

LEWISBERRY BOROUGH COUNCIL MEETING

MONDAY, JULY 2, 2012

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

MEMBERS PRESENT

Robert Griffith, President; Robert Smith, Vice President; Matthew Kiner, Mayor; Mark Keener, Nora Sowers, Mary Pelton, Daniel Soltis

Also Present: Danna Lutes, Recording Secretary in the excused absence of Mackensie Greene, Borough Manager; P. Daniel Altland, Solicitor.

PUBLIC PRESENT *SEE ATTACHED SIGN IN SHEET*

RECOGNITION OF PUBLIC

- Brooke Miller, Resident, asked the Board to clarify the Ordinance about raising chickens in the borough. She was under the understanding that the Ordinance was to be voted on this evening. The Board clarified that it would not be voted on this evening since it was not advertised. Solicitor Altland referenced the Zoning Ordinance section that states certain animals are prohibited in the borough. He pointed out that in one section it mentions that fowl are not permitted. Also in the Kennel section of the Code it states that 4 or more animals would be considered a Kennel situation and that there are certain restrictions regarding those that would apply to this situation. Extensive discussion ensued.
- Resident Scott Six inquired what the result of the excessive speed on Front Street. He stated that nothing has been done since the letter stating that there were over 200 speeders on the street. Newberry Police have not been present to control the speed since that report was made. He asked if there was something that they are going to do to remedy this issue. The Board invited the gentleman to wait until Chief Snyder of Newberry Police Department arrived to ask him.
- Robert Timko, Fairview Township Fire Department reported that the numbers for June were not quite ready yet but year to date they have run 239 calls.

There was one (1) call in the month of June 2012 for the Borough.

- August 7th - National Night Out - Apparatus will be present at the park.
- Discussion ensued regarding whether the Borough is interested in having Fairview or Newberry to respond to calls in the borough. It was brought to the attention that the borough needs to decide which company will respond first and who will respond second on EMS calls.
- Chief Snyder of the Newberry Police Department reported the following:
 - There were twenty-nine (29) calls in the Borough for the month of June 2012.
 - It was brought to the attention of Chief Snyder that there were residents that were concerned about the speeding and what is being done about it. Discussion ensued. Chief Snyder indicated that they would do something to take care of this.
 - Chief Snyder asked if the Board could go to Executive Session to give a report on an ongoing criminal investigation at 8:25 pm. The public was asked to leave the room but were invited to come back for the remainder of the meeting after Executive Session.

SOLICITOR'S REPORT

- Solicitor Altland stated the following:
 - Informed the Board that in order for a vacancy to be filed on the Board that the person has to be a resident of the Borough and has had to be a resident of the Borough for the preceding year. An Affidavit of Residency would have to be provided. Solicitor Altland is preparing such document.
 - Another update, regarding meetings is that a person can be absent from a meeting but can participate through conference call as long as the person can be heard by everyone at the meeting and be able to hear everyone at the meeting. Limitations are that a person can not be excused cause they do not

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want to come. They have to participate for the entire meeting and a physical quorum needs to be present.

APPROVAL OF MINUTES

- Mary **PELTON** made a motion which was seconded by Robert **SMITH** to approve the minutes of the June 4, 2012 Meeting. Motion carried, 7-0.

APPROVAL OF INVOICES AND RECEIPTS

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

COMMISSION AND REPORTS

Zoning Officer Report:

- Jerrith Shultz stated he issued one (1) permit.
- Jerry mentioned that a resident of the borough questioned him regarding the plowing of a right of way that has gravel on it and apparently when it snows the plow removes the gravel that is put down along with the snow and is wondering if they can request that it not be plowed.

Mayor's Report:

- The lawn at 206 W. Front Street has been mowed, but it needs to continue to be cut with the rest of the areas on a regular basis. Discussion ensued about how a Letter of Intent needs to be sent stating that they are in violation.
- Regarding the resident with the chickens the Mayor wanted to make sure that there will need to be a meeting with the Planning Commission regarding the chickens since this resident is in the historic district prior to the Zoning Hearing Board Meeting.

Road Commission:

Robert Smith stated the following:

- Someone has taken one of the crosswalk signs now that were in front of the church. These helped to slow traffic down. Discussion regarding cementing a Pedestrian Crosswalk sign in the ground so they can not be stolen. It is recommended that no further unattached signs be purchased since they keep getting stolen.
- Discussion about tree limbs hanging out over the road need to be cut.
- It was also brought to the attention that some of the roads are in need of quick patch.

Electric Commission: No report..

Insurance Commission: No Report

Building and Grounds Commission:

Robert Smith stated the following:

- The graffiti at the park on the blacktop has been removed with a substance that will remove graffiti, but it still will need to be power washed to remove all the evidence.
- Painting has been done at the park and all the staples have been removed at the pavilion. There is a need for 2 - 55 gallon drums since the bottoms of the old ones are rusted out.
- The air conditioning went out and a new compressor was installed. A few weeks later it stopped working again and a new motor and condenser were installed. Robert Smith did follow up with the Department of Agriculture and the water did pass the water test. Discussion ensued regarding whether food can be

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served from the park without a food license. After extended discussion it was decided that this requirement would be further investigated and ask for a letter explaining the legalities.

Fire Protection Commission:

- The current balance of the \$5,000.00 donation for the Fairview Fire Station is \$3,269.51.

ZONING OFFICER POSITION

- One application for the Zoning Officer position was received from Arther Trout. He was interviewed. It is not known whether he would accept the position or not if it was offered to him. At this point the Board was waiting to see if any other applications came in. It was felt that he was very qualified for the position. Jerry is willing to help train the individual that they wish to hire.

NEW BUSINESS

- The Electric Biller is interested in purchasing peel and seal envelopes. The cost is \$27 more to purchase the envelopes. The Board said they wanted more information before they decided but they want her to use up the ones she has.
- Mark **KEENER** made a motion to propose an amendment to the Ordinance to allow grandfathering fowl already owned by residents in the borough. Dan **SOLTIS** seconded the motion. Motion was rejected by a 2-4 vote.

ADJOURNMENT

- Daniel **SOLTIS** made a motion which was seconded by Mary **PELTON** to adjourn the meeting. Motion carried, 7-0.