

LEWISBERRY BOROUGH COUNCIL MEETING

MONDAY MAY 4, 2020

The virtual meeting/teleconference due to the COVID-19 emergency was called to order by Patrick Groft, President, leading in the Pledge of Allegiance to the Flag.

MEMBERS PRESENT

Wayne Branyan, Mayor; Patrick Groft, Council President; Council Members; William Thompson, Robert Lewis, Laura Lex, Robert Griffith, Daniel Soltis, and Maureen Bereznak.

Also Present: Yvonne Allard, Borough Manager; P. Daniel Altland, Solicitor

PUBLIC PRESENT Alyssa Showers, Matt Showers, Dana Catania, Michelle Fletcher

RECOGNITION OF PUBLIC

- Resident Alyssa Showers engages with Council on the status of revising the ordinance banning chickens.

APPROVAL OF MINUTES

- Maureen **BEREZNAK** made a motion which was seconded by Daniel **SOLTIS** to approve the April 2020 Regular Meeting Minutes. Motion carried, 7-0.

APPROVAL OF INVOICES AND RECEIPTS

- Maureen **BEREZNAK** made a motion, seconded by William **THOMPSON** to approve the General Fund, Electric Fund, Road Fund, and Building Maintenance account invoices for payment. Motion carried, 7-0.

SOLICITOR'S REPORT

- Solicitor Altland brings forth the following:
 - He has been dealing with the dissolution of Red Land Community Action Program (HEREIN KNOWN AS "REDCAP") prior to the COVID-19 crisis, however, the matter appears to be on hold at the moment due to the public health crisis, as he has not heard anything further.
 - He's been monitoring the situation with FirstLight Fiber and their unauthorized installation of the fiber cable. The make ready work review was completed by Utility Engineers, P.C., those invoices have been forwarded on to FirstLight for payment. An estimate was made by Gettle for the work UEPC has identified to be done and that figure is \$6050.00, it will be submitted to FirstLight. If an extension is needed, Solicitor Altland will contact FirstLight, in light of the Coronavirus Pandemic, an extension may be needed.

MAYOR'S REPORT

- None

COMMITTEE REPORTS

Road Committee:

- Councilman Soltis states that he is concerned about legislation that would not allow municipalities to use funds from the Electric Fund to use for other Borough expenses, such as repairing roads. Discussion ensued. The status of the legislation is unknown right now.

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- President Groft reports he was informed by resident David Iddings that there is a sink hole on 5th street again near the Borough Park, on the park side. Councilman Groft will take a look and see what can be done about it.
- Councilman Lewis states he was contacted by a resident on Lewisberry Court about the status of repaving the road. Last heard, the black top plants were still closed due to COVID-19. Manager Allard states it was left on hold, at the March meeting it was discussed that PennDOT would be contacted to estimate quantities and bid specs and supply a contract as the first step before the project would go out to bid, but then the pandemic hit and closed everything down. As things are reopening now in regard to construction, Manager Allard will contact PennDOT again to get the ball rolling.

Electric Committee:

- Councilman Thompson reports that the last two bills received from AMP, Inc. were under \$0.06 per kWh, for our cost. He states perhaps the electric rate charged to residents should be looked at again. Councilman Soltis asks if perhaps it is due to the cost of fuel at the moment, since fuel rates are down it could be affecting the electric wholesale rates. Councilman Thompson agrees, but will monitor the situation and report if the decrease is sustained to lead to further discussion at a later date.

Insurance Committee:

- No report

Building and Grounds Committee:

- Manager Allard states that the portable toilets out at the Borough park are still out there and being billed, usually the cost is split 50/50 with Red Land Girls Softball Association (RLGSA) but since their season has been canceled, she raises the question if they should be billed for half or not. Discussion ensued. Council asks Manager Allard to ask what the usage has been and possibly bill based on that usage.

