

## MINUTES

## SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

JULY 11, 2018

PRESENT: Mayor Michael Sharkey, Fred Arbogast, Stanton Walters, Diane Kraatz, Keith Wills, and Ted Nadobny

## OTHERS

PRESENT: Brian L. Sweitzer, Supt. of Public Works; Jeffrey L. Rehmeyer II, Esq.; David Lipinski, P.E.; John-Paul Whitmore; Nate Kirschman; Matthew Sharkey; Tony Myers, Fire Chief; Stephen McDonnell, Esq. of the CGA Law Firm; David and Amy Urffer; Justin Long; Ken Gettle

The regular meeting of the Borough Council convened at 7:02 p.m. in the Borough municipal building, 35 West Railroad Avenue, with Vice President Nadobny presiding.

**CITIZEN'S COMMENTS**

Matthew Sharkey, 323 Cassidy Way, stated he would like to speak under New Business regarding a program he'd like to propose.

Steve and Sharon Weyant, 28 Whitcraft Lane, spoke regarding the Class C fireworks being set off in his neighborhood, including on the Borough-owned lot across the street. He confronted a neighbor setting them off in a driveway across the street, which resulted in an altercation. He was told to call 911 when this is happening. One of the requirements is that the Class C fireworks can't be set off within 150 feet of an occupied building. The Solicitor confirmed that such violations of this state law should be addressed by calling the police. The Borough is aware there is a problem and is taking steps to try to tighten up the nuisance ordinance too. Mayor Sharkey will speak with Chief Boddington at the next Police Commission meeting.

David Urffer of 12 Essex Circle Drive, Justin Long of 44 Lexington Drive, and Ken Gettle of 10 Essex Circle Drive, spoke about the increase in ground water coming to the surface since the sewer project was done on Essex Circle Drive last year which was redirected as a result of geotextile and other corrective measures taken to alleviate the ground water from under Essex Circle Drive. Mr. Long, of 44 Lexington Drive, said he can't use his back yard there is so much water. Mr. Urffer, 12 Essex Circle Drive, stated the water is now pushing up at the edge of his driveway. There are two issues, the first being rainfall gathers in this area coming from the north and west and the underground water table forcing its way to the surface. The Borough

will look at ownership of the swales and existing easements, explore how to modify the area to improve the situation, and then how to proceed.

F. Arbogast moved to authorize Supt. Sweitzer to look at the area and to come up with some possible solutions.

D. Kraatz seconded. The motion carried with all voting in favor.

### Executive Session

An executive session was called at 7:36 p.m. to discuss identified litigation and a real estate matter. The meeting was reconvened at 8:27 p.m.

### APPROVAL OF MINUTES

The minutes of the June 13 meeting were amended as follows: Under Southern Regional Police Department the correction will be that three police officers will be hired, two will be trained to be school resource officers and the third is to replace an officer who had resigned.

S. Walters moved to approve the June 13 minutes as amended.

K. Wills seconded. The motion carried with all voting in favor.

### APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

F. Arbogast moved to approve the bill list for June: general account numbers 2149 thru 2193; water account: check numbers 1421 thru 1431; sewer account: check numbers 1260 thru 1268; highway aid: check numbers 938 and 939.

K. Wills and D. Kraatz seconded. The motion carried with all voting in favor.

### APPROVAL OF PAYROLL REGISTER

F. Arbogast moved to approve the June 4 and 18 payroll registers.

S. Walters seconded. The motion carried with all voting in favor.

### SUBDIVISION AND LAND DEVELOPMENT BUSINESS

95 East Forrest Avenue Preliminary/Final Subdivision and Land Development plan extension up July 19, 2018 and Request for Withdrawal

The owner has asked that the plan filed on 4/26/17 be withdrawn since another plan is in process involving the adjacent parcel.

D. Kraatz moved to approve withdrawal of the preliminary/final plan.

F. Arbogast seconded. The motion carried with all voting in favor.

### Eitzert Farms Subdivision of Lot 53

The plan was tabled by the Planning Commission on June 25. A request for an extension until September 13, 2018, was received.

D. Kraatz moved to grant the extension of the plan until September 13, 2018.

K. Wills seconded. The motion carried with all in favor.

### **Codes Enforcement**

There were eight permits issued in June.

### **Southern Regional Police Department** – Mayor Sharkey

The Commission hasn't met since the last Council meeting but three conditional offers were sent to the prospective new hires.

### **Water & Sewer** – T. Nadobny/Supt. Sweitzer

### New Freedom Borough Proportionate Share Payments

The amount due on August 1 for the third quarter proportionate share report is \$221,924.00. The Borough share would be 57.8% or \$128,272.07.

F. Arbogast moved to pay New Freedom Borough the Borough's share (57.8%) of the full amount billed for the third quarter proportionate share invoice in the amount of \$128,272.07.

S. Walters seconded. The motion carried with all voting in favor.

### Sewer Capacity Study

Eng. Lipinski is continuing to work on the draft report.

### Sewer Meter Relocation

The meter was relocated to a manhole in a ten-inch pipe behind the Case and Keg on East Forrest Avenue to determine if the pipe is large enough to handle future sewer flows. The pipe will be replaced during the Exit 4 upgrades and Gannett Fleming will be submitting the proposal in July.

### Shrewsbury/Hopewell Township and EDU Meetings

The last meeting was on June 4 and no meetings are scheduled at this time.

### Shrewsbury Fire Company Carnival Pump

The pump that handles flow from the food stands at the carnival failed Thursday night. On Friday, the Public Works Department, Miller's Septic Service, and Gemmill's Plumbing disassembled and cleaned the pump. The final invoices will be less than \$250.00 for materials and labor.

D. Kraatz moved that the Borough pay the invoices for Miller's Septic Service and Gemmill's Plumbing up to \$250.00.

K. Wills seconded. The motion carried with all voting in favor.

### **Public Roads & Lighting** – M. Sharkey

#### Traffic Calming

Patrick Wright from LTAP is available to help begin the start-up of the Committee. The first meeting will be held on Tuesday, July 31 at 7:00 p.m.

#### Apple Tree Development Swale

The Public Works Department finished the swale to protect the Wineberry Drive residents from storm water runoff and they are satisfied. The developer was billed \$2,203.50.

#### North Main Street Curb

Verizon relocated its phone line and removed the poles on North Main Street and the curbing work was begun.

### **Public Lands, Buildings and Finance** – F. Arbogast

No report.

## **ENGINEER'S REPORT**

#### 2018 DCED Grant

The grants will be awarded in July and no work can start on the water lines until the grant is awarded or denied.

#### Apple Tree Court Development

Eng. Lipinski did a walk through with the developer to get ready for the Borough to adopt the public improvements. He marked several items that have to be repaired prior to the laying of the final wearing course. Supt. Sweitzer will televise the sanitary and storm sewers. If the developer cannot meet the October 1 liquid fuels deadline for street adoption, she will ask that the Borough maintain the road this winter and pay the Borough the amount that it would have received under liquid fuels.

### Deer Creek Pump Station Wet Well Expansion

The bid rejection letters were sent and a time extension will be requested closer to the permit expiration date.

### Meadow Well Permit

Eng. Lipinski awaits the response from the U.S. Fish & Wildlife Service asking for clearance from the Pennsylvania Natural Diversity Inventory hit for Bog Turtles.

### 2018 Street Bids

There was one bidder for the labor and one bidder for the materials:

Contract #1 South Hill Street:	Kinsley Construction	\$82,413.00
Contract #2 Onion Boulevard:	Kinsley Construction	\$51,236.00
Contract #3 Forrest Avenue and Tolna Rd.		
Base repair:	Kinsley Construction	\$65,528.00
Contract #4 Superpave Materials:	York Materials Group	\$88,061.25

Since the base repair for Forrest Avenue and Tolna Road came in considerably higher than anticipated, this contract will be rejected and the most needed areas will be done by obtaining three written quotes in compliance with bidding requirements. The Superpave materials costs should be reduced by around \$8,000.00 as well.

S. Walters moved to award Contract #1 in the amount of \$82,413.00 and Contract #2 to Kinsley Construction in the amount of \$51,236.00 and to award Contract #4 to York Materials Group at a price not to exceed \$80,000.00.

K. Wills seconded. The motion carried with all voting in favor.

S. Walters moved to reject Contract #3.

F. Arbogast seconded. The motion carried with all voting in favor.

## **SOLICITOR'S REPORT**

### Kennel Issues

Sol. Rehmeyer presented a proposed update to the Zoning Ordinance to re-define kennels and to include regulations for same to be reviewed and discussed next month.

### Solicitation Ordinance

Sol. Rehmeyer will prepare a resolution to the Ordinance to require applicants to submit an application no fewer than three weeks prior to the required date of approval. Also, if an applicant submits his or her own criminal background check, it should be done no more than four months prior to application submission.

### Ordinance Number 2018-1 Authorizing Shrewsbury Borough Volunteer Fire Company to Seek Recovery of Costs Incurred when Responding to Incidents

F. Arbogast moved to adopt Ordinance 2018-1.  
D. Kraatz seconded. The motion carried with all voting in favor.

### Resolution Number 2018-6 Appointing a Third Party Billing Company

F. Arbogast moved to adopt Resolution Number 2018-1.  
S. Walters seconded. The motion carried with all voting in favor.

### Refuse Bid Specifications

Sol. Rehmeyer presented sample bid sheets showing the options for bidding. There was discussion, and he received guidance for finalizing the draft specifications.

### **Public Safety, Welfare and Personnel** – F. Arbogast

#### Road Closure

Steltz Road will be closed for 105 days for bridge repair just north of Keeney Mill Road and the detour is Bowser School Road and Ingham Road.

#### SCEMA Meeting

The Emergency Operations Plan was sent out for review and will be adopted at the August Council meeting.

Tax Credit for Fire Fighters

Mayor Sharkey will check with the director of the York Adams Tax Bureau on the legislation. The Township contacted us, New Freedom and Glen Rock Boroughs to perhaps allow the credit as a collective effort.

Secretary's Report – C. BosleyYork Adams Tax Bureau – M. Sharkey

The next quarterly meeting is at the end of this month.

UNFINISHED BUSINESSIssue Control Sheet2019 Road Work

The work should be advertised in March for April approval.

Curbing/Driveway Ramps

S. Walters submitted a partial list of driveways where an alteration was done.

Sidewalks

A meeting was held with Rep. Kristin Phillips-Hill. Her office is directing the Committee to apply for a PennDOT Multimodal grant. Supt. Sweitzer said there is a resident who writes grants who is interested in helping the Committee.

NEW BUSINESSPlanning Commission Resignation

Tamara Hatcher is not interested in being re-appointed and has resigned. The Secretary was asked to advertise the position.

Matthew Sharkey

Matt presented Council with the idea of the Junior Council person program where at least two junior or senior high school students would serve as volunteer members. Council was receptive to the idea.

**COMMUNICATIONS**

Mayor Sharkey submitted a letter giving notice that he is willing to accept a monetary fee for performing marriages and will submit a quarterly report listing any activity/fee.

**ADJOURNMENT**

F. Arbogast moved to adjourn the meeting at 10:25 p.m.

D. Kraatz seconded. The motion carried with all voting in favor.

Submitted by Cindy L. Bosley, Sec.