York County, Pennsylvania and it is hereby Resolved by the authority of the same as follows:

SECTION 1: The Fairview Township Fire Company, hereinafter "The Fire Company" is hereby designated as the officially recognized fire company for the Borough.

SECTION 2: AUTHORIZED ACTIVITIES OF THE FIRE COMPANY.

- a. The fire company recognized by the Borough is hereby authorized to provide such services to the citizens of the Borough as may be necessary for the protection of property and persons situated therein, which include, by way of example and not of limitation, the extinguishment and prevention of loss of life and property from fire, automobile accidents, medical emergencies, hazardous materials incidents, and other dangerous situations.
- b. The fire company may also provide non-emergency and public service functions, such as again by way of example and not of limitation, removing water from property after storms, assisting in the removal, abatement and prevention of damage or injury to persons or property, whether through natural causes or man-made situations.
- c. The fire company may also conduct and participate in such training activities and drills, either within or outside of the Borough, as may be deemed necessary by the officers of the fire company to maintain proficiency in providing service.
- d. The fire company may also respond to calls for assistance or to provide mutual-aid outside of the Borough.

SECTION 3: AUTHORIZED ACTIVITIES OF MEMBERS OF THE FIRE COMPANY.

- a. In addition to actually participating in the activities of the fire company as authorized above, or in going to or returning from any activity the members of the fire company recognized by the Borough are also authorized to do the following:
 1. Engage in any type of drill, training, ceremony, practice, test or parade when duly called for or authorized by an officer or officers of the fire company.
 2. Engage in fundraising activities for the fire company when authorized by an officer

LEWISBERRY BOROUGH SPECIAL COUNCIL MEETING

THURSDAY, SEPTEMBER 29, 2011

or officers of the fire company.

3. Engage in the performance of any other duty or activity authorized by any officer of the recognized fire company

SECTION 4: PURPOSE.

The purpose of this resolution is to recognize that the fire company's acts, which are classified as public firefighting duties, are done on behalf of the Borough.

SECTION 5: EFFECTIVE DATE.

The provisions of this Resolution shall be effective immediately upon enactment. In addition, this Resolution will act as a Memorandum of Understanding between the Borough and Fairview Township until such time as a final Intergovernmental Cooperation Agreement can be signed. At that time, Fairview Township will become the lessee of the present Fire Station located at 105 W. Front Street, Lewisberry, PA 17339.

RESOLVED this 29th day of September, 2011 by the Borough Council of Lewisberry Borough.

APPROVED AND ADOPTED this 29th day of September, 2011.

Attest:

(Corporate Seal)

BOROUGH COUNCIL OF

LEWISBERRY BOROUGH

Borough Manager

By _____

Council President

September 29, 2011

(Please print)

<u>NAME</u>	<u>AFFILIATION</u>
Dominic Brown	LCFC 29
Angela Hughes	LCFC 29
Kyle Shropshire	LCFC 29
Travis Furhman	LCFC 29
Dennis Beck	LCFC 29
Vikki Beck	LCFC 29
Eric Whorton	LCFC 29
Bob Smith	Resident
Mary Jo Kerner	Resident
Pam Saltis	Resident
Joan Kally	resident
Fred Sanders	Newberry Twp
Shelli Peterson	LCFC 29
April Carr	LCFC 29
Eric Carr	Resident
Henry Hamilton	LCFC 29
Robert Welsh	LCFC 29
Liz Boger	LCFC 29
Bruce Gries	LCFC 29
Donna Coder	LCFC 29
Geoff Coder	LCFC 29
Rick Kaufman	LCFC 29
William Foley	LCFC 29

Dave Lyons

LCFC