

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

APRIL 10, 2019

PRESENT: Mayor Michael Sharkey, Stanton Walters, Richard Buchanan,
Ted Nadobny, Diane Kraatz, Keith Wills; Matthew Sharkey, and Mateo Vega

OTHERS

PRESENT: Brian L. Sweitzer, Supt. of Public Works; Jeffrey L. Rehmeyer II, Esq.; David Lipinski, P.E.; Michael Weaver; Phil Robinson; Charlie Nass; Jeanne Floyd; John-Paul Whitmore; Cullen James; Nate Kirschman

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

CITIZEN'S COMMENTS

John-Paul Whitmore, 8 Spring Creek Drive, stated he is interested in purchasing 44 South Main Street as they have outgrown the building at 16 North Main Street. If he and his partner were to be able to purchase 44 South Main Street, then they would use it similarly to their existing property and would dedicate some décor to historic images of Shrewsbury while keeping the building basically in its original condition. They would open it up for the annual tree lighting and the goal would be to make it community friendly.

Jeanne Floyd, 21 North Main Street, stated she had sent a letter in recommending there be a lease purchase agreement for 44 South Main Street but after hearing John-Paul Whitmore's offer to purchase the building and keep it historic in nature, she is amending her letter to recommend an outright sale.

Cullen James, 14 South Main Street, stated he would like to set up a local radio station with a ten-mile broadcast spread but he would need to run a cable from his home to the municipal building should Council allow him to place a small antenna on top of our emergency radio tower. A committee will consider his proposal and get back to Mr. James.

David Gettle, owner of The Hobby Shop, stated when he applied to move his business from 526-B South Main Street to 518 South Main Street, it took the codes office three months to give him his use and occupancy which drastically hurt his business. The Secretary was asked to check what the delay was for Mr. Gettle.

Phil Robinson and Charlie Nass presented information on EDUs and asked Council to re-activate efforts to ask property and business owners if they wish to purchase and use previously allocated sewer capacity or reserve sewer capacity for future development. Council would need to first develop an updated reservation plan. The Borough held one meeting with the property and business owners about requiring reservations to better determine who and where capacity will be utilized in the future.

Phil and Charlie have a 50 unit townhome development with select approvals at the end of Mount Airy Road(Township) that they are soon ready to start building but need sewer capacity. Charlie and Phil would need 18 EDUs to start (using the one on the property but need nineteen for phase one) and then purchase the rest later (another 32 EDUs).

They were told there is also the question of what is the plant's current capacity since the original capacity is not currently available due to effluent restrictions. So, there needs to be a determination of excess capacity that is actually available, from which reservations would be made, thus yielding excess capacity available for others. There also needs to be a developed system to make available excess sewage capacity to those who have or will express interest. The Borough has been sued by people and entities seeking sewage capacity on more than one occasion, so it must proceed cautiously.

APPROVAL OF MINUTES

The minutes of the March 13 meeting were approved by unanimous consent.

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

The reports will be reviewed next month.

APPROVAL OF PAYROLL REGISTER

S. Walters moved to approve the March 11 and 25 payroll registers.

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

SUBDIVISION AND LAND DEVELOPMENT BUSINESS

D. Kraatz announced that the land development plan for the YMCA went to staff review on April 9 and will go back to the May 14 staff review.

Codes Enforcement

There were 12 permits issued in March.

Southern Regional Police Department – Nate Kirschman

The grant to purchase the vests came in and the new vehicle is almost on the road. The old vehicle is worth around \$500.00 – 600.00 and will be kept for a school resource officer's use. The new officer is almost finished with his training. Chief Boddington is taking shifts. The amount of \$17,000.00 was raised so far for the canine unit. Mayor Sharkey reported the Intergovernmental Agreement Committee has been meeting and it will soon present a document to the Police Commission which will then be forwarded to the respective municipalities.

Water & Sewer – Supt. SweitzerSewer Rates

Pres. Buchanan stated the new sewer capital improvement fee component of the sewer billings should bring in \$56,000.00 for the first quarter. This billing period was about five days short and the number of gallons billed for water was about a million gallons less.