OLD BUSINESS

- President Groft inquires if anything can be done about the Konevitch property. Solicitor Altland states it will go to tax sale, but it will be sold without any liens. If anything were to be done to the property, the Borough would not be able to recoup any funds. President Groft has received a call about paint and spray paint and possible toxic chemicals left out on the property, that may be a hazard and if it could get into the ground water. Discussion ensued. Councilman Soltis, President Groft, and Mayor Branyan will go investigate the situation and see what can be done to clean up the paint.
- President Groft states that status of repealing the ban of chickens by ordinance is still being looked at. Mayor Branyan states he spoke to the Mayor of New Cumberland about their ordinance where they have a new ordinance that will repeal the allowance of chickens, it was distributed to Council to review. Discussion ensued. Options are still being reviewed. A motion was made by Robert **GRIFFITH** seconded by Daniel **SOLTIS** to table the discussion on a possible ordinance to allow chickens to when in person council meetings resume, so better public engagement can occur, as well as more time to review options and ordinances, and outline what a possible ordinance may need to contain. Motion carried, 7-0.
- Councilman Soltis discusses the International Property Maintenance Code 2015, he has been reviewing it, and believes all of Council who wishes to should review it as well. He will make copies for all who want one.

NEW BUSINESS

- Manager Allard brings forth the following:
 - The TruGreen contract for 2020 was received, it is \$544.80 for them to spray weed control for Spring, Fall, and the vegetation control for the two playgrounds. The question was raised whether or

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not Dave Forgas is able to spray for weed control for the Community Building. Discussion ensued. Tabled until it is determined if Dave Forgas can spray all except the playgrounds.

- Wood carpet will need to be ordered for the playgrounds. Susquehanna Landscape will be contacted to deliver as soon as possible, and Dave Forgas will be contacted to see if he can spread it.
- The profit/loss for 2019 for the Community Building is usually done in the spring time and is used to determine the rent for Redcap. Usually the operating cost is determined, and then if the previous year resulted in a loss, the overage was then paid back through the rent for the next year. Manager Allard asks what Council would like her to do in calculating the profit/loss to set a rent for the future tenant that will be taking over Redcap's space and signing a new lease. She brings forth that the current way of calculating the rent just results in a game of catch up each year. Discussion ensued. A motion was made by Daniel **SOLTIS** and seconded by Maureen **BEREZNAK**, to have a committee of Robert Griffith, William Thompson, and Solicitor Altland to get with Manager Allard to look at the Profit/Loss and determine how a future rent should be determined. Motion carried, 7-0. Manager Allard will prepare the 2019 Profit/Loss and send to the committee.
- The Zoning Hearing Board is in need of two new members to be appointed. Councilman Thompson spoke to Eric Carr, the Zoning Hearing Board chairman, he had no suggestions for candidates. Council asks that the vacancy announcement be added to the electric bills and posted on the Borough website.
- Correspondence was received from the York County Board of Commissioners the county is eligible to requalify for the Community Development Block Grant (CDBG) for fiscal years 2021-2023. If the Borough chooses to opt out, we would not be able to receive County funds from the Block Grant Program, but would be able to participate in grants only from the State. Discussion ensued. It was determined for the Borough to stay with the County.
- Councilwoman Bereznak has been in contact with GameTime, Inc. who manufactures playgrounds to gather information about possibly replacing the playground at the Borough Park. There are a few options, 0% financing, and then 50/50 matching through a grant in the fall, however, the 50/50 match is only on playgrounds \$100,000+. Councilwoman Bereznak has been discussing a possible playground redesign with the president of Red Land Girls Softball Association (RLGSA) Lisa Von Hauser, about the possibility of RLGSA contributing financially through a grant to the redesign since RLGSA families also heavily utilize the equipment. President Groft asks Manager Allard to research and see if it can be found out how much the playground, and the installation cost when the current playground at the Community Building was installed. Manager Allard will search through the files.
- President Groft inquires about the status of the waiving of the real estate tax penalties for the year. The York County Commissioners were going to meet to discuss waiving the 10% penalty for the year. Tax collector Popp has inquired if the Borough plans to follow the County should they waive the penalty as she will need to know when collecting the taxes. Discussion ensued. No decision will be made until the decision from the County is made.

TABLE

Virtual meeting due to COVID-19, so there wasn't a table

ADJOURN MEETING

William **THOMPSON** made a motion seconded Maureen **BEREZNAK** to adjourn the regular meeting. Motion carried, 7-0.