Exit 4 PennDOT Project

Kinsley Construction began work on March 18 and the sewer line will be relocated starting on April 14 and will take place at night between 9:00 p.m. and 5:00 a.m. It will cost the Borough/Authority around \$27,080.00 for engineering, inspections, and materials (Borough sharing being almost \$12,000.00 or 44.3%).

Water Meter Cost

The water meter and assembly costs have increased dramatically. The current cost is \$350.00 and the current cost is almost \$600.00. Resolution 2019-5 to implement a price increase was presented.

S. Walters moved to approve the Resolution to increase the price of a meter to \$600.00.
K. Wills seconded. The motion carried with all voting in favor.

Sewer Flows

Shrewsbury finished 2018 with 54.25% of the sewer plant. There were five days where we exceeded the 1.33 MGD sewer flows in 2018.

DATE	Shrewsbury Flows	New Freedom Flows	Shrewsbury % Flows
2018	.790 MGD	.655 MGD	54.25%
January 2019	.860 MGD	.743 MGD	53.6%
February 2019	.830 MGD	.733 MGD	53.1%
March 2019	.879 MGD	N/A	N/A
March 21, 2019	1.420 MGD	N/A	N/A
SHREWSBURY ALLOWABLE SEWER FLOWS: 1.33 MGD			

Wellhead Protection Meeting

The meeting is Wednesday, April 17 at 7:00 p.m. Smith Brothers Garage, the YMCA, and Allison Rodgers' wellhead project are on the agenda.

Public Roads & Lighting – M. Sharkey/Supt. Sweitzer

Crack Sealing Machine

The amount of \$25,000.00 was budgeted to share in the purchase of the crack sealing machine with Shrewsbury Township and Glen Rock Borough. The Borough's share will be around \$20,000.00 and Shrewsbury Township will house the machine and the Borough will pay its annual share of the cost of insurance.

Road Inspection

The 2019 road inspection was included with the packets.

Driveway Ramps

The list of 63 driveways that violate the ordinance was included with the packets. The blacktop placed at the end of the driveways create a dangerous situation in winter as it diverts water out into the roadway and then freezes. There is also concern with the temporary ramps such as steel grates, rubber mats and lumber when hit and possibly launched by a snow plow. A letter will be sent to each property owner asking them to correct the situation along with a drawing and a picture of how it should be corrected, with a deadline for completion of October 31, 2019.

T. Nadobny entered the meeting at 8:18 p.m.

S. Walters moved that a letter and drawing be sent to each property owner on the list.

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

Traffic Calming Policy

S. Walters moved to adopt Resolution 2019-6 to adopt the traffic calming policy.
T. Nadobny seconded. The motion carried with all voting in favor.

Public Lands, Buildings and Finance – Mayor Sharkey

44 South Main Street

An article appeared in the newsletter asking for opinions on whether to sell or lease the building. Nine responses were received with three of them suggesting an historical use for the building. The potential financial burden of such a use was highlighted. The Secretary and Supt. Sweitzer were asked to provide the utilities and maintenance costs. An article will be in the next newsletter as to whether there is enough interest to re-activate a historical society.

ENGINEER'S REPORT

Water Line Replacement

There was considerable delay with the locating company marking the Met Ed and Comcast lines on Woodland Drive with four PA One Call notices being made. The survey crew is to start tomorrow on Woodland Drive. The Essex Circle Drive survey was previously completed. The bid should be awarded at the June meeting.

Dunaja Subdivision Plan, West Forrest Avenue

Eng. Lipinski and Supt. Sweitzer are meeting with the contractor (Fitz & Smith) tomorrow regarding the installation of the public water and sewer services as well as the street paving overlay required by the Borough's street opening permit ordinance.

Essex Circle Drive

Eng. Lipinski and Supt. Sweitzer are meeting tomorrow with the contractor (Fitz & Smith) to discuss the repairs to the sewer lateral that is leaking and the lateral that appears to have a portion of the gasket projecting into the lateral. It was noted that the employees of this contractor buried a traffic cone and their lunch trash in the ditches. They will be reminded that services must be completed in a good and workmanlike manner in all projects.

SOLICITOR'S REPORT

Market Square Stormwater Issues

Attorney McDonald sent the letter to the shopping center's attorney per Council's wishes last month, and he is still waiting on a written response.

Sewer Issues

Attorney Hovis followed up regarding his response dated February 22 with documents and inquired if representatives from the Borough wished to accept the offer for discussion with representatives of New Freedom Borough. The solicitor will inform Attorney Hovis that Shrewsbury Borough representatives desire to meet, after they have reviewed the recently received information.

Essex Circle Tributary

An opinion letter has been prepared for work to be done by Aquatic Resources, Inc.

Volunteer Tax Credit Program

The updated forms for the Local Earned Income Tax and Real Estate Tax Credit have been provided to the Borough and Fire Company leadership for final review.

Private Well Inspections in Shrewsbury Township

A second set of letters were prepared to be sent to residents in Shrewsbury Township who have not complied with Township Ordinance 2018-1. The letters will be sent at the appropriate time.

Right to Know Request

Randy Engle of 4 Strawberry Road, filed a right to know request to receive the list of addresses of those who hadn't responded or failed their well inspection. The Borough denied the request and he appealed it to the Office of Open Records. The Office found in favor of the Borough and denied the appeal. The cost to defend against the appeal was substantial. Another individual in the Township did the same thing and Sol. Rehmeyer is in the process of defending that appeal for the Borough, utilizing prior work done successfully when defending against Mr. Engle.

Dunaja Subdivision Plan

The water services agreement was provided to Eng. Lipinski. Sol. Rehmeyer is reviewing the bond form provided by the surety company.

6 Circle Drive Sewer Lateral

Atty. Gary Imblum has indicated that his clients have a contract with Clear View Excavating to repair the lateral.

Heathcote Glen II, Phase 3 Water Line

As stated previously, there is a problem with the water line not being in the right-of-way on Hastings Way, as shown by prior documents of record. Counsel for the developer is continuing efforts to prompt the homeowners to be responsive in order to move forward. Keystone Homes was asked to try to intervene since it already has a relationship with the homeowners. These issues need to be resolved before there is any further construction.

Stewartstown Railroad Company

On March 21, Sol. Rehmeier sent a letter to David Williamson, President of the Railroad, asking for information about the crossings and the fees that are in place with other municipalities which had been requested previously. He also informed Mr. Williamson about the dye test that indicates the sewer line is not connected to the public sewer main. Mr. Williamson has contacted Sol. Rehmeier and requested a meeting, which meeting will be arranged in the coming weeks.

Public Safety, Welfare and Personnel – S. Walters

S. Walters stated that SCEMA participated in a weather drill in the EOC that included a situation where this building was struck by the disaster and the alternate EOC at the Township building was opened up.

There is another weather-related called Skywarm at the County's EMA on May 4.

ADA and Municipal Building

Mayor Sharkey stated the County's Solicitor and others will be here on April 22 at 9:00 a.m. to view the ADA violations and to try to resolve the issues.

Secretary's Report – C. Bosley

The Secretary reported the Pennvest application is nearing completion and the engineer will pick up the thumb drives that contain the attachments on April 17.

York Adams Tax Bureau – M. Sharkey

The next meeting is on April 29.

UNFINISHED BUSINESS

Sidewalks

K. Wills stated he has registered for a seminar titled Understanding Complete Street Policies and Field Review on May 14 in Gettysburg.

NEW BUSINESS

2018 Draft Audit Review Meeting

Pres. Buchanan stated that he, Fred Arbogast, Stan Walters, and Denny Wertz met with the auditor to review the draft Borough and Municipal Authority audits.

Blighted Properties

It was noted there are at least two blighted properties in the Borough and letter should be sent to the property owners. One is at 10 East Tolna Road and the other is in the 600 block of South Main Street. The roofs are collapsing.

COMMUNICATIONS

Mayor Sharkey stated there were no wedding ceremonies performed this quarter or last quarter. He has been asked to perform a legal ceremony and requested to use the municipal building. Permission was granted.

Mayor Sharkey attended two Eagle Scout ceremonies and presented four certificates at Sunday's ceremony. He did not present two at the earlier ceremony and would like to do that possibly at a Council meeting.

ADJOURNMENT

T. Nadobny moved to adjourn the meeting at 9:35 p.m.
S. Walters seconded. The motion carried with all voting in favor.

Submitted by Cindy L. Bosley, Sec